

Comment Letter 1



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D.
Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

January 16, 2024

Kara Hawkins

Planner III

City of San Jose

200 E Santa Clara Street T3

San Jose, CA 95113

kara.hawkins@sanjoseca.gov

RE: DRAFT ENVIRONMENTAL IMPACT REPORT(DEIR) FOR THE WESTGATE
WEST COSTCO WAREHOUSE PROJECT DATED DECEMBER 15 2023 STATE
CLEARINGHOUSE NUMBER [2022010135](#)

Dear Kara Hawkins,

The Department of Toxic Substances Control (DTSC) received a DEIR for the Westgate West Costco Warehouse Project. The project is a Conditional Use Permit to allow demolition of existing commercial buildings totaling approximately 188,265 square feet and the removal of 115 trees (81 ordinance-size trees and 34 non-ordinance-size trees) for the construction of an approximately 165,148-square foot wholesale retail center ("Costco"), including a tire center and associated parking and landscaping within an existing approximately 9.69-gross acre shopping center ("Westgate West Shopping Center"). After reviewing the project, DTSC recommends and requests consideration of the following comments:

1. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the

presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 [Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers.](#)

2. DTSC recommends that all imported soil and fill material should be tested to ensure any contaminants of concern are within approved screening levels for the intended land use. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material meets screening levels for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of the prior land use.

DTSC appreciates the opportunity to comment on the DEIR for the Westgate West Costco Warehouse Project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like any clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Sincerely,

Tamara Purvis

Tamara Purvis
Associate Environmental Planner
HWMP-Permitting Division – CEQA Unit
Department of Toxic Substances Control
Tamara.Purvis@dtsc.ca.gov

Kara Hawkins
January 16, 2024
Page 3

cc: (via email)

Governor's Office of Planning and
Research State Clearinghouse
State.Clearinghouse@opr.ca.gov

Dave Kereazis
Associate Environmental Planner
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Scott Wiley
Associate Governmental Program Analyst
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Scott.Wiley@dtsc.ca.gov

Comment Letter 2

RE: Notice of Availability: Westgate West Costco Project Environmental Impact Report (CP21-022)

Matthew Sasaki <[REDACTED]>

Thu 1/18/2024 4:14 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Hi Kara,

The Santa Clara Valley Water District (Valley Water) has reviewed the Draft Environmental Impact Report (EIR) for the Westgate West Costco Project, received on December 15, 2023.

Based on our review, we have the following comments:

1. Valley Water does not have any right of way or facilities within the project boundaries; therefore, in accordance with Valley Water's Water Resources Protection Ordinance, a Valley Water encroachment permit is not needed for the project.
2. Valley Water records indicate that there are 17 active wells located within the project boundaries. If the wells will continue to be used following permitted activity, they must be protected so that they do not become lost or damaged during completion of permitted activity. If the wells will not be used following permitted activity, they must be properly destroyed under permit from Valley Water. While Valley Water has records for most wells located in the County, it is always possible that a well exists that is not in Valley Water's records. If previously unknown wells are found on subject property, they must be properly destroyed under permit from Valley Water or registered with Valley Water and protected from damage.

If you have any questions regarding these comments, please reach out to me. This project has been assigned to Valley Water File 34620. Please reference this number on future correspondence regarding this project.

Thank you,

MATT SASAKI

Pronouns: he/him

Assistant Engineer II

Community Projects Review Unit

[REDACTED]
[REDACTED]

Santa Clara Valley Water District is now known as:



Clean Water • Healthy Environment • Flood Protection

5750 Almaden Expressway, San Jose CA 95118

www.valleywater.org

From: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

Sent: Friday, December 15, 2023 9:45 AM

Subject: Notice of Availability: Westgate West Costco Project Environmental Impact Report (CP21-022)

*** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. ***

**NOTICE OF AVAILABILITY OF
A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)
AND PUBLIC COMMENT PERIOD
(SCH# 2022010135)**

A Draft Environmental Impact Report (DEIR) for the Westgate West Costco Project is now available for public review and comment. The project is a Conditional Use Permit to allow demolition of existing commercial buildings totaling approximately 188,265 square feet and the removal of 115 trees (81 ordinance-size trees and 34 non-ordinance-size trees) for the construction of an approximately 165,148-square foot wholesale retail center ("Costco"), including a tire center and associated parking and landscaping within an existing approximately 9.69-gross acre shopping center ("Westgate West Shopping Center"). The project also includes a request for the off-sale of alcohol (Type 21 ABC License – full range of alcoholic beverages) in the CG Commercial General Zoning District.

Location: The project site is located at 5287 Prospect Road within an existing shopping center on the northeast corner of Lawrence Expressway and Prospect Road. The Project site is bounded by Graves Avenue to the north, the Westgate Shopping Center to the east, Prospect Road to the south, and Lawrence Expressway to the west.

APNs: 381-36-012, 381-36-014, 381-36-018, 381-36-021, 381-36-023, 381-36-028, 381-36-029, and 381-36-030

Council District: 1

File No.: CP21-022

The proposed project will have potentially significant environmental effects with regard to air quality, biological, hazardous materials, and noise. The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed toxic sites are present at the project location. The project location is contained on a list of hazardous materials sites maintained by the State in accordance with California Public Resources Code Section 65962.5.

The Draft EIR and documents referenced in the Draft EIR are available for review online at the City of San José's "Active EIRs" website at www.sanjoseca.gov/activeeirs and are also available at the following locations:

Department of Planning, Building, and Code Enforcement
200 East Santa Clara St., 3rd Floor
San José, CA 95113
(408) 535-3555

Dr. MLK Jr. Main Library
150 E. San Fernando St.,
San José, CA 95112
(408) 277-4822

West Valley Branch Library
1243 San Tomas Aquino Rd,
San José, CA 95117
(408) 244-4747

The public review period for this Draft EIR will be 65 days, between **December 15, 2023 and February 20, 2024**. Written comments must be received at the Planning Department by 5:00 p.m. on February 20, 2024, in order to be addressed as part of the formal EIR review process.

Comments and questions should be referred to Kara Hawkins in the Department of Planning, Building and Code Enforcement at 408-535-7852, via e-mail: Kara.Hawkins@sanjoseca.gov, or by regular mail at the mailing address listed for the Department of Planning, Building, and Code Enforcement, above (send to the attention of Kara Hawkins). For the official record, please email or mail your written comment letter and reference File No. CP21-022.

Following the close of the public review period, the Director of Planning, Building, and Code Enforcement will prepare a Final Environmental Impact Report that will include responses to comments received during the review period. At least ten days prior to the public hearing on the EIR, the City's responses to comments received during the public review period will be available for review and will be sent to those who have commented in writing on the EIR during the public review period.

Best,

Kara Hawkins, Planner III
City of San Jose | PBCE
kara.hawkins@sanjoseca.gov
(408) 535-7852

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Comment Letter 3

Comment Letter: Reference: File No. CP21-022

Bryan Swanson <bswanson@saratoga.ca.us>

Fri 2/9/2024 3:44 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

 1 attachments (177 KB)

City_of_Saratoga_Response_to_Comment_Costco_Project_0282024.pdf;

[External Email]

You don't often get email from bswanson@saratoga.ca.us. [Learn why this is important](#)

Dear Ms. Hawkins

On behalf of the City of Saratoga, I would like to submit the attached letter for the official record and reference File No. CP21-022

Thank you, very much.

Sincerely,

Bryan

Bryan T. Swanson

Community Development Director

City of Saratoga | Community Development Department

13777 Fruitvale Avenue | Saratoga, CA 95070

408.868.1231 | bswanson@saratoga.ca.us | www.saratoga.ca.us



From: Bryan Swanson
Sent: Thursday, February 8, 2024 2:49 PM
To: 'Kara.Hawkins@sanjoseca.gov' <Kara.Hawkins@sanjoseca.gov>
Subject: Costco Project - City of Saratoga - Comment Letter

Dear Ms. Hawkins,

Greetings, my name is Bryan Swanson and I serve as the Community Development Director for the City of Saratoga. The City Council of the City of Saratoga directed staff to submit the attached letter. A physical copy will also be mailed to your address.

Sincerely,

Bryan

Bryan T. Swanson
Community Development Director
City of Saratoga | Community Development Department
13777 Fruitvale Avenue | Saratoga, CA 95070
408.868.1231 | bswanson@saratoga.ca.us | www.saratoga.ca.us



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SARATOGA
California

Community Development Department
13777 Fruitvale Avenue
Saratoga, CA 95070
408.868.1222

January 29, 2024

Kara Hawkins

Planner III

Department of Planning, Building, and Code Enforcement

200 East Santa Clara Street, 3rd Floor

San Jose, CA 95113

Re: Draft Environmental Impact Report for the Westgate West Costco Project
Project; File No. CP21-022; (SCH# 2022010135)

Dear Ms. Hawkins:

Saratoga appreciates the opportunity to submit comments on the Draft Environmental Impact Report (DEIR) for the Westgate West Costco Project (Project). As a neighboring jurisdiction, Saratoga has been closely monitoring the proposed land use changes in the southeastern part of San Jos...as they have the potential to adversely affect Saratoga, its residents, and its environment.

Given the size of the proposed Project and its immediate proximity to Saratoga, it is imperative that the DEIR comprehensively evaluate and mitigate the Project's environmental impacts. We articulated Saratoga's primary concerns regarding the Project in our Notice of Preparation (NOP) comment letter dated February 10, 2022, and we identified specific impacts that the City of San Jos...should carefully evaluate as part of an informative and comprehensive DEIR. However, as explained below, the DEIR fails to provide the necessary evaluation and fails to identify feasible and effective mitigation measures and alternatives capable of minimizing the Project's environmental impacts.

We offer the following comments for San José's consideration and respectfully request that San Jos...coordinate closely with Saratoga to ensure the proposed Project is developed in an environmentally responsible manner.

I. The DEIR Fails to Comply With CEQA.

A. The DEIR's Flawed Project Description Does Not Permit Meaningful Public Review of the Project.

In order for an EIR to adequately evaluate the environmental ramifications of a project, it must first provide a comprehensive description of the project itself. “An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR.” *San Joaquín Raptor*, 27 Cal.App.4th 713, 730, (quoting *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193). As a result, courts have found that even if an EIR is adequate in all other respects, the use of a “truncated project concept” violates CEQA and mandates the conclusion that the lead agency did not proceed in a manner required by law. *San Joaquín Raptor*, 27 Cal.App.4th at 729-30. Furthermore, “[a]n accurate project description is necessary for an intelligent evaluation of the potential environmental effects of a proposed activity.” *Id.* at 730 [citation omitted]. Thus, an inaccurate or incomplete project description renders the analysis of significant environmental impacts inherently unreliable.

In addition, CEQA requires evaluation of “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” CEQA Guidelines § 15378(a). Breaking the project into smaller sub-projects will lead to inadequate environmental review. *See, e.g., Bozung v. Local Agency Formation Comm'n* (1975) 13 Cal.3d 263, 283-84 (CEQA mandates that “environmental considerations do not become submerged by chopping a large project into many little ones”).

As discussed above, and in our February 10, 2022, letter, the City of Saratoga remains concerned that San Jos...is proceeding with the proposed Project before completing its plan for the Paseo de Saratoga Urban Village, which is part of the City's comprehensive approach to fostering growth in key development areas within San Jose. Already the El Paseo de Saratoga development project has been approved (and is in the process of being further refined by the project proponent) without the benefit of San Jose having determined the direction and vision for the Paseo de Saratoga Urban Village. Next, the Costco project is being considered without having moved the Urban Village concept forward to determine what guidance should frame development in this area. At its best, this is poor planning. The larger concern is that it results in piecemealing of environmental review under CEQA. Reviewing Costco as a project separate from the El Paseo de Saratoga project and separate from the CEQA analysis for the future Paseo de Saratoga Urban Village, thwarts the CEQA process and precludes informed public participation and decision making. It is imperative that the DEIR disclose all of San Jos...s development plans for the Paseo de Saratoga Urban Village so that Saratoga and the public are apprised of the full extent of San Jos...s plans for development in the area.

The DEIR's Project Description is also deficient because it omits significant details necessary to understand the Project and accurately assess the Project's impacts. A notable defect is the DEIR's failure to provide necessary information about the project design features that the DEIR relies upon to reduce environmental impacts to a less than significant level. Throughout the DEIR, there are references in various impact area sections such as "the Project Proponents are committing to . . ." or "the Project will include . . .". However, the information or details about the commitments or inclusions are not noted in the Project Description, and there is no mechanism to confirm or enforce the actual implementation of these measures, programs or efforts.

For example, Table 3.3-4 in the Air Quality section of the DEIR identifies a variety of transportation, energy, and conservation measures that are included in the project and demonstrates how the project is consistent with the 2017 Clean Air Plan. This assessment of consistency leads the DEIR to conclude that the Project's air quality impacts are less than significant. However, the Project Description fails to include any of these measures. This pattern is repeated in several impact sections including Energy, Greenhouse Gas Emissions, and Transportation. The DEIR cannot rely on casual statements in the impact sections to equal a reduction of impacts to less than significant levels. Statements made by the Project proponents that are used to demonstrate how the project impacts will be less than significant need to be documented in the Project Description. Furthermore, the impact analysis needs to qualify or quantify how the measure will be implemented or the design feature will be installed to reduce the impact. Absent this, environmental impacts should be accurately assessed, and mitigation measures should be included to ensure effective implementation and resulting impact reduction.

B. The DEIR Fails to Adequately Evaluate and Mitigate the Project's Environmental Impacts.

1. The DEIR Contains Inaccurate Conclusions for Energy Impacts

The DEIR inaccurately characterizes impacts to energy resources as less than significant. In fact, because this project does not incorporate renewable energy features into the building design and because no specific energy conservation measures are identified in the Project Description that could be employed to reduce energy usage, the Project indeed does have a significant impact on energy resources.

The DEIR acknowledges that Part I of Appendix F of the CEQA Guidelines states as follows: "The goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include:

1. Decreasing overall per capita energy consumption,
2. Decreasing reliance on fossil fuels such as coal, natural gas and oil, and
3. Increasing reliance on renewable energy resources."

See DEIR at 96.

Moreover, the DEIR states that impacts to energy resources are considered to be significant if the project would result in the “wasteful, inefficient or unnecessary consumption of fuel or energy, and conversely if the project would not incorporate renewable energy or energy efficiency measures into building design, equipment use, transportation or other project features.” *See* DEIR at 97.

Despite this, the DEIR asserts without substantiation, that through “compliance with local electricity programs and Project design requirements, the Project’s projected electricity use would not be inefficient or wasteful and incorporates renewable energy where practical.” *See* DEIR at 103. In fact, the project includes the use of 388,576 kBtu/yr of natural gas for heating and 1,831,175 kWh/yr of electricity for lighting and other on-site uses. Because the project is burning non-renewable fossil fuel instead of exclusively renewable energy, and because the project is not generating on-site power, it is indeed inefficient and wasteful and creating a significant impact on energy resources.

Ramboll’s Energy Analysis (Appendix E to the DEIR) asserts that the Project is consistent with San Jose General Plan Policy MS-2.2, “Encourage maximized use of on-site generation of renewable energy for all new and existing buildings,” in that the Project proponent has committed to the community “Solar Choice” program with PG&E. Because of the Project’s intent to use this program, in part, the DEIR concludes the Project’s impacts to energy resources is less than significant. There are, however, several problems with this conclusion:

First, PG&E is not enrolling customers in the Solar Choice Program. The following statement is on their website: “Residential and Non-Residential enrollment in Solar Choice is on hold per California Public Utility Commission directive in Decision 21-12-036. All customers attempting to enroll will be placed on a waitlist for future enrollment if capacity becomes available.”¹ The Solar Choice program is not currently operational and there is no specific timeline for it to be so.² Therefore, the Project cannot assert compliance with the requirement to maximize use of renewable energy if the very program being cited is not functional. The DEIR should identify other sources of 100% renewable energy that can provide power to the Project. Better yet, renewable electricity should be generated on site to offset the needs of the future facility.

Second, the Solar Choice program offers both 50% and 100% options, so a “commitment to invest in community solar” does not guarantee that renewable energy will be used to the maximum degree. Reliance on the Solar Choice program cannot serve to claim that

¹ <https://www.pge.com/en/clean-energy/solar/community-renewable-programs.html>

² <https://www.pgecurrents.com/articles/3902-pg-e-seeks-176-15-mw-new-local-solar-projects-meet-customer-demand-popular-renewable-energy-program>

the Project is using renewable energy and eliminates the need to incorporate renewable energy – such as solar photovoltaics on the rooftop parking deck – into the project design.

Third, even if the PG&E Solar Choice Program was a functional option, the fact that the details of this commitment are not captured in the Project Description or a mitigation measure renders it near impossible to enforce compliance or mandate implementation, and therefore unreliable as a partial basis for the significance conclusion.

Because the project includes minimal energy efficiency measures (that aren't included in the Project Description) and does not incorporate renewable energy production on site despite ample opportunity to do so, it cannot be assumed that the project's energy impacts would be less than significant. In fact, *League to Save Lake Tahoe et al. v. County of Placer* (2022) 75 Cal.App.5th 63 held that the project's energy analysis was deficient because the EIR failed to analyze the project's potential use of renewable energy. This DEIR fails in the same way.

2. The DEIR Fails to Accurately Describe Existing Conditions and Adequately Assess the Project's Transportation Impacts.

Saratoga relies on the DEIR and the Non-CEQA Local Transportation Analysis (LTA) to evaluate how traffic from the proposed Project would affect its transportation network. For this reason, it is imperative that the DEIR and LTA accurately depict existing conditions, the Project's trip generation, and its trip distribution.

(a) The Transportation Analysis is Flawed and Incomplete.

The Transportation Analysis requires the following corrections (all page references in this list are to pages in DEIR Appendix I):

- LTA Appendices B: Existing Traffic Conditions TRAFFIX Reports, E: Background Traffic Conditions TRAFFIX Reports, F: Background Plus Project Traffic Conditions TRAFFIX Reports, and G: Cumulative Plus Project Traffic Conditions TRAFFIX Reports: The TRAFFIX output files are missing in the Appendix for all intersections and therefore the parameters, geometries, volumes, assumptions, etc. cannot be reviewed or confirmed.
- Pages 3-4: Include the City of Saratoga's Local Roads Safety Plan, approved October 2022, and Safe Routes to School, approved September 2022, and General Plan, dated November 2010, documentation in the Local Regulatory Framework discussion as both apply within the study area.
- Page 7: Clarify the analysis methodology for determining an adverse effect in the City of Saratoga. Did the analysis follow the same standards as the City of San Jose or a different standard? (This comment also applies to the CMP and County facilities.)

- Page 9: The description for Saratoga Avenue includes bike lanes, however there are some sections of Saratoga Avenue that do not have bike lanes. Adjust the text and add a brief discussion of the recent road diet and ensure the road diet is included under Background and Cumulative Conditions.
- Page 9: Update the description of the extents of Prospect Road: “extends from Campbell Ave at Saratoga Ave in the east to Stelling Road in the cities of Saratoga and Cupertino.”
- Page 10-11: Identify pedestrian facilities that are not ADA compliant along the project frontage.
- Figure 3: Update the bicycle facilities figure to include the designations listed on page 11 under “Bicycle Facilities” (i.e., Class I, II, etc.)
- Figure 3: Bicycle facilities in the City of Saratoga are missing from this graphic. Include these facilities, one of which includes bicycle lanes on Saratoga Avenue. Lawrence Expressway does not have designated bicycle lanes; remove from figure.
- Page 14: Include Saratoga Avenue / Cox Avenue and Quito Road / Cox Avenue as part of the study intersections. These intersections are located in between other study intersections and experience congestion today.
- Page 21: Ensure that the Project and its proposed improvements do not conflict with the City of Saratoga’s General Plan, Local Roads Safety Plan, or Safe Routes to School Plan, and incorporate the improvements identified in these plans as part of the project to avoid a significance finding.
- Page 34: Clarify if the pass-by and diverted trip percentages are for all Costco trips (weekdays and weekends), or just for weekday trips.
- Figure 9: Explain the trip assignment at Intersections 17, 18, and 19. The trip totals do not add up between intersections and the orientation of the intersections is not clear.
- Pages 42-52: It is not stated anywhere what transportation improvements were assumed to be implemented under Background or Cumulative Conditions, such as the City of San Jose’s road diet on Saratoga Avenue. Clarify this in the text and make any updates to the LOS results as necessary.
- Page 57: The project is identified to have an adverse queuing effect for the eastbound and westbound left-turn lanes at Lawrence Expressway and Prospect Road, however, it was identified that there is no room for additional queue storage. Provide further justification for why a portion or all the queue spillback cannot be accommodated. For example, was parking removal considered, narrowing of travel lane, or restriping considered?

(b) The DEIR Fails to Analyze or Mitigate Significant Impacts on Pedestrians and Bicyclists.

The DEIR fails to analyze the impact of the Project's additional traffic on safety risks to pedestrians and bicyclists in the area. Given the existing high levels of traffic in the area, added traffic from customers and trucks from deliveries will only exacerbate risks to these users. The Project must include more pedestrian and bicycle facilities to address these risks.

San Jose's General Plan emphasizes the importance of pedestrian and bicycle travel in achieving the City's mobility goals. San Jose's Bike Plan 2020 calls for reducing bicycle collision rates by 50 percent. Similarly, San Jose's Vision Zero Plan is intended to create a community culture that prioritizes traffic safety and ensures that mistakes on roadways do not result in severe injury or death. Despite San Jose's clear priorities to protect pedestrians and bicyclists from harm, the DEIR does not evaluate the potential impacts on pedestrians and bicyclists that would be caused by the Project's increased vehicular travel. CEQA requires such an analysis. *See City of Maywood v. Los Angeles Unified School Dist.* (2012) 208 Cal.App.4th 362, 392-95 (holding EIR was inadequate because it failed to analyze and mitigate project impacts on pedestrians).

It is imperative that the DEIR disclose existing pedestrian and bicycle accident rates in the study area and then evaluate how these rates would change with the addition of Project traffic. This evaluation must include Saratoga Avenue between I-280 and Quito Road as this roadway segment is designated a "Priority Safety Corridor" as part of Vision Zero San José. The EIR must address, at the very least, the following questions: How many pedestrian and bicycle accidents have occurred on streets in the study area over the last decade? What was the cause of these accidents? What actions has the San Jose taken to prevent such accidents?

Lastly, the Project does not provide bicycle parking facilities consistent with the City of San Jose's Municipal Code. This makes the project in conflict with a program, plan, ordinance, or policy addressing the circulation system and is a finding of significance unless adequate bicycle parking is provided. The EIR notes that because Costco is a retail warehouse building, it would not generate substantial multimodal trips; however, employees and customers using the food court could arrive via alternative modes of travel. The City of San Jose should adhere to their own bicycle parking policy.

Because the DEIR does not fully analyze impacts on pedestrians and bicycles its discussion of mitigation measures also falls short. At a minimum, the City of Saratoga requests that the improvements identified in Saratoga's Safe Routes to School Plan along Prospect Road and Lawrence Expressway be implemented as a part of this project. Although located in the City of Saratoga, the Prospect High School attendance boundary includes a portion of San Jose and Prospect High students would appear to be among those most affected by this project.

3. The DEIR Improperly Analyzed Impacts to Land Use.

The DEIR concludes that impacts to land use are less than significant despite the Project being incompatible with several San Jose General Plan Community Design and Land Use policies adopted to ensure a comfortable, attractive, and safe environment in the City's varied residential and commercial neighborhoods. The most notable policies are identified below:

Policy CD-1.12: Use building design to reflect both the unique character of a specific site and the context of surrounding development and to support pedestrian movement throughout the building site by providing convenient means of entry from public streets and transit facilities where applicable, and by designing ground level building frontages to create an attractive pedestrian environment along building frontages. Unless it is appropriate to the site and context, franchise-style architecture is strongly discouraged.

Policy CD-1.18: Minimize the footprint and visibility of parking areas. Where parking areas are necessary, provide aesthetically pleasing and visually interesting parking garages with clearly identified pedestrian entrances and walkways. Encourage designs that encapsulate parking facilities behind active building space or screen parked vehicles from view from the public realm. Ensure that garage lighting does not impact adjacent, and to the extent feasible, avoid impacts of headlights on adjacent land uses.

Policy CD-2.3: Enhance pedestrian activity by incorporating appropriate design techniques and regulating uses in private developments, particularly in Downtown, Urban Villages, Corridors, Main Streets, and other locations where appropriate.

- a. Include attractive and interesting pedestrian-oriented streetscape features such as street furniture, pedestrian scale lighting, pedestrian oriented way-finding signage, clocks, fountains, landscaping, and street trees that provide shade, with improvements to sidewalks and other pedestrian ways.
- e. Create easily identifiable and accessible building entrances located on street frontages or paseos.
- f. Accommodate the physical needs of elderly populations and persons with disabilities.
- g. Integrate existing or proposed transit stops in project designs.

Policy LU-5.4: Require new commercial development to facilitate pedestrian and bicycle access through techniques such as minimizing building separation from public sidewalks; providing safe, accessible, convenient, and pleasant pedestrian connections, and including secure and convenient bike storage.

The DEIR states that the above policies were adopted for the purpose of avoiding or mitigating land use impacts resulting from planned development within the City. *See* DEIR at 153. While the DEIR includes this list of General Plan policies, it contains no meaningful analysis of the project's relation to these policies and makes no

determination of conformance with the policies, and therefore prematurely and inaccurately concludes that the project has less than significant land use impacts.

4. The DEIR Does Not Adequately Mitigate Noise Impacts and is Inconsistent with Both the San Jose and the Saratoga Noise Ordinances.

The DEIR glosses over the project's significant noise impacts to area residents. The project proposes to conduct construction activities that generate substantial noise beyond noise standards set forth in Saratoga's and San Jose's municipal codes. The Saratoga Noise Ordinance limits construction activities to 7:30 a.m. to 6:00 p.m. Monday-Friday and 9:00 a.m. to 5:00 p.m. on Saturdays. *See* Saratoga Noise Ordinance Section 7-30. 060. The Project proposes construction from 7 am to 7pm Monday through Saturday. Therefore, the project's proposed construction schedule is inconsistent with Saratoga's Noise Ordinance.

The construction hours are also inconsistent with San Jose's Municipal Code. Section 20.100.450, Hours of Construction Within 500 Feet of a Residential Unit, of the San José Municipal Code (Municipal Code), specifies the following standard exceptions to the provisions of Section 20.100.450.

“Unless otherwise expressly allowed in a Development Permit or other planning approval, no applicant or agent of an applicant shall suffer or allow any construction activity on a site located within 500 feet of a residential unit before 7:00 a.m. or after 7:00 p.m., Monday through Friday, or at any time on weekends.”

The DEIR fails to identify the above inconsistencies as significant impacts. Given that construction activities will occur for almost two years, this approach is unacceptable.

In addition, the DEIR fails to identify feasible mitigation measures to address anticipated significant noise impacts. Given the length of the construction period, one would expect the DEIR to have included a detailed plan for minimizing construction noise. Instead, the DEIR impermissibly defers mitigation of construction noise until after project approval. DEIR at 180 and 181.

Under CEQA an EIR is inadequate if it fails to identify feasible mitigation measures. *Lotus v. Department of Transportation* (2014) 223 Cal. App. 4th 645; *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 151 Cal.App.3d 61, 79. An EIR is inadequate if it fails to suggest mitigation measures, or if its suggested mitigation measures are so undefined that it is impossible to evaluate their effectiveness. *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 151 Cal.App.3d 61 at 79. The formulation of mitigation measures may not properly be deferred until after Project approval; rather, “[m]itigation measures must be fully enforceable through permit conditions, agreements, or legally binding instruments.” CEQA Guidelines §

15126.4(a). Here, the DEIR's identification and analysis of mitigation measures are legally inadequate.

Moreover, the DEIR fails to provide evidence that the mitigation it does provide would be effective in reducing impacts. For example, mitigation measure MM NOI-1, which defers preparation of a Noise Logistics Plan after project approval, is generic and does little to reduce noise impacts to residents. DEIR at 180. For instance, one measure requires the project to "control noise from workers' radios" when this noise is likely to be minor compared to the noise generated by construction equipment and delivery trucks. Similarly, listing the construction hours, sending notices to nearby residences, and appointing a noise disturbance coordinator are ineffectual to reduce actual noise levels. Finally, the DEIR fails to analyze whether and to what extent the Noise Logistics Plan will reduce noise levels after it is implemented.

Likewise, mitigation measure MM NOI-2 related to the project's proposed extended construction hours is also deficient. Specifically, the measure prohibits concrete trucks from accessing the Project site via Graves Avenue and/or Saratoga Avenue during all nighttime activities to reduce noise impacts to San Jose residents along those roads. However, the DEIR does not specify the alternate routes that trucks would use. If trucks were to travel along Prospect through Saratoga, residents along that route would be severely impacted. At a minimum, this measure must be revised to ensure that the specified construction truck route will not travel on Saratoga streets.

5. The DEIR Fails to Adequately Analyze Hazardous Materials' Impacts.

The DEIR's analysis of impacts related to hazardous materials suffers from two flaws. First, the DEIR fails to adequately describe the existing environmental setting related to known hazardous materials on and near the project site. The DEIR's analysis of these impacts is based on Phase I and Phase II technical reports prepared by Kleinfelder in 2019 and 2021. DEIR at 132 and 133. The reports specify that the reports are to be used "within a reasonable time from its issuance, but in no event later than one year from the date of the report." DEIR at 132 and Appendix G1 at 9. Even the most recent of these reports is two and a half years old; the reports are outdated.

Accurate and complete information pertaining to the setting of the project and surrounding uses is critical to an evaluation of a project's impact on the environment. *San Joaquin Raptor/Wildlife Center v. Stanislaus County*, 27 Cal.App.4th 713, 728 (1994); see also *Friends of the Eel River v. Sonoma County Water Agency*, 108 Cal.App.4th 859, 875 (2003) (incomplete description of the Project's environmental setting fails to set the stage for a discussion of significant effects). Here, the DEIR relies on describing the Project's setting to undermine its adequacy as an informational document.

Second, the DEIR does not adequately analyze impacts related to known vapor intrusion on the Midas site that could pose health concerns in the existing and proposed buildings.

DEIR at 133. The DEIR states that “[I]t’s anticipated that the “new building will be ventilated and will have a less porous slab” but fails to include any mitigation requiring testing to ensure that these assumptions are realized. The DEIR also relies on compliance with Department of Toxic Substances Control regulations and deferred preparation of a Site Management Plan and Health and Safety Plan to conclude that this significant impact would be minimized. DEIR at 140. This Plan would be used to “guide activities during demolition, excavation, and initial construction to ensure that potentially contaminated soils are identified, characterized, removed, and disposed of properly.” Therefore, preparation of the plan is important to protect public health and safety now, before approval, while adjustments to planned project construction can be made. As discussed above, under CEQA deferring mitigation is impermissible. The DEIR should have included Site Management Plan and Health and Safety Plan outlining potential remediation if necessary.

6. The DEIR Fails to Adequately Analyze the Project’s Cumulative Environmental Impacts.

An EIR must discuss the cumulative impacts of a project if the incremental effects of a project are considerable when viewed in connection with the effects of other past, current, and probable future projects. CEQA Guidelines §§ 15130(a), 15065(c). Projects currently under environmental review by San José clearly qualify as reasonably probable future projects to be considered in a cumulative impacts analysis. *See San Franciscans for Reasonable Growth v. City & County of San Francisco*, 151 Cal.App.3d 61, 74 n.13 (1984).

The DEIR concluded that neither construction nor operation are anticipated to result in impacts significant enough to be cumulatively considerable beyond a 2.5-mile radius of the Project site for all resource areas with the exception of GHG emissions, where the Project’s contribution to a cumulative impact within the City of San José, the greater air basin, and globally is discussed. However, the DEIR offers no explanation or justification for why a 2.5 mile radius is the appropriate distance to use to assess cumulative impacts. The DEIR also does not describe what portion (if any) of the housing units anticipated due to the Regional Housing Needs Allocation (RHNA) for both San Jose and Saratoga were included in the future build out assumptions for the cumulative analysis.

C. The DEIR Must Be Revised and Recirculated.

Under California law, the present DEIR cannot properly form the basis of a final EIR. CEQA and the Guidelines describe the circumstances that require recirculation of a draft EIR. Such circumstances include: (1) the addition of significant new information to the EIR after public notice is given of the availability of the DEIR but before certification, or (2) the draft EIR is so “fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.” CEQA Guidelines § 15088.5.

Here, both circumstances apply. Decisionmakers and the public cannot assess the Project's impacts or even its feasibility through the present DEIR. Among other fundamental deficiencies, the DEIR fails to adequately describe key components of the Project, it understates the Project's significant environmental impacts and assumes that unquantified project design features will effectively reduce these impacts. The DEIR also fails to provide a legally adequate alternatives analysis. In order to resolve these issues, San Jos...must prepare a revised EIR that would necessarily include substantial new information. This revised EIR must then be recirculated for public review and comment.

II. Conclusion

Saratoga appreciates the opportunity to provide comments on the DEIR. We respectfully request that San Jos...defer consideration of the proposed Project until completion of the Paseo de Saratoga Urban Village Plan that includes a comprehensive transit, bicycle, and pedestrian plan capable of meeting transportation demand within the Village. Upon completion of the Plan, we request that San Jos...revise and recirculate a DEIR and coordinate with Saratoga as the Project continues through the process.

Very truly yours,

Bryan T. Swanson

Bryan Swanson,
Community Development Director

Comment Letter 4


Westgate West Costco Warehouse Project Caltrans LDR

Mathews, Marley@DOT <Marley.Mathews@dot.ca.gov>

Tue 2/20/2024 11:45 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

Cc: Luo, Yunsheng@DOT <Yunsheng.Luo@dot.ca.gov>; OPR State Clearinghouse <state.clearinghouse@opr.ca.gov>

 1 attachments (154 KB)

Westgate Costco Warehouse Project Caltrans LDR.pdf;

[External Email]

You don't often get email from marley.mathews@dot.ca.gov. [Learn why this is important](#)

Hello Kara,

Thank you for the opportunity to review the Draft Environmental Impact Report for the Westgate West Costco Warehouse Project. Attached you'll find our comment letter for this project. Please feel free to reach out if you have any questions.

Thank you,
Marley Mathews

Transportation Planner (she/her)
D4 Caltrans 510-960-0841

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California Department of Transportation

DISTRICT 4
OFFICE OF REGIONAL AND COMMUNITY PLANNING
P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660
www.dot.ca.gov



February 20, 2024

SCH #: 2022010135
GTS #: 04-SCL-2022-01251
GTS ID: 25251
Co/Rt/Pm: SC/280/6.738

Kara Hawkins, Planner III
City of San Jose
200 East Santa Clara St., 3rd Floor
San Jose, CA 95113

Re: Westgate West Costco Warehouse Project — Draft Environmental Impact Report (DEIR)

Dear Kara Hawkins:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Westgate West Costco Warehouse Project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system.

The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities. The following comments are based on our review of the December 2023 DEIR.

Project Understanding

The proposed project will demolish the existing commercial buildings for the construction of an approximately 166,058-square-foot wholesale retail center Costco with associated parking.

Travel Demand Analysis

With the enactment of Senate Bill (SB) 743, Caltrans is focused on maximizing efficient development patterns, innovative travel demand reduction strategies, and multimodal improvements. For more information on how Caltrans assesses Vehicle Miles Traveled (VMT) analysis for land use projects, please review Caltrans' Transportation Impact Study Guide ([link](#)).

The project VMT analysis and significance determination are undertaken in a manner consistent with the Office of Planning and Research's (OPR) Technical Advisory. Per the DEIR, this project is found to have a less than significant VMT impact.

Lead Agency

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

Appendix I Transportation Analysis has identified adverse effect from the proposed project on Saratoga Ave/I-280 Southbound Ramps. Please provide more information on how this impact will be mitigated. Caltrans also encourage a sufficient allocation of fair share contributions toward multi-modal improvements to fully mitigate cumulative impacts to regional transportation. The applicant should consider fair share contributions to the following bicycle/pedestrian improvements to reduce congestion impacts to the STN.

- The Caltrans District 4 Bike plan identifies Saratoga Ave and I-280 interchange as a top-tier priority. Consider improvements such as upgrading buffered Class II to Class IV separated bikeways.
- The Caltrans District 4 Pedestrian Plan identifies Saratoga Ave and I-280 interchange as a tier 2 priority. Consider improvements such as installing Rectangular Rapid Flashing Beacons (RRFB) at uncontrolled on-/off-ramps and installing curb extensions to reduce the turning radius at on ramps.

Equitable Access

If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, the project must maintain bicycle and pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.


Construction-Related Impacts

Project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans. To apply, please visit Caltrans Transportation Permits ([link](#)). Prior to construction, coordination may be required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to the STN.

Kara Hawkins, Planner III
February 20, 2024
Page 3

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Marley Mathews, Transportation Planner, via LDR-D4@dot.ca.gov. For future early coordination opportunities or project referrals, please contact LDR-D4@dot.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Luo Yunsheng".

YUNSHENG LUO
Branch Chief, Local Development Review
Office of Regional and Community Planning

c: State Clearinghouse

Comment Letter 5



February 20, 2024

City of San José Department of Planning, Building, and Code Enforcement
200 E. Santa Clara St., 3rd Floor
San José, CA 95113

Attn: Kara Hawkins

By Email: Kara.Hawkins@sanjoseca.gov

Dear Kara,

VTA appreciates the opportunity to comment on the DEIR for the Westgate West Costco Warehouse project proposed at 5287 Prospect Road. VTA has reviewed the document and has the following comments:

Pedestrian Access

It is unclear whether pedestrians will be able to access the site from Graves Avenue near Fields Avenue or Greene Drive due to the screen wall noted on Figure 2.5-4: Proposed Costco Landscape Plan. The project should allow nearby residents to access the site via Graves Avenue by offering a break in the proposed screen wall so they do not have to walk all the way east to the driveway on the other side of the building or to the west by Lawrence Expressway.

Bicycle Parking

VTA recommends the project increase the number of long-term bicycle parking spaces for employees (bicycle lockers or otherwise). Figure 2.5-2: Proposed Overall Site Plan shows 10 short-term bicycle parking spaces to be placed near the entry canopy and no long-term bicycle parking spaces. This amount should be increased to meet San José and VTA minimums for long-term bicycle parking.

Peak Hour

The existing condition's section of the report states, "The AM peak hour does not pertain to the local transportation analysis since the Costco warehouse is closed to members during the AM peak hour (typically opening around 9:30 or 10:00 AM) and therefore generates a negligible number of trips during that period." According to websites, most Costco Warehouses open at 9:00 and not 9:30 or 10:00 AM. Does this information change the numbers of trips the development might generate?

Parking Lot Circulation

VTA suggests the project conduct a circulation analysis on the parking lot, as vehicles will be using the development's access points to go to Costco or other businesses in the shopping center.

Thank you again for the opportunity to review this project. If you have any questions, please do not hesitate to contact me at 408-321-5830 or lola.torney@vta.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lola Torney', with a long horizontal stroke extending to the right.

Lola Torney
Interim Land Use Manager

SJ2322

Comment Letter 6

Re: Notice of Availability: Westgate West Costco Project Environmental Impact Report (CP21 022)

Anthony Leon [REDACTED]

Fri 12/15/2023 4:31 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

Thanks for the info ! Hope this gets built soon.

On Fri, Dec 15, 2023, 9:48 AM Hawkins, Kara <Kara.Hawkins@sanjoseca.gov> wrote:

**NOTICE OF AVAILABILITY OF
A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)
AND PUBLIC COMMENT PERIOD
(SCH# 2022010135)**

A Draft Environmental Impact Report (DEIR) for the Westgate West Costco Project is now available for public review and comment. The project is a Conditional Use Permit to allow demolition of existing commercial buildings totaling approximately 188,265 square feet and the removal of 115 trees (81 ordinance-size trees and 34 non-ordinance-size trees) for the construction of an approximately 165,148-square foot wholesale retail center ("Costco"), including a tire center and associated parking and landscaping within an existing approximately 9.69-gross acre shopping center ("Westgate West Shopping Center"). The project also includes a request for the off-sale of alcohol (Type 21 ABC License – full range of alcoholic beverages) in the CG Commercial General Zoning District.

Location: The project site is located at 5287 Prospect Road within an existing shopping center on the northeast corner of Lawrence Expressway and Prospect Road. The Project site is bounded by Graves Avenue to the north, the Westgate Shopping Center to the east, Prospect Road to the south, and Lawrence Expressway to the west.

APNs: 381-36-012, 381-36-014, 381-36-018, 381-36-021, 381-36-023, 381-36-028, 381-36-029, and 381-36-030

Council District: 1

File No.: CP21-022

The proposed project will have potentially significant environmental effects with regard to air quality, biological, hazardous materials, and noise. The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed toxic sites are present at the project location. The project location is contained on a list of hazardous materials sites maintained by the State in accordance with California Public Resources Code Section 65962.5.

The Draft EIR and documents referenced in the Draft EIR are available for review online at the City of San José's "Active EIRs" website at www.sanjoseca.gov/activeeirs and are also available at the following locations:

Department of Planning, Building, and Code Enforcement
200 East Santa Clara St., 3rd Floor
San José, CA 95113
(408) 535-3555

Dr. MLK Jr. Main Library
150 E. San Fernando St.,
San José, CA 95112
(408) 277-4822

West Valley Branch Library
1243 San Tomas Aquino Rd,
San José, CA 95117
(408) 244-4747

The public review period for this Draft EIR will be 65 days, between **December 15, 2023 and February 20, 2024**. Written comments must be received at the Planning Department by 5:00 p.m. on February 20, 2024, in order to be addressed as part of the formal EIR review process.

Comments and questions should be referred to Kara Hawkins in the Department of Planning, Building and Code Enforcement at 408-535-7852, via e-mail: Kara.Hawkins@sanjoseca.gov, or by regular mail at the mailing address listed for the Department of Planning, Building, and Code Enforcement, above (send to the attention of Kara Hawkins). For the official record, please email or mail your written comment letter and reference File No. CP21-022.

Following the close of the public review period, the Director of Planning, Building, and Code Enforcement will prepare a Final Environmental Impact Report that will include responses to comments received during the review period. At least ten days prior to the public hearing on the EIR, the City's responses to comments received during the public review period will be available for review and will be sent to those who have commented in writing on the EIR during the public review period.

Kara Hawkins, Planner III
City of San Jose | PBCE
kara.hawkins@sanjoseca.gov
(408) 535 7852

[https://outlook.office365.com/mail/AAMkAGE0ODQyOTkyLWU0NjUtNGY0S1hYWY0LTBiNzAxZDBjZjg3MgAuAAAAAoo1ULOFyRZ7RkflpdMOsAQcivajmf6ViSaC%2FzOa85Zr0AATx52DJAAA%](https://outlook.office365.com/mail/AAMkAGE0ODQyOTkyLWU0NjUtNGY0S1hYWY0LTBiNzAxZDBjZjg3MgAuAAAAAoo1ULOFyRZ7RkflpdMOsAQcivajmf6ViSaC%2FzOa85Zr0AATx52DJAAA%3D)

Comment Letter 7

Re: Notice of Availability: Westgate West Costco Project Environmental Impact Report (CP21 022)

Ben Hua [REDACTED]

Fri 12/15/2023 1:15 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

This traffic assessment does not take into account any new traffic that goes through neighbor street to access Costco from Graves Ave entrance.

For example, from Lawrence Ave, to Doyle Rd, then either Happy Valley Ave or Cordelia Ave, then Fields Dr, then Costco.

The only assessment I see is how easy it is for Costco shipment to arrive and for customers. And no actual neighborhood impact assessment.

On Fri, Dec 15, 2023 at 1:08 PM Ben Hua <[REDACTED]> wrote:

Hi Kara Hawkins,

Regarding Traffic Assessment and Planning of File No. CP21-022. Westgate West Costco Project

Please just close the access at Graves avenue, and install a high barrier to shield Costco Noise and Traffic for the neighborhood on Graves Ave and beyond.

I live in this neighborhood. It's absolutely mind boggling, I have to repeatedly mention this to the city and planners on different platforms, again and again.

Costco development would still have a major access path from Prospect and Lawrence ave.

I'm looking for some effective change.

Thanks,

Ben Hua
Resident of zip code 95129.

On Fri, Dec 15, 2023 at 9:48 AM Hawkins, Kara <Kara.Hawkins@sanjoseca.gov> wrote:

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AND PUBLIC COMMENT PERIOD
(SCH# 2022010135)**

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APNs: 381-36-012, 381-36-014, 381-36-018, 381-36-021, 381-36-023, 381-36-028, 381-36-029, and 381-36-030

Council District: 1

File No.: CP21-022

The proposed project will have potentially significant environmental effects with regard to air quality, biological, hazardous materials, and noise. The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed toxic sites are present at the project location. The project location is contained on a list of hazardous materials sites maintained by the State in accordance with California Public Resources Code Section 65962.5.

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Following the close of the public review period, the Director of Planning, Building, and Code Enforcement will prepare a Final Environmental Impact Report that will include responses to comments received during the review period. At least ten days prior to the public hearing on the EIR, the City's responses to comments received during the public review period will be available for review and will be sent to those who have commented in writing on the EIR during the public review period.

Best,

Kara Hawkins, Planner III
City of San Jose | PBCE
kara.hawkins@sanjoseca.gov
(408) 535 7852


Comment Letter 8

CP21-022 EIR comments

Ramesh B <[REDACTED]>

Fri 12/15/2023 10:04 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

 1 attachments (675 KB)

why City is obligated to close Graves ave for Costco .docx;

[External Email]

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

Hi Kara

please record My initial CP21-022 EIR comments.

*Attached document with three key reasons city is **obligated** to close Graves ave access (fully) from a fiduciary and prior written commitments perspective. Failure to do will result in legal action to force the city to meet its commitments.*

This document has evidence to show why Graves ave must be closed

1. City planning department executives made a written commitment to force closure of Graves ave as a condition for any significant updates to Westgate West including new buildings.
2. Any observations by Costco of use of Graves ave for delivery are not applicable for the following reasons
 - a. Tenants like Smart & Final will no longer be there – most delivery trucks using Graves ave are headed to Smart/Final
 - b. Sprouts site development permit was given with the understanding their tenants will not use Graves ave.
 - c. Trader Joe's has been avoiding Graves ave and has committed in writing their intention to note use Graves ave for delivery. They have been good at following up any violations

Attachments below are concrete evidence of the above points

Sprouts SITE development permit

This was the OLD city link to that site development permit: <http://csjimg2.sanjoseca.gov/ecmsviewer/813/778/6778813.pdf>

City Planning departments email showing commitment to close Graves ave

----- Forwarded Message -----

From: Enderby, Mike <mike.enderby@sanjoseca.gov>

To: "....

Cc: "Jenny.Nusbaum@sanjoseca.gov" <Jenny.Nusbaum@sanjoseca.gov>; [REDACTED] <[REDACTED]>; "Laurel.Prevetti@sanjoseca.gov" <Laurel.Prevetti@sanjoseca.gov>; "John.Baty@sanjoseca.gov" <John.Baty@sanjoseca.gov>; "Andrew.Crabtree@sanjoseca.gov" <Andrew.Crabtree@sanjoseca.gov>; "JEANNIE.HAMILTON@sanjoseca.gov" <JEANNIE.HAMILTON@sanjoseca.gov>; "sai.yakubu@sanjoseca.gov" <sai.yakubu@sanjoseca.gov>

Sent: Tuesday, October 30, 2012, 08:41:16 AM PDT

Subject: RE: How can Westgate West construction permit be issued without residential input?

Hi Rajesh,

Nice to hear from you. I appreciate your on-going interest in the project. It is still very much our goal to close off vehicle access to the back of West Valley and Westgate West shopping centers as previously negotiated with the developer(s). As you know, there are permit conditions with triggers in place with the Westgate West project to close off the Graves Avenue driveways upon expansions of building square footage and/or construction of new buildings. The recent modifications that were approved technically constitute remodels and not physical expansions and therefore the trigger for access closures have not been met. The ownership of Westgate West has recently changed. That said, we have reminded the developer of the previously negotiated requirements and the obligations to conform to the permit conditions. We'll keep you posted about any future expansion proposals.

Thanks, Mike

----- Forwarded Message -----

From: Alexis Walsh <awalsh@traderjoes.com>

To: Ramesh B [REDACTED] <[REDACTED]>

Sent: Thursday, June 22, 2023 at 11:30:35 AM PDT

Subject: Re:

Hello Ramesh,

That is correct, trucks should not use Graves Ave.

Hope your well,
Alexis

Sent from my iPhone

On Jun 22, 2023, at 11:12 AM, Ramesh B [REDACTED] wrote:

*** This is an external email. ***

...

On Tuesday, May 23, 2023 at 07:47:03 PM PDT, rameshb [REDACTED] > wrote:

Hi Alexis

re: Westgate West Trader Joes

Can you please confirm that it is Trader Joe's policy that your trucks and vendors who service Trader Joe's should not use Graves ave access -they should all enter and exit via Saratoga ave.

I need this confirmation for ongoing discussions with the proposed Costco.

Thanks
Ramesh
[REDACTED]

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Modified Nov 26 2023

This document has evidence to show why Graves ave must be closed

1. City planning department executives made a written commitment to force closure of Graves ave as a condition for any significant updates to Westgate West including new buildings.
2. Any observations by Costco of use of Graves ave for delivery are not applicable for the following reasons
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This was the OLD city link to that site development

permit: <http://csjimg2.sanjoseca.gov/ecmsviewer/813/778/6778813.pdf>

6. **Loading Area Restrictions:**

- a. The developer shall construct physical cross-access restrictions along and on adjacent properties as shown on the approved plans, and as noted above, to discourage the use of Graves Avenue for site ingress and egress.
- b. The project management shall educate tenants and provide appropriate signage to discourage truck access onto Graves Avenue.
- c. The developer shall relinquish cross-access agreements that facilitate access onto the rear areas of adjacent commercial properties to the satisfaction of the Director of Planning at such time as the Director believes that such access can be eliminated upon further development or redevelopment of adjacent parcels.
- d. Deliveries and loading/unloading of merchandise shall not take place between the hours of 9:00 P.M. and 7:00 A.M.

Modified Nov 26 2023

City Planning departments email showing commitment to close Graves ave

----- Forwarded Message -----

From: Enderby, Mike <mike.enderby@sanjoseca.gov>

To: "...."

Cc: "Jenny.Nusbaum@sanjoseca.gov" <Jenny.Nusbaum@sanjoseca.gov>; [REDACTED]"

[REDACTED]"Laurel.Prevetti@sanjoseca.gov" <Laurel.Prevetti@sanjoseca.gov>;

"John.Baty@sanjoseca.gov" <John.Baty@sanjoseca.gov>; "Andrew.Crabtree@sanjoseca.gov"

<Andrew.Crabtree@sanjoseca.gov>; "JEANNIE.HAMILTON@sanjoseca.gov"

<JEANNIE.HAMILTON@sanjoseca.gov>; "sai.yakubu@sanjoseca.gov" <sai.yakubu@sanjoseca.gov>

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Thanks, Mike

Modified Nov 26 2023

----- Forwarded Message -----

From: Alexis Walsh <awalsh@traderjoes.com>

To: Ramesh B [REDACTED]

Sent: Thursday, June 22, 2023 at 11:30:35 AM PDT

Subject: Re:

Hello Ramesh,

That is correct, trucks should not use Graves Ave.

Hope your well,
Alexis

Sent from my iPhone

On Jun 22, 2023, at 11:12 AM, Ramesh B [REDACTED] wrote:

*** This is an external email. ***

...

On Tuesday, May 23, 2023 at 07:47:03 PM PDT, rameshb [REDACTED] > wrote:

Hi Alexis

re: Westgate West Trader Joes

Can you please confirm that it is Trader Joe's policy that your trucks and vendors who service Trader Joe's should not use Graves ave access -they should all enter and exit via Saratoga ave.

I need this confirmation for ongoing discussions with the proposed Costco.

Thanks
Ramesh
[REDACTED]

Comment Letter 9

Re: Notice of Availability: Westgate West Costco Project Environmental Impact Report (CP21-022)

MICHELLE H. [REDACTED]

Mon 12/18/2023 11:42 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

Hello,

This email is reference File No. CP21-022 for the Westgate West Costco project. I have the following questions and public input.

1. Is it standard construction practice to have 5 overnight concrete pours for a project of this size? While there are noise mitigation measures planned, implementation and enforcement may be more difficult plus concrete trucks are heavy and noisy on their own, without added nuisance of the backup beeping and bright lights. It is recommended to limit the concrete pours and exclude the hours of 10pm to 5am.
2. For Costco rooftop parking it appears there is 5' height to block headlights based on architectural rendering. This rendering should be revised to also show 'dummy' vehicles including tops of vehicles and pickup trucks that will be visible from a distance.
3. What are the pre-development impervious and post-development impervious areas for this project? Are the proposed bioretention basins included as pervious or impervious for this site data information?
4. It appears the bioretention basins are only planted with small shrubs. Are there any small native trees that would be also compatible in these areas?
5. Is there an Autoturn vehicle movement plan available or other plan sheet showing where the large delivery trucks will enter/exit and circulate the site? Hopefully these trucks won't be on any of the smaller city streets and will stay off Graves Ave.
6. The plans show 22' (north side) building setback to Costco. Will all the construction occur on private property, or is some of the construction/scaffolding, etc. expected to encroach on public right of way? There is a screen wall along south side of Graves and mature trees that have survived despite growth limiting conditions of minimal soil and overhead power lines. Will these trees and wall remain? It is recommended to add a few more trees along north side of Costco building to improve aesthetics from nearby residences.
7. For the parking lot improved landscaping there are numerous new trees with very small green space to support growth. Will these tiny tree areas include a below grade lattice structure for increased soil volume? If not these trees will be very stunted and could create root/pavement conflicts in future. Consider increasing the size of landscape islands to better support trees.
8. Is there an exterior backup generator planned? If so, where will this be located on site and will it be tested regularly? I understand these can be very noisy.

Thank you for the notice and opportunity to provide comment.

-Michelle

On Friday, December 15, 2023 at 12:48:24 PM EST, Hawkins, Kara <kara.hawkins@sanjoseca.gov> wrote:

**NOTICE OF AVAILABILITY OF
A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)
AND PUBLIC COMMENT PERIOD
(SCH# 2022010135)**

A Draft Environmental Impact Report (DEIR) for the Westgate West Costco Project is now available for public review and comment. The project is a Conditional Use Permit to allow demolition of existing commercial buildings totaling approximately 188,265 square feet and the removal of 115 trees (81 ordinance-size trees and 34 non-ordinance-size trees) for the construction of an approximately 165,148-square foot wholesale retail center ("Costco"), including a tire center and associated parking and landscaping within an existing approximately 9.69-gross acre shopping center ("Westgate West Shopping Center"). The project also includes a request for the off-sale of alcohol (Type 21 ABC License – full range of alcoholic beverages) in the CG Commercial General Zoning District.

Location: The project site is located at 5287 Prospect Road within an existing shopping center on the northeast corner of Lawrence Expressway and Prospect Road. The Project site is bounded by Graves Avenue to the north, the Westgate Shopping Center to the east, Prospect Road to the south, and Lawrence Expressway to the west.

APNs: 381-36-012, 381-36-014, 381-36-018, 381-36-021, 381-36-023, 381-36-028, 381-36-029, and 381-36-030

Council District: 1

File No.: CP21-022

The proposed project will have potentially significant environmental effects with regard to air quality, biological, hazardous materials, and noise. The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed toxic sites are present at the project location. The project location is contained on a list of hazardous materials sites maintained by the State in accordance with California Public Resources Code Section 65962.5.

The Draft EIR and documents referenced in the Draft EIR are available for review online at the City of San José's "Active EIRs" website at www.sanjoseca.gov/activeeirs and are also available at the following locations:

Department of Planning, Building, and Code Enforcement
200 East Santa Clara St., 3rd Floor
San José, CA 95113

(408) 535-3555

Dr. MLK Jr. Main Library
150 E. San Fernando St.,
San José, CA 95112
(408) 277-4822

West Valley Branch Library
1243 San Tomas Aquino Rd,
San José, CA 95117
(408) 244-4747

The public review period for this Draft EIR will be 65 days, between **December 15, 2023 and February 20, 2024**. Written comments must be received at the Planning Department by 5:00 p.m. on February 20, 2024, in order to be addressed as part of the formal EIR review process.

Comments and questions should be referred to Kara Hawkins in the Department of Planning, Building and Code Enforcement at 408-535-7852, via e-mail: Kara.Hawkins@sanjoseca.gov, or by regular mail at the mailing address listed for the Department of Planning, Building, and Code Enforcement, above (send to the attention of Kara Hawkins). For the official record, please email or mail your written comment letter and reference File No. CP21-022.

Following the close of the public review period, the Director of Planning, Building, and Code Enforcement will prepare a Final Environmental Impact Report that will include responses to comments received during the review period. At least ten days prior to the public hearing on the EIR, the City's responses to comments received during the public review period will be available for review and will be sent to those who have commented in writing on the EIR during the public review period.

Best,

Kara Hawkins, Planner III
City of San Jose | PBCE
kara.hawkins@sanjoseca.gov
(408) 535-7852

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Comment Letter 10

YES! to Costco Westgate

Celia Chiang [REDACTED]

Wed 12/20/2023 1:37 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

Hi, I'm all for this Costco project. This process takes too long, it needs to be built as soon as possible. Costco has done a great job in its accommodations to some residents' 'concerns'. So many Nextdoor neighbors/posters are for Costco and cannot wait for its opening date!

Thank you!

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Comment Letter 11

CP21 022 Costco Comment

Cyrus Shahriari <[REDACTED]>

Wed 12/20/2023 10:27 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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To whom it may concern,

The thorough 'Westgate West Shopping Center' draft EIR addresses key concerns around anticipated traffic volumes in San Jose District 1. Those residents in the immediate area near Graves Avenue understandably have a high concern on resulting noise among other quality of life issues.

For the vast majority of district 1 residents not in the immediate vicinity of the proposed site, the economic benefits of the project will likely outweigh the short term inconveniences.

Costco has a proven track record of sound business operations with one of the highest employee satisfaction rates based on public perception.

The issue at hand is enforcement of existing California Vehicle Code (CVC) and less so with the development of a highly reputable business

My recommendation is to proceed with the Costco development while ensuring that overall traffic concerns in District 1 are addressed by local authorities. The traffic concern is not limited to the Costco development project, but it should be addressed more holistically.

We should decouple the overall traffic concerns in the area while at the same time enabling beneficial development projects.

Sincerely,
Cyrus Shahriari

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Comment Letter 12

Re: Notice of Availability: Westgate West Costco Project Environmental Impact Report (CP21-022)

Sue Cohn <[REDACTED]>

Wed 12/20/2023 12:10 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Thank you for the notification.

I am totally opposed to the West Costco project. It will cause severe traffic problems in an already impacted area. It is close to a school and puts students going to and from Prospect High at a risk. The fact that it will destroy 115 trees only adds to my grievance. It will also have an impact on a neighborhood that is not industrial but a community.

What else can I do to oppose this project beyond write you.

Thank You,
Susan Cohn

On 12/15/2023 9:48 AM, Hawkins, Kara wrote:

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AND PUBLIC COMMENT PERIOD
(SCH# 2022010135)**

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Location: The project site is located at 5287 Prospect Road within an existing shopping center on the northeast corner of Lawrence Expressway and Prospect Road. The Project site is bounded by Graves Avenue to the north, the Westgate Shopping Center to the east, Prospect Road to the south, and Lawrence Expressway to the west.

APNs: 381-36-012, 381-36-014, 381-36-018, 381-36-021, 381-36-023, 381-36-028, 381-36-029, and 381-36-030

Council District: 1

File No.: CP21-022

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West Valley Branch Library
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Best,

Kara Hawkins, Planner III

City of San Jose | PBCE

kara.hawkins@sanjoseca.gov

(408) 535-7852

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Comment Letter 13

Costco Westgate = Yes

The Frankolas [REDACTED] >

Thu 12/21/2023 5:43 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Kara, I am not a resident of San Jose, but I live close to the proposed Costco. I want to register that I think it is a great addition to the area and encourage San Jose to approve as quickly as possible with minimal restrictions or changes.

Cheers, Jim

Jim Frankola
[REDACTED]

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Comment Letter 14

Westgate Costco

Paulette Rinck <[REDACTED]>

Thu 12/21/2023 12:19 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

I oppose the building of Costco at Westgate west.

The traffic is bad enough with both the Westgate and El Paseo shopping center nearby
Costco would be placed near a residential neighborhood increasing traffic in a quiet
area. Please reject this project

Paulette Rinck
[REDACTED]

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Comment Letter 15

Costco in Westgate West

Ruhi Nathan <[REDACTED]>

Thu 12/21/2023 4:54 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

Dear Kara,
Happy Holidays!!

Please reconsider your decision to build a Costco at Westgate West. I have been a resident of the area for nearly 30 years and having seen the area and demographics change. Our roads have become excessively crowded and building a big store like Costco will greatly add to the traffic chaos that already exists on Prospect and Saratoga roads. I drive daily on Prospect and Lawrence expressway. We bought a house because of the neighborhood community not because of the big stores.

Regards,
Ruhi Nathan

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Comment Letter 16

Comments on Costco Propsal

Home Gmail [REDACTED]

Fri 12/22/2023 12:53 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

Kara,

We (4 family members) are strongly opposed to a Costco in the Westgate West shopping center. There are numerous traffic, noise and safety issues that cannot be mitigated on this site. A huge concern is the hundreds of children who walk across Lawrence en route to Prospect High School. The increased traffic coming and going into a Costco is a disaster waiting to happen. The only possible safe solution is a pedestrian bridge across Lawrence. Costco should not be allowed to develop this location without addressing pedestrian safety.

Kim Taddeo

Sent from my iPhone

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Comment Letter 17

From: Pankaj Raghuvanshi [REDACTED]
Sent: Monday, December 25, 2023 1:33 PM
To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; District1 <district1@sanjoseca.gov>
Subject: Comments on proposed Westgate West Costco Warehouse Project, File No. CP21-022

[External Email]

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

Hello,
I have been a resident of the Country Lane neighborhood for over 10 years and raised my family here. My children walk to the neighborhood parks and I don't have to worry about traffic on the internal roads. With the proposed Costco in Westgate West, we will have drivers rushing to get to Costco driving fast and rash through the neighborhood streets. There is an elementary school in the neighborhood, Country Lane and little children walk to school. I read the reports that the city has put out and there is no mention of these risks to pedestrians and small children in the neighborhood.
I am disappointed that the city has chosen to ignore the concerns of the residents and has created a dangerous situation. If an accident were to happen, we will hold the city responsible for willful negligence. Traffic to Costco through internal neighborhood roads where children walk alone is an accident waiting to happen and the city is facilitating this.

Regards,
Pankaj

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Comment Letter 18

Costco

mark tashima <[REDACTED]>
on behalf of
mark tashima <[REDACTED]>

Tue 12/26/2023 10:16 PM

To:Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

Hi Kara,
Please keep me on the Westgate West Costco project
Thank you,
Mark Tashima

ent from [Mail](#) for Windows

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Comment Letter 19

Comments on the Westgate West Costco DEIR

CARL FERREIRA <

Mon 1/1/2024 1:17 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

I have only just now seen the DEIR for the Westgate West Costco proposal. While I will undoubtedly have further comments, I feel that these first points are of utmost importance since the DEIR utterly fails to address these concerns in a reasonable manner. I look forward to receiving a fair and thoughtful response to these points:

My primary concerns are regarding the Transportation Section in Section 3.

- I believe that the use of VMT as the primary performance metric is absurd. I'm sure that it puts the proposal in the best light, but Vehicle Miles Travelled is not nearly as important to local residents as Vehicle **Hours** Travelled. This would encompass the added congestion in and around the proposed Costco area throughout the day, including additional wait times for traffic lights, slower traffic speed, and increased transit time in traffic passing through - but not necessarily to - the area. The increase in total hours spent in a vehicle due to this project will have a direct impact on the quality of life in and around the target area and will extend far beyond the immediate warehouse location. I'm sure that you would not be willing to trade a 5 mile reduction in your commute distance for a 30-minute increase in your commute time.
- In the calculation of average trip length, it appears that the new warehouse would result in 46,152 fewer miles travelled to other warehouses, while adding 19,624 miles driven to the new Costco location. While on the surface this clearly reduces traffic (and, presumably, transit time) around the existing four warehouses, it does so at the expense of dumping almost half of that traffic all into the area of the new warehouse. This study not only fails to estimate the time savings (roughly 1.3 miles per person or about 2 minutes per person for 14,000 people) to Costco customers, but it then ignores the daily traffic slowdown for the 100,000 residents of the area by adding about 25% more people going through the area every day. And this is all without factoring in the additional traffic that will be drawn to and pass through the area once the Paseo de Saratoga project is complete.

I look forward to a cogent response to this issues. I will add more questions as I make my way through the document.

Regards,

[REDACTED]

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Comment Letter 20

Re: Comments on proposed Westgate West Costco Warehouse Project, File No. CP21-022

Raghuvanshi Pankaj <[REDACTED]>

Wed 1/3/2024 10:47 AM

To: District1 <district1@sanjoseca.gov>; Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

Hello Kara,

Thank you for your response.

The reason I sent this mail is that I did not see anything specific in the EIR that talked about addressing traffic through the neighborhood. How is the city making sure that Costco drivers do not cut through the neighborhood streets to get to Costco. With the 11000 additional trips to Costco, turning left into the store from Costco will be backed up. In this event, what is the city's plan to ensure that drivers do not take the internal neighborhood roads to get to Costco. Are you considering installing bollards to the roads that lead from the neighborhood to Costco or are there other proposals? I did not see any mention of this in the reports.

Pankaj

On Wednesday, January 3, 2024 at 10:36:33 AM PST, Hawkins, Kara <kara.hawkins@sanjoseca.gov> wrote:

Hello Pankaj,

Thank you for taking the time to review the EIR and provide comments. We will address all concerns in a Responses to Comments document that will be posted online after the public comment period. I will notify you once that document is available.

Best,

Kara Hawkins, Planner III

City of San Jose | PBCE

kara.hawkins@sanjoseca.gov

(408) 535-7852

Comment Letter 21

Lugo, Gina M. <[REDACTED]>

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

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

I was wondering if you could share the status of the project at this time? Is Costco actually going to go in or not?

=====

•

[https://outlook.office365.com/mail/AAMkAGE0ODQyOTkyLWU0NjUtNGY5OS1hYWY0LTBiNzAxZDBjZjg3MgAuAAAAAoo1ULOfYxRZ7RkflpdMOsAQcivajmf6ViSaC%2FzOa85Zr0AATx52DJAAA%](https://outlook.office365.com/mail/AAMkAGE0ODQyOTkyLWU0NjUtNGY5OS1hYWY0LTBiNzAxZDBjZjg3MgAuAAAAAoo1ULOfYxRZ7RkflpdMOsAQcivajmf6ViSaC%2FzOa85Zr0AATx52DJAAA%3D)

Comment Letter 22

J'Carlin

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

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

I want to formally get on record that I believe Costco must be required to build an Urban Warehouse with Parking on the roof rather than sprawling all over the Urban Village designated area. I am not against a Costco Warehouse at Westgate, but destroying all possibility of an urban village development on the property by covering it with huge Costco Parking spaces is unacceptable planning.

Carlin Black
District 1 Resident
San Jose

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Comment Letter 23

More comments on DEIR for Westgate Costco proposal

CARL FERREIRA <[REDACTED]>

Thu 1/11/2024 12:22 PM

To:Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

I have examined the DEIR for the Westgate West Costco proposal and I feel that it is fatally flawed, both in its calculations as well as it's most basic means of measurement.

These comments relate to the Transportation Section in Section 3.

- The more I read, the more I feel as though this report was written by a sixth-grader who can only do basic math and thus measures everything in Vehicle Miles Travelled when, in fact, the primary measurement should be Vehicle **Hours** travelled which is, admittedly, a more difficult measurement because it needs to factor in the impact on increased traffic, traffic light timing, and delays due to foot traffic, but that's why a qualified Traffic Engineer should perform the calculations. Perhaps you can locate one.
- Using the most basic math calculations, I determined that the entrance from Prospect Avenue would need to accommodate an average of 275 vehicles per hour, while the Lawrence Expressway entrance would need to support 427 vehicles per hour. Mind you, these are **averages**, NOT **peak** numbers. Yet the proposal suggests that the Lawrence entrance would have only 93 vehicles per hour at peak time entering and 88 vehicles per hour at peak time exiting. Meanwhile, the Prospect avenue entrance claims 135 vehicles per hour at peak times entering, and 315 vehicles exiting at peak times. Furthermore, the peak traffic at the Lawrence/Bollinger intersection northbound is estimated at 70 cars per hour, which comes nowhere even close to the estimated 427 cars I believe would go through the intersection **on average**, let alone peak hours. My estimates are also based solely on Costco's estimated vehicle traffic with a crude estimation of likely traffic disbursements and patterns in customers from other warehouses using main arteries.
- Looking at the intersections on Prospect Rd. between Lawrence Expy and Lyle Dr., first of all I see no accounting for any traffic at all turning right from southbound Lawrence on to Prospect. The intersection at Lyle Drive doesn't even account for all the cars going straight through the Lawrence Expy/Prospect intersection. How am I supposed to have any confidence in estimates that are done this poorly?
- Nowhere do I see any estimation of what this added influx will do to the existing flow of traffic in terms of increased wait time at traffic lights and reduced speed primarily along the Lawrence Expressway, Saratoga Avenue, and Prospect/Hamilton Avenue arteries.

This proposal should be scrapped in favor of a complete rework, preferably by traffic engineers that live in the West San Jose area and will actually be impacted by this decision.

As always, I look forward to a well thought out response to these issues.

Regards,

Carl Ferreira



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Comment Letter 24

Helen Baer >

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

You don't often get email from [REDACTED]. [Learn why this is important](#) and how will all the added cars be handled on roads already packed?

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Comment Letter 25

4. There is no mention of adding more public transportation. San Jose's mentality is to build and then worry about public transportation later. This strategy needs to be reversed. We think San Jose is vulnerable to more lawsuits in the future for lack of proper planning and factoring neighboring communities.

DAN, CAROL RHOADS, [REDACTED]

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Comment Letter 26

Feedback Costco Westgate West proposal

christina cusack <[REDACTED]>

Mon 1/15/2024 1:21 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

Hello,

My name is Christina Cusack. I am a 13-year resident of West San Jose and have lived in the Country Lane neighborhood for the last two years, which is about a two-minute walk from the proposed Costco site in Westgate West. I am also a parent of a 9th grader at Prospect High School, which is located less than 1,000 feet from the proposed Costco Warehouse.

My student and her classmate who is also a neighbor walk to and from school every day. Their route goes directly past this site. My first concern is for the extreme traffic that this Costco would generate, adding 11,000 car trips daily (Appendix L Transportation Analysis pages 13, 41). This is up from 600 cars currently. The Lawrence Expressway and Prospect Ave. intersection is already a dangerous intersection, with four accidents involving students in just the past year. I cannot fathom the danger posed to these children, should there be an increase in traffic by nearly 19 times! I truly fear for the kids' safety and believe such an increase in traffic, with no planned road changes, is unlivable and poses a real threat of harm.

In addition to the traffic concerns, my husband has respiratory issues and uses a nebulizer. The air pollution posed by this many vehicles would have a significantly adverse effect on his health and ability to breath.

While I understand and agree that this site should not be left vacant, this project is too large and inappropriate for the space and surrounding community. I would much prefer a different type of project that will generate less traffic and pollution. Please understand, I have been Costco member for years and am perfectly satisfied driving the 6 or 8 miles to either the Sunnyvale or Santa Clara stores to do my shopping. These are in industrial areas, where they belong, not a residential neighborhood across the street from a high school. It is also my understanding that the proposed Costco is larger than the Sunnyvale store and on a smaller land footprint.

It would be wonderful if, instead of a big box warehouse that will add nothing to the community, culture, or quality of life for the residents of the West Valley, San Jose make progress toward alleviating the severe housing shortage. I work in education. I love this community and area so much that my family has decided to stay here, despite the prohibitive cost of homeownership in San Jose. It would be great if the city could focus on solving that.

Other alternatives to this site would be a grocery store or community recreation center. If a Costco absolutely needed to go in that site, the city and county would need to make significant upgrades to the surrounding infrastructure and roads such as pedestrian overpasses, road widening, etc. before it could happen.

Mail Hawkins, Kara Outlook

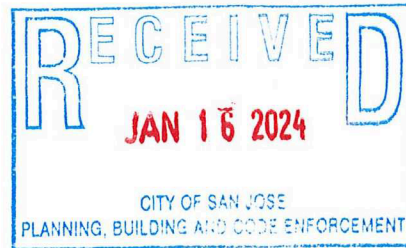
I sincerely appreciate the thoughtful consideration and attention that the city has and will continue to give to the development of this site to preserve the health and wellness of both the community and the environment.

Christina Cusack

[https://outlook.office365.com/mail/AAMkAGE0ODQyOTkyLWU0NjUtNGY5OS1hYWY0LTBiNzAxZDBjZjg3MgAuAAAAAAAOo1ULOfYxRZ7RkflpdMOsAQcivajmf6ViSaC%2FzOa85Zr0AATx52DJAAA%](https://outlook.office365.com/mail/AAMkAGE0ODQyOTkyLWU0NjUtNGY5OS1hYWY0LTBiNzAxZDBjZjg3MgAuAAAAAAAOo1ULOfYxRZ7RkflpdMOsAQcivajmf6ViSaC%2FzOa85Zr0AATx52DJAAA%3D)

Comment Letter 27

Planning Division
200 E Santa Clara St.
Tower 3rd Floor
San Jose, CA 95113



Attention: Kara Hawkins

Subject: Proposed Costco Project at Westgate West

My name is Dolores Weins, resident of English Estates for 58 years. English, Peterson, Lyle Drive, Mayme and Maurice Lanes are a unique neighborhoods with apartments on Maurice Lane, facing Lawrence Expressway, Westhill Convalescent, Assisted Living, Memory Unit and Villa Fontana on Peterson, Mayme and Maurice Lane, Highschool on Prospect Rd causing extreme traffic as Lyle Drive being used as a drop off for students on school days.

Fire, ambulance and medical response a constant. Safety to students crossing Prospect to and from Lyle a real safety issue both for traffic and students.

Bringing more traffic to our little neighborhood is unimaginable, putting pedestrians, medical response teams unable to respond to Westhill Nursing Home facilities needs to be a consideration before bringing more traffic to the area.

Planning ahead for approval before beginning construction of the enormous Costco development needs to be addressed before ours becomes a hazardous neighborhood. The safety of our students and pedestrians should be the concern of our community and our Planning officials.

Thank you for considering a new plan before it becomes a goal/nightmare of no return.

Dolores Weins

4 [REDACTED] e
[REDACTED], a [REDACTED] 9
[REDACTED] 5 [REDACTED] 9

Dolores Weins

Comment Letter 28

Comments on the proposed Westgate Costco project—PEDESTRIAN BRIDGE FOR SAFETY AND TRAFFIC FLOW
CONSISTENCY LAWRENCE EXPWY AND PROSPECT AREAS

JULIE BORINA DRISCOLL

Tue 1/16/2024 10:28 AM

To:Atienza, Manuel <Alec.Atienza@sanjoseca.gov>

Cc:Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>;Burton, Chris <Christopher.Burton@sanjoseca.gov>;The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>;District1 <district1@sanjoseca.gov>;Supervisor Susan Ellenberg <supervisor.ellenberg@bos.sccgov.org>

[External Email]

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]

January 17, 2024

RE: COSTCO PROJECT
PEDESTRIAN/BICYCLE BRIDGE(S)

Could Pedestrian/Bicycle Overhead Bridges, with entry/exit ramps, please be considered across Lawrence Expressway and Prospect, leading to and from Costco, for safety of all, but predominately, for the number of Prospect High School students who “group” to cross roads and already can encounter congested traffic conditions during peak hours. This is also for the safety of drivers of vehicles in the area at peak traffic times.

El Paseo Project Development will

add to the concentration of traffic in the area and the pedestrian/bicycle bridge idea would help prevent chaotic conditions that can result from an influx of traffic at expressway speeds, the concentration of pedestrian and bicycle traffic "grouping" to cross the roads, during peak traffic times.

Taking pedestrians and bicyclists off the roads will be safest for all involved with Pedestrian/Bicyclist Bridges.

(One example of this type of Pedestrian/Bicyclist bridge is at Moorpark over Freeway 280 to Cypress. Another example is the bridge over San Tomas Expressway, near Budd Avenue in San Jose/Campbell area). Both have cyclone type of fences, enclosures.

Neither of these two bridges appear to have a fraction of the foot or bicycle traffic that the area around proposed Westgate Costco and El Paseo Projects (Saratoga) will have with Prospect High School students, grouping and competing to cross across fast moving traffic lanes on Lawrence Expressway. (There are signals and crosswalks in the area at present, but this may not be adequate with increased traffic

projected, adding customers driving into and out of Costco). At times, the congestion can lead to unsafe conditions as drivers need to wait until the “groups” clear—regardless of the traffic signs timing, or right of way—the pedestrians’ safety needs to be considered first and foremost. (Clarifying, the driver can have the green light, but if the “grouping” of students are not finished crossing, there can be an overlap with some drivers becoming impatient).

PLEASE CONSIDER THIS AS THIS
CAN HAPPEN UNDER PRESENT
CONDITIONS—NO COSTCO, YET,
NOR EL PASEO PROJECT, ADDING
HOUSING IN AREA, YET.

Important safety thoughts that with the number of accidents which have happened in previous years, in the area, due to the congestion at times, there cannot be any accidents, of a significant likelihood, if the pedestrians/bicyclists are taken out of harm's way, above vehicle traffic.

There is also, at least one, if not more, senior Retirement Homes on Prospect, across Prospect High School, who may be using the Pedestrian/Bicycle Bridge to cross Lawrence Expressway to shop at Costco. The Pedestrian/Bicycle Bridge would increase the safety for seniors.

Julie Borina Driscoll
General Partner
Successor Trustee
Borina Enterprises and
Family Protection Trust

1/4

Comment Letter 29

Comments on proposed Westgate West Costco Warehouse Project, File No. CP21-022

Sheafe Smith <[REDACTED]>

Tue 1/16/2024 11:33 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

Cc: District1 <district1@sanjoseca.gov> [REDACTED]

[External Email]

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

Hi there,

To start, I fully support the Costco project.

I am 59 year resident of west San Jose. I went to Murdock, Miller, Lynbrook, and West Valley. My first jobs were at the original El Paseo de Saratoga. I have shopped at Westgate West for almost my entire life... Albertsons was were Smart and Final was, with Payless in the spot Goodwill occupies. Shopping at Consumers Distributing and family photos at Olan Mills in storefronts now boarded up. Westgate West used to be a what used to be a vibrant shopping center and I want to see it return. The only way this will happen is with a seismic shift like Costco will bring.

Again, I fully support and encourage Costco in Westgate West.

Thanks,
Sheafe

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Comment Letter 30

Joe Picone

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

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I am a homeowner in the West Valley. I am completely in favor of Costco's proposed move to West Gate West. Nothing Stays the same, & this is good for all west San Jose's residents.

Thank you,
Joe Picone.

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Comment Letter 31

Re: CP21-022 EIR comments

Ramesh B <[REDACTED]>

Sat 1/20/2024 6:34 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

 1 attachments (2 MB)

sprouts center permit restrictions on delivery hours and no-graves.png;

[External Email]

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

Hi Kara.

Please note these additional comments to CP21-022 EIR and convey to Costco team

Now that Smart/Final at the Costco site the truck traffic will be more representative of truck traffic in the absence of Costco. Costco should re-run their traffic study to see for themselves the graves ave exit is NOT used for truck deliveries. Though occasionally a trader joe's may exit there (Trader Joe's has given written commitment - see email below) they don't need to use Graves ave.

The permit for the adjacent center hosting Sprout's explicitly bans the tenants of that center from using Graves ave and no deliveries between 9PM and 7 AM.

Therefore ALL driveways between proposed Costco center and Graves ave must be closed and Costco should also be restricted from deliveries between 9pm and 7am.

Thanks
Ramesh
[REDACTED]

----- Forwarded Message -----

From: Alexis Walsh <awalsh@traderjoes.com>**To:** Ramesh B <[REDACTED]>**Sent:** Friday, November 17, 2023 at 11:04:24 AM PST**Subject:** Re: Trader Joe's trucks using Graves Ave to deliver to store #62?

Hello Ramesh,

I am not sure about the drivers, but I have worked with logistics to ensure everyone understands not to Graves Ave.

My apologies, and thank you for reaching out.

Alexis

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6. Loading Area Restrictions:

- a. The developer shall construct physical cross-access restrictions along and on adjacent properties as shown on the approved plans, and as noted above, to discourage the use of Graves Avenue for site ingress and egress.
- b. The project management shall educate tenants and provide appropriate signage to discourage truck access onto Graves Avenue.
- c. The developer shall relinquish cross-access agreements that facilitate access onto the rear areas of adjacent commercial properties to the satisfaction of the Director of Planning at such time as the Director believes that such access can be eliminated upon further development or redevelopment of adjacent parcels.
- d. Deliveries and loading/unloading of merchandise shall not take place between the hours of 9:00 P.M. and 7:00 A.M.

Comment Letter 32

Comments on Costco project number, File No. CP21-022

Ximin Zhang <[REDACTED]>

Sat 1/20/2024 1:33 PM

To:Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

Cc:info@savewestvalley.org <info@savewestvalley.org>;District1 <district1@sanjoseca.gov>

[External Email]

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

Hi,

I write this email to raise my concern about the proposed Costco San Jose Westgate West at 5253, 5287, 5289 and 5347 Prospect Road within the Westgate West Shopping Center.

I am a 17 year resident of the Country Lane Neighborhood which is right next to the proposed Costco Warehouse at Westgate West. My home is close to the proposed site and only ~200 feet away from the site boundary. I am also the parent of student at Country lane elementary and Prospect HS, which are located less than 1,000 feet from the proposed Costco site.

As a parent and resident, I am extremely concerned the traffic and safety risks this project will bring. According to the statistics, this project will generate more than 11,000 car trips (per Appendix L Transportation Analysis pages 13, 41) particularly at the already over-congested intersections of Lawrence Expy and Prospect Ave, Saratoga and prospect, Saratoga and Graves. In the past years, there have been multiple pedestrian/car accidents involving students at those intersections.

The Costco project does not plan for any major traffic controls or mitigations, only including minimal changes like sidewalk improvements and road striping. This makes worse an already unacceptable risk for students, pedestrians, and cyclists. This project alone generates more traffic at that site than roads can handle. Add in the traffic from thousands of new housing units across Prospect Road and along Saratoga Avenue and you have a recipe for danger, gridlock, and increased vehicle pollution from traffic-jammed cars.

I think this Costco project is inappropriately scaled for the current and possible infrastructure at the site which is neighbor to schools and residential neighborhood. It should be denied.

Sincerely,

Ximin Zhang

1/23/24, 10:44 AM

Mail - Hawkins, Kara - Outlook

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Comment Letter 33

Costco DEIR - File No. CP21-022

Yi Ding <[REDACTED]>

Sun 1/21/2024 4:14 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

As a resident of the neighborhood, I support Costco's proposal and am also encouraged to see Costco's willingness to work with the neighborhood on areas of concern, such as the Graves Ave entrance. I hope our neighborhood will have a successful relationship with the store for many decades to come.

Thanks,
Yi Ding
San Jose [REDACTED]

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Comment Letter 34

Re: Notice of Availability: Westgate West Costco Project Environmental Impact Report (CP21-022)

Mahesh M [REDACTED]

Mon 1/22/2024 8:01 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

Hello Kara,

This is in response to your email pertaining to "NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT". I am also a member of Costco and welcome development.

That said, I noticed in many places the plan continues to allow a driveway and a pedestrian walkway from Graves Ave to the project site.

In other words, Graves Ave and the surrounding streets would be an extended parking lot, with shopping carts strewn all over the neighborhood, and encouraging further traffic through the neighborhood as a shortcut to dearth of parking spots.

I am very much opposed to this plan and kindly request that all access from Graves Ave be closed for good. That may be a minor inconvenience, in exchange for preserving the Happy Valley Area, but well worth it. I am available to discuss further any time.

Thanks for your time and consideration and appreciate it,

Mahesh

On Fri, Dec 15, 2023 at 9:48 AM Hawkins, Kara <Kara.Hawkins@sanjoseca.gov> wrote:

**NOTICE OF AVAILABILITY OF
A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)
AND PUBLIC COMMENT PERIOD
(SCH# 2022010135)**

A Draft Environmental Impact Report (DEIR) for the Westgate West Costco Project is now available for public review and comment. The project is a Conditional Use Permit to allow demolition of existing commercial buildings totaling approximately 188,265 square feet and the

removal of 115 trees (81 ordinance-size trees and 34 non-ordinance-size trees) for the construction of an approximately 165,148-square foot wholesale retail center (“Costco”), including a tire center and associated parking and landscaping within an existing approximately 9.69-gross acre shopping center (“Westgate West Shopping Center”). The project also includes a request for the off-sale of alcohol (Type 21 ABC License – full range of alcoholic beverages) in the CG Commercial General Zoning District.

Location: The project site is located at 5287 Prospect Road within an existing shopping center on the northeast corner of Lawrence Expressway and Prospect Road. The Project site is bounded by Graves Avenue to the north, the Westgate Shopping Center to the east, Prospect Road to the south, and Lawrence Expressway to the west.

APNs: 381-36-012, 381-36-014, 381-36-018, 381-36-021, 381-36-023, 381-36-028, 381-36-029, and 381-36-030

Council District: 1

File No.: CP21-022

The proposed project will have potentially significant environmental effects with regard to air quality, biological, hazardous materials, and noise. The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed toxic sites are present at the project location. The project location is contained on a list of hazardous materials sites maintained by the State in accordance with California Public Resources Code Section 65962.5.

The Draft EIR and documents referenced in the Draft EIR are available for review online at the City of San José’s “Active EIRs” website at www.sanjoseca.gov/activeeirs and are also available at the following locations:

Department of Planning, Building, and Code Enforcement
200 East Santa Clara St., 3rd Floor
San José, CA 95113
(408) 535-3555

Dr. MLK Jr. Main Library
150 E. San Fernando St.,
San José, CA 95112
(408) 277-4822

West Valley Branch Library
1243 San Tomas Aquino Rd,
San José, CA 95117

(408) 244-4747

The public review period for this Draft EIR will be 65 days, between **December 15, 2023 and February 20, 2024**. Written comments must be received at the Planning Department by 5:00 p.m. on February 20, 2024, in order to be addressed as part of the formal EIR review process.

Comments and questions should be referred to Kara Hawkins in the Department of Planning, Building and Code Enforcement at 408-535-7852, via e-mail: Kara.Hawkins@sanjoseca.gov, or by regular mail at the mailing address listed for the Department of Planning, Building, and Code Enforcement, above (send to the attention of Kara Hawkins). For the official record, please email or mail your written comment letter and reference File No. CP21-022.

Following the close of the public review period, the Director of Planning, Building, and Code Enforcement will prepare a Final Environmental Impact Report that will include responses to comments received during the review period. At least ten days prior to the public hearing on the EIR, the City's responses to comments received during the public review period will be available for review and will be sent to those who have commented in writing on the EIR during the public review period.

Best,

Kara Hawkins, Planner III

City of San Jose | PBCE

kara.hawkins@sanjoseca.gov

(408) 535-7852

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Comment Letter 35

Support for Westgate West Costco Warehouse Project

Prem Gogineni <[REDACTED]>

Mon 1/22/2024 2:30 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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

I live in San Jose CA with my family near Lynbrook high school.

I'm all for the new proposed Costco store coming on the old OSH site in West San Jose.

This will help reduce my carbon footprint as I currently go to the Santa Clara Costco, which is 20 mile driving round trip and takes nearly 45 minutes.

This one is so close to my home that I can walk to it in 15 minutes.

Don't be swayed by the Nimby's.

This will also help in terms of Job and taxes for San Jose, which would otherwise go to Santa Clara or Sunnyvale.

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Comment Letter 36

EIR Comments on Costco Project, File No. CP21-022

Rachel Wu <[REDACTED]>

Mon 1/22/2024 10:05 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

Cc: District1 <district1@sanjoseca.gov>; info@savewestvalley.org <info@savewestvalley.org>

[External Email]

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

Dear Kara,

I am writing this email to raise my concern about the proposed Costco project in San Jose West Gate, file number CP21-022.

I have been living in west gate neighborhood for about two decades and am extremely concerned the traffic and safety this project will bring. According to the statistics, this project will generate more than 11,000 car trips (per Appendix L Transportation Analysis pages 13, 41), particularly at the already over-congested intersections of Lawrence Expy and Prospect Ave, Saratoga Ave and Prospect Ave, Saratoga Ave and Graves Ave. In the past years, there have been multiple pedestrian/car accidents at those intersections. This project will generate more traffic than roads can handle. And the Costco project does not have a plan for any major traffic controls or mitigations. This will make worse an already unacceptable risk for students (Prospect High School across the street and Country Lane Elementary School nearby), pedestrians, and cyclists.

Moreover, there will be traffic from thousands of new housing units across Prospect Road and along Saratoga Avenue. The neighborhood will definitely suffer from danger, gridlock, and increased vehicle pollution from traffic-jammed cars.

Besides pollution from traffic, there will be light and sound pollution from the Costco high rise parking structure. This will affect the life and health of everyone living in this neighborhood.

Lastly, this giant warehouse will have a huge negative impact (traffic, gridlock, parking, etc.) on all of the small business in that shopping mall. It may eventually drive them out of the mall. But these small business are very much needed and more valuable for our neighborhood. We do NOT need a giant warehouse in a residential area!

I think this Costco project is inappropriately scaled for the current and possible infrastructure at the site which is neighbor to schools and residential neighborhood. **It should be denied!**

Best regards,
Rachel Wu

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Comment Letter 37

No on Costco in Westgate West

Laurie Himmelstein [REDACTED]

Tue 1/23/2024 2:20 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

Ms. Hawkins:

I live in the immediate adjoining neighborhood for decades. I oppose the Costco being shoehorned into this small site. Increased Traffic, pollution and noise will result for the neighborhood and reduce property values and quality of life. Improved Access to the shopping center is not being planned to accommodate the greatly increased traffic volume. In fact, traffic lanes on nearby Saratoga Ave has been reduced from 3 to 2 lanes already creating traffic problems in the area.

It appears the City of San Jose will approve anything for increased business tax revenue with no concern for the people.

Sent from my iPhone

Laurie Himmelstein

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Comment Letter 38

SUPPORT FOR WESTGATE COSTCO

Rick Beck <[REDACTED]>

Tue 1/23/2024 7:13 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

Kara

Yes let's get Costco ASAP! Gas too.

Thanks

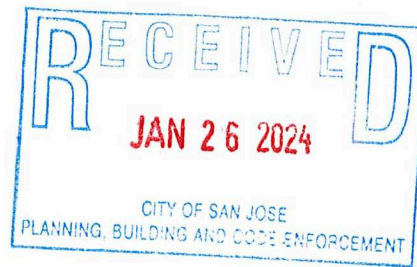
Sent from my iPhone

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Comment Letter 39

1-24-24

City of San Jose
Department of Planning, Building, & Code Enforcement
Kara Hawkins, Planner
200 East Santa Clara St. Tower 3rd Floor
San Jose, CA 95113-1905



Re File #CP 21-022

Dear Ms Hawkins,

Thank you for copy of EIR report received 1-22-24. Reasons I do not support a Costco at West Gate West.

Costco is a large PRIVATE MEMBERSHIP only warehouse. It will not contribute to the local community. The public (non members) will need to drive further to shop at certain public stores
I address concerns if this project is approved of air quality (bad), congestion (too much) and noise (loud) in the West Gate West area. I have found contradictory comments. What does less than significant mean? Less than 49%?

Re air quality. Page 130 City of SJ GHG Reduction Strategy.

Green house emissions and pollution in real time with a Costco project will increase with added traffic driving to a private membership Costco.

Re congestion. Increased traffic of cars, SUV's, trucks will cause more congestion. Did I read 5,813 daily trips? A private warehouse with an increase in traffic and people will invade a quiet neighborhood.

Re noise. Noise could exceed City General Plan . Page 184 it would create new sources of noise in the project vicinity. Six listed including loading areas, parking areas, trash pickup. I would include increase of people, cars and long hours of truck deliveries.

I did not address the 21 months of continual substantial noise during a construction period.
I find it less than believable that all the categories addressed are less than significant.

In my opinion reading the EIR report shows support for a private Costco membership club versus the local community. It appears to show a will to increase the revenues of San Jose City at the expense of a local quiet tax paying neighborhood. Air quality will decline, congestion and noise will increase. Please give close consideration to disagree with the Costco project at West Gate West.

Sincerely,


Barbara Gagner

Copies to:

Alex Atienza, Project Manager, Planning Division
Rosemary Kamei, Vice-Mayor San Jose District 1

Comment Letter 40

YES! to Costco

Vadim Gorelik [REDACTED] >

Wed 1/24/2024 11:58 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

we support new COSTCO at Westgate!

thx!

vadim gorelik

(Cupertino)

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Comment Letter 41

Westgate West proposed Costco

david cusack <[REDACTED]>

Thu 1/25/2024 5:22 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

Cc: District1 <district1@sanjoseca.gov>

[External Email]

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

Hello,

My name is David Cusack. I am a 13-year resident of West San Jose and have lived in the Country Lane neighborhood for the last two years, which is about a two-minute walk from the proposed Costco site in Westgate West. I am also a parent of a 9th grader at Prospect High School, which is located less than 1,000 feet from the proposed Costco Warehouse.

My student and her classmate who is also a neighbor walk to and from school every day. Their route goes directly past this site. My first concern is for the extreme traffic that this Costco would generate, adding 11,000 car trips daily (*Appendix L Transportation Analysis pages 13, 41*). *This is up from 600 cars currently. The Lawrence Expressway and Prospect Ave. intersection is already a dangerous intersection, with four accidents involving students in just the past year. I cannot fathom the danger posed to these children, should there be an increase in traffic by nearly 19 times! I truly fear for the kids' safety and believe such an increase in traffic, with no planned road changes, is unlivable and poses a real threat of harm.*

In addition to the traffic concerns, I have respiratory issues and use a nebulizer. The air pollution posed by this many vehicles would have a significantly adverse effect on his health and ability to breathe.

While I understand and agree that this site should not be left vacant, this project is too large and inappropriate for the space and surrounding community. Graves Avenue is currently in need of repair and I don't believe there has been any plans to upgrade the water, and sanitary sewer infrastructure to handle the demand. I would much prefer a different type of project that will generate less traffic and pollution. Please understand, I have been Costco member for years and am perfectly satisfied driving the 6 or 8 miles to either the Sunnyvale or Santa Clara stores to do my shopping. These are in industrial areas, where they belong, not a residential neighborhood across the street from a high school. It is also my understanding that the proposed Costco is larger than the Sunnyvale store and on a smaller land footprint.

It would be wonderful if, instead of a big box warehouse that will add nothing to the community, culture, or quality of life for the residents of the West Valley, San Jose make progress toward alleviating the severe housing shortage. I work in heavy construction. I love this community

and area so much that my family has decided to stay here, despite the prohibitive cost of homeownership in San Jose. It would be great if the city could focus on solving that.

Other alternatives to this site would be a grocery store or community recreation center. If a Costco absolutely needed to go in that site, the city and county would need to make significant upgrades to the surrounding infrastructure and roads such as pedestrian overpasses, road widening, etc. before it could happen.

*I am not opposed to all development; I simply want that development to make sense for the space and the community. As it stands, this project is directly at odds with several goals and initiatives set forth by the City of San Jose, namely **Vision Zero**, which aims to reduce and eliminate traffic deaths and major injuries. Another significant initiative, **Climate Smart San Jose**, was adopted in 2018 and set a goal of being carbon neutral by 2030. Climate Smart purports to reduce air pollution, save water and improve quality of life. The Costco Warehouse proposal in Westgate West is directly at odds with both initiatives.*

I sincerely appreciate the thoughtful consideration and attention that the city has and will continue to give to the development of this site to preserve the health and wellness of both the community and the environment.

Sincerely,

David Cusack

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Comment Letter 42

Yes to Costco

Gail Schultz [REDACTED] >

Thu 1/25/2024 4:08 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

Please build it at Westgate! Can't wait!

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Comment Letter 43

Re: CP21-022 EIR comments

Ramesh B <rameshbemail-1@yahoo.com>

Thu 1/25/2024 6:02 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

You don't often get email from rameshbemail-1@yahoo.com. [Learn why this is important](#)

This is the right email from Trader Joe's confirming their trucks will not and should not be using Graves ave.
Please include this email in the response too

----- Forwarded Message -----

From: Alexis Walsh <awalsh@traderjoes.com>

To: Ramesh B <rameshbemail-1@yahoo.com>

Sent: Thursday, June 22, 2023 at 11:30:35 AM PDT

Subject: Re:

Hello Ramesh,

That is correct, trucks should not use Graves Ave.

Hope your well,
Alexis

Sent from my iPhone

On Jun 22, 2023, at 11:12 AM, Ramesh B <rameshbemail-1@yahoo.com> wrote:

*** This is an external email. ***

Hi
Alexis can you please reply to confirm.

Thanks

Ramesh
408 250 2661

On Tuesday, May 23, 2023 at 07:47:03 PM PDT, rameshb <rameshbemail-shop2@yahoo.com> wrote:

Hi Alexis

re: Westgate West Trader Joes

Can you please confirm that it is Trader Joe's policy that your trucks and vendors who service Trader Joe's should not use Graves ave access -they should all enter and exit via Saratoga ave.

I need this confirmation for ongoing discussions with the proposed Costco.

Thanks
Ramesh
408 250 2661

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Comment Letter 44

My comments on the proposed Westgate Costco project

Linda Brooks <[REDACTED]>

Fri 1/26/2024 9:48 AM

To: Atienza, Manuel <Alec.Atienza@sanjoseca.gov>

Cc: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Burton, Chris <Christopher.Burton@sanjoseca.gov>

[External Email]

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Hi,

I'm Linda Brooks, a 20 year resident of the Country Lane Neighborhood which is right next to the proposed Costco Warehouse at Westgate West. I also work as a coach at Prospect High School, which is located less than 1,000 feet from the proposed Costco site and commute by the site to get to work.

I am concerned about the traffic impact on safety of pedestrians and those driving to the High School. I am concerned about the over 11,000 car trips the project will generate (per Appendix L Transportation Analysis pages 13, 41) particularly at the already over-congested intersection of Lawrence Expy and Prospect Ave. There have been 4 pedestrian/car accidents involving students at that intersection in the past year alone. Athletes, students and myself walk and drive right by the proposed Costco site. Adding 11,000+ car trips a day to the Costco to this route is a safety issue and the expected gridlock will be dangerous. The Costco project does not plan for any major traffic controls or mitigations, only including minimal changes like sidewalk improvements and road striping. This makes worse an already unacceptable risk for students, pedestrians, and cyclists. This project alone generates more traffic at that site than roads can handle.

Additionally, the cumulative traffic impacts of surrounding projects and how they must be taken into account for all traffic studies and predictions. The studies need to include the El Paseo de Saratoga mixed use 10-12 story high rise project ¼ mile away, the plan for multiple large-scale housing element projects in San Jose and Saratoga right across Prospect Ave from the proposed Costco Warehouse project, and traffic within the Saratoga Avenue Corridor. I cannot imagine how excessively congested it will be before Christmas time.

This project is inappropriately scaled for the current and possible infrastructure at the site and should be denied.

In addition, a Costco is not a store for our community as it is exclusive as it requires a yearly membership, parking for it will impact the other

businesses in the shopping center, and we have ample Costco Warehouses in the immediate area already.

The proposed Costco Warehouse will not be open to everyone. It requires a yearly membership fee to shop there or to use their food court to buy pizza or hotdogs. This is in contrast to the multiple stores that were on the site that were forced to close to make room for the 4 acre warehouse building. This includes the Smart and Final supermarket, and the Goodwill store that did job training, had community-based programs, and was a place for neighbors to give their unwanted items to a good cause.

The impact on access to and parking near Traders Joe's, Starbucks, and other Westgate West and nearby stores/businesses should be considered. The proposed Costco will be the first of its kind in the US with rooftop parking and will only have 692 parking spaces, which is less than the Sunnyvale location. Since 381 of Costco's parking spaces will be on the roof, which will be accessed by a one-lane in and one-lane out ramp, people will be inclined to use the surface parking first, leaving less parking for other businesses. There also needs to be specifics on where the 300 Costco employees will park.

There are four Costco Warehouses in the immediate area already. Two are within a 10-15 minute drive – Almaden and Sunnyvale. The other two are about the same or a little more – Coleman and Senter. All are in light industrial and commercial areas more appropriate for a Warehouse.

If the city insists on approving this dangerous project against better judgement, before granting approval the city must create, fund, and put in place specific traffic and pedestrian mitigation measures to address student, pedestrian, and cyclist safety.

Sincerely,

Linda Brooks



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Comment Letter 45

Pedestrian/Bicyclist Bridge considerations over Lawrence Expressway and Prospect—Costco may contribute funds to Project

JULIE BORINA DRISCOLL [REDACTED] >

Sat 1/27/2024 2:37 AM

To:Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

Cc:The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>;District1 <district1@sanjoseca.gov>

[External Email]

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January 27, 2024

Ms. Hawkins,

Previously emailed reasons on this topic, but adding another vote for safety and alleviating potential traffic "gridlock" in the area. (Idea of when pedestrians, students, bicyclists cross the intersection, traffic will slow down for safety, as drivers should. The number of vehicles which can travel the area are considerable at given times, at the present. The added number of vehicles traveling to and from Costco, cannot help but add to the aforementioned.

IDEA: IN PLANNING STAGE: Costco may be willing to contribute to the cost

of a pedestrian/bicyclist bridge while negotiations for the Costco construction are underway.

Thank you for your consideration.

Julie Borina Driscoll
General Partner
Successor Trustee
Borina Enterprises and
Family Protection Trust

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Comment Letter 46

comments on DEIR for Westgate West Costco project

Sat 1/27/2024 6:52 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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The transportation analysis of the DEIR has some deficiencies. It uses some dubious calculations to arrive at a net reduction of vehicle miles traveled which does not pass the smell test.

People drive from miles around to go to Costco and it gets far more cars arriving than the existing stores that it will be replacing.

11000 daily trips added as a result of Costco!! That's a lot of cars and there isn't enough capacity on the nearby roads for all those cars. As the transportation analysis notes, there will be adverse impacts on several of the nearby intersections, for example, the Saratoga Ave/Prospect Rd left turn lane exceeding capacity during peak hours.

There is no assessment in the transportation analysis of the adverse effect on the residents of the Country Lane neighborhood from the many Costco shoppers who will be speeding through the neighborhood to get to Costco by bypassing the intersections that the traffic analysis admits will be full.

There is no assessment in the transportation analysis about the usage of the Westgate West parking lots for pedestrian access by Prospect High School students after school, and about the impact on the de facto parent pick up for Prospect High School students in the Westgate West parking lots. There is no improvement in the parking lots for pedestrian access. Pedestrian access in the parking lot is poor and largely consists of walking through rows of cars, not along any dedicated path.

There is no assessment in the transportation analysis of the usage of the area inside the parking lot immediately after the entrance on Prospect Rd near Trader Joes - that area is already frequently full of traffic on weekends due to the Trader Joes traffic - it will be way over capacity if the Costco traffic is added to the Trader Joes traffic.

There is no assessment in the transportation analysis of the Westgate West Starbucks drive through, which frequently has lines up to 20 cars long, and how the Starbucks traffic will interact with the Costco traffic as they are located very close together at the same end of the shopping center.

The Saratoga Avenue traffic and bike lane usage needs to be reassessed now that it is 2 lanes for cars, which causes speeds well below the speed limit, and occasional bike users, which will cause conflicts between bikes and cars turning into parking lots.

The Saratoga Avenue pedestrian preferred access to Westgate West shopping center, from what I've witnessed, is to run across the road between the stoplights at Graves Ave. and Prospect Rd. This will not be improved by having more cars in this area and likely Saratoga Avenue will be worse for pedestrian deaths, contrary to the city's Vision Zero goals.

I have driven by the Sunnyvale Costco and the parking lot is massive and the right turn from Lawrence Expressway jams up the right lane on Lawrence Expressway causing it to come to a standstill, anytime Costco is open, even on less busy times like weekday mornings. The roads around Westgate West can't handle a similar amount of traffic. And the parking lot of the Sunnyvale Costco is BIGGER than the proposed parking lot for this Costco but the parking lot is ALWAYS FULL when Costco is open.

Alternative B, no traffic from Graves Avenue, would significantly reduce the adverse impact on the Country Lane neighborhood from Costco traffic.

Melody Smith

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Comment Letter 47

New Costco proposed in residential area - please close off access via Graves Ave

Bill Delveaux [REDACTED] >

Sun 1/28/2024 4:45 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Hi Kara,

I received this notice in an email:

If you would like to submit public comments, submit them to the CEQA Project Manager for this application, Kara Hawkins, at kara.hawkins@sanjoseca.gov, by 5:00 PM on February 20, 2024.

My comment:

Please implement these requirements:

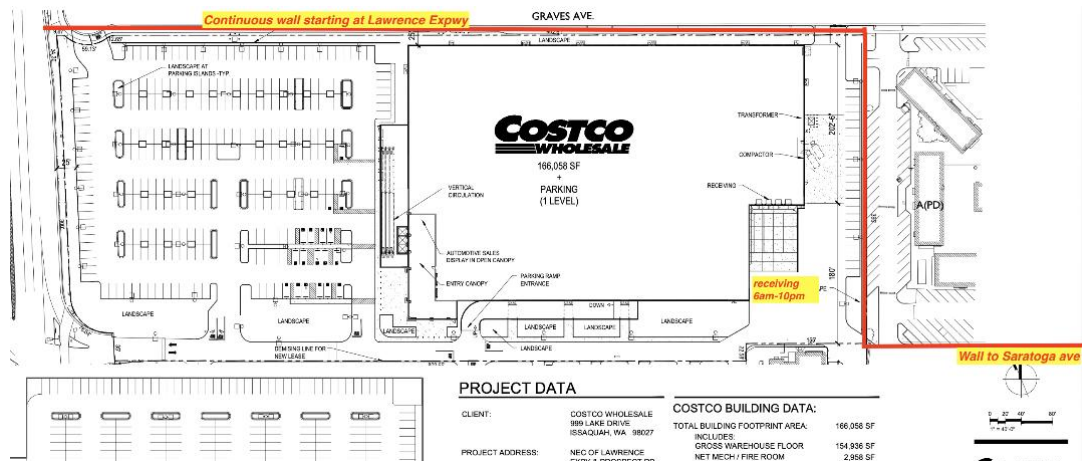
- ZERO car or pedestrian access from Graves Ave to Costco.
- NO OPERATIONS (receiving OR other) hours operation 10pm to 6 am

A nearby Costco at Almaden Ave (San Jose) provides a good model on how Costco can fit adjacent to a residential area. They SEALED ALL access from residential areas with a wall. I am requesting the same - see attached for what I am requesting - a full wall all the way down.

By the way, I have a vested interest - I own a house and live on a street adjacent to Costco.

Thank you,

-Bill



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Comment Letter 48

costco trying to influence decision without consideration of the actual westgate neighborhood

kes tsang <[REDACTED]>

Sun 1/28/2024 10:48 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Hello

we at the neighborhood of happy valley right at westgate was informed that costco employees are asking people to sign petition in support of the westgate project. this is absurd and ridiculous, and why is costco asking employees (not living near westgate?) to ask people in almaden (not living near westgate) to sign such petition?

the proposal of costco at westgate has not been in full consideration of the neighborhood, especially those living within a few hundred yards there, and so closely to a highschool, and in an already congested cross section and over crowding express way during traffic hours.

strongly oppose any big box retailer to destroy the family friendly community at west gate happy valley.

kind regards

kes

@ 95129

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Comment Letter 49


MORE CP21-022 EIR comments

rameshb [REDACTED] >

Mon 1/29/2024 4:10 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

Cc: Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>

 1 attachments (572 KB)

2 phases to costco wall.jpg;

[External Email]

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Hi Kara (with copy to Vice Mayor Kamei),

Can you please log these additional CP21-022 EIR comments:

1. See attached modified proposal **requiring wall ONLY AT COSTCO SITE PERIMETER as part of this project.**

The wall should be built in such a manner that ... in the future if the medical center decides to build a wall from Townhomes to Costco; **At that future time we will have a sealed wall with no access without any additional work from Costco site.**

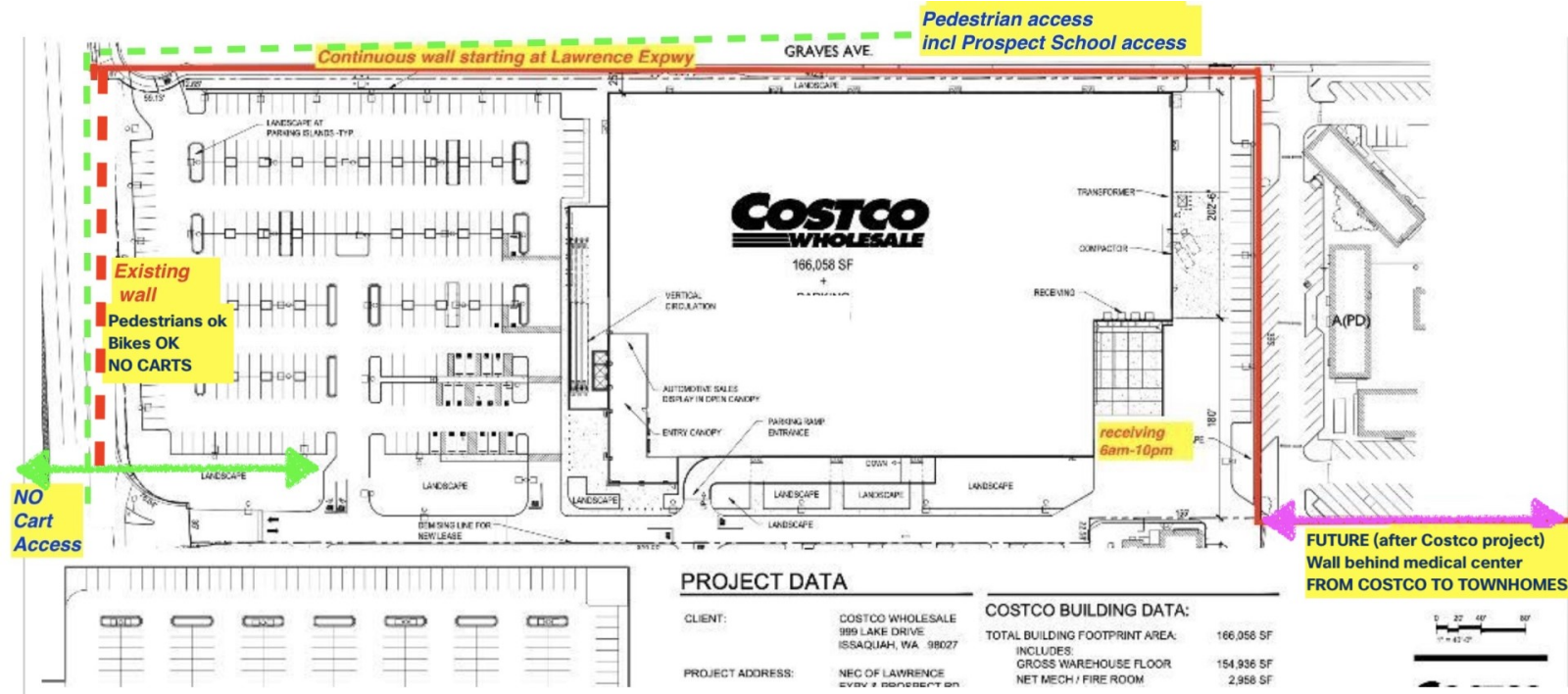
2. Of course loading hours need to be restricted too (7 am - 9 pm only).

3. For emphasis I am again including:

email with commitment from Trader Joe's to not use Grave ave

excerpt from Sprout site that does not allow them to use Graves ave.

I look forward to the City & Costco addressing these simpler requirements so that I can drop my opposition to this project.



thanks
Ramesh

----- Forwarded Message -----

From: Alexis Walsh <awalsh@traderjoes.com>

To: Ramesh B

Sent: Thursday, June 22, 2023 at 11:30:35 AM PDT

Subject: Re:

Hello Ramesh,

That is correct, trucks should not use Graves Ave.

Hope your well,
Alexis

6. Loading Area Restrictions:

- a. The developer shall construct physical cross-access restrictions along and on adjacent properties as shown on the approved plans, and as noted above, to discourage the use of Graves Avenue for site ingress and egress.
- b. The project management shall educate tenants and provide appropriate signage to discourage truck access onto Graves Avenue.
- c. The developer shall relinquish cross-access agreements that facilitate access onto the rear areas of adjacent commercial properties to the satisfaction of the Director of Planning at such time as the Director believes that such access can be eliminated upon further development or redevelopment of adjacent parcels.
- d. Deliveries and loading/unloading of merchandise shall not take place between the hours of 9:00 P.M. and 7:00 A.M.

>

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Comment Letter 50

Feedback for Westgate West Costco DEIR, File no. CP21-022

Piya <[REDACTED]>

Tue 1/30/2024 9:06 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I'm extremely concerned about the uptick in traffic affecting our kids and the general public. More cars will lead to more accidents, spike in pollution...isn't that obvious? Why can't the city consider the glaring gaps that make this a really not very well thought of proposal. Country Lane neighbors did not sign up for this. The area will hardly have any small businesses left which is really sad given the fact that they are already dealing with the pandemic aftermath

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Piya

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Comment Letter 51

MORE CP21-022 EIR comments - CITY's written commitment close off the Graves Avenue driveways on construction of new buildings.

rameshb <rameshbemail-shop2@yahoo.com>

Tue 1/30/2024 12:54 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Burton, Chris <Christopher.Burton@sanjoseca.gov>
Cc: Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>

[External Email]

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Hi Kara,

Please log these comments against CP21-022 EIR.

Also, please circulate the email commitment below to planning department management & staff for this project.

Email below shows the planning department management's written commitment to require closure of Graves driveways upon **'construction of new buildings' as a trigger**.

The city is obligated to follow-through on this.

I am telling you this now and the planning commission will force this later if planning department fails to act now.

I hope it won't come down to the courts forcing the planning department to follow through on this written commitment.

Ramesh B
408 250 2661

From: "Enderby, Mike" <Mike.Enderby@sanjoseca.gov>

To: ramesh bodapati <bodapati2@yahoo.com>

Cc: "Nusbaum, Jenny" <Jenny.Nusbaum@sanjoseca.gov>; rameshbemail-shop2@yahoo.com; "Prevetti, Laurel" <Laurel.Prevetti@sanjoseca.gov>; "Baty, John" <John.Baty@sanjoseca.gov>; "Crabtree, Andrew" <Andrew.Crabtree@sanjoseca.gov>; "Hamilton, Jeannie" <JEANNIE.HAMILTON@sanjoseca.gov>; sai.yakubu@sanjoseca.gov

Sent: Tue, October 30, 2012 8:41:16 AM

Subject: RE: How can Westgate West construction permit be issued without residential input?

Hi Rajesh,

Nice to hear from you. I appreciate your on-going interest in the project. It is still very much our goal to close off vehicle access to the back of West Valley and Westgate West shopping centers as previously negotiated with the developer(s). As you know, there are permit conditions with triggers in place with the Westgate West project to close off the Graves Avenue driveways upon expansions of building square footage and/or construction of new buildings. The recent

modifications that were approved technically constitute remodels and not physical expansions and therefore the trigger for access closures have not been met. The ownership of Westgate West has recently changed. That said, we have reminded the developer of the previously negotiated requirements and the obligations to conform to the permit conditions. We'll keep you posted about any future expansion proposals.

Thanks, Mike

From: ramesh bodapati [mailto:bodapati2@yahoo.com]

Sent: Monday, October 29, 2012 9:03 PM

To: Prevetti, Laurel; Crabtree, Andrew; Hamilton, Jeannie; sai.yakubu@sanjoseca.gov

Cc: Enderby, Mike; Nusbaum, Jenny; rameshbemail-shop2@yahoo.com

Subject: How can Westgate West construction permit be issued without residential input?

Dear City planning department leaders,

Long time ago Mike Enderby told us he would cut off the back entrance/exit to westgate west (at Graves ave) before they are issued a new permit.

There is major construction going on in Westgate west shopping center.
How can Westgate West construction permit be issued without residential input?

Delivery Trucks are driving in front of my home on Graves ave (behind the shopping center) at around 5 a.m waking us up almost every day.

I am almost certain it is for Trader Joes - small chance it could be other store.

I need your help to stop this early morning delivery immediately.

I am also requesting your assistance to getting the graves entrance/exit to westgate west shut down as part of any new permit - even it is for sometihng small.

thanks
ramesh
408 853 3569

| | |

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Comment Letter 52

Feedback for Westgate West Costco DEIR, File no. CP21-022

Carmel T <[REDACTED]>

Thu 2/1/2024 11:03 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I am writing to register my views on the proposed Costco at Westgate West.

I feel strongly that the Costco project should not be approved. It is simply inappropriate for the size and location of the site. In addition there are 2 Costcos within 7 miles of this one. Costco's customers rarely visit without a car, so 7 miles is an easy journey to make with the added bonus of the ability to bring home the purchases made at Costco. Costco is a great organization but this project is simply too big for the impact on the local community. Costco is a warehouse which belongs in an industrial area, not a small shopping center backing up to a well established residential neighborhood.

In my opinion, there are many issues which make this project unsuitable:

1) The city of San Jose has a stated aim of developing an Urban Village designation at this location- Envision San Jose 2040. Costco here

would be the opposite; there is no way it meets the aim of providing a walkable community. Instead it would create a snarled up traffic jam mess. To sanction a development which directly opposes San Jose's stated vision for the sake of tax dollars is unethical.

2) The volume of traffic. The traffic studies already done were done before the recent restriping of the lanes and narrowing of the road on Saratoga Ave. So they are already out of date currently and will be hopelessly so by the time all the planned added local construction is finished. As there are estimated to be an additional 11,000 car trips to a Costco at this site- an eye popping increase of 18 times today's traffic-, this would make the area a logistical nightmare.

3) All that traffic would negatively impact air quality at this intersection. The students of Prospect High School use the surrounding area for cross country running. They would have both the issues of a dangerous increase in traffic and the hazard of breathing in polluted air. The students exercising outdoors within the school property would be impacted by the air quality, with a probable increase in asthma and other respiratory diseases. In addition during construction and demolition it would be many times worse.

4) Safety. Prospect High Students have to get to and from school daily. This is already hazardous and there have been 4 traffic/ pedestrian incidents within the last year.

5) Parking. The parking is totally inadequate for the volume of traffic expected. It will be impossible to visit any of the other stores currently there including a very popular Trader Joe's. The number of employees needed for a store of this size would be an added burden on the small amount of planned parking.

6) Other environmental concerns including noise, the physical appearance of the site for the local neighbors, possible hazardous soil, and the effects on local wildlife. The noise and altered appearance of the area would be a considerable blight and cause of greatly reduced enjoyment of the homes backing up to the high walls of a warehouse. The current development at Quito Road in Saratoga has encountered unexpected issues with hazardous soil - there is no guarantee this wouldn't be an issue here, Has anyone studied the effect on local flora and fauna? How about the enjoyment of the dog park? Dogs are also sensitive to noise and Costco may cause issues for current users and their animals.

In summary, there are many reasons why this proposal should not be approved. Actions of local governments directly impact the lives of those of us who live in the area. To approve this would be a dereliction of duty to the community for the sake of increasing revenue. We really do not need another Costco here.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Carmel Thorn

Local resident since 1997.

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Comment Letter 53

Feedback for Westgate West Costco DEIR, File no. CP21-022

Bella Kim <[REDACTED]>

Thu 2/1/2024 10:51 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

My two kids go to Prospect high school by biking from our neighborhood through the Westgate west where the Costco is proposed. My biggest concern and priority are for their safety when they commute to school everyday. It gets very busy especially in the morning and when school gets out.

I can't imagine how the traffic will be worse if there's Costco. The intersection at PHS is one of the most dangerous for pedestrians and bikers. Very scary for the students.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Eun Kim, Country Lane Neighborhood

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Comment Letter 54

Feedback for Westgate West Costco DEIR, File no. CP21-022

pominator@gmail.com [REDACTED]

Thu 2/1/2024 10:53 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

My two kids go to Prospect high school by biking from our neighborhood through the Westgate west where the Costco is proposed. My biggest concern and priority are for their safety when they commute to school everyday. It gets very busy especially in the morning and when school gets out. I can't imagine how the traffic will be worse if there's Costco. The intersection at PHS is one of the most dangerous for pedestrians and bikers. Very scary for the students.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Hyung Kim, Country Lane neighborhood

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Comment Letter 55

Feedback for Westgate West Costco DEIR, File no. CP21-022

Jason Katz <[REDACTED]>

Thu 2/1/2024 9:43 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my very serious concerns about this project. I work about a mile and a half from this proposed Costco site. I patronize many of the businesses in Westgate West including Ike's, Starbucks, Mod Pizza, and Dominoes at least three times a week. If the Costco project moves forward I will unhappily stop patronizing these businesses because of all the parking and traffic issues that Costcos cause.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Jason Katz (San Jose West employee)

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Comment Letter 56

Feedback for Westgate West Costco DEIR, File no. CP21-022

jinsung choi [REDACTED]

Thu 2/1/2024 11:33 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

1. **This plan is a warehouse in a residential neighborhood.**

- I will be very concerned about raising my children in the country lane neighborhoods if Costco comes into this area since it's **too close to Country lane elementary school and Prospect high school**.
The wholesale center like Costco should not be near residential areas and elementary schools for kids safety and wellness, which is why I strongly believe that this plan has to be rejected!

1. **An over-sized project on an under-sized site**

- Costco Sunnyvale (typical for Costco)
 - 145,000 SF warehouse
 - 15 acre site
 - 838 parking spaces
- **The proposed Westgate Costco plan**

- 165,000 SF warehouse: **20,000 SF bigger**
- 9.69 acre site: **35% smaller**
- 689 parking spaces: **149 fewer and smaller sized**

Our Concerns

Costco will bring Warehouse-Sized Traffic To and From the West Valley, negatively affecting the safety of adjacent Prospect High School and Country Lane Elementary School and its hundreds of students who walk, bike, and drive to school each day, as well as their track teams who run by the proposed site multiple time daily.

The new Costco will be 40 feet high, nearly 4 acres in size, and will add 300 new surface and rooftop parking spaces. It will serve 6,500 customers a day who will drive 9,000 car trips per day to access the store through neighborhoods and under-sized accesses.

There are already two Costcos within 6 miles in more appropriate light industrial areas, serviced by more appropriately sized roads.

There are 1700 new housing units planned right across the street from the proposed site. Housing is a more important and appropriate use for land.

There will be lasting harm to the safety and quality of life for West Valley residents and businesses.

Our Hopes

Of course we want businesses to thrive

The residents of West Valley DO want a strong and economically viable shopping center but not at the expense of our safety and quality of life.

We envision a community center that combines shopping, housing, entertainment, restaurants, and health clubs.

Instead San Jose should create a vibrant village that will serve the whole community and align with San Jose's Envision 2040 Plan and Urban Village plan of transit and neighbor-friendly businesses. Costco definitely does NOT align with these.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Jinsung Choi

[Redacted signature]

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Comment Letter 57



February 1, 2024

Kara Hawkins
City of San Jose
200 E Santa Clara St, 3rd Flr
San Jose, CA 95113

Re: Westgate West Costco Project (CP21-022)
5287 Prospect Road, San Jose, CA 95129

Dear Kara:

Thank you for giving us the opportunity to review the subject plans. The proposed Westgate West Costco Project is within the same vicinity of PG&E's existing facilities that impact this property.

The Westgate West Costco Project will require the relocation of exiting PG&E electric distribution facilities that currently provide the subject parcel with electric energy. The applicant has contacted PG&E and already applied for the needed relocations. PG&E does not have any additional comments or conditions of approval for the project and will continue to work with the applicant on the utility relocations.

Please contact the Building and Renovation Center (BRSC) for facility map requests by calling 1-877-743-7782 and PG&E's Service Planning department at www.pge.com/cco for any modification or relocation requests, or for any additional services you may require.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact me at Justin.Newell@pge.com.

Sincerely,

Justin Newell
Land Management
916-594-4068

Comment Letter 58


Feedback for Westgate West Costco DEIR

Michael Krey <[REDACTED]>

Thu 2/1/2024 3:49 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

Cc: morelandwestna@gmail.com <morelandwestna@gmail.com>; info@savewestvalley.org <info@savewestvalley.org>

 1 attachments (17 KB)

Costco DEIR comments.docx;

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City planner Hawkins and Councilwoman Kamei's staff - Included my comments as a Word attachment. Thank you very much and good luck with your hard work.

Regards,

Mike Krey, Campbell resident

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Costco DEIR comments/project feedback

Ms. Hawkins and Councilwoman Kamei staff –

Here's one take on the Westgate West Costco's Draft Environmental Impact Report and project in general. The format for addressable DEIR comments is pretty specific and these comments might not fit the bill. But wanted to make some points that I suspect others have made or will make.

I lean toward favoring the project, but like many others see traffic issues for Graves/Country Lane and for the area in general. I've tried to be brief.

Graves/Country Lane

1. The DEIR's Transportation Analysis seems to indicate that it is still possible that the further east entrance from Graves onto Westgate West will be closed. The main DEIR doesn't seem to hold that as a possibility. Just asking that it be clear whether there still is an option to close both of the Graves access points into Westgate West.
2. If that east Graves entry will remain, might be worth considering moving that driveway further east, closer to Saratoga Ave. This might limit some traffic concerns for the Country Lane area, though not sure how feasible this is.
3. The Trans. Analysis notes the left-turn queuing issues and among its recommendations is extending the left-turn lane from northbound Saratoga Ave. onto Graves. Extending turn lanes generally a good idea, but in this case that might serve to encourage more traffic onto Graves (though I suspect the Graves entry will become popular with congestion at the other access points).
4. Great that Costco says its own delivery trucks will not use Graves, but can the city limit overall truck usage on Graves to the same level as has been the case (with Smart & Final, etc.)?
5. The Trans Analysis recommends a deeper study of Country Lane neighborhood traffic post-construction? Isn't a main component of the DEIR's trans. analysis making "cut-through traffic" and other key projections? Wouldn't that be too late? Is this sort of post-project study typical?
6. Great that the owners will close off the further west entrance from Graves onto Westgate West. Not part of this project, but any thought to restriping that Graves dead end to enable more dog park parking?

Prospect Road/Lawrence

1. This, like all DEIRs, delves in depth on traffic volumes for nearby intersections. But it doesn't deal with overall volume of traffic on Prospect per se. Could there be a deeper look at traffic overall on Prospect Road between Lawrence X. and Saratoga Ave.? Speaking as a 36-year resident of this area, I fear gridlock for that section of Prospect, which with its 12-plus driveways already has faced gridlock.
2. Seems surprising that no intersections in the study are projected to degrade to an LOS of E or F. Does city staff or some other outside expert vet the numbers?
3. The DEIR calls for improvements at the Lawrence X driveway onto Westgate West, to accommodate trucks, etc. Could the city, however, push for even greater improvements that

would encourage Lawrence to be the MAJOR entry/exit for Costco? Traffic circulation-wise, Lawrence might be preferable to Prospect.

General

1. The DEIR emphasizes the project will result in fewer VMTs regionwide (since the new Costco would be much closer for many Costco patrons). That's great, but that must be weighed against the impact with the closest communities. My question: Wouldn't ANY new destination-retail store in an urban setting result in a decline in regionwide VMTs? If so, I wonder how that is weighed vs. the 11,000 daily trips and 880 peak p.m.-hour trips the store would generate.
2. The DEIR trans. analysis notes that "many of the adverse effects to queuing do not have feasible improvements." Again, asking if this finding is typical or unusual, and if the latter is there any further improvements the city can contemplate?
3. The DEIR notes that the city required "solar readiness" and "EV equipment." With rooftop parking, does the project include solar or alt. power? I didn't see where/how many EV parking stalls are included in the project, which might not be part of the DEIR.

Thanks to Councilwoman Kamei for keeping the community in the loop. I'm a Campbell resident active with our Moreland West Neighborhood Association. Our NA and some members will likely provide comments as well, as will the Country Lane and other NAs.

Regards,

Mike Krey, Campbell

Comment Letter 59

Feedback for Westgate West Costco DEIR, File no. CP21-022

Priya Shastri <[REDACTED]>

Thu 2/1/2024 5:41 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

--

I have been resident of SanJose /Saratoga for the past 7 years and a resident of Campbell/West gate for 10 years prior to that. I have seen the rise of buildings almost like sci-fi and new establishments coming up every year.

I understand the need to convert the prospect/Lawrence intersection into a Costco hub. However, there are some considerations I would like the city council to consider:

1. Please consider adding a new lane of traffic on Lawrence Expressway.
2. Please check the EIR draft for pollution levels due to the addition of new vehicles.

I request you to please make arrangements for traffic control before the construction happens and the Costco starts attracting new customers.

I hope you will consider this as a personal request and do the needful.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Thanks,

-priya

Priya Shastri
[REDACTED]

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Comment Letter 60

Feedback for Westgate West Costco DEIR, File no. CP21-022

Tyler Hawkins [REDACTED] >

Thu 2/1/2024 8:30 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Driver Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

My family loves San Jose ~ and our cute, safe, welcoming, diverse neighborhood of Country Lane. We've lived here for a bit more than two years, we were very fortunate to buy our first house here, no place has felt more like home to us. That said, even before I learned of the proposed Costco in our area I was already developing some serious concerns with the traffic and speeding on our tiny streets. Teresita Drive connects across our neighborhood passing Easterbrook Discovery School and Country Lane Elementary. This should be one of the safest paths for the hundreds of kids who walk to-and-from school daily but unfortunately drivers are all too fond of speeding down Teresita as a shortcut to the Westgate mall. A year ago a car speeding down Teresita Drive flew across the side, and tore through the fences around Country Lane Elementary; fortunately nobody was hurt but it left me realizing our wonderful neighborhood has a problem.

I think the safety risk imposed by the existing state of traffic in this area extends even beyond the side streets of our direct neighborhood. To the south, Lawrence Expressway, Prospect Road, Saratoga Ave, and Graves Ave, surrounding Westgate mall all seem pushed to their limits ~ even without a Costco bring tens of thousands more cars into the area. My high school aged kid (who walks past the proposed Costco site on her way to Prospect High School) has had several near misses as speeding drivers hastily rush around the mall and expressway. Before you consider allowing such a major anchor and destination store like a Costco, I think we as a community need to seriously consider solving the traffic problems that are already a reality for families in Country Lane.





[I took this photo in September 2023, standing at the pedestrian crossing directly beside the proposed Costco site; a speeding car had careened over the pedestrian railings and into the walking path beyond. **Hundreds of kids walk and stand here everyday.** I worry scenes like this are only going to become more common (and possibly deadly) if the traffic in and out of this mall is allowed to grow unchecked.]

Please consider taking more time to evaluate the human safety impact of this major Costco development. Prior to approving the Costco development, I plead with you to investigate ways of alleviating and solving our existing traffic safety problems in the Country Lane area.

A few of proposals:

- * **Add cross walks on Graves Ave.** Graves is a walking and biking path for hundreds of Prospect High School students. Let's show these kids we treasure their safety by adding marked, lit, signal crosswalks on Graves Ave.
- * **Commission a traffic impact study for the area surrounding the proposed Costco Development.** I'm quite certain the traffic issues in our area extend beyond my own experience. Commission experts in traffic impact, traffic safety, and environmental impact to understand what a Costco-sized store will do to the surrounding area. Solve the issues you unearth.
- * **Push back on the scope and size of the Costco Development.** Proximity to nearby malls is part of what we love about this location, but even with the stores we have today it's scary to walk over there because of the constant stream of cars. What if Costco was mandated to have less of a traffic impact? Perhaps Costco would be open to downsizing slightly in lieu of more green space or other walkable public-use space?

2/2/24, 10:32 AM

Mail - Hawkins, Kara - Outlook

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Tyler Hawkins
Country Lane

Sent from my iPad

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Comment Letter 61

Feedback for Westgate West Costco DEIR, File no. CP21-022

Vera Hawkins [REDACTED]

Thu 2/1/2024 8:22 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am a student at Prospect high school, and because I walk to school every day through the west gate parking lot I'm very concerned about the potential traffic the Costco will likely bring to our neighborhood. The traffic in the west-gate mall area is already dangerous, even without the Costco moving in. This is because there are parking issues at my school, our school parking lot isn't large enough to accommodate all the students and teachers that need to go through there. Because of this dilemma the school has asked parents to drop their children off in the west-gate parking lot, meaning that there is an increase in kids in this parking lot, not to mention aggressive drivers. I also have many friends who walk the same path as me to school, some of their parents have decided to begin driving them to the parking lot because of the dangerous conditions, and in the end only contributing to the issue. I can clearly see how much worse this would get if the Costco moved in. It would not only add more traffic into an already dangerous mix, but also eliminate some of the only paths we have to stay safe from the fast traffic. I believe that if we are going to add in a Costco we need to add some sort of precaution to help keep students such as myself as well as the young children who walk through the area to country lane, a mall that started out as an amazing place to be around has become a scary and threatening place to be around, I don't believe that our neighborhood can possibly sustain a Costco in the place we currently are when it comes to traffic. I think some things that could definitely help are; improvements for traffic flow on both Prospect and Lawrence, adding traffic study during peak school hours, or Pedestrian safety improvements, such as a

pedestrian bridge across Lawrence, crossing guards, increased traffic enforcement, raised crosswalks, re-design traffic islands, or thru-right-turn lanes.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Vera J Hana Hawkins, Country Lane

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Comment Letter 62

My comments on the proposed Westgate Costco project

Bill LeBlanc <billrleblanc@icloud.com>

Fri 2/2/2024 10:44 AM

To: Atienza, Manuel <Alec.Atienza@sanjoseca.gov>

Cc: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Burton, Chris <Christopher.Burton@sanjoseca.gov>; info@savewestvalley.org <info@savewestvalley.org>

[External Email]

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To the San Jose Planning Commission,

We are 45 year residents of the Country Lane neighborhood (and I stress neighborhood) living on Cordelia Avenue. We have continued to live in this neighborhood, and therefore San Jose, because of the community feeling, friendly neighbors, while enjoying a peaceful enclave in the midst of urban blight. Like many of our neighbors, we could have moved but decided to stay for the reasons stated. Your plans for an unneeded and oversized Costco in the middle of our peaceful neighborhood make us question the direction San Jose leadership is making by putting tax revenues over quality of life.

The lack of traffic mitigation, when there is no doubt traffic will be a nightmare, is incomprehensible. The safety of Prospect students has been completely ignored and the intersection of Prospect and Lawrence Expressway will be an accident waiting to happen. If in fact the reality of this project goes forward (which I truly believe is an unconscionable mistake) please have the decency and foresight to make traffic and public safety a number one concern by upgrading the existing roads and pedestrian walkways. As parents and grandparents of children in this neighborhood we would appreciate and expect that consideration.

In addition to the traffic concerns on the main arteries, we have real issues with the use of Graves Avenue, and by extension the rest of the adjoining streets, for deliveries, customer parking when the insufficient parking lot is full, and the lack of enforcement necessary and available to control the already agreed uses of Graves. Traffic gridlock is a certainty and the use of Waze and other mapping app's will certainly lead Costco customers to use our neighborhood for access.

This project does nothing for the city or it's residents accept increase tax revenues. Is that the long term goal of this city?

Thank you for your consideration,

Bill and Paula LeBlanc
1303 Cordelia Avenue

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Comment Letter 63

Feedback for Westgate West Costco DIER, file no. CP21-022

Jeanie S. [REDACTED]

Fri 2/2/2024 1:43 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Feedback for Westgate West Costco DIER, file no. CP21-022

Dear MS Hawkins,

I've attended concerned citizen forums and reviewed the DEIR report for the proposed Westgate West Costco project and am writing to provide my feedback.

I'm a 30 yr. resident of the Country Lane Neighborhood, and am concerned that adding 11,000 car trips the project will generate, will gridlock the already over congested intersections. (per ALTA pages 12, 42).

I'm a senior citizen and have regularly enjoyed riding my bike through the intersections adjacent to the proposed project, to reach popular riding areas nearby. Intersections at: Saratoga & Prospect, Prospect & Lawrence, and Saratoga & Lawrence, are very dangerous areas. At the end of each ride, I use the crossing along Lawrence Expressway into the Saratoga Creek Dog Park. This already is difficult to navigate and I fear it will only become worse.

A safe way to cross these sections needs to be addressed with either elevated crossings or well-marked and separated bike lanes like those recently added on Saratoga Ave.

I understand that this area is "Priority Safety Corridor #1. The traffic flow study I saw in the report does not seem to address the simultaneous Mixed-Use developments being made at El Paseo de Saratoga, the Kato building area, as well as the development at the old Jack-in-the-Box lot. As high-density housing projects they all will be adding a significant number of pedestrians and vehicles. A full report which includes all proposed projects needs to be done to truly evaluate the impact this will have on safety, congestion and noise.

I also do not see that the report made an evaluation of foot traffic from Prospect High School at its peak hours: the beginning and especially the end of school days. There's also a large number of students that go off campus at lunch, which often causes traffic congestion as cars try to

avoid the overflow of students in the crosswalk islands. To evaluate properly this study needs to be done during the peak hours for pedestrians.

It's a major safety issue that needs worked out before even larger numbers of cars make it more dangerous than it currently is. This year alone there have been 4 car, pedestrian accidents in that area.

We need to improve these crossings, as they are regularly used by Cross Country Teams from Prospect HS, Lynbrook HS and Mitty HS, as well as dog-walkers & cyclists.

Safety and traffic congestion are priority number one for those of us that call this our home. Costco, or for that matter, any development that would be proposed there needs to make it a priority also.

I understand the need to generate tax revenues on this land, but ask that the City Council, the Mayor and the Planning Commission find a more "Urban Neighborhood" friendly endeavor to better match the scale of the site. The scope of the project needs to match the needs and feel of West San Jose residents. Please leave Costco developments in industrial park type areas.

Thank you for taking the time to address the issues.

Sincerely,
Jeanette Stephenson



Jeanie Stephenson

Sent with [Proton Mail](#) secure email.

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Comment Letter 64

Proposed CostCo Site at Prospect and Lawrence

Martin, Andi [REDACTED]

Sat 2/3/2024 6:06 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Dear Kara,

I hope this email finds you well.

I have been a long time customer at the Trader Joes on Prospect as well as a yoga practitioner and teacher at Bikram Yoga San Jose.

Placing a CostCo at the corner of Prospect and Lawrence at the old OSH/Goodwill site will be horrible for traffic and air/sound quality for local residents.

It would also create a great deal of traffic in an area where there are high school students every day. This is a recipe for disaster.

Even when I was teaching at Bikram Yoga SJ and it was near the back of the parking lot, it was hard to find parking. I can not imagine the congestion that a CostCo (estimated to generate 11K cars of traffic per day) would create in the area. Please deny this proposal.

A Cosco might work over at Westgate if Nordstrom Rack were to move, but most definitely not at Westgate West, unless you intend on putting all the other retailers and restaurants out of business, inconveniencing local residents, and creating a bottleneck for commuters who must go through the area. Thank you.

Best,

Andi Martin

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communication.

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Comment Letter 65

Feedback for Westgate West Costco DEIR, File no. CP21-022

Majella Pinto [REDACTED]

Sat 2/3/2024 4:08 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

The mega stores replacing small businesses do not enhance or preserve the culture of West San Jose. Having enjoyed patronizing the previous ousted stores like Artfuli, the chocolate shop that replaced it, I kindly urge you to open up this area by promoting local and small business. No mega store is a suitable or acceptable replacement for the local businesses that existed here.

A mega store brings with it traffic nuisance, parking issues and makes this area unsafe for children that walk and bike to school.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Majella Pinto

[REDACTED] (West San Jose)

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Comment Letter 66

Feedback for Westgate West Costco DEIR, File no. CP21-022: high school safety

Marc Barberis <[REDACTED]>

Sat 2/3/2024 8:42 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I am contacting you to express several notable concerns regarding the planned Costco construction project at the intersection of Prospect Road and Lawrence Expressway, specifically in response to the published draft Environmental Impact Report (EIR). Before delving into these concerns, I would like to express gratitude for the decision not to include a gas station at this location.

In this initial correspondence, I will focus on the first item outlined below, reserving the discussion of the remaining points for subsequent letters. The overarching topics of concern are as follows:

- **Prospect High School student safety**
- Co-existence with existing commercial sites, in particular Trader Joe's
- Access by bike to those sites and urban village concept
- Traffic impact

- Noise impact
- Project size in relation to site
- Climate Smart initiative and final notes

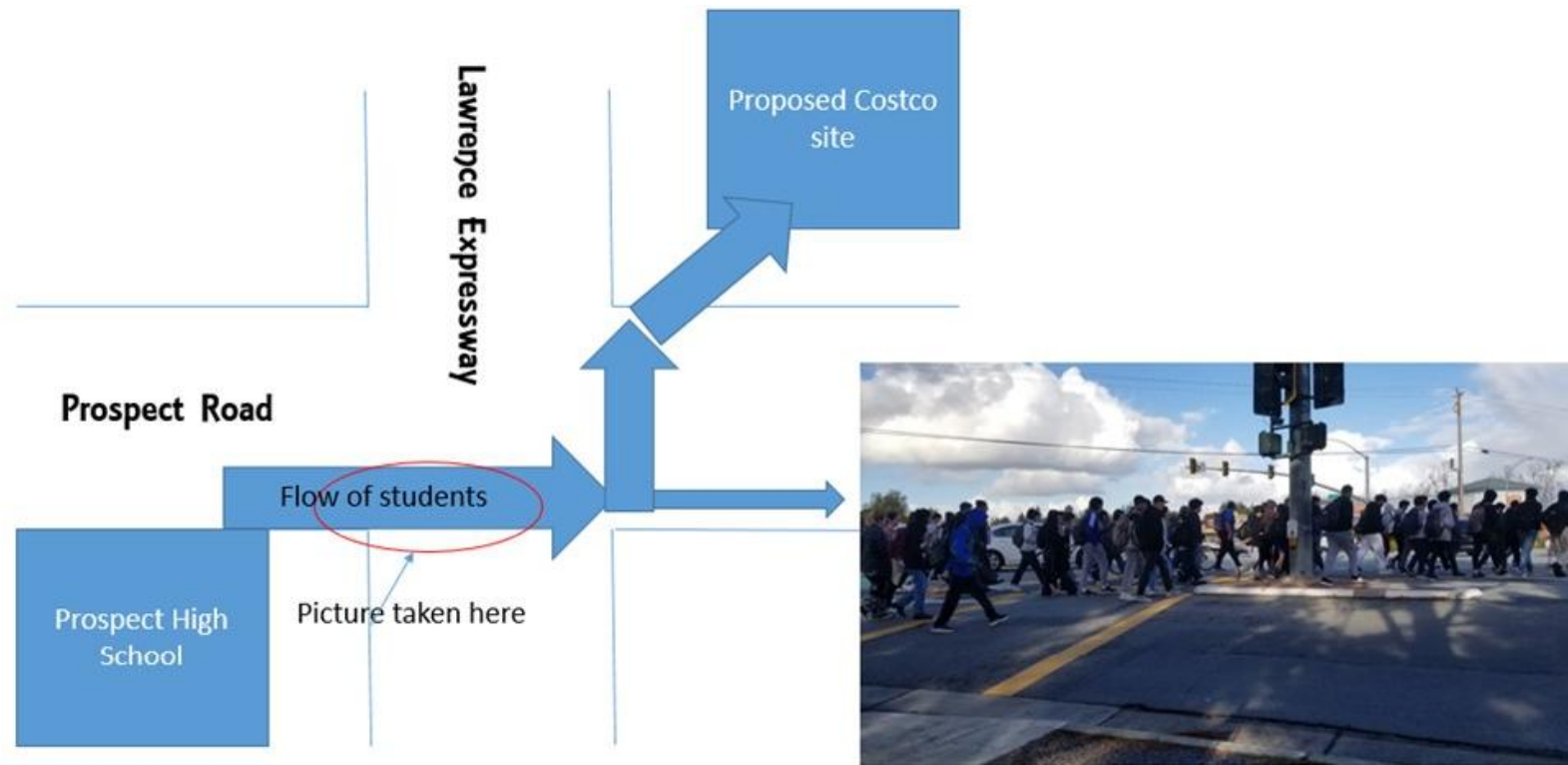
Student Safety at Prospect & Lawrence Intersection:

Undoubtedly, one of the most critical aspects of my concerns revolves around the safety of hundreds of Prospect High School students who navigate the bustling intersection of Lawrence Expressway and Prospect Road on a daily basis. I live right next to Prospect High School and I am very familiar with the back and forth of students. In case a mental picture may be helpful, think large migrations seen in African parks.

Unprecedented Traffic Challenges:

As these students traverse both Lawrence Expressway and Prospect Road, they face an intricate web of traffic at a junction that is already known for its complexity. The proposed Costco project adds an additional layer of concern, as the intended parking lot is expected to overlap with the students' regular route. This confluence of factors underscores the urgency of implementing robust mitigation measures to safeguard the lives of these young pedestrians.

You will find below a diagram explaining the situation at the site and the typical student route, along with a picture taken Friday, February 2, at 3pm facing towards the planned Costco site as an illustration.



Most of the students cross both Lawrence Expwy then Prospect Rd and walk onto the Costco site.

Recent Commitment to Student Safety:

It's worth acknowledging the commendable initiative taken by San Jose Mayor and Council Member Ortiz, unrelated to the current project, to prioritize the safety of students emerging from schools. Council Member Ortiz's televised declaration on Tuesday, January 30, emphasizing that "Children deserve to be safe on their way to and back from school," resonates deeply with these sentiments. Now, it is imperative to extend this commitment to the specific challenges posed by the Costco project at the Prospect & Lawrence intersection.

Critical decision:

With the gravity of the situation in mind, it requires no great stretch of imagination to foresee the potential consequences if adequate mitigation measures are not swiftly implemented. The decision regarding the Costco project at this intersection transcends mere urban planning; it is a profound, life-and-death responsibility that necessitates careful consideration and decisive action.

Appeal for a Focus on Student Safety:

In light of the demonstrated commitment to student safety and the evident risks posed by the proposed project, I urge you to direct your attention, scrutiny, and influence towards ensuring that robust mitigation measures are embedded in the Costco project plans. This is not merely a matter of convenience; it is an ethical imperative to protect the lives of the young students who navigate this challenging intersection daily.

Thank you for your time and consideration.

Sincerely,

Marc Barberis

A solid black rectangular box used to redact the signature of Marc Barberis.

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Comment Letter 67

(No subject)

Maya Bareket <[REDACTED]>

Sat 2/3/2024 3:29 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

To whom it may concern,

I have been a resident growing up in the Saratoga area since I was 2 years old.

I am now a advocate for many areas like legislative and have grass rooted and rallied for many years to many legislative people and aids as well to help fight for funding for people with special needs.

I sit on the san Andreas Regional center board of directors for the second time now again as their vice president.

I am getting off topic hear but wanted you to get to know me a little bit.

I do not think putting in a Costco is a good idea for prospect high school kids, they need to cross safe and there will be a zoo of cars coming in the parking lot and out, and will cause horrible traffic mess as well.

My idea is why can't you put in a library instead? This will give students a chance to go and get their after school homework done or use a computer if they need. Also put in a little sound proof cafe that would be in the library run by people with special needs and without.

This would have a small parking lot outdoors and will make traffic less and be a lot safer for kids from the high school as well.

Please take to consideration that putting a Costco in at West Gate West will not be safe at all for all the students. It could cause a lot of accidents as well.

Thank you so much for your time in reading this.

Sincerely,

Maya Bareket

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Comment Letter 68

Feedback for Westgate West Costco DEIR, File no. CP21-022

Pooja Iyer <[REDACTED]>

Sat 2/3/2024 4:33 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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

Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

Costco will make the neighborhood unsafe for our children and impossible to access any major roads and highways.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
<Your Name and neighborhood go here>

Sent from my iPhone

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Comment Letter 69

Feedback for Westgate West Costco DEIR, File no. CP21-022

RAM PRASAD <[REDACTED]>

Sat 2/3/2024 3:51 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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

Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

The potential dangers associated with the estimated 11,000+ car trips per day generated by Costco's proposed Warehouse Store raise significant concerns for various groups, particularly students, kids, pedestrians, runners, and cyclists. The lack of committed meaningful road safety improvements in the most recent Costco plan amplifies these concerns.

1. Traffic and Safety for Students and Runners:
 - The projected increase in traffic poses a threat to the safety of students, cyclists, and cross-country runners near the intersection of Lawrence Expressway and Prospect Road, impacting their daily commute and training routes.
 - The intersection's proximity to Prospect High School makes it a critical area requiring attention to prevent gridlock and ensure the safety of those walking or biking to school.
2. Traffic Gridlock and Inconvenience:

- The anticipated daily gridlock resulting from 11,000+ car trips poses dangers, inconvenience, wasted time, pollution, and wasted energy. This will likely impact not only the immediate area but also create ripple effects on Saratoga Ave and Prospect Rd, affecting daily travel for residents, school transportation, and work commutes.

3. Cumulative Traffic Impact:

- It's crucial to consider the cumulative effects of development in the surrounding areas, including the El Paseo de Saratoga project, multiple large-scale housing projects across Prospect Ave, and traffic within the Saratoga Avenue Corridor. Comprehensive studies should account for these combined impacts on traffic flow and safety.

4. Neighborhood Cut-Through Traffic:

- The proposed Warehouse Store may lead to increased cut-through traffic in nearby neighborhoods, including the Country Lane Neighborhood, impacting residents and potentially endangering students at Country Lane Elementary.

- Recent traffic calming and bicycle safety measures along Saratoga Avenue indicate existing concerns, and the closure of the Graves Avenue entrance to Costco with a protective wall could help mitigate cut-through traffic risks in the Country Lane Neighborhood.

In summary, careful consideration of these factors is essential in evaluating the overall impact of the proposed Costco Warehouse on traffic, safety, and the well-being of the surrounding community.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Ram Prasad

Sent from my iPhone

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Comment Letter 70

Feedback for Westgate West Costco DEIR, File no. CP21-022

Sid Loganathan <[REDACTED]>

Sat 2/3/2024 4:02 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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

Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

The Costco development will severely affect the track in the neighborhood and parking to access other businesses in the Westgate mall.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Sid Loganathan
[REDACTED]

Sent from my iPhone

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Comment Letter 71

Letter opposing new Costco proposal

Vikram Tolani <[REDACTED]>

Sat 2/3/2024 12:39 PM

To: District1 <district1@sanjoseca.gov>

Cc: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; annalise@sanjosespotlight.com <annalise@sanjosespotlight.com>

[External Email]

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Dear Mrs. Kamei,

I am a resident of the San Jose Happy Valley neighborhood and am writing to express my strong opposition to the new Costco proposal at the junction of Lawrence and Prospect.

We have two high school students attending Prospect High School (and two more starting in a few years) walking to-and-fro that location and the crossing every day because of the severe traffic jam that already exists making it difficult to drop-off by car. With the Costco there, there will be even more traffic and safety issues making the neighborhood not walkable any more. I know how much you like taking walks and bicycle rides and hope you appreciate the need to keep the neighborhood in a state where we can enjoy the same.

Unfortunately we've already been deterred from going to Saratoga Creek Park lately due to a dismantled play area, a dog park with dogs often off-leash and increased homeless encampment and now you are giving away even our basic right to safely walk across this beautiful neighborhood we moved into 6 years ago with barely making our finances work.

We are also Costco members ourselves and do groceries at their Sunnyvale, Coleman and Senter road locations without much trouble, so I really don't see why there's need for one more. The Trader Joe's and Sprouts in the same parking lot also serve our grocery needs well.

I really urge you to oppose and have this development cancel and maintain the quality of life that this neighborhood deserves. Else I'm afraid our neighborhood will change from being a Happy Valley to a Sad Costco community.

Regards,
Vikram Tolani
(resident of Happy Valley Ave x Doyle Ave)

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Comment Letter 72

In regards to File No. CP21-022.

Xbob42 <[REDACTED]>

Sat 2/3/2024 10:10 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Hi,

Just wanted to add my own public comment about this project. I've never done so before, so I'm unsure about the format or length, so I'll just say how I feel: I'm very excited for it, and hope it goes through. Reading nonstop NIMBYism from people about anything useful and practical being added to any city is exhausting, even if I don't entirely disagree with all of their concerns. I just personally think a new Costco that's actually within a fair range of where I live is a good thing. A "15-20 minute drive" to an already existing Costco, as some have stated, from the proposed Costco (not my house) that is also 15-20 minutes away from me, is significantly more inconvenient, especially for those of us utilizing public transportation, cycling or even walking, not everyone drives everywhere! Try what would be a 15-20 minute drive on-foot, pushing a stroller across poorly maintained sidewalks and side streets that often don't even have sidewalks.

That is to say, this will have a tremendously positive impact on our quality of life, as we personally live near a Safeway, which is where we do most of our shopping. It is significantly more expensive than Costco on most products, and you get a lot less for how much you spend. We do occasionally make longer trips out to Costco, but if we could utilize it regularly (again, that journey is a LOT longer if you're not driving!) then it'd have a notable impact on both the quality of food we're eating, how much we're spending, etc. We simply don't have the free time to make frequent trips, and as we're not driving a big SUV or other vehicle, even when we do make the trip, we can't get as much as we'd like, and have trouble stocking up without spending even more money on an Uber or getting a ride.

People are worried about significantly increased traffic, and I think that alone already tells you that even those that don't want the Costco understand how important and how useful it is for the city and surrounding smaller cities such as Campbell. After all, if San Jose residents "didn't want it," there'd be no concern about a traffic increase. The idea that we shouldn't build large shopping centers simply because a few hundred residents are going to be mildly annoyed is absurd to me.

I'd appreciate it if residents focused less on individual shops, malls or restaurants being opened in their area, and more on the quality of our streets, having properly maintained sidewalks throughout the city, smarter traffic lights, less stroads (look it up), and generally more

walkability. We can do much to improve traffic issues and the quality of our streets and sidewalks without having to throw a fit every time a new business is proposed.

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Comment Letter 73

Feedback for Westgate West Costco DEIR, File no. CP21-022

jcleung [REDACTED]

Sun 2/4/2024 10:52 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

Traffic, safety, and small business in the neighborhood are my concerns. I would like to express my voice of objection about this project. This is my community and I have the rights to voice out my concerns to protect my family.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

2/13/24, 11:14 AM

Mail - Hawkins, Kara - Outlook

John Leung

Family of 5

Sent from my Galaxy

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Comment Letter 74

Feedback for Westgate West Costco DEIR, File no. CP21-022: coexistence with local businesses

Marc Barberis <[REDACTED]>

Sun 2/4/2024 3:42 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I am contacting you to address the second of my concerns regarding the planned Costco construction project at the intersection of Prospect Road and Lawrence Expressway, specifically in response to the published draft Environmental Impact Report (EIR). As a reminder, the overarching topics of concern are as follows:

- Prospect High School student safety
- **Co-existence with existing commercial sites, in particular Trader Joe's**
- Access by bike to those sites and urban village concept
- Traffic impact
- Noise impact
- Project size in relation to site

- Climate Smart initiative and final notes

Local businesses hold a special place in our community, with establishments like Trader Joe's and Sprouts serving as my primary shopping destinations. These stores align perfectly with the character of the area and contribute to its unique charm.

Impact on Trader Joe's Parking:

The proposed project, if implemented, would extend Costco's footprint into the existing parking area, reaching all the way to the front door of Trader Joe's. This expansion raises serious concerns about the accessibility of parking spaces for Trader Joe's customers. Even without the presence of Costco, the current parking situation is acknowledged as challenging.

Parking Reservation for Trader Joe's:

To mitigate the impact on Trader Joe's and its patrons, it is imperative that the project reserves a sufficient number of parking spots exclusively for Trader Joe's customers. Without this allocation, the already challenging parking situation could worsen significantly.

Technological Solutions:

Exploring technological solutions, such as ensuring that Costco carts are restricted from operating in close proximity to Trader Joe's, could be a viable approach. Implementing such measures would help maintain a distinct parking and shopping experience for both retailers.

Risk of Trader Joe's Departure:

A failure to address the parking concerns and to provide adequate reserved spaces for Trader Joe's customers poses a substantial risk. The heightened competition for parking spots may result in a scenario where Trader Joe's, a beloved and popular store in the neighborhood, considers relocating. Such a departure would have devastating consequences for many families who rely on and cherish Trader Joe's as a key shopping destination.

Comparison with Almaden Site:

It's crucial to note the distinction between the current site and the Almaden location. Unlike the Almaden site, where prime parking for Trader Joe's is not directly competitive with Costco, the Prospect Road and Lawrence Expressway site presents a different dynamic. Trader Joe's parking, considered prime at this location, is also prime parking for Costco. This fundamental difference heightens the risk of Trader Joe's losing critical parking spaces at this particular site.

Thank you for your time and consideration.

Sincerely,

Marc Barberis



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Comment Letter 75

Costco input for CP21-022 - some people claiming to live off Graves ave live a block away from Graves ave

rameshb [REDACTED]

Sun 2/4/2024 11:38 PM

To: District1 <district1@sanjoseca.gov>; Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Manuel Atienza <alec.atienza@sanjose.gov>

[External Email]

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Hi Alec, Rosemary & Kara,

Please add this more input for CP21-022

First of all, I assume you will provide extra weight to people who actually live on Graves ave regarding the topic of Graves ave driveway access to Costco site ...

since we have to face the most impact of the sound, vibrations, pollution, etc from traffic on Graves ave.

Some people are claiming to live 'off graves ave' because they know you will weigh that input more heavily.

Unless a person's home directly faces Graves ave (wall or door or fence directly faces Graves ave) please do not include people who claim to 'live OFF graves ave' with the same weight.

Please demand address of anyone who claims to live on/at Graves ave.

Example: I live at [REDACTED] the front of my house directly faces graves ave.

Please beware of fantom Graves ave residents who actually live a whole block or more away but claim to live 'off Graves ave'.

Thanks

Ramesh
[REDACTED]

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Comment Letter 76

CP21-022

Retina Smith [REDACTED]

Sun 2/4/2024 2:52 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

How do I submit concerns or comments

For the Costco to be built at Prospect road. My concern is for students who cross the very busy street on Lawrence. Increased traffic poses a risk.

My proposed solution is to have Costco pay for Safety guards at this busy location before and after school and have Costco only have an entry point off Lawrence rather than prospect road.

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Comment Letter 77

Feedback for Westgate West Costco DEIR, File no. CP21-022

Shriram Chendke [REDACTED]

Sun 2/4/2024 5:39 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I do not see any issues with Costco starting its location at the proposed site at Campbell. In fact, it is a welcome step for the growth of Campbell community

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
<Your Name and neighborhood go here>

Thanks & Regards,
Shriram Chendke

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Comment Letter 78

My comments on the proposed Westgate Costco project

Chris Seitz [REDACTED]

Mon 2/5/2024 2:58 PM

To: Atienza, Manuel <Alec.Atienza@sanjoseca.gov>

Cc: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Burton, Chris <Christopher.Burton@sanjoseca.gov>

[External Email]

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

Hi folks

I'm strongly in favor of a new Costco. I'm a longtime resident near forest hill school.

Thanks
Chris

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Comment Letter 79

Re: Costco at Westgate West

Karen Cheeniyil [REDACTED]

Mon 2/5/2024 10:42 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

Hello again,

Upon re-reading my email, I want to clarify. I didn't mean to imply that I shop at Costco daily! That's a twice monthly trip, more often if/when it becomes local. Trader Joe's & Sprouts: about twice weekly. Whole Foods: rarely, and usually just for an Amazon return. I do cook daily.

- Karen

On Mon, Feb 5, 2024 at 8:38 AM Karen Cheeniyil <[REDACTED]> wrote:

Hello Ms. Hawkins,

Regarding the planned Costco at Lawrence and Prospect, I am excited and will be a frequent shopper; however, I share some neighbors' concerns.

My main concern is safety. The corner of Lawrence and Prospect is flooded twice daily on every school day with Prospect High students. Mitty High School is also not far away, just off Lawrence. I'm not convinced that the typical traffic flow around any Costco can be safely accommodated in that space during school rush hours.

Furthermore, the project seems too big for this space. Please don't demolish the Trader Joe's in that location. If that happens, then I will continue to shop at the Almaden Costco which does have a Trader Joe's next door.

In my opinion, there is a nearby solution. Swap the planned Whole Foods and Costco locations. In my estimation as one who cooks and therefore shops for food almost daily at these stores, a Whole Foods, currently planned at Quito/Prospect and Saratoga Avenue, will fill but not overwhelm the Prospect & Lawrence space. It is compatible to, not entirely competitive with, the Trader Joe's next door. A Whole Foods at Prospect and Lawrence should also take less business from Sprouts than one located, as planned, across the street.

There is simply more store and parking space at the former Lucky location away from Prospect High, even with the planned housing above the retail. Why wasn't this the original plan?

Thank you for the opportunity to voice my opinion.

Regards,

Karen Cheeniyil

Saratoga resident

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Comment Letter 80

Re: Costco at Westgate West

Karen Cheeniyil [REDACTED]

Mon 2/5/2024 10:42 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

Hello again,

Upon re-reading my email, I want to clarify. I didn't mean to imply that I shop at Costco daily! That's a twice monthly trip, more often if/when it becomes local. Trader Joe's & Sprouts: about twice weekly. Whole Foods: rarely, and usually just for an Amazon return. I do cook daily.

- Karen

On Mon, Feb 5, 2024 at 8:38 AM Karen Cheeniyil <[REDACTED]> wrote:

Hello Ms. Hawkins,

Regarding the planned Costco at Lawrence and Prospect, I am excited and will be a frequent shopper; however, I share some neighbors' concerns.

My main concern is safety. The corner of Lawrence and Prospect is flooded twice daily on every school day with Prospect High students. Mitty High School is also not far away, just off Lawrence. I'm not convinced that the typical traffic flow around any Costco can be safely accommodated in that space during school rush hours.

Furthermore, the project seems too big for this space. Please don't demolish the Trader Joe's in that location. If that happens, then I will continue to shop at the Almaden Costco which does have a Trader Joe's next door.

In my opinion, there is a nearby solution. Swap the planned Whole Foods and Costco locations. In my estimation as one who cooks and therefore shops for food almost daily at these stores, a Whole Foods, currently planned at Quito/Prospect and Saratoga Avenue, will fill but not overwhelm the Prospect & Lawrence space. It is compatible to, not entirely competitive with, the Trader Joe's next door. A Whole Foods at Prospect and Lawrence should also take less business from Sprouts than one located, as planned, across the street.

There is simply more store and parking space at the former Lucky location away from Prospect High, even with the planned housing above the retail. Why wasn't this the original plan?

Thank you for the opportunity to voice my opinion.

Regards,

Karen Cheeniyil

Saratoga resident

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Comment Letter 81

Feedback for Westgate West Costco DEIR, File no. CP21-022: biking safety

Marc Barberis <[REDACTED]>

Mon 2/5/2024 12:41 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I am contacting you to address the third of my concerns regarding the planned Costco construction project at the intersection of Prospect Road and Lawrence Expressway, specifically in response to the published draft Environmental Impact Report (EIR). As a reminder, the overarching topics of concern are as follows:

- Prospect High School student safety
- Co-existence with existing commercial sites, in particular Trader Joe's
- **Access by bike to those sites and urban village concept**
- Traffic impact
- Noise impact
- Project size in relation to site

- Climate Smart initiative and final notes

Biking Safety:

I am an avid cyclist who frequently rides to local stores, including Trader Joe's, Sprouts, REI, and others. Residing on Brookglen Drive, my route takes me past Prospect High School along Prospect, necessitating crossing Lawrence Expressway or making a left turn onto Lawrence to reach these establishments. If the proposed Costco project is to occupy the designated spot, it is imperative to address the safety of cyclists navigating this area.

Currently, the cycling conditions in the vicinity are already challenging, and the addition of a large-scale development like Costco would significantly exacerbate the situation. During peak hours, particularly in the late afternoon, Prospect Road serves as a major artery for cyclists, both recreational and those commuting from work.

In the context of the city's Urban Villages initiative (*), which aims to foster mixed residential and small business areas, the introduction of a Costco in this location appears to be incongruent with the city's urban planning goals.

I urge the Planning Commission to carefully consider the impact on cycling safety and advocate for measures that ensure the seamless integration of cyclists in the vicinity of the proposed Costco site. Additionally, a comprehensive assessment of the potential dangers posed to cyclists, especially during construction and increased traffic, should be conducted to implement appropriate safety measures.

Thank you for your time and consideration.

Sincerely,

Marc Barberis

[REDACTED]

(*) <https://www.sanjoseca.gov/your-government/departments-offices/mayor-and-city-council/district-1/urban-villages>

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Comment Letter 82

Questions on Costco DEIR, Project CP21-022

Marc Pawliger [REDACTED]

Mon 2/5/2024 10:46 AM

To: Atienza, Manuel <Alec.Atienza@sanjoseca.gov>; Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

Kara and Manuel-

I have a few questions on the Westgate West Costco DEIR

- 1) The transportation studies were all done before the major restriping and bike lane project was undertaken on Saratoga Ave. A project that as of this writing still is not complete per the city's plan. That would seem to indicate the studies incorporating any traffic flow or capacity that includes Saratoga Ave would need to be updated to take those major modifications into consideration.
- 2) The traffic and pedestrian studies done around Prospect HS and the Lawrence Expy / Prospect Rd intersection did not take into account the varying hours of school days. In particular the studies seem to have avoided doing analysis during the major traffic times around the school during after-school student pick-up times. That would seem to indicate the studies need to take these important times into account in any analysis. Specifically, that would mean studying from M 1:40 pm onward and T-F 2:00-4:00 pm onward, plus weekends 9-5, particularly when there are school events.
- 3) The DEIR notes an alternative B which closes all entrances to and from Graves Ave to the site. That aligns with a prior city memo on earlier EIR drafts where the city recommended closing all the entrances to and from Graves as well. Why is this proposal to close all the entrances to and from Graves not the primary plan of record, rather than an alternative?

Thank you,
Marc Pawliger

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Comment Letter 83

Feedback for Westgate West Costco DEIR, File no. CP21-022

Priya Srinath <[REDACTED]>

Mon 2/5/2024 7:02 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

Issue of grave concern is about students' safety with increased traffic around that area. It is already highly congested and with more cars piling up in & around, what is the guarantee for nearby Prospect high schools students walking to catch the bus. Increasing traffic signals will only lead to more traffic blockage which does not help at all.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Priya Srinath, Campbell area.

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Comment Letter 84

Comments regarding the proposed Costco to be located at Westgate West

PAT Cain [REDACTED]

Mon 2/5/2024 2:48 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>; Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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February 5, 2024

Dear Ms. Hawkins, Mayor Mahan, Council Members, and Planning Commission Chair Lardinois,

As fifty year residents of the Country Lane neighborhood, we have looked at information for the proposed Westgate West Costco project and attended discussions. We do have concerns about building Costco in the Westgate West location.

First of all, we would like to say that we are Costco members and enjoy those benefits. The changes to the initial plans the management of Costco have agreed to implement are note worthy.

Urban Plan: the placement of a new store does not fit well into the designated Urban Village Plan or meets the goals of the plan. There are three Costco stores with a 10-15 minute ride; two within six miles of the planned location.

Size: the new store would be larger than the Santa Clara store with less parking than that location. How would overflow parking from customers and employees be handled so as to not impact the larger surrounding areas and residences? Will customers park in the neighborhoods or adjacent parking lots? Where are the proposed 300 Costco employees going to park?

Safety/Traffic/Location: what safety and road improvements are planned for this Priority Safety Corridor #1? The store would be located near three schools, which are Prospect High School, Country Lane School and Easterbrook Discovery School. This is a poor choice when considering the already congested traffic as well as walking/biking/running patterns in the area. Customers will use "cut through" surface streets near these schools to get to Costco whenever possible to avoid the already heavily trafficked Saratoga Avenue, Prospect Road and Lawrence Expressway. (I understand four Prospect High School students have been hit by

cars so far this school year.) Traffic will only increase with estimated 11,000 + new vehicle trips/day (estimated at 18 times the current traffic). Proposed building of residences located at El Paseo Shopping Center (including retail), another project at corner of Saratoga Avenue and Lawrence Expressway (Kato buildings), another at Prospect Avenue and Saratoga Avenue (Chase Bank and buildings along Prospect Avenue across from the proposed Costco) and the "Christmas Tree/ Pumpkin Patch" on Saratoga Avenue near Cox Avenue need to be taken into account when analyzing the impact of additional building as well as Costco in this area. All this adds up to even more increased traffic. Street improvements/ traffic flow/ planning should involve San Jose, Saratoga and Santa Clara County as jurisdiction of the streets surrounding all the new construction is either by one city governmental agency or multiple agencies. Are the cities and county talking to each other regarding these plans and the impact? Of course, the question of which agency or agencies are going to finance changes necessary to maintain quality of life and safety for the all residents and the workforce in the large surrounding areas of these proposed building plans are of importance.

Limited membership: Costco is not open to everyone. A yearly paid membership is required.

Alcohol off sale stores: are limited by law in a defined areas. Currently four stores sell alcohol in the area between Saratoga Avenue, Graves Avenue and Prospect Road (Rotten Robbie, Sprouts, BevMo and Trader Joes's). Alcohol cannot be sold within a certain distance of a residence. The proposed Costco as a alcohol off sale store is closer than the allowed 150 feet distance to a homes behind the proposed building and would be 505 feet from the Saratoga Creek Park.

Shopping carts: abandonment could also impact the area if left by the bus stops, adjacent parking lots, sidewalks near other parking areas near Costco or in neighborhoods. How many people will actually returns carts to designated areas in the store parking lot if they cannot find parking in the Costco lot or walking away from the store with a cart?

What can be done to solve some of these issues if in fact the decision to move ahead with the placement of a new Costco?

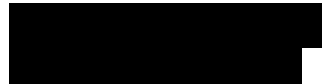
1. Block entrances and exits to and from Graves Avenue (except for pedestrian traffic) and emergency vehicles for the entire Costco lot. In doing, this should discourage people from parking on surrounding streets and people using surface streets to get to the Costco Parking lot. This would also discourage not only cut through traffic but also avoid having a direct route from Westgate Shopping Center whereby drivers could go across Saratoga Avenue from that mall, onto Graves Avenue and then turn left into the back of the Costco lot.
2. Limited parking for residents only on impacted streets.
3. Block traffic between Costco and the Medical Center (except for emergency vehicles) with at least a low wall between the medical center and the Costco lot so as to not to allow this as a cut through to the Costco lot.
4. Viable public transportation and loading and unloading stops for that. Since Costco is a "big box type of store", the question is how many people would use public transportation to shop at Costco.
5. What thought has been given to clean energy — solar panels on the roof, EV charging stations, bike parking, pollution and noise reduction. The tire enter is a concern. What about possible closed door operations for the tire center? This has already been designed and in use at other areas. Other noise factors of concern include trashing compaction, trucks and forklifts.

6. Safe transportation plans, traffic flow plans, road design upgrades and implementation by the cities and county involved for Saratoga Avenue, Prospect Road, and Lawrence Express Way and other streets are needed.

Thank you for your attention to this concerning matter. As you can, tell we really do care about the entire larger Westgate area!

Sincerely,

Robert and Patricia Cain



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Comment Letter 85

Feedback for Westgate West Costco DEIR, File no. CP21-022

Smita Hora <[REDACTED]>

Mon 2/5/2024 6:23 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

"The proposed Costco is across Prospect High School. Since school district doesn't provide busing, kids walk/bike/ drive on the Lawrence/ Prospect intersection. Having Costco there will increase traffic a lot and increase the risk to these kids. Hence, I am writing against Costco development in the neighborhood.

I am a loyal Costco customer and don't mind driving to near by Sunnyvale location for Costco shopping."

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

-Smita

(Easterbrook neighborhood)

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Comment Letter 86

Feedback for Westgate West Costco DEIR, File no. CP21-022

Andrea McCormick [REDACTED]

Tue 2/6/2024 7:24 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Dear Ms Hawkins,

My name is Andrea Sullivan and I am a 13 year resident of the Saratoga Woods neighborhood, near the proposed Costco Warehouse at Westgate West. I am also the parent of a sophomore, a senior, and a recent graduate of Prospect HS, which is located less than 1,000 feet from the proposed Costco site. Also, my elderly parents recently moved into the retirement community in Saratoga at Saratoga Retirement Center.

I am also a frequent jogger and walker around the area; and one of my daughters is on Prospect's track team.

I am concerned about the over 11,000 car trips the project will generate (per Appendix L Transportation Analysis pages 13, 41) particularly at the already over-congested intersection of Lawrence Expy and Prospect Ave. There have been 4 pedestrian/car accidents involving students at that intersection in the past year alone.

I personally have been subject to not one but two near-misses as a pedestrian jogger (one at Lawrence and Prospect, the other at Prospect and Saratoga intersection) in the last year. I have grave concerns about placing such a traffic congestion/pollution heavy project in an extremely unusual neighborhood location near children (including mine). Students attend Prospect from a broad swath of San Jose. It is inexcusable to place children at increased risk from traffic accidents and pollution when all other Costco locations are in light industrial areas away from schools and high pedestrian traffic areas frequented by children.

The city of San Jose itself has proclaimed its goals of eliminating pedestrian deaths <https://www.sanjoseca.gov/your-government/departments-offices/transportation/safety/vision-zero> and increasing cycling and foot traffic. This Costco location is contrary to those stated goals.

The need for mixed-use development promoting local businesses and increasing housing for low and very-low income residents seems to be of higher priority and should be considered at that site.

This project is inappropriate for the current site and should be denied.

Sincerely,

Andrea Sullivan

[REDACTED]
[REDACTED]
[REDACTED]

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Comment Letter 87

Westgate Costco Project ID CP21-022

J'Carlin [REDACTED]

Tue 2/6/2024 3:38 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

Cc: District1 <district1@sanjoseca.gov>

[External Email]

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I am informed that the EIR was not required to address the on site parking air quality effects of the Costco site and the effect of Costco traffic and parking on other businesses in Westgate West.

Anyone shopping at the Lawrence Sunnyvale considers only 15 min of idling from Lawrence to a parking spot a win. The Westgate proposed Costco is larger with fewer parking spaces so time to park will be higher with a corresponding effect on air quality.

Parking spots for existing businesses are close to the Costco entrance and will inevitably be used by Costco shoppers reducing parking for shoppers at the existing businesses.

Both problems would be solved by building an urban Costco with all parking on several levels on the roof and no surface parking. Costco does this in other countries and shoppers find the rooftop parking a significant time saver.

Please address these issues in the final EIR.

Sincerely,
Carlin Black

[REDACTED] (District 1)

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Comment Letter 88

Feedback for Westgate West Costco DEIR, File no. CP21-022

Heather Nomi [REDACTED]

Tue 2/6/2024 8:58 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

My concerns about traffic:

1. Before and after school, several hundred students from Prospect High School cross the Lawrence and Prospect intersections. Many also walk/bike through the Westgate West parking lots to get to Country Lane and neighborhoods beyond. Several students have been hit by cars with the current traffic issues, it terrifies me to think how many would be hit afterschool with Costco traffic. Please do more studies on this and at the appropriate times (1:50pm on Mondays and 2:50pm Tuesday-Fri).
2. Many families walk daily in the Country Lane neighborhood. I'm concerned about our safety with extra traffic cutting through our peaceful neighborhood, due to all the gridlock on Saratoga and Prospect. I believe that there shouldn't be an entrance to Costco on Graves Ave, as this would remove traffic cutting through our neighborhood.
3. I'm concerned about simply trying to drive to the grocery store in this area. 2 lane traffic (with no room for expansion) on Saratoga and Prospect will create back ups in each direction. It's likely to be a congested nightmare.

My concerns about parking:

I don't feel the current Costco plans show enough parking to not affect parking at other stores, like Trader Joe's, Starbucks, and other stores in Westgate West. How can we have a larger warehouse than Sunnyvale, but less parking than Sunnyvale and shared parking?

My concerns about alcohol sales:

I understand that we already have too many (7!) alcohol sellers in our area, 4 of which are already in the same block (Sprouts, Trader Joe's, BevMo, and Rotten Robbie gas station). Please do not increase alcohol sales to our area. This is definitely not a necessity.

Do we really need another Costco in this area? Why do we need another Costco within 10-15 minutes of 2 others. We'd much rather see a smaller store go in. Please don't allow such a large store go into such a small area.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Heather Nomi

A solid black rectangular box used to redact the signature of Heather Nomi.

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Comment Letter 89

Comments in support of the Costco proposal

Katie Sarkhosh [REDACTED]

Tue 2/6/2024 3:03 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

Cc: Atienza, Manuel <Alec.Atienza@sanjoseca.gov>

[External Email]

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Hello,

I am a constituent of District 1 and live near the proposed Costco site; I represent my household of 4 people. I am sharing that we are in support of the Costco proposal and wish for the planning team to be aware there is both a need and a desire from local citizens for this project to be implemented.

I am outraged at the possibility that a small amount of individuals, living 1-2 per household in long-ago mortgaged homes with no future ties to the area, could force a project to fail. We are two hard working parents (my husband is a teacher at our local D1 public middle school) with a toddler and preschooler. Our children will be attending the local public schools, who may eventually attend Prospect HS. We are not going anywhere—we will be in D1 for the foreseeable future due to jobs and schools.

We are the ones, like so many in D1, who need easy and quick access to an incredible company like Costco, which actually treats their employees well and is a generally well-loved business. We need diapers, fresh food, home staples, and we don't want to spend 20m+ driving one way when it could be 10min or less (not to mention the substantial cost savings, much-needed for people who pay for daycare). We don't want empty, unsightly lots where there could be a business offering hundreds of jobs, some of which could go to local HS students and become a path to a career.

I attended our first call on this topic when I was pregnant in 2022, and am still baffled and concerned with the divide amongst our neighbors who cannot see beyond their own discomfort and made-up potential offenses.

Please know that we do not want the needs of young families to be drowned out in the negative attitudes of our shortsighted neighbors.

Thank you,
Katie Sarkhosh, D1 constituent since 2012

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Comment Letter 90

Feedback for Westgate West Costco DEIR, File no. CP21-022: noise

Marc Barberis <[REDACTED]>

Tue 2/6/2024 7:02 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I am contacting you to address the fifth of my concerns regarding the planned Costco construction project at the intersection of Prospect Road and Lawrence Expressway, specifically in response to the published draft Environmental Impact Report (EIR). As a reminder, the overarching topics of concern are as follows:

- Prospect High School student safety
- Co-existence with existing commercial sites, in particular Trader Joe's
- Access by bike to those sites and urban village concept
- Traffic impact
- **Noise impact**
- Project size in relation to site

- Climate Smart initiative and final notes

Tire Center Noise Level:

The EIR mentions a noise level of 78.5dB for the Costco Tire Center, surpassing levels produced by common disturbances like leaf blowers. This poses a significant concern for residents in the retirement community and nursing homes nearby and particularly for the residents directly across the street from the tire center. The standard of 80dBA noise for 8 hours is deemed unduly lax and fails to address the needs of sensitive populations.

Tire Center Impact Mitigation:

If a tire center is included in the project, it is imperative that measures such as complete enclosure or additional mitigation steps are implemented. This is especially critical for residents on the opposite side of Lawrence Expressway to minimize the adverse effects of noise generated during Costco's normal daytime operating hours (between 9:00 a.m. and 8:30 p.m.).

Construction Noise Impact:

The Environmental Impact Report (EIR) highlights that the proposed project's construction is expected to generate substantial noise for approximately 21 months. Specific phases such as demolition, grading, and building framing are identified as key contributors. Page 180 of the EIR indicates that these noise-generating activities will persist for more than 12 months within 500 feet of residential uses to the north and 200 feet of commercial uses to the east/south. The City recognizes this as a potentially significant construction noise impact in alignment with General Plan Policy EC-1.7.

Nighttime Noise Impact:

During the informational session convened by Vice-Mayor Kamei on February 5, the individual responsible for the Draft Environmental Impact Report (DEIR) confirmed that the noise produced during nighttime concrete pouring, even with all proposed mitigation strategies in place and under the assumption that residents keep their windows closed throughout the week, would be comparable to having someone speaking audibly inside one's bedroom throughout the night. It is confounding that the DEIR categorizes this as "less than significant." (p.182). Additional measures are needed to protect residents.

Mitigation Measures and Noise Disturbance Coordinator:

Expressing concern about some mitigation measures being perceived as simple suggestions, it is crucial to underscore the necessity for strict requirements and accountability. The report mentions a Noise Disturbance Coordinator. Yet there is an absence of stringent mandates to ensure the effective resolution of noise-related issues raised by the community.

Thank you for your time and consideration.

Sincerely,

Marc Barberis



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Comment Letter 91

Feedback for Westgate West Costco DEIR, File no. CP21-022

pegstephan@aol.com <[REDACTED]>

Tue 2/6/2024 11:40 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

As a parent of Prospect High School students, I'm intimately familiar with traffic flow in this area. The intersection of Lawrence Expressway and Prospect in particular is already overburdened and unsafe during the hours when students are being dropped off and picked up from school, with too many cars to safely negotiate the approach to school, competing with hundreds of students arriving and departing on bicycles and on foot. The Costco project proposes adding 11,000 cars per day to this exact location, adding danger for our students, pollution, confusion and wasted time, without any efforts at traffic control or mitigation, nor any tangible benefit to the surrounding neighborhoods.

San Jose had long espoused an "Urban Village" model for neighborhoods which might encourage reliance on public transportation and walking. This Costco project has no access to mass transit, and as a warehouse store does not encourage foot traffic, as they sell in quantities too large for pedestrians to carry. This project will irretrievable damage the character of the existing neighborhood, which currently has a variety of small business patronized by local shoppers.

We have plenty of Costco warehouses in San Jose easily accessed by cars in neighborhoods more appropriate to their business. We don't need or want another one. Please consider that approving this project goes against the wishes of the local residents and your own goals for development in our city.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Margaret (Peggy) Stephan

Eden Neighborhood

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Comment Letter 92

Feedback for Westgate West Costco DEIR, File no. CP21-022

bafraid 31 <[REDACTED]>

Tue 2/6/2024 7:52 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I live in this neighborhood and am highly concerned about the magnitude of a Costco impact. Traffic congestion, aggravated driving, trash accumulation, and the overall required footprint of a Costco building will negatively impact both the traffic as well as the safety of the area. In addition, infrastructure, for example the new the lane cut from 3 to 2 on Saratoga from 280, make this a poor choice for access. If Costco or the city is determined to place a store here, the former Lucky's/Hallmark location in El Paso de Saratoga is a better choice. In the end, any Costco in this area will increase the danger to both residents and shoppers, spike congestion of an already logjammed area, and ignore the standing infrastructure challenges making it unfit for this type of project.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Marie Lanka
[REDACTED]

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Comment Letter 93

File No. CP21-022 Westgate West Costco Project

MARY BARTLING <[REDACTED]>

Tue 2/6/2024 3:59 PM

To:Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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The draft EIR Calls out improvements to the access at Prospect and sidewalks at the Lawrence entrance.

Was the left turn from Southbound Lawrence into the shopping studied? It would be helpful if the left turn lane length was increased so that it does not backup into the through traffic which will in turn block cars that want to turn left at Prospect. This is an exiting issue at rush hour on Lawrence southbound at Mitty, Williams and Doyle avenues. Cars make dangerous lane changes to navigate around the backup.

There is an existing issue with dangerous lane changes where the traffic turning right on to North Lawrence from Prospect do not yield to traffic making a right turn into the shopping center entrance on Lawrence. Was there any discussion on adding a no right on red for cars entering northbound Lawrence at Prospect? This would also address some concerns for the pedestrian and bike traffic on west bound Prospect.

The light synchronization needs work on Prospect. The intersections at Lawrence and Saratoga Avenues are routinely blocked.

Are there any discussions on restricting parking on Graves and nearby access streets to residents only? This would help to keep Costco employees from parking in the neighborhoods.

There already seem to be PG&E issues in the shopping center and neighboring infrastructure when we have storms. Shopping center and traffic light power outages seem to be occurring more often. Will these issues be resolved with the construction?

My family has been residents of English Estates since 1965. We have seen Lawrence Expressway, Hwy 85, El Paseo (2 versions), Prospect High School, Westgate and Westgate West change the neighborhood and it is still a great place to live. Change happens.

My main concern is traffic flow and pedestrian safety.

Mary Bartling



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Comment Letter 94

Feedback for Westgate West Costco DEIR, File no. CP21-022

Meenakshi Srinivasan <[REDACTED]>

Tue 2/6/2024 12:37 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Dear People who represent San Jose residents and hopefully their interests,

My family and I moved into West San Jose some 27 years ago and raised our children there and sent our kids to the local schools. We are as much a member at Costco (Sunnyvale location for over 28 years) as we are fans of Trader Joe's.

As a neighbor, shopper, employee of our school district (Prospect High school primarily), I believe, I am well informed to discuss "ground realities" that no "report" created by extremely knowledgeable professionals can.

Here are a few points that I present to your perusal. Please give them a fair reading:

1. Rather than the current location, have you considered having Costco in the El Paseo de Saratoga area- where REI is? The reason why I ask is that it is as easily accessible from Saratoga and Lawrence and Hamilton while taking away serious traffic from the Prospect intersection.

The trouble with this entire area is the way the area is chopped up into "triangles" rather than a smooth flowing rectangle or square. Hence, the way traffic moves and "intersects" can become very chaotic.

Classic Car Wash on Prospect across the street from the proposed site adds to crazy ins and outs of cars on Prospect. Taking Costco to the next street off of Saratoga makes it easier and smoother as far as "flow" is concerned.

This school year, for the first time in over 15 years, I had to wait for 3-4 traffic changes (almost 6-8 mins) at the Doyle and Lawrence intersection while driving up to school (Prospect) with the left turn lane extending all the way to Happy Valley on Doyle! I invite any of you to drive down Doyle between 8-8:30 am and experience it for yourself.

2. Costco across the street from Prospect High School: I absolutely love the idea of having this store for our students to have prospective employment. However, given the way Prospect as a school is set up with its entrance on Prospect with parents lining up to turn into the school at the Lyle intersection as well as make crazy U turns further down and some of us trying to get into the staff parking lot off of Prospect is a zoo both before school starts and when we are done. The way the school zoning is done, most of the parents live on the other side of Lawrence. Hence almost all students need to make a U turn or turn left at the Lyle intersection. The "smart" parents drop off the kids near Yogurtland/ Taco Bell and the students cross Lawrence.

The current Costco has plans for a tire store. Having so many more cars drive in and out of Prospect sounds like a nightmare, not taking into account the extra number of cars coming in as employees come earlier to get ready before the store opens. As a Costco member for so many decades, I KNOW the dynamics of how crazy busy the tire store is.

My sincere recommendation would be to move Costco to where REI is as that area is "dead". Costco has some lucky charm to revitalize any area it sets up shop. Only the area near Hamilton facing Target is doing good business. Where Office Max used to be has become deserted. The warehouse off of Saratoga with an outlet opening up into Quito Rd. would help bring some life back to that dead patch. The boarded ex-"OSH" can become a nursery or even a community garden. The green belt along Lawrence from Doyle to Graves can be extended to Prospect to make it a beautiful miniature "Central Park" in an otherwise "tarred concrete" part of San Jose.

Some quick questions: my initial reading of the Environmental report did not mention solar energy/ panels. Does Costco have plans of using more renewables moving forward? Would they consider creating a "green zone" either as a park for kids and/or pets or community garden or nursery?

Wishing you all the very best in creating a beautiful San Jose that enthralls the hearts of people with a beautiful balance between nature and commerce.

Sincerely,

Meenakshi Srinivasan

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Comment Letter 95

CP21-022 EIR comments - Wall will mitigate traffic impact on Graves Medical center

rameshb [REDACTED]

Tue 2/6/2024 3:26 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Atienza, Manuel <Alec.Atienza@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

 2 attachments (1 MB)

Costco wall with pedestrain wrap (2).jpg; sprouts center permit restrinctions on delivery hours and no-graves (1).png;

[External Email]

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@Kara, Please add to CP21-022 EIR comments

During a meeting last night when the vice mayor Kamei took questions from Prospect high school students ... she made a remark that closing the driveway to Graves ave would impact the medical center.

see my email below where I reference the City's written commitment to close Graves ave on new buildings - for completeness I added to the email below also has proof Sprout SITE legally gave up access to Graves ave (as part of their permit) & email with Trader Joe's consent to not use Graves ave.

There is a very easy way to mitigate the impact traffic impact on the medical center - to address the concern vice mayor Kamei raised.

Per the attached graphic we can have a wall wrap from the townhomes around the medical center parking to the Costco site.

Ideally, this can be done during the Costco build as Costco's cost.

If the medical center does not cooperate during the initial project build phase they will eventually decide they need to wall to mitigate the impact and they can build a wall connecting townhomes wall to the Costco wall.



Thanks
Ramesh

From: Alexis Walsh <awalsh@traderjoes.com>
To: Ramesh B [REDACTED] >
Sent: Thursday, June 22, 2023 at 11:30:35 AM PDT
Subject: Re:

Hello Ramesh,

That is correct, trucks should not use Graves Ave.

Hope your well,
Alexis

----- Forwarded Message -----

From: rameshb [REDACTED]
To: Kara Hawkins <kara.hawkins@sanjoseca.gov>; Vice Mayor Rosemary Kamei <district1@sanjoseca.gov>; christopher.burton@sanjoseca.gov <christopher.burton@sanjoseca.gov>
Cc: Rosemary Kamei <rosemary.kamei@sanjoseca.gov>
Sent: Tuesday, January 30, 2024 at 12:54:00 PM PST
Subject: MORE CP21-022 EIR comments - CITY's written commitment close off the Graves Avenue driveways on construction of new buildings.

Hi Kara,

Please log these comments against CP21-022 EIR.
 Also, please circulate the email commitment below to planning department management & staff for this project.

Email below shows the planning department management's written commitment to require closure of Graves driveways upon '**construction of new buildings**' as a trigger.

The city is obligated to follow-through on this.
 I am telling you this now and the planning commission will force this later if planning department fails to act now.
 I hope it won't come down to the courts forcing the planning department to follow through on this written commitment.

Ramesh B

408 250 2661

From: "Enderby, Mike" <Mike.Enderby@sanjoseca.gov>**To:** ramesh bodapati [REDACTED] >**Cc:** "Nusbaum, Jenny" <Jenny.Nusbaum@sanjoseca.gov>; [REDACTED] "Prevetti, Laurel" <Laurel.Prevetti@sanjoseca.gov>; "Baty, John" <John.Baty@sanjoseca.gov>; "Crabtree, Andrew" <Andrew.Crabtree@sanjoseca.gov>; "Hamilton, Jeannie" <JEANNIE.HAMILTON@sanjoseca.gov>; sai.yakubu@sanjoseca.gov**Sent:** Tue, October 30, 2012 8:41:16 AM**Subject:** RE: How can Westgate West construction permit be issued without residential input?

Hi Rajesh,

Nice to hear from you. I appreciate your on-going interest in the project. It is still very much our goal to close off vehicle access to the back of West Valley and Westgate West shopping centers as previously negotiated with the developer(s). As you know, there are permit conditions with triggers in place with the Westgate West project to close off the Graves Avenue driveways upon expansions of building square footage and/or construction of new buildings. The recent modifications that were approved technically constitute remodels and not physical expansions and therefore the trigger for access closures have not been met. The ownership of Westgate West has recently changed. That said, we have reminded the developer of the previously negotiated requirements and the obligations to conform to the permit conditions. We'll keep you posted about any future expansion proposals.

Thanks, Mike

From: ramesh bodapati [REDACTED]**Sent:** Monday, October 29, 2012 9:03 PM**To:** Prevetti, Laurel; Crabtree, Andrew; Hamilton, Jeannie; sai.yakubu@sanjoseca.gov**Cc:** Enderby, Mike; Nusbaum, Jenny; [REDACTED]**Subject:** How can Westgate West construction permit be issued without residential input?

Dear City planning department leaders,

Long time ago Mike Enderby told us he would cut off the back entrance/exit to westgate west (at Graves ave) before they are issued a new permit.

There is major construction going on in Westgate west shopping center.
How can Westgate West construction permit be issued without residential input?

Delivery Trucks are driving in front of my home on Graves ave (behind the shopping center) at around 5 a.m waking us up almost every day.

I am almost certain it is for Trader Joes - small chance it could be other store.

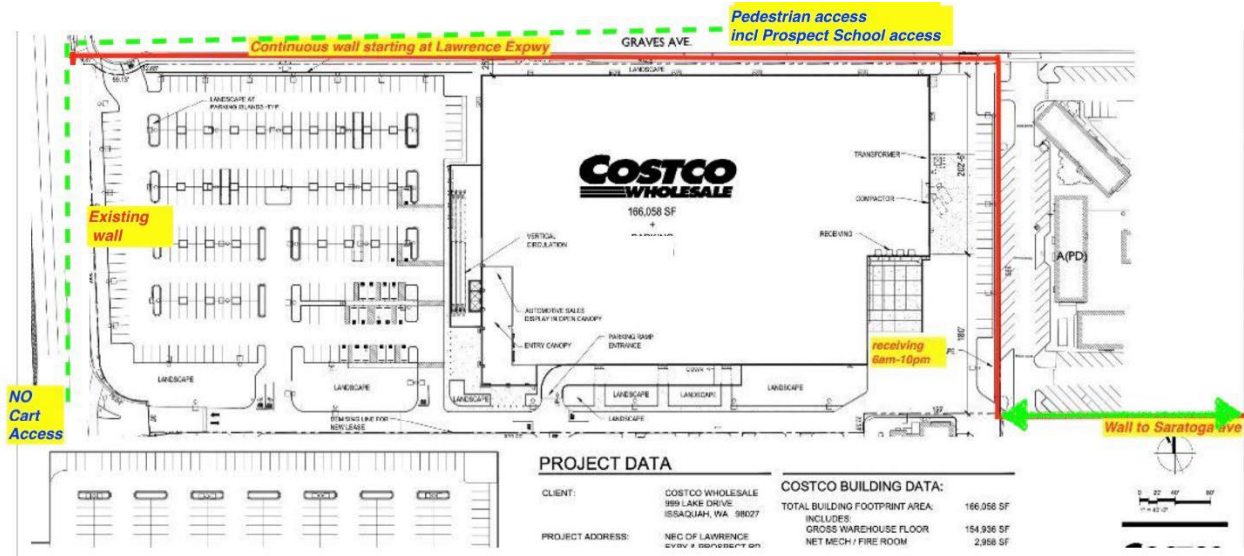
I need your help to stop this early morning delivery immediately.

I am also requesting your assistance to getting the graves entrance/exit to westgate west shut down as part of any new permit - even it is for sometihng small.

thanks
ramesh



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6. Loading Area Restrictions:

- The developer shall construct physical cross-access restrictions along and on adjacent properties as shown on the approved plans, and as noted above, to discourage the use of Graves Avenue for site ingress and egress.
- The project management shall educate tenants and provide appropriate signage to discourage truck access onto Graves Avenue.
- The developer shall relinquish cross-access agreements that facilitate access onto the rear areas of adjacent commercial properties to the satisfaction of the Director of Planning at such time as the Director believes that such access can be eliminated upon further development or redevelopment of adjacent parcels.
- Deliveries and loading/unloading of merchandise shall not take place between the hours of 9:00 P.M. and 7:00 A.M.

Comment Letter 96

Costco DEIR, File no. CP21-022

Amy Chang <[REDACTED]>

Wed 2/7/2024 9:47 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Shawn Kang <kangss10@gmail.com>; Amy Chang <[REDACTED]>

[External Email]

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Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

For the Costco project File no. CP21-022, aside from all the concerns including the most significant one which is **the pedestrian road safety risk from the estimated 11,000 more cars/trips per day**, there are other negative impacts to the area.. Especially the residence street that is immediately adjacent to it.. **I am a resident on Grave avenue, has anyone thought about the negative impact directly to our street and homes? The biggest concern is the rooftop parking** which blocks the morning natural light to my house, blocks the natural view to the sky and the beautiful mountains, and the invasion of privacy directly to my house! My question is why do they have the right to do all these negative impacts, and the city allows that? Or, I have not heard anything being mentioned to address these concerns?!

Thank you for your consideration and your care in responding to these serious concerns.

Best,

Amy Chang

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Comment Letter 97

Feedback for Westgate West Costco DEIR, File no. CP21-022

CRAIG THOMAS [REDACTED]

Wed 2/7/2024 5:26 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I ask that you turn down this project. Compromised safety would be my main concern (but I have other concerns as well). With 11,000 new car trips directly across the street from a high school, this alone is a absolute NO NO to human safety. At 3pm these adolescents are crossing an already busy expressway. Add in a big warehouse traffic and we are inviting safety and gridlock hazards. The DEIR traffic study does not take into account the school's schedule. Please witness this for yourself before approving this project. Prospect students in hoards are crossing Lawrence Expressway to go home or to Starbucks and Yogurtland directly in the proposed Costco site. I realize that all schools have safety issues, but adding a Costco across the street is about the worst thing that could happen, in terms of traffic and safety.

I have witnessed the other Costco traffic nightmares in Sunnyvale where I used to work. I am surprised that this Costco is larger with fewer parking spaces. I am so worried about our current favorite businesses losing their parking to Costco shoppers. I am worried about the medical offices parking and safety. I am worried about those on Graves and Country Lane neighborhood. I am worried about Country Lane School kids. Why allow this giant warehouse smack next to a neighborhood?

Does Costco fall into the 2040 Urban Village plan? From all that I have read it does not at all. It is not a walkable, or transit friendly business. Costco members generally purchase in big carloads.

I personally love riding my bike for commuting and sport. I use the corridor from County Lane neighborhood to Prospect/Lawrence to Cupertino. With 11,000 more car trips and eminent gridlock at that intersection I'd be a fool to risk my life in this area.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Craig Thomas
West San Jose Resident

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Comment Letter 98

Subject: Feedback for Westgate West Costco DEIR, File no. CP21-022

Heidi Hegel [REDACTED]

Wed 2/7/2024 8:00 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>

Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>

[External Email]

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Good Morning Ms. Hawkins, Mayor Mayhan, City Council Members and all others involved with the proposed West Valley Costco.

I would like to give feedback for the DEIR for the proposed Costco at Westgate West, located at Prospect Road and Lawrence Expressway. I do not believe this is a good location for Costco since most customers must drive to do their shopping and potentially create a traffic nightmare at this intersection and many of the major roads between Moorpark and Prospect Avenues.

I live at the border of District One near Mitty Way and Lawrence Expressway yet I walk and ride my bicycle to shop at Trader Joe's, Sprouts and Ace Hardware as well as to the Library and Postoffice. I need to cross Williams Road, Doyle Road near the Middle School and then through Country Lane past the Elementary School. I also use this route to take Prospect Road into the Saratoga Hills to ride my bicycle for pleasure, as does my family.

Currently, crossing those intermediate roads on foot and bicycle are extremely dangerous as cars do not stop at crosswalks. It becomes even more dangerous as I use the footpath at the entry to the Dog Park, past the traffic signal at the shopping center entry off Lawrence and then towards Prospect Rd.

When I am crossing Lawrence at Prospect during the High School Dismissal, crowds of students are crossing as well, lingering in the crosswalks well after the changing of the traffic lights. Other pedestrians and bicyclists are using those opportunities to cross too, it can be very chaotic. The High School also has different schedules weekly and dismissal times can vary daily.

More times than I can count, I have been nearly hit by cars while on my bicycle and walking. Cars do not yield at right hand turns for either pedestrians or bicycles and are more concerned with looking at their opportunity to merge onto Lawrence Expressway without looking to their right for people using the crosswalk.

I am concerned that adding additional daytime traffic during these most busy times of the day will be significantly more dangerous with parents and students trying to adjust to the drivers who are from out of the area and who may not recognize the rhythm of the High School in addition to other pedestrians and cyclists.

As for the intermediate Williams and Doyle Roads, the current traffic during commute hours is significant and then to add people wanting to stop off at Costco on their way home from work and school, will most certainly increase the traffic around these feeder neighborhoods and severely impact the **9+ community private and public schools in the area.**

I ask you all to please reconsider the placement and traffic concerns of this Proposed Costco and the significant impact it may potentially have on this community's safety and quality of life.

Thank you for your closer review and consideration of this community's viable concerns.

Heidi Witkowski

[REDACTED], District One, San Jose

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Comment Letter 99

Feedback for Westgate West Costco DEIR, File no. CP21-022

Kay Blom [REDACTED]

Wed 2/7/2024 11:51 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am a senior citizen, and I ride my bike every day down the path next to Lawrence Expressway in a effort to ride down Prospect and ultimately the railroad trails. On the return ride home, I ride up the trail to Saratoga Creek Park again to get back home. It is already dangerous enough with the current traffic, going through the crosswalk of the stoplight on Lawrence to turn into Westgate West. Most cars do not stop for bikes, so you have to be prepared. If you add 11,000 additional cars turning into Westgate West, it will make that trail unrideable. And I wouldn't even attempt to ride down Lawrence Expressway. That little trail provides a fairly safe way to get past Westgate West, whether you are walking or riding.

I cannot imagine the impact to Prospect High School students who walk or ride bikes to school every day. With the additional traffic, students' safety will be at risk.

Even worse is all the pollution caused by the additional traffic for those of us with asthma, heart failure, and other breathing difficulties. The

pollution from idling cars coupled with summer heat will leave our entire neighborhood with stagnant, polluted air. In my case and for many others, this will require more trips to the emergency room.

I think the best solution for this area is a nice hardware store, like the previous occupant, OSH. Small businesses are also welcome and will be utilized by many West Valley neighborhoods. Nice restaurants and food places that offer carry out would be great places that we can even walk to.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Kay Blom
Easterbrook

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Comment Letter 100

Feedback for Westgate West Costco DEIR, File no. CP21-022: project size

Marc Barberis <[REDACTED]>

Wed 2/7/2024 1:00 PM

To:Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>;Mahan, Matt <Matt.Mahan@sanjoseca.gov>;Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>;Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>;Torres, Omar <Omar.Torres@sanjoseca.gov>;Cohen, David <David.Cohen@sanjoseca.gov>;Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>;Davis, Dev <dev.davis@sanjoseca.gov>;Doan, Bien <Bien.Doan@sanjoseca.gov>;Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>;Foley, Pam <Pam.Foley@sanjoseca.gov>;Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc:Planning Commission 5 <PlanningCom5@sanjoseca.gov>;District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I am contacting you to address the sixth of my concerns regarding the planned Costco construction project at the intersection of Prospect Road and Lawrence Expressway, specifically in response to the published draft Environmental Impact Report (EIR). As a reminder, the overarching topics of concern are as follows:

- Prospect High School student safety
- Co-existence with existing commercial sites, in particular Trader Joe's
- Access by bike to those sites and urban village concept
- Traffic impact
- Noise impact
- **Project size in relation to site**

- Climate Smart initiative and final notes

Several indications suggest an inadequacy between the size of the proposed project and the chosen site.

These indicators include:

- The introduction of rooftop parking, an unprecedented move for Costco in the United States.
- The limited distance between the Costco building and nearby residential houses, resulting in residents facing a towering wall with rooftop parking instead of the existing view of tall trees.
- Insufficient spacing between Costco and adjacent stores, especially Trader Joe's, as detailed in my previous communication.

The implementation of rooftop parking is anticipated to cause a ripple effect, with individuals potentially vying for parking spaces at the expense of neighboring businesses, given the restricted access to a single lane up and down. This persistent congestion might force other establishments to relocate, further depriving residents of essential and valued services – and the city of tax revenue.

A valuable comparison can be made with other Costco sites, such as the one in Sunnyvale, where the site is more expansive, the Costco building is smaller, and there is abundant parking without the need for rooftop facilities. The evident inadequacy of the chosen site for the current project necessitates a reduction in project size to align with the site's capacity and, crucially, prevent the displacement of local businesses.

Thank you for your time and consideration.

Sincerely,

Marc Barberis

[REDACTED]

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Comment Letter 101

Costco Project West San Jose

Carol Knouf <[REDACTED]>

Wed 2/7/2024 4:51 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov> [REDACTED]

[External Email]

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Dear Ms. Hawkins
Project Mgr.
City of San Jose

CC: Mr. Marc Pawlinger
Neighborhood director

I'm sure that the City Fathers have heard the arguments. Whether they have paid attention to the neighborhood or not, is another question. The next few months will tell the story. I have lived just off Graves for forty years and like many others, am a card-carrying member of Costco. Costco is assuming I want their **WAREHOUSE** in my backyard. I assure you that I do not!!!!

The following questions have not been addressed in my opinion:

Costco takes pride in the number of jobs that will be created at this location. Stating 350 new position; however, what is the actual number eliminated (conveniently overlooked by Costco)? You can start with the elimination of jobs at Smart and Final. On a personal level, the AAA Office closed its location. My agent lost her job along with other employees. I now have to drive to a distant location for AAA business. I would say that the over-all number of jobs is not 100% positive gain

Traffic. Control of Costco trucks—yes, but other vendors? Immediately, traffic will cut through the neighborhoods to avoid Saratoga Ave, Lawrence Expressway and Prospect Rd. After-school traffic is doing that now to avoid long waiting times at the corner of Prospect and Saratoga.

Freight trucks, at or near their weight limits, can be heard rumbling down Graves at all hours now as it is. Try rolling an empty tin can down the street in front of your bedroom window. It's bad enough with the weekly garbage pickup moving into the area at 6:30 am.

More important.... can you explain why the city would allow a commercial warehouse to move into our (your) neighborhood?

When two Costco warehouses are within a 15-minute drive of this area. In addition, there are two commercial grocery stores within 5-minutes, plus a number of convenience stores. This does not make sense?

Side Note: Costco receives the majority, if not all product, via truckload on 40x48 pallets. All movement of product is done by pallet. The customer picks product from the pallets.

Costco is a warehouse and belongs in a designated commercial warehouse manufacturing location. As are both locations on Lawrence and Coleman. Not in a retail shopping center, strip mall or bedroom community with schools, playgrounds and parks within walking distance.

Sincerely

Merle W Knouf



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Comment Letter 102

Comments on proposed Westgate West Costco Project, File No. CP21-022

Susan Hernandez <[REDACTED]>

Wed 2/7/2024 2:56 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Dear Ms. Hawkins,

I am a 30-year resident of the Country Lane neighborhood, which is across Graves Avenue from the proposed Costco site. It is also part of the planned Paseo de Saratoga Urban Village.

I walk in the neighborhood daily, and believe this Costco is in direct conflict with the Urban Village goal. In our neighborhood, I see many elders, younger adults, families, and schoolchildren walking and bicycling on the sidewalks and in Saratoga Creek Park. None of these streets were considered in the traffic study for Costco and shoppers will certainly use our neighborhood as a shortcut to Graves.

Unfortunately, I often see drivers speeding, especially during rush hour and school pick-up/drop-off for Country Lane Elementary and Easterbrook School. Most drivers do not stop for pedestrians at unmarked intersections in the neighborhood. This is getting worse as traffic pattern changes on Saratoga and San Tomas Aquino now back traffic up on Doyle. We have increased traffic on our streets as people drive through the neighborhood to get between Saratoga Avenue and Lawrence Expressway.

As Vice Mayor Kamei stated in a Community Meeting on February 5, the Prospect/Lawrence intersection is "not safe". An additional 11,000+ vehicle trips per day will impact an already dangerous situation. There are no major traffic improvements in the plan. If the corner at Prospect and Lawrence isn't currently safe, we definitely should not allow a large warehouse store at that corner.

The Costco plan has already impacted our neighborhood. Several businesses in the shopping center have closed and we now have to drive to find the same services. How will the parking for existing businesses be protected?

I definitely support the return of retail businesses in the shopping center, but the scale and impact from Costco is too large for this location.

Regards,
Susan Hernandez
Country Lane Resident

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Comment Letter 103

Feedback for Westgate West Costco DEIR, File no. CP21-022

Balaji Venkataraman [REDACTED]

Thu 2/8/2024 10:42 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I'm very concerned that a new Costco would exacerbate the traffic/congestion and pedestrian/biker safety in the area. There are schools around the proposed site and lots of kids and parents walk/bike to/from school. Also, it will adversely impact the access to existing business in the area - given the typically large number of cars that access a Costco and the limited parking on site. We have plenty of Costco locations within a short driving distance and we really don't need another Costco warehouse! We should continue to lead the state and country forward in the right direction when it comes to eco-friendly, less car-centric, urban planning and this is definitely a step in the wrong direction.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Balaji

Saratoga, CA

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Comment Letter 104

Feedback for Westgate West Costco DEIR, File no. CP21-022

Catherine Mikami [REDACTED]

Thu 2/8/2024 9:24 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I am writing to express my concerns regarding the Draft Environmental Impact Report (DEIR) for the proposed Costco construction project at the intersection of Lawrence Expressway and Prospect Road in San Jose. After reviewing the DEIR, I have identified several significant issues that need to be addressed before any decisions are made regarding this project.

Pedestrian and Cyclist Safety

One of the primary concerns I have is the potential impact on pedestrian and cyclist safety, particularly for high school students who walk or bike to and from school. With the addition of approximately 11,000 car trips per day resulting from the Costco project, there will be increased traffic congestion and potential hazards for students navigating the area. It is crucial that measures are taken to ensure the safety of these students, including the implementation of safe crossing points and dedicated bike lanes.

Protection of Parking Spaces for Small Businesses

I am also concerned about the potential loss of parking spaces for small businesses in the area, including Trader Joe's, Super Duper, and Starbucks. These businesses rely on convenient access to parking for their customers, and any reduction in available parking could have a detrimental impact on their operations. It is essential to protect these parking spaces to support the viability of these local businesses and maintain the vibrancy of the community.

Size of Costco Project Relative to Parking Spaces

The proposed size of the Costco store is disproportionate to the available parking spaces, even with the inclusion of rooftop parking. This imbalance raises concerns about traffic congestion and parking availability, particularly during peak hours. The project's scale should be carefully evaluated to ensure that it aligns with the capacity of the site and minimizes potential disruptions to the surrounding area.

Traffic Congestion

Finally, the DEIR fails to adequately address the potential impacts of increased traffic congestion resulting from the project, especially during peak hours when parents are picking up their children from school. Gridlock at these times can create safety hazards and inconvenience for residents and commuters alike. A thorough analysis of traffic patterns during school start and dismissal times is necessary to accurately assess the project's impact and identify mitigation measures.

In conclusion, I urge the Planning Commission to carefully consider these concerns and take appropriate action to address them in the final Environmental Impact Report (EIR) for the Costco construction project. It is essential to prioritize the safety of pedestrians and cyclists, protect parking spaces for small businesses, ensure the proportionality of the project to available parking space, and mitigate potential traffic congestion effectively.

Thank you for your attention to these matters. I look forward to seeing these concerns addressed in the final EIR and the implementation of measures to mitigate any adverse impacts associated with the Costco project.

Sincerely,

Catherine Mikami



Saratoga

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Comment Letter 105

Feedback for Westgate West Costco DEIR, File no. CP21-022

Dunxing Zhang [REDACTED]

Thu 2/8/2024 6:56 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

1. My son and I love riding bikes, the projected Costco warehouse is too big and will bring a lot of traffic, noise and pollution to my community.
2. I think the nearby WestGate/Target shopping mall is the most fit to our communities. We don't need an extra Costco warehouse here. Nearby we have some small local businesses, like tire shops, fast food restaurants etc. I'm afraid the new Costco site may take away a fair portion of customers from the existing local business. Plus the existing Sunnyvale Costco warehouse is just a few miles away.
3. There are two nearby public schools - CountryLane Elementary and Prospect High. My neighbors' kids are in both schools. They had expressed their safety concerns with the new Costco warehouse and they wouldn't prefer to let their kids walk to school by crossing the heavy traffic flow.
4. Traffic Noise. We had lived in this community for 3 years. Previously we lived in Campbell City. My wife is very sensitive to noise. If the new Costco will bring too much traffic to this local area, we will have no choice left and we will definitely move away from this place.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Dunxing Zhang
Resident in [REDACTED]

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Comment Letter 106

Feedback for Westgate West Costco DEIR, File no. CP21-022

lindy freeman [REDACTED]

Thu 2/8/2024 4:12 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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I live off of Quito Road on a small side street with limited sight. Hearing that 11,000 vehicles per day will be running to Costco will make it almost impossible to get out on to Quito. Granted, I realize they won't all be driving by my street, but a large number will. Please take into consideration the impact this will have on our neighborhood (in addition to the 12 story Santana Row II that's in the works). One of these "improvements" must go. Thank you for your consideration.

Lindy Freeman
Homeowner for 30 years

Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

<your comments go here>

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

<Your Name and neighborhood go here>

Sent from my iPad

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Comment Letter 107

Feedback for Westgate West Costco DEIR, File no. CP21-022: initiatives & thoughts

Marc Barberis [REDACTED]

Thu 2/8/2024 7:28 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I am contacting you to address the seventh of my concerns regarding the planned Costco construction project at the intersection of Prospect Road and Lawrence Expressway, specifically in response to the published draft Environmental Impact Report (EIR). As a reminder, the overarching topics of concern are as follows:

- Prospect High School student safety
- Co-existence with existing commercial sites, in particular Trader Joe's
- Access by bike to those sites and urban village concept
- Traffic impact
- Noise impact
- Project size in relation to site

- **Climate Smart initiative and final notes**

Climate Smart Initiative

In alignment with the city's ambitious Climate Smart initiative, San Jose has set a commendable goal of achieving carbon neutrality by 2030 (<https://www.sanjoseca.gov/your-government/departments-offices/environmental-services/climate-smart-san-jos>). In light of this environmentally conscious endeavor, it is crucial to consider the potential environmental impact of large-scale developments such as Costco. The current project lacks provisions for essential sustainable features like solar panels and a large enough number of electric vehicle (EV) chargers.

To truly progress towards the city's carbon-neutral objective, it is advisable to mandate the incorporation of these eco-friendly elements in the Costco development. By embracing on site renewable energy generation and promoting electric vehicle infrastructure, San Jose can seize this opportunity to make a substantial contribution to its Climate Smart goals. This proactive approach, even if not legally mandated, would underscore the city's commitment to fostering sustainable development and mitigating environmental impacts associated with substantial projects like Costco.

Alcohol seller density limit

The current locale already exceeds the prescribed alcohol seller density limit. Introducing Costco as an alcohol vendor would necessitate an evaluation of public convenience or necessity, both of which appear irrelevant in this context, considering the accessibility of alcohol at nearby establishments. It is urged to uphold the existing mandate, as neither exemption seems justified in this situation.

In addition, granting an alcohol license to Costco would be spell a death knell for another local business, Bev & More, as no Costco membership is needed to purchase alcohol at any Costco store. This would be the third –but not last- casualty of the Costco project.

Zoning conflict

I urge the planning commission and city council to consider restrictions in place for the site of the proposed Costco, as the site appears to be zoned for commercial use, to the exclusion of a retail warehouse.

Perceived but unclear benefits

Clearly, a central argument advocating for the establishment of a Costco at a nearby location relies heavily on the anticipated boost in tax revenue. However, it's imperative to recognize that the majority, if not all, of the projected tax income simply represents a reallocation from existing sources. This reallocation encompasses revenues from other Costco locations, which essentially maintains neutrality for Costco, as well as from other local businesses, as patrons shift their spending patterns due to the presence of Costco.

Any new job opportunities created are likely to be counterbalanced by job losses experienced by other establishments, given that the arrival of a new Costco does not inherently stimulate overall demand but rather alters consumer shopping preferences. The closure of businesses like Smart & Final and Goodwill serves as initial evidence of this trend, with more to follow.

In addition, non-Costco members will see their choice shrink or their need to drive further increase, another factor not taken into account when looking at traffic in the DEIR.

Consequently, the actual net increase in tax revenue remains uncertain, contrasting starkly with the evident and documented strain experienced by residents in the area.

Thank you for your time and consideration.

Sincerely,

Marc Barberis

A solid black rectangular box used to redact the signature of Marc Barberis.

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Comment Letter 108

Costco File No. CP21-022

Ernest LeBlanc [REDACTED]

Fri 2/9/2024 4:36 PM

To:Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Hello Kara,

My name is Ernie LeBlanc. I live at [REDACTED], San Jose, CA 95129. My cell phone number is [REDACTED]

I attended the meeting on Monday, Dec. 7 whereupon some of the EIR was presented. I feel that the EIR is flawed in many ways especially in regards to transportation and student safety. I do understand the "rules" that were followed BUT I don't think enough thought or investigation went into the safety impact upon students going to and from school at both Prospect High School and Country Lane school.

1)With about 11,000 cars using the Costco parking lot per day and going and coming using Prospect and Lawrence Exp., the hundreds of students walking to and from school are vulnerable and at a high risk of being hurt or killed by the volume of traffic surrounding the Costco site.

2)It's ironic that the city of San Jose has gone to great lengths "improving the Saratoga Ave. corridor to minimize traffic issues for bicycles and pedestrians, while very little was presented to improve the area around the proposed Costco parking lot and the entrances and exits.

3)The minimal project that was presented for the Lawrence entrance and exit does little to minimize the enormous risks presented to students who cross there. Furthermore, the short left turn lane will be constantly over filled so cars will be blocking the fast lane on Lawrence Exp thus creating a high risk for traffic accidents and blocking traffic from getting to the left hand turn lanes ahead on to Prospect Ave. Was this studied or is it out of the purview of the EIR.

4) While congestion is not a major issue according to the EIR, IT is the major issue to the safety of the students and the quality of life for the people who live in our area. Has there been a discussion about the impact on side streets surrounding the area and any ideas to slow down the hundreds of cars using the streets from Doyle Ave. to get to the Costco site because Lawrence Exp. will be gridlocked. The speed limit is 25 mph on these streets but I will guarantee that many drivers will be quite frustrated with the amount of traffic and will speed down these side streets to get to their destination. My biggest concern if for the area around Country Lane School which is only a few blocks from the Costco site and which has it's own issues with the amount of parents picking up their children by car and by walking the young ones home.

5) While I understand that there is the law regarding "saving gas" as more important than congestion, I completely disagree with it as it has become one of the "excuses" to rationalize why the Westgate site is viable. But with traffic congestion being what it currently is and what it will be, which will be a nightmare, how much gas will be wasted and how much pollution will be entering our environment while cars sit in traffic due to too many cars using streets not engineered to have so much traffic. Also, traffic lights will need to be adjusted to accommodate 11,000 more cars per day which will also lead to gridlock and multiple waits to get through surrounding intersections. Does the EIR have any references to the expected impact on traffic using the major intersections surrounding the Costco site? From what I heard at the meeting, I don't think enough study or discussion has been made regarding my concerns.

6) I am not normally a pessimistic person, BUT I do believe, if this project is ok'd, it will lead to students being injured or killed, multiple car accidents, road rage, and gridlock which will have a hugely negative impact on this area. I also believe that if this project is ok'd, the people giving its approval will look back and wish they had NOT approved it due to the damage it will cause. There are so many valid reasons to disapprove of this project than to approve it. With a Costco already so close, there is NO reason to approve the Westgate Costco other than for the city of San Jose to take in more tax revenue. Is raising tax revenue so important that it is MORE important than the safety of its constituents. I think NOT!

7) Does the EIR compare other Costco locations to the Westgate project to evaluate whether any other Costco is located so close to two schools, one a diagonal location away, and a very close residential area? If the EIR doesn't do a comparison to other Costco locations, then the City of San Jose should do so and inform the public accordingly.

8) I know that you are only doing your job, but I would venture that YOU would not be happy if a Costco would be built near your home, near your neighborhood school, near where the traffic will become a disaster waiting to happen. I hope anyone on the planning commission or the city council would feel the same way and NOT approve this ill fated project.

Thanks for "listening",
Ernie

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Comment Letter 109

Feedback for Westgate West Costco DEIR, File no. CP21-022

Jill Hagenlocher [REDACTED]

Fri 2/9/2024 9:01 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I have lived in the West Valley area of San Jose for over 35 years. Living within walking distance to the post office, library, shopping mall, and grocery stores has made my day to day life so convenient. It has made it easy for me to do my part in living environmentally responsible as I have been able to cut down on time spent driving on nearby roads.

However, the area is changing dramatically. The proposed building projects to El Paseo as well as the addition of a Costco are extremely concerning to me for these reasons:

Traffic

Prospect Road between Saratoga Avenue and Lawrence Expressway is already a mess. There is gridlock at many times throughout the day, making it impossible to safely and timely get through the area. The recent removal of one of the lanes on Saratoga Avenue has made this even worse. The gridlock generated by the addition of 11,000 cars creates pollution and wasted energy that is detrimental to our environment.

Safety

Because of the gridlock and traffic nightmare, I am gravely concerned about the safety of the area for bicyclists and pedestrians.

Particularly high school students who use these streets to get to and from school.

Adding more cars and delivery trucks to this area is a safety concern for everyone. **THIS IS A MAJOR CONCERN FOR ME.**

Local Businesses

The other shops and businesses that are in the area will suffer greatly. Not only will they lose business to Costco as people will shop there instead, their parking areas will be affected. People will not be able to access entry to their shops so consumers will avoid shopping there altogether.

Urban Village

If the City of San Jose is genuinely interested in creating an Urban Village for the West Valley neighborhood, the addition of Costco clearly is not in alignment with this concept. Although I love the area and enjoy the benefits of many local amenities, the one thing that is missing is a community. Other local areas such as Campbell, Saratoga, and Los Gatos all have some components of a community, such as Parks and Rec facilities and downtown shops/restaurants, we have none of these. A large warehouse such as Costco does not meet the goals of an Urban Village, in my opinion.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Jill Hagenlocher



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Comment Letter 110

Feedback for Westgate West Costco DEIR, File no. CP21-022

Trudy Jones <[REDACTED]>

Fri 2/9/2024 2:01 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I also attended the Webinar on Monday, February 5th and heard a few very concerning items.

First, that Costco is not closing all entrances on Graves Ave. I live just a block behind Graves and realize that hundreds of additional cars per day will be cutting through our quiet residential neighborhood. I was also very surprised that there wasn't a study done on the impact to the Country Lane neighborhood with the entrance still remaining. I walk in the neighborhood daily, and do not want cars racing through to get out to Saratoga Ave. or Doyle Road. Also, Country Lane elementary school is a block away where students will be walking and crossing Teresita Dr. which will become a thoroughfare to Doyle Rd. This is not a safe situation!

Secondly, I am astonished that you are removing the current sidewalk along the current storefronts that give access to the area safely and not replacing it in the scope of this project. How am I and other neighbors to SAFELY walk to Trader Joes, Starbucks, House of Bagels, and other shops that will be behind the new Costco. Since the entrance is open to Graves, is it possible to have a sidewalk on the east side Costco. I did not see that in the plan. If I cannot walk safely down that section of the parking lot, I will have to start driving then. I thought the idea was to reduce driving. I have walked to those stores for the last 30 years and would hate to have to start driving now! The closeness to the stores was one of the selling point when I bought my home. It had a grocery store, drug store and a hardware store. It was great, one stop shopping for all my needs. No driving, I had a wagon. The whole family used to walk to shop! A box store like Costco does not bring that back.

Lastly, I was surprised that the report did not take into consideration the traffic backups that happen during drop off and pickup at Prospect High school. It was horrible 20 years ago when I had to drive my kids to school, and it has only gotten worse. Trying to get through the intersection of Prospect and Lawrence is already 2+ cycles of lights now, I can't imagine what it will be like after Costco is in. Also with that many vehicles, it will not be safe for pedestrians. Currently, there is minimal traffic out of Westgate West, but I remember when OSH was there and it was very congested, with Costco there it will be terrible. I will be forced to drive farther for everyday items because I won't go through that intersection.

In closing, as a long time Costco member, I go monthly, if not bi-weekly and also fill up with gas when I shop. I will still be going to the Sunnyvale location. It's not that far away. This will only add a lot of congestion to the area and little, if no benefit to my family.

This is not a place for a Costco!

I hope you take these serious concerns in consideration.

Sincerely,

Trudy Jones, Country Lane Neighborhood.

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Comment Letter 111

My comments on the proposed Westgate Costco project

Bobi Levine [REDACTED]

Sat 2/10/2024 4:11 PM

To: Atienza, Manuel <Alec.Atienza@sanjoseca.gov>

Cc: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Burton, Chris <Christopher.Burton@sanjoseca.gov>

[External Email]

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Please vote NO on the proposed Costco project to be built at West Valley West Shopping Center, corner of Lawrence Expressway and Prospect Ave. across from Prospect High School. This warehouse belongs in an industrial area - not a residential area!!!

I have lived in this residential area for 50 plus years and have seen many accidents or near accidents over the years at that corner. I live off of Doyle Road in the Country Lane Area. Presently, it is almost impossible for me to access Doyle Road at certain times of the day!!! Traffic has already increased in the past year - by allowing this project to proceed, people will use our Country Lane area as a short cut thoroughfare to get to the back side of the shopping center.

Allowing 11,000 additional cars per day to use Prospect Rd. and Lawrence Expressway, you are jeopardizing the lives of the students that attend Prospect High School, Country Lane Elementary and EDS as they walk, bike or drive to school as well as seniors in our neighborhood who walk to the West Valley West Shopping Center.

The EIR report does not take into consideration the additional traffic that the new 1700 housing units that are planned to be built on Prospect Road across the street from the proposed Costco site. Another future housing project is considered for the corner of Doyle Road and Saratoga Ave. adding more traffic onto Saratoga Ave.

The present stores located at the West Valley West shopping center will be greatly impacted by the parking for these businesses and those in our neighborhood who shop there will be greatly jeopardized - we will have to drive additional miles to shop at a store that we were able to shop at in the past!!!!

Costco is a membership warehouse business that does not meet the needs of all our residents. We need to align with San Jose's Envision 2040 plan and Urban Village plan with neighbor friendly businesses.

Please, please do not allow this proposed project to be built in my neighborhood shopping center!!!! Stop Costco from taking over the Westgate West Shopping Center!!! This is an over sized project on an undersized site.

Thank you for giving this letter your full attention !!!!!

Bobi Levine

1361 Cordelia Ave., San Jose, CA 95129

Sent from my iPad

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Comment Letter 112

Feedback for Westgate West Costco DEIR, File no. CP21-022

Jim Malone [REDACTED]

Sat 2/10/2024 6:48 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

We have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

We live in the Rainbow West area and travel through the Lawrence/Prospect intersection frequently in our car and on bikes.

It would be worthwhile for decision makers to observe the Westgate West area while Prospect High School is beginning or ending the school day. There are young people on foot and on bike (and scooter) in large numbers, as well as an abundance of cars and other traffic. If you allow the addition of Costco traffic, as an addition to the other large-scale development projects in San Jose and Saratoga (El Paseo, etc.), and consider the lack of transit options, you can only anticipate a traffic situation that will not simply include severe congestion, along with abundant cut-through traffic in surrounding neighborhoods, but also create a substantially heightened safety risk for Prospect students, who understandably regard the Westgate West area as an extension of their home neighborhood.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Jim and Diana Malone
Rainbow West

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Comment Letter 113

Comments on DEIR for Costco Proposal (File No. CP21-022)

Chris Lyon [REDACTED]

Sun 2/11/2024 12:30 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

 1 attachments (19 KB)

DEIR comments.odt;

[External Email]

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Dear Ms. Hawkins,

I've reviewed the draft Environmental Impact Report for the proposed building of a Costco at the intersection of Lawrence Expressway and Prospect Road in West San Jose (file # CP21-022), and I would like to submit the attached comments as a local neighbor of the proposed development.

While I support the redevelopment and revitalization of this portion of the Westgate West Shopping Center, I'm concerned that the project raises significant safety hazards and impacts that are not fully acknowledged or addressed in the DEIR, particularly related to pedestrian safety. I hope the attached comments are helpful as perspective from a resident who has lived nearby for over 15 years, and who knows the immediate area well as a driver, pedestrian, and community member.

Thank you in advance for reading and considering my comments, and please let me know if you would like to discuss any of this further.

Christine Lyon

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DEIR comments

Traffic

- I live on Lyle Drive and school traffic is already gridlocked, even without the Costco. I need to schedule my morning commute to be able to get off our street in the morning. Traffic
-
- Traffic backs up at the light at Lyle and Prospect as cars sit and wait to be able to turn left on to Prospect when there are kids
-
- Live on Lyle Drive and need to schedule my morning commute to be able to get off our street in the morning. Backed up with kids crossing Prospect at both sides, parents pulling into Lyle and trying to do U-turns to drop off their kids, cars lined up a block or more down the street because someone is trying to turn left on to Prospect.

Comment Letter 114

Costco Project Proposal at Westgate West - comment on DEIR

Raluca Abrahami [REDACTED]

Sun 2/11/2024 2:22 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Hi,

After participating in the community meeting on February 5th, I just realized how the safety of our children was completely overlooked. SAFETY for the high school students is paramount, and yet the Costco proposal will create a complete unsafe environment for our kids. As a parent I would be scared to have my child try to cross a street in the middle of a heavy traffic intersection. God forbid, one minor accident and lawsuits will follow, and neither the city nor Costco will have the funds to fight these lawsuits, beside the moral burden. As for the DEIR, we were presented with all kinds of formulas and methodologies that didn't make much sense. In my opinion it appeared that the data was manipulated in such a way to allow the project to go ahead.

Disregard for the air pollution, noise pollution and above all the heavy traffic that will choke any car movement are still a major concern. If the people will wait for 30 minutes just to get into the parking lot, circle for another 30 minutes to find a parking spot and wait another 30 minutes to get out of the parking lot, people will not use this Costco facility and it will be an empty store and a failure for the entire community.

Regards,

Raluca Abrahami
[REDACTED]

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Comment Letter 115

Feedback for Westgate West Costco DEIR, File no. CP21-022

Roberta Witte <[REDACTED]>

Sun 2/11/2024 2:07 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

Cc: Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>

[External Email]

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Kara Hawkins,

Department of Planning, Building and Code Enforcement

The proposed Costco is too big for Westgate West shopping center and will generate too much traffic at an already heavily impacted and dangerous intersection. A warehouse is not appropriate for this property. This is not what an Urban Village plan that was promised for our West Valley citizens, should look like. This will forever change west San Jose, in a negative way.

From City of SJ web site: Urban villages are areas that include residential and jobs-based developments; have access to transit; and are walkable and bicycle-friendly.

Concerns:

- Traffic at intersection of Prospect and Lawrence Expressway

- Unsafe pedestrian crossing and Prospect and Lawrence Expressway

- Unsafe pedestrian and traffic patterns at Lyle and Prospect Ave, in front of a high school

- Traffic congestion getting to other stores on Prospect and Saratoga Ave

- Emergency Vehicle access to Senior facilities in English Estates NA

My name is Roberta Witte and I am a resident of English Estates Neighborhood Association and have been here for 39 years. My neighborhood has only two exit/entrances and they both intersect at Prospect Rd, in front of Prospect High School. The ability to turn left out of my neighborhood and then again to turn left on to Lawrence Expressway is already heavily impacted with traffic. And that is with many stores closed and shuttered. The additional traffic that will be generated by a Costco warehouse attempting to enter or exit Lawrence Expressway near the Taco Bell and the proposed Costco parking lot will complicate traffic patterns and potentially cause accidents with people, bikes and vehicles. **An accurate and updated traffic study is needed.**

The addition of a Costco warehouse at this intersection will become dangerous and time consuming as I attempt to drive to my job as a teacher in downtown SJ and return home. Backups on Prospect and the Lawrence intersection during popular business hours and student pedestrian traffic, will prevent me from getting out of my neighborhood and possibly getting back home. An updated traffic study needs to take into

consideration not only the many Prospect high school students walking & biking but future proposed housing projects at El Paseo and the potential Saratoga housing element that has been discussed for the opposite corner of Prospect and Lawrence.

Traffic also impacts my ability to get to the shops I prefer at Saratoga and Prospect, the other end of the Westgate shopping center. **An accurate and updated traffic study is needed.**

A traffic study that includes the traffic that comes and goes from the stores at the opposite end of Westgate West need to be considered in a NEW traffic study. In addition, the recent "traffic calming" changes on Saratoga Ave near Prospect Rd has affected the traffic flow and the traffic patterns of shoppers and residents. **An accurate and updated traffic study is needed.**

Traffic for fire and ambulance to access the Westwood Post-Acute facility, Westgate Villa Assisted Living and the Villa Fontana Retirement Community (right on Prospect frontage Road) will be affected by traffic congestion. My home is next door to the Westwood Post-Acute facility and we witness emergency vehicles entering our neighborhood 3-6 times each and every day, at all times of the day and night.

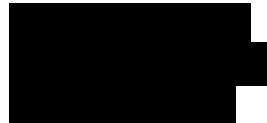
A traffic study needs to include the need and access for emergency vehicles to all of our neighborhood senior facilities. **An accurate and updated traffic study is needed.**

It is important for everyone to have thorough, accurate, impartial, and up-to-date information when making such a permanent decision and it is imperative for the city to rerun the traffic study to ensure that it addresses these factors and the impacts on traffic in the area..

Issues with Kimley-Horn study - short duration of study (24 hours), data not collected during school dismissal hours

This is NOT the right location for a Costco warehouse project.

Sincerely,
Roberta Witte



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Comment Letter 116

Feedback for Westgate West Costco DEIR, File no. CP21-022

winston.singh <[REDACTED]>

Sun 2/11/2024 8:13 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I'm Winston Singh, a resident of Country Lane Neighborhood adjacent to the proposed Costco Warehouse at Westgate West. My home on Eileen Dr is two blocks from the boundary of the proposed Costco site on Graves Ave. I'm also a parent of two Prospect HS students, who walk to school via Graves Ave and the West Shopping Complex.

I'm deeply concerned about the projected 11,000+ car trips the project will generate, exacerbating congestion at the already problematic Lawrence Expy and Prospect Ave intersection. Four pedestrian/car accidents involving students occurred there in the past year alone.

The Costco project lacks substantial traffic controls or mitigations beyond minor changes like sidewalk improvements and road striping. This exacerbates the risk for students, pedestrians, and cyclists. The project's traffic alone exceeds the capacity of the roads. Combined with traffic from new housing units, it poses dangers, gridlock, and increased accidents.

The project's scale doesn't align with current infrastructure or the Envision San Jose 2040 plan. If approved, the city must implement specific traffic and pedestrian safety measures before construction.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Winston Singh, Country Lane

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Comment Letter 117

Feedback for Westgate West Costco DEIR, File no. CP21-022

Josh Jiang <[REDACTED]>

on behalf of

Josh Jiang <[REDACTED]>

Sun 2/11/2024 7:37 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am deeply concerned about the safety of our children and high school students induced by the 11000 Costco trips per day. I remind you that mishap to a teenage who was killed by a truck in Oct 2014 on McClellan Road, Cupertino. I do not want to any of our kids become another victim of the heavy traffic and rushing customers to and from the Westgate Costco. This Costco project would be the 1st one that is in residential area with two schools. I urge Costco as a responsible company and the Planning Commission who cares the community and safety of our children, please consider a better site farther away from residential area. It will be proven wrong and endangering people's live to build a Costco that brings such a magnitude of traffic concentration in such a small area with already very congest traffic.

If you still want to proceed with this project, as a resident on Cameo Dr directly facing Costco Access B and attached parking lot, I request you provide a satisfactory solution to avoid Cameo Drive become an extension of Costco parking lot. How would you control the traffic directly going from Cameo to Costco? How would you prevent Costco customers parking on Cameo Drive? If you do not do any thing, I think it will be unavoidable that Cameo Drive becomes an extension of Costco's Access B and Costco's parking lot as well. It will be disaster to all residents on Cameo. If Costco's customers can freely drive from Cameo to Costco via Access B, it also would greatly increases the risk of traffic accidents to pupils in Country Lane Elementary and their parents/caregivers, especially during 2:30-5pm when the school ends.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Yan Li and Zhongxiao Jiang, [REDACTED]

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Comment Letter 118

Feedback for Westgate West Costco DEIR, File no. CP21-022

Crystal Carroll

Mon 2/12/2024 1:38 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>

 1 attachments (7 MB)

Crystal Carroll Comments in response to DEIR File No CP21-022.pdf;

[External Email]

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois, I have read through the DEIR for project Westgate West Costco Draft Environmental Impact Report (DEIR), File no. CP21-022, and the associated Transportation Study. Additionally, I attended (on 2/5/24) a community meeting hosted by District 1 Rep, Rosemary Kamei, and attended by personnel who worked on the report.

I would like to thank the city planners for listening to feedback from the communities that make up the West Valley, and moving both the date for posting the DEIR and the length of time so that residents have had time after the holidays to read and comment on the various documents.

I appreciate that the city planners' time is valuable, and I thank you for your consideration and your care in responding to resident concerns

Since my comments on this project are quite long and detailed, I am attaching a pdf that contains my comments in full to this email, and providing a high level summary of comments here. Additionally, I have mailed a copy of my comments to go to:

Department of Planning, Building, and Code Enforcement
Attn: Kara Hawkins
200 East Santa Clara St., 3rd Floor
San José, CA 95113

I have lived in the West Valley for 12 years. I support San Jose's goals towards urban village planning, zero serious accidents, and carbon neutral planning. My family and I frequently walk and bicycle around the region.

I am deeply concerned that because the city of San Jose's environmental impact standards focus on the point of view of vehicles and do not incorporate risk analysis concepts such as likelihood x severity = risk, the DEIR's analysis for significance of impact does not adequately predict how this proposed project could endanger the health and lives of pedestrians and cyclists in the neighborhoods that adjoin Westgate West.

The traffic that is predicted to go through this area will pass many schools, and the risk that a child will be seriously injured or killed will inevitably go up if more mitigating safety controls are not put in place.

I am urging the city of San Jose to supplement the existing transportation study with an additional study that includes the following:

- Scenarios that focus on the risks to pedestrian and cyclist safety. This should include not only main roadways, but neighborhoods around the affected roads given that vehicle traffic will re-reroute to avoid gridlock.
- Analyzes the peak times of day when pedestrians and cyclists are active.
- Instead of examining the proposed Costco and each of the regional housing projects separately, examines how the cumulative vehicle trips for both Costco and all the proposed housing projects in the immediate vicinity will increase the likelihood of accidents.
- Examines the effectiveness of existing mitigating controls and proposes new controls.

I am also quite concerned that if this Costco goes into the proposed location, that the existing walkable and cyclable businesses will be forced to close.

Given that this is a building that will be in place for decades, the current design does not adequately support San Jose, and the state of California's, carbon neutral goals.

I do not believe that the potential benefits of this project to the city of San Jose outweigh the risks to resident safety, or the financial impact to other businesses in the area. As you move forward with your analysis, please review my specific comments in the attached pdf.

Thank you for your time and consideration.

Sincerely,

2/13/24, 10:24 AM

Mail - Hawkins, Kara - Outlook

Crystal Carroll



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Additionally, when examining existing mitigating Controls in place (such as traffic lights or intersection pork chops barriers), the methodology defined for use in the DEIR does not examine how Effective those mitigating Controls are at reducing Risk to pedestrians and cyclists.

The traffic that is predicted to go through this area will pass many schools, and the risk that a child will be seriously injured or killed will inevitably go up if more mitigating safety controls are not put in place.

I am urging the city of San Jose to supplement the existing transportation study with an additional study that includes the following:

- Scenarios that focus on the risks to pedestrian and cyclist safety. This should include not only main roadways, but neighborhoods given that vehicle traffic will re-reroute to avoid gridlock.
- Analyzes the peak times of day when pedestrians and cyclists are active.
- Instead of examining the proposed Costco and each of the regional housing projects separately, examines how the cumulative vehicle trips for both Costco and all the proposed housing projects in the immediate vicinity will increase the likelihood of an accident
- Examines the effectiveness of existing mitigating controls

Also, while I understand Westgate West is zoned for commercial use, there is a qualitative difference between types of commercial use. I am concerned that by building a project far better suited to an industrial area immediately next to a freeway, this project will cause existing businesses to close, and will not promote a walkable, bicyclable urban village environment -- as proposed in San Jose's Urban Village 2040 plan¹ -- that supports both San Jose, and the state of California's, climate goals.

Given that this is a building that will be in place for decades, the current design does not adequately support San Jose, and the state of California's, carbon neutral goals.

I do not believe that the potential benefits of this project to the city of San Jose outweigh the Risks to resident safety, or the financial impact to other businesses in the area.

Again, I appreciate the city planners reviewing my comments, which have been divided into the following sections:

[4. Risk to Safety Review in General and Additional Data to Consider](#)

[4.1. Framing Risk Safety Review](#)

[4.2. Elements of Risk to Safety Review](#)

[4.3. Safety Recommendations in the DEIR Must be Required](#)

[4.4. Cumulative Impact of of Other Projects Vehicle Trips](#)

[4.5. Additional Hours to include in the Traffic Data in the DEIR's Traffic Study](#)

¹<https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/citywide-planning/urban-villages>

4.6. Analyzing Traffic Diversion

5. Specific Risks to Safety

5.1. Risk to Safety: Intersection of Prospect and Lawrence, and Prospect to SR85

5.2. Risk to Safety: English Estates - Emergency Access to Retirement Communities

5.3. Risk to Safety: Graves Ave

5.4. Risk to Safety: Prospect Road in front of Westgate West

5.5. Risk to Safety: Johnson Avenue

5.6. Risk to Safety: Saratoga Ave to SR85

5.7. Risk to Safety: Quito Road

5.8. Risk to Safety: Bollinger Road, Doyle, and Moorpark Ave

5.9. Risk to Safety: Lawrence to/from 280

5.10. Risk to Safety: Hamilton and/or Campbell to/from the direction of City of Campbell

6. Health of Local Business / Community Stores

6.1. Issues with the Proposed Parking Lot

6.2. Walking or Cycling to Shop

6.3. No Plan to Protect Other Businesses

6.4. Improve Local Public Transit

7. Clean Energy & Water Usage

3. Background on Myself

I have lived in the English Estates neighborhood for 12 years. Additionally, I lived in West Valley when I went to high school in the late 1980s.

Prior to purchasing our home in English Estates, one of my family's key criteria was we wanted to live in a place where we could walk to neighborhood shops. This is something we do several times a week, either as a family or individually.

My specific neighborhood, English Estates, has unique challenges in that it is bounded on the west and north sides by Saratoga Creek and Lawrence Expressway on the east. As a result, English Estates has only two points of vehicle entry/exit into the neighborhood, which are both from Prospect Road: English Drive and Lyle Drive with a traffic stop at Lyle Drive. Additionally, there is a pedestrian and bicycle accessible trail on Saratoga Creek at the northern end of the neighborhood that is parallel to Lawrence Expressway.

For reference, I am including a map as pulled from the Santa Clara County map², which notes the 2 exit/entry points into the neighborhood, and the city lines between San Jose (yellow) and Saratoga (pink). English Estates is in purple.



English Estate

Because of traffic flow issues at Prospect High School that affect how students can be dropped off, every school day, and any time there is an event at the high school, English Estates sees many additional cars either dropping off or picking up students, or parking for an event. In each of these cases, there is considerable foot traffic from English Estates, across Prospect Road, onto the Prospect High School campus.

I work at home at least once a week and often walk/bike ride in the surrounding neighborhoods of West Valley. I use my bicycle for both recreation and transportation when the route is safe and reasonable.

For example, when I need to get to either the West Valley Branch Library or the Payne Ave Post Office, I ride my bicycle across Lawrence, go across Westgate West, exit onto Graves, and go north through the Country Lane neighborhood on a route parallel to Saratoga Ave, which is a

²https://santaclaralafco.org/sites/default/files/SantaClaraLAFCO_Map_August2019_forWeb.pdf

very dangerous road for cyclists. The safety issues on Saratoga Ave are the reason the city of San Jose's Vision Zero Project has been adding mitigating Controls on Saratoga Ave ³.

I have worked in regulated industries for the last twenty-five years. So I very much understand that when defining the requirements for the DEIR, the city planning committee has been guided by existing legal requirements.

However, I am also familiar with the ways examining the Risk landscape is an ever evolving process, and requires constant updates to meet best practices and the safety of the individuals impacted by a project.

4. Risk to Safety Review in General and Additional Data to Consider

4.1. Framing Risk Safety Review

When I read the DEIR, and associated Transportation Study, I was specifically looking for a Risk review that focused on the project's impact to the safety of pedestrians and bicyclists.

While I understand that the city of San Jose has defined and reviewed Risk as based on LOS, with an associated significant/not significant score, I do not believe that this methodology is adequate to prevent the Risk of serious injury or death to pedestrians or cyclists, nor does the data gathered incorporate information about the traffic patterns by pedestrians and bicyclists.

4.2. Elements of Risk to Safety Review

In this section, I'm going to describe some elements of the type of Risk review⁴ that I am urging the city planners to add to your review of this project's potential impact.

When I've done / been involved in Risk analysis in my professional life, at a high level that evaluation has involved:

- Identifying a series of Risk scenarios for a Risk register,
- Establishing a Severity score if that scenario were to occur,
- Establishing a Likelihood score for how probable it is that the scenario will occur, and
- Multiply the Severity by the Likelihood to get an initial Risk score.

The next steps are:

- Review the existing Controls that could mitigate that Risk
- Calculate the % by which those Controls may reduce the Risk score based on the Effectiveness of each Control.
- Obtain a Residual Risk score.

If this Residual Risk score is higher than a defined Risk tolerance, then identify and apply additional mitigating Controls to further lower the Risk into an acceptable range before removing

³San Jose city Vision Zero Saratoga Ave Project:

<https://www.sanjoseca.gov/your-government/departments-offices/transportation/projects/saratoga-avenue-safety-proj>

⁴ Department of Transportation: Guide for Scalable Risk Assessment Methods:
https://safety.fhwa.dot.gov/ped_bike/tools_solve/fhwasa18032/fhwasa18032.pdf

forward. Note: I understand this is inherent in the significant / not significant score in the Transportation Study, but because that study does not look at specific Risk scenarios and incorporate Severity, the existing analysis is inadequate to evaluate Risk.

The study needs at minimum to incorporate the following scenarios:

- Vehicle running a red light causes serious injury or death to pedestrians and/or cyclists.
- Vehicle ignoring a posted stop sign causes serious injury or death to pedestrians and/or cyclists.
- Vehicle speeding above posted speed limits causes serious injury or death to pedestrians and/or cyclists.
- Vehicle speeding above posted speed limits by schools when children are present causes serious injury or death to children who are pedestrians and/or cyclists.
- Vehicle traveling on narrow residential roads -- to avoid traffic congestion -- causes serious injury or death to pedestrians and/or cyclists.

An example of the kind of metrics I would expect to see are:

- Severity:
 - 1 = Negligible,
 - 2 = Moderate
 - 3 = Serious
 - 4 = Critical
 - 5 = Catastrophic
- Likelihood:
 - 1 = Very Unlikely
 - 2 = Unlikely
 - 3 = Possible
 - 4 = Likely
 - 5 = Frequent
- Initial Risk and Residual Risk scores
 - 1 to 5 = Very Low
 - 6 to 10 = Low
 - 12-15 = Moderate
 - 16-20 = High
 - 25 = Very High
- Evaluations for the Effectiveness of mitigating Controls:
 - 0) Not done = no reduction
 - 1) Done Informally. Reduce Risk by 20%
 - 2) Planned and tracked. Reduce Risk by 30%
 - 3) Well defined. Reduce Risk by 50%
 - 4) Monitored metrics. Reduce Risk by 70%
 - 5) Control metrics demonstrate continual improvement. Reduce Risk by 95%

Some examples of specific scenarios I would expect to see in such a Risk review are:

- An individual crossing a street for an event at Prospect High school
 - is seriously injured by a vehicle
 - a) running a red light at the intersection of Lawrence and Prospect or at Prospect and Lyle Drive or b) speeding over 25 miles an hour by a school when children are present.
 - is killed by a vehicle,
 - a) running a red light at the intersection of Lawrence and Prospect or at Prospect and Lyle Drive or b) speeding over 25 miles an hour by a school when children are present.
- An individual riding a bicycle down a street in the Country Lane neighborhood or a pedestrian crossing a street in the Country Lane neighborhood (e.g. Teresita Drive)
 - is seriously injured by a vehicle that has diverted into the neighborhood to avoid traffic congestion,
 - a) ignores a posted stop sign, b) is speeding over 25 miles an hour
 - is killed by a vehicle that has diverted into the neighborhood to avoid traffic congestion,
 - a) ignores a posted stop sign, b) is speeding over 25 miles an hour

Then repeat these types of scenarios above for each of the streets that the DEIR projected to have increased traffic, and for any roadways or neighborhoods where residents' comments have identified an increased Risk.

When examining whether to move forward with this project, incorporate the results of this type of study in city planning, and if the project does move forward, incorporate additional traffic mitigation.

4.3. Make Safety Recommendations in the DEIR a Requirement

If this project is approved, please make the recommendations on page ix of the Transportation Analysis requirements.

4.4. Cumulative Impact of of Other Projects Vehicle Trips

When examining the Risk to the safety of residents, please re-examine the cumulative impact that other proposed building projects in the area will have in combination with projected Costco vehicle trips.

While individually these projects may result in a less than significant impact as it applies to LOS, cumulatively the residents' vehicle trips + the Costco trips will increase the Likelihood that a vehicle accident will cause a severe injury or death for a pedestrian and/or cyclist.

Since severe injury and death have the equivalent Severity score of Catastrophic, I do not see how it would be possible for the cumulative effect of existing traffic + ~11,000 vehicle trips + ~3000 car trips from housing projects can result in anything other than a High or Very High Risk score without significant numbers of mitigating Controls beyond what's already in place.

For reference, I have compiled the size of the housing projects for each of the locations closest to Westgate West for discussion on how many cumulative vehicle trips these projects would add.

Table: Other Building Projects' Impact on the Area

	Project	Location	Description of Size of Project	Estimate of Vehicle Trips Added*
1	El Paseo and 777 Saratoga Avenue ⁵ (San Jose)	El Paseo and 777 Saratoga Avenue	994 multifamily units	1988
2	Quito Village Development ⁶ (Saratoga)	Quito Village Shopping Center	90 units	180
3	Saratoga Avenue Project ⁷ (Saratoga)	13025 Saratoga Avenue Pumpkin Patch and 12900 Saratoga Avenue Office Center)	597 units	1194
	Total		1681 housing units	3362

*Here I've multiplied by 2. I.e., 1 to and 1 from vehicle trips daily per household unit. Realistically, many multi-family households will have more than one car, because they will have more than one adult working. This certainly was the case when I lived in an apartment. So it would be reasonable to predict that this number of housing units will more likely result in something like 4000-5000 extra vehicle trips on local roads. However, in my comments, I am using the more conservative estimate of ~3000.

⁵<https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/major-development-projects/el-paseo-and-saratoga-ave-mixed-use-village>

⁶ <https://www.saratoga.ca.us/467/Quito-Village-Development-Project>

⁷ <https://www.saratoga.ca.us/DocumentCenter/View/3090/Housing-Element-Draft-Environmental-Impact-Report>

For visual reference, here is a screenshot of a map (from Google maps) for the projects listed above. I have also include #4, which is a possible location proposed by the city of Saratoga's Housing Plan⁸ to be rezoned for a ten story multi-family building. City of Saratoga projects are in gray. City of San Jose projects are in pink.

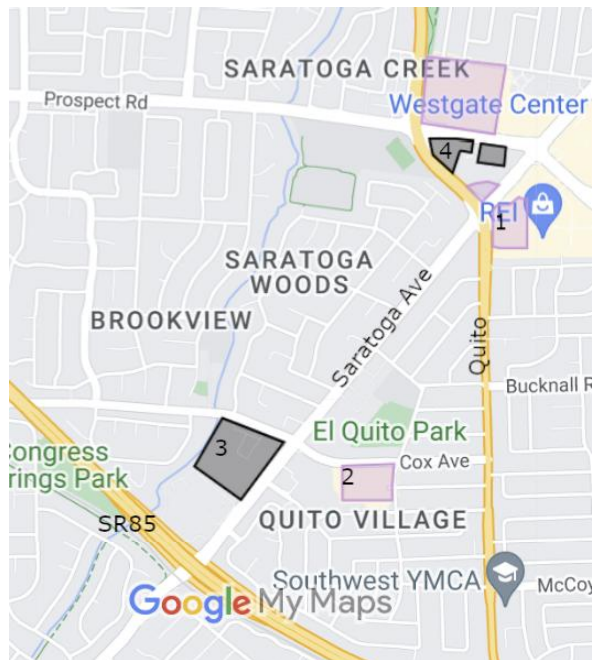


Figure: Additional Housing Projects

4.5. Include Pedestrian and Cyclist Peak Hours

While I understand that the city planning guidelines are the reason that in section 3.17 (pages 209-211 and page 14 of the Transportation Study) the transportation study was only conducted at two 2-hour peak periods: 7:00-9:00 AM and 4:00-6:00 PM.

However, while the Likelihood that drivers -- frustrated by stop and go traffic -- results in unsafe driving that endangers pedestrians and cyclists at peak times, any analysis really needs to focus on times pedestrians and cyclists are on the road.

I am concerned that the times of day the transportation study examines does not capture the peak times when pedestrians and cyclists are going to be sharing the road with cars.

Studied hours should minimally include noon to 4 p.m. on weekdays (students leaving school campuses), and 11 a.m. to 2p.m. on weekends (pedestrians & cyclists going to / leaving houses of worship).

For reference, per page 221 of the DEIR, the Costco store hours will be 9:00 AM and 8:30 PM. Weekend 9:30 AM or 10:00 AM to 6:00 PM, which means that the proposed Costco would be open during the hours listed above, and can be expected to draw increased car trips to the neighborhoods around Westgate West.

⁸ <https://www.saratoga.ca.us/499/Housing-Element-Update>

Since different roadways will experience different levels of increased car trips, I am including for reference, based on the percentages listed in the Transportation Study, page 37, Figure 8, the increased numbers of expected car trips per roadway:

Table: Vehicle Trip Breakdown by Road

	Total Vehicle Trips	% of Traffic	Increase To/From Vehicle Trips
Prospect Road to/from SR85	11,000	17%	1870
Saratoga Ave to/from SR85	11,000	21%	2310
Lawrence to/from 280	11,000	27%	2970
Saratoga Ave to/from 280	11,000	10%	1100
Hamilton and/or Campbell to/from Campbell	11,000	25%	2750

4.6. Analyzing Traffic Diversion

Since a number of neighborhoods will be affected by diverted traffic going through residential streets to avoid congestion on larger roads, traffic data gathered by the city should consider supplementing information with traffic diversion data from digital map services such as Waze or Google Maps. This would provide a more complete picture for how vehicles are moving in response to congestion. This data could also be correlated with Vision Zero data about accidents that have occurred in those areas to get a more accurate understanding for how increased traffic will affect safety based on past behavior.

Note: This is an area where West Valley has unique problems as a Gateway community, because Vision Zero accident data covers the city of San Jose, but does not include the cities of Saratoga and Campbell, which will be affected by the increased traffic.

5. Specific Risks to Safety

In the following sections, I will provide more detail on my experience as a resident for specific roadways and neighborhoods, potential Risk scenarios, and possible Risk mitigating Controls that the regional municipalities should consider before approving this project and, if approved, address before implementing this project.

5.1. Risk to Safety: Intersection of Prospect and Lawrence, and Prospect to SR85

I frequently cross the intersection of Prospect and Lawrence on foot. I either commute to work via car to work on Lawrence Expressway or down Prospect Road to De Anza.

Because of students being dropped off/picked up, each morning and afternoon at peak pedestrian hours, it is very difficult to leave the area via Lyle Drive with vehicle traffic backed up through the Lawrence Expressway and Prospect Road intersection all the way to Westgate Mall, and pedestrians crowded on the Lyle Drive crosswalk.

Something to consider is that Prospect High Students can get off campus passes⁹ and when this is the case, I have seen groups of students in the middle of the day walking (or running) across Prospect and Lawrence Expressway and are endangered by passing cars.

While the DEIR proposes expanding the traffic porkchops at the corner of Westgate West on Lawrence and Prospect, please consider expanding these traffic protections on all four sides. Prospect High School is catty-corner to Westgate West, and student foot traffic goes in all directions.

Because this is a high school, there are evening and weekend events that draw considerable numbers of people to campus. When high school parking overflows, parents and students often park in the English Estates neighborhood and then cross Prospect Road on foot to get to the high school. In this case, pedestrians may include small children, teenagers, adults, elderly and other individuals with mobility issues.

Any traffic going down Prospect Road from SR85 to get to Westgate West, will have to pass Christa McAuliffe Elementary School. As a pedestrian, bicyclist, and individual who commutes past both schools, I have seen cars speeding well above 25 miles per hour on practically a daily basis. Often cars will swerve around other vehicles traveling at the posted speed limit.

Additionally, there are a church, a synagogue, and a community center on Saratoga Road, which vehicles pass when traveling on the road. When conducting a traffic study for Risk to the safety of pedestrians and cyclists, times that the study should be conducted should include days when either any of these locations are holding services, and there should be some sort of research into the level of foot traffic on at least one high holy day when attendance may be expected to be higher, and when Costco will be open. e.g., Easter or Yom Kippur.

I have many times seen cars go through red lights in all directions at the Lawrence Expressway and Prospect Road intersection, and also through the light at Lyle Drive. I have seen accidents, near accidents and almost been hit many times over the years. As I am sure is true for any resident who uses these intersections.

I am concerned that the current safety issues at these intersections and on Prospect Road in general will only get worse if, per page 37 figure 8 of the Transportation Study, a projected ~1870 additional vehicles trips + however many folks travel to/from the El Paseo / 777 Saratoga multi-family site go up/down Saratoga Road on a daily basis.

As part of city planning, please work with the city of Saratoga and the county of Santa Clara and consider additional traffic safety Controls, which could include:

- To reduce the Risk of vehicles running red lights:
 - Red light cameras and signage in all four directions as allowable by California Vehicle Code section 21455.5.¹⁰ to warn motorists that the cameras are there. I.e., The point isn't to collect moving violation tickets, but to encourage drivers to obey basic traffic safety.

⁹Page 8, <https://prospect.cuhsd.org/apps/pages/StudentParentHandbook>

¹⁰ <https://codes.findlaw.com/ca/vehicle-code/veh-sect-21455-5/>

Apply these mitigating Controls to the intersection of Lawrence and Prospect, the intersection of Prospect and Lyle, Prospect Road and Johnson Avenue, and Prospect Road and Miller Ave.

- Provide metrics from the red light cameras to the Vision Zero Task Force and the city of Saratoga so that additional Controls can be added if necessary. This will improve the Effectiveness of the mitigating Control.
- To reduce the Risk of vehicles driving in excess of the speed limit when children are present
 - Add signage that displays the speed of cars going past both schools in both directions.
 - Provide metrics from signs to the Vision Zero Task Force, and the city of Saratoga, so that additional Controls can be added if necessary.
 - If these are not effective, consider appropriate street calming measures¹¹ to reduce the speed of cars going past Prospect High School and Christa McAuliffe Elementary School.
- To improved pedestrian safety,
 - Some sort of pedestrian passthrough either over Lawrence or under Lawrence.
Note: If this is not possible at the intersection, please also consider access points along the Saratoga Creek Trail, which does provide a pedestrian and bicycle exit from English Estates, and by extension for pedestrian traffic going north from Prospect High School.
 - Some sort of pedestrian walkway either over Prospect or under Prospect perhaps by leveraging Saratoga Creek.

Additionally, as someone who regularly commutes on Prospect Road, LOS aside, I am concerned that this project will increase my overall carbon footprint by causing me to sit idle in traffic on a daily basis when I come home from work.

It is dangerous to drive out of English Estates from English Drive onto Prospect Road heading towards Lawrence Expressway. This is because the trees and shrubbery on the median west of Prospect High School allow for a very short range of visibility to see on-coming traffic. While the shrubbery and trees have recently been trimmed, this is an on-going problem.

If traffic is going to be increased, please work with the city of Saratoga, and incorporate plans for how to improve visibility on the median. This could take the form of replacing the existing shrubs with lower growing plants and more frequent tree trimming.

5.2. Risk to Safety: English Estates - Emergency Access to Retirement Communities

I, like all residents in our neighborhood, frequently hear the emergency vehicles that visit the Villa Fontana Retirement Community and Westwood Post-Acute Westgate Villa Assisted Living center several times a week.

¹¹ <https://www.ite.org/technical-resources/traffic-calming/traffic-calming-measures/>

Additionally, I know someone who had to stay at Westwood Post-Acute while recovering from surgery and going through physical therapy, so I am particularly sympathetic to the needs of the residents based on first hand observation.

While it is understandable that the review for emergency access for the DEIR on page 221 focuses solely on Westgate West, I am urging the city planners to think more broadly.

As I've previously stated, English Estates only has 2 access points. Both of which are from Prospect Road.

For this project to move forward, I am asking city planners to include an analysis for:

- How increased traffic on Prospect Road at peak vehicle traffic times will affect the ability of emergency vehicles to reach Villa Fontana Retirement Community and the Westwood Post Acute,
- In a Risk to safety analysis, determine the Likelihood that residents of these facilities could die or experience serious consequences of injury as a result of increased traffic preventing emergency vehicles from reaching those facilities in a timely manner,
- If the Risk is Moderate +, or a comparable Risk rating equivalent, consider what mitigating Controls could be implemented to ensure that this does not occur.
- As part of this analysis, please verify that this project meets Policy CD-2.3: "Accommodate the physical needs of elderly populations and persons with disabilities."

5.3. Risk to Safety: Graves Ave

As I mentioned when talking about my background, I ride my bicycle through the Country Lane Neighborhood to avoid the dangers of riding a bicycle on Saratoga Avenue. The name of the neighborhood is perfect, because this neighborhood is currently made up of quiet bicycleable streets that are a pleasure to cycle on.

That said, I am fairly aware of the level of traffic around the schools in the neighborhood, because parents dropping off / picking up their children present their own hazards to a cyclist.

It is understandable that the city planners, as non-residents, did not include this neighborhood in the Transportation Study. However, as a resident, I am urging city planners to include this neighborhood in a Risk to safety analysis.

Given the proposed location for the Costco, the issue of how the city of San Jose can protect the safety of residents of the Country Lane neighborhood is a particularly tough problem to crack.

For reference, I am including a map of the entire Westgate West site. I have noted where vehicles can (and do) enter and exit from Westgate West both from Saratoga Ave and into the neighborhood immediately to the north of Westgate west. Also, the maps currently incorporated in the DEIR only cover the west side of the Westgate West complex of buildings and do not include the east side. While I understand this may be because the east side of Westgate West

and the Dentists offices behind it are owned by other property owners, a wider map is necessary to fully explain the safety issues this neighborhood will face if this project moves forward.

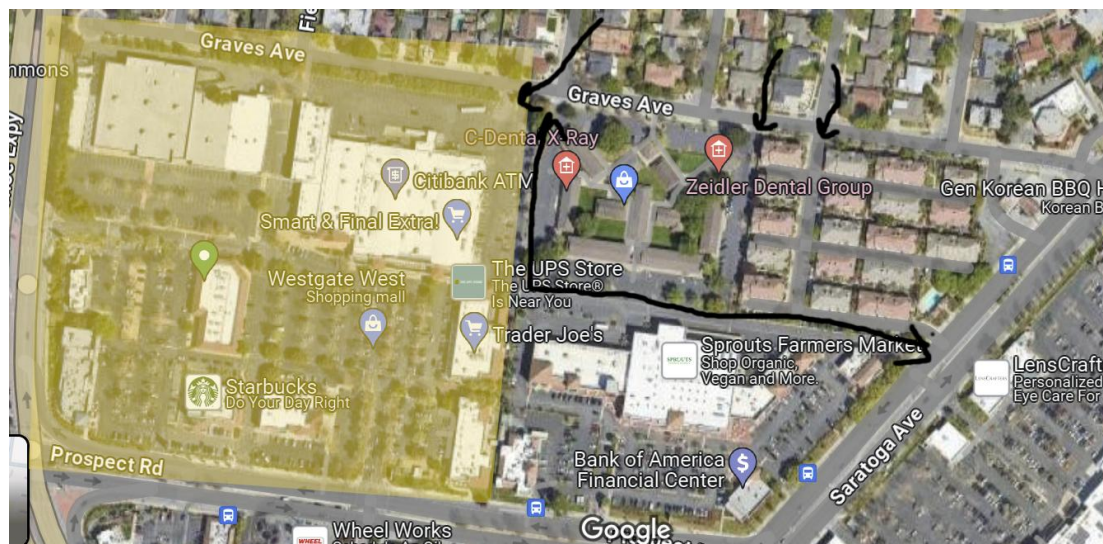


Image: Map of Westgate West + Dentists Offices

When the Smart and Final and Goodwill were in operation, and even before that when the OSH was in operation, it was very common for vehicles to park behind these stores and drive out of the parking lot onto Graves. Customers do this because it's easier to park in the back and going out that way avoids some of the traffic on Saratoga Avenue. However, this practice routes traffic down residential streets that have a speed limit of 25 miles per hour.

When the Costco is in place, customers to Costco will do the same thing as other people have done before them. Based on the DEIR's projections, they will be doing this in far greater daily numbers than has ever occurred in the past.

I'll discuss later in my comments how the parking is inadequate based on Costco's own comments submitted for proposals in other areas, but I'll mention here that the inadequate parking will directly affect how many vehicles will park behind the Costco and drive into the Country Lane neighborhood.

While I understand that the plan is to block one of the entrances onto Graves from the Westgate West lot, this will only push the problem down Graves, and not even that far. There are three entrances from Westgate West and the dentist's offices that are separately owned and cannot be blocked off.

It's simply not possible, or even reasonable, to block all the access points between Graves into / out of Westgate West, but if city planners do not, then this project will put the residents, and nearby visitors such as myself, at Risk of being hit by a vehicle traveling over the posted speed limit and not observing posted stop signs.

Quite frankly, the only absolute solution to protect resident safety in this neighborhood is to not move forward with the Costco project, and instead encourage the property owners to support smaller individual businesses that bring in traffic at more diverse hours. E.g. a person going to after work yoga/exercise, a grocery store, a chiropractor, a yogurt shop, or a nail salon visit at different times of day and in diverse traffic patterns.

If the city of San Jose moves forward with this project, I understand the city of San Jose is planning on adding crosswalks across Graves. This will not be adequate to mitigate the Risk to the safety of pedestrians and cyclists with the increased traffic that will go through this neighborhood.

For reference, I am including a map of the neighborhood, and have outlined 1 example for how customer traffic could flow through this neighborhood past two schools. However, I suspect all north-south roads in Country Lane will have increased Risk if the project moves forward.

Based on the data in the Transportation Study, page 37, Figure 8, 21% of the traffic is predicted to go up and down Saratoga Avenue to/from Westgate West, and 27% of the traffic will go to/from Westgate West on Lawrence Expressway. Cumulatively this would be over 5000 vehicle trips traveling on these roads on a daily basis. If even only 5% of that traffic ends up going up and down streets that are zoned for 25 miles an hour, the resulting increase of 500 vehicle trips a day would raise the Likelihood of a severe accident or death from Unlikely to Possible or Likely, which would make the Risk to safety High or Very High.

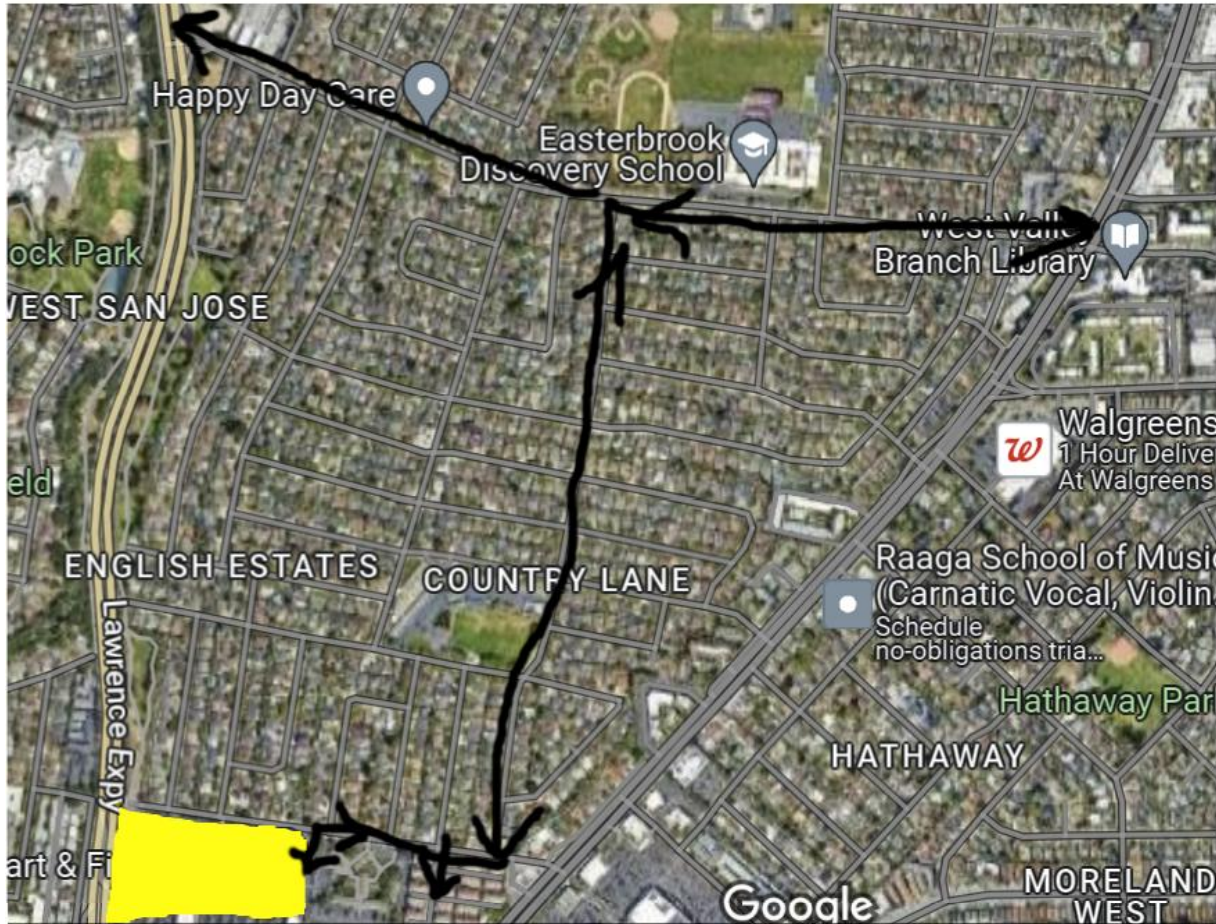


Image: 1 Example of Traffic from Westgate West thru the Country Lane Neighborhood

If this project moves forward, some methods that could be used to prevent customers from using the parking behind the proposed Costco:

- Require that shopping carts lock if they go into the back parking areas and onto Graves.
- Have bollards or some other method physically block individuals from pushing shopping carts into the back parking areas and any other route to Graves.
 - Costco customers typically buy large quantities of items, and do not walk or cycle to shop at Costco, so if there is no way for shopping carts to get to any vehicle parking behind that Westgate, this could be a good mitigation.
 - However, I will note that a mitigating Control that lacks metrics or proof of Effectiveness can only mitigate so much. E.g., one way a customer could circumvent either suggested Control would be to bring their own personal shopping cart that is the width of a human

Since its difficult to predict how successful these measures would be, I am also urging the city planning committee to:

- Study the possible routes through this neighborhood and evaluate the intersections with the most possible Risk as a result of vehicles taking back pathways through the neighborhood.
- Evaluate the Risk to the safety of pedestrians and cyclists on the streets in this neighborhood during hours when pedestrians and cyclists are most active and Costco is open.
- If the Risk is Moderate or higher, or some comparable measurement, consider what mitigating Controls could be implemented to ensure that severe injury or death does not occur as a result of speeding over the posted limit and ignoring posted stop signs.
- Implement the appropriate mitigating Controls.

Additionally, since Graves Avenue will be the street with the most increased traffic overall,

- Evaluate the current foot and cycle traffic, especially to the dog park.
- Calculate the Risk to those groups as a result of increased traffic.
- If the Risk is greater than Moderate, or some comparable measurement, consider what mitigating Controls could be implemented to ensure that severe injury or death does not occur as a result of vehicles speeding over the posted limit and ignoring posted stop signs.
- Implement the appropriate mitigating Controls.

5.4. Risk to Safety: Prospect Road in front of Westgate West

As someone who has walked this section of roadway, I wanted to call out some of the special concerns I have for the strip of Prospect Road in front of Westgate West.

When conducting a Risk to safety analysis, please consider the specific Risks involved in this area of the street:

- Every Sunday morning, and for high holy days, there is a considerable amount of traffic that comes out of the Westgate Church Saratoga campus.
- If number of trucks needed to service a Costco will use this section of roadway, special consideration needs to be made to accommodate pedestrians and cyclists.
- The way traffic routes on Prospect Road going west is slightly confusing, because all rightmost traffic heading west must turn right on Lawrence Expressway. Vehicles merging onto Prospect from Saratoga sometimes have issues with changing lanes and I've seen/had several near and actual accidents over the years as a result.
- The pedestrian crossing from the Saratoga side of the street to Westgate West by the church has a lot of foot traffic, particularly after events get out at the church or the school. The Risk to the safety of pedestrians is exacerbated by drivers who are paying attention to changing lanes and not to the traffic light for the turn into Westgate West.
- The way the parking lot is laid out on the east side of Westgate West does not promote good traffic flow, and often drivers going in / out of this lot are very aggressive leaving the site, and since Costco customers will likely park in this area, this needs to be considered when thinking about the impact of the project.

Some mitigating Controls that may help with these issues would be to:

- Improve signage to warn drivers about how they will be affected by the turn lane. This should include both on Prospect Road and to drivers leaving the Westgate West parking lots.
- Track vehicles going through red lights at Prospect and the church exist with the appropriate warning signage.

5.5. Risk to Safety: Johnson Avenue

I frequently ride my bicycle in the neighborhoods west of English Estates, and up/down Johnson Avenue. As an English Estates resident, Johnson Avenue is a great route because it loops (via Bollinger) to the Saratoga Creek Trail and connects to locations in Cupertino via Bollinger Ave and Tantau Ave. Additionally, I also drive up/down this road after visiting the shopping center on the corner of Miller and Bollinger.

Local vehicle traffic frequently uses this road to get around traffic congestion on Saratoga Ave or Lawrence Expressway, because it's the first street after Lawrence to connect the two roads. Local traffic also leverages Rainbow Drive, because it cuts all the way to De Anza Boulevard.

This road in particular and this neighborhood in general will have an increased number of vehicle trips on very residential streets, I am asking the city planner to include this area in the DEIR, and in a Risk to Safety analysis.

For reference, I am including a map of the area and the region's traffic flows when traversing the area. This image also includes Miller Ave. Schools are in red. Parks are in green.

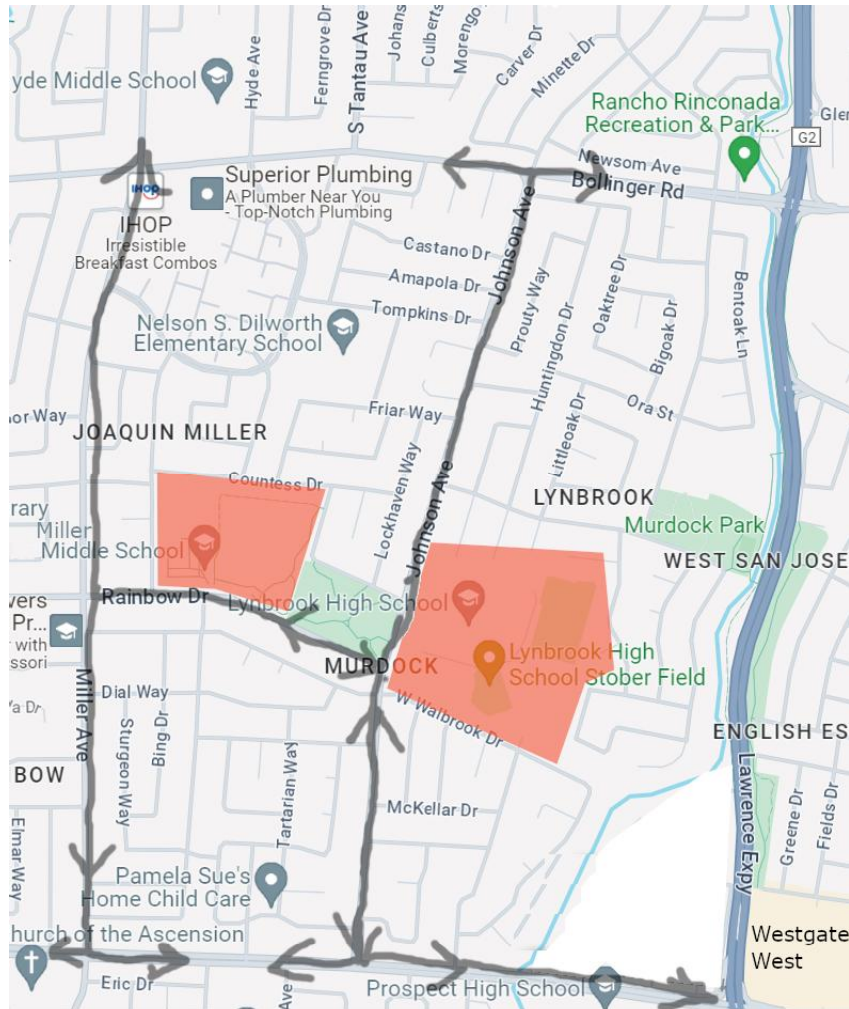


Image: Johnson Ave and surrounding neighborhood

On Johnson are two schools: Lynbrook High School and Miller Middle School, and Rainbow Park. With increased mail in voting, the following may be less of an issue, but locations on both sides have been used for in person voting over the years, and personally have voted at both the annex in the park and at Lynbrook High School.

Unlike Prospect High School, which experiences a surge of pedestrian traffic in a particular direction -- towards the high school and away from the high school in the afternoon -- area around Lynbrook and Miller Middle School has foot traffic in all directions in the morning and afternoon. It is very chaotic

I encourage city planners to include a Risk to Safety analysis for pedestrians and cyclists on Johnson Ave and Rainbow Drive where it connects between Johnson Ave and Miller Ave.

This Risk to safety study should include:

- How many vehicles use these streets currently from a Risk to safety perspective, and potentially should include how often maps services direct vehicles down this route.

- How many pedestrians and bicyclists use Johnson road at peak hours for the schools and for school events.
- Based on this information, Calculate the Risk to Safety if that % of the projected Costco traffic: Lawrence (27% of 11,000 = 2970) or the Saratoga Ave traffic (17% of 11,000) ends up directed up/down Johnson Avenue.
- If the Residual Risk score is Moderate or higher, or some comparable scoring system, identify additional mitigating Controls.
- Implement additional Risk controls.

5.6. Risk to Safety: Saratoga Ave to SR85

I frequently drive on the section of Saratoga Ave that goes from Westgate West to SR85 if I'm planning on taking SR85 south. Also, one of the neighborhoods that I cycle is between Saratoga Ave and Prospect Road.

There are several things going on with Saratoga Avenue that will cause serious Risks to the safety of pedestrians and cyclists, and for that matter even LOS, that are not addressed by the DEIR.

Of the various other housing projects in the area, the ones referenced in section [5.4](#) of my comments will cumulatively add 1681 housing units, and a minimum of ~2000-3000 vehicle trips to the section of Saratoga Ave between Westgate West and SR85. This traffic would be on top of the 21% (2310 vehicle trips) of the additional daily vehicle trips that will be added to Saratoga Ave according to page 37, Figure 8, of the Transportation Study.

The DEIR does not address the cumulative Risk to the safety of pedestrians and cyclists, nor even really the LOS, that all of that traffic will create.

Because there has been considerable work on Saratoga Ave north of Westgate West, towards 280, the roadway may possibly be safer, but traffic is much more congested and slower. It is simply human nature that when the vehicles that have been slowly traveling down Saratoga Ave reach the section of roadway that isn't modified, they are going to speed up and that's going to increase the Risk of accidents on the unmodified section of Saratoga Ave in the city of Saratoga. The DEIR does not address the effects of the modifications on Saratoga Ave at all.

As a resident of the area, I'm familiar with the traffic patterns in the area. I often see trucks going from Saratoga Ave, crossing Cox, and up Miller Ave to get onto Prospect Ave to avoid traffic on Saratoga Ave. Any plans for the proposed Costco, need to address:

- Preventing any trucks headed for Costco - owned by Costco or not - taking this route.
- Mitigating the Risk presented by Costco customers that are routed through the neighborhood to avoid traffic on Saratoga Ave by a map service.

For reference, I am including a map of the area showing the streets that will be affected when there is increased traffic in the area. Schools are in red, houses of worship and community centers are in blue, parks are green.

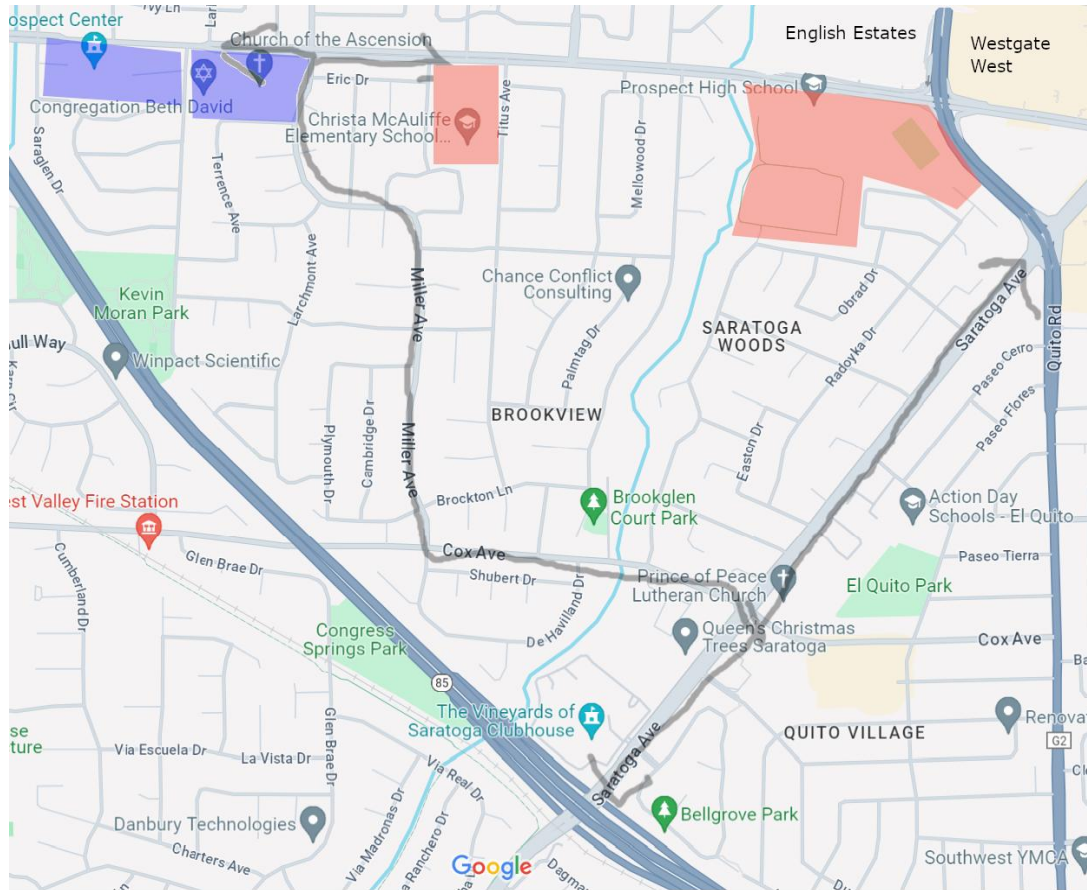


Image: Neighborhood between Saratoga and Prospect

A Risk to safety study for Saratoga Ave should:

- Gather data for the average speed of cars driving down Saratoga Ave to/from SR85.
- Gather data for how often cars run red lights.
Note: Data should include not only peak rush hour traffic times, but during times when the Prince of Peace church is letting out service, and high holy days when the Costco will be open. E.g. Easter.
- Calculate the Risk to the safety of pedestrians and cyclists with both the increased traffic from the proposed Costco and the proposed housing projects.
- If the Residual Risk score is Moderate or higher, or some comparable measure, identify the appropriate mitigating Controls.
- Implement those mitigating Controls.

5.7. Risk to Safety: Quito Road

The DEIR references Quito Road in combination with various other local roads, but has not been studied on its own. It needs to be.

However, Quito Road is the most direct path for residents living in the neighborhoods between Saratoga city center and Los Gatos to get to Westgate West, and visa a versa. When I visit Los Gatos, I take Quito Road.

According to Figure 7, page 24 of the Transportation Study, it is expected that existing Costco customers will come from the areas that will travel down Quito Road.

I am attaching a zoomed section of Figure 7 with a map, from Google maps, overlaid on the figure to show Quito Road in red, and where I think traffic from the surrounding regions will flow into Westgate West using Quito based on my familiarity with the area.

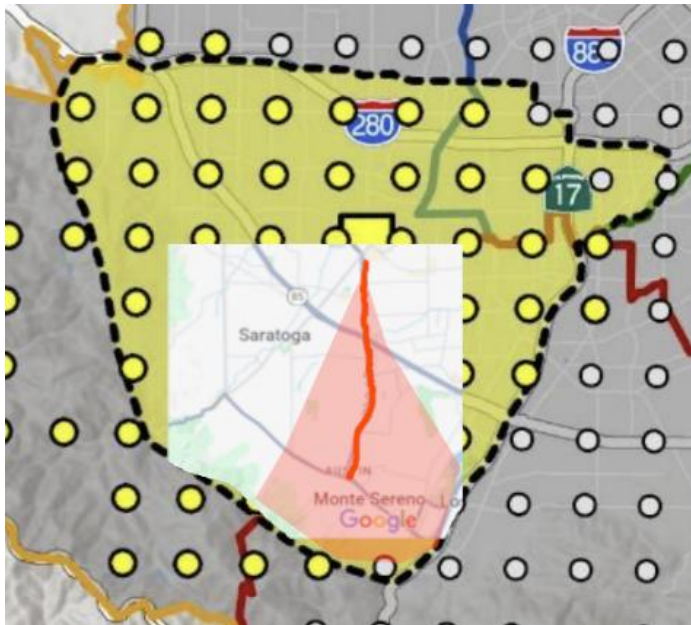


Image: Quito Road in combination with Figure 7 from Transportation Study

Quito Road becomes very small, curvy and wooded very quickly, and I am always careful if driving by night to watch for deer, which do come down from the hills into that area. There's also a number of blind outlets from driveways onto the road with low visibility.

I am concerned that this very small road will see a very large increase in additional traffic based on the data from Figure 7 of the Transportation Study that has not been studied or addressed by the DEIR..

Additionally, several of the diagrams on the Transportation study, such as Figure 9 to Figure D-6 show Lawrence Expressway as continuing south of Westgate West past the intersection with Saratoga. This may give the impression to individuals who do not live in the area that the road is still at the standard of an expressway, which Quito Road is not.

With all of the above being the case, I am urging the city planners to include Quito Road in a Risk to safety analysis, which should include:

- Calculate the increased Risk to the safety of vehicles (if hitting a deer), and cyclists and pedestrians (if hit by a car) given an increased level of traffic.
- If the Residual Risk score is Moderate or higher, or some equivalent scoring, identify the appropriate mitigating Controls to lower the Residual Risk score.
- Implement the mitigating Controls.

5.8. Risk to Safety: Bollinger Road, Doyle, and Moorpark Ave

When for transportation reasons I need to go east-west on my bicycle, I use the Bollinger, Doyle, and Moorpark. Although, I am now more aware of the dangers to cyclists on Moorpark having looked at the Vision Zero data.

As a vehicle driver, when I get off 280 on Saratoga Ave to head home, I frequently have a digital map service turned on to help me navigate traffic better. About 50% of the time this service directs me to go down Moorpark Ave to get to Lawrence Expressway. The other 50% of the time I am directed to take Doyle to get to Lawrence Expressway. I am never directed to stay on Saratoga Ave.

Given that the Transportation Study page 37, Figure 8, states that 27% of the additional vehicle trips, which amounts to 2970 vehicle trips a day, will be going up/down Lawrence to/from 280 to Westgate West and 10% of the vehicle trips (1100) will go up/down Saratoga Ave for a cumulative 4070 vehicle trips, I am urging the city planners to consider the Risk to the safety of pedestrians and cyclists on these roads. Traffic will divert onto these east-west roadways when congestion is high.

A Risk to safety study should:

- Gather data for how much traffic is currently routed onto these roads to understand via digital maps services like Waze or Google Maps. This can then be used for calculating future % of traffic that may be expected to be rerouted.
- Conduct a Risk to safety analysis for how bicyclists and pedestrians will be affected by X% of Saratoga Ave (2970) vehicles or Lawrence Expressway (2970) being routed onto these roads to/from Westgate West.
- Gather data on the speed of cars and the number of cars running red lights going by the following locations and determine the Likelihood that moving violations will increase with increased traffic. This should in particular examine the safety near the areas schools, parks and houses of worship.
- If the Residual Risk score is Moderate or higher, or some comparable Risk scoring system, identify the appropriate mitigating Controls to lower the Residual Risk.
- Implement the identified mitigating Controls.

5.9. Risk to Safety: Lawrence to/from 280

I often drive on Lawrence Expressway when going to and from work. While the posted speed on Lawrence Expressway is 50 miles an hour, drivers often exceed this speed limit.

I understand that the DEIR has already made a determination about the effect on Lawrence Expressway traffic as a result of LOS. However, given that the current score on Lawrence Expressway for LOS is a D, I am concerned that the cumulative traffic from the proposed Costco and the other projects will cause Lawrence Expressway's score to go down to F.

Also, while pass throughs for pedestrians are rare on Lawrence there is one at Lawrence and Bollinger/Moorpark.

I would urge the city planners to include a study on the Risk to safety of pedestrians and cyclists crossing from the Saratoga Creek Trail across Lawrence Expressway to Moorpark or continuing down Bollinger. In addition to normal foot and bicycle traffic, because homeless individuals often make their homes on Saratoga Creek Trail, the Risk study should address safety issues for individuals crossing with heavily laden bicycles and shopping carts.

Per the proposed plan, there are going to be additional mitigating Controls added to the crosswalk of the west entrance of Westgate West for pedestrians and cyclists. However, a mitigating control without metrics is minimally Effective at mitigating Risk. Please add methods to track how often cars turn on the red to better mitigate Risk.

When the OSH was still there, the turn lane into Westgate West often backed up. I would also urge the city planners to turn the recommendation in the DEIR to lengthen the turn lane on Lawrence into the Westgate West into a requirement.

Something to consider is that this part of Lawrence Expressway has many tall trees. Under inclement conditions it is very common for these trees to shed widowmaker branches onto the roadway, which will be an additional hazard as drivers swerve to avoid obstacles. As the amount of traffic on this stretch of road goes up, the Risk of vehicle-vehicle accidents will go up, particularly in the winter.

A Risk to safety study should:

- Gather data for how fast vehicles travel on Lawrence Expressway from Moorpark to Prospect Avenue.
- Consider the Risk to the safety of pedestrians and bicyclists crossing at Moorpark.
- Calculate the Risk to the safety of pedestrians crossing the entrance into Westgate West, and to vehicles if there is a long backup at both the turn lanes from Lawrence into Westgate West and Prospect Avenue.
- If the Residual Risk score is Moderate or higher, or some comparable Risk scoring system, identify the appropriate mitigating Controls to lower the Residual Risk.
- Implement the identified mitigating Controls.

5.10. Risk to Safety: Hamilton and/or Campbell to/from the direction of City of Campbell

I primarily walk in this direction when going to the complex with the AMC theater and REI, or cycling farther afield or driving towards Campbell.

Based on the Transportation Study, page 37, Figure 8, 25% of the increased traffic will travel on Hamilton Avenue or W Campbell Avenue (2750 additional trips).

There are several schools in the area that will be impacted by this additional traffic.

For reference, I am including a map from Google maps with the schools highlighted in pink.



Image: Areas north and south of Campbell Ave and Hamilton Ave east of Westgate West

Additionally, there is a farmers market held in downtown Campbell that sees considerable foot and cyclist traffic every weekend.

I am asking city planners to conduct a Risk to safety analysis that would:

- Gather data on foot traffic around the schools, and downtown Campbell.
- Calculate the Residual Risk to the safety of pedestrians and bicycles along these roads given the expected increase in traffic.
- If the Residual Risk score is Moderate or higher, or some comparable Risk scoring system, identify the appropriate mitigating Controls to lower the Residual Risk.
- Implement the identified mitigating Controls.

6. Health of Local Business / Community Stores

I appreciate the focus of the DEIR is on the environmental impacts of the proposed Costco. But an element of this project is the overall health of the area, and several of the goals of the project relate to the economic health of the region, and San Jose.

6.1. Costco Parking Insufficient for Size

The amount of parking that Costco has proposed is inadequate to meet the requirements of the site.

However, according to page ES-5 of the DEIR, the square footage for the proposed Costco is total of 165,148 square feet with, while according to page 9, it will have 687 parking stalls dedicated to Costco.

For reference, in this Costco 11-13-2015¹² proposal to build a Costco in Central Point Oregon it states that, "Costco is proposing to build a warehouse having roughly 163,000 sq. ft. For a warehouse of this size Costco has discovered through their experience from building over 600 warehouses that 800 parking stalls (+/-) are needed to effectively handle the volume of members that use their facilities."

Therefore, according to Costco's own previous experience with building Costcos, 687 parking spaces are ~120 too few parking spaces for a Costco of comparable size.

For comparison, according to file number 18-0151¹³ from the Sunnyvale city council use permit review, the Sunnyvale Costco, which occupies a 12.8-acre site and is a 137,450 square foot building, there 740 parking spaces. I have also seen references that indicate that the Sunnyvale site has 838 parking spaces and is a 140,000 square foot building, but I haven't been able to find an official use permit that says either way. Whether it is 740 or 838 parking spots, and whether the Sunnyvale Costco is 137k or 145k square feet, the Sunnyvale Costco is smaller than the proposed Costco, has more parking spaces, and does not share the site with any other businesses, and still has a very busy / full parking lot.

Of those dedicated parking spaces, 381 of the dedicated Costco parking spaces will be on the roof, which will only be accessible by a single ramp up and down the building, which will inevitably will cause traffic flow issues that will make shoppers at Costco less inclined to use this space and more likely to try to park in other areas, either behind the Costco or in front of other businesses. If Costco wants the roof parking spaces to be utilized, it would be a good idea to:

- Have two ramps: one to go up, and one to go down. This will help ease congestion issues and make it more likely that the provided spaces will be used.
- Incentivize shoppers to use this parking lot in some way. Something like having shoppers tap their Costco cards and after X# of times using the roof parking, they get Y reward.

¹²https://www.centralpointoregon.gov/sites/default/files/fileattachments/community_development/project/934/costco_findings_11-6-2015.pdf

¹³<https://sunnyvaleca.legistar.com/LegislationDetail.aspx?ID=3352424&GUID=D84AA800-CF32-4495-B242-9F99F2F83607&Options=&Search=&FullText=1>

While I understand that the Costco proposal adds an additional 280 parking spaces, per page 9, beyond the existing parking spaces, the amount of traffic that came to the various businesses when all spaces were full was never the equivalent of the number of customers that the DEIR is predicting.

In part because they drew customers that were local to the area, who could walk. In part because multiple business of different types draw customers at different times of day, instead of having of roughly the same types of day. E.g., a yoga studio or nail salon gets traffic at a different time of day than a grocery store, etc.

Because the amount of dedicated parking that Costco is proposing is both inadequate, and as currently designed a portion of the parking will be harder to get to, this means that:

- Customers will park in the parking lots behind the shopping center, and in the neighborhood bordered by Graves Ave, unless they are prevented. This will increase the Risk to the safety of residents in the Country Lane neighborhood.
- Costco shoppers will take up parking spaces that are not dedicated to the proposed Costco.

Because of the traffic flow issues in the parking lot, congestion in the parking lot is also going to result in safety issues crossing the parking lot on foot.

The DEIR mentions that the 300 employees will have access to public transit passes, but there's no information on the % rate that such benefits tend to be used. The plan should define an employee parking Plan that clearly articulates things like:

- Dedicated parking for staff.
- Defined monetary perks for staff who carpool.
- Would Costco be open to providing staff with shuttle service from Caltrans and/or Light Rail to coincide with shift changes.

I'll talk a bit more about what San Jose, or more specifically VTA, could do to bring additional public transit to the region to make the public transit benefit more useful in a later section.

I realize that the DEIR explored alternatives of:

- Reduce the size of the Costco so the amount of dedicated parking is adequate.
- Add more parking by building underground parking.
- Building somewhere else

However, the DEIR has not proposed the fairly obvious option to increase parking.

- Build a 2 story above ground parking garage to double the parking to the west of the Costco.

I appreciate that zoning makes no differentiation between a box warehouse store and the nail salon where I get my nails done before a big family event or the Trader Joes where I buy my

everyday food staples, but I think anyone looking can see that there is a big difference between them.

6.2. Issues with the Proposed Parking Lot

The parking in front of the Trader Joes side of Westgate West and on the Sprouts side is already very difficult to use and has terrible traffic flow with multiple pockets where cars stack up.

While I appreciate that the flow of traffic from the turn light on Saratoga Ave will now curve as opposed to going at a straight angle, but the proposed changes don't entirely resolve the existing flow issues within the parking lot, which currently result in, admittedly minor, accidents.

Here are the issues that I have observed over the last 12 years of using and going through this parking lot:

- The way traffic in front of Building B & C intersects with cross traffic trying to enter/get out of the parking lot has low visibility in places
- Contentious right of way between Building B & C traffic and traffic entering / leaving the parking lot results in fender benders.
- Because the flow of traffic is north-south between Building A & B, but east-west on the east side of pad G, this causes flow problems through that area of the parking lot.
- Cars parked in the lot immediately in front of Buildings D are trapped, and will sometimes aggressively drive to escape, which brings cars into conflict from cross traffic with cars leaving the east side of the parking lot and into the west side of the parking lot. See the screenshot of Westgate West that I included early in my comments.
- Cars continually compete for parking in front of the Trader Joes, a store a fraction of the size of the Costco, and pedestrians crossing from even one a row back have to be very careful not to be hit.
- Although the proposal removes building F, the proposed Bioretention basins recreate the inherent problem of Building F, it creates an island in the middle of the parking lot that vehicles have trouble getting around.
- The traffic barriers in front of Pad G create right of way conflicts as vehicles entering and leaving the Taco Bell contend with cross traffic attempting to enter/leave via Lawrence Expressway.
- The entire lot in front of Sprouts and Total Wine is a mess and continuously has fender benders. This project can't do anything about that lot, because it's owned by different people, but given that the proposed parking is inadequate for the size of the Costco, the Costco customers will go over to the east side to park, which will only exacerbate the problems in the lot.

For reference, I am including a map of both the west side of Westgate West, and the east side from Google maps, which is not included in the DEIR, but will be impacted by this project. I have highlighted in red the areas where there is bad flow that results in accidents and that will not be resolved by the proposed changes in the DEIR.

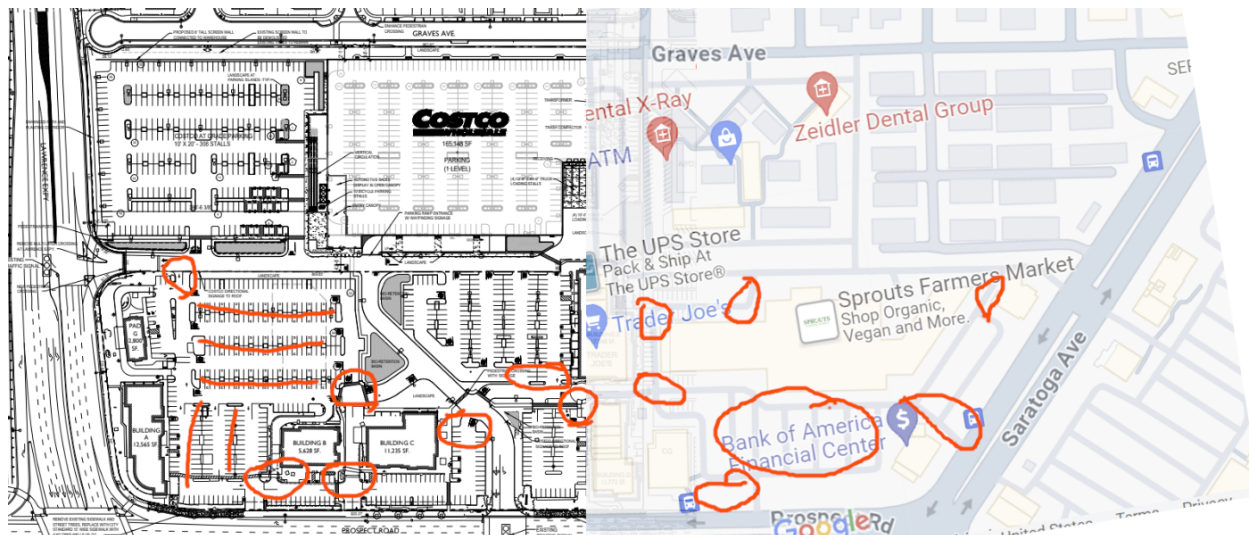


Image: Parking issues at Westgate West

6.3. Walking or Cycling to Shop

I am concerned that if the Costco goes into Westgate West, I will no longer be able to walk or cycle to the businesses at Westgate West. Either because it won't be safe to cross in front of Westgate West on foot, or because those businesses cease operation.

That means that going forward, I will drive more to go shopping. The DEIR does not currently capture that kind of vehicle miles traveled (VMT), which should be part of the analysis when calculating the VMT gained by adding a Costco in this location.

As the city planners are evaluating whether or not to move forward with this project, I urge the city planners to think about the city of San Jose's goals to encourage the use of non-automobile transportation modes, improve walking and bicycling, and facilitate non-automobile trips.

On page 217, the DEIR acknowledges that this project, "Due to the function and operational characteristics of the Project site as a retail warehouse building, the Project is not anticipated to add substantial trips to the existing pedestrian, bicycle, or transit facilities in the area."

This makes sense, Costco sells bulk products. While the proposed Costco will have 10 bicycle racks, they won't be usable by anyone shopping at the proposed Costco.

The sort of planning that your office does has to be very forward focused, and think about not just next year, but twenty years from now. If this Costco goes in, that means that entire area will never be able to transition to a walkable or cyclable space for use by local residents.

6.4. Actual Economic Benefit of the Project Unclear

Given the predicted number of customers on a daily basis, it is probable that the other businesses in Westgate West will struggle to stay in operation. Whether we are talking about small businesses that have narrow profit margins, or corporate locations that will see a dip in profits for that location, that will put both types of business at risk of closing.

When reviewing the economic benefits of the project, I am asking the city planners to look at all the existing businesses in Westgate West and consider the economic benefits or deficits of moving forward with this project. E.g.,

- Add up the amount that the other businesses bring in to the city.
- Include the amount from the businesses that have been closed because of the project. I.e., Good Will and Smart and Final, or will close Dominos, Dance studio, health clinic, etc.
- Identify if the amount the proposed Costco will bring in.
- Determine if it's actually going to be value add to the economic health of the region.

6.5. No Plan to Protect Other Businesses

Even without such a study, the plan should include mitigating Controls to prevent Costco customers from harming the other businesses at Westgate West.

Changes to the parking lot to ensure non-dedicated parking spaces can't be used by Costco shoppers. e.g.,

- Put in barriers
- Have Costco shopping carts lock if they outside of dedicated parking areas.

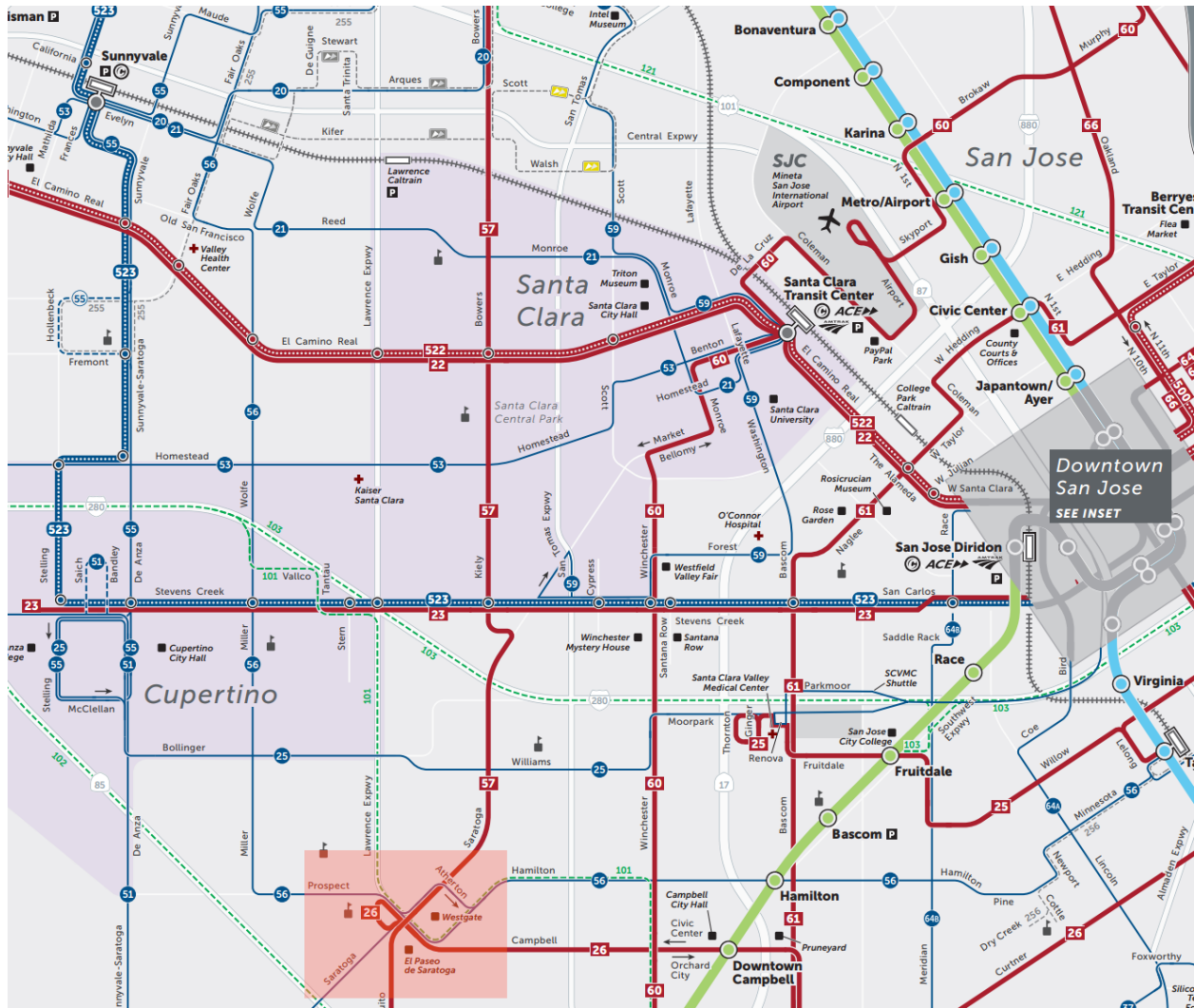
6.6. Improve Local Public Transit

Since the proposed Costco projects to have 258-300 employee trips traveling to and from the site, and has mentioned that Costco will provide staff with public transit benefits, and separately there are multiple housing projects coming into the area, the city of San Jose should consider how to work with the Valley Transit Authority (VTA) to bring more public transit to the area.

There have been occasions where I've looked at taking public transit to downtown San Jose, or to work along the Caltrans route, and it's never been feasible because it always takes too many connections to get anywhere in a reasonable amount of time.

While page 211 of the DEIR references the public transit that visits the region, and mentions the frequency of the buses, I am including a map for reference based on the region wide VTA map¹⁴ with Westgate highlighted in red.

¹⁴ Map of VTA System. <https://www.vta.org/sites/default/files/2024-01/VTA-System-Main-Map.pdf>



None of the buses that visit the region go directly to the various city centers in the region that have a concentration of jobs or affordable housing. The 56 and 57 buses cross the Caltrans lines, but do not stop at a Caltrans station. Taking the 25 or the 56 does go to the light rail, but that means anyone coming in / out of downtown San Jose has to take a bus, the light rail, and then given the location of San Jose Diridon, another connecting bus or light rail to get where they need to go.

Given both the increased housing going in the area, the Costco employees, and considering San Jose's Urban Village plan, San Jose should work with the VTA to:

- Conduct a study to identify what new bus routes to city centers and rapid transit could be expanded. I suspect that should include:
 - an express bus along Lawrence Expressway to/from a Caltrans station, and that stops at the Kaiser in Santa Clara.

- If possible with existing right of ways and or leveraging an elevated rail on an expressway, consider expanding one or more of the various light rail options into the West Valley.

7. Clean Energy & Water Usage

I have a lifelong interest in clean energy and energy efficiency.

While I appreciate that the site will be opting into "PG&E's Solar Choice Program," as described on page 41 and 103 of the DEIR; however, what can be opted into may be opted out of at a later time once the building is in place. There needs to be some sort of enforcement mechanism to ensure that Costco continues to opt into this program.

Given this is new construction, Costco should be required to implement on-site generation of renewable energy. This would be in support of Policy MS-2.2 "Encourage maximized use of on-site generation of renewable energy for all new and existing buildings," as referenced on page 94 of the DEIR and page 4 of the Envision San José 2040 General Plan¹⁵ and help San Jose's meet our goals are articulated in the San Jose's Climate Smart Plan¹⁶.

Ways this new construction could incorporate on-site power generation,

- Solar panels over some or all of the new parking that will be built after the demolition of the old OSH building.
- Solar panels on top of the roof parking.

A new building is an opportunity for improvement.

- Look into the feasibility of the site investing in power bank batteries to support energy needs when the power goes out. This investigation should include a study that:
 - Gets data on the number and length of power outages in the last five years for that section of the power grid.
 - Based on that data, calculates the number and length of power outages that might occur for the next 20 years,
 - Determines the amount of fuel that would be required to run emergency power at the proposed Costco site based on the potential power outages.
 - Based on the potential cost of the fuel and the amount of emissions that would be made as a result of power outage, identify if power bank batteries should be required or merely recommended.
- Look into the feasibility of recycled water wherever feasible and cost-effective to serve existing and new development," as referenced on page 96 of the DEIR
 - Calculate the water usage of the plants and trees as proposed in Figure 2.5-4 of the DEIR for the next twenty years.
 - Identify the potential cost and amount of water for the next twenty years.

¹⁵<https://www.sanjoseca.gov/home/showpublisheddocument/22359/637928744399330000>

¹⁶<https://www.sanjoseca.gov/your-government/departments-offices/environmental-services/climate-smart-san-jos>

- Obtain information on the amount of water that could be potentially reclaimed for gray-water use at a comparably sized Costco facility over the course of year.
- Uses this information to calculate the potential amount of gray water that could be reclaimed from the Westgate West site for
- Determine if there is a sufficient benefit to San Jose water savings, and cost efficiencies for Costco over time, to require or recommend that gray-water reclamation infrastructure be included in the building design.
- Consider the incorporation of underground geothermal heat pumps, also referred to as geoechange systems, as described on the attached department of energy website¹⁷ if they could be built in a way that doesn't cause the various health hazards the DEIR discussed with regards to underground parking.

Note: I appreciate that the design, as described on page 103 of the DEIR, incorporates, "Reclaim tanks are used to capture heat released by refrigeration equipment to heat domestic water in lieu of venting heat to the outside." However, this is building that will be there twenty, thirty, forty years from now. We need to be forward planning.

8. Summary

I don't believe that a Costco is a good fit for the Westgate West location for all of the reasons that I've articulated in detail above.

It will increase the danger to myself, my family and every other pedestrian and cyclist in this area, will present a particular danger to the children in the region, and move West Valley away from becoming an Urban Village rather than towards it.

Given San Jose's commitment to be a Vision Zero city that "reduces and eventually eliminate traffic deaths and severe injuries¹⁸", the simplest course of action would be to not approve a box warehouse for this location. If the city of San Jose does move forward,

- Please upgrade the existing mitigating Controls to ensure the safety of residents as articulated in each detailed section.
- Add protections to preserve walkable businesses
- Improve the proposed plan to better support climate change planning

I want to thank you for taking the time to read my comments for any efforts that you expend incorporating those comments into the review of the finalized EIR.

Sincerely (again), Crystal Carroll, English Estates

9. Tables and Images

- Image: [English Estates](#)
- Table: [Other Projects Size](#)
- Image: [Additional Housing projects](#)
- Table: [Vehicle Trip Breakdown by Road](#)

¹⁷ <https://www.energy.gov/energysaver/geothermal-heat-pumps>

¹⁸ <https://www.sanjoseca.gov/your-government/departments-offices/transportation/safety/vision-zero>

- Image: [Map of Westgate West + Dentists Offices](#)
- Image: [1 Example of Traffic from Westgate West thru the Country Lane Neighborhood](#)
- Image: [Johnson Ave and surrounding neighborhood](#)
- Image: [Neighborhood between Saratoga and Prospect](#)
- Image: [Quito road in combination with Figure 7 from Transportation Study](#)
- Image: [Areas north and south of Campbell Ave and Hamilton Ave east of Westgate West](#)
- Image: [Parking issues at Westgate West](#)

10. Definitions

- **Control**¹⁹: A measure that is modifying Risk. (Note: controls include any process, policy, device, practice, or other actions that modify risk.)
- **Effectiveness**²⁰: The extent to which planned activities are realized and planned results achieved.
- **Gateway**²¹: Gateways are locations which announce to a visitor or resident that they are entering the City, or a unique neighborhood.
- **Likelihood**²²: Chance of something happening. A weighted factor based on a subjective analysis of the probability that a given threat is capable of exploiting a given vulnerability or a set of vulnerabilities.
- **Residual Risk**²³: Portion of Risk remaining after controls/countermeasures have been applied.
- **Risk**²⁴: A measure of the extent to which an entity is threatened by a potential circumstance or event, and typically a function of: (i) the adverse impacts that would arise if the circumstance or event occurs; and (ii) the likelihood of occurrence.
- **Severity/Impact**²⁵: The magnitude of harm that can be expected to result from the consequences of the occurrence of an incident.
- **Urban Villages**²⁶: Areas that include residential and jobs-based developments; have access to transit; and are walkable and bicycle-friendly.

¹⁹ <https://csrc.nist.gov/glossary/term/control>

²⁰ <https://csrc.nist.gov/glossary/term/effectiveness>

²¹ From page 20 of the DEIR

²² <https://csrc.nist.gov/glossary/term/likelihood>

²³ https://csrc.nist.gov/glossary/term/residual_risk

²⁴ <https://csrc.nist.gov/glossary/term/risk>

²⁵ <https://csrc.nist.gov/glossary/term/impact>

²⁶ <https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/citywide-planning/urban-villages>

Comment Letter 119

Costco Project

Debra Remley <[REDACTED]>

Mon 2/12/2024 12:50 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Dear Ms. Hawkins, Mayor Mahan, San José City Council members, and Planning Commission Chair Lardinois:

I am writing to provide feedback on the proposed Westgate West Costco project. I have reviewed the issues raised by the Save West Valley Citizens Group and fail to see the validity of its concerns.

We have lived in the Rancho Rinconada neighborhood & shopped at Westgate West businesses for the last 40 years. There were previously 5 or more businesses, open to the public, within the proposed Costco project area. Costco is for members only, not the general public, and will probably only serve citizens in the immediate area, who are willing to pay the annual membership fee. This will likely generate far less traffic than the traffic from the number of businesses that previously occupied the site. There appears to be adequate safety measures already in place for pedestrians and bicyclists.

I would much rather see a development where the neighbors have the option to shop than high density housing which typically creates more traffic issues than a business.

Sincerely,

Jay & Debra Remley

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Comment Letter 120

Feedback for Westgate West Costco DEIR, File no. CP21-022

jean devera [REDACTED]

Mon 2/12/2024 11:26 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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I have reviewed the draft EIR for the proposed Costco and am providing my feedback.

Background

As a point of reference, I have been a resident of Country Lane, the neighborhood which borders the north side of the Costco project, for over 30 years. I have also been a Costco member for over 10 years.

General Neighborhood Information

When I moved to this neighborhood, one of the things I loved most about it was that it offered so many products and services right in the neighborhood. I could walk or drive less than one mile for items such as groceries, hardware, office supplies, auto repairs, medications, package mailing, restaurants, exercise, and even AAA service. Since the planned redevelopment of El Paseo and the sale of Westgate West, nearly all of the nearby businesses that I used to frequent for shopping or services have closed - or will soon do so. I now drive out of the area for most of these things. About the only remaining neighborhood store I continue to patronize is Trader Joes. However, I am concerned that if the Costco goes in, parking and traffic will make that location unusable and once again, I will be driving out of the area for a similar store.

While I am a Costco member, my shopping trips there occur once a month or less. When I do go, I also usually get gas. I am unlikely to change my Costco shopping location due to the presence of the proposed new Costco So, in my case, the proposed Costco won't result in fewer miles driven and I am actually increasing my miles driven to replace the stores and services that no longer exist in the neighborhood.

Envision San Jose 2040

I know that San Jose has a long-range plan for the city that includes a vision for Urban Villages which would support "live, work and shop" in the same area. The goal of these villages would be such things as reduced traffic, increased pedestrian and bike access, and improved safety. I strongly support such a concept for our city. It is my understanding that the west San Jose area

where the Costco is proposed to be built is targeted to become of these areas, However, the addition of a big box warehouse store like Costco to the exclusion of smaller, more diverse businesses is not moving in the right direction. In fact, my neighborhood has moved further and further away from such an idea in the years I've lived here. Additionally, Costco is a membership store and as such, will not serve all members of the community but all residents will be affected. If Costco is allowed to build here, it's lasting impact on the neighborhood and it's future will long outlast the 2040 vision goal. I know that the planning the Costco development began before Envision 2040 was finalized but the my understanding is that the decision to greenlight the project is still not final. There is time to develop a better plan which incorporates the city's goals. This is the time to take the right action for San Jose's long term benefit.

Area Traffic and Safety Concerns

I have many concerns regarding the impact of this proposed store, including environmental impact, noise, and pollution. However, my most significant concern is around the issues of traffic and safety. The EIR indicates that the proposed store would add 11,000 additional auto trips per day. This is in an area that has been designated a Priority 1 Safety corridor and one where traffic is already an issue. The two major access roads that would serve this facility, Lawrence Expressway and Saratoga Avenue, are already overloaded. Level of Service on Lawrence is already at D and E level without Costco. Additional burden will be put on these roads by the planned redevelopment of El Paseo to add approximately 1,000 new residential units as well as additional retail stores. Other new residential units are also planned in the area. It is unclear if the impact of the El Paseo changes and others development projects were adequately factored into the EIR.

Very recently, the portion of Saratoga Avenue nearest the project was reduced from 6 lanes to 4 as a safety measure. This was done because of existing concerns about bicycle and pedestrian safety. Adding 11,000 more vehicle trips per day to an already congested area, now with fewer traffic lanes, will certainly not make this area safer. Also, these changes were not incorporated into the traffic assessment done as part of the draft EIR.

Also, the EIR traffic study looked at peak traffic during what is considered to be rush hour. However, there is a high school diagonally across from the site that generates significant traffic congestion, especially upon school dismissal. The EIR did not evaluate traffic during this time on both Prospect Road and Lawrence Expressway.

Country Lane Specific Concerns

As a resident of the area just north of the proposed Costco, I also have significant concerns regarding adverse impact on my immediate neighborhood. It is quite possible that the increased traffic congestion on Lawrence Expressway and Saratoga Avenue will cause drivers to divert through the Country Lane residential area to reach Costco. This is even more of a concern if the driveways along Graves Avenue are allowed to remain open for customer and truck access. Drivers, many using traffic apps, will seek the point of least congestion, regardless of the fact that it might take them down residential streets not designed for that level of traffic flow. If this happens, it will put too much traffic in a residential area, endangering students at several schools including Country Lane Elementary as well as other pedestrians, bicyclists and motorists. As a frequent pedestrian and motorist in the neighborhood, this gives me significant safety concerns for both me and my neighbors. Also, in questioning the team that drafted the EIR, they indicated that this possible impact of the project on adjacent neighborhoods was not included in the EIR.

Suggestions/Mitigations

Given that this project does not fit with the city's goals and causes major traffic and safety concerns, I believe that ***the best solution is NOT to approve the Costco project.*** Please understand that I am not against development of this site for retail and other services. In fact, I would very much like it to be developed. However, a membership warehouse store like Costco does not belong adjacent to a residential area. This is particularly true here where we do not have the necessary traffic infrastructure to support it. And in the long term, it goes completely against ideas such as the Urban Village concept and other future goals for the city of San Jose.

While I very strongly believe this project should not go ahead at all, if it is still approved, I believe the following mitigations/changes need to be added:

- Close all vehicle access from Graves Avenue. This will help to minimize diversion of traffic through residential neighborhoods.
- Redo the traffic study done in the Draft EIR to include the impact of the reduction in the number of traffic lanes on Saratoga Avenue by one third.
- Perform an assessment of the traffic impact on Prospect Avenue and Saratoga Avenue during school dismissal time.
- Consider a pedestrian overcrossing for students and pedestrians crossing Prospect Avenue to increase safety on a very busy corner.
- Add additional pedestrian safety measures throughout the site and along Lawrence Expressway and Prospect Ave.
- Evaluate impact of potential traffic increase in residential neighborhoods to the north caused by customers trying to avoid congestion on Saratoga Avenue, Lawrence Expressway and Prospect Road.
- Provide measures to minimize/reduce traffic, speed and safety risks in residential neighborhoods caused by traffic diverting around major roads. These might include such things as permitted neighborhood parking, traffic calming measures, and other actions to minimize traffic flow and reduce the risk of accidents.
- Ensure that the EIR adequately projects additional traffic from all planned developments in the area.

I know that you share my desires for a safe and thriving city. Thank you very much for your consideration of my serious concerns as we work toward that goal.

Sincerely,

Jean deVera
Country Lane Neighborhood

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Comment Letter 121

Feedback for Westgate West Costco DEIR, File no. CP21-022

Kar Kla [REDACTED]

Mon 2/12/2024 2:05 PM

To:Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Dear Ms. Hawkins,

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

My spouse and I frequently cross Lawrence on foot from Saratoga into San Jose to go shopping for groceries. We are now concerned for our safety given the expected traffic increase. Please reconsider allowing this proposal to be accepted without further consideration of pedestrian safety on Prospect and Lawrence in this region.

Regards,

Karen Klaas [REDACTED]

1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered "most dangerous for bike traffic"

by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city's Vision Zero plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. The many students who take public VTA buses are forced to walk across this intersection at least twice a day in order to reach their stops.

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Comment Letter 122

From: Barbara Bailey [REDACTED]

Sent: Tuesday, February 13, 2024 10:43 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>

Subject: Westgate West Costco DEIR Feedback, File no. CP21-022

[External Email]

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Dear Mayor Mahan, Vice Mayor Kamei, Ms. Hawkins, San José City Council members, and Planning Commission Chair Lardinois,

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) and attended Vice Mayor Rosemary Kamei's meeting held at Prospect High School. I am writing to share my feedback, concerns, and requests.

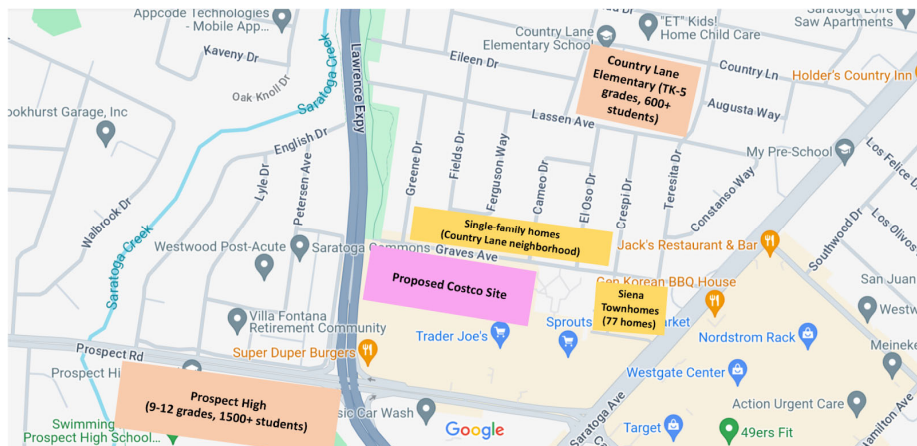
- 1.
- 2.
3. **The DEIR Omits Pedestrian and Cyclist Safety Data**
- 4.

As a parent of both current and future Prospect High School students who daily walk and ride their bikes from our home, in the Country Lane neighborhood behind the proposed Costco project, to school daily, the greatest concern is the safety of pedestrians and cyclists if the proposal is approved.

Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered "most dangerous for bike traffic" by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city's [Vision Zero](#) plan *due to existing dangerous conditions*.

Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-

provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.

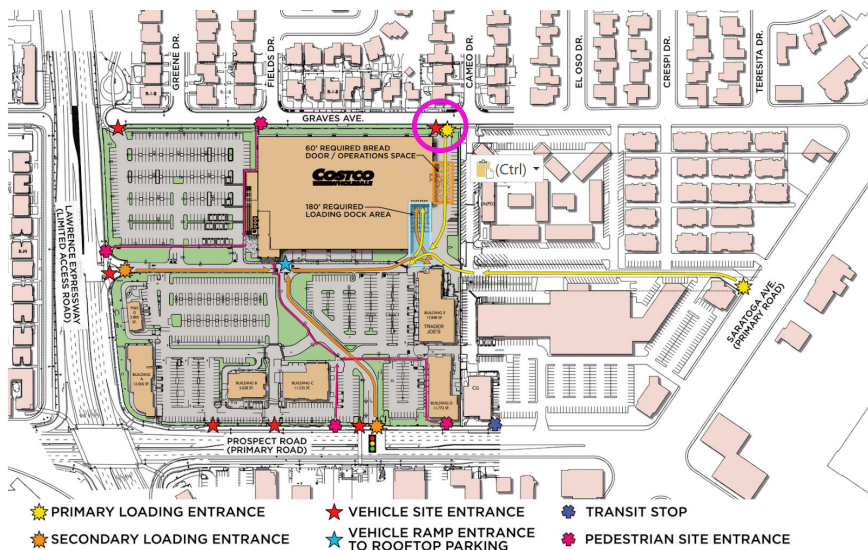


Surprisingly, the study completed by Kimley-Horn includes ***no data on pedestrian and cyclist conditions***.

During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by the additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are priority safety corridors according to the City of San José.

2. The DEIR omits data from areas directly North of the proposed Costco

Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane *residential* street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costo's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

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- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation*
- *opportunities within the Project area to support businesses and increase pedestrian activity*
- (page 12)
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- *Objective #11: Minimize potential access and circulation conflicts between automobiles*
- *and pedestrians within the Westgate Shopping Center and adjacent roadways*
- (page 12)
-

The [Envision San José 2040 General Plan](#) also includes the following:

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- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes*
- *to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
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- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable*
- *safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
-
-
-
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists*
- *and pedestrians along development frontages per current City design standards.*
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-
-
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating*
- *transportation impacts of new developments or infrastructure projects.*
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-
-
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle,*
- *transit, and vehicle access and circulation on streets with truck travel.*
-

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements *must* include the **closing off the full-access point at Graves Avenue and Cameo Drive** for Costco trucks, shoppers, and vendor vehicles. As a crossing guard for 19 years, I am well aware of the risks students take just to walk to their elementary school. Even with a freshly painted crosswalk, speed tracking sign, cone in the middle of the street, and crossing guard, cars still sped by if they were in a hurry. Many times I, with my adult frame and held up stop sign, would have to jump back in order to not be hit. The *only* way to truly protect walking students is to do everything possible to limit neighborhood traffic to the neighborhood only. In this case that means eliminating access to Costco from Graves Avenue and Cameo Drive.

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- The residential roadways should not be used to access Costco development. Other
- Costco warehouses in the Bay Area do not access residential streets. Examples (Costco – Almaden, Costco – San Leandro, Costco – Danville).
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- Remove Vehicle Driveway access through Graves Avenue: The proposed development
- should have no vehicle access or driveways along Graves Avenue. **This**
- **is Alternative B as studied in the DEIR Appendix I - Transportation Analysis which excludes access through Graves Avenue.**
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-
- A traffic study should include neighborhood protections if Graves Avenue access
- remains. A more thorough analysis of mitigations required to prevent impacts to the residential community should be identified in the DEIR to include traffic calming and other measures that would be the responsibility of the developer. This could this require
- several years of monitoring and additional mitigation projects for the safety of students and pedestrians.
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-
- A full perimeter fence should be installed (with no pedestrian access directly
- into Costco) along Graves to prevent Costco members or employees from intruding into the neighborhood for parking.
-

See examples of perimeter fencing at Walmart Superstore protecting neighborhood intrusion and soundwall at Almaden Costco which prevents vehicle access through residential. Similar requirement for Walmart Superstore.

This fence or soundwall should continue along the easterly property line to the medical offices to protect the neighboring business from parking intrusion and provide additional visual and noise mitigation. Examples in San Jose below.



Perimeter Fence for
Neighborhood Protection: Walmart Superstore (5095 Almaden Expwy) perimeter fence on
Cherryview Lane with no vehicle driveways into Walmart.

A full perimeter fence or soundwall should be installed (with no pedestrian access into Costco) along Graves Avenue. This will prevent Costco members or employees from intruding into the neighborhood for parking.



Almaden Costco

sound wall separating residential neighborhood.



Danville Costco, full length perimeter sound wall and large landscape to screen warehouse from residential.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

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- Prospect High - Prospect/Lawrence, Saratoga/Prospect
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- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita,
- Lassen/Brenton, Lassen/Crespi, Lassen/El Oso
-
-
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- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
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-
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves
-

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be **irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.**

3. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. Additionally, there is no analysis for the El Paseo de Saratoga mixed use 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete data, the studies and predictions in the DEIR are invaluable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, “Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM” (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are “less than significant” traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to

be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a *major disruption to the lives of residents by creating constant traffic congestion*, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, *emergency response vehicles will be delayed in reaching their destinations*, which may be the difference between life and death for victims. ***The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.***

4. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of

Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of volatiles and dust in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children’s health also needs to be included in the DEIR given the project’s proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It

is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

5. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as "locally and regionally accessible by multiple transport connections" on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the "engagement of local residents in planning the urban village" and "a mix of housing and employment to reduce traffic." The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco

representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

6. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project so informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José’s decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to “sit at the table” with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Barbara Bailey

Costco Member since 2000

Country Lane Neighborhood 95129

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Comment Letter 123

Feedback for Westgate West Costco DEIR, File no. CP21-022

Irene Economou

Tue 2/13/2024 1:47 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>

Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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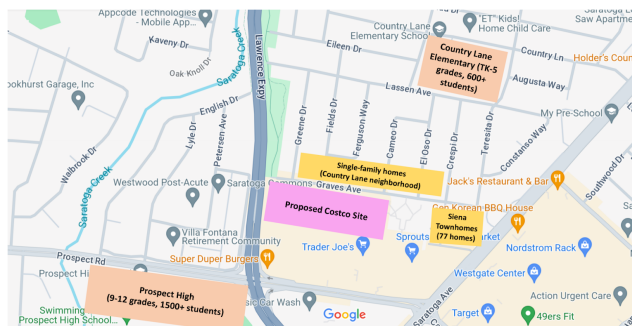
Dear Ms. Hawkins, Mayor Mahan, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered "most dangerous for bike traffic" by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city's [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern

due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.

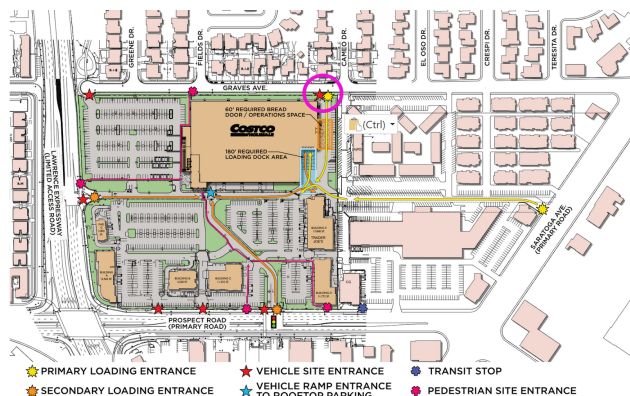


Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by the additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are priority safety corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a "cut through" for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the

25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis

of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as "cut throughs" to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. Additionally, there is no analysis for the El Paseo de Saratoga mixed use 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete data, the studies and predictions in the DEIR are invaluable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would "result in substantial noise-generating activities" (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the "noise is temporary, the Project would not result in a cumulatively considerable impact" (page 246) and the noise is reasonable because it does not exceed "airport- or or airstrip-related noise levels" (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers' radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center

(air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of volatiles and dust in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

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Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an "area of undue concentration." Since the proposed off-sale location is in an **over-concentrated census tract**, Costco's conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of "public convenience or necessity." It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe's, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Irene Economou

[REDACTED]
San Jose, CA 95129-4808

email: [REDACTED]

Mobile: [REDACTED]

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Comment Letter 124

Feedback for Westgate West Costco DEIR, File no. CP21-022

June Ong [REDACTED]

Tue 2/13/2024 6:10 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am writing to express my grave concerns regarding the proposed Costco site in our West Valley neighborhood. As a resident of Country Lane since 2010 and a parent of two children, aged 12 and 15, who attended Country Lane Elementary, I feel compelled to address the potential implications of this development.

I want to emphasize the personal impact that the proposed Costco project would have on my family's daily activities. I drive regularly through the areas of Lawrence Expressway, Prospect, Saratoga, Doyle regularly and it is already quite congested. My kids walk and bike to Prospect High School and to the shopping center with their neighborhood friends. We also enjoy family bike

rides along Saratoga/Prospect. If this Costco warehouse project is approved, we will no longer feel safe to engage in these activities. The increased traffic congestion and potential safety hazards posed by the project would significantly diminish our quality of life and restrict our ability to enjoy our neighborhood. This underscores the urgency of thoroughly assessing the project's impacts and prioritizing the safety and well-being of residents."

While I have been a Costco customer for over 20 years, I strongly believe that adding another Costco warehouse in such close proximity to existing ones raises significant issues. Our neighborhood already enjoys access to five Costco locations within a 15-mile radius, with the nearest being just 5 miles away. The proposed site's proximity to Country Lane Elementary, Creekside Park, and Prospect High School raises serious concerns about increased traffic congestion, particularly during school drop-off and pick-up hours.

Moreover, the proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road, impacting the intersection of Saratoga Avenue and Prospect Road, designated as Horizon #3. The warehouse's oversized structure on an undersized lot with insufficient parking, generating over 11,000 vehicle trips per day, contradicts the vision for an Urban Village in the Westgate and West Valley areas. This car-centric nature undermines the pedestrian- and bicycle-friendly environment sought in an Urban Village. Costco's projected traffic volume, minimal bicycle parking provision, and lack of transit accessibility further illustrate its incompatibility with the Urban Villages concept.

Additionally, the Costco project fails to align with Urban Villages' goals of job-based development and community engagement. Despite claims of job creation, the net impact falls short of Urban Villages objectives, and the proposal neglects to address housing needs or promote community involvement. This discordance with Urban Villages principles undermines the project's validity and highlights its adverse impact on traffic, safety, and community cohesion.

The California Alcoholic Beverage Control Act imposes limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7

in the area, making it an “area of undue concentration.”

In conclusion, I urge the City Council to:

- Prioritize safety and well-being by conducting thorough traffic assessments during school peak hours to accurately gauge the impact of the Costco development.
- Assess traffic in the Happy Valley neighborhood and extend the analysis to Saratoga/ Quito, Saratoga / Highway 85, which was not adequately addressed in the Draft Environmental Impact Report (DEIR).
- Develop detailed solutions to ensure the safety of pedestrians and cyclists, a crucial aspect not addressed in the DEIR.
- Must take into account the effects of the upcoming El Paseo urban village project and the proposed future housing projects on Quito and Prospect which will cause significant impacts on the environment, community, and traffic.
- Acquire more data around the Costco project to facilitate informed public review and leadership decisions, considering the significant gaps in the current DEIR.

Thank you for considering my perspective on this matter.

Sincerely,

June Ong

[REDACTED]
[REDACTED]

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Comment Letter 125

Westgate West Costco DEIR comment File No. CP21-022

Karen [REDACTED]

Tue 2/13/2024 1:53 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

Cc: District1 <district1@sanjoseca.gov>

[External Email]

Kara Hawkins
Department of Planning, Building, and Code Enforcement

Ms. Hawkins,

My name is Karen Wilcox and I have lived on English Court just off of Prospect Ave for almost 13 years. One of the main reasons we purchased this house was the neighborhood and its walkability.

As a resident, I go to Westgate West a couple of times per week to shop at Trader Joe's, Bev Mo, and Sprouts. Unless I am buying something particularly heavy (or it's pouring rain), I walk because the parking lot is already overcrowded and badly laid out. I have witnessed several fender benders between cars and many, many near misses between cars and pedestrians.

We also walk to many other businesses in the neighborhood (less so during Covid but we're getting back in the habit now) including Tomatina and Jack's (actually all of the restaurants in that location since we moved here) for family dinners. When we grab lunch on the weekends at Boudin, MOD Pizza, or Chipotle, we usually walk. When we see movies, we walk to the AMC Theaters and stop in at Rojas Wraps for dinner on the way. When I need a pair of shoes or some leggings or a spatula, I walk to Target. If I need a weird light bulb or some caulk, I walk to Ace Hardware. For a while, I worked at the H&R Block in El Paseo de Saratoga and walked there everyday. During that time, I was nearly hit by a car while walking along Prospect.

For the most part, the changes we have seen over the past 12 years have improved the usability of the neighborhood - moved it closer to a true Urban Village - but a bulk warehouse store would detract and set us back instead. I do not think the Westgate West site is appropriate for a store the size of Costco. One giant store (famous for being overcrowded at all times) replacing up to 12 smaller stores that used to be in that space is a bad decision for many reasons.

Adding a Costco with (according to the DEIR) an additional 11000 car trips a day without any changes to the streets or traffic flow would

make this shopping center unusable to me and my family. We need traffic changes to make it minimally safe for me (and the hundreds of kids I see everyday from Prospect High School). We would need pedestrian bridges for Lawrence and Prospect, better turn lanes (right and left) for the same intersection and the entrances into the shopping center, changes to traffic lights, and enforcement of the 25MPH school zone. Without these changes, I will always drive to a farther shopping center instead of walking (another car on the road that could have been a pedestrian).

If there's a Costco at Westgate West, I will not be able to find parking to shop at any of the other stores, because the new Costco will be larger than the Sunnyvale one with less parking. Again, I will always drive to a further shopping center adding more car miles multiple times per week.

Also, I was disappointed to see that the traffic studies in the DEIR focused only on commute or rush hour traffic instead of looking at traffic throughout the day. There are hundreds of kids walking along Prospect and Lawrence and dozens of kids and parents in cars just before school starts and after school ends. Adding hundreds more cars of Costco traffic to these already congested times needs to be analyzed and compensated for in the plan. As someone who lives across the street from the high school, I know that other increased traffic times (like school events such as graduation) force cars and people into the adjoining neighborhoods where they block driveways and make it difficult for residents to get in and out. We track the school calendar for the dates of the big events so that we can leave our house before it starts and come back well after it ends because it is such a hassle. I am very concerned that the increased traffic from the Costco could make this an every weekday occurrence and there is no analysis in the current DEIR that contradicts this.

Additionally, while the DEIR mentions some of the other projects in the neighborhood, there seems to be no attempt to calculate how the compound effects of these multiple projects will affect things such as traffic, pollution, and safety. The Costco will not be built in a vacuum - the El Paseo de Saratoga project with hundreds of residences and a Whole Foods grocery store is only two blocks away, already approved, and about to break ground. The final EIR should base the analysis of the effects of the Costco project on projections with the El Paseo project completed, not how it was a few years ago when the DEIR was started.

I also have health concerns with this level of added traffic. I have asthma and I necessarily track the daily air quality quite closely in the warmer months and during fire season. This many additional cars on the roads directly surrounding my home will likely mean an increase in the number of days every year where I am unable to go outside, let alone walk to the shopping center in question. Additionally, there are three different care facilities in my neighborhood, closer to the streets and the proposed Costco site than my house, full of people who will also be affected by poor air quality from the increased traffic. The DEIR mentions mitigations such as encouraging public transit and bicycle use but I question the legitimacy of these mitigations for a store such as Costco which deals mainly in bulk goods that cannot practically be carried by a person traveling by bus or bicycle. Even if someone could actually shop from Costco and carry the result on their bicycle, the plan does nothing to improve bicyclists' safety. Dedicated bike lanes on all of the surrounding streets should be the bare minimum, but only Saratoga Avenue has them due to the Vision Zero safety project.

Overall, I found the DEIR lacking in any serious analysis of safety, especially pedestrian and bicyclist safety. I understand that this is generally not part of the DEIR template, but it is the job of the planning department to consider that. This intersection of roads around

Westgate West is a challenging area from a jurisdictional standpoint (Lawrence is a county road while Prospect is split between San Jose and Saratoga), but that is no excuse not to provide residents with the safety measures that should be in place. These safety measures, as detailed by the Vision Zero Plan, must be in place before adding hundreds to thousands of cars to these roads everyday.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Karen Wilcox

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Comment Letter 126

Feedback for Westgate West Costco DEIR, File no. CP21-022

Marc Barberis [REDACTED]

Tue 2/13/2024 9:18 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

In light of the recently published draft Environmental Impact Report (EIR) concerning the proposed Costco construction at the intersection of Prospect Road and Lawrence Expressway, I was musing about reading in a local newspaper:

San Jose set to approve Costco site next to High School

No impact study on students walking to & from school

Nesting birds and historical artifacts are safe

In this final correspondence concerning the proposed Costco construction project, I aimed to encapsulate the key points discussed in my previous seven letters, but I find myself having to emphasize new awareness arising from the informational session facilitated by Vice-Mayor Kamei on February 5.

During that session, the individual overseeing the preparation of the Draft Environmental Impact Report (DEIR) disclosed that no assessment of the proposed Costco's impact on pedestrians had been undertaken "*because it was not required.*" This revelation raises significant concerns regarding the planning commission's approach to evaluating the potential ramifications of constructing a Costco store in close proximity to a school without accounting for pedestrian safety, especially for high school students.

Characterizing this oversight as a mere red flag would be an understatement—it is nothing short of shocking. Would you look forward to reading an article titled as above in a local newspaper?

I'll let you ponder that possibility, and I will simply summarize the other main points below.

- The intersection of Lawrence Expressway and Prospect Road is already (without Costco) unsafe for pedestrians, and this includes hordes of high school students twice a day. The addition of Costco makes this dangerous situation worse.
- The introduction of Costco at this site threatens nearby businesses, including those cornerstones of our community that are Trader Joe's and Sprouts.
- Little was done in consideration of bike traffic on the popular bike route that is Prospect Road
- The traffic study is woefully inadequate, and new statements by the individual overseeing the preparation of the DEIR made clear that traffic in the neighborhood directly North of Costco as well as Saratoga and Cox avenues South of Prospect was not considered at all. This is in addition to all the other problems mentioned earlier (no accounting for changes in traffic pattern on Saratoga or, shockingly, for school traffic!)
- Clear noise disturbances, even under optimistic conditions, are simply brushed aside as "less than significant". This includes 78.5dB (louder than a leaf blower) from the tire center for residents across the street, or the equivalent to an audible conversation in residents' bedrooms at night during construction.
- The site is too small for such a project and threatens to displace other businesses, in addition to turning this vibrant part of our community into a traffic nightmare with a high risk of pedestrian casualties
- There are regulatory issues regarding the sales of alcohol, the zoning for that site
- The touted benefits are very questionable as a whole, as any increased sale at Costco comes to the detriment of other local businesses (or other Costco sites)

Finally, this project represents a missed opportunity to capitalize on key initiatives such as San Jose Urban Village, San Jose Vision Zero, and San Jose Climate Smart.

I strongly urge you to reconsider the timeline for the approval of this project, in order for a more realistic, comprehensive study to take place, critical issues to be clearly identified, and proper remediation measures to be strictly enforced.

Thank you for your time and consideration.

Sincerely,

Marc Barberis

[REDACTED], Saratoga, CA 95070

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Comment Letter 127

Feedback for Westgate West Costco DEIR, File no. CP21-022

Mohammad Raza [REDACTED] >

Tue 2/13/2024 8:51 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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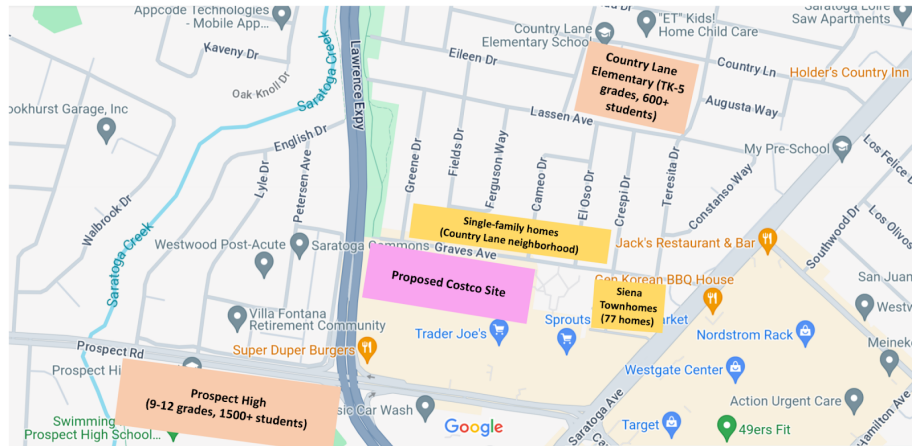
Dear Ms. Hawkins, Mayor Mahan, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect

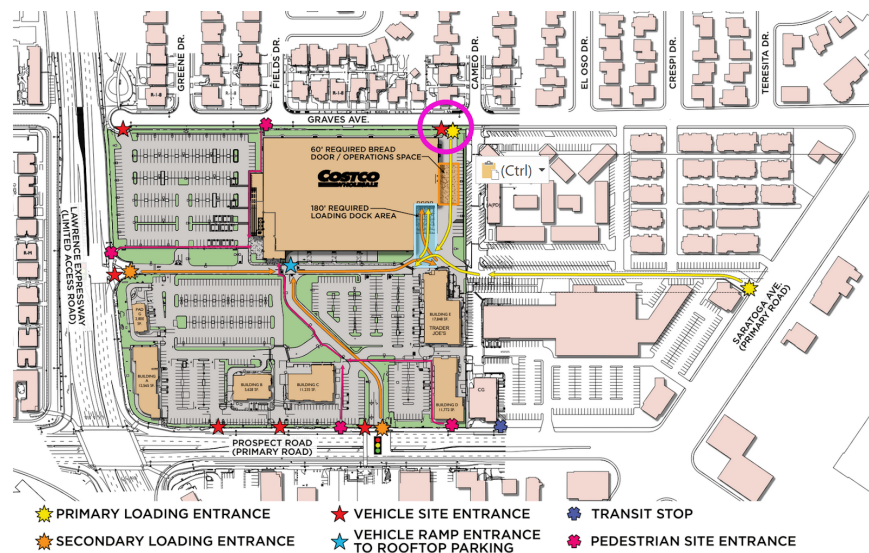
High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by the additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are priority safety corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is

only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costo's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*

- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as "cut throughs" to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed

before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. Additionally, there is no analysis for the El Paseo de Saratoga mixed use 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete data, the studies and predictions in the DEIR are invaluable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents

with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially

from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of volatiles and dust in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land,

air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square

foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as "locally and regionally accessible by multiple transport connections" on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of

42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader

Joe's, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

MOHAMMAD RAZA

QUITO/SARATOGA NEIGHBOURHOOD (ZIP CODE 95008)

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Comment Letter 128

My comments on the proposed Westgate Costco project

nibor53 [REDACTED]

Tue 2/13/2024 6:15 PM

To: Atienza, Manuel <Alec.Atienza@sanjoseca.gov>

Cc: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Burton, Chris <Christopher.Burton@sanjoseca.gov>

[External Email]

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

Please allow Costco to be built on proposed site at Prospect location. The vast majority want this very much. The few minority that don't are making lots of stink that isn't in the best interest of the community. Their complaints are really not valid and very self serving to their needs not the community at large. If Costco doesn't go in there they will be complaining about the next thing. We can't keep the area to be the same as 40 years ago. The entire area is growing up and we need services like Costco to meet the evolving communities needs. Right now the area is a eyesore

Thank you

Sent from my iPhone

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Comment Letter 129

Feedback for Westgate West Costco DEIR, File no. CP21-022

Scott Segerstrom [REDACTED]

Tue 2/13/2024 11:09 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

<your comments go here>

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

<Your Name and neighborhood go here>segerstrom in Brookview. You all have lost your mind. Not even feasible. Who is pulling strings???

Sent from my iPhone

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Comment Letter 130

Feedback for Westgate West Costco DEIR, File no. CP21-022

Connie Tietze [REDACTED]

Wed 2/14/2024 9:25 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

Please note that the letter below is being emailed for Barbara Gagner as she does not have an email account or access to the internet.

Barbara Gagner
Shady Avenue
San Jose, CA 95129

February 14, 2024

City of San Jose
Department of Planning, Building, and Code Enforcement
Kara Hawkins, Planner
200 E. Santa Clara Street, Tower 3rd Floor
San Jose, CA 95113-1905
Kara.Hawkins@sanjoseca.gov

VIA U.S. MAIL AND EMAIL

Re: Draft Environmental Impact Report for Westgate West Costco Warehouse Project
File No. CP21-022

Dear Ms. Hawkins:

I am a 45-year resident of the Country Lane neighborhood and my home is approximately ½ mile from the proposed Costco warehouse.

I have read the Draft Environmental Impact Report (DEIR) for the proposed Westgate West Costco warehouse project and am writing to provide my comments.

CUT-THROUGH TRAFFIC AND SAFETY

As an active senior citizen, I regularly walk through the neighborhood for exercise and to local businesses in Westgate West (Trader Joe's), West Valley Shopping Center (Sprouts), and Westgate Center (Target) to shop.

My typical route through the neighborhood takes me down streets that go directly past Country Lane Elementary school. Even with current levels of traffic, students, pedestrians and cyclists of all ages are put in danger by hurried drivers trying to get to homes, schools, work, etc. With a Costco warehouse in Westgate West generating 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pp. 22 and 35), when traffic on surrounding streets (particularly Lawrence Expressway and Saratoga Avenue) backs up, impatient and frustrated shoppers will look for easier ways to get to the warehouse through the Country Lane neighborhood, driving right by the Country Lane Elementary school from multiple directions, to the proposed Graves Avenue access, increasing the chances for dangerous student/pedestrian/bicycle and vehicle interactions.

The Transportation Analysis does not include a study of cut-through traffic in the Country Lane neighborhood. Since "Cut-through trips could adversely affect the character and function of local neighborhood streets and can be exacerbated by development projects." (Appendix I – Transportation Analysis, p. 61), it is essential that the proposed project's effect on cut-through traffic be studied and included in the DEIR Transportation Analysis.

Beyond the above concern, the Country Lane neighborhood should be protected from cut-through traffic by closing off the remaining Graves Avenue entrance to the proposed Costco.

TRAFFIC CONGESTION AND POLLUTION

I regularly use Saratoga Avenue, Prospect Road, Lawrence Expressway, and Doyle Road to drive from my home to the library, nursery, theatre, doctor appointments, church, etc. and back. Traffic is already congested on each of these roads and the addition of 11,000+ vehicle trips a day generated by Costco will create gridlock, causing increased pollution/vehicle emissions hotspots due to more time spent idling while stopped at lights and being stuck in traffic.

In addition, the recent traffic calming and bicycle safety measures that reduced the number of lanes from three to two on Saratoga Avenue along the path to/from the proposed Costco site have altered traffic in the affected area. The Transportation Analysis does not address these

changes to Saratoga Avenue and the impact on traffic flow/congestion in the area and, therefore, the traffic study needs to be rerun to accurately reflect these conditions and its impacts.

IN CONFLICT WITH OUR CITY'S PLANS, VISIONS, AND GOALS

Costco's proposal to put an oversized (165,148 square foot) members-only serving warehouse on an undersized lot (9.69 acres) with insufficient parking (687 – 692 total surface and rooftop spaces) that will generate 11,000+ car trips per day in a neighborhood/community shopping center directly across from a high school and right in the front yards of established residential neighborhoods is in conflict with our city's plans, visions, and goals.

Although the proposed Costco warehouse site is within the designated Paseo de Saratoga Urban Village set forth in the city's Envision San Jose 2040 General Plan, it directly conflicts with the goals for an urban village of being mixed-use, pedestrian and bicycle friendly, and transit-oriented.

Costco is not pedestrian and bicycle friendly nor is it transit-oriented. In fact, Costco's business model of selling in bulk discourages pedestrian and bicycle traffic as most items purchased at Costco are too large to carry home on foot, on a bicycle, or on a bus (particularly when the only nearby bus stop is 500 feet away with buses only running every half hour).

Simply put, the proposed members-only serving Costco warehouse does not belong in a neighborhood/community shopping center within the Paseo de Saratoga Urban Village as it is not community serving and it fails to meet our city's Urban Village plans, visions, and goals.

Thank you for your time and consideration in responding to my concerns.

Sincerely,

Barbara Gagner
Country Lane Resident

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Comment Letter 131

Feedback for Westgate West Costco DEIR, File no. CP21-022

Bill Delveaux [REDACTED]

Wed 2/14/2024 8:21 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I only have two requests:

1). ZERO CAR and ZERO PEDESTRIAN ACCESS from Graves Ave to Costco. This includes the sidewalk along Lawrence. I saw in the mailer that you will improve that sidewalk. Please no... shutdown any access from Costco to the neighborhood. Any access will turn Graves into a parking lot. Even if you block carts, people will park and cut through.

>>> I want to be 100% clear - ZERO access to Graves. A giant wall along the back side of Costco. Just like Almaden Ave (San Jose) Costco - do the same.

2). NO OPERATIONS (receiving OR other) hours operation 10pm to 6 am. No trucks, no deliveries, no noise from the back of the store.

By the way, I have a vested interest - I own a house and live on a street adjacent to Costco.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Bill Delveaux

I live in Country Lane on Fields Drive

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Comment Letter 132

Westgate West Costco DEIR, File no. CP21-022

Carolyn Evans <[REDACTED]>

Wed 2/14/2024 4:30 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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To	kara.hawkins@sanjoseca.gov ; matt.mahan@sanjoseca.gov ; rosemary.kamei@sanjoseca.gov ; sergio.jimenez@sanjoseca.gov ; omar.torres@sanjoseca.gov ; david.cohen@sanjoseca.gov ; peter.ortiz@sanjoseca.gov ; dev.davis@sanjoseca.gov ; bien.doan@sanjoseca.gov ; domingo.candelas@sanjoseca.gov ; pam.foley@sanjoseca.gov ; arjun.batra@sanjoseca.gov
Cc	planningcom5@sanjoseca.gov ; district1@sanjoseca.gov
Bcc	info@savewestvalley.org
Subject	Feedback for Westgate West Costco DEIR, File no. CP21-022

<<The following is a template you may use for your letter. We apologize for its length - the letter describes for the City Council some of the most serious concerns of the project and report. You may use the parts you want, personalize it, or simply copy/download it, sign your name, and send. If you are unsure how you can add feedback, the [comment snippets](#) and [list of potential concerns](#) may be

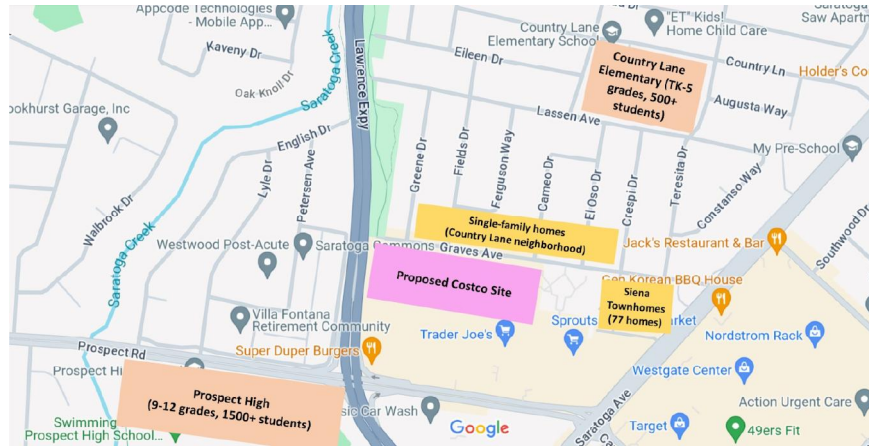
helpful. [Letters others have written](#) are also available for you to view. Please delete the red text before you email your letter. Thank you for your support!>>

Dear Ms. Hawkins, Mayor Mahan, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

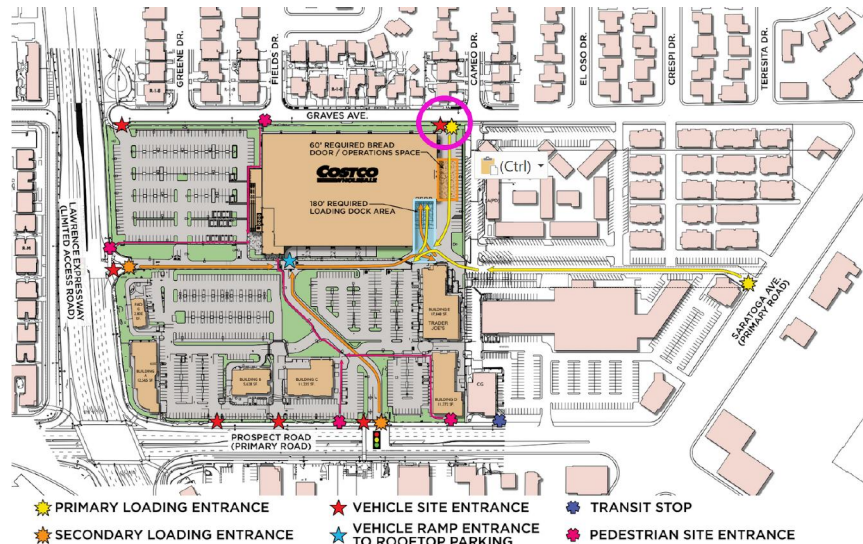
The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by the additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are priority safety corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue

accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities with
- Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians

The [Envision San José 2040 General Plan](#) also includes the following:

- Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve
- Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable,
- Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians

- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. Additionally, there is no analysis for the El Paseo de Saratoga mixed use 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete data, the studies and predictions in the DEIR are invaluable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There

are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops](#)

[are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of volatiles and dust in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for

their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco

Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco’s characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even

non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City

can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Carolyn Evans

Bird Land Neighborhood, 94087

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Comment Letter 133

About Costco DEIR in Westgate West

Kung-Hua Chang [REDACTED]

Wed 2/14/2024 9:56 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Hi!

I'm 100% against having a Costco in Westgate West.

The Saratoga city council has written a letter (https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/2419049/Attachment_A_-_Costco_EIR_Comment_Letter_012924.pdf) addressing their concerns, and as a resident living in West San Jose, I cannot agree more about their points. This DEIR is flawed and needs to be addressed.

Also, the city of San Jose has Vision Zero project that wants zero death from pedestrians and bicyclist (and that's why there are new protected bike lanes installed on Saratoga Avenue), but the DEIR fails to analyze or mitigate significant impacts on pedestrians and bicyclists. The DEIR has not addressed how to mitigate the increased traffic that could kill more people in the neighborhood particularly near Country Lane Elementary School and Prospect High School. Painting more green lanes and plastic reflectors will not stop cars from speeding up and killing people, particularly young kids. Without enforcement, drivers can drive as fast as they could in the Country Lane neighborhood.

Do you have metrics on how many more people need to be killed after Costco is built so that the city of San Jose can ask Costco to move out of here? Or the city of San Jose cannot ask Costco to move out of this area even after many people are killed? I like the idea of Vision Zero, but building a Costco here simply defies the idea of Vision Zero.

Thank you.

Regards,

Kung-Hua Chang

2/23/24, 11:12 AM

Mail - Hawkins, Kara - Outlook


San Jose, CA 95129

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Comment Letter 134

Feedback for Westgate West Costco DEIR, File no. CP21-022

Lev Medvedev <[REDACTED]>

Wed 2/14/2024 2:08 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I live in the neighborhood and have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

My name is Lev Medvedev and I am a 25 year resident of the Country Lane Neighborhood which is right next to the proposed Costco Warehouse at Westgate West. My home on Englewood Drive is just half a mile from the proposed site. I am also the grandparent of a future student at Country Lane ES, which is located less than 0.2 miles from the proposed Costco site.

I am concerned about the over 11,000 car trips the project will generate (per Appendix L Transportation Analysis pages 13, 41) particularly at the already over-congested intersection of Lawrence Expy and Prospect Ave. There have been 4 pedestrian/car accidents involving students at that intersection in the past year alone.

The Costco project does not plan for any major traffic controls or mitigations, only including minimal changes like sidewalk improvements and road striping. This makes worse an already unacceptable risk for students and pedestrians. This project alone generates more traffic at that site than roads can handle. Add in the traffic from thousands of new housing units across Prospect Road and along Saratoga Avenue and you have a recipe for danger, gridlock, and increased vehicle pollution from traffic-jammed cars. Also, add to this a genius decision to make Saratoga ave 4 line street (previously it was 6 line street).

This project is inappropriately scaled for the current and possible infrastructure at the site and should be denied.

If the city insists on approving this dangerous project against better judgement, before granting approval the city must create, fund, and put in place specific traffic and pedestrian mitigation measures to address student and pedestrian safety.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Lev Medvedev



San Jose CA 95129

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Comment Letter 135

Feedback for Westgate West Costco DEIR, File no. CP21-022

neil howard [REDACTED] >

Wed 2/14/2024 5:57 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Dear Ms. Hawkins, Mayor Mahan, San José City Council members, and Planning Commission Chair Lardinois:

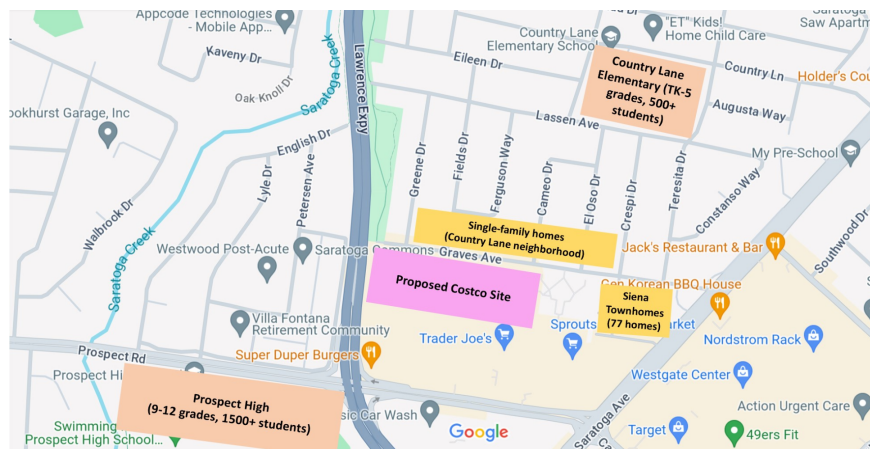
Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets.

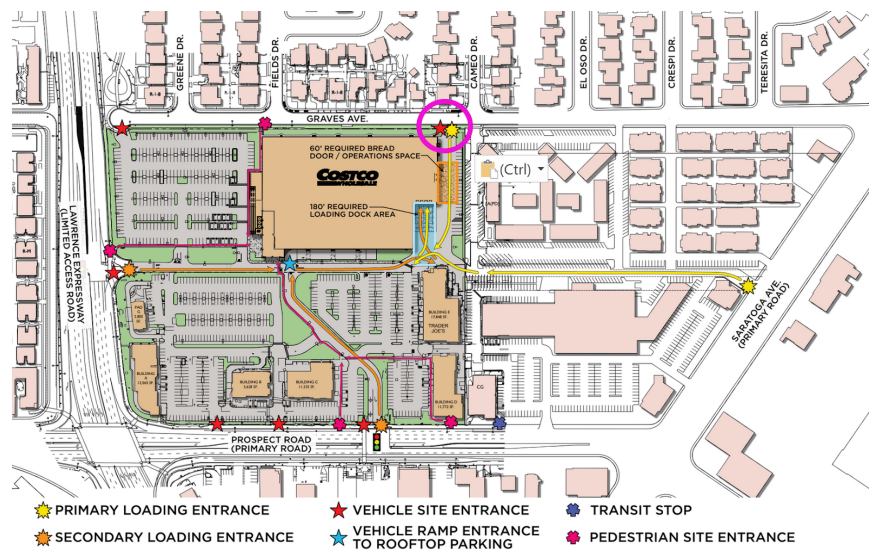
Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA

buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by the additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are priority safety corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/EI Oso
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I -

Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. Additionally, there is no analysis for the El Paseo de Saratoga mixed use 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete data, the studies and predictions in the DEIR are invaluable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, “Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM” (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are “less than significant” traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of volatiles and dust in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children’s health also needs to be included in the DEIR given the project’s proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the

International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips

per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco’s characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine

that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe's, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Neil Howard

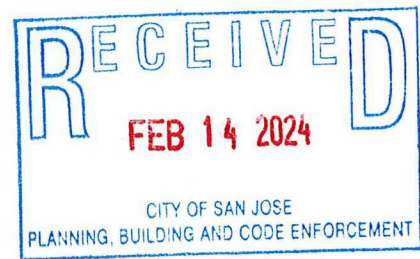


San Jose, CA 95129

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Comment Letter 136

City of San Jose
Department of planning, building, & Code Enforcement
Kara Hawkins, planner
200 E. Santa Clara Street, Tower 3rd Floor
San Jose, CA 95113-1905



I am a highly concerned resident living in the Brookview area of Saratoga. My concern is with the City of San Jose decision to put the LARGEST Costco in the South Bay in our neighborhood at the corner of Lawrence Expressway and Prospect Avenue. This plan is an outrageous affront to our communities for the following reasons.

We have two schools (Prospect High and Country Lane Elementary) WITHIN YARDS of the Costco site. There is also a residential neighborhood that DIRECTLY ABUTS this site. It is critical that you recognize the implications of this development to the lives of families, students, and other business' in the same quad. The air pollution impact of 5,000 plus cars daily, the noise pollution of traffic and machines, the danger to students crossing this area to get to school and home again are factors that deem this project untenable. These are the MAJOR concerns that should be addressed by your committees and there are many more Minor concerns.

Presently the parking for Trader Joes is mind boggling and even dangerous with its configuration and high usage. I have seen accidents and many near accidents occur there as people navigate the parking space. Add Costco to this scene and it gives me qualms about my shopping there. People will have to drive past other business to get to the Costco parking area. It seems fraught with dire possibilities as judged from the already tight situation.

Also consider there are many students in our area who ride their bikes to Lynbrook High School and to Prospect High. This entails for them to cross Prospect Avenue to get to school. The Costco development with all those added cars (5,000+) on the road would be a major hazard to student safety which would probably lead to parents driving them to school. Hence, even more cars on the road! And hardly bike friendly! I was of the understanding that plans for a cleaner environment and improved safety to get kids to school without private transportation was high on the list of many school agendas. How can this Costco development be considered compatible with these goals?

Also, there is a senior housing and rehabilitation facilities directly across from Prospect High that have EMT services frequently. I can only imagine the road situation when ambulances or fire engines are attempting to service these facilities with 5,000 + more autos gridlocked at this intersection.

The traffic alone is a daunting prospect for all communities adjacent to this area...Already cars are literally backed up at many hours during the day on Prospect and Saratoga Avenue. How can San Jose be proud of this turmoil that will be a part of our daily lives?? I love Costco...but I would be shopping at another Costco site only 10 minutes away where the chaos of so many cars in a less than adequate space is not a concern, where the auto pollution and noise

pollution would not affect a nearby residential community, where students would not be inhaling auto pollution when they are participating in the school sports or outdoors activities.

There are many sites nearby that are much more conducive to development on this large a scale. Valco is one such. It is close to a freeway ,,,no residential neighborhoods,,,,no schools with hundreds of students walking through. Please reconsider your selection of this site. It is entirely inappropriate for the citizens of our community.

With much hope for a saner and safer site for a Costco, I am

Sally McElravey

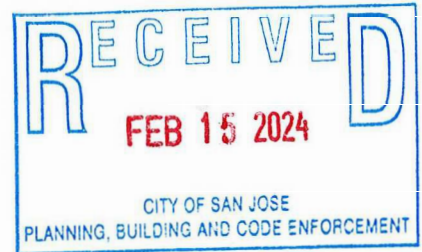
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Saratoga, Ca 95070

2/17/24

Comment Letter 137

Barbara Gagner
Shady Avenue
San Jose, CA 95129



February 14, 2024

City of San Jose
Department of Planning, Building, and Code Enforcement
Kara Hawkins, Planner
200 E. Santa Clara Street, Tower 3rd Floor
San Jose, CA 95113-1905
Kara.Hawkins@sanjoseca.gov

VIA U.S. MAIL AND EMAIL

Re: Draft Environmental Impact Report for Westgate West Costco Warehouse Project
File No. CP21-022

Dear Ms. Hawkins:

I am a 45-year resident of the Country Lane neighborhood and my home is approximately ½ mile from the proposed Costco warehouse.

I have read the Draft Environmental Impact Report (DEIR) for the proposed Westgate West Costco warehouse project and am writing to provide my comments.

CUT-THROUGH TRAFFIC AND SAFETY

As an active senior citizen, I regularly walk through the neighborhood for exercise and to local businesses in Westgate West (Trader Joe's), West Valley Shopping Center (Sprouts), and Westgate Center (Target) to shop.

My typical route through the neighborhood takes me down streets that go directly past Country Lane Elementary school. Even with current levels of traffic, students, pedestrians and cyclists of all ages are put in danger by hurried drivers trying to get to homes, schools, work, etc. With a Costco warehouse in Westgate West generating 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pp. 22 and 35), when traffic on surrounding streets (particularly Lawrence Expressway and Saratoga Avenue) backs up, impatient and frustrated shoppers will look for easier ways to get to the warehouse through the Country Lane neighborhood, driving right by the Country Lane Elementary school from multiple directions, to the proposed Graves Avenue access, increasing the chances for dangerous student/pedestrian/bicycle and vehicle interactions.

The Transportation Analysis does not include a study of cut-through traffic in the Country Lane neighborhood. Since "Cut-through trips could adversely affect the character and function of local neighborhood streets and can be exacerbated by development projects." (Appendix I - Transportation Analysis, p. 61), it is essential that the proposed project's effect on cut-through traffic be studied and included in the DEIR Transportation Analysis.

2

Beyond the above concern, the Country Lane neighborhood should be protected from cut-through traffic by closing off the remaining Graves Avenue entrance to the proposed Costco.

TRAFFIC CONGESTION AND POLLUTION

I regularly use Saratoga Avenue, Prospect Road, Lawrence Expressway, and Doyle Road to drive from my home to the library, nursery, theatre, doctor appointments, church, etc. and back. Traffic is already congested on each of these roads and the addition of 11,000+ vehicle trips a day generated by Costco will create gridlock, causing increased pollution/vehicle emissions hotspots due to more time spent idling while stopped at lights and being stuck in traffic.

In addition, the recent traffic calming and bicycle safety measures that reduced the number of lanes from three to two on Saratoga Avenue along the path to/from the proposed Costco site have altered traffic in the affected area. The Transportation Analysis does not address these changes to Saratoga Avenue and the impact on traffic flow/congestion in the area and, therefore, the traffic study needs to be rerun to accurately reflect these conditions and its impacts.

IN CONFLICT WITH OUR CITY'S PLANS, VISIONS, AND GOALS

Costco's proposal to put an oversized (165,148 square foot) members-only serving warehouse on an undersized lot (9.69 acres) with insufficient parking (687 – 692 total surface and rooftop spaces) that will generate 11,000+ car trips per day in a neighborhood/community shopping center directly across from a high school and right in the front yards of established residential neighborhoods is in conflict with our city's plans, visions, and goals.

Although the proposed Costco warehouse site is within the designated Paseo de Saratoga Urban Village set forth in the city's Envision San Jose 2040 General Plan, it directly conflicts with the goals for an urban village of being mixed-use, pedestrian and bicycle friendly, and transit-oriented.

Costco is not pedestrian and bicycle friendly nor is it transit-oriented. In fact, Costco's business model of selling in bulk discourages pedestrian and bicycle traffic as most items purchased at Costco are too large to carry home on foot, on a bicycle, or on a bus (particularly when the only nearby bus stop is 500 feet away with buses only running every half hour).

Simply put, the proposed members-only serving Costco warehouse does not belong in a neighborhood/community shopping center within the Paseo de Saratoga Urban Village as it is not community serving and it fails to meet our city's Urban Village plans, visions, and goals.

Thank you for your time and consideration in responding to my concerns.

Sincerely,


Barbara Gagner
Country Lane Resident

Comment Letter 138

Feedback for Westgate West Costco DEIR, File no. CP21-022

Charles Kippen <[REDACTED]>

Thu 2/15/2024 7:50 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

There is no clear cut plan as to how COSTCO will make the huge increase in traffic manageable and how students from Prospect will be afforded proper protection from the traffic.

The owners and developers of this project obviously think that four primary marketing components - product, placement, promotion, price - have been met... They see nothing but profits... Their pledge to work with communities and neighborhoods is a falsehood.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Charles Kippen (Saratoga Shadows subdivision)

Sent from my iPhone

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Comment Letter 139

Fwd: West San Jose Costco

CYNTHIA HULTON [REDACTED] >

Thu 2/15/2024 4:59 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Thanks,
Cynthia

Begin forwarded message:

From: CYNTHIA HULTON <[REDACTED]>

Date: January 13, 2024 at 4:22:29 PM PST

To: Rosemary.Kamei@sanjoseca.gov, district1@sanjoseca.gov, alec.atienza@sanjoseca.gov, maria.blanco@sanjoseca.gov

Subject: West San Jose Costco

Planning Commission and District Rep. Kamei,

I'm voicing my concerns about Costco being built at Lawrence and Prospect (Costco Westgate West CP21-022 FILE CPA03-020-01). I live in West San Jose about 2 miles from this location. Costco will have a long-term negative impact on the surrounding community. Shoehorning a Costco into a space too small on the backside of a residential area in an already congested intersection with a high school and thousands of new apartments going on is not the solution for West San Jose.

One of the goals of San Jose is to make the city more walkable. I frequently walk to this shopping center via Saratoga Creek park from Doyle avenue. I especially walked to the center when it has locally owned restaurants. But the property owners drastically increase the rent running out successful businesses. If Costco is built, I no longer will walk through the park to go to the shopping

center. As everybody knows walking around a Costco exterior is about as safe as riding your bike on Lawrence Expressway. It's not illegal, but it certainly is not smart.

I attended many of the Costco meetings and I've read the plans. I take issue with the idea that building this Costco will cut down on travel time, pollution, and congestion. Ask Costco to pull the data on how many people go to the gas station and do shopping. I'm not alone in saying that I will continue to go to the Costco at Lawrence Station— just 4.5 miles away, to fill up on gas and do my shopping while I'm there.

I strongly feel this Costco is going in to serve the needs of Campbell and Saratoga. San Jose will get the tax revenue and also the neighborhood destruction, traffic, and noise. Don't let San Jose be the armpit for Campbell and Saratoga. Please vote against this.

Thank you,
Cynthia Hulton



San Jose

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Comment Letter 140

Costco Westgate

Dan Miller <[REDACTED]>

Thu 2/15/2024 1:28 PM

To: Atienza, Manuel <Alec.Atienza@sanjoseca.gov>

Cc: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Burton, Chris <Christopher.Burton@sanjoseca.gov>; Fruen, Joseph <Joseph.Fruen@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>

[External Email]

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Hi, I know you're probably sick of hearing about this project, but I felt like I needed to state my case.

I don't live in Country Lane. I live in Strawberry Park, which is far enough from the proposed Costco that my own home and commute probably won't be heavily impacted. I do, however, have two kids who will someday go to Prospect.

I also work on Kifer Rd in Sunnyvale and drive by the Sunnyvale Costco every day while commuting to and from work. The worst part of my day is going through the traffic light at the entrance to Costco. The driveway is undersized, the lanes are undersized, and the intersection at Kifer and Lawrence was clearly never meant to handle anything close to the amount of traffic it gets. It's a daily epic mess of people blocking intersections, making illegal turns, and running red lights. I cannot imagine having my or anyone else's kids having to go through this on a daily basis to get to school. I'm at least safe in my Camry. I have a coworker who was hit by a Costco customer while riding their bike to the nearby CalTrain station. I would personally forbid my children from being pedestrians anywhere near there. It's just a matter of time before a child is seriously injured or killed at the proposed Costco Westgate intersection.

That said, I also think Costco is being less than totally forthright with their proposal, for the following reasons:

As you probably know, the closest Costco nearby is Sunnyvale, which is 137,450 sq ft. Prior to the pandemic, this Costco had 746 parking spaces, which gave it about 5.4 parking spaces per 1k sq ft.

During the pandemic, the Sweet Tomatoes next door to Sunnyvale Costco closed, and Costco purchased and bulldozed the building to make way for additional parking, bringing the total number of parking spaces up to 838, giving it 6.1 parking spaces per 1k sq ft.

This property was listed for \$5.9 million, so we know that's a lower bound on what Costco is willing to pay to get above 6 parking spaces per 1k sq ft. That doesn't include construction and taxes so it's definitely more than that.

Now, the proposed Costco is bigger, at 165,148 sq ft. It will have 687 parking spaces, which includes the rooftop parking that will probably not be heavily used, since it'll require people to push a heavy Costco shopping cart up a long ramp. This gives it 4.2 parking spaces per 1k sq ft, which is lower than Sunnyvale had *before* its extension.

Since they've expanded the lot, the Sunnyvale location seems to have a couple extra spaces at the fringes of the lot, but is now overall meeting demand, whereas it was constantly full before the expansion. So if we estimate around 6 spaces per sq ft is the parking demand of a Costco, they only reach this number if they include half of all available external parking at the Westgate West shopping center, and that's assuming the rooftop parking has 100% utilization, which is highly unlikely. In reality, to get to that 6 number, they probably need all available parking at Westgate West.

Financially, this only makes sense for Costco if their long-term plan is to knock down additional buildings for more parking after the tenants have been driven out. Otherwise, they'll be perpetually underutilizing their 165k sq ft store.

This whole thing has a bad smell to it. If they didn't think they'd have a long-term path to expand parking, then they wouldn't be building such a huge store on the lot. If this goes through, then I would bet good money that they will be knocking down other buildings at Westgate West to expand parking within a decade at most.

I sincerely hope you read this and consider my points. We all want to live in a thriving San Jose, but this is not a smart way to achieve that goal.

Dan Miller
Resident, District 1

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Comment Letter 141

Feedback for Westgate West Costco DEIR, File no. CP21-022

Janice Rich [REDACTED]

Thu 2/15/2024 8:53 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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

Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I initially supported a Costco but upon learning that there are no new road safety improvements added for the safety of students, pedestrians and cyclists, I vote NO for adding this business. My high school student already is at risk every day she has to walk through the parking lot at Westgate West, but also crossing the streets to get there. There is no way to get in or out of the high school during drop off and pick up times. Ms. Hawkins, how prepared are you to tell a family "you're sorry" when their child is ran over due to an increase in vehicle traffic? Prayers and condolences don't bring people back and I have already had to the hand of one dead child that was still warm but cooling to the touch and until you have that experience, money shouldn't dictate whether someone lives or dies. I walk to pick up and drop off my elementary student and it is already a dangerous spot with no traffic guards. Please Ms. Hawkins, I never want a family to have to go through what I did when my child died. Money doesn't bring people back. There is no guarantee for safety. When will our children be safe? When will money stop being important over lives? We have a wonderful community that at the very least stands to be disrupted by the tire center and forklift noise. I personally have refused to go to Costco in years because it is so crazy at any location no matter the size. Please, please

reconsider if you value life and if you have children, please imagine how it feels to hold your dead child's hand as I have had to do and imagine begging them to wake up. The profit to the city is not worth the safety of our kids and our community.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Janice Rich, Country Lane neighborhood

Sent from my iPhone

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Comment Letter 142

Feedback for Westgate West Costco DEIR, File no. CP21-022

kristi martik [REDACTED]

Thu 2/15/2024 10:22 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Given the impact this project will have on my neighborhood, I am disappointed that COSTCO and planning parties have failed to adequately address concerns raised by residents.

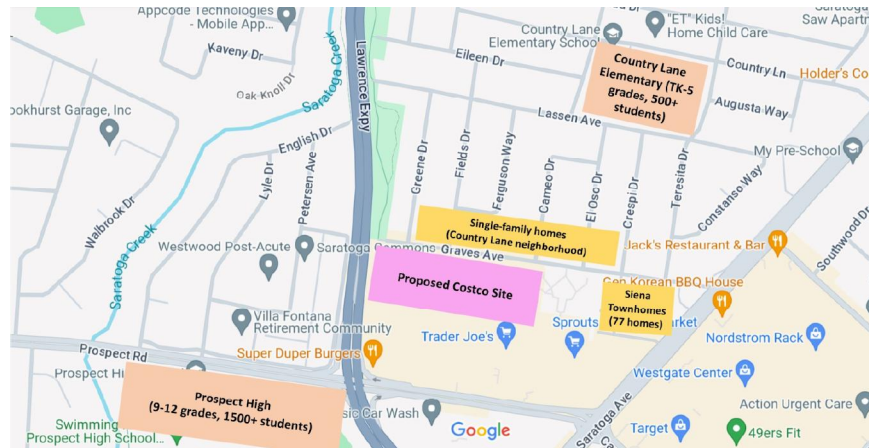
We live in a highly residential and walkable neighborhood. The increased traffic and pollution (both in the residential neighborhood and at the corner of Prospect High School), risks to pedestrians (including school children), and negative environmental impacts are of extreme concern and deserve to be addressed in a meaningful way. I have reviewed the Draft version of the Environmental Impact Report (DEIR) and do not accept that it meets this requirement of meaningful review.

I truly believe we would welcome and benefit from commercial and/or residential development at Westgate West, but only if our concerns are completely addressed and the development was an enhancement to our neighborhood. **Be a good neighbor and work with us to find creative solutions to our concerns.**

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

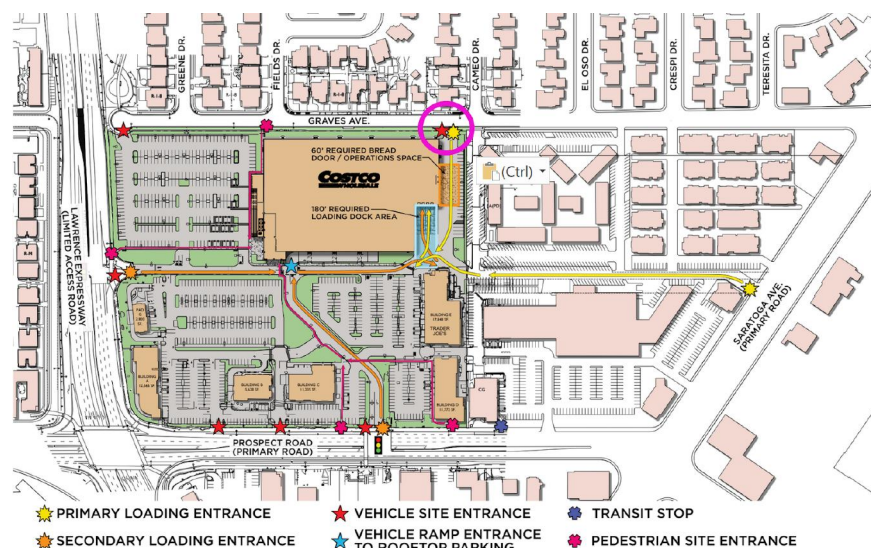
The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by the additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are priority safety corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is

frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla

- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. Additionally, there is no analysis for the El Paseo de Saratoga mixed use 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete data, the studies and predictions in the DEIR are invaluable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, “Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM” (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are “less than significant” traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete

assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding

homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of volatiles and dust in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in

our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that “directs most of San Jose’s new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities.” Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to “support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities.” The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco’s proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City’s vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco’s characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project,

a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Kristi Martik
95129

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Comment Letter 143

Feedback for Westgate West Costco DEIR, File no. CP21-022

Marleni Cruz [REDACTED]

Thu 2/15/2024 2:07 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

<your comments go here>

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

<Your Name and neighborhood go here>

Enviado desde mi iPhone

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Comment Letter 144

Westgate West Costco - Opposed (File no. CP21-022)

Michael Derse [REDACTED]

Thu 2/15/2024 10:33 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Yvonne Derse <yvonne4travel@gmail.com>

[External Email]

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Dear Mayor Mahan, Vice Mayor Kamei, Ms. Hawkins, San José City Council members, and Planning Commission Chair Lardinois,

Thank you for considering my feedback on the proposed Westgate West Costco project. My wife and I have lived in West San Jose for 20 years, and we love this great city and our neighborhood.

Yvonne and I are opposed to the Westgate West Costco project. As active members of Costco, we already enjoy easy access to 3 Costco stores near our home: Costco Lawrence Station is 6.2 miles, Costco Coleman Avenue is 6 miles, and Costco Almaden is 6.5 miles away. These stores are located in more industrial areas, perfect for the large, necessary parking lots and heavy traffic created by the successful retailer.

Please know that we support logical growth and progress in 95130, but we are very concerned for "Industrializing" our quaint section of San Jose, putting pedestrians, high-schoolers, and small businesses at risk. The City's decision on this project will permanently negatively impact the lives of families and residents in this area. This is the first time I've had to reach out directly to the City, and I feel like a small voice against a huge Costco who knows exactly how to get things approved.

It is in trust in your leadership that I send this note, and I thank you for your serious consideration in responding to my concerns.

Thank you,

Michael Derse
Arleen Way - 95130 Resident

Michael Derse

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Comment Letter 145

Feedback for Westgate West Costco DEIR, File no. CP21-022

Ramdas Hegde [REDACTED]

Thu 2/15/2024 10:09 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have been a Country Lane neighborhood resident for the last 20 years and having a Costco in this area is not very comforting. I bike regularly to the stores in the Westgate area and the thought of another 10,000 + car trips in/out of the Westgate area seems like this place will be a nightmare for the safety of bikers.

In addition, during school peak times, the traffic on Doyle is already bad. Adding a store like Costco will make matters even worse.

I am fully in support of developing the old OSH area but I don't think having a Costco in that location is suitable.

I am hoping the San Jose City Council will seriously consider these issues and rethink their plans on giving Costco the green signal to go ahead.

Thank you for hearing me out.

Sincerely,

Ramdas Hegde
Country Lane neighborhood

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Comment Letter 146

Feedback for Westgate West Costco DEIR, File no. CP21-022

Rebecca Cooney [REDACTED]

Thu 2/15/2024 7:44 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois,

My name is Rebecca Cooney and I am a 20 year resident of the Easterbrook Neighborhood and I have a Sophomore and a Junior who attend Prospect High School and bike to school every day. They bike past the site of the proposed Costco Warehouse project every morning as well as every afternoon. I have very serious concerns about their safety biking home after school if this project were completed.

I am shocked to see that the Environmental Impact Report was created without assessing the traffic between the hours of 1:15 to 3:15 on Mondays and 2:15 to 4:15 Tuesdays through Fridays. It is critical to assess traffic patterns in and around the site when school is released. A more thorough assessment must be done that ensures that the afternoon assessment covers the time when students are being released from school and the CUHSD school calendar must be consulted to ensure that the assessment is scheduled when school will be released. Students are already dodging cars with the current volume of traffic. Another note about the EIR is that the traffic study was conducted prior to the reduction of lanes on Saratoga Ave, and we should absolutely be looking at the traffic conditions as of now, not as it was two years ago. In order to sustain over 11,000 car trips per day, (per Appendix L Transportation Analysis pages 13, 41), many other changes are needed to the roads to ensure students safety. Improvements to both Prospect Rd and especially Lawrence Expressway for better traffic flow are in dire need. In particular the left turn pocket on Lawrence Expressway absolutely must be enlarged to help avoid backups along southbound Lawrence.

After attending the meeting held by Rosemary Kamei at Prospect High School, I do understand why school dismissal was not included in the EIR. I also understand that the recent change to utilize VMT instead of LOS promotes additional businesses. That being said, despite the fact that the traffic around school dismissal is not part of the CEQA transportation analysis, it would be negligent of the planning commission and the city council to approve a project directly across the street from a high school without assessing the afternoon dismissal car, foot and bike traffic to ensure student safety. If the proposed project was five or ten blocks away from the high school, it would not likely be as critical, but literally all students coming from the Country Lane or Easterbrook neighborhoods have no choice but to cross the proposed Costco site in order to return home.

I recently showed the proposed site to a Costco employee who works in another state, and they were astounded upon seeing the proposed site and its proximity to Prospect High School. They are convinced that the only way to avoid student fatalities is for the project to include a pedestrian and bike bridge crossing Lawrence and the prospective Costco parking lot so that students can safely access the Country Lane and Easterbrook neighborhoods.

From an environmental perspective, there are no solar panels in the current plan, or EV chargers. I have concerns about the air quality from the 11,000 car trips per day and how it will affect students. My children have been part of the track and field team and marching band at Prospect, so they spend a great deal of time on the football field immediately across from the site in question. With the traffic congestion and gridlock that I expect from the additional 11,000 car trips and the limited turning capabilities with the existing roads, lanes, and traffic signals, the students and community members are going to be exposed to higher levels of pollution, leading to increases in asthma and other lung health related issues. The project must include mitigations to reduce pollution from demolition, construction, recycling and idling cars at the site.

I am aware that if this project were to be completed there is a good likelihood that my children will have already graduated from Prospect High School. However, there are 12 elementary school children on my street and the project would absolutely be completed by the time they reach high school. I am gutted by the thought of the danger to them should this project be completed.

Country Lane Elementary School is only a few blocks off of Graves, and if people were able to access Graves from the proposed site, it would also seriously endanger the elementary school children as well. If access to Graves is left open near the proposed tire center, the project must include channeling islands to prevent cars from turning from Graves onto the residential streets. Residents would still be able to get out onto Graves, but that would prevent potentially 11,000 car trips from endangering the elementary students at Country Lane Elementary. I regularly shop at the Safeway at Lawrence and Stevens Creek, and they used that strategy to protect the neighborhood surrounding that shopping center and it should absolutely be included for this project should the project move forward.

In addition, I really do not believe that this project fits into the overarching plans for San Jose. It is not in line with the Climate Smart plan, the Envision 2040 Plan, Project Zero, and it certainly does not fit into the city's plan for Urban Villages. Costco customers (always referred to as members) are not going to be strapping purchases from Costco to bikes; Costco specializes in large volumes of product, and each and every member is driving in and away from the store. Even members who live in the Country Lane neighborhood right behind the proposed project site are very unlikely to carry their purchases home.

There was an attempt to put a similar Costco project with rooftop parking in Marin, also backing up against a residential neighborhood, and that project was ultimately struck down by the Marin City Council and Planning Commission. I greatly urge you to follow in their footsteps and vote against this proposal.

If the proposal is going to go forward, an updated additional traffic assessment that includes the afternoon school dismissal traffic and the new lane configuration on Saratoga absolutely must be conducted and included in the assessment of the plan. Again, I must reiterate that it would be negligent to approve a project of this magnitude in such close proximity to Prospect High School without an additional traffic assessment including after school traffic. Road improvements to both Prospect Rd and Lawrence Expressway must also be included, as well as a pedestrian and bike bridge to ensure the students safety in returning home after school.

Thank you for your consideration and your care in responding to these very serious concerns.

Sincerely,

Rebecca Cooney
Easterbrook Neighborhood

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Comment Letter 147

Westgate West Costco DEIR Feedback, File no. CP21-022

Bill Bailey [REDACTED] >

Thu 2/15/2024 10:32 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>; Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Dear Mayor Mahan, Vice Mayor Kamei, Ms. Hawkins, San José City Council members, and Planning Commission Chair Lardinois,

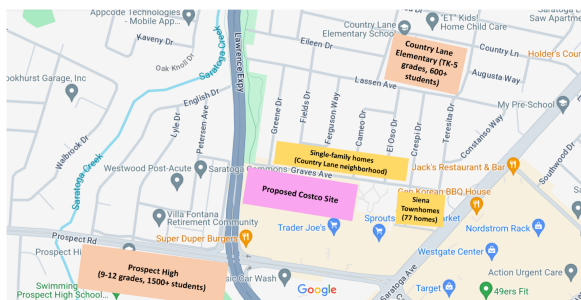
Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) and attended Vice Mayor Rosemary Kamei's meeting at Prospect High School. I am writing to share my feedback, concerns, and requests.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

As a parent of both current and future Prospect High School students who daily walk and ride their bikes from our home in the Country Lane neighborhood behind the proposed Costco project to school daily, the most significant concern is the safety of pedestrians and cyclists if the proposal is approved.

Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily utilized streets, such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an eight-lane, 50mph major thoroughfare). Saratoga Avenue is considered "most dangerous for bike traffic" by the Valley Transportation Authority, and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city's [Vision Zero](#) plan *due to existing dangerous conditions*.

Prospect Road connects the two streets, and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of particular severe concern due to the expected danger to hundreds of students who walk and bike to and from school each day and the athletes who train by running on the streets. Students must walk outside crosswalk lines because too many children are trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice daily to reach their stops.



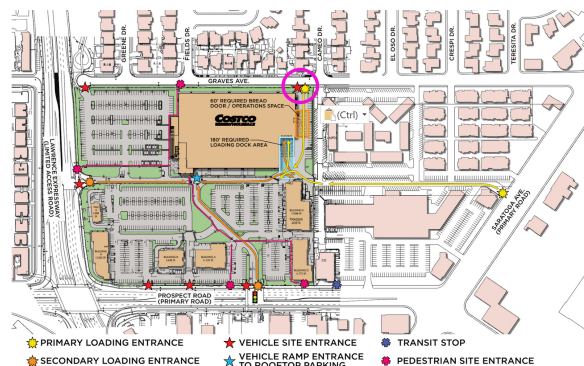
Surprisingly, the study completed by Kimley-Horn includes ***no data on pedestrian and cyclist conditions***.

During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn (Danae Hall and Amy Lopez) stated that the City of San José did not require this data. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade and how those rates would be affected by the additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway and b) Saratoga Avenue and Prospect Road. Both are priority safety corridors, according to the City of San José.

2. The DEIR omits data from areas directly North of the proposed Costco

Graves Avenue is directly North of the proposed site and is frequently used as a "cut-through" for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two-lane *residential* street, often exceeding the 25 mph limit. Only one crosswalk is located near Lawrence Expressway on one end of the 2000 ft. street. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street daily to

attend school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan, including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also indicates the Graves Avenue accessway. The Graves Avenue accessway will be used as a primary loading dock, Costco shopper, and vendor vehicle site entrance/exit. Graves Avenue is a small, two-lane road that, according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35). Yet, no analysis of Graves Avenue and the streets near Country Lane Elementary School was conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)
- Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)

The [Envision San José 2040 General Plan](#) also includes the following:

- Policy TR-1.1: Accommodate and encourage the use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).
- Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.
- Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.
- Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.
- Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a severe oversight and incomplete understanding of existing conditions on the four streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements *must* include **closing the full-access point at Graves Avenue and Cameo Drive** for Costco trucks, shoppers, and vendor vehicles.

- The residential roadways should not be used to access Costco development. Other Costco warehouses in the Bay Area do not access residential streets. Examples (Costco – Almaden, Costco – San Leandro, Costco – Danville).
- Remove Vehicle Driveway Access through Graves Avenue: The proposed development should have no vehicle access or driveways along Graves Avenue. **This is Alternative B, as studied in the DEIR Appendix I - Transportation Analysis, which excludes this accessway.**
- A traffic study should include neighborhood protections if Graves Avenue access remains. A more thorough analysis of mitigations required to prevent impacts on the residential community should be identified in the DEIR to include traffic calming and other measures.
- A complete perimeter fence should be installed (with no pedestrian access directly into Costco) along Graves to prevent Costco members or employees from intruding into the neighborhood for parking.

See examples of perimeter fencing at Walmart Superstore protecting neighborhood intrusion and soundwall at Almaden Costco, which prevents vehicle access through residential. Similar requirement for Walmart Superstore.

This fence or soundwall should continue along the easterly property line to the medical offices to protect the neighboring business from parking intrusion and provide additional visual and noise mitigation. Examples in San Jose below.



Perimeter Fence for Neighborhood Protection: Walmart Superstore (5095 Almaden Expwy) perimeter fence on Cherryview Lane with no vehicle driveways into Walmart.

A complete perimeter fence or sound wall should be installed along Graves Avenue (with no pedestrian access to Costco). This will prevent Costco members or employees from intruding into the neighborhood for



parking.

Almaden Costco sound wall separating residential neighborhood.



Danville Costco, full-length perimeter sound wall and large landscape to screen warehouse from residential.

Over 3,650 students attend four public schools, all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on four sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be **irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals**. **Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.**

3. The Traffic Conditions Study in the DEIR is Inadequate.

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore, three streets bordering Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are significant thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both four lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration, and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project.

Additionally, there is no analysis for the El Paseo de Saratoga mixed-use 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete data, the studies and predictions in the DEIR are invaluable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4-hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00 PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots represent actual traffic conditions. Responsible study investigators understand the importance of adequate data collection for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed, and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a *major disruption to the lives of residents by creating constant traffic congestion*, even during non-commute hours. This means simple errands may take considerable time, and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least four public school districts represented by the schools above. Daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or participate in school athletics and activities. Notably, *emergency response vehicles will be delayed in reaching their destinations*, which may be the difference between life and death for victims. ***The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse, a membership-only, for-profit business.***

4. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color.

The DEIR states the construction of a Costco Warehouse would "result in substantial noise-generating activities" (page 180) for 21 months (almost two years), and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00 AM - 7:00 PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00 PM, and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the "noise is temporary, the Project would not result in a cumulatively considerable impact" (page 246), and the noise is reasonable because it does not exceed "airport- or airstrip-related noise levels" (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, six days a week, for almost two years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations, such as preventing pile driving and controlling noise from workers' radios (page 180), and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for two years. Daily operations after construction would also create constant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools, and the nearby senior retirement community, occurs throughout the day and night, and some (e.g., HVAC equipment) are continuous, even when Costco is not open for business.

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5. The Project is in Conflict with the City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike-friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga are a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities, and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for ten bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit-accessible**. Although Costco describes the proposed warehouse site as "locally and regionally accessible by multiple transport connections" on their project website, the only nearby bus stop is 500 feet away, with buses running every half hour. The nearest rail service is miles away, and no other viable public transit options exist. Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project will result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the "engagement of local residents in planning the urban village" and "a mix of housing and employment to reduce traffic." The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

6. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country, and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act limits the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an "area of undue concentration." Since the proposed off-sale location is in an **over-concentrated census tract**, Costco's conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. For the San José Planning Commission to issue such a determination, it would have to make specific findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of "public convenience or necessity." It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are seven other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe's, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data about the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing seven ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, the city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing

Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

Many Costco members are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with the major decision-makers. There is a considerable **power imbalance** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José an excellent opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,
William Bailey
Costco Member since 2000
Country Lane Neighborhood 95129

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Comment Letter 148

Feedback for Westgate West Costco DEIR, File no. CP21-022

Ashe Sinha <[REDACTED]>

Fri 2/16/2024 3:59 PM

To: arjun.batra@sanjoseca.gov <arjun.batra@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>
Cc: District1 <district1@sanjoseca.gov>; Planning Commission 5 <PlanningCom5@sanjoseca.gov>

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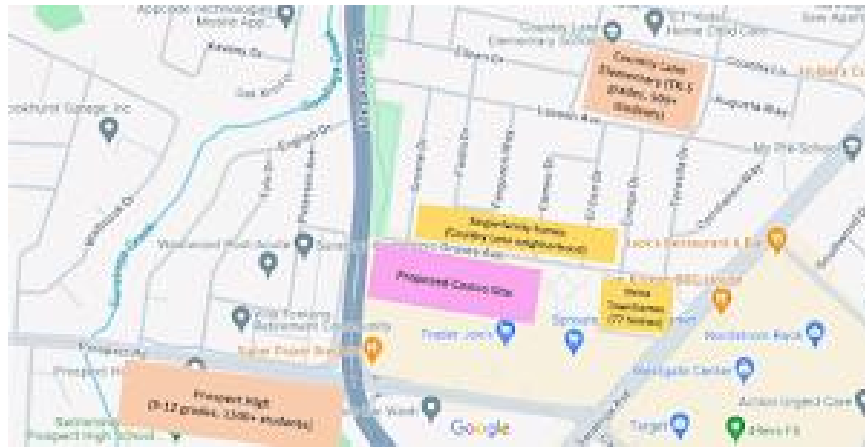
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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered "most dangerous for bike traffic" by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city's [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by the additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are priority safety corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colored figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)

Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)

The [Envision San José 2040 General Plan](#) also includes the following:

Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).

Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.

Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.

Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.

Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue.

Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

Prospect High - Prospect/Lawrence, Saratoga/Prospect

Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso

Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla

Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco

DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. Additionally, there is no analysis for the El Paseo de Saratoga mixed use 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete data, the studies and predictions in the DEIR are invaluable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

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The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that “directs most of San Jose’s new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities.” Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to “support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities.” The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco’s proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City’s vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco’s characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR.

The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José’s decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to “sit at the table” with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Aashish pant , resident, Saratoga, 95070

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Comment Letter 149

Feedback for Westgate West Costco DEIR, File no. CP21-022

meely [REDACTED]

Fri 2/16/2024 4:52 PM

To: Batra, Arjun <arjun.batra@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>
Cc: District1 <district1@sanjoseca.gov>; Planning Commission 5 <PlanningCom5@sanjoseca.gov>

[External Email]

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

The other day, I was walking along Creekside Park with my friend and we were meeting up with the rest of our friend group to get some dessert! I was so excited because I was really in the mood for some dessert! I could smell the freshly cut grass and I looked to see a beautiful blue sky and dogs running around happily. Today was a nice day to go on a walk. I heard birds chirping around me, so peaceful and nice.

But if Costco is built, basically NONE of that would happen. I would smell the yucky pollution in the air and look around to see a ginormous, monstrous building that was planted right in the middle of our beloved Westgate Plaza! I could hear the sound of traffic, cars beeping, trucks backing up, the sound of cars whizzing by and hurting my ears! All this would make me not have a fun time with my friends and I would have to go back home! Not Fun!

Hi, My name is Amelia Law and I'm 12 years old and have lived here Country Lane all my life! I am sad to hear that the Costco project might get approved, and here's why. I used to shop at Goodwill and I'm sad to hear it closed down . I still walk to the shopping center with my

friends but if Costco is built, I can't go. I had so many fun times with my friends at Goodwill, picking out clothes and it was a fun walk from my house. I don't just walk to Goodwill, I walk to Yogurtland, Taco Bell and Happy Lemon. If Costco was built, I wouldn't feel safe walking to the area because there would be so much more traffic and it would be SO loud! Not only that but the smell of pollution from the tire center and all the cars would not be good for me and that would make me not want to walk to the Westgate Plaza. I've had all these fun times with my friends but I wouldn't be able to enjoy any of this if Costco gets built. Costco would be putting so many shops and stores out of business. And in my opinion, if you need to put a parking lot on TOP of the Costco, that just means there's not enough room for a Costco here. Costco would also take over the back parking of Trader Joe's, which my mom parks everytime we go to Trader Joe's. Costco will also be taking over of a lot of parking and I would not be able to find any parking to have a nice family dinner at Mod Pizza or Super Duper and other restaurants. I also bike to school and walk to my school at Easterbrook Discovery and with the 11,000 more cars in and out of the plaza that Costco will bring, there will definitely be way more traffic on the main street in the Country Lane neighborhood (Doyle Drive). It is already scary crossing Doyle Rd when I walk to school every day but it will be even more scary if Costco is built because there will be a lot more traffic through the country lane neighborhood.

So I ask San Jose city to please reconsider this project. Putting a Costco close to my neighborhood would ruin this area forever. We would never be able to turn back. Costco doesn't fit in my neighborhood. It's a big warehouse in a small space. I am asking the city to make more safety changes for bikers and walkers. I will be going to prospect high school in 2 years and I'm going to walk and bike to school every day from country lane but im really scared that it will be super dangerous.

Please do more research looking at the traffic within the country lane neighborhood especially along the "shortcut " streets that people take to get from the shopping plaza to Doyle right along country lane elementary school (where I went). And research the traffic in more detail on weekends and high school start and dismissal times. These times are so busy already, imagine how crowded and noisy it'll be with a big, fat, huge Costco?

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Amelia Law
7th grader
Country Lane

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Comment Letter 150

Feedback for Westgate West Costco DEIR, File no. CP21-022

James Witt [REDACTED] >

Fri 2/16/2024 12:46 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

My name is Deborah Witt and I am a 21 year resident of the Country Lane Neighborhood, which is located next to the proposed Costco Warehouse at Westgate West.

My husband is a bicyclist who uses the route that goes right by the proposed Costco site on his way to ride to Fremont Older. On the weekends, he's going to have to navigate through the walkway along Lawrence Expressway to arrive at the light at Prospect. We also have a dog that we walk to the neighbor dog park and on weekends, walk around the West Gate Shopping Area to get him a puppucchino from Starbucks.

I am deeply concerned about the over 11,000 car trips the project will generate (per Appendix L Transportation Analysis pages 13, 41), particularly at the already over-congested intersection of Lawrence Expressway and Prospect Ave. Currently, Prospect Road between Lawrence Expressway and Saratoga is extremely congested during commute times, as well after 2:30pm when Prospect High School convenes for the day. Not only are there cars picking up the students, but a lot of pedestrians crossing over Lawrence Expressway to get to their homes in the Country Lane Neighborhood. There have been 4 pedestrian/car accidents involving students at that intersection in the past year alone.

The EIR doesn't address any of the added congestion that the 11,000 cars will cause. Costco shoppers will look for other ways to get to Costco to avoid the bottleneck of the Lawrence Expressway/Prospect intersection. This means that these shoppers will

come from the direction of Doyle Road and drive through the Country Lane Neighborhood to get to Costco. As a resident who lives on Cordelia Avenue, this will bring more cars speeding down our residential streets.

The Costco project does not plan for any major traffic controls or mitigations, only including minimal changes like sidewalk improvements and road striping. At a minimum, instead of the yield sign, a stop sign should be placed in the area of shoppers making a righthand turn into the Costco parking lot from Lawrence Expressway. Too many drivers ignore yield signs. This exacerbates an already unacceptable risk for students, pedestrians, and cyclists. This project alone generates more traffic at that site than roads can handle. I realize that this project was proposed prior to the project of the new housing units across Prospect Road and along Saratoga Avenue. However, I feel that Costco should take another look at their proposed project and the impact it will have on our community as Prospect Road will become a danger as cars try to navigate the gridlock of trying to either get in to and out of the parking lot which will increase vehicle pollution from traffic-jammed cars.

As part of the EIR, it references that Costco shoppers will drive less miles to get to a Costco, which in their eyes is a win. I'm a Costco Shopper, but I only go to Costco once a month, which is approx. 11 miles round trip. I'm supposedly going saving 10 miles a month since I won't have to drive so far to get to Costco. However, I'm also a Smart & Final, Trader Joe's, and Sprouts shopper. Now that Smart & Final has closed and Trader Joe's will be almost impossible to park, I will most likely avoid the area and shop elsewhere thereby driving more miles for my everyday needs. So much for reducing driving time! Just as a side note, for those of us that use the Costco gas station, we will still be going to another Costco site for gasoline and would most likely do our shopping there.

This project is inappropriate for the current and future infrastructure at this site and should be denied.

Before approving any type of large project in this area, the city must first create, fund, and put in place specific traffic and pedestrian mitigation measures to assure the safety of students, pedestrians, and cyclists. The city should not approve this dangerous project for the safety of its residents.

Sincerely,

Deborah Witt



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Comment Letter 151

Costco EIR - Lawrence & Prospect, San Jose

Doris Livezey <[REDACTED]>

Fri 2/16/2024 8:26 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Here are just some of my comments regarding the DEIR for the proposed Costco Project at Lawrence Expressway and Prospect in West San Jose.

It is being proposed in the middle of a residential neighborhood. When I contacted Costco about any other stores in that situation, they referred me to the store on Great Oaks Blvd. in San Jose. That store was built in 2017 before the homes were built in 2020. Are you aware that the circumstances are totally different? They are planning to impose a store into an already existing residential neighborhood.

The proposed Costco Project is larger on a smaller lot with fewer parking spaces than the Sunnyvale store. If it is built, shouldn't it at least match that facility in size?

The proposed store is incompatible with the City of San Jose's own plans towards Urban Villages. It does not include the approved development less than a mile away at El Paseo. The impact of that traffic with 11,000 additional proposed cars is out of proportion to the surrounding community. It should wait until El Paseo is completed to see what the impact will be.

While Safety has been mentioned, the Costco Project does not stipulate just what safety measures it will take to protect our precious youth. Are you aware that two students were hit while crossing Prospect last year, before the addition of new cars heading to Costco? Students are currently picked up in the shopping center and additional cars will impact their safety.

Saratoga Avenue has just been reduced in a road diet and the proposed Costco Project would add huge delivery trucks that take more time than a car to turn into the parking lot. They will cause backup on Saratoga Avenue. Lawrence Expressway is already an extremely busy road and any delivery trucks will also cause a traffic jam. I hope I am not forced to shop in Cupertino in order to avoid the congestion the Costco will bring. I will still shop at the Sunnyvale Costco since they have a gas station, as will many others.

We all love Trader Joe's. Plans can go awry and even though the proposed project intends to prevent spillover parking into the Trader Joe's space, it is impossible to guarantee. If people want to park, they will. How can they guarantee it won't happen?

Thank you for considering my comments regarding the inappropriate proposed Costco Project.

Doris Livezey

[REDACTED]

San Jose CA 95129

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Comment Letter 152

Feedback for Westgate West Costco DEIR, File no. CP21-022

Ilene Tucker <[REDACTED]>

Fri 2/16/2024 7:56 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

First off, I'm appalled at the lack of due diligence and coordination between the multiple cities involved in the San Jose Costco project. It is obvious that this project, considered in conjunction with the MANY other projects in the area, is more than our local neighborhoods of San Jose, Saratoga, Campbell and Cupertino can support.

The studies clearly do not include the El Paseo de Saratoga mixed use 10-12 story high rise project 1/4 mile away, the plan for multiple large-scale housing element projects in San Jose and Saratoga right across Prospect Ave, the Costco warehouse project, and traffic within the Saratoga Avenue Corridor which is already exceeding capacity and safety.

All the additional housing and retail projects, in combination with this Costco project will add enormous amounts traffic to our roads, pollution and noise for our neighborhoods and no plans for updates to the existing infrastructure by Costco or commitments by the city. Ultimately this will hit us the homeowners and taxpayers in the surrounding areas.

Children walking and riding their bikes to the local schools from my neighborhood, Saratoga Woods, will be put at risk. We already have safety issues with Prospect High with multiple students injured or killed. Cyclists who are trying to do their part for the environment by riding to work/school will now be put at increased risk. Noise will decrease the enjoyment of our outdoor private home spaces, as will the additional pollution.

And then there's the cross-through drivers who will look for work arounds to the increased traffic on the primary thoroughfares adding to the noise, safety and pollution issues raised.

Part of the beauty of this west San Jose area is the proximity to our beautiful Santa Cruz mountains, their views surround us, bring us enjoyment, calm, peace. The visual blight from Costco's operations will be within the public view.

So let's stop and discuss why we need another Costco in the area? We already have four Costcos easily reachable, a few within a 10 miles drive from our neighborhoods that sufficiently serve our local needs, in three different geographic directions.

And then let me ask.... have you ever seen a Costco in a neighborhood, near schools, where people walk, shop, meet, cycle - NO - they are always located in commercially appropriate warehouse areas, for a reason. Let's not create a precedent while we ruin our neighborhoods.

I could go on about alcohol sales, existing off-sale stores in the area, proximity to schools, parks and residences, but you know all this.

I beg of you to consider the broad negative impact and ripple effects this project will have on our communities, unnecessarily.

Ilene Tucker



Saratoga, CA 95070

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Comment Letter 153

WESTGATE WEST COSTCO WAREHOUSE PROJECT (CP21-022)

Jhoselyn R Garcia [REDACTED]

Fri 2/16/2024 9:20 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Hi Kara,

Please decline the proposal to build a Costco store in our community. We need safer neighborhoods for children. We need to stop the influx of traffic in the community. I strongly disagree with this proposal. Makes no sense to build more Costco's when there are 4 locations less then 20 minutes away from each other. Please reconsider utilizing the space in another manner.

Sincerely concern community member,

Jhoselyn R Garcia

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Comment Letter 154

Feedback for Westgate West Costco DEIR, File no. CP21-022

John Yelinek [REDACTED]

Fri 2/16/2024 12:22 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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*February 16, 2024**Kara Hawkins**Department of Planning, Building, and Code Enforcement**Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:**I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.*

My name is John Yelinek and I have lived in the Brookview neighborhood since 1994. This area is behind Prospect High School on the west side of Lawrence Expressway. I travel on Prospect Road almost every day for shopping, banking and dining in the Westgate, Westgate West and El Paseo shopping areas. I also use Prospect Road to visit my children living in Campbell.

I am concerned about the estimated additional 11,000 car trips the project will generate (per Appendix L Transportation Analysis pages 13, 41 in the DEIR) particularly at the already over-congested intersection of the area on Prospect Road around Lawrence Expressway. There have been 4 pedestrian/car accidents involving students at that intersection in the past year alone. The congestion and noise that would result from this project as well as the potential unsafe environment that would result are unacceptable.

The San Jose's Envision 2040 Plan describes a community oriented Urban Village that is walking and bicycle friendly combining shopping, housing, restaurants and entertainment serving the entire community. Such a community would be very much appreciated and useful to all the local residents. The proposed Costco development is not consistent with any of these concepts.

In addition, the plan calls for a Costco that is 165,000 square feet on 9.69 acres. The Sunnyvale Costco, is 145,000 square feet on 15 acres. The proposed Costco is much too large for the allocated space not to mention this site is much closer to residential areas than the Sunnyvale Costco.

On another note, placing parking on the roof of the building would be very disruptive to the residents behind the facility off Graves Ave. Other complexes such as Safeway have put the parking underground which would be much less disruptive.

The Costco project does not plan for any major traffic controls or mitigations, but instead only contains minimal changes like sidewalk improvements and road striping. This makes worse an already unacceptable risk for students, pedestrians, and cyclists. This project alone generates more traffic at that site than roads can handle. Add in the traffic from thousands of new housing units across Prospect Road and along Saratoga Avenue and you have a recipe for danger, gridlock, and increased vehicle pollution from traffic-jammed cars.

In summary, my concerns are increased congestion, pollution, and the safety of pedestrians, bicyclists and automobile drivers alike.

This project is inappropriately scaled for the surrounding community and should be denied.

If the city insists on approving this dangerous project, before granting approval the city must create, fund, and put in place specific traffic and pedestrian mitigation measures to address student, pedestrian, and cyclist safety as well as revisit the Urban Village concepts.

*Sincerely,
John Yelinek*

[REDACTED]

Saratoga CA

[REDACTED]

[REDACTED]

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Comment Letter 155

Costco Westgate west

Jack and Marijane Lovell [REDACTED]

Fri 2/16/2024 10:03 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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No Costco in westgate west

Will result in too much traffic, danger to pedestrians and nearby schools not to mention major inconvenience to the neighborhood

Marijane Lovell

Sent from my iPhone

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Comment Letter 156

Concerns about West Valley Costco, project file # CP21-022

Paul Wilcox [REDACTED]

Fri 2/16/2024 12:48 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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I'm Paul Wilcox, a 12 year resident of the English Estates neighborhood of San Jose, part of the greater West Valley region of Santa Clara County. After reviewing the DEIR for the Costco project proposed at West Valley shopping center, which I live just across Lawrence Expressway from, I'm very concerned that this project will have an incredibly adverse effect on traffic, parking, and general safety on the neighbors, students, and seniors created by the enormous traffic this Costco - plus the many other neighborhood projects - will bring to the area.

I think the DEIR has some deficiencies which I will list below. I also have further feedback for the planning commission and city council outside the immediate scope of the DEIR, which I'll list separately.

DEIR FEEDBACK

Traffic

The DEIR states that traffic will increase by 11,000 cars. The DEIR lists this as "less than Significant impact" however the project makes no changes to any of the local streets or intersections. Their analysis is based on traffic studies such as the Lawrence traffic Level Of Service Report from 2013, or from before Saratoga Blvd. was narrowed by 2 lanes for traffic calming, and doesn't take into account more recent data.

Just within the last year, 4 Prospect High School student pedestrians have been hit by cars. The study doesn't even study traffic during some of the most critical times, when Prospect High students walk across Lawrence for lunch, or when school gets out in the middle of the afternoon. Any local resident, including me, can tell you that there's a huge spike in cars, bikes, and pedestrians when Prospect High lets out in the mid-afternoon.

If traffic increases without significant mitigation, this will have an adverse effect on safety in direct opposition to San Jose's "Vision Zero" planning.

To mitigate these issues, more study must be made of traffic patterns in the area during school hours, and the project should go hand-in-hand with improvements to Lawrence Expressway and Prospect Boulevard. An alternative mitigation would be to not approve the project, thus reducing the overall traffic load on the neighborhood.

Parking

As someone who both drives and walks through the Westgate Center's parking lot multiple times per week, I can safely say that's one of the poorest-designed parking lots around. At least once a month I witness a near-accident, and I've seen a handful of actual accidents in my time living here. Adding a huge Costco with thousands of visitors per day can only exacerbate this important safety issue.

As a mitigation issue, Costco could consider building a structure more in-line with the size of the property, thus greatly reducing the need for parking.

Additionally, Westgate Center includes many other popular businesses including restaurants, BevMo, and an immensely popular Trader Joe's (our family shops there twice a week, for example). As designed, the Costco project makes no accommodation for parking at these businesses - especially the Trader Joe's who's entrance directly faces the proposed Costco's entrance - which further increases safety concerns and, perhaps more importantly, has the potential to negatively impact the success of these existing businesses simply because their patrons will have trouble parking to visit them.

I would therefore like to suggest that the DEIR study the impact of parking at the other businesses so the planning commission and city council can understand the impact on these existing local services.

ADDITIONAL FEEDBACK

Unaccounted For Other Projects

Possibly beyond the scope of the DEIR, I'd like the planning commission and city council to keep in mind that the proposed development doesn't seriously take into account the other major developments in the immediate vicinity which are already approved and underway, including the mixed use development at El Paseo de Saratoga Center and the giant housing project just up the road near the intersection of Saratoga Blvd and Cox Ave. These 2 other projects are also going to significantly add to local traffic, which isn't accounted for in the DEIR.

Project Is Too Big For The Site

I'd also like to urge the planning commission and city council to consider that, for decades, Westgate West has had small and mid-size businesses that serve the local community. Costco is a giant business and wants to build a huge warehouse. In fact, their proposal is to build a structure that is 20,000 sq. ft. larger than the nearby Sunnyvale Costco, on a lot that is 35% smaller than Sunnyvale's. On the face of it, this just doesn't make sense. Westgate West's

property simply isn't the right size or shape, nor does it have the proper road access from either Lawrence Expressway or Prospect Boulevard, to accommodate a giant warehouse store no matter how much Costco would like to cram it in.

I am not opposed to development of the site, nor are the many neighbors I've spoken with about this project. In fact, for decades there have been good businesses in Westgate West that are the right size and fit to service the area and make productive use of the land. I would love to see the property revitalized and new businesses or housing brought in, but an enormous building in a relatively small lot with no changes to local roads isn't the right way to go.

Thank you for your review and consideration of my feedback,
-Paul Wilcox, English Estates neighborhood of San Jose

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Comment Letter 157

Feedback for Westgate West Costco DEIR, File no. CP21-022

Paula LeBlanc [REDACTED]

Fri 2/16/2024 3:12 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am a Mother, a Grandmother, and a retired teacher who cares deeply about our community, especially the safety of our children. We have lived in our home in the Country Lane neighborhood for 46 years. We raised our family here and have watched our children and Grandchildren safely attend Country Lane, Moreland Middle School, Prospect and Mitty We have seen many changes during our time in the Country Lane neighborhood, and we are not opposed to change but this Costco is more than a change...it is a "Way of Life Change" for so many of us. When OSH was closed we were told the site was set to be developed as an Urban Village, which we firmly believe would benefit our community...However building an oversized Costco on a site that is way too small, will cause so much more congestion and will be detrimental not only to our quality of life but also to our health. With so many other Costcos nearby, all of which are located in industrial areas or malls, why pick a site that is right in the middle of a neighborhood?? One that would be so disruptive to so many.

My biggest concern is the safety of the children and motorists who have to navigate the intersections of Lawrence and Prospect, as well as Saratoga Ave and Prospect every day. Imagine how much more congestion 11,000 extra car trips per day will mean due to the huge Costco

that is being proposed with no traffic mitigation. It will be exponentially more dangerous and detrimental to residents of all ages in this area.

The ERI report does NOT include any data with regard to the pedestrians, motorists, or cyclists during the most congested times of the day, as the children try to make their way to and from school. I understand this data is not required by the city of San Jose, but I definitely do not understand how or why it is being excluded! This area has already been named as a "Priority Safety Corridor...Will it really take a tragedy, that could have been prevented, before someone can take another look? A realistic look this time. With the safety of the school children in mind, please reconsider the traffic portion of the EIR during school drop off and pickup.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Paula LeBlanc
Country Lane Neighborhood

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Comment Letter 158

Feedback for Westgate West Costco DEIR, File no. CP21-022

Seema Salon [REDACTED]

Fri 2/16/2024 4:32 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Attention : Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I love Costco and shop there all the time , been a Costco member for over 25 yrs BUT a Costco in this particular location is what i oppose n is a bad idea. I live on Graves n Teresita and dread the amount of traffic n saftey of our kids with the Costco craziness of traffic and delivery trucks that will weave in n out of our residential neighborhood .

Also keep in consideration the Prospect High School right across from the proposed location of this Costco. The traffic is already a lil too much when kids are dropped off and getting out of school n have to walk towards the prospect road, evening game gays/ special classes in that school already makes it a traffic zoo to drive near there and to add another 11k cars is pure craziness to even think .

Costco themselves claim there will be more than 11,000 cars in n out of this location plus the delivery /trucks vehicles. With the current proposed infrastructure of roads and parking , it will be a nightmare for us who live near Graves ave, Saratoga n Lawrence expy and surrounding west valley neighborhoods, all the traffic is going to backup in all of these neighborhoods .Not to mention the recent shrinking of the lanes on Saratoga , thats another craziness that i fail to understand .

So i request that the Costco not spend \$\$ for this location and the City of San Jose can and should do better for students, residents, and consumers , there is a tremendous difference in traffic, congestion, parking, etc., (impact to neighborhood) between a Costco and having other small businesses. The current DEIR lays out bare minimum requirements only, not acceptable as a long standing resident of Countrylane.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Seema Kapoor of Countrylane Neighborhood

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Comment Letter 159

Feedback for Westgate West Costco DEIR, File no. CP21-022

Taleen Nazarian <[REDACTED]>

Fri 2/16/2024 10:53 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

San Jose needs to encourage micro communities. We need walkable neighborhoods with parks, quaint shops, tree-lined streets, and neighbors looking out for one another. Everyone knows a tight-knit neighborhood cuts down on crime.

Costco is commuter store, attracting shoppers from other areas. In the proposed location, it will be like a bill in a china shop. It won't fit. Why not expand Saratoga Creek Park?

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

<Your Name and neighborhood go here>

Sent from my iPhone

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Comment Letter 160

Feedback for Westgate West Costco DEIR, File no. CP21-022

LEE YUANYUAN <[REDACTED]>

Fri 2/16/2024 2:18 PM

To:Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>;Mahan, Matt <Matt.Mahan@sanjoseca.gov>;Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>;Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>;Torres, Omar <Omar.Torres@sanjoseca.gov>;Cohen, David <David.Cohen@sanjoseca.gov>;Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>;Davis, Dev <dev.davis@sanjoseca.gov>;Doan, Bien <Bien.Doan@sanjoseca.gov>;Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>;Foley, Pam <Pam.Foley@sanjoseca.gov>;Batra, Arjun <arjun.batra@sanjoseca.gov>

Cc:Planning Commission 5 <PlanningCom5@sanjoseca.gov>;District1 <district1@sanjoseca.gov>

[External Email]

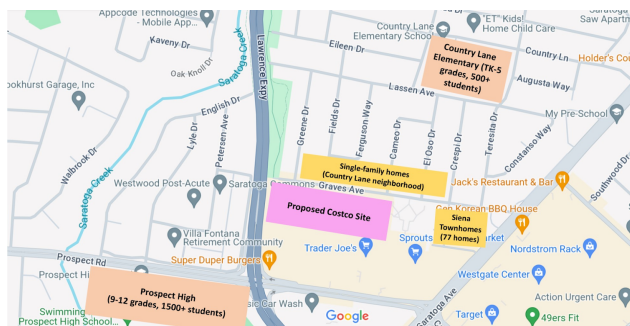
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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

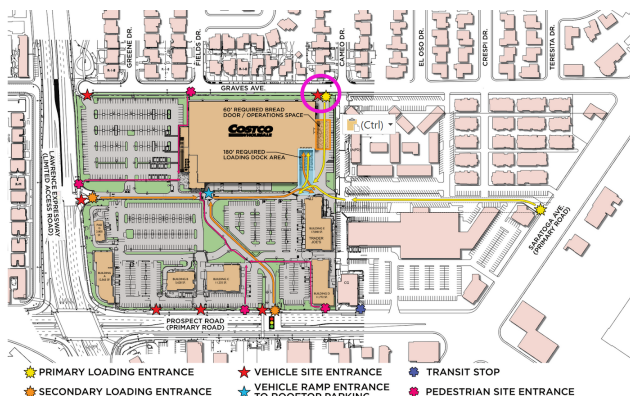
1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by the additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are priority safety corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a "cut through" for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as "cut throughs" to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. Additionally, there is no analysis for the El Paseo de Saratoga mixed use 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete data, the studies and predictions in the DEIR are invaluable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would "result in substantial noise-generating activities" (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the "noise is temporary, the Project would not result in a cumulatively considerable impact" (page 246) and the noise is reasonable because it does not exceed "airport- or airstrip-related noise levels" (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation

noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers' radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of volatiles and dust in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as "locally

and regionally accessible by multiple transport connections" on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the "engagement of local residents in planning the urban village" and "a mix of housing and employment to reduce traffic." The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an "area of undue concentration." Since the proposed off-sale location is in an **over-concentrated census tract**, Costco's conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of "public convenience or necessity." It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe's, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Yuan Lee
95130

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Comment Letter 161

Feedback for Westgate West Costco DEIR, File no. CP21-022

Charlie Niemeyer <[REDACTED]>

Sat 2/17/2024 9:19 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I am writing to share my concerns about the Costco project in the West Valley region of San Jose. I have lived in this area of our city for 45 years. My children continue to live here, as well as grandchildren who attend school in the Moreland District. I have worked in this area in Adult Day Programs for over 25 years. Now, retired, I hope to remain here. Over this time, though, I have been left with the feeling that because of our physical distance from the City Center and our relationships with Saratoga, Cupertino and Campbell, our standing with the City was less than equal to other Districts. After attending meetings and discussing this proposal with neighbors and merchants I come away feeling that, once again, this outlying corner of San Jose is receiving less consideration than it needs. I know there are certain points that have been discussed with you by others, yet, I would like to review some of them in the hope of providing a most holistic view of what is being planned for this area.

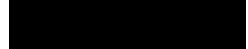
It was pleasing to see the Planning Commission and the City Council, over the past few years, accepting a vision of Urban Villages. Perhaps, our West Valley neighborhood could become a real village. When El Paseo's plans were shared, I felt it would be good to have the housing, retail and some recreational space built there and safety corridors enhanced. However, as time has gone on with old merchants leaving and nothing new replacing them, we live in a bleak space with no amenities for ourselves or our children. While dog parks are renovated, playgrounds for children remain in poor repair. Residents choose to take their children to other city's parks now. School yards, where most of

our children grew up playing after school and on weekends are now locked away from the public. Bowling alleys and pools have disappeared. Our library does its best to provide good programs, however, when I see something interesting offered in San Jose libraries, it is most often offered downtown. Older residents are, rarely, even mentioned in any plans for this area. In the midst of this, you are considering building a Costco Warehouse Store with a Tire Service Shop. This is not part of an Urban Village.

Costco has been turned down in other areas for just this reason. It does not fit in a small, residential space where people of all ages must move about safely to get to their schools, doctors, shopping, work and activities. Prospect High School may seem like the center of this concern, however, there are many schools (private and public) of all levels and daycare programs directly effected by this proposal. There are skilled nursing facilities within walking distance of this proposed site where ambulances and visitors come and go. Yet, your traffic studies and environmental reports are not required to address these conflicts. Whether it is the traffic, pollution, noise or safety issues that we hear discussed in meetings, I do not hear the City providing any alternatives or improvements for the neighborhood as a whole. Various City studies are limited in their scope and do not provide the details necessary for good urban planning. Costco is not an improvement. It is an impediment to the future of any Urban Village possibilities for us. Please do not vote to approve this project.

Thank you for your time and your consideration of my concerns.

Charlotte Niemeyer



San Jose, CA. 95129

<your comments go here>

Sincerely,

<Your Name and neighborhood go here>

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Comment Letter 162

Costco proposal

Charlotte Pitts [REDACTED] >

Sat 2/17/2024 8:52 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

Dear Ms. Hawkins,

My comments about the proposed Costco development in the Westgate area is the project is too big for the available land. It is larger than the Sunnyvale one, with fewer parking places.

There is not adequate space to hold the cars which have entered the project but have not yet parked. Even today at peak times, not all the cars can get onto the property and are left waiting on Prospect until they can enter the property to look for a parking place.

And the traffic problem will become worse and worse with the finalizing and completion of the El Paseo Project of 897 new homes.

Please consider downsizing the extent of this project and building more than a two story parking structure with better traffic flow in and out of the project.

Sincerely,
Charlotte Pitts, home owner and concerned citizen

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Comment Letter 163

Feedback for Westgate West Costco DEIR, File no. CP21-022

Christy Rohrig <[REDACTED]>

Sat 2/17/2024 4:15 PM

To: Batra, Arjun <arjun.batra@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>
Cc: District1 <district1@sanjoseca.gov>; Planning Commission 5 <PlanningCom5@sanjoseca.gov>

[External Email]

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

Kara Hawkins Department of Planning, Building, and Code Enforcement Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois: I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I look forward to the Costco opening. The left turn from Lawrence into the Costco lot (north of Prospect) may need a larger holding area. On a regular basis, police should be scheduled to check traffic after the schools let out.

Thank you for your consideration and your care in responding to these concerns. Sincerely,
-Christy Rohrig
Walbrook Dr., Saratoga, CA

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Comment Letter 164

Feedback for Westgate West Costco DEIR, File no. CP21-022

Della Ong [REDACTED]

Sat 2/17/2024 10:41 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

———//

Hello, I am very sorry to say that I totally disagree with this Costco proposal, it will be a hazard to the community, especially it will cause an extreme traffic jam near the PHS. I feel very sorry for the situations it may cause to the nearby communities and the PHS if this proposal been passed. For the big sales company like Costco, they should find an area not that crowded and condensed . It's will cause more inconveniences To the nearby residential.

I hope the city wins reconsider. Thank your.

D.O from San Jose

<your comments go here>

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

2/23/24, 10:46 AM

Mail - Hawkins, Kara - Outlook

<Your Name and neighborhood go here>

Sent from my iPhone

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Comment Letter 165

Opposition to hProposed Costco location at Westgate West

Elna Cunningham [REDACTED]

Sat 2/17/2024 12:18 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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As an immediate neighbor to the proposed Costco location, I am writing to express my opposition to the Costco Proposal for the following reasons.

A Costco Warehouse in this location contradicts the desirable Urban Village concept of placing needed but smaller commercial entities in walkable/bicycle friendly locales adjacent to and mixed with residential housing. Costco's business is almost entirely reliant on automobile access for transporting large quantity purchases; i.e., people do not go there to pick up a quart of milk or a dozen eggs. A Costco at Westgate West will undoubtedly increase auto traffic on already congested main thoroughfares nearby and spillover into adjacent residential neighborhoods.

Proposed parking seems inadequate and inconvenient, most certainly impacting nearby parking areas such as those for Trader Joe's, BevMo and Sprouts, and possibly spilling into neighborhood residential streets.

There are 3 present Costco Warehouses within fairly close driving proximity to residential neighborhoods near the proposed Westgate, 2 of them with gas pumps.
Another seems superfluous.

It is therefore my opinion as a resident of the immediately affected neighborhood, that the proposal should be rejected for the benefit of both the immediate and surrounding neighborhoods.

Sincerely,
Elna Cunningham

Sent from my iPad

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Comment Letter 166

Feedback for Westgate West Costco DEIR, File no. CP21-022

Jeff LaTourrette [REDACTED]

Sat 2/17/2024 8:21 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

There is no need for another Costco and no need to put it adjacent to our neighborhood.

3 other Costco's are within 6 miles, within 8 miles, and within 10 miles from this site.

Impact to traffic congestion, noise and pollution when coupled with re-development of El Paseo to add 1000 apartments will be more than the roads, intersections and neighborhoods can handle.

Add to that the number of Prospect High School Students traveling across these busy intersections and we're sure to increase the likelihood of vehicle/pedestrian accidents and potential loss of life.

No other Costco's are located immediately adjacent to schools and to residential neighborhoods.

No matter what any studies say, the impact of Costco shoppers to Westgate West will create a parking nightmare and loss of business to long-standing tenants.

Competition will likely drive out existing markets, Trader Joe's, Sprouts and BevMo.

Allowing the Costco project is a bad move any way you look at it.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Jeff LaTourrette
Country Lane Neighborhood

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Comment Letter 167

Concerns regarding proposed Costco for West Gate Shopping area

J Hemiup [REDACTED]

Sat 2/17/2024 10:06 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: qct1123@yahoo.com <qct1123@yahoo.com>; Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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To: Kara Hawkins, Planner
City of San Jose
Department of Planning, Building, & Code Enforcement
200 E. Santa Clara Str., Tower 3rd Fl
San Jose, CA 95113-1905

Date: February 16, 2024

Subject: Concerns regarding proposed Costco for West Gate Shopping area

Dear Ms. Hawkins and all others whom this letter may concern,

As a resident of the Brookview neighborhood, which is location adjacent to Prospect High School, I am concerned with the potential bicycle/pedestrian (bike/pedestrian) safety, traffic congestion, and pollution the proposed Costco on Prospect Avenue will cause. The 11,000+ car trips a day to and from the warehouse will generate significant pollution and travel safety, especially for my incoming 9th grader who will walk and bike to Lynbrook High School and my incoming 6th grader to Miller Middle School. The congestions and pollution from the standstill traffic will negatively affect the health of students, seniors, and the residents of this area.

Prospect Avenue is currently a very busy and congested between Lawrence Expressway and Saratoga Avenue. Thus the extra traffic demand and resulting emissions will appear to have significant impact on this, and surrounding, streets. Therefore I request you please forward to me via email (noted below) the Traffic Plan and the Environmental Impact Report (EIR) that Costco submitted for their permitting process.

Prospect High School is located on the adjacent corner of the proposed Costco site and many of the students walk and use bicycles to come to and from home to reach the school. Therefore does the Traffic Plan have additional striping and safety features to

accommodate these students and other bike/ped's that utilize this corridor? Please supply striping plans and addition safety features if available.

Given the increase in vehicle trips to this area, will there be mitigation measures implemented to offset the increase in pollution? Will additional bus services be implemented to reduce vehicle trips taken and to provide an alternative mode of transports for customers?

Regards,

John and Christine Hemiup

[REDACTED]

Saratoga, CA 95070

Email: [REDACTED]

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Comment Letter 168

Feedback for Westgate West Costco DEIR, File no. CP21-022

Keith Blom [REDACTED]

Sat 2/17/2024 2:32 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I've reviewed many of the feedback comments you've already received and trust you are aware of our serious concerns about safety, congestion, noise pollution, and light pollution, so I'm not going to repeat them here. Rather, I'll just ask a question: why? Why are you so dead set on building a Costco where one clearly does not belong? Is it to get increased tax revenue? Are you going to sacrifice the well being of all the residents in the area for a fistful of dollars? And are you just fooling yourself? When surrounding property values drop, will the associated drop in property taxes offset any gain from Costco anyway? All this pain and suffering for little, if any, net gain in the years to come.

I've watched Westgate West slowly die over the years. I used to frequent all the stores that have left. I'd rather incentivize appropriate stores to stay/return than surrender to Costco. I realize it may be more work to restore Westgate West's glory, but good is always worth the trouble. Please keep this residential area residential.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Keith Blom

[REDACTED]

[REDACTED]

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Comment Letter 169

Feedback for Westgate West Costco DEIR, File no. CP21-022

Kim M [REDACTED]

Sat 2/17/2024 8:46 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I love Costco but I am very worried about student safety, traffic and the added pollution.

I live in the Moreland West neighborhood and I am a mother of three children who have gone through or are currently at Prospect High, so I'm very familiar with the amount of cars and students walking in the area not only during drop off and pick up times and the many school/sporting/theater events that occur.

There is already a frustrating amount of traffic and congestion at the Prospect/Lawrence Expressway intersection. I drop off and pick up my son (sophomore at Prospect) at the nearby McDonald's and Yogurtland areas because of the congestion at that intersection, and I often have to sit and wait, idling in my car for 5-10 minutes before I can leave the parking lot because the amount of foot and car traffic in those areas at that time.

The amount of cars and pollution that would be added from having a Costco there is not something we need for the neighborhood and environment.

I don't believe we need a Costco in our neighborhood when there are already two warehouses within a 15 minutes drive.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Kim Moore, Moreland West neighborhood

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Comment Letter 170

Feedback for Westgate West Costco DEIR, File no. CP21-022

Linda Dimmers [REDACTED]

Sat 2/17/2024 11:07 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am shocked and very concerned that the proposal for Costco in the old OSH location is still being considered. There is simply not enough room to accommodate a large warehouse and all the parking and traffic that goes with it. A second story parking garage may aid the parking problem, but there is nothing that could be done to limit traffic and gridlock in that immediate area. If you don't understand that statement, then you really haven't visited the site and surrounding area at different times of day to see for yourself.

The most important concern is the safety of Prospect High School students and other pedestrians. With the significant traffic increase this WILL cause, I fear the Prospect and Lawrence expressway intersection will become very dangerous for students as a direct result of an approval of this project. I believe safety should be your first concern, over generation of tax dollars. (BTW, reducing car lanes to add a bicycle lane buffer will make things worse, as what has happened on Saratoga Ave).

Also, aiding in the degradation of a community and an established residential neighborhood behind the site, and labelling (disguising) it as "progress" is never ok. This proposal is not an improvement to West SJ. Please keep in mind there are MANY Costco warehouses

within Santa Clara county. One is a short distance way from that site. Costco at the old OSH site is unnecessary and detrimental to the neighboring school, businesses and homes.

Thank you for your consideration and your care in responding to these serious concerns.

Respectfully,
Linda Dimmers
Baker West neighborhood

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Comment Letter 171

Feedback for Westgate West Costco DEIR, File no. CP21-022

Michael Radu [REDACTED]

Sat 2/17/2024 6:07 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am in favor of having this project (Costco) approved. I live and work here in Campbell.
Please reach out to me if you wish to have more details as to my decision.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Michael Radu
[REDACTED]

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Comment Letter 172

EIR comments to File No. CP21-022

NANCY [REDACTED]

Sat 2/17/2024 2:32 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

 1 attachments (49 KB)

File CP21-022 Westgate Costco EIR comments 224.pdf;

[External Email]

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Dear Ms. Hawkins,

Please see attached comments for the proposed Costco Warehouse Project at Westgate.

Thank you,
Nancy LaScola

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February 17, 2024

Comments to the Costco Warehouse Project Environmental Impact Report
City of San Jose **File No. CP21-022**

Please correct and or update the current Environmental Impact Report to include and or address proper analysis and assertions, as well as proposed mitigations, related to the observations referenced below in this letter. Please apply updated analysis and statistics to all areas of the report even if those areas are not directly address in this letter.

Utilizing outdated data and statistics from the period of a Global Pandemic shutdown skews accuracy to the favor of the project and misrepresents its impacts and proposed mitigations to the public. This EIR lacks proper analysis and mitigations inclusive of current accurate data and statistics for the existing and the proposed projects in the immediate and surrounding areas.

For example, much of the data is derived from the time period of 2020 and 2021, while simultaneously the EIR contains a transportation study taken in October 2023. The selective use of time periods during a Global Pandemic, with the numbers favoring the Project development, is suspect to create a lack of public trust in the overall report.

The site is currently a retail strip shopping center with a diversity of restaurants, small business and national retail shops, grocery, and services, primarily single story. There are no large loading docks or warehouse facilities. No rooftop parking with lighting, nor the congestion posed by the limited ingress/egress. Cumulative impacts omits impacts imposed to public/government services including but not limited to police and fire, for the projects listed in table 3.20.1.

A large Industrial style members-only warehouse is not consistent with the existing community. A members-only warehouse and large gas station appears to conflict with the public policy to increase services to those less fortunate. This Project appears to impact the surrounding residential community by excluding those who may be served by the expansion and development of affordable housing projects currently in place as well as those in the planning stages. Impacts to those excluded from utilizing this Private, members only industrial warehouse and gas station have not been include in this report and would seem to conflict with public policy and proper planning.

The immediate neighborhood is primarily residential in nature with a High School with sports fields. This neighborhood is serviced by intersecting streets lined with restaurants, small-business and national retailers, banks and personal services. There is a proposed mix-use project, "El Paseo Village" that compliments the existing community nature where the neighborhood and existing retail already provides a sense of a small-town/village community.

To introduce a very large, industrial-style member's only warehouse into the established neighborhood forever alters the existing community-focused environment and will be irreversible. This is a tremendous impact to the existing community and the impacts appear to be omitted from the report. The currently planned growth including the expansion and addition of more affordable housing, housing to service elderly is inconsistent with a members only industrial warehouse. This site appears incompatible with the proposed industrial-style members only warehouse which would be better suited along the Stevens Creek, El Camino, Alameda or De Anza Blvd locations.

An industrial Style Warehouse with loading docks, rooftop parking, large gas station, is not only incompatible with the small-town/village feel of this neighborhood, the planting of shrubs and trees cannot soften the massive Industrial Warehouse nature of this project that services members-only and excludes those unable to pay for its private access and privilege.

The EIR omits analysis of the impacts to the local businesses and improperly asserts this members-only industrial warehouse will “Promote economic growth and diverse new employment and retail/service opportunities for City residents”.

3.15 Public Services Page 199:

Police Protection:

1. Outdated Police officer Data reported is for years 2020 and 2021
2. statistics utilized during Global Covid-19 shutdowns do not reflect regular and accurate use
 - a. This data appears inaccurate and misrepresents a society in a pandemic shut-down operates and functions the same when NOT in a pandemic shut-down.
2. neglects the regional divisions of the department
 - a. where this site appears to be served by the SJPd Southern Division.
3. Data in EIR appears exaggerated
4. Data and analysis needs to be corrected and accurately reflected
 - a. close proximity to schools
 - b. close proximity to residential neighborhoods

No reference is made to the cumulative impacts from the proposed El Paseo Village site on the adjacent corner. (table 3.20.1)

Example: According to SJPd Southern Division team is composed of:

- 1 Captain
- 6 Lieutenants
- 18 Sergeants
- 128 Officers**
- 1 Senior Community Service Officer
- 14 Community Service Officers
- 2 Crime Prevention Specialists

EIR data: 1,159 sworn officers

SJPd data: 128 officers

Fire Protection

1. Outdated data reflects years 2020 and 2021 during a global COVID-19 Pandemic shut-down. This data appears inaccurate and misrepresents a society in a pandemic shut-down operates and functions the same when NOT in a pandemic shut-down.
2. statistics utilized during Covid-19 shutdowns do not reflect regular and accurate use
3. No reference is made to the cumulative impacts from the proposed El Paseo Village site on the adjacent corner. (table 3.20.1)
4. Omits analysis of access during high-use, high-traffic periods of school and work commutes

EIR Omissions Of Potential Impacts:

The potential of Taxpayer subsidies of any form including current or future potential grants, subsidies and/or bonds for any related infrastructure and/or improvements including traffic calming, utilities, public and governments services and impacts for potential Costco gas stations and EV charging facilities.

Observations:

1. There appears quite a discrepancy to represent approximately 10-times more sworn officers available to this site than the SJPd data reflects.
 - a. data and full analysis should be current and should not reflect any time period of a Global Pandemic.
 - b. Current and available data reflects a strong potential of the need to increase government services for fire, police and traffic services.

PUB SERV 1B: Page 203:

EIR makes the assumption: “proposed use is similar to existing and surrounding uses on site and would not result in a demand for police services beyond the area that the SJPd currently serves”.

Issues:

1. “...similar to existing and surrounding uses”.
 - a. there are NO warehouse facilities or uses in the existing or surrounding area and a warehouse is incompatible with the existing and proposed retail, service and restaurant mix.
 - b. Warehouse activity Impacts to existing grocery stores and retail shopping are not properly analyzed – how will the Discount Warehouse impact Target, Nordstrom Rack, Ross Dress for Less; Trader Joe’s and the small businesses currently and proposed to operate in the immediate 4-corners of this proposed location.
 - c. No cumulative impacts include the proposed El Paseo Village.
 - d. There is no current Rooftop parking in the immediate or surrounding area.
 - i. impacts from lighting and noise, ingress and egress traffic congestion are not properly analyzed with relation to the adjacent current and proposed residential homes, pedestrian and auto traffic for schools and surrounding businesses.
 - ii. No analysis of cumulative impacts on the wildlife, residents, traffic, utilities, public services, government agencies, noise, conforming uses and health risks from the industrial warehouse, gas station and additional rooftop lighting and noise when there is substantial lighting and noise to the surroundings from the existing high school sports fields, or the proposed El Paseo Village Project.
2. “...Would not result in a demand for police services...”
 - a. EIR utilized Inaccurate data
 - i. Global Pandemic time period used skews the accuracy of the analysis
 - ii. Neglects the SJPd Regional Divisions and instead inaccurately states the entirety of ALL of the SJPd regions resources will be available to service this project.
 - iii. Data and analysis is based on outdated numbers of officers and other statistics that are 4-years old and occurred during a period of a Global Pandemic shut-down.

PUB SERV 1C, page 204:

1. While the EIR indicates “no impact” the data and statistics utilized are outdated and inappropriate.
 - a. Omits agencies impacted by potential increase to improve, monitor and calm increased traffic brought to the intersections where no warehouse and warehouse sized gas-stations exist.

Alternatives:

The report omits any listing or compilation of specific alternative sites analyzed or considered and instead relies on representation of alternative uses of the proposed project site while the conclusions rely on outdated and improper data and statistics.

Thank you for your attention to this matter.

Respectfully,

Nancy LaScola

[REDACTED]

Los Gatos, CA 95031

Comment Letter 173

Subject: Feedback for Westgate West Costco DEIR

Nancy Vinall [REDACTED]

Sat 2/17/2024 12:20 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois

I am writing to share my misgivings about the proposed development of Westgate West shopping center and the construction of a new Costco Warehouse. Firstly, I feel that this is an inappropriate business for this site. A Costco is much too large a project for this residential neighborhood. The influx of traffic to a Costco will be enormous (expected 11,000 car trips/day) in an area that is already congested. The location of the adjacent Prospect High School creates concern because of the large numbers of students who cross Lawrence Expressway and Saratoga Ave. every school day and the corresponding vehicle traffic created by the school in the morning and afternoon. (I invite you to observe this yourselves.)

The development of housing at El Paseo Center and also the El Quito Center is already going to put a strain on the present infrastructure in the Westgate area and will add greatly to vehicular traffic.

It has also been mentioned that the City of San Jose wants to improve accessibility for pedestrians and bicyclists. That's great! and people currently walk and bike to the center, however I can't recall ever seeing someone go to Costco on a bicycle, One needs a car.

Costco is a membership store, which will exclude a number of local citizens like me who don't need large quantities of things. Most are located, as a warehouse should be, in areas that are light industrial or freeway adjacent and our neighborhood is neither.

It is my sincere wish that you all will take these matters seriously.

Thank you

Nancy Vinall

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Comment Letter 174

List of Concerns about the Addition of a Costco Wholesale in the 95129 Area for Consideration

Nathanael Bailey [REDACTED]

Sat 2/17/2024 2:03 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>

[External Email]

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Dear Mayor Mahan, Vice Mayor Kamei, Ms. Hawkins, San José City Council members, and Planning Commission Chair Lardinois,

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) and attended Vice Mayor Rosemary Kamei's meeting held at Prospect High School. I am writing to share my feedback, concerns, and requests.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

As a Prospect High School recent graduate who walked, biked, and drove myself daily to school from my home in the Country Lane neighborhood, I am well aware of the risks pedestrians and cyclists take who want to cross at Lawrence and Prospect as well as the congestion for those driving that same intersection. Also as a resident of the Country Lane neighborhood, I am very concerned at the proposed intense increase of traffic which would then increase the time it takes our neighborhood to travel in any direction just so at the same time some Costco members don't have to travel to Costco as far. My family are Costco members. We are fine with the Costco drive. We and all others who chose to become Costco members understood how long the drive to Costco would be when signed up and essentially agreed to it.

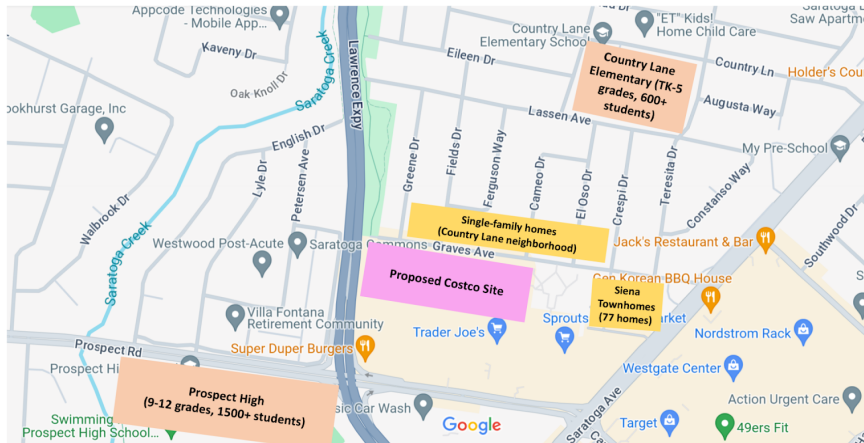
However when our family bought our home we understood we were buying a home right next to an elementary school and very close to a high school where my siblings and I could walk safely to and from those schools. We, and all others who chose to move into this neighborhood desired that community and all that goes with it. Our neighborhood did not agree to live next to a Costco that would fill our streets with driving Costco shoppers and make our curbs an extension of their insufficient, and unstudied (because the CEQA did not require it) parking lot with their accompanying shopping carts.

We have been to the Sunnyvale Costco many times and have been impressed at how hard it is to find a parking spot even with the removal of the Sweet Tomatoes restaurant and the additional spots their parking lot and footprint provided. At the Vice Mayor's meeting the Costco representatives

said they did not see any parking issues. However, how can they say this when no studies have been done? Before the irreversible consequences of moving forward with this proposed Costco, more studies need to be done by unbiased, third parties who can represent accurately its' impact in full, including safety of pedestrians and cyclists, parking lot needs for both Costco and the other Westgate West businesses and the impact of congestion on the neighborhood directly behind it as well as those in the surrounding areas. Please have all the accurate information gathered possible to make an unbiased decision on what project would be best for the old OSH Westgate area and the surrounding businesses, neighborhoods and schools.

Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan *due to existing dangerous conditions*.

Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



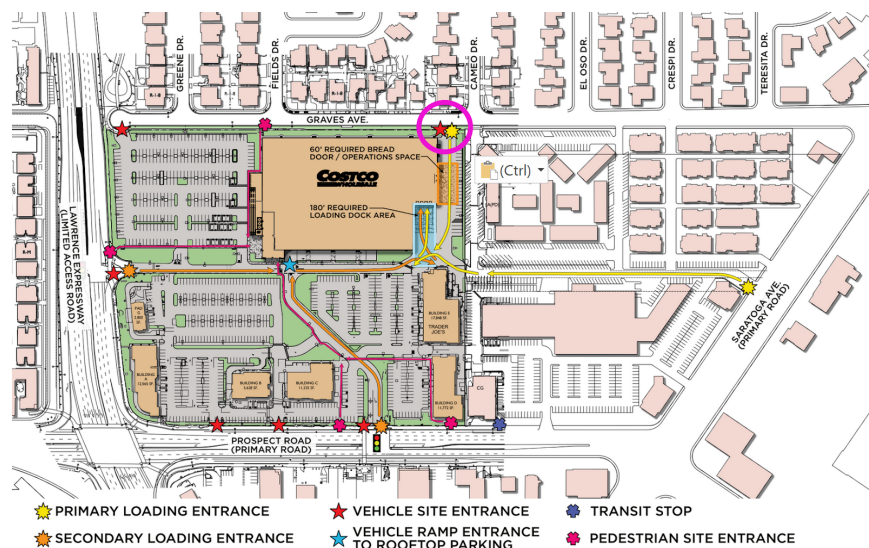
Surprisingly, the study completed by Kimley-Horn includes ***no data on pedestrian and cyclist conditions***.

During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by the additional cars on multiple roads. The DEIR should include

safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are priority safety corridors according to the City of San José.

2. The DEIR omits data from areas directly North of the proposed Costco

Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane *residential* street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costo's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements *must* include the **closing off the full-access point at Graves Avenue and Cameo Drive** for Costco trucks, shoppers, and vendor vehicles. Every opportunity should be taken to deter increased travel past neighborhood elementary schools. In order to do this, Costco access on Graves and Cameo Drive must be closed. Even though it potentially moves the problem to the medical center, that would still be a significant deterrent to Costco shoppers and therefore one that should be taken for the safety of the elementary school families. Currently, if I request directions to the Bikram Yoga San Jose (which would be torn down for the proposed Costco) **both Waze and Google Maps give me directions through the Graves/Cameo Drive parking lot entrance**. *This will also be true for anyone looking to go to Costco, especially those who will want to avoid the congestion surrounding the other entrances that access the proposed Costco. However if the Graves/Cameo Drive entrance is closed both Waze and Google Maps will not direct anyone to Graves Avenue even though the medical center will still have their driveway available.* This is very significant for the safety and privacy of the families whose neighborhood Costco is descending upon.

The residential roadways should not be used to access Costco development. Other Costco warehouses in the Bay Area do not access residential streets. Examples (Costco – Almaden, Costco – San Leandro, Costco – Danville).

- Remove Vehicle Driveway access through Graves Avenue: The proposed development should have no vehicle access or driveways along Graves Avenue. **This is Alternative B as studied in the DEIR Appendix I - Transportation Analysis which excludes access through Graves Avenue.**

- A traffic study should include neighborhood protections if Graves Avenue access remains. A more thorough analysis of mitigations required to prevent impacts to the residential community should be identified in the DEIR to include traffic calming and other measures that would be the responsibility of the developer. This could require several years of monitoring and additional mitigation projects for the safety of students and pedestrians.
- A full perimeter fence should be installed (with no pedestrian access directly into Costco) along Graves to prevent Costco members or employees from intruding into the neighborhood for parking.

See examples of perimeter fencing at Walmart Superstore protecting neighborhood intrusion and soundwall at Almaden Costco which prevents vehicle access through residential. Similar requirement for Walmart Superstore.

This fence or soundwall should continue along the easterly property line to the medical offices to protect the neighboring business from parking intrusion and provide additional visual and noise mitigation. Examples in San Jose below.



Perimeter Fence for Neighborhood Protection: Walmart Superstore (5095 Almaden Expwy) perimeter fence on Cherryview Lane with no vehicle driveways into Walmart.

A full perimeter fence or soundwall should be installed (with no pedestrian access into Costco) along Graves Avenue. This will prevent Costco members or employees from intruding into the neighborhood for parking.



Almaden Costco sound wall separating residential neighborhood.



Danville Costco, full length perimeter sound wall and large landscape to screen warehouse from residential.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be ***irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals***. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

3. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses,

schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. Additionally, there is no analysis for the El Paseo de Saratoga mixed use 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete data, the studies and predictions in the DEIR are invaluable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, “Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM” (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are “less than significant” traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a *major disruption to the lives of residents by creating constant traffic congestion*, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, *emergency response vehicles will be delayed in reaching their destinations*, which may be the difference between life and death for victims. ***The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.***

4. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of

Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of volatiles and dust in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children’s health also needs to be included in the DEIR given the project’s proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the

International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

5. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips

per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco’s characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

6. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine

that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe's, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

I respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,
Nathanel Bailey
Country Lane Neighborhood 95129

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Comment Letter 175

Proposed Costco Project at Lawrence and Prospect in West San Jose.

Raj Natesh [REDACTED]

Sat 2/17/2024 8:59 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Hi Kara,

I live about a mile from that intersection. We already have three Costcos within a short driving distance in Sunnyvale, on Coleman Ave in Santa Clara and on Almaden Expressway in San Jose. I think a Costco in the proposed intersection with increased traffic will be a safety issue for the students of Prospect High School. For what it is worth, I vote a No on the proposed Costco.

Raj Natesh

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Comment Letter 176

Feedback for Westgate West Costco DEIR, File no. CP21-022

Vatsan [REDACTED]

Sat 2/17/2024 7:23 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

To: Kara Hawkins, Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

- 1. When the whole world is moving to online shopping, shipment to home directly to improve efficiency and delivery of goods at convenience, why is SJC and bordering Saratoga allowing this to happen by opening a "Big Box" in an already crowded corner at the intersection of Lawrence and Prospect road?. It does not make sense to me and the city of SJC is doing a bad job on city planning by opening this shop in that complex.**
- 2. We are still paying taxes to the city even if it is online shipment from Amazon and I assume costco is paying your taxes which is your primary interest in allowing Costco in this complex.** I am completely lost in your rationale for opening this "Big Box" in this area.
3. Has anybody complained to you that we need a Costco or "Big Box" in this complex of Trader Joe's? If so, what is the count when compared to the count of residents objecting to opening the shop in this area. It seems like you are trying to help business folks recoup the sunk cost in that complex. Well.....times are different now and online shopping has benefits when compared to Brick and Mortar companies and the whole world has to adjust to the rise of the internet in conjunction with reliable delivery methods.
4. In summary, your logic to bring Costco defies common sense and logic given the traffic, work from home culture, internet shopping and supporting "Old Business Model of Brick and Mortar" is unjust to residents living in this area especially when they elected you to

govern with common sense.

5. Note: If you would disclose your home address, I can find ways to get a Costco shop right next to your home so you can shop all day long instead of voting with an attitude of NIMBY (Not In My BackYard). I am writing to all of you to highlight how poor your judgement is to locate Costco in the WestGate Mall complex.

Let me know if you have questions and you can reply back to this address with your questions.

Sincerely

Srivatsan Kasturi, Brookglen Neighborhood.

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Comment Letter 177

Feedback for Westgate West Costco DEIR, File no. CP21-022

Taleen Nazarian [REDACTED]

Sat 2/17/2024 5:55 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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

Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

With regard to the location of the closest fire station being at Saratoga Ave and San Tomas Aquino, won't gridlock hamper the ability for emergency vehicles reaching the nursing facility on Prospect, the high school, and the dense housing project development at El Paseo?

Sincerely,
Taleen Nazarian

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Comment Letter 178

Feedback for Westgate West Costco DEIR, File no. CP21-022

Van Baker [REDACTED]

Sat 2/17/2024 6:41 PM

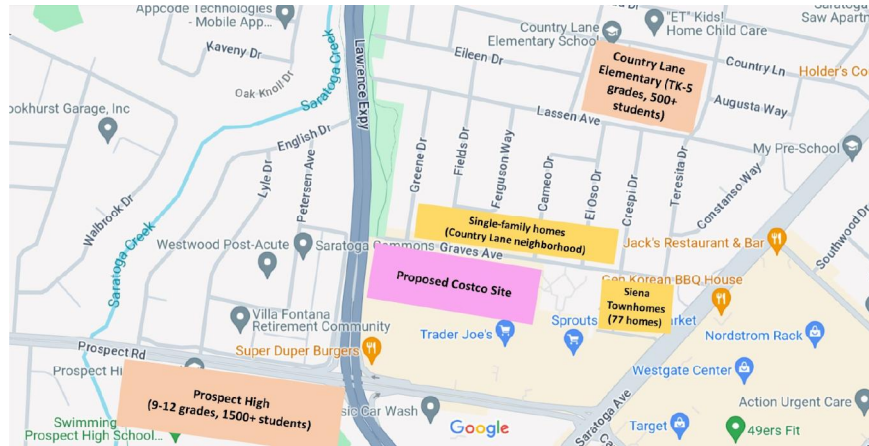
To:Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>;Mahan, Matt <Matt.Mahan@sanjoseca.gov>;Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>;Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>;Torres, Omar <Omar.Torres@sanjoseca.gov>;Cohen, David <David.Cohen@sanjoseca.gov>;Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>;Davis, Dev <dev.davis@sanjoseca.gov>;Doan, Bien <Bien.Doan@sanjoseca.gov>;Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>;Foley, Pam <Pam.Foley@sanjoseca.gov>;Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc:Planning Commission 5 <PlanningCom5@sanjoseca.gov>;District1 <district1@sanjoseca.gov>

Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

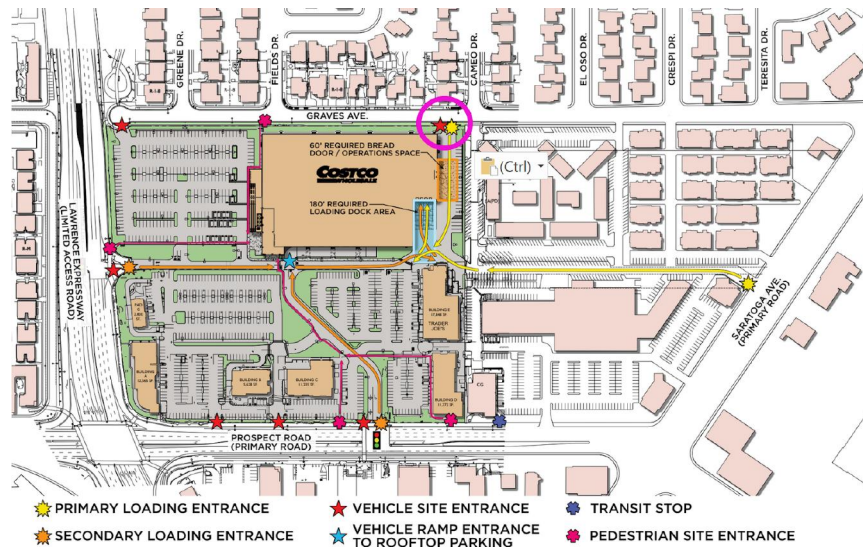
The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The

alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as "cut throughs" to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data

should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de

Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+

West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

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children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco

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The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic

Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Van Baker

Country Lane Neighborhood 95129

Comment Letter 179

Feedback for Westgate West Costco DEIR, File no. CP21-022

Audrey Redmond [REDACTED]

Sun 2/18/2024 7:43 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

I am a 20+ year Country Lane neighborhood resident who strongly opposes putting a too-large Costco into the too-small site at Lawrence Expressway and Prospect Avenue. I have lived on Happy Valley Avenue for decades and am deeply concerned about multiple issues regarding this project, chiefly safety, traffic, noise, quality of life, and that it is wholly inconsistent with the City of San Jose's own Urban Village plan.

I have reviewed the DEIR, attended public meetings and write today to share feedback, concerns and the reasons why this project should not be allowed to move forward.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered "most dangerous for bike traffic" by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city's [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk

outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.

 A map of a neighborhood Description automatically generated

Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by the additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are priority safety corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet **the DEIR also omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two-lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two-lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), **yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn**.

 A map of a parking lot Description automatically generated

Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The lack of substantial mitigations to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. **Data should also be collected and shared for the intersections most utilized by students at the four schools:**

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Country Lane/Happy Valley, Eileen Dr./Cordelia Ave, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/EI Oso
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. **In my family alone, our dog was hit by a vehicle on Happy Valley Ave, and our daughter was almost hit when running away from someone else's dog. Imagine what could happen when even more vehicles speed down our neighborhood roads to get to Costco. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.**

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore, three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway)

are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. Additionally, there is no analysis for the El Paseo de Saratoga mixed use 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. **Without complete data, the studies and predictions in the DEIR are NOT valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor.** Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the methodology for assessing traffic conditions is lacking. The DEIR states, “Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM” (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4-hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are “less than significant” traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

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The reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. **Costco Warehouses are not pedestrian - or bicycle -friendly due to the inherent requirements of shopping for items in bulk.** Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. **The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods.** The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. **The proposed Costco project is also not transit accessible.** Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public

transit options. **Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.**

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, **the project falls short of the stated goals of the Urban Villages initiative, which includes the "engagement of local residents in planning the urban village" and "a mix of housing and employment to reduce traffic."** The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an "area of undue concentration." Since the proposed off-sale location is in an **over-concentrated census tract**, Costco's conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of "public convenience or necessity." It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe's, Sprouts supermarket, and the Rotten Robbie gas station). **A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.**

There are many Costco members who are against this project because **we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure.** The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. **There is an enormous imbalance of power in this situation**, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the

requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety. **It is a great opportunity to do what is right, instead of what is easy – to make a decision based on what you would want in your own neighborhood, for your own children.**

I ask that you **not allow this project to move forward**. Thank you for your serious consideration.

Sincerely,

Audrey Redmond
Country Lane neighborhood resident

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Comment Letter 180

Vote NO on the proposed Westgate West Costco project!!!

Bobi Levine [REDACTED]

Sun 2/18/2024 4:34 PM

Cc:Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

 1 attachments (6 KB)

Re_ My comments on the proposed Westgate Costco project.rtf;

[External Email]

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

From: Bobi Levine [REDACTED]
Subject: Re: My comments on the proposed Westgate Costco project
Date: February 18, 2024 at 3:54:47 PM PST
To: matt.mahan@sanjoseca.gov
rosenarykamei@sanjoseca.gov
sergio.jiimenz@sanjoseca.gov
omar.torres@sanjoseca.gov david.cohen@sanjoseca.gov
peter.ortiz@sanjoseca.gov dev.davis@sanjoseca.gov
bien.doan@sanjoseca.gov
domingo.candelas@sanjoseca.gov
pam.foley@sanjoseca.gov arjun.batra@sanjoseca.gov
Cc: Kara.Hawkins@sanjoseca.gov,
christopher.burton@sanjoseca.gov
Bcc: [REDACTED] >, Save West
Valley Info <info@savewestvalley.org>

On Feb 10, 2024, at 4:11 PM, Bobi Levine
[REDACTED] wrote:

Please vote NO on the proposed Costco project to be built at West Valley West Shopping Center, corner of Lawrence Expressway and Prospect Ave. across from Prospect High School. This warehouse belongs in an industrial area - not a residential area!!!

I have lived in this residential area for 50 plus years and have seen many accidents or near accidents over the years at that corner. I live off of Doyle Road in the Country Lane/Happy Valley Area. Presently, it is almost

impossible for me to access Doyle Road at certain times of the day!!! Traffic has already increased in the past year - by allowing this project to proceed, people will use our Country Lane area as a short cut thoroughfare to get to the back side of the shopping center.

Allowing 11,000 additional cars per day to use Prospect Rd. and Lawrence Expressway, you are jeopardizing the lives of the students that attend Prospect High School, Country Lane Elementary and Easterbrook Discovery School as they walk, bike or drive to school as well as seniors in our neighborhood who walk to the West Valley West Shopping Center. Our neighborhood has a lot of people who walk daily, dog owners who walk their dogs and others who walk to the shopping center often to shop but will be hindered by neighborhood cut through traffic who speed through our quiet streets where children are playing and riding their bikes!!!!

The EIR report does not take into consideration the additional traffic that the new 1700 housing units that are planned to be built on Prospect Road across the street from the proposed Costco site. Another future housing project is considered for the corner of Doyle Road and Saratoga Ave. adding more traffic onto Saratoga Ave. and Doyle Road. The El Paseo Shopping area which is presently adding housing to that project will add considerably more traffic to Campbell Ave., Saratoga Ave. and Prospect Road. These roads are not set up presently for this added congestion!!! Many students walk or ride their bikes to and from Prospect High School - many students come from other areas of San Jose and have to be driven to school - which adds more congestion to our

already impacted traffic on Prospect Road, Lawrence Expressway, and Saratoga Ave. This is setting up “an accident to happen”!!!!

The present stores located at the West Valley West shopping center will be greatly impacted by the parking for these businesses and those in our neighborhood who shop there will be greatly jeopardized - we will have to drive additional miles to shop at a store that we were able to shop at in the past in our own neighborhood!!! It will be difficult to find parking at my local Trader Joe's and I will have to drive several miles further in order to shop at one of my favorite stores.

Costco is a membership warehouse business that does not meet the needs of all our residents. We need to align with San Jose's Envision 2040 plan and Urban Village plan with neighbor friendly businesses. I am a Costco member and would not shop there as it is 6 miles for me to drive to the Coleman location for gas and I would make it a point to shop there.

Please, please do not allow this proposed project to be built in my neighborhood shopping center!!!! Stop Costco from taking over the Westgate West Shopping Center!!! This is an over sized project on an undersized site.

Thank you for giving this letter your full attention !!!!!

Barbara (Bobi) Levine

 San Jose, CA 95129

Sent from my iPad

Comment Letter 181

Feedback for Westgate West Costco DEIR, File no. CP21-022

Chris Vasquez (Dolce Musica) [REDACTED]

Sun 2/18/2024 4:46 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

The Costco project is just too large for the area and will negatively impact traffic, up and down Saratoga Avenue, leading to 85 along the route where I and many fellow Saratoga residents live. The traffic is unsafe now for Prospect students in the busy intersection of Prospect and Lawrence expressway, and traffic will be increased in Saratoga Woods for high school student pick up, creating unsafe conditions.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Chris Vasquez
Saratoga Woods

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Comment Letter 182

Feedback for Westgate West Costco DEIR, File no. CP21-022

Craig B <[REDACTED]>

Sun 2/18/2024 4:30 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:
Subject: Concerns Regarding the Proposed Westgate West Costco Project

I have thoroughly reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and am compelled to voice my strong opposition. As a resident of this neighborhood for seventeen years, my wife and I are deeply invested in its well-being, particularly concerning the safety and accessibility of our community's children.

This neighborhood is a child-dense area. Hundreds of students walk across the Lawrence/Prospect intersection and many cars cross that intersection dropping off students for classes and after-school activities. Students would have to walk through the busy parking lot to get to and from school...or have entire routes cut out and their safe passage impeded! Country Lane Elementary School is just two blocks north of the proposed site. How will my daughter and son be able to walk through a demolition site to get to school? Trying to get to Moreland Middle or Country lane will be a dangerous journey they will need to make every day. There are already so many accidents in this

area involving cars and pedestrians... I believe five or six accidents with pedestrians in this area this year alone.

I live across from the proposed site on the other side of Lawrence. This project will make it nearly impossible to leave or enter the area, and access to Country Lane Elementary, Moreland Middle School, and Prospect on foot or bicycle is a matter of serious risk. The traffic will make it dangerous as a pedestrian and impassable in a car. We already have an unbearable congestion problem in the area!

The membership-only format of Costco does not align with our community's needs and threatens to disrupt the daily lives of residents, especially children who rely on these streets for education and recreation.

Again, the proposed location presents substantial challenges, notably in traffic management and pedestrian safety. Anticipated traffic influx, potentially reaching 11,000 trips per day, overwhelms our existing infrastructure. The suggested right-in, right-out access on Lawrence ignores the needs of southbound residents, forcing detours through congested streets or residential areas, notably affecting our schools.

Furthermore, the undersized loading dock raises concerns about round-the-clock truck queues, worsening noise pollution, and obstructing residents' access to essential amenities like Prospect HS. These disruptions compromise our quality of life and pose risks to the safety and well-being of our children.

Moreover, this project contradicts San Jose's planned Urban Village vision, undermining the cohesive development of our community.

In light of these pressing issues, I urge you to reconsider the approval of the Costco project at Westgate West. The negative impacts on health, safety, and quality of life for our neighborhood's children and residents would be severe. This location lacks the necessary infrastructure to support such a venture.

Thank you for your attention to these critical matters. I trust you will prioritize our neighborhood's best interests.

Sincerely,

Craig Broussard

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Comment Letter 183

Feedback for Westgate West Costco DEIR, File no. CP21-022

Dongling Ding [REDACTED]

Sun 2/18/2024 9:10 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project, and I am writing to provide my feedback.

1. My wife and I live on Cameo Drive across the proposed Costco warehouse. This is a very nice and quiet neighborhood with a high school, middle school, and elementary school within walking distance. A Costco warehouse will bring about 11,000 new vehicle trips/day, 18x today's traffic, and about 4M trips/year. This warehouse will greatly risk the safety of those students who walk or ride bicycles to schools and back to homes. Being able to walk or ride bicycles to schools is one of the big benefits for people to live and move into this neighborhood. This Costco warehouse is going to create unreversed damage to our neighborhood.
2. Currently the traffic around the intersection between Lawrence Expressway, Prospect, and Saratoga are already very heavy during busy hours. A Costco warehouse will make this area's traffic much worse and make the West

Valley area (a nice suburb area) become a crowded "downtown" area. That would not only affect the people in this area in their commute to work and daily activities, but also the people living in Saratoga and Campbell.

3. Given the size of the Costco project, I feel that there is not enough parking spaces for such Costco location. As a result, there will be a negative impact on access to and parking near Traders Joe's, Starbucks, and other Westgate West and nearby stores/businesses. Since the roof parking provided by Costco is only accessed by a one-lane in and one-lane out ramp, people will be hesitant to use the roof parking, consequently overcrowding the plaza ground parking and leaving less parking spaces for other businesses. Also, there is no specific plan to specify the parking location for about 300 Costco employees.

4. Costco warehouse will have a great negative impact on the residents on Graves Avenue and nearby streets, including my family. It's very unusual for a big commercial warehouse to reside right in front of residential houses. There will be cut-through traffic through neighborhoods due to increased traffic from the Costco Warehouse. When surrounding streets are gridlocked, frustrated shoppers will seek easier ways to get to the Warehouse Store through the Country Lane Neighborhood, driving right by Country Lane Elementary. The Country Lane Neighborhood should be protected from cut-through traffic by closing off the remaining Graves Avenue entrance to the proposed Costco with a wall or other method.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Dongling Ding — Country Lane Neighborhood

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Comment Letter 184

Feedback for Westgate West Costco DEIR, File no. CP21-022

Harry Stice [REDACTED]

Sun 2/18/2024 6:40 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>; Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

- San Jose's General Plan emphasizes the importance of pedestrian and bicycle travel in achieving the City's mobility goals. San Jose's Bike Plan 2020 calls for reducing bicycle collision rates by 50 percent. Similarly, San Jose's Vision Zero Plan is intended to create a community culture that prioritizes traffic safety and ensures that mistakes on roadways do not result in severe injury or death. Despite San Jose's clear priorities to protect pedestrians and bicyclists from harm, the DEIR does not evaluate the potential impacts on pedestrians and bicyclists that would be caused by the Project's increased vehicular travel.
- It is imperative that the DEIR disclose existing pedestrian and bicycle accident rates in the study area and then evaluate how these rates would change with the addition of Project traffic.
- My home is in the English Estates community that is across the street from Prospect High School. I personally request that the improvements identified in Saratoga's Safe Routes to School Plan along Prospect Road and Lawrence Expressway be implemented as a part of this project


2. The Traffic Conditions Study in the DEIR is Inadequate

- Page 57: The project is identified to have an adverse queuing effect for the eastbound and westbound left-turn lanes at Lawrence Expressway and Prospect Road, however, it was identified that there is no room for additional queue storage. Please provide further justification for why a portion or all the queue spillback cannot be accommodated.
- Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I -

Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads.

3. The Project is in Conflict with City of San José Urban Village Plan

- The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#).
- The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square

Harry Stice
English Estates

San Jose, Ca 95129

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Comment Letter 185

Feedback for Westgate West Costco DEIR, File no. CP21-022

Hazel Sewell [REDACTED]

Sun 2/18/2024 10:47 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am concerned about the safety of our community if Costco builds a warehouse in West Valley. There will be increased gridlock, noise, and pollution around Prospect High School, Saratoga Creek Park, and surrounding neighborhoods. Increased traffic will be dangerous to pedestrians and cyclists. In short, Westgate is not an appropriate place for a Costco.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Hazel Sewell
Country Lane Neighborhood

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Comment Letter 186

Feedback for Westgate West Costco DEIR, File no. CP21-022

Jackye McClure [REDACTED]

Sun 2/18/2024 4:10 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

As a 54 year resident of the Country Lane neighborhood, I have been encouraged to see my fellow residents take up the banner of resistance to this project. I raised my children in this neighborhood and always considered it to be a safe neighborhood for them to walk in and play together in over the years.

The neighborhood is bordered by three major thoroughfares: Saratoga Ave., Lawrence Expressway, and Prospect Rd. Additionally there are two educational settings which adds to foot, bike, skateboard and auto traffic. The addition of a big box store would surely complicate an already high volume traffic situation, and put many individuals at risk.

In addition, the neighborhood is already densely population. This will create more inconvenience and disruption for all citizens in our neighborhood. I certainly hope the decision makers in this process will take another look at the environmental impact of this project and the future consequences.

Sincerely,
Jackye McClure
Country Lane Neighborhood

Sent from my iPad

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Comment Letter 187

Feedback for Westgate West Costco Warehouse Draft Environmental Impact Report, File number CP21-022

John Carey [REDACTED]

Sun 2/18/2024 10:42 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

As a San José resident in West Valley, and having reviewed the Draft Environmental Impact Report (DEIR) prepared by Kimley-Horn for the proposed Westgate West Costco project, I wish to share my concerns and requests. Thank you for the opportunity to provide this feedback.

Pedestrian and Cyclist Safety Must Be Addressed by the Environmental Impact Report

The study completed by Kimley-Horn includes no information on conditions experienced by cyclists and pedestrians. (Though it mentions a few bicycle parking spaces, that hardly addresses safety.) And yet, their safety is my greatest concern were the proposed Costco Warehouse to be built--especially students crossing the street to and from Prospect High School, which teaches approximately 1,550 students. Student athletes run nearby streets as part of their training--including my eldest daughter. Lacking district busses, many students must take VTA busses and walk across the intersection of Lawrence Expressway and Prospect Road in the morning and in the afternoon.

As I see daily, that intersection is already subject to heavy traffic; the DEIR predicts 5,813 "primary [vehicle] trips" per day--over 9 times the current shopping traffic--which would greatly increase the complexity and danger of that intersection. The DEIR also predicts an additional 2,821 "diverted trips", which I believe would also congest the intersection.

Both Saratoga Avenue and Lawrence Expressway are designated as a Priority Safety Corridor through the city's Vision Zero plan due to existing dangerous conditions. Saratoga Avenue (east of the Costco site) itself experienced 42 crashes last year (based on San José Police Department reports on the City of San José website). That figure excludes unreported crashes and other heavily-traveled streets such as Lawrence Expressway and Prospect Road. Saratoga Avenue is already considered "most dangerous for bike traffic" by the Valley Transportation Authority and.

Bicycle and pedestrian accidents and school safety must be important parts of any Environmental Impact Report; their absence renders the report inadequate to inform the community in deciding on the advisability of a new Costco Warehouse as proposed. The likely impacts must be studied, and must take into account the approved El Paseo and 1777 Saratoga Avenue Mixed-Use Village, which will include almost a thousand residential units.

The DEIR should have included, and any final report must include, safety information for the most congested times for both the intersection of Saratoga Avenue and Prospect Road and the intersection of Lawrence Expressway and Prospect Road, especially since they are designated as Priority Safety Corridors by the City of San José.

The environmental impact on Graves Avenue should also have been described. It is immediately North of where the Costco Warehouse would be built, separating Westgate West from a residential neighborhood. In fact, Country Lane Elementary School is only one block North of Graves, and the South side of Graves has 77 units of family town homes between the Costco site and the only major exit from Graves, which is onto Saratoga Avenue. The current proposal adds truck and car access to Graves, but the crosswalk at Saratoga Avenue is the only crosswalk on Graves. As-is, Graves Avenue is ill-equipped to handle the additional truck and customer traffic without danger to families crossing it. And yet, the DEIR does not study the effects on Graves or how the traffic and parking will affect Country Lane Elementary School.

The large scale of automobile traffic generated by the proposed Costco Warehouse would require an equally serious set of safety modifications to roads, and possibly the addition of pedestrian and bicycle bridges, perhaps at several points in the area affected by the nexus of traffic. Alternatively, the scale of the project could be reduced to mitigate the impact--a smaller facility, serving fewer customers. The Envision San José 2040 General Plan has goals to encourage the use of non-automobile transportation modes, but the business model of a Costco Warehouse is bulk purchase, which necessarily requires automobile transport of the purchased goods. A backpack containing the day's groceries is just not sufficient--unless the proposal can be modified to provide some technical solution to that problem?

The proposal should be modified to in some way mitigate all of these harms. Perhaps: protecting bike lanes with markings and/or barriers; adding lights, bridges, or other protections for pedestrians; limiting access from Graves Avenue; protecting Country Lane Elementary School from fast through traffic.

One of the features that attracted me to Cameo Drive was the ease of walking to Country Lane Elementary School with my four children--which we did, despite the rush of cars going to the school itself. To add Costco shopper automobiles without some mitigation would endanger the next generation of children, not to mention close off any hope of my children walking safely to Prospect High School.

The DEIR Must Consider Pre-Existing Toxins at the Site

The DEIR does not properly consider the pollution likely present at the proposed site due to its historical occupants, which include dry cleaners

and auto repair shops. Construction would likely stir up dirt containing toxins, and this hazard must be considered and mitigated, especially considering the nearby residential neighborhoods--including my house. I would like the City to protect my family from such hazards by requiring proven techniques that minimize the risk from such toxins.

The DEIR Traffic Study is Incomplete

Saratoga Avenue was recently narrowed from 6 lanes to 4 lanes--a point that should be addressed by any plan but not addressed by the DEIR due to timing. But traffic remains heavy at Saratoga and Prospect, and at Prospect and Lawrence Expressway. Perhaps due to timing, the DEIR also neglects the El Paseo de Saratoga 10-12 story high-rise project at Prospect and Saratoga. Likewise, San José's full development plans for the Paseo de Saratoga Urban Village are not taken into consideration. Without considering these large, dense developments the public cannot properly predict the impact of the proposed Costco Warehouse on traffic.

Also, the DEIR describes a traffic study that misses congestion due to Prospect High School and other school traffic, especially at the end of the day. According to the DEIR: "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209). Simply assuming what peak periods are and drawing conclusions about traffic from those assumptions necessarily leads to fundamental error, if not willful blindness.

The public deserves a clear-eyed report that takes into account all important factors, including the effects of nearby schools and new developments.

The Proposal Undermines Automobile Reduction Goals

Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the Planned Growth Areas Map and Growth Areas and Urban Village Horizon Map.

The Urban Villages Concept of the City of San José "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities."

The DEIR describes a contrary goal: for trucks access the proposed Costco Warehouse from Saratoga Avenue. And by its very nature, a Costco Warehouse encourages customers to arrive in automobiles capable of transporting the bulk goods they purchase. And there are not even enough parking spaces for a Costco of that size--less than similar Costco Warehouses whose square footage is less. How can the Urban Villages Concept be achieved near an inherently automobile-intensive hub of traffic, with over eleven thousand vehicle trips per day? Car traffic would starve all other forms of transport.

An adequate Environment Impact Report would address this inherent problem in some fashion, either by proposing a different kind of store, or presenting some mitigating technology that would allow and encourage the safe bicycle and pedestrian traffic envisioned by San José's plans. The cost savings of bulk purchases may be desirable, but they are insignificant in comparison to the health care and firefighting costs of a polluted, warming planet whose citizens fail to get sufficient exercise--costs the City's own plans seek to reduce.

Conclusion


Though I shop at Costco myself, I actually buy more from the local Trader Joe's that is already present--sometimes on foot, unlike my Costco trips. I would have to pass the new Costco to get to that Trader Joe's. Furthermore, I would not place the convenience of a nearby Costco over the safety of my children and my neighbors. I would not consider weekly bulk shopping to be more advantageous than frequent bicycle shopping for fresher and more varied food, or bicycle and pedestrian trips for other purposes--such as exercise and going to and from school.

If a Costco Warehouse is to be built at Westgate West, harms to pedestrians and cyclists must be nearly eliminated in order to prevent harm to the long-term goals of the City of San José. No one facility is worth keeping us from a safe, healthy future. No food discount is worth deaths, pollution, and hospital bills. That is a false economy.

Preventing these harms could take the form of careful excavation that avoids putting toxins into the air, and road changes to protect pedestrians, cyclists, and school children.

An Environmental Impact Report should consider all of the harms and all of the simultaneous developments that interact with its proposal. The Draft Environmental Impact Report clearly omits quite a few very important dangers and factors affecting its conclusions. I believe it to be inadequate, and I ask the City to require a clearer picture of what will happen--and better actual outcomes.

Thank you for this opportunity to share my concerns with you, and for your consideration of the many details that will affect our livelihoods in future.

Sincerely,
Dr. John C. Carey

San Jose, CA 95129
(in West Valley)

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Comment Letter 188

Westgate West Costco DEIR Feedback, File no. CP21-022

Jonathan Bailey [REDACTED]

Sun 2/18/2024 7:40 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
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Dear Mayor Mahan, Vice Mayor Kamei, Ms. Hawkins, San José City Council members, and Planning Commission Chair Lardinois,

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) and attended Vice Mayor Rosemary Kamei's meeting at Prospect High School. I am writing to share my feedback, concerns, and requests.

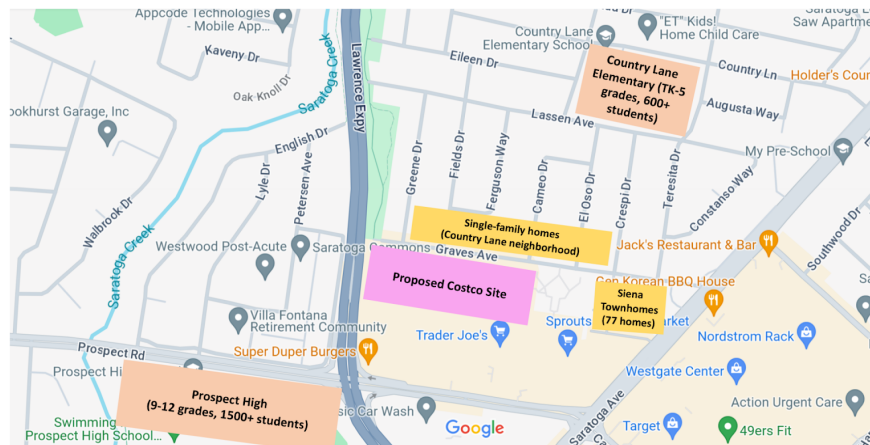
1. The DEIR Omits Pedestrian and Cyclist Safety Data

As a student at Prospect High School that rides my bike and/or walks from my home in the Country Lane neighborhood behind the proposed Costco project to school daily, the most significant concern is the safety of pedestrians and cyclists if the proposal is approved.

Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily utilized streets, such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an eight-lane, 50mph major thoroughfare). Saratoga Avenue is considered "most dangerous for bike traffic" by the Valley Transportation Authority, and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city's [Vision Zero](#) plan *due to existing dangerous conditions*.

Prospect Road connects the two streets, and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of particular severe concern due to the expected danger to hundreds of students who walk and bike to and from school each day and the athletes who train by running on the streets. Students must walk outside crosswalk lines because too many

children are trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice daily to reach their stops.



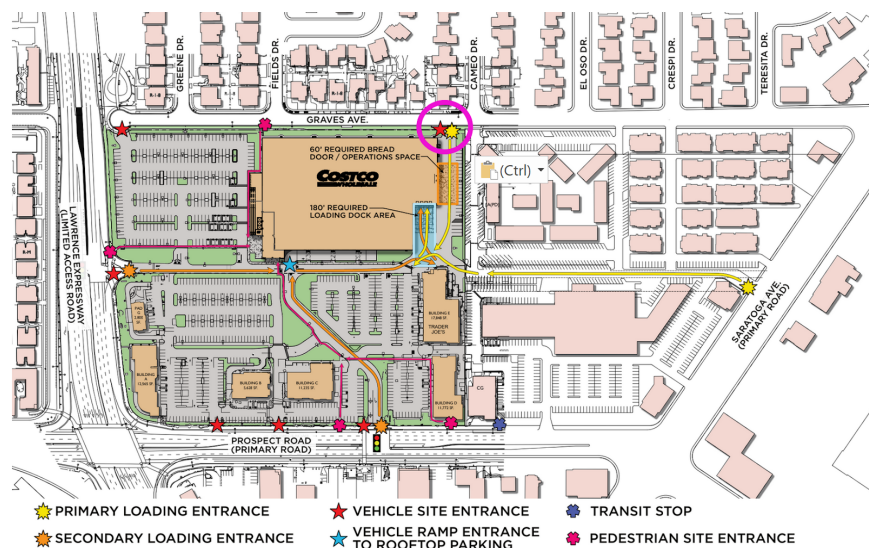
Surprisingly, the study completed by Kimley-Horn includes ***no data on pedestrian and cyclist conditions***.

During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn (Danae Hall and Amy Lopez) stated that the City of San José did not require this data. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade and how those rates would be affected by the additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway and b) Saratoga Avenue and Prospect Road. Both are priority safety corridors, according to the City of San José.

2. The DEIR omits data from areas directly North of the proposed Costco

Graves Avenue is directly North of the proposed site and is frequently used as a “cut-through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two-lane *residential* street, often exceeding the 25 mph limit. Only one crosswalk is located near Lawrence Expressway on one end of the 2000 ft. street. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street daily to attend school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan, including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also indicates the Graves Avenue accessway. The Graves Avenue accessway will be used as a primary loading dock, Costco shopper, and vendor vehicle site entrance/exit. Graves Avenue is a small, two-lane road that, according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be

generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35). Yet, no analysis of Graves Avenue and the streets near Country Lane Elementary School was conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage the use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*

- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a severe oversight and incomplete understanding of existing conditions on the four streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements *must* include **closing the full-access point at Graves Avenue and Cameo Drive** for Costco trucks, shoppers, and vendor vehicles.

- The residential roadways should not be used to access Costco development. Other Costco warehouses in the Bay Area do not access residential streets. Examples (Costco – Almaden, Costco – San Leandro, Costco – Danville).
- Remove Vehicle Driveway Access through Graves Avenue: The proposed development should have no vehicle access or driveways along Graves Avenue. **This is Alternative B, as studied in the DEIR Appendix I - Transportation Analysis, which excludes access through Graves Avenue.**
- A traffic study should include neighborhood protections if Graves Avenue access remains. A more thorough analysis of mitigations required to prevent impacts on the residential community should be identified in the DEIR to include traffic calming and other measures that would be the developer's responsibility. This could require several years of monitoring and additional mitigation projects for the safety of students and pedestrians.
- A complete perimeter fence should be installed (with no pedestrian access directly into Costco) along Graves to prevent Costco members or employees from intruding into the neighborhood for parking.

See examples of perimeter fencing at Walmart Superstore protecting neighborhood intrusion and soundwall at Almaden Costco, which prevents vehicle access through residential. Similar requirement for Walmart Superstore.

This fence or soundwall should continue along the easterly property line to the medical offices to protect the neighboring business from parking intrusion and provide additional visual and noise mitigation. Examples in San Jose below.



Perimeter Fence for Neighborhood Protection: Walmart Superstore (5095 Almaden Expwy) perimeter fence on Cherryview Lane with no vehicle driveways into Walmart.

A complete perimeter fence or sound wall should be installed along Graves Avenue (with no pedestrian access to Costco). This will prevent Costco members or employees from intruding into the neighborhood for parking.



Almaden Costco sound wall separating residential neighborhood.



Danville Costco, full-length perimeter sound wall and large landscape to screen warehouse from residential.

Over 3,650 students attend four public schools, all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on four sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be **irresponsible**

and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

3. The Traffic Conditions Study in the DEIR is Inadequate.

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore, three streets bordering Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are significant thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both four lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration, and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project.

Additionally, there is no analysis for the El Paseo de Saratoga mixed-use 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete data, the studies and predictions in the DEIR are invaluable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, “Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM” (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4-hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00 PM). While the tables in the DEIR may give the impression that there are “less than significant” traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots represent actual traffic conditions. Responsible study investigators understand the importance of adequate data collection for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed, and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a *major disruption to the lives of residents by creating constant traffic congestion*, even during non-commute hours. This means simple errands may take considerable time, and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least four public school districts represented by the schools above. Daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or participate in school athletics and activities. Notably, *emergency response vehicles will be delayed in reaching their destinations*, which may be the difference between life and death for victims. ***The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse, a membership-only, for-profit business.***

4. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color.

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost two years), and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00 AM - 7:00 PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00 PM, and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246), and the noise is reasonable because it does not exceed “airport- or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, six days a week, for almost two years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations, such as preventing pile driving and controlling noise from workers’ radios (page 180), and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for two years. Daily operations after construction would also create constant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools, and the nearby senior retirement community, occurs throughout the day and night, and some (e.g., HVAC equipment) are continuous, even when Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air,](#)

[and water](#), and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not give details on the effects of soil vapor intrusion** on human health through inhalation of volatiles and dust in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health must also be included in the DEIR, given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health, and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will increase emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as](#) carcinogens. It is the City's responsibility to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle-class immigrants of color and many young children under ten who attend Country Lane Elementary (76% of students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes, and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, most Westgate families are not privileged enough to relocate to other communities to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

5. The Project is in Conflict with the City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike-friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga are a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse

site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities, and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for ten bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit-accessible**. Although Costco describes the proposed warehouse site as "locally and regionally accessible by multiple transport connections" on their project website, the only nearby bus stop is 500 feet away, with buses running every half hour. The nearest rail service is miles away, and no other viable public transit options exist. Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project will result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the "engagement of local residents in planning the urban village" and "a mix of housing and employment to reduce traffic." The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

6. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country, and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act limits the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. For the San José Planning Commission to issue such a determination, it would have to make specific findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are seven other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data about the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR.

The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing seven ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, the city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

Many Costco members are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José’s decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to “sit at the table” with the major decision-makers. There is a considerable **power imbalance** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area

and honor the requests from the West Valley community. This proposal gives the City of San José an excellent opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Jonathan Bailey

Costco Member since 2000

Country Lane Neighborhood 95129

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Comment Letter 189

Feedback for Westgate West Costco DEIR, File no. CP21-022

Julie Huang [REDACTED]

Sun 2/18/2024 11:31 AM

To: Batra, Arjun <arjun.batra@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>
Cc: District1 <district1@sanjoseca.gov>; Planning Commission 5 <PlanningCom5@sanjoseca.gov>

[External Email]

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect

High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.

Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a

Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.

Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal

pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road),

there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops](#)

[are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for

their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco

Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco’s characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even

non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City

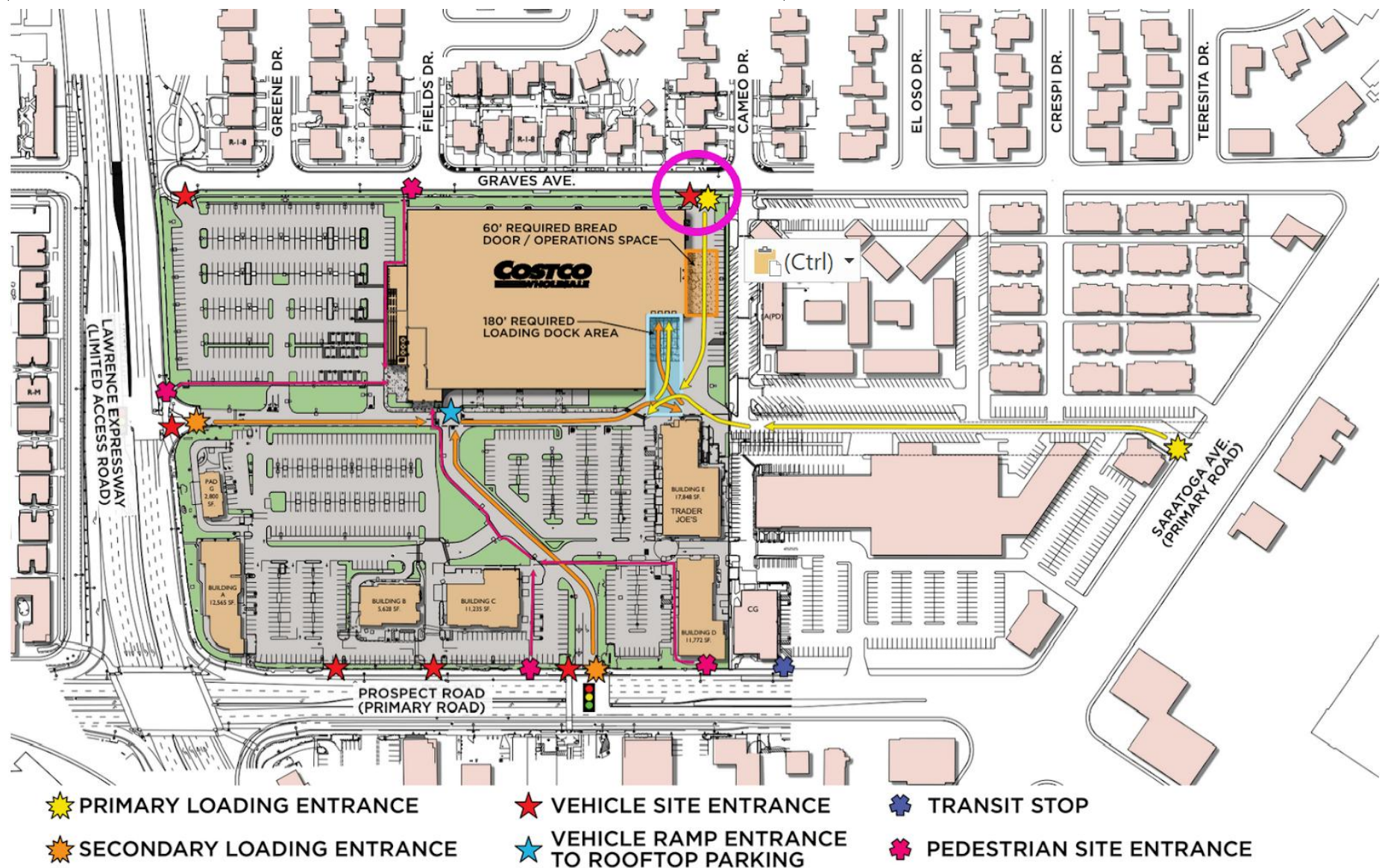
can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

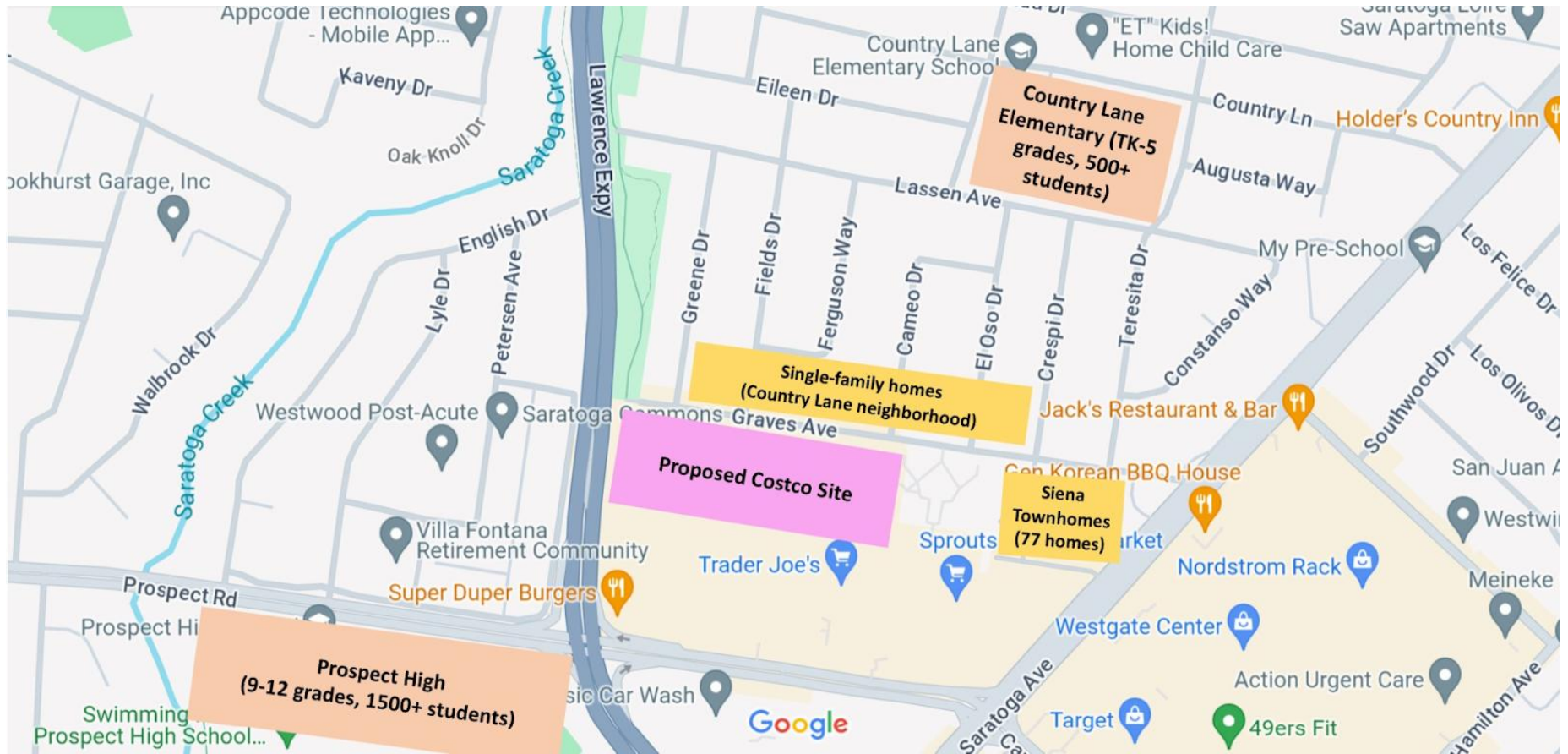
There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Julie Huang
Wilson Park, Cupertino 95014





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Comment Letter 190

Feedback for Westgate West Costco DEIR, File no. CP21-022

Linda Silvius [REDACTED]

Sun 2/18/2024 3:19 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I have been a resident of San Jose since 1996, and specifically of the Westgate neighborhood for the last 20 years. I am stunned that you are allowing a Costco in this neighborhood! My main concerns are traffic and safety.

Traffic - you have just taken away an entire lane of traffic on Saratoga Ave making it already more congested than it was 6 months ago - and it was congested then! You made a very wide lane for bicycles - of which there are very few, even on weekends.

Now you want to add dozens of semi-trucks every day making deliveries and hundreds of cars that would choose to now shop at this Costco. On top of more housing - and thus more cars - than you've approved on the corner of Saratoga and Doyle and in creating the housing units in the Paseo de Saratoga project. Hundreds of more cars with those two developments - into already congested Saratoga Avenue. Seriously, who was doing the thinking when all of this was approved?

Safety - This proposed Costco will directly impact the traffic patterns and safety of students at two schools in close proximity: Country Lane Elementary and Prospect High School. There are many other schools in the general area that will also be impacted, but the above mentioned schools would be most directly impacted every day. Children and young people walking to and from school - some accompanied by parents, but not all. Add in the additional trucks and cars - add in some children/youth riding bikes or skateboards - it doesn't take rocket science to realize this is not a good mix.

I believe this study needs more work. You as council and committed members need to visit this site - at the beginning or ending of school day; you need to sit in your cars and watch the traffic flow; then you need to try to imagine this part of San Jose with the logjam of traffic that will happen every day!

How am I - a 78 year old woman - supposed to get out and about to just run to the post office or to Target?? How are our neighborhood children supposed to walk safely to school? How will any Costco shopper enjoy spending 30 minutes in the congestion of Saratoga Ave. just to get to 85 or 285? Clearly this project needs more study.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Linda Silvius
Country Lane Neighborhood

Sent from my iPhone

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Comment Letter 191

Feedback for Westgate West Costco DEIR, File no. CP21-022

[REDACTED]

on behalf of

Lindsay and Joseph Walker/Starek [REDACTED]

Sun 2/18/2024 7:50 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

 1 attachments (4 MB)

SaveWestValley Costco Letter - LStarek.docx;

[External Email]

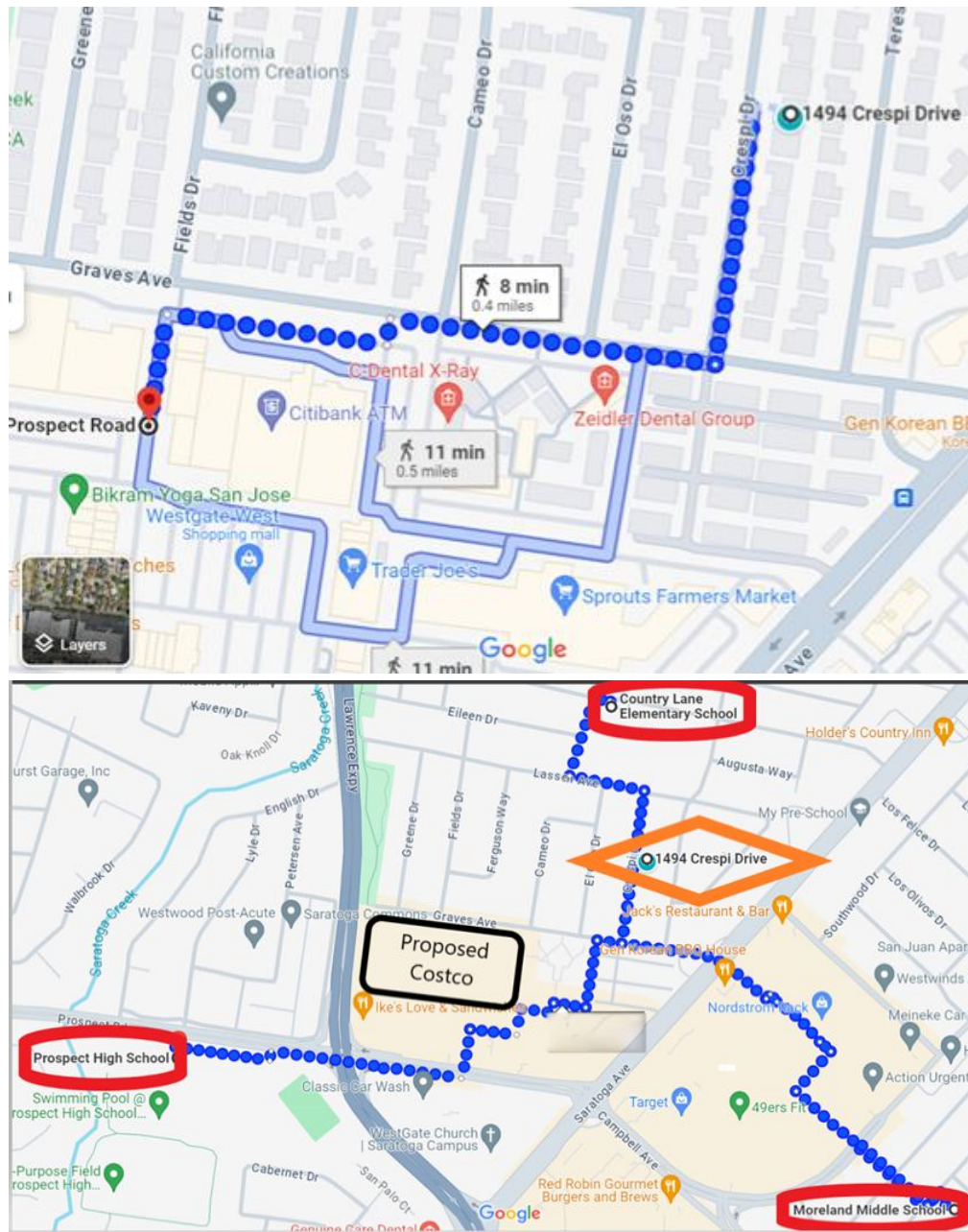
Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

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My name is Lindsay Starek and I am a registered nurse who works for Stanford Hospital and have many years of cardiac ICU experience. My husband is a software engineer at a tech company in Mountain View and works from home 2 days a week. We bought a home in the Country Lane Neighborhood 6 months ago which is next to the proposed Costco Warehouse at Westgate West. Our home is on Crespi Drive which is 0.4 miles away from the site and abuts Graves Avenue. We are parents to a 2-year-old and a 4-year-old and plan to have our kids attend the nearby schools, Country Lane Elementary, Moreland Middle, and Prospect High School over the next 16 years. All of these schools are less than one mile from the proposed Costco site.





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Inappropriate Data Extrapolation for Traffic Analysis

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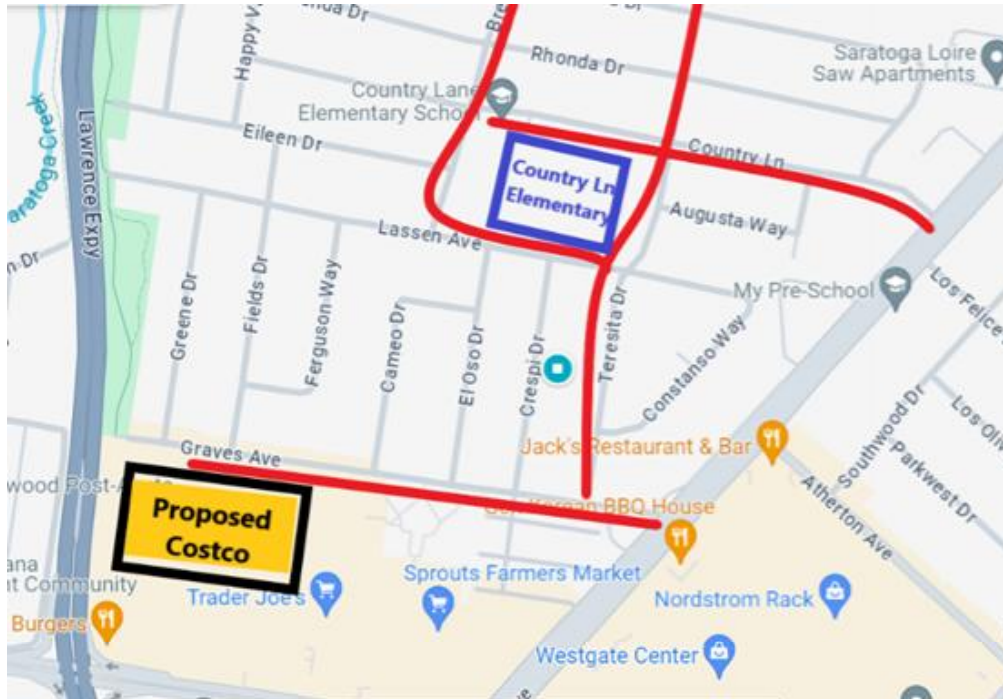
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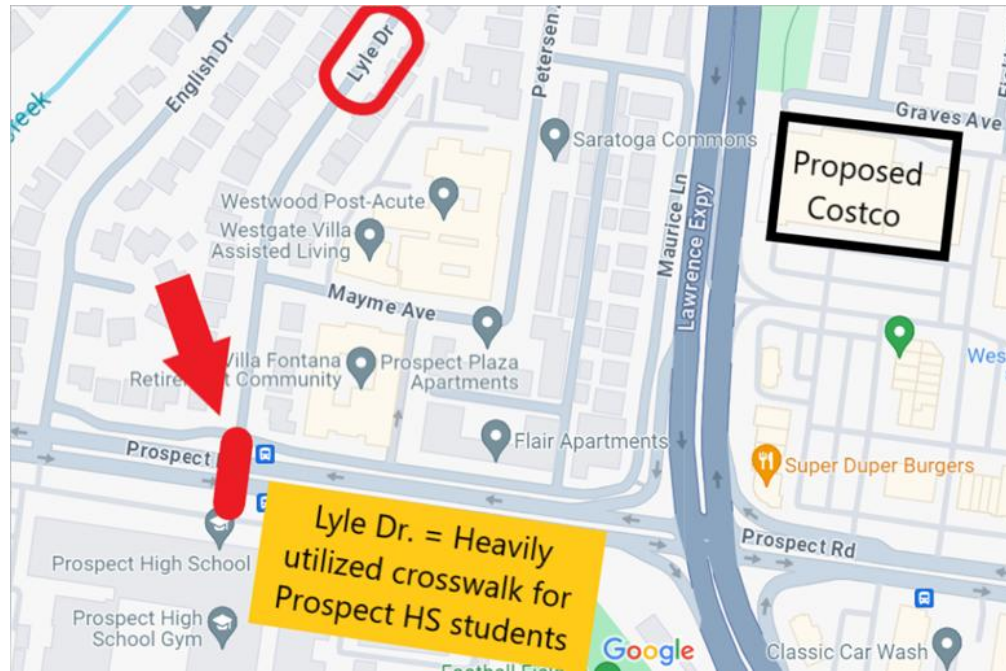
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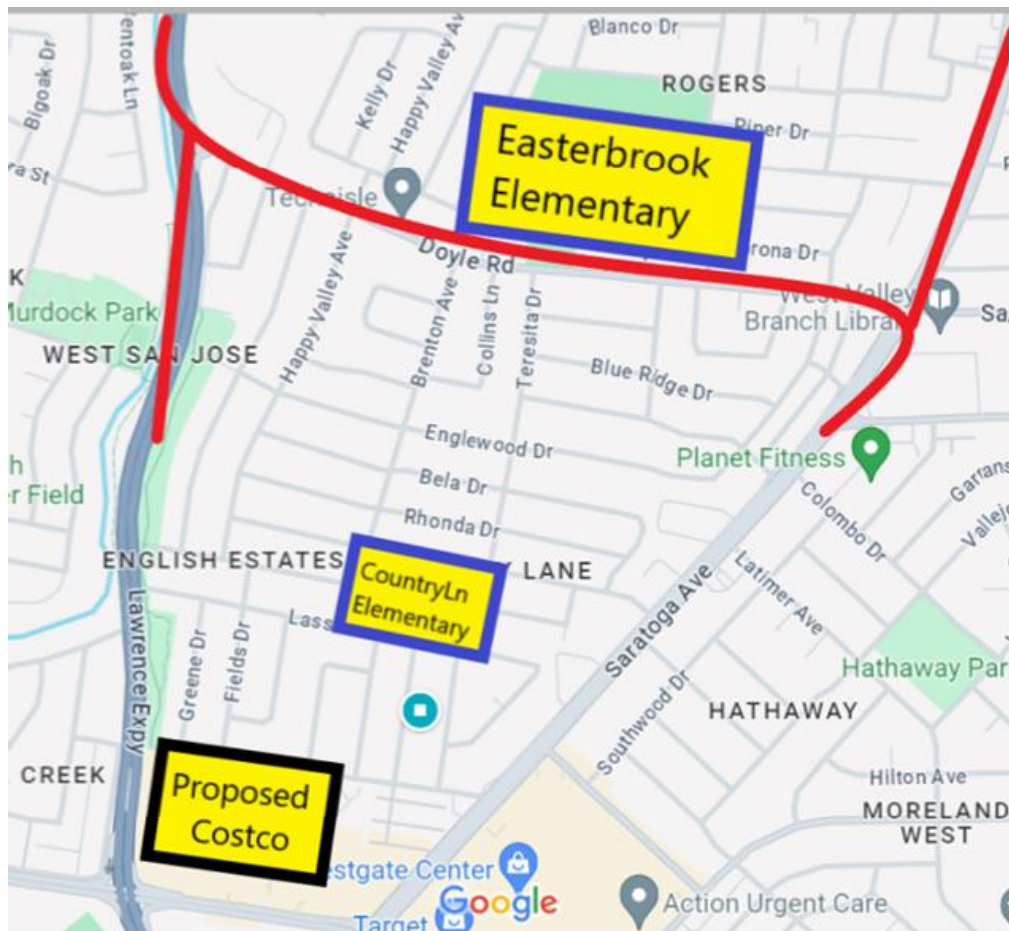
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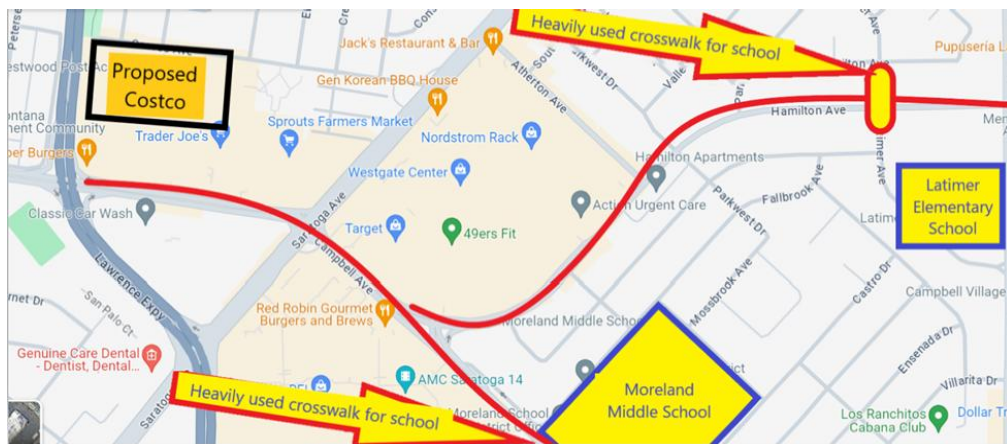
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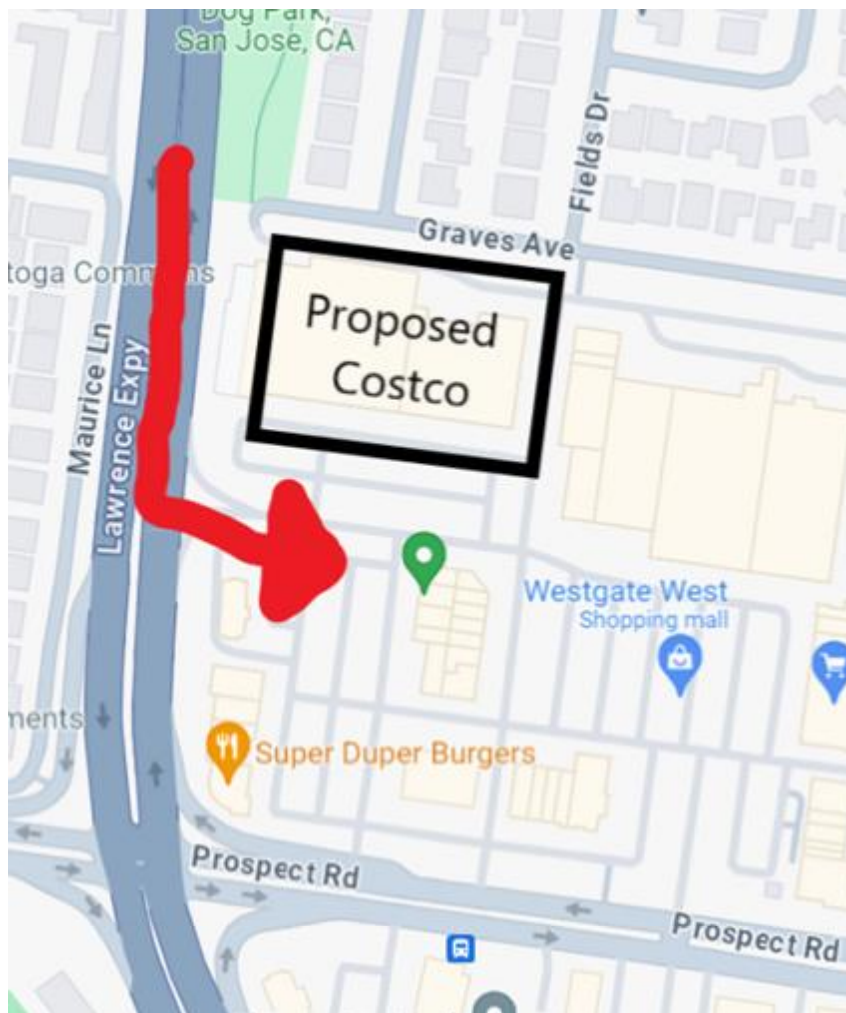
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This area has already proven to be extremely unsafe. We appreciate the efforts already made in the Costco plans to widen crosswalks, increase the size of intersection islands, and add crossing guards. However, I am concerned that these efforts that cost a significant amount of money would not actually significantly improve the problem. This is a website with 28 proven strategies that are aimed at reducing roadway fatalities and injuries offered by the U.S. Department of Transportation (<https://highways.dot.gov/safety/proven-safety-countermeasures>). The ones that would apply to this project include the following:

1. Protected bike lanes
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Yet, I am **extremely concerned that the extra traffic anticipated to be brought in by the proposed Costco would be too overwhelming even with these proven measures. I believe the only safe option if Costco is going to be built is to construct pedestrian bridges or tunnels.** I would like to propose using the money allotted to making the other proposed changes and to be used instead to help the city subsidize two pedestrian bridges or tunnels that accommodate pedestrians and bikers over the major streets where people cross (one over/under Lawrence Expressway from the Country Lane Neighborhood and the second over/under Prospect Road from the Saratoga Creek Neighborhood).

Traffic Concerns

The city of San Jose is working to make the area more bike-friendly and to slow the traffic down in the area. In this process, they have significantly reduced the number of car lanes, and plan to do much more. **My concern is with a Costco in this area, and a minimum increase in the cars in the area by 11,000 per day, there will be so much congestion, that cars will start cutting through the local neighborhoods to get to their destination.** Of note, there is a local elementary school in the Country Lane neighborhood that would be particularly vulnerable as many children walk to and from school and activities here. There is a high likelihood of having frustrated drivers that had been stuck in traffic speeding through the neighborhood making it extremely dangerous for the residents and their children. There has been no study done as of yet to determine how the traffic would be impacted around Country Lane Elementary School. I would like to require a study of this area's traffic impact to be done before approval.

Furthermore, I would like to propose closing off the Graves entrance completely to through traffic to this shopping center. All other Costcos in the area have made efforts to protect and isolate the nearby neighborhoods from delivery trucks and through traffic. Additionally, **NO other Costcos in the area are near schools and I consider it essential to take into account (this proposed Costco is less than one mile away from 6 schools and 10 daycare centers).**

I am also **concerned that having a Costco placed here will encourage more vehicular traffic in general which is the opposite of the Pathway to Climate Neutrality by 2030's goal.** Costco is known for having large bulk items that would be extremely inconvenient to load on to a bike, public transit, or to carry. This type of shopping requires a personal vehicle to load and take items home. I am disappointed that we may be approving a project that goes against San Jose's amazing and ambitious goal. I would prefer to see development here that would encourage people to walk, bike, or use public transportation to the store and would have affordable housing developments built in.

Health Concerns

The DEIR mentions that there are hazardous materials that would be released during the construction project from a previous Midas store on the property. **I have asthma and young children** who will soon be attending the elementary school less than half a mile away. **With consideration of the other 16 school and daycare facilities within one mile away from the site, this would impact thousands of other children to any hazardous materials that are released during construction.**

Are there ways of trapping the release of these chemicals during the construction process to prevent community exposure? If there are, I would like to have it in writing the explicit promise of each method that will used to decrease the release of these hazardous materials into the air, water supply, etc. I would also like there to be an agreement with Costco that independent experts selected by the city will:

1. Write parameters of the permissible versus unhealthy chemical release amounts that are allowed/not allowed during and after construction
2. Conduct studies during and after the construction that monitor the release of these chemicals and adherence to the written parameters
3. Have the authority to stop or halt construction until the permissible parameters are regained
4. To notify the local community of any incidents of possible unhealthy exposure levels in a timely manner for residents to seek shelter or medical preventative care.

I would like the city to work with independent local public healthcare officials to determine the possible symptoms that could develop from the release of the hazardous materials during construction and to have Costco's say in writing a plan similar to the one listed below:

- For any person who lives within a 2-mile radius of the site and experiences the listed symptoms within a 5-year time from the start and end of the construction period, Costco would help to pay a large percentage of the health bills for those individuals who experience these health conditions.

Having worked in the healthcare industry for 10 years, I have seen firsthand how impacted communities can be after measures are not taken to prevent the spread of hazardous materials. In particular, those who lack health insurance are the most vulnerable. This area is very diverse with wealthy and low-income people living nearby. I am particularly concerned with the low-income people who may lack health insurance to pay for possible health ailments that may occur from the construction.

Environmental Concerns

We are proud of San Jose's Pathway to Climate Neutrality by 2030 plan to become carbon neutral. **Costco's plans for this project have not included any measures that help to reach San Jose's goal.** Currently, this project has not included solar panels, EV car charging options, bicycle parking, and other measures that are consistent with this plan. At a very minimum, I would like to require that Costco make promises to work with San Jose's plan for Climate Neutrality by 2030 and institute their suggestions.

Additionally, with all of the meal-ready food and packaging sold, I would like to ensure that Costco promises to 1) **Use compostable** plates and utensils for any ready-made food on the property and 2) **Partner with a local composting company** that will manage and dispose of the compostable materials properly 3) **Have a plan to reduce and reuse packaging** to lessen waste.

Parking Concerns

If Costco has to go in, **I am concerned** that even with the parking on top of Costco, if there are no parking spaces in the visible parking lot, **people would be unwilling to use the rooftop parking and would instead try to park on the neighborhood streets**. I would like to require that all of the staff parking be done on the rooftop of Costco. This could allow more spaces to be available for shoppers in the main parking lot and try to cut down on people parking in the neighborhoods. **I also would like to require Graves Ave and the small business complex to be completely closed off from traffic of any kind (delivery trucks or through traffic).**

I am also concerned about people parking in the already impacted Trader Joe's and Ike's parking lot. It would be important to me to put up barriers between the approved Costco parking and the other businesses (i.e., Trader Joe's, Ike's, etc.) parking areas to discourage people from using them and walking over. Additionally, I would like to keep the shopping carts out of these other business areas and neighborhoods. Could we put in cart wheel lock sensors around the designated Costco parking area to further discourage parking and walking to/from the nearby business and neighborhood?

SUMMARY

In summary, this project will cause significantly more traffic than is capable for this area causing an already unsafe situation to become extremely dangerous. The building is inappropriately scaled for the current space, does not fit with the vision of San Jose's initiative of becoming carbon neutral by 2030, and this entire project cannot be improved enough to justify its existence in this space and should be denied.

If the city insists on approving this dangerous project against better judgment, before granting approval the city must create, fund, and put in place

- Specific neighborhood traffic isolation strategies,
- Environmental and climate change reduction strategies
- Significant traffic and pedestrian mitigation measures to address student, pedestrian, and cyclist safety
- Re-study the traffic impacts with real-time data of what is currently happening in this area
- Efforts to prevent, monitor, notify, and help compensate individuals suffering from hazardous materials from being released during and after construction
- Require Costco to align with and abide by city initiatives aimed at improving our community

Sincerely,

Lindsay Starek

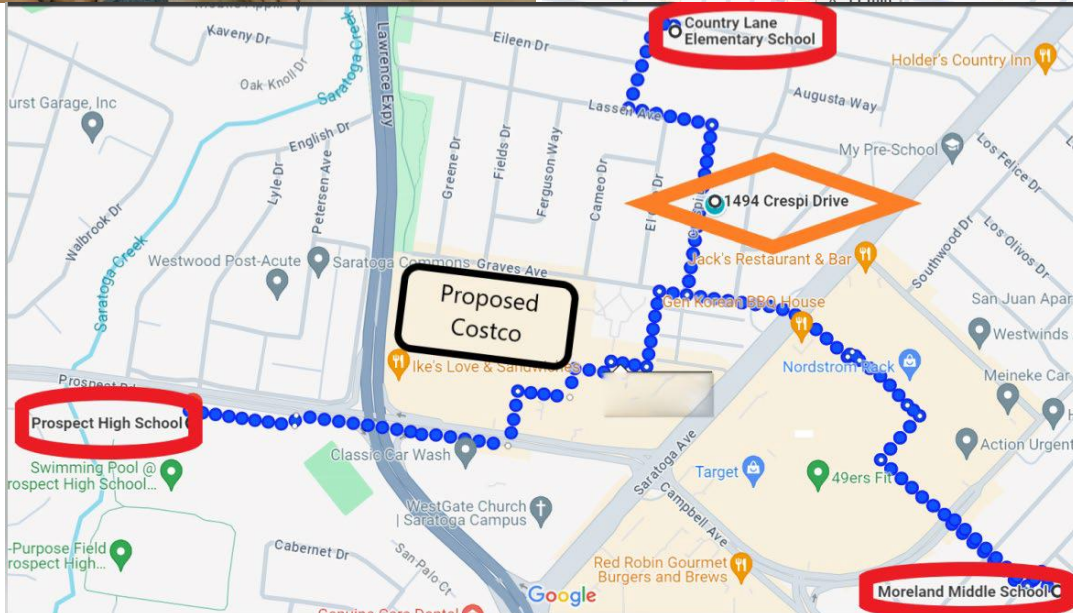
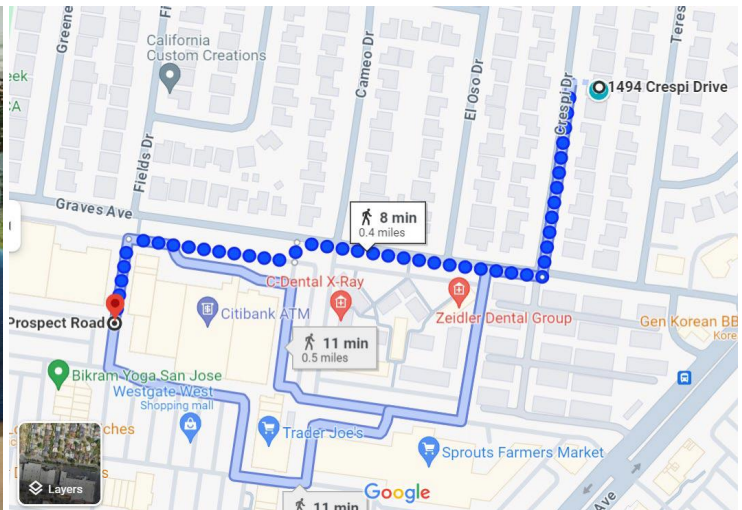
A resident of the Country Lane Neighborhood (Crespi Drive)

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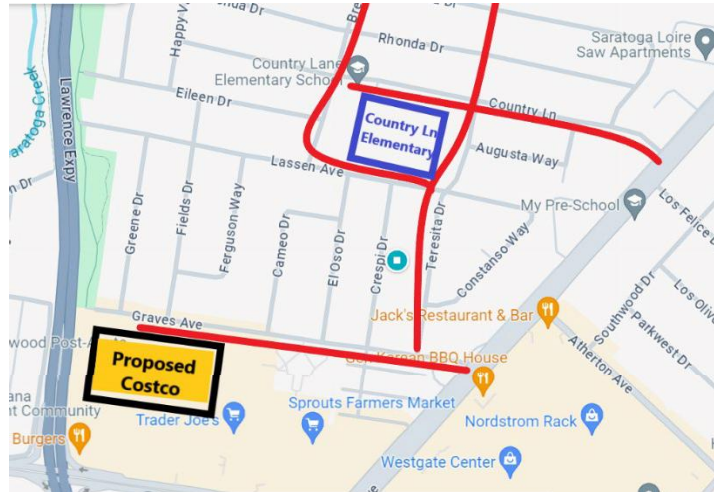
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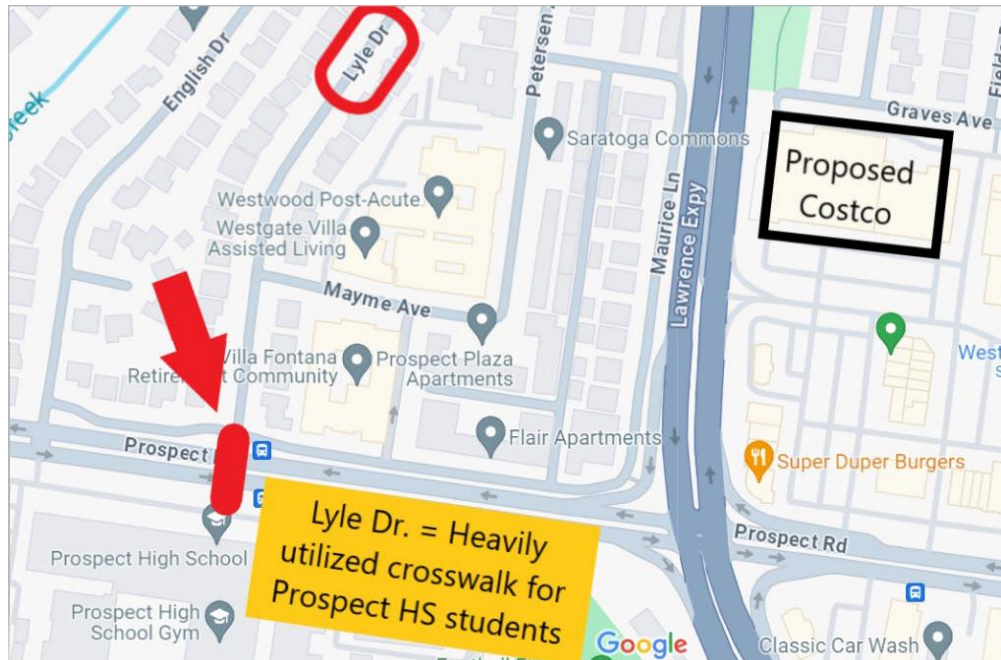
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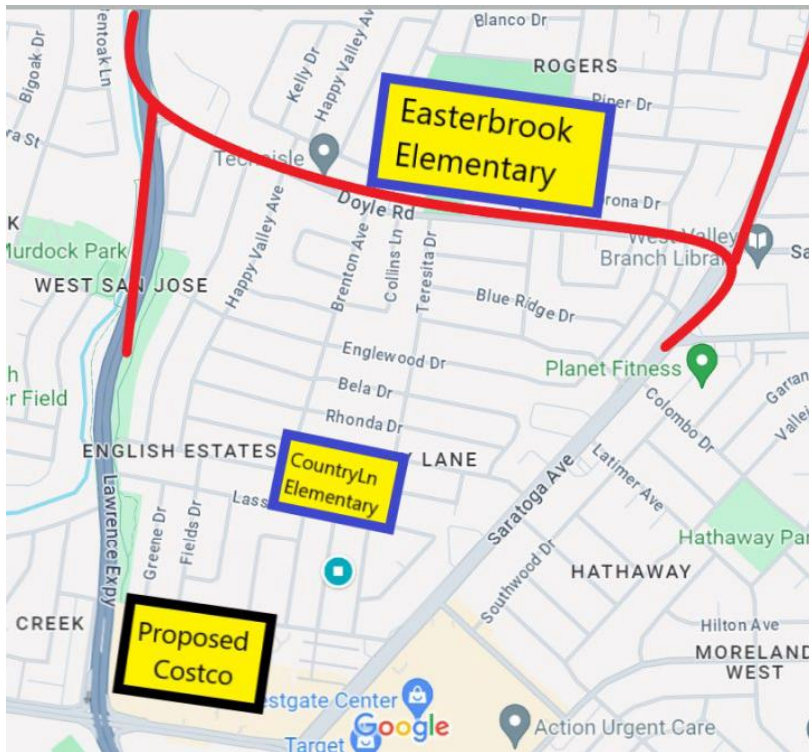
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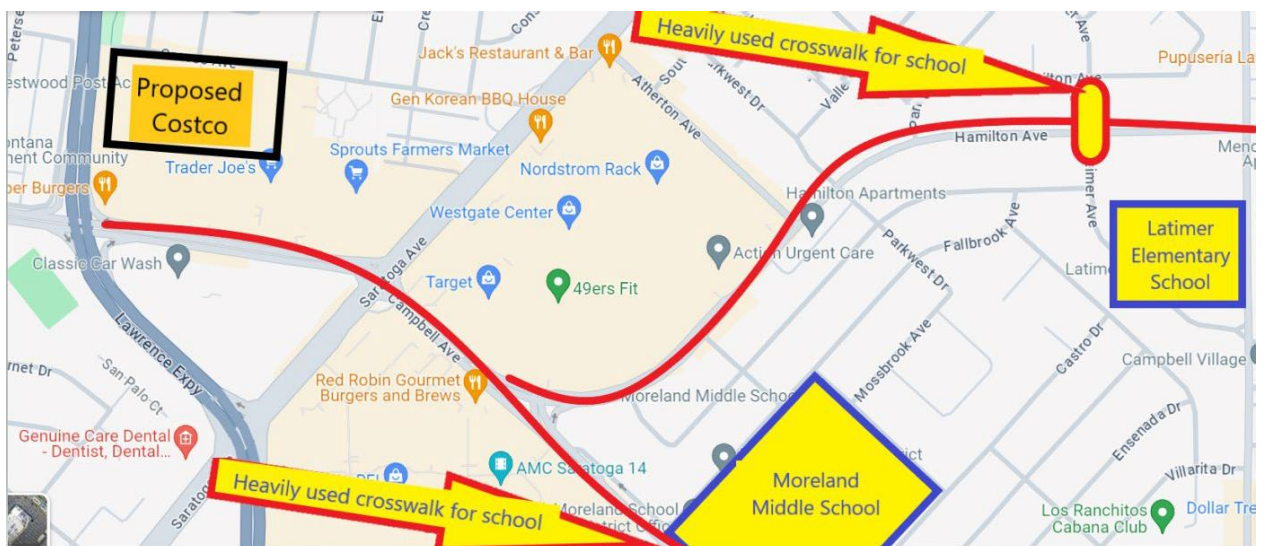
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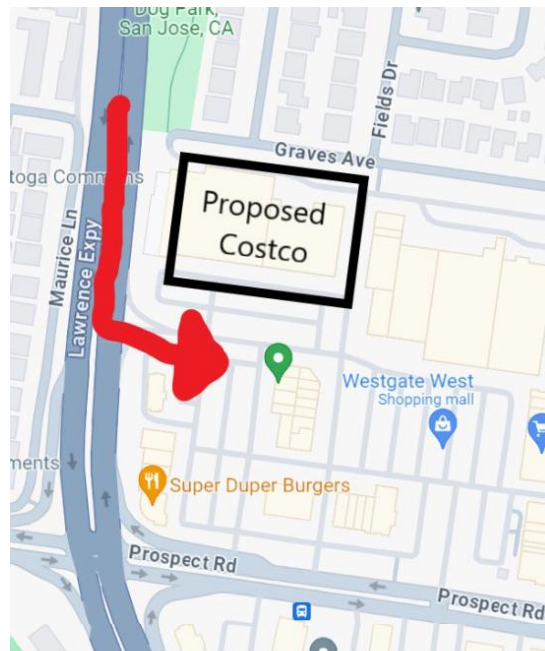
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I am also **concerned that having a Costco placed here will encourage more vehicular traffic in general which is the opposite of the Pathway to Climate Neutrality by 2030's goal.** Costco is known for having large bulk items that would be extremely inconvenient to load on to a bike, public transit, or to carry. This type of shopping requires a personal vehicle to load and take items home. I am disappointed that we may be approving a project that goes against San Jose's amazing and ambitious goal. I would prefer to see development here that would encourage people to walk, bike or use public transportation to the store and would have affordable housing developments build in.

Health Concerns

The DEIR mentions that there are hazardous materials that would be released during the construction project from a previous Midas store on the property. **I have asthma and young children** who will soon be attending the elementary school less than half a mile away. **With consideration of the other 16 school and daycare facilities within one mile away from the site, this would impact thousands of other children to any hazardous materials that are release during construction.**

Are there ways of trapping the release of these chemicals during the construction process to prevent community exposure? If there are, I would like to have it in writing the explicit promise of each method that will used to decrease the release of these hazardous materials into the air, water supply, etc. I would also like there to be an agreement with Costco that independent experts selected by the city will:

1. Write parameters of the permissible versus unhealthy chemical release amounts that are allowed/not allowed during and after construction

2. Conduct studies during and after the construction that monitor the release of these chemicals and adherence to the written parameters
3. Have the authority to stop or halt construction until the permissible parameters are regained
4. To notify the local community of any incidents of possible unhealthy exposure levels in a timely manner in order for residents to seek shelter or medical preventative care.

I would like the city to work with independent local public healthcare officials to determine the possible symptoms that could develop from the release of the hazardous materials during construction and to have Costco say in writing a plan similar to the one listed below:

- For any person that lives within 2-mile radius of the site that experiences the listed symptoms within a 5-year time from the start and end of the construction period, Costco would help to pay a large percentage of the health bills for those individuals who experience these health conditions.

Having worked in the healthcare industry for 10 years, I have seen firsthand how impacted communities can be after measures are not taken to prevent the spread of hazardous materials. In particular, those who lack health insurance are the most vulnerable. This area is very diverse with wealthy and low-income people living nearby. I am particularly concerned with the low-income people who may lack health insurance to pay for possible health ailments that may occur from the construction.

Environmental Concerns

We are proud of San Jose's Pathway to Climate Neutrality by 2030 plan to become carbon neutral. **Costco's plans for this project have not included any measures that help to reach San Jose's goal.** Currently this project has not included solar panels, EV car charging options, bicycle parking, and other measures that are consistent with this plan. At a very minimum, I would like to require that Costco make promises to work with San Jose's plan for Climate Neutrality by 2030 and institute their suggestions.

Additionally, with all of the meal ready food and packaging sold, I would like to ensure that Costco promises to 1) **Use compostable** plates and utensils for any ready-made food on the property and 2) **Partner with a local composting company** that will manage and dispose of the compostable materials properly 3) **Have a plan to reduce and reuse packaging** to lessen waste.

Parking Concerns

If Costco has to go in, **I am concerned** that even with the parking on top of Costco, if there are no parking spaces in the visible parking lot, **people would be unwilling to use the roof top parking and would instead try to park on the neighborhood streets.** I would like to require that all of the staff parking be done on the roof top of Costco. This could allow more spaces to be available for shoppers in the main parking lot and try to cut down on people parking in the neighborhoods. **I also would like to require Graves Ave and the small business complex be completely closed off from traffic of any kind (delivery trucks or through traffic).**

I am also concerned about people parking in the already impacted Trader Joe's and Ike's parking lot. It would be important to me to put up barriers between the approved Costco parking and the other businesses (i.e., Trader Joe's, Ike's, etc.) parking areas to discourage people from using them and walking over. Additionally, I would like to keep the shopping carts out of these other business areas and neighborhood. Could we put in cart wheel lock sensors around the designated Costco parking area to further discourage parking and walking to/from the nearby business and neighborhood.

SUMMARY

In summary, this project will cause significantly more traffic than is capable for this area causing an already unsafe situation to become extremely dangerous. The building is inappropriately scaled for the current space, does not fit with the vision of San Jose's initiative of becoming carbon neutral by 2030, and this entire project cannot be improved enough to justify its existence in this space and should be denied.

If the city insists on approving this dangerous project against better judgement, before granting approval the city must create, fund, and put in place

- Specific neighborhood traffic isolation strategies,
- Environmental and climate change reduction strategies
- Significant traffic and pedestrian mitigation measures to address student, pedestrian, and cyclist safety
- Re-study the traffic impacts with real time data of what is currently happening in this area
- Efforts to prevent, monitor, notify and help compensate individuals suffering from hazardous materials from being released during and after construction
- Require Costco to align with and abide by city initiatives aimed at improving our community

Sincerely,

Lindsay Starek

Resident of the Country Lane Neighborhood (Crespi Drive)

Comment Letter 192

Feedback for Westgate West Costco DEIR, File no. CP21-022

Manickam Dhamodharan [REDACTED]

Sun 2/18/2024 8:12 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am deeply disappointed and concerned about the flawed idea of replacing old OSH complex with a Costco.

- A) First and foremost this project will increase the traffic tremendously that will gum up the intersection resulting in a major choke point.
- B) Equally important and concerning to me is the loss of variety of small businesses and services that are serving our needs which will get displaced. To access those displaced services we may need to drive further adding to the traffic crisis.
- C) Finally, there is no need for additional Costco here as the one on Lawrence Expressway in Sunnyvale serves the needs of neighborhood already. This is redundant particularly considering the potential issues this new Costco will result in.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Manickam Dhamodharan

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Comment Letter 193

Feedback for Westgate West Costco DEIR, File no. CP21-022

Sparkles_95130 [REDACTED]

Sun 2/18/2024 9:29 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

Unfortunately, I cannot support a Costco for that location. It is oversized for the location, would cause undo hardship on neighboring homes, and create a humongous impact on traffic. I must support my neighbors that would be impacted the most.

This concept does not appear to truly take in account the large scale project going in at the old el paseo shopping center across the street. If you look at a street map you can see how the streets come together and land narrows in this area as Lawrence expressway and Saratoga Ave come together. This existing street layout does not allow for street upgrades to alleviate traffic. Both the el paseo and Costco development will only create what is already a traffic problem and make it exponentially worse. It channels all traffic to Saratoga/prospect entry and cuts off access for those of us who regularly use Graves Ave to enter the center. You already cut off right turn access to graves, which forces traffic to back up on Saratoga and was bad idea, done for unknown reasons, that should definitely be reversed. Why take something that works and make it worse?

In addition, the proposed Costco would be undersized compared to other locations and as a result would not give the neighborhood a fully stocked location that would result in local customers still needing to go out of the area to a different location for regular items. A current example would be the airport location has an undersized liquor dept and I've been directed several times to the Almaden location to find fully

stocked wines, ditto garden supplies/plants, and several items not carried at the airport location. This proposal would be for an even smaller Costco. Very likely not saving on gas/pollution for local Costco shoppers.

I could list several other large challenges, but ultimately a Costco at this location would be a detriment to the neighborhood vs an asset.

I vote no. I'm against a Costco at this location.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Maria Dugan, District 1 constituent

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Comment Letter 194

Feedback for Westgate West Costco DEIR, File no. CP21-022

Rasha Hasan <[REDACTED]>

Sun 2/18/2024 9:27 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

This is Rasha Hasan, a Moreland West resident. I object to the plan to locate a Costco store at the corner of Lawrence Expressway and Prospect Avenue.

This location is already a traffic problem and a true nightmare in the morning and afternoon when students are going to and from Prospect High School – located at this same corner. There are children on foot, on bikes and driving here along with parents dropping their children off at school. All are in a hurry each day. This creates a dangerous situation for our young students and results in several accidents and injuries each year. This situation will get worse in the next few years as the new El Paseo de Saratoga apartments and the other housing development that the city of Saratoga will build are built. This will add over 2,000 housing units to the same area and of course many of these residences will have students attending Prospect High School.

All of this development will greatly increase the traffic congestion and increase the danger to our young students.

Costco will bring a lot of additional traffic to an already crowded location. Costco wants to fit their warehouse in a too-small site with inadequate car and truck access.

Also, a Costco is not what this neighborhood needs or wants. We have plenty of shopping options available now and we will even have a Whole Foods store soon.

Adding a Costco at this location, on top of all of this, is simply irresponsible and myopic.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Rasha Hasan
Moreland West



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Comment Letter 195

Feedback for Westgate West Costco DEIR, File no. CP21-022

Rick Kapur [REDACTED]

Sun 2/18/2024 11:38 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback as a longtime resident of the neighborhood.

I attended Country Lane Elementary and Prospect High School, both mere feet away from the proposed Costco site. I enjoyed walking home from school and felt safe, despite the already heavy car traffic. Imagine my dismay when I heard that there were plans to build a Costco in between those two schools, adding 11,000 new cars on the road. The Prospect/Lawrence intersection is already too heavily populated and I have even witnessed a teenager on a bike getting hit by a car. It is asinine and dangerous to increase that traffic by 18 times. However, that is just what the city and Costco plans to do, disregarding public safety.

I am writing this to urge you to not go forward with the Westgate West Costco project. It does not make sense for a Costco or any business of similar size to be in a residential neighborhood, in between two high volume schools. As a Country Lane resident, I fear for my family members, neighbors, as well as the children. Just down the street, off Quito and Saratoga, is another huge lot where Lucky's used to be in the same plaza as AMC 14. This lot is not directly next to residential neighborhoods, as well as doesn't pose as big of a safety issue. I propose that Costco looks there to develop a site or anywhere else other than Westgate.

With the removal of a lane on each side of Saratoga Avenue, making it go from three lanes to two, traffic is already a nightmare. The proposed Costco will extend my already lengthy commute due to the influx of traffic.

I love Costco, it's a great store. However, the Country Lane neighborhood is not a good fit for the big box store. There are plenty of empty lots that are not in close proximity to residential housing, schools, and already congested traffic.

Thank you for your consideration and your care in responding to these concerns. I trust that you will do what is right for the safety of our residents.

Sincerely,
Rea Kapur, Country Lane Resident

Sent from my iPhone

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Comment Letter 196

Feedback for Westgate West Costco DEIR, File no. CP21-022

Roberta Witte [REDACTED]

Sun 2/18/2024 8:53 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

This DEIR is not adequately addressing the level of disruption to me and to all of the neighbors in English Estates Neighborhood, which includes the Westwood Post- Acute care facility on Petersen Avenue.

Concerns: Noise not only during the construction phase of this project but **every day** that the tire store is in operation! A new study needs to be done to mitigate the daily noise that a tire store would generate.

- Noise – across Lawrence affecting my home and seniors in the facilities on Petersen Avenue

Noise from the tire store! My home's bedroom is at the intersection of Petersen & Maurice Lane and faces Lawrence Expressway. Noise travels across Lawrence and through the echo chamber tunnel created by the apartments on Maurice Lane. I do not want to hear those air guns taking tires on and off all day long! Those work stations need to be enclosed and not open to the outside, have enhanced insulation to dampen noise and increased air circulation to protect the workers. Noise from the tire store needs to be addressed!

- Potential Blight due Costco carts abandoned in my neighborhood

Costco shopping carts will end up in my English Estate neighborhood, across Lawrence Expressway from the proposed Costco Warehouse store. We already get carts from Target, which is further away. It will only get worse! Put barriers so carts cannot cross Lawrence and enter our neighborhood at the corner of the Prospect and Lawrence walkway. **This needs to be required on all sides of this proposed Costco to keep our neighborhoods clear from the blight of carts abandoned in our neighborhood.**

I am against the approval of a Costco Warehouse on the Westgate West property.

Thankyou,

Roberta Witte



San Jose, CA 95129

English Estates Neighborhood Association

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Comment Letter 197

Feedback for Westgate West Costco DEIR, File no. CP21-022

Sara Ludwig [REDACTED]

Sun 2/18/2024 2:07 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building and Code Enforcement

Greetings Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, City Council Members, Planning Commission Chair Lardinois and District 1 Staff,

Thank you for taking the time to review my response to the DEIR for Westgate West Costco. I appreciate the time that goes into this process and also want to acknowledge some of the mitigations thus far such as closing off the west end of Graves as well as not having a gas station at this location. I also appreciate Rosemary Kamei and her willingness to listen to the concerns from the community at a meeting she recently hosted on Feb 5th. My kids who were present at that meeting felt like she listened and are hopeful she heard their significant concerns about student safety.

Personally, I have lived in this area for over 20 years along my husband who was born and raised here and has been in the area for over 50 years. We are raising our four children here, two of who go to Prospect High School and two who are at Moreland Middle School. Our roots run deep in this area. Likewise, we have been Costco members for over 20 years, using our membership for personal and business needs. We value Costco as a business but have significant reservations about the project as it currently stands.

Here are some of my concerns as it relates to the DEIR:

1.) The transportation analysis, (Appendix 1) notes that traffic on Graves is only expected to increase by 5 percent. It is unclear to me how this can be, as a map (Figure 8, dated August, 5 2022) on the analysis notes expected Costco traffic from the east 25%, northeast 10%, northwest 27% and south 21%. With the changes to Saratoga Ave which has increased congestion through the reduction from 3 to 2 lanes, more traffic is avoiding Saratoga. Instead of sitting on Saratoga in gridlock, cars will adjust and weave through the Country Lane neighborhood via Doyle or turn off Saratoga onto neighborhood streets which will all dump onto Graves Ave to access the Costco site. Cars from the northwest will turn off Lawrence onto Doyle traversing through the Country Lane neighborhood onto Graves to enter the back of the site. Additionally, cars coming from the south, on Saratoga, wanting to avoid an also congested Prospect Rd, will potentially head further north to access Graves. That 5% increase in traffic on Graves Ave as noted in the DEIR is at best, questionable.

How did the transportation analysis come up with that 5% number?

With the common use of GPS devices to reroute traffic, cars will be directed through this neighborhood, no doubt. Country Lane Neighbors will have great difficulty using our neighborhood streets once Costco traffic is added, not to mention the safety concerns that go along with the additional vehicles cutting through. It is already difficult and at times dangerous, to pull out on Doyle Rd or Graves Ave when trying to exit Country Lane.

The analysis notes Alternative B for closing off Graves and this is really the only option that can be considered to protect the neighborhood and local elementary school from a thoroughfare of traffic.

Per the DEIR none of the roads or intersections in the Country Lane neighborhood were evaluated to determine the impact. Why were vehicle counts not considered on Doyle Rd or in the Country Lane neighborhood directly behind the Costco? Easterbrook Discovery School and Country Lane Elementary are directly impacted by traffic in these areas already. A more thorough look into mitigations required to prevent negative outcomes to the Country Lane neighborhood need to be identified in the EIR, particularly as it relates to calming measures and should be included in the EIR. Residential roads should not be used to access the Costco development.

With the recent changes made to Saratoga Ave, an updated transportation study is needed to reassess how those changes will impact the area. The last traffic study was dated October 2023 prior to Saratoga Ave safety improvements.

2.) There is a huge emphasis on Costco VMT as noted on the DEIR and how Costco VMT will be reduced with this new location. With the increased traffic there will be greater congestion which I understand VMT does not address in the immediate community. When it takes anywhere from 2-4 light cycles to get through an intersection because of traffic, does that not increase greenhouse gasses? According to The Department of Environmental Quality on the Utah.gov website (some Common Myths: Be Idle Free) it states that cars idling for two minutes use about the same amount of fuel as it takes to drive one mile. Changes are being made on local roads that slow traffic resulting in increased congestion. Greater than 11,000 vehicle trips are expected per the DEIR for the new Costco and this Costco is on a smaller, more congested lot which will slow traffic flow. It seems to me that any gains in VMT for Costco stores according to the DEIR, could be a wash at best, especially when you consider the increased congestion resulting in increased time idling for thousands more cars. Likewise, stores that were frequented and pushed out to make room for Costco now require customers to travel further increasing VMT for those businesses. This will also be occurring near sensitive receptors including students at Prospect high and Country Lane elementary schools and the elderly, including two retirement communities and Westwood post-acute across Lawrence Expressway. The DEIR does not seem to adequately address the increased pollution with these sensitive groups that are directly adjacent to the development site.

3.) We have had students at Prospect High School for the past four years and will be at this school until 2030 when our last child will graduate. My children walk to school, run cross country, bike in the area, drive to from school and the list goes on. Honestly, I am almost to a point that I will not allow my kids to walk across Lawrence and Prospect as they have both had close calls with vehicles. On Saratoga's Safe Routes to school plan (September 2022) that intersection is considered a collision hot spot. Not to mention that in San Jose's Vision Zero initiative, Lawrence and Saratoga are considered Priority Safety Corridors. The only intersection addressed for mitigation thus far on the DEIR is the one off of Lawrence going into the Costco site. It also seems shortsighted that the DEIR did not evaluate one of the busiest times of the day in that area: Monday dismissal 1:40 and Tuesday-Friday dismissal 2:50. The intersections of Lawrence/Prospect, Lyle/Prospect and Saratoga/Prospect are heavily traveled by students and need to be very carefully looked into and studied for mitigation needs before this project can be considered since Costco will be a new epicenter of the traffic to the area.

It was noted in the community meeting held by Rosemary (Feb 5) regarding this project that the areas of Lawrence/Prospect/Saratoga are quite complicated. She noted that problems need to be solved but that it will take time. The problem has to be solved and documented in the DEIR before, not after, any thought can be given to adding a Costco because otherwise you will be putting lives at risk. To me, her statement sounds like this area has significant safety concerns and requires many entities coming together to plan mitigation measures before moving forward. One more note, per the Bollinger Road Corridor Safety Study information it has come to light that Bollinger Road will undergo a transformation with reduction of lanes, allowing for safer biking and pedestrian access. Undoubtedly, this will increase congestion on Bollinger and likely push vehicle traffic onto Prospect Ave. Has anyone in planning even given a thought to how this will impact the Prospect/Lawrence area? The big picture needs to be considered instead of projects being piecemealed together. There is just too much being considered in this area of west San Jose for inadequate planning.

4.) Notably, the DEIR does not appear to include any Costco gasoline or other future expansion plans. Does the property owner have a phasing plan to remove existing building(s) with neighborhood services, amenities, or small businesses? If there are other development phases, shouldn't that be reflected in the EIR. How do we address the

concern of a piecemeal environmental approval process for the development?

5.) While I understand that buildings cannot stand empty and that growth is necessary, this Costco does not fit with the Envision 2040 plan in a site designated neighborhood/community commercial land use. It does not align with the urban village plan that the city of San Jose has laid out for the future. What are the developer plans (if any) on rezoning the property from the current Neighborhood/Community Commercial designation?

Additionally, the Kimley-Horn and Kittleson & Associates representatives (Danae Hall and Amy Lopez) who presented Feb 5 on the DEIR, reported that they were not required to consider the El Paseo or any other projects and the cumulative impacts they will have in the area. It's as if the Costco project is occurring in a vacuum. How can Costco's impact be fully appreciated and assessed when no consideration of other area projects are considered in the DEIR?

I believe that just because you can "make" something fit on paper, that does not mean it is the right thing to do or that it translates to the real world. It truly appears that this project would be like fitting a square peg into a round hole and once it is here there is no going back.

Is there another Costco in that state of California that is similar to the "credentials" of what is being proposed here?

- A Costco site that funnels traffic through a neighborhood

- A Costco site that sits kitty corner to a high school of 1500 students where the majority of students:

1) cross congested roads (which are directly adjacent to the Costco development)

2) cross an intersection that is considered a collision hotspot and is on a priority safety corridor

- A Costco site that has rooftop parking towering over existing homes (without adhering to current setback requirements)

As I have researched every Costco in the state of California in 2023 (136, per Costco.com) there is not another Costco even close to what is being proposed at this Westgate West site.

As community members we only have our voice and I hope that you all will go above and beyond in giving consideration to local resident concerns. You all will eventually walk away/retire from your jobs/service and will have no attachment to this area but many of us will be living with your decisions for decades to come. While I do not believe that Costco is the right business for the site for so many reasons, I ask that you thoughtfully consider the appropriate mitigation measures and plan accordingly to protect the local community from any deleterious effects should it go through.

Thank you for your time and consideration on this important matter.

Sara Ludwig
Country Lane

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Comment Letter 198

Feedback for Westgate West Costco DEIR, File no. CP21-022

Saul Conde [REDACTED]

Sun 2/18/2024 4:24 PM

To: Batra, Arjun <arjun.batra@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>
Cc: District1 <district1@sanjoseca.gov>; Planning Commission 5 <PlanningCom5@sanjoseca.gov>

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Kara Hawkins Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois: I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my comments ...

Extreme traffic through a family oriented neighborhood and school, grid lock on Graves Avenue trying to get in and out of existing businesses , jobs lost from businesses pushed out by Costco will not equal the jobs by Costco , traffic will also impact the students from across the street and their after school activities , parking will also have a negative impact on the current existing businesses ,

Costco will hold us prisoner in our Country Lane neighborhood because of all the unwanted traffic it will produce . Streets are not kept up as it is. Potholes will increase due to the constant trucks. Noise of honking horns because of too few parking spaces will go on all day and night.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Saul Conde

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Comment Letter 199

Feedback for Westgate West Costco DEIR, File no. CP21-022

Shanthi Dhamodharan <[REDACTED]>

Sun 2/18/2024 8:19 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am deeply disappointed and concerned about the flawed idea of replacing old OSH complex with a Costco.

- A) First and foremost this project will increase the traffic tremendously that will gum up the intersection resulting in a major choke point.
- B) Equally important and concerning to me is the loss of variety of small businesses and services that are serving our needs which will get displaced. To access those displaced services we may need to drive further adding to the traffic crisis.
- C) Finally, there is no need for additional Costco here as the one on Lawrence Expressway in Sunnyvale serves the needs of neighborhood already. This is redundant particularly considering the potential issues this new Costco will result in.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Shanthi Dhamodharan

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Comment Letter 200

Feedback for Westgate West Costco DEIR, File no. CP21-022

Sowmya Raman [REDACTED]

Sun 2/18/2024 11:16 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

 1 attachments (3 MB)

Feedback Letter for Westgate West Costco DEIR.docx;

[External Email]

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Dear San Jose City Government Officials,

I live on El Oso Drive, only a few blocks from the proposed Costco Project's Graves Avenue entrance. I have serious concerns that the recently released DEIR makes light of the effects that such a large project may have on a small neighborhood such as ours. I understand and welcome the economic benefits that a new Costco will bring for the City. But it is important to locate it in an area that will ensure quick and smooth access for shoppers and will maintain a safe neighborhood for those who live around the Costco. I am not convinced that the Westgate Costco project does that. A small neighborhood single-lane street such as Graves Avenue should not be expected to bear the substantial increase in traffic that will result from a Costco. At a minimum, I implore you to consider closing off access to Costco from Graves Avenue.

If the Council does approve the Costco as-is, the Council has a responsibility to require that a traffic survey be conducted after the Costco opens, to study the effects of traffic on our neighborhoods. At that point, we should have strong proof one way or other, instead of having to rely on a one-to-four-hour traffic study conducted by the DEIR consultant. Will our small neighborhoods be able to handle the cars and trucks that will inundate our streets? If not, the Council should require Costco to do its part to mitigate those effects, including considering the closing of the Graves Avenue entrance.

Thank you for taking our comments. I have also attached a letter that the Westgate neighborhood has put together, that summarizes our concerns. I hope that you will make a fair and equitable decision after taking into consideration all points of view.

Thank you,
Sowmya Raman
El Oso Drive resident

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Comment Letter 201

Westgate Costco proposal

Steve Horeff [REDACTED]

Sun 2/18/2024 2:52 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>

[External Email]

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Attn: Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to say that I am strongly opposed to this project.

My girlfriend shops in this parking lot at least 5 times per week. The traffic both in the proposed parking lot and on Prospect Road and Saratoga Avenue are impossibly stagnated currently.

Thank you for your consideration and your care in responding to these serious concerns.

Regards,

Steve Horeff

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Comment Letter 202

Urgent! Comment on Costco Project at 5287 Prospect Road, Project file No: CP21-022

AOL MAIL <[REDACTED]>

Sun 2/18/2024 12:42 PM

To: za@sanjoseca.gov <za@sanjoseca.gov>; Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Liang Sun [REDACTED] >

[External Email]

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Hi Alec and Kara,

I am a strong supporter for the above project. I live within 2 miles from the project site. We have an office at West Village Medical Complex, located at 5150 Graves Avenue, San Jose. We have lived and worked at these locations for over 11 years.

As you may know, there are several Costco stores within 10 miles from this location. But all of them are at their full capacity. They are so busy that it is very difficult to access them. It really needs another Costco store to ease the congestion.

I understand there are people opposite this new store. Because Costco provides reasonable priced products, some businesses nearby are afraid of Costco may take away their business so they opposite this project. But I believe health competition is what we need.

I was shocked to know that the current plan will close the store access through the Graves Avenue. This may be proposed by neighbors who live near the Graves Ave. I believe this proposal may be suggested by very selfish neighbors who live near Grave Ave. If we close the access through the Graves Ave, it will force all traffic to access the store through Lawrence Blvd or Prospect Ave. This will be a nightmare. It will create traffic mess to those streets. I recommend to keep the existing Grave Ave access to ease the congestion.

If you have any questions, please contact me immediately. I can be reached by this email or phone: [REDACTED]

Sincerely Yours,

Steve Sun, Home owner and business owner near the Costco proposed project site

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Comment Letter 203

Feedback for Westgate West Costco DEIR, File no. CP21-022

Sue Cancilla-Conde [REDACTED]

Sun 2/18/2024 3:50 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

<your comments go here>

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
<Your Name and neighborhood go here>

Sent from my iPad

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Comment Letter 204

Feedback for Westgate West Costco DEIR, File no. CP21-022

Sue Cancilla-Conde [REDACTED] >

Sun 2/18/2024 4:56 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

From: Sue Cancilla-Conde
Country Lane neighborhood

The property owners have already pushed out multiple mom and pop businesses that employed hundreds of local residents in hopes of the new revenue from Costco rent. When Costco goes in we will lose the rest of our favorite stores that we can run in to, grab our goods and run; like Trader Joe's. Students will be hit by the big truck's going and coming day and night. There will be fights over parking because there won't be enough. Their Costco employees alone will fill the roof parking. Overflow parking and store commute will fall into our Country Lane neighborhood. Due to new bike lanes, there are less lanes available for us to enter and exit our

neighborhood. It already takes 5 minutes to get out of the hood. The gas fumes will be atrocious. This area will be like Valley fair at Christmas time-lines for miles of cars trying to get into parking lot.

There are multiple elementary, middle school, and a high school within a mile of this location. Parents won't be able to get to their kids to pick them up. Students will have to walk in between all the stalled cars waiting for a parking space. Cyclists won't be safe even in their own lanes as cars are already crossing and using the new configuration. There are a lot of low income housing and senior citizens around here that have no use for bulk buying. They don't drive. Costco would push out the walk to grocery stores that we enjoy now. We already miss the shops that are gone.

Thank you for your consideration and your care in responding to these serious points.

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Comment Letter 205

Feedback for Westgate West Costco DEIR, File no. CP21-022 Please Save West San Jose from Overuse causing even more Traffic Quagmires

malibuart@yahoo.com [REDACTED]

Sun 2/18/2024 2:21 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I shop in this parking lot at least 5 times per week. The traffic both in the parking lot and on Prospect Road and Saratoga Avenue are impossibly stagnated currently.

Thank you for your consideration and your care in responding to these serious concerns.

Kindest Regards,

Respectfully Tacia Domrose

[REDACTED] San Jose CA 95129

The addition of a large scale shopping store will increase traffic creation. Costco is impractical in this location.

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Comment Letter 206

Feedback for Westgate West Costco DEIR, File no. CP21-022

Ying [REDACTED] >

Sun 2/18/2024 4:33 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

My concern is the safety of the neighborhood. Costco will draw an extreme amount of cars, vans and people to the store, especially after the bike lanes are established on Saratoga. The traffic will be forced into the Country Lane neighborhood, where it has Country Lane Elementary School and neighborhood kids and pedestrians on the street. Costco shoppers usually have vans full of goods. This type of traffic is not suitable or safe for the neighborhood. The DEIR didn't not consider this factor.

I am also concerned that the smaller stores will be squeezed out due to added parking congestion. This will significantly reduce the choices of shoppers.

I have observed that Costco stores are located in much larger areas with more parking space, instead of being squeezed in this much smaller and cramped location. They are also farther from neighborhoods so that there is no chance for people taking neighborhoods' streets.

Building townhouses or condos is what I think is the right thing to do, given the shortage of housing stocks. We also need In-N-Out stores in this area.

In short, we need more neighborhood type of stores or housing than a mega store at this location.

We have attended the Feb 5 meeting. We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Ying Holden
Country Lane, 95129

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Comment Letter 207

Feedback for Westgate West Costco DEIR, File no. CP21-022

Akshay Mittal [REDACTED]

Mon 2/19/2024 8:39 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westgate West Costco project and I am writing to provide my feedback.

This email expresses strong opposition to the proposed Westgate West Costco project and raises several concerns about the Draft Environmental Impact Report (DEIR) submitted by Kimley-Horn.

- **Pedestrian and Cyclist Safety:** The DEIR lacks crucial data on pedestrian and cyclist accidents and safety conditions on surrounding streets, particularly near schools. The project is expected to significantly increase traffic, posing threats to pedestrians and cyclists. Proposed mitigations are deemed insufficient.
- **Traffic Congestion:** The DEIR's traffic study is criticized for its limited scope and methodology. The potential for increased congestion and gridlock, especially during peak hours and school transportation times, is highlighted. This negatively impacts residents, students, and emergency response times.
- **Air and Noise Pollution:** Construction noise and emissions are expected to be significant and disruptive for nearby residents, especially for extended periods. Concerns are raised about potential soil contamination and the lack of detailed mitigation plans for air and noise pollution.
- **Community Health Impacts:** The project disproportionately impacts communities of color near the site, who already face higher exposure to pollutants. Health risks for children and vulnerable populations are emphasized.
- **Conflict with Urban Village Plan:** The proposed Costco contradicts the City's Urban Villages concept, which aims for walkable, bike-friendly areas with mixed-use development and reduced traffic. The project's car-centric nature, oversized size, and

insufficient parking are seen as incompatible with this vision.

- **Alcohol Sales in Oversaturated Area:** The project proposes alcohol sales despite exceeding the allowed number of licenses in the area. Proximity to residences and a park further complicates legal compliance and raises concerns about potential negative impacts.
- **Data Adequacy and Public Review:** The DEIR is criticized for lacking sufficient data and comprehensive analysis of existing conditions and cumulative impacts. Concerns are raised about the ability for public review and informed decision-making.
- **Call to Action:** The email urges the City Council to reconsider the project, acquire more data, collaborate with residents and other cities, and prioritize resident health and safety over revenue and development goals.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Akshay Mittal
Country Lane

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Comment Letter 208

Re: Feedback for Westgate West Costco DEIR, File no. CP21-022

Anand Raman <[REDACTED]>

Mon 2/19/2024 6:25 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

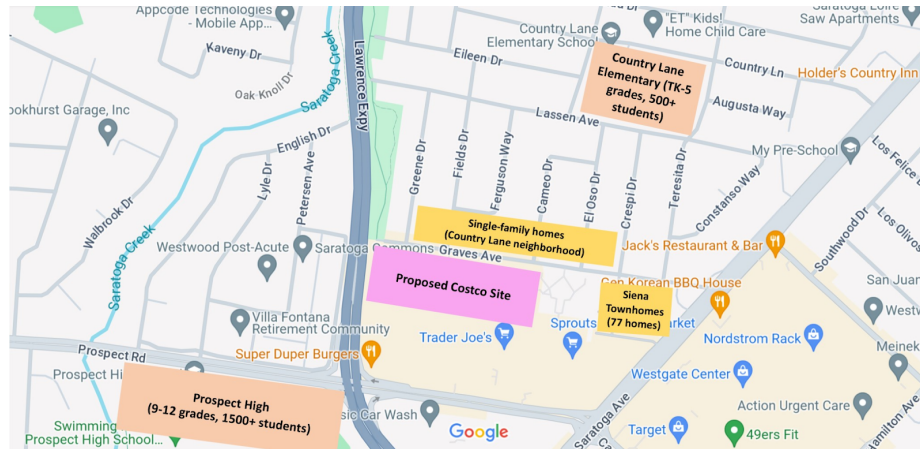
You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

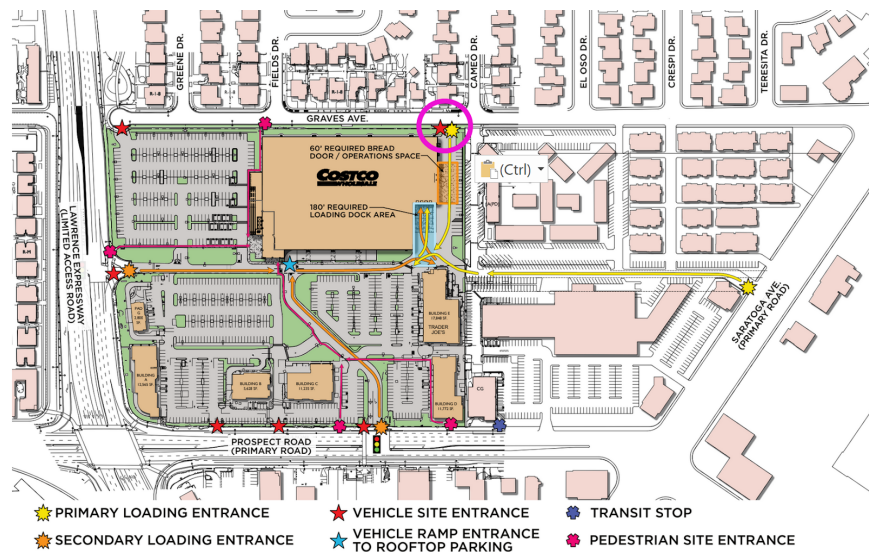
1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colored figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

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The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
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Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell.

Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares

for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may

be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children’s health also needs to be included in the DEIR given the project’s proximity to two public schools. The COVID

pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the

warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco's conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the

City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José’s decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to “sit at the table” with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,
Anand Raman
95008

On Monday, February 19, 2024 at 06:21:12 PM PST, Anand Raman <anand_raman1@yahoo.com> wrote:

Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

<<your feedback goes here>>

Thank you for your consideration and your care in responding to these serious concerns.

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Comment Letter 209

Feedback for Westgate West Costco DEIR, File no. CP21-022

SH NG <[REDACTED]>

Mon 2/19/2024 12:36 PM

To: Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

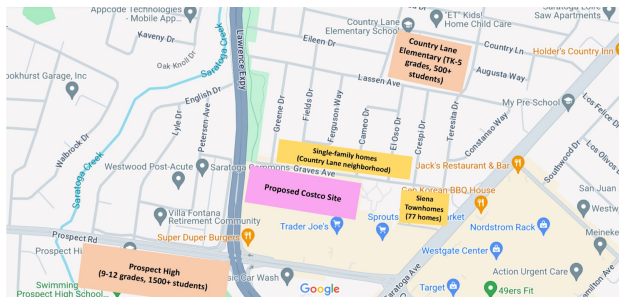
Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

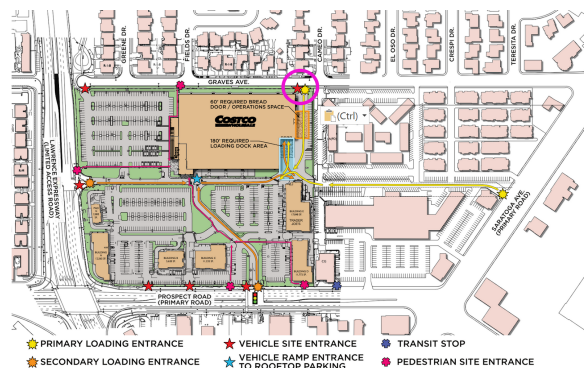
1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered "most dangerous for bike traffic" by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city's [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a "cut through" for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity* (page 12)
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways* (page 12)

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In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would "result in substantial noise-generating activities" (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the "noise is temporary, the Project would not result in a cumulatively considerable impact" (page 246) and the noise is reasonable because it does not exceed "airport- or airstrip-related noise levels" (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers' radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as "locally and regionally accessible by multiple transport connections" on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the "engagement of local residents in planning the urban village" and "a mix of housing and employment to reduce traffic." The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an "area of undue concentration." Since the proposed off-sale location is in an **over-concentrated census tract**, Costco's conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of "public convenience or necessity." It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe's, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing

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Mail - Hawkins, Kara - Outlook

Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Angie (95129)

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Comment Letter 210

Feedback for Westgate West Costco DEIR, File no. CP21-022

Ankit Kumar

Mon 2/19/2024 9:27 PM

To:Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>;Mahan, Matt <Matt.Mahan@sanjoseca.gov>;Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>;Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>;Torres, Omar <Omar.Torres@sanjoseca.gov>;Cohen, David <David.Cohen@sanjoseca.gov>;Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>;Davis, Dev <dev.davis@sanjoseca.gov>;Doan, Bien <Bien.Doan@sanjoseca.gov>;Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>;Foley, Pam <Pam.Foley@sanjoseca.gov>;Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc:Planning Commission 5 <PlanningCom5@sanjoseca.gov>;District1 <district1@sanjoseca.gov>

[External Email]

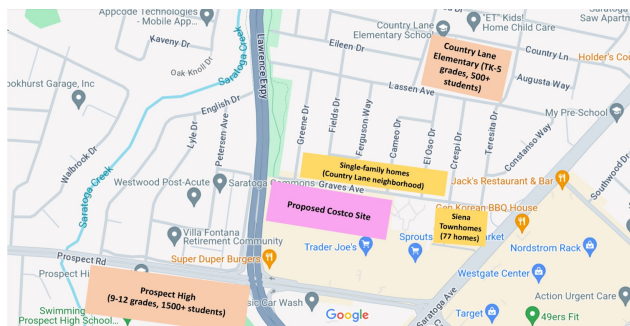
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Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

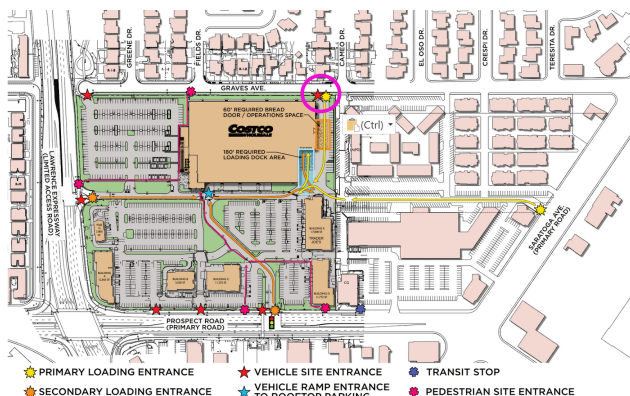
1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered "most dangerous for bike traffic" by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city's [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a "cut through" for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as "cut throughs" to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

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The DEIR states the construction of a Costco Warehouse would "result in substantial noise-generating activities" (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the "noise is temporary, the Project would not result in a cumulatively considerable impact" (page 246) and the noise is reasonable because it does not exceed "airport- or or airstrip-related noise levels" (page 245). At the

February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers' radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion

that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco’s characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José’s decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to “sit at the table” with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Ankit Kumar
Country Lane Neighborhood, 95129

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Comment Letter 211

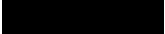
Feedback for Westgate West Costco DEIR; File no. CP21-022;



Mon 2/19/2024 4:09 PM

To:Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>;Mahan, Matt <Matt.Mahan@sanjoseca.gov>;Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>;Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>;Torres, Omar <Omar.Torres@sanjoseca.gov>;Cohen, David <David.Cohen@sanjoseca.gov>;Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>;Davis, Dev <dev.davis@sanjoseca.gov>;Doan, Bien <Bien.Doan@sanjoseca.gov>;Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>;Foley, Pam <Pam.Foley@sanjoseca.gov>;Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc:Planning Commission 5 <PlanningCom5@sanjoseca.gov>;District1 <district1@sanjoseca.gov>

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As a very long-time resident of District One, I am requesting that you eliminate the proposed Costco project.

Costco is a warehouse and therefore belongs in a commercial location--not in a "light retail" location. There are currently TWO, yes TWO, Costco warehouses a 4.5 mile drive and located in commercial areas, as they should be. Additionally, both include gas stations making a trip a one stop shop.

This West Valley proposed Costco warehouse would be built directly across a residential street from the residents on Graves Avenue. All will have to live with a view of a cement wall, presumed heavy incoming and outgoing shoppers, vendors traffic, huge semis, tire shop installations, unloading of deliveries bringing unwanted pollutants to their neighborhood. Bicycle riding and children playing will be in constant danger.

The area is not large enough to accommodate a warehouse, employee parking, vendor parking, customer parking, electric charging stations, and, not to be forgotten, are the parking spaces needed for the few remaining adjacent retail shops. The design itself shows the lack of parking available with the necessary rooftop parking notated. No solar panels seem to be included. Also, with the planned parking limitations, accidents and shoppers' anger may bring multiple problems to this location.

Prospect high school is only a short distance from the proposed Costco warehouse. These students cross Lawrence Expressway (at peril}. In addition, parent and student drivers also using this expressway, to transport students to Country Lane, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. Please, think about how the added traffic will add to this already dangerous crossing which has a history of multiple accidents.

Saratoga Avenue has had reduced lanes implemented for safety improvement. Adding more vehicles to this already heavily travelled avenue and to Lawrence Expressway contradicts the City of San Jose plans. This Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

The plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

The Envision San José 2040 General Plan includes:

Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).

Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.

Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.

Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.

A Senior care facility, a short distance from Westgate, would be negatively affected everyday by the tire shop air impact guns, incoming and outgoing semi-trucks and vendor vans, toxic pollutants.

The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an "area of undue concentration."

San Jose has a vision plan. We have lost many enjoyable, small shops that were walkable, bikeable, and neighborhood friendly. A deli/chocolate making shop, AAA, a bank, an import store, Smart and Final, a stationary store- to name just a few to jog some memories. Costco purchases are mainly bulk purchases. Not considered as walkable or bikeable purchases. This area can again become an area enjoyed by all ages if we work toward achieving the vision plan of San Jose and focusing on the needs of our neighborhood.

I have been a Costco member for many years, and I see no reason to shop at the West Valley warehouse, regardless of Costco's projections. A short 4.5-mile drive to either current Costco location gives me ample, well designed traffic flow/parking compared to this West Valley proposed location, AND I can purchase my gas with this one stop.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable imbalance of power in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley.

Respectfully,
Ann Bedard 95129

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Comment Letter 212

Feedback for Westgate West Costco DEIR, File no. CP21-022

Anna Ramakrishnan <[REDACTED]>

Mon 2/19/2024 12:39 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

This project will result in danger, inconvenience, wasted time, pollution, and wasted energy due to the daily gridlock that will be produced by the 11,000+ car trips a day to the Costco. This is calculated from the project's own traffic study. Of particular concern is the expected gridlock and the danger it brings to the intersection of Lawrence Expressway and Prospect Road in front of Prospect High School. This is where hundreds of students walk and bike to and from school each day and where the school's cross-country runners train. Not to mention several people who walk down to grocery with their strollers and kids. There is a assisted living space close by and have a lot of old people who may walk, relatives visiting. Ambulances need access to these buildings right away.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Annapurna Ramakrishnan

West San Jose

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Comment Letter 213

Feedback for Westgate West Costco DEIR, File no. CP21-022

Ashish Gupta [REDACTED]

Mon 2/19/2024 6:51 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Dear Ms. Hawkins,

My name is Ashish Gupta and I am a resident of the Country Lane neighborhood, which is right next to the proposed Costco Warehouse at Westgate West. My home is on El Oso Dr, close to the intersection with Graves Ave.

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to highlight the significant impact on our neighborhood:

- 1. Impact of Cut-Through Traffic on Country Lane Neighborhood:** The proposed Costco Warehouse, while serving many, poses a substantial risk of exacerbating traffic issues in our already bustling area. When main arteries like Saratoga Avenue and Lawrence Expressway become gridlocked, which is a frequent occurrence especially during peak hours, it is inevitable that drivers – frustrated shoppers and those seeking access to the warehouse – will turn to our neighborhood streets as shortcuts. This diversion of traffic will significantly increase the volume of vehicles passing through our neighborhood, directly affecting the safety and tranquility of our community.
- 2. Proximity to Country Lane Elementary School:** Of particular concern is the proximity of this increased traffic to Country Lane Elementary School. The school is a hub with hundreds of children walking, biking, and being dropped off and picked up daily. The influx of vehicles using our neighborhood as a shortcut to Costco not only poses a direct risk to their safety but also negates the efforts made to create a safe, child-friendly environment around our educational institutions.

In light of these concerns, I strongly urge the city to consider the following two-fold approach:

- 1. Closure of Graves Avenue Entrance:** To protect the Country Lane Neighborhood from the anticipated increase in cut-through traffic, I strongly recommend that the city consider closing off the Graves Avenue entrance (at Cameo Dr) to the proposed Costco Warehouse. This can be achieved by erecting a barrier, such as a wall, which would effectively deter non-local traffic from using our

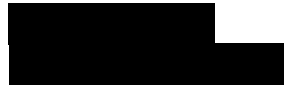
neighborhood streets to access the warehouse. Such a measure would significantly reduce the risk of traffic-related accidents near our homes and schools and preserve the residential character of our neighborhood.

2. **Shielding of the Operations Area:** The operations area of the proposed Costco should be designed in a manner that shields it from the view of residents, businesses, and customers. This can be achieved by positioning the operations area behind the warehouse and erecting a solid sound wall of adequate height, similar to the measures taken at the Almaden Costco location. Such an arrangement would not only address the visual blight but also contribute to the overall aesthetic and environmental quality of the surrounding area.

The Country Lane Neighborhood is a vibrant community that not only values safety and peace, but also the visual harmony of the surroundings. The proposed Costco Warehouse, while offering certain benefits, should not come at the cost of compromising these values. We ask that the City of San Jose take proactive steps to ensure that our concerns are addressed and that the safety and well-being of our community, especially our children, are not jeopardized.

Thank you for your attention to these matters. I look forward to your supportive response and the implementation of these crucial measures.

Sincerely,
Ashish Gupta



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Comment Letter 214

Feedback for Westgate West Costco DEIR, File no. CP21-022

Ayako Takano <[REDACTED]>

Mon 2/19/2024 10:32 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>; Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

I strongly request the City of San Jose to **discontinue Westgate West Costco project** for the significant concerns below.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered "most dangerous for bike traffic" by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city's [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.

Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.

Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costo's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major

thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools.

There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also

does not provide details about the effects of soil vapor intrusion on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips

per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as "locally and regionally accessible by multiple transport connections" on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the "engagement of local residents in planning the urban village" and "a mix of housing and employment to reduce traffic." The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the

developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to “sit at the table” with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,
Ayako Takano
Country Lane resident

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Comment Letter 215

Re: Feedback for Westgate West Costco DEIR, File no. CP21-022

Balasubramanian Narasimhan [REDACTED]

Tue 2/20/2024 3:56 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois,

I just wanted to add one more point to my letter.

As I read the DEIR again, I realized that the impact to Lawrence because of the truck traffic will be even more catastrophic because CA 85 does not allow trucks; all trucks will be routed through Lawrence or Saratoga Ave. The burden of noise, pollution, congestion together with the danger to pedestrians is very real, especially during school and commute times.

Please vote this proposal down; it does not fit the area.

Thank you.

--Balasubramanian Narasimhan

San Jose, CA 95129

On Mon, Feb 19, 2024 at 6:34 PM Balasubramanian Narasimhan <[REDACTED]@sanjoseca.gov> wrote:

Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois,

Thanks for the opportunity to provide feedback on the the proposed Westgate West Costco project.

I have written before that this project of this size is inappropriate for the Country Lane Neighborhood for several reasons including concerns regarding pollution, traffic, noise. The DEIR does nothing to address any of these issues. The increase in traffic (11,000+ trips/day) alone will lay waste to the character of the neighborhood and the four schools (Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle). Already, the traffic on Lawrence has now gotten louder over the last 5 years--- I hear it even as I go to bed. And now this proposal aims to increase it exponentially, around this compact neighborhood, defying all logic. I bring to your attention that just recently, because of safety concerns, Saratoga Avenue underwent a transformation where lanes were reduced from three to two and new lane markings were added, all in recognition of the dangerous traffic conditions present. How does that even square with the huge increase in traffic that the proposal will generate? Furthermore, the whole neighborhood will almost certainly become a maze of shortcuts for people trying to get to Costco, endangering children and folks living in the area.

This is a congested neighborhood where many people from around the area still manage to take walks. There are senior citizens from the retirement homes on Payne who bring their dogs to the dog park; there are school children biking through from Payne and Campbell avenue to school; there are parents dropping off and picking up children at country lane. All of these would be affected immensely by the scale of this project. And Graves avenue is a particular problem; the truck traffic and idling will generate enough pollution to take a few years off a resident's life if not more. No effort has been made to close off Graves Avenue!

I am afraid the DEIR offers little to mitigate these concerns. It goes against your own guidelines for your own objectives in the Envision San Jose General Plan.

Therefore, I urge you to reject the current proposal.

Sincerely,

Balasubramanian Narasimhan
San Jose, CA 95129

--

Balasubramanian Narasimhan

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Comment Letter 216

Feedback for Westgate West Costco DEIR, File no. CP21-022

candace macewen <[REDACTED]>

Mon 2/19/2024 2:14 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins Department of Planning, Building, and Code Enforcement Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois: I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback. <. I do not want the Costco building at Westgate west. To much traffic and congestion. comments go here> Thank you for your consideration and your care in responding to these serious concerns. Sincerely, <. Candace MacEwen

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Comment Letter 217

Feedback for Westgate West Costco DEIR, File no. CP21-022

cahuang [REDACTED]

Mon 2/19/2024 11:18 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I don't think it's a good idea to have a Costco at this location. We all know how much traffic Costco's create - every time I go it takes at least 10 minutes to find parking. The schools nearby and residents in nearby apartments/townhomes will have a difficult time with the heavy traffic that's guaranteed to come. It's not just inconvenient - think about all the kids who cross these streets every day and how much more dangerous doing this will be.

We all love Costco (and their delicious rotisserie chickens), but there's got to be a better solution. Some place more industrial, or with less residential or non-shopping foot traffic. We shouldn't settle for this location.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Carl Huang

Rose Glen, San Jose

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Comment Letter 218

Feedback for Westgate West Costco DEIR, File no. CP21-022

[REDACTED] >

Mon 2/19/2024 9:29 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I am greatly concerned for the proposed Westgate West Costco project and I am writing to provide my feedback. I am a parent of a student at Prospect HS and a student at Easterbrook Discovery School. Both schools will be greatly impacted by this project.

My most specific concerns are in regards to student/pedestrian and driver safety at the corner of Lawrence and Prospect, as well at the turn off into the parking lot from Lawrence (next to Taco Bell). It is an especially dangerous area to drive through during both school drop off and pick up times. Almost all students walk across this intersection to get picked up by rides or to walk/bike home from school. Additionally, there are many student drivers (and upcoming student drivers such as my son) who are currently navigating this area without much experience in dealing with such a level of necessary crowd safety.

With regards to student safety at Easterbrook Discovery School, many of these students also walk home and will be greatly impacted by any traffic that will be taking Doyle as an alternative route when Prospect Ave. gets backed up caused by the traffic going to Costco. Additionally, many parents from both EDS and Country Lane use the streets of Teresita and Happy Valley cut through the backside of the parking lot on Graves Ave. to drop off older students at Prospect, due to the traffic that is already in this neighborhood. There have been multiple accidents and near misses in this area, without the additional traffic that a Costco of its current proposed size would bring.

Please protect our students and our families by saying No to this project.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Christie Schauer

Alex Drive, San Jose 95130

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Comment Letter 219

RE: Feedback for Westgate West Costco DEIR, File no. CP21-022

Connie Walker <connie@wpinvestments.com>

Mon 2/19/2024 2:17 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Lindsay and Joseph Walker/Starek <lwalker.jstarek@gmail.com>; Rich Walker <rwalker@denodo.com>

[External Email]

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project.

My name is Connie Walker, and I am Vice President of WP Investments. WP Investments owns, develops, and manages commercial real estate properties throughout the Bay Area. My reason for writing to you is to express my urgent, and very strong concerns about the Costco Project, which is being proposed for the Westgate West Shopping Center. When my daughter and son-in-law purchased their home in the safe, idyllic Country Lane neighborhood, they were so thrilled as they envisioned their two daughters, Elena (4), and Chloe (2) attending the neighborhood public schools of Country Lane Elementary School, Moreland Middle School, and Prospect High School. However, we are all very saddened that the proposed Costco Project now presents serious safety concerns for their family, as well as for all of the other families who live in this area. Each of these schools are located less than one mile from the proposed Costco site.

My husband and I have been residents of nearby Saratoga for the past 40 years, and we have been members, and regular shoppers of Costco for many years, so I am a big fan of Costco, and have nothing against Costco, in general. However, as a developer and manager of commercial properties for many years, I must admit that I am completely baffled that the City of San Jose is even considering the Westgate West Shopping Center as a suitable site for the proposed Costco. There are already three existing Costco warehouse stores located less than 10 miles away from the Westgate West Shopping Center. Each of the current Costco warehouses were **appropriately** built in industrial areas, and it is a well-known fact that the traffic surrounding each of these sites is often total gridlock, and that the traffic is inevitably extremely dangerous to pedestrians and bikers. For these reasons, it seems totally inconceivable to me that either the City of San Jose, or the planning division of Costco, would think that building a new Costco, in a mostly residential area, and especially with so many schools located in very close proximity, would be

an appropriate location for this type of development. Therefore, I am respectfully (but urgently) requesting that the City of San Jose reconsider their plan to develop a new Costco Warehouse in this location.

As mentioned in my first paragraph, the safety of my daughter's young family, and the rest of the families in the surrounding area, is being placed in jeopardy with this proposed location for the Costco Project. My daughter, Lindsay Starek, has already submitted a letter to each of you. My own concerns and recommendations are the same ones that Lindsay has respectfully, and extremely passionately, presented to you. Therefore, I am submitting another copy of Lindsay's letter below.

I urge each of you to please take the time to read her letter thoroughly, and to take these concerns and suggestions into serious consideration and discussion before making this extremely important decision. Your decision will forever change the safety, and quality of life, of the residential communities and schools surrounding this Project.

Sincerely,

Connie Walker
Connie Walker
Vice President
WP Investments
Cell (408) 316-7733
Office (650) 568-7300
Office Mailing Address:
2101 Woodside Road
Woodside, CA 94062

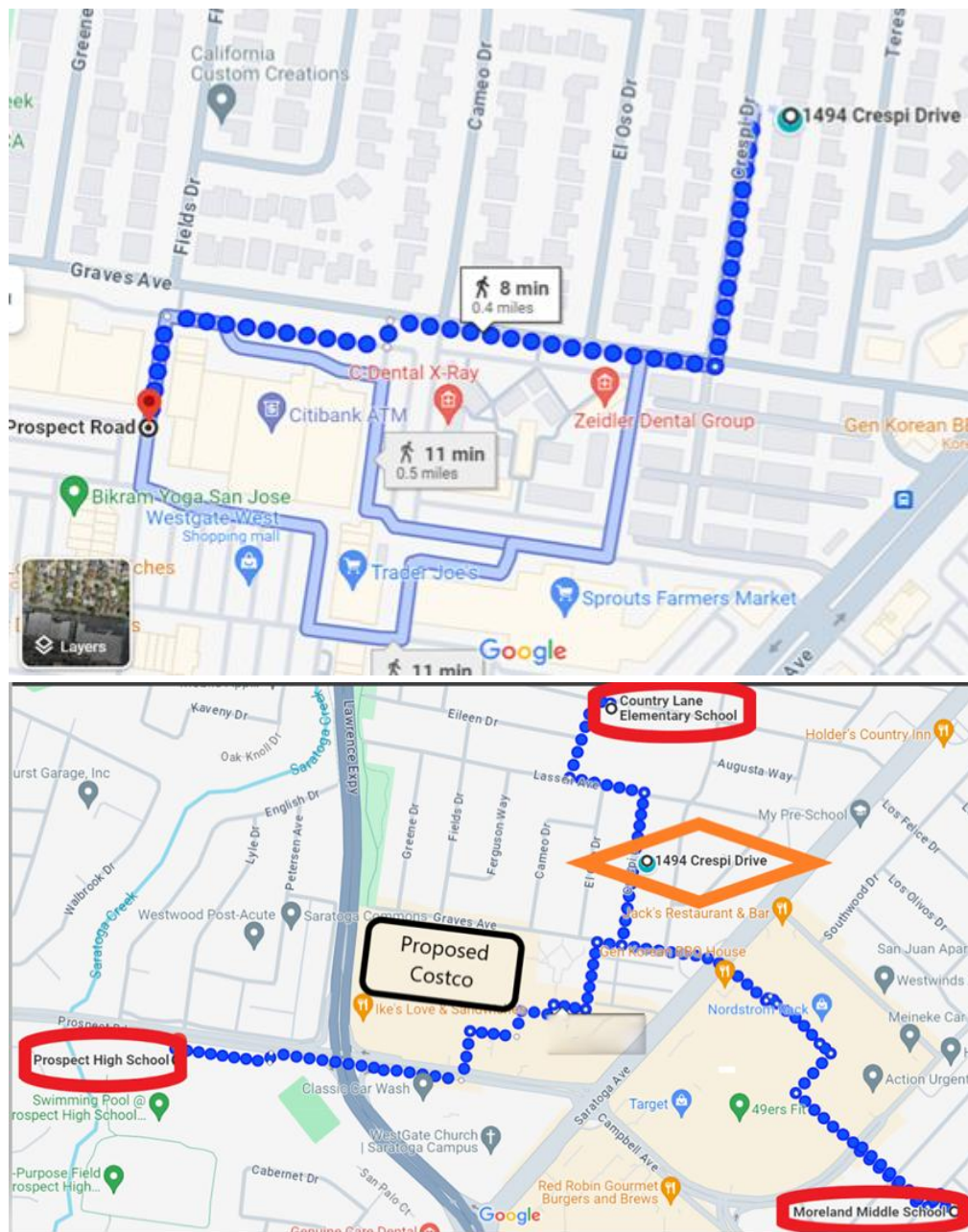
Below is the letter that was submitted by my daughter, Lindsay Walker.

Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project.

My name is Lindsay Starek and I am a registered nurse who works for Stanford Hospital and have many years of cardiac ICU experience. My husband is a software engineer at a tech company in Mountain View and works from home 2 days a week. We bought a home in the Country Lane Neighborhood 6 months ago which is next to the proposed Costco Warehouse at Westgate West. Our home is on Crespi Drive which is 0.4 miles away from the site and abuts Graves Avenue. We are parents to a 2-year-old and a 4-year-old and plan to have our kids attend the nearby schools, Country Lane Elementary, Moreland Middle, and Prospect High School over the next 16 years. All of these schools are less than one mile from the proposed Costco site.





I would like to start this by saying that my family is in favor of positive development projects for the space in question. We believe mixed affordable housing built above businesses with an associated greenery space is appropriate to the visions and values of the city (i.e., Vision Zero, Carbon Neutrality by 2030, etc.) and meets the needs of the surrounding community. We also are not against Costco in general. We have shopped there and think that it serves

an important purpose for families. However, we do believe that having Costco in this space would negatively impact the traffic, and the sense of community and is too large for the allotted space in this particular development.

Below I have listed my concerns with the proposed Costco project.

Pedestrian/Bicycle Concerns

We are delighted that San Jose is working hard to become a more bike-friendly environment and my family is in full support of and plan to use these accommodations. To illustrate our commitment, my husband currently bikes our children to daycare which requires him to cross the most dangerous roads of the area to get there -- Lawrence Expressway, Prospect Road, and Saratoga Avenue. We have seen firsthand how extremely unsafe it is to bike or walk in these areas currently. San Jose's Vision Zero has plans to increase safety, however, these plans are only accounting for the traffic situation right now. Currently, the data indicates that **when an incident happens in this area it is more likely to be a fatality or a severe injury:**

- 670 people have been killed or injured in traffic accidents in San Jose since 2022
- In this area specifically,
 - **11 fatalities**
 - 72 injuries
 - **60 severe**
 - 7 moderate
 - 5 minor

Furthermore, the **most impacted intersection of this project** (Lawrence Expressway and Prospect) has **had 4 separate pedestrian-versus-car incidents in the last year alone**. I am concerned that this already incredibly unsafe intersection will become unthinkably dangerous for any sort of pedestrian or bicycle traffic if Costco goes in. This is the exact opposite of what the city is trying to accomplish with its current initiative goals.

Here are photos of my husband and the bike trailer at local intersections that are the least safe.



- The bike and the trailer barely fit here
- Very few people can fit in this area to wait to cross safely and would need to wait outside of the barrier areas. (hundreds of students use this spot daily)
- Short barriers-- if a driver were not paying attention, they could easily come over a barrier and strike a pedestrian.
- **Suggestion:** Could we enhance this pedestrian refuge to make it safer



- In this photo, the red car is waiting at the red light to turn
- Cars often stop inside the crosswalk area forcing pedestrians to walk close to or into exposed traffic areas when crossing the street
- **Suggestion:** Could we enhance the crosswalks to make it more obvious for cars to stop outside the crosswalk



- Location of pedestrian call buttons forcing people to turn their back on traffic
- Very vulnerable, exposed, and dangerous
- **Suggestion:** Could we put pressure sensors that detect the weight of the pedestrian here instead of requiring call buttons to activate the walk sign to make it safer

Inappropriate Data Extrapolation for Traffic Analysis

The Costco DEIR estimated that the project would add approximately 11,000 more car trips per year (per Appendix L Transportation Analysis pages 13, 41) and deemed it to be of “less than significant impact”. **We are concerned this distinction was made with inaccurate data because it was collected during the height of the pandemic and before the “Vision Zero” lane reduction project took place.** During the time of the study, the following areas were misrepresented:

1. Tech workers forced to work from home during this time – >50% fewer vehicles on the road
 - a. **52.5% of SF metro area substituted in-person work for telework due to COVID** (According to the Bureau of Transportation Statistics, 2021)
2. Students were not attending school – no pedestrian traffic
 - a. Schools reopened in March 2021

3. Daycares shut down and kids required to stay home with parents – less driving and pedestrian traffic
4. Data collected was not during peak pedestrian hours for this area.
 - a. School drop off and let out times
5. Traffic congestion issues were not taken into account because the lane reduction plans from Vision Zero lane changes had not occurred yet

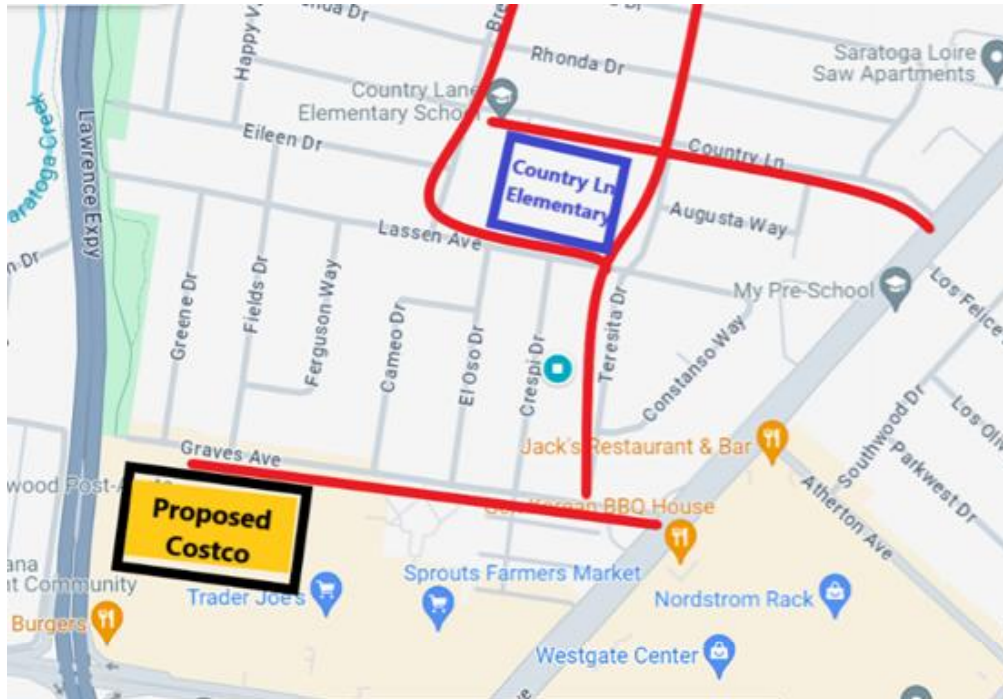
I propose to run the data again with the following suggestions in mind to ensure that it still falls under the “less than significant impact” category.

1. During peak school, pedestrian, and traffic hours on these days (holidays and non-holidays)
 - a. Mondays: 1:20 pm – 5:00 pm
 - b. Tuesday, Wednesday, Friday: 2:00 pm – 5:00 pm
 - c. Saturday and Sunday: 9-5 pm
 - d. Additional traffic considerations for all local after-school Sports/Events
 - i. Please work with these schools governance teams to determine the best hours to study to capture all impacted sport/event groups
 1. Prospect High School
 2. Country Lane Elementary School
 3. Easterbrook Elementary/Middle School
 4. Moreland Middle School
 5. Latimer Elementary/Middle School
 6. Lynbrook High School
2. New traffic studies need to be done to evaluate the current conditions on Saratoga Ave since the completion of the widened bike lanes and lane reduction projects. While modeled predictions were done, the real-life backup effects we’ve seen due to Saratoga Ave’s lane changes will have a profound negative impact on traffic entering and exiting Saratoga Ave at all the intersections studied. The study needs to be redone to reflect these changes and the real-world behavior of drivers adapting to these lane changes.

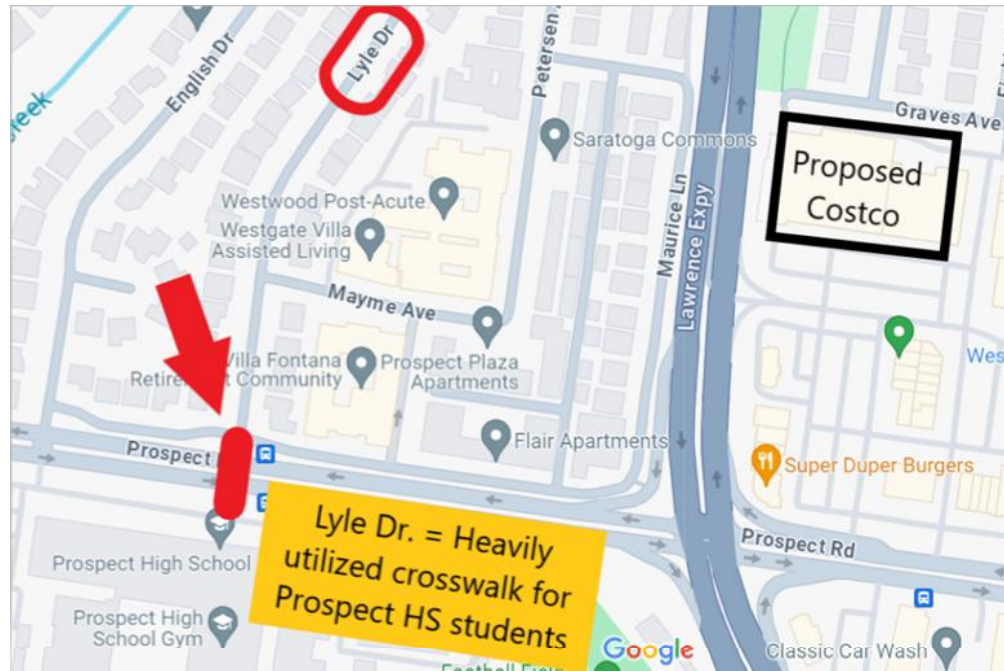
3. Do a congestion study along Graves Ave, Teresita, Country Lane, and Lassen during the following times on weekdays to assess the impact of the lane reduction/bike lane widening on the local neighborhood traffic

a. 7:00 am - 9:30 am

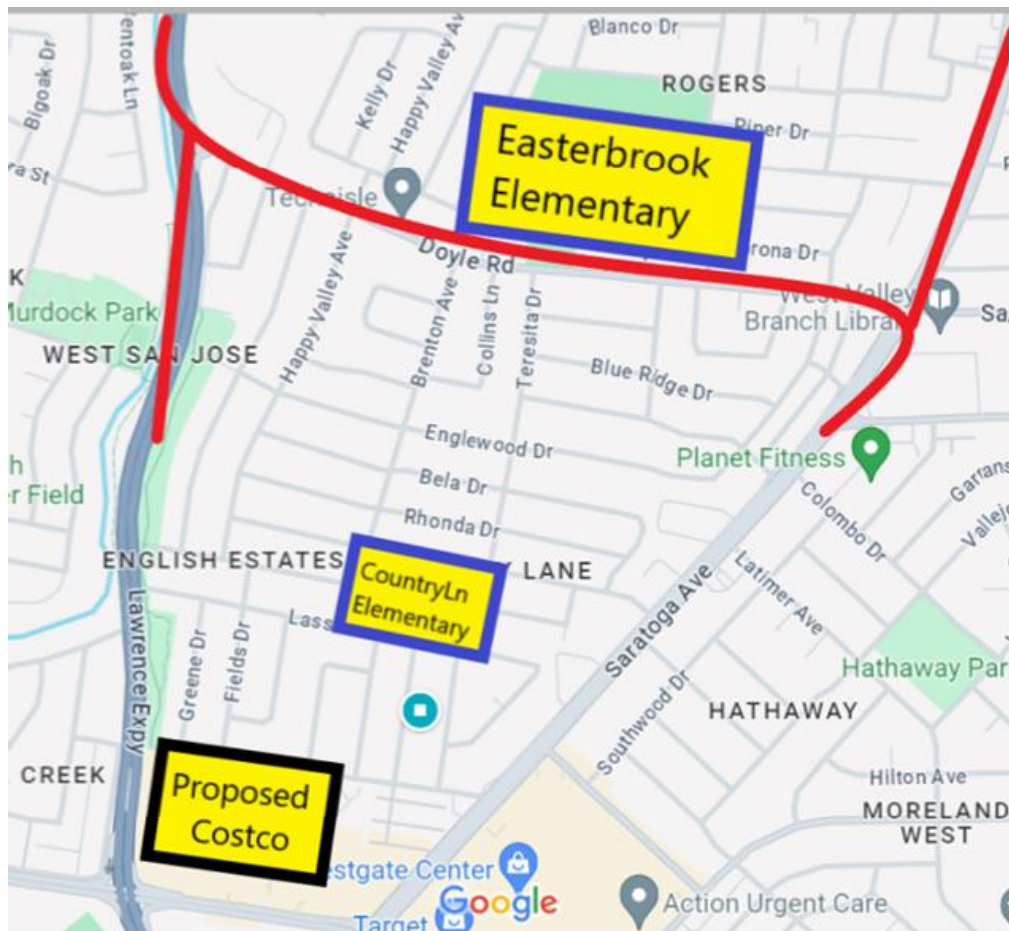
b. 1:00 pm – 5:00 pm



4. Do a pedestrian safety and congestion study of Lyle concerning the impact on the school and students

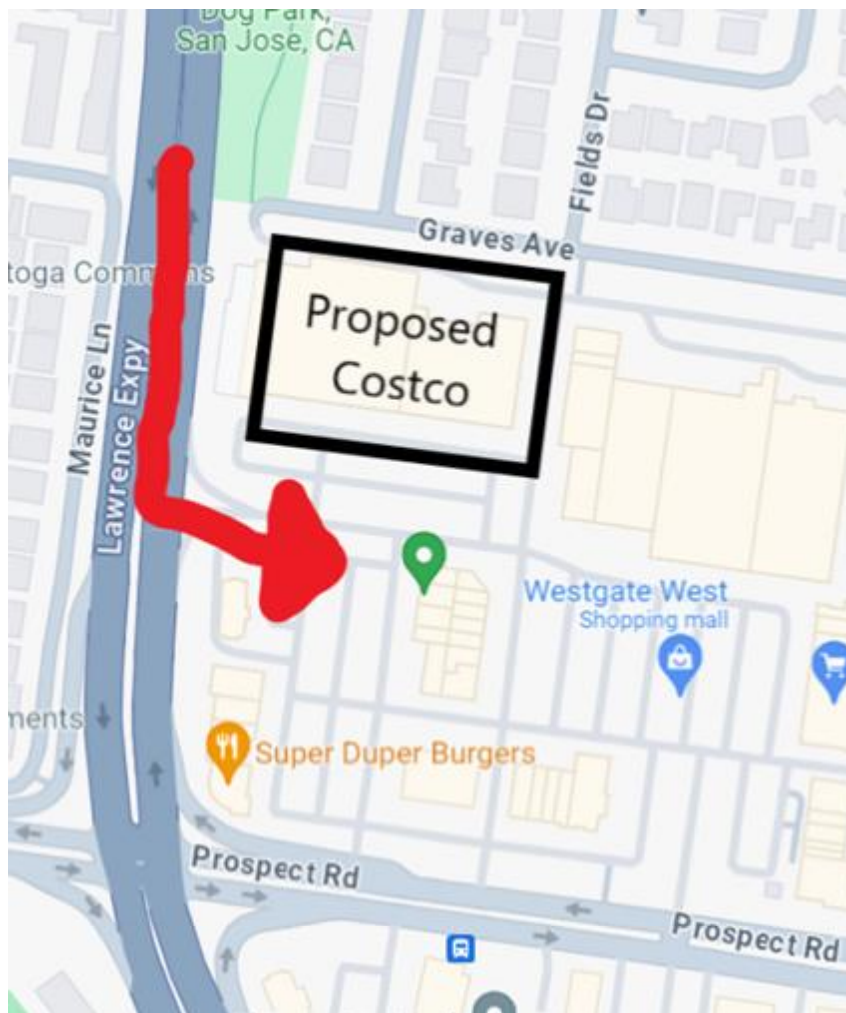


5. Do a congestion and pedestrian study along Doyle Road to see what the impact is on Easterbrook Elementary/Middle School and Country Lane Elementary School. Major school traffic with crosswalks to nearby schools. My concern is about drivers bypassing the most likely congested Saratoga Ave and Lawrence Expressway cutting through Doyle and the neighborhood.



6. Do a congestion study along Campbell Ave and Hamilton Ave to see what the impact would be to the crosswalks and local school safety for Moreland Middle School and Latimer Elementary/Middle School





This area has already proven to be extremely unsafe. We appreciate the efforts already made in the Costco plans to widen crosswalks, increase the size of intersection islands, and add crossing guards. However, I am concerned that these efforts that cost a significant amount of money would not actually significantly improve the problem. This is a website with 28 proven strategies that are aimed at reducing roadway fatalities and injuries offered by the U.S. Department of Transportation (<https://highways.dot.gov/safety/proven-safety-countermeasures>). The ones that would apply to this project include the following:

1. Protected bike lanes
2. Crosswalk visibility enhancements
3. Leading pedestrian interval

4. Medians and pedestrian refuge islands – potentially already in the plans?
5. Pedestrian and hybrid beacons
6. Rectangular rapid flashing beacons
7. Roundabouts at the major intersections

Yet, I am **extremely concerned that the extra traffic anticipated to be brought in by the proposed Costco would be too overwhelming even with these proven measures. I believe the only safe option if Costco is going to be built is to construct pedestrian bridges or tunnels.** I would like to propose using the money allotted to making the other proposed changes and to be used instead to help the city subsidize two pedestrian bridges or tunnels that accommodate pedestrians and bikers over the major streets where people cross (one over/under Lawrence Expressway from the Country Lane Neighborhood and the second over/under Prospect Road from the Saratoga Creek Neighborhood).

Traffic Concerns

The city of San Jose is working to make the area more bike-friendly and to slow the traffic down in the area. In this process, they have significantly reduced the number of car lanes, and plan to do much more. **My concern is with a Costco in this area, and a minimum increase in the cars in the area by 11,000 per day, there will be so much congestion, that cars will start cutting through the local neighborhoods to get to their destination.** Of note, there is a local elementary school in the Country Lane neighborhood that would be particularly vulnerable as many children walk to and from school and activities here. There is a high likelihood of having frustrated drivers that had been stuck in traffic speeding through the neighborhood making it extremely dangerous for the residents and their children. There has been no study done as of yet to determine how the traffic would be impacted around Country Lane Elementary School. I would like to require a study of this area's traffic impact to be done before approval.

Furthermore, I would like to propose closing off the Graves entrance completely to through traffic to this shopping center. All other Costcos in the area have made efforts to protect and isolate the nearby neighborhoods from delivery trucks and through traffic. Additionally, **NO other Costcos in the area are near schools and I consider it essential to take into account (this proposed Costco is less than one mile away from 6 schools and 10 daycare centers).**

I am also **concerned that having a Costco placed here will encourage more vehicular traffic in general which is the opposite of the Pathway to Climate Neutrality by 2030's goal.** Costco is known for having large bulk items that would be extremely inconvenient to load on to a bike, public transit, or to carry. This type of shopping requires a personal vehicle to load and take items home. I am disappointed that we may be approving a project that goes against San Jose's amazing and ambitious goal. I would prefer to see development here that would encourage people to walk, bike, or use public transportation to the store and would have affordable housing developments built in.

Health Concerns

The DEIR mentions that there are hazardous materials that would be released during the construction project from a previous Midas store on the property. **I have asthma and young children** who will soon be attending the elementary school less than half a mile away. **With consideration of the other 16 school and daycare facilities within one mile away from the site, this would impact thousands of other children to any hazardous materials that are released during construction.**

Are there ways of trapping the release of these chemicals during the construction process to prevent community exposure? If there are, I would like to have it in writing the explicit promise of each method that will used to decrease the release of these hazardous materials into the air, water supply, etc. I would also like there to be an agreement with Costco that independent experts selected by the city will:

1. Write parameters of the permissible versus unhealthy chemical release amounts that are allowed/not allowed during and after construction
2. Conduct studies during and after the construction that monitor the release of these chemicals and adherence to the written parameters
3. Have the authority to stop or halt construction until the permissible parameters are regained
4. To notify the local community of any incidents of possible unhealthy exposure levels in a timely manner for residents to seek shelter or medical preventative care.

I would like the city to work with independent local public healthcare officials to determine the possible symptoms that could develop from the release of the hazardous materials during construction and to have Costco's say in writing a plan similar to the one listed below:

- For any person who lives within a 2-mile radius of the site and experiences the listed symptoms within a 5-year time from the start and end of the construction period, Costco would help to pay a large percentage of the health bills for those individuals who experience these health conditions.

Having worked in the healthcare industry for 10 years, I have seen firsthand how impacted communities can be after measures are not taken to prevent the spread of hazardous materials. In particular, those who lack health insurance are the most vulnerable. This area is very diverse with wealthy and low-income people living nearby. I am particularly concerned with the low-income people who may lack health insurance to pay for possible health ailments that may occur from the construction.

Environmental Concerns

We are proud of San Jose's Pathway to Climate Neutrality by 2030 plan to become carbon neutral. **Costco's plans for this project have not included any measures that help to reach San Jose's goal.** Currently, this project has not included solar panels, EV car charging options, bicycle parking, and other measures that are consistent with this plan. At a very minimum, I would like to require that Costco make promises to work with San Jose's plan for Climate Neutrality by 2030 and institute their suggestions.

Additionally, with all of the meal-ready food and packaging sold, I would like to ensure that Costco promises to 1) **Use compostable** plates and utensils for any ready-made food on the property and 2) **Partner with a local composting company** that will manage and dispose of the compostable materials properly 3) **Have a plan to reduce and reuse packaging** to lessen waste.

Parking Concerns

If Costco has to go in, I **am concerned** that even with the parking on top of Costco, if there are no parking spaces in the visible parking lot, **people would be unwilling to use the rooftop parking and would instead try to park on the neighborhood streets**. I would like to require that all of the staff parking be done on the rooftop of Costco. This could allow more spaces to be available for shoppers in the main parking lot and try to cut down on people parking in the neighborhoods. **I also would like to require Graves Ave and the small business complex to be completely closed off from traffic of any kind (delivery trucks or through traffic).**

I am also concerned about people parking in the already impacted Trader Joe's and Ike's parking lot. It would be important to me to put up barriers between the approved Costco parking and the other businesses (i.e., Trader Joe's, Ike's, etc.) parking areas to discourage people from using them and walking over. Additionally, I would like to keep the shopping carts out of these other business areas and neighborhoods. Could we put in cart wheel lock sensors around the designated Costco parking area to further discourage parking and walking to/from the nearby business and neighborhood?

SUMMARY

In summary, this project will cause significantly more traffic than is capable for this area causing an already unsafe situation to become extremely dangerous. The building is inappropriately scaled for the current space, does not fit with the vision of San Jose's initiative of becoming carbon neutral by 2030, and this entire project cannot be improved enough to justify its existence in this space and should be denied.

If the city insists on approving this dangerous project against better judgment, before granting approval the city must create, fund, and put in place

- Specific neighborhood traffic isolation strategies,
- Environmental and climate change reduction strategies
- Significant traffic and pedestrian mitigation measures to address student, pedestrian, and cyclist safety
- Re-study the traffic impacts with real-time data of what is currently happening in this area
- Efforts to prevent, monitor, notify, and help compensate individuals suffering from hazardous materials from being released during and after construction
- Require Costco to align with and abide by city initiatives aimed at improving our community

Sincerely,

Lindsay Starek

A resident of the Country Lane Neighborhood (Crespi Drive)

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Comment Letter 220

Feedback for Westgate West Costco DEIR, File no. CP21-022

Craig M. McCormick <[REDACTED]>

Mon 2/19/2024 3:52 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Dear Ms. Hawkins,

My name is Craig McCormick, and I am a 14 year resident of the Saratoga Woods neighborhood, near the proposed Costco Warehouse at Westgate West. I am also the parent of a sophomore, a senior, and a recent graduate of Prospect HS, which is located less than 1,000 feet from the proposed Costco site.

Given the close proximity of the proposed site to a school, I have grave concerns about the safety of the students. Putting a Costco with the anticipated increase to traffic seems like a recipe for disaster. The other Costco locations are all in light industrial areas that are better suited for child safety. None of the other locations I have patronized in the past at Almaden Plaza, Coleman or Kifer locations are located across the street from a bustling high school. The proposed location is also just blocks away from an elementary school. It will put children in harms way. I drive to work past the high school every morning and see the children spilling off the sidewalks crossing the streets. Is the proposed larger pedestrian refuge at Lawrence truly enough to eliminate potential harm to students at this intersection when seeing 11,000 additional trips each day. There have been 4 pedestrian/car accidents involving students at that intersection in the past year alone. What will it be after Costco?? Traffic safety became even more personal this last year as my wife has been involved in two near-misses as a pedestrian jogger in this neighborhood (one at Lawrence and Prospect and one at Prospect and Saratoga intersection that involved 2 vehicles that both missed the turn and jumped the pedestrian refuge nearly hitting her). The number of at risk students that bus to Prospect on public transit is not insignificant, and they must complete their commute to school with a short walk from the bus stop at Saratoga Ave. With the proposed project, they would then be subject to a Costco and all its traffic between their school and safe passage to and from home.

Although it is encouraging to see San Jose's plans for Vision Zero in our neighborhood come to fruition on Saratoga Ave, I worry that the increased congestion will result in more erratic driving by frustrated drivers. Saratoga Avenue has been reduced to 2 lanes

from its previous 3 lanes of traffic is this area to widen the bike lane and increase pedestrian safety. This reduction makes me wonder about the report of no deficiency in the NON CEQA (LOS). Was the traffic impact assessment done prior to Saratoga Ave being reduced to 2 lanes in this area? If so are there plans to look at this again given that assessment is no longer accurate and would be further impacted by the very large housing project proposed at El Paseo?

I am sure the tax revenue from another Costco is very attractive to the city, but isn't the need for mixed-use development promoting local businesses and increasing housing for low and very-low income residents of equal or greater importance? This site seems better suited for that purpose and would be embraced by the community and provide a much safer solution for the mostly vacant center.

Don't let this tax revenue blind you from the overwhelming fact that this project is not appropriate for a neighborhood and certainly not appropriate across the street from a school. Please reconsider moving forward with this Costco and find a more appropriate project for this site. Costco belongs in an industrial part of the city as far away from children as possible.

Thank you.

Craig McCormick

[REDACTED]
Saratoga, CA 95070
[REDACTED]

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Comment Letter 221

Feedback for Westgate West Costco DEIR, File no. CP21-022

ROBERT DUTCHER [REDACTED]

Mon 2/19/2024 10:04 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am against this project due to the increase in traffic by a high school and the neighborhoods adjacent to the proposal. I want the children to be safe going to and from class. This project is not going to help an already impacted area population wise.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Darcy Dutcher
Brookview Neighborhood
Saratoga, CA

Sent from my iPhone

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Comment Letter 222

Costco

Mary Longanecker [REDACTED]

Mon 2/19/2024 7:13 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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The proposed Costco site is too small. In addition the area is already congested with the high school traffic. Please do not Costco at that site. Additionally the El Paseo site will be bringing additional traffic with Whole Foods and housing.

Thank you,

David and Mary Longanecker

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Comment Letter 223

Feedback for Westgate West Costco DEIR, File no. CP21-022

David Underwood [REDACTED]

Mon 2/19/2024 12:37 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

 1 attachments (2 MB)

Westgate West Costco Feedback Letter.pdf;

[External Email]

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois,

Please find attached a letter providing feedback on the Westgate West Costco DEIR.

Best regards,

David Underwood
Country Lane Neighborhood Resident

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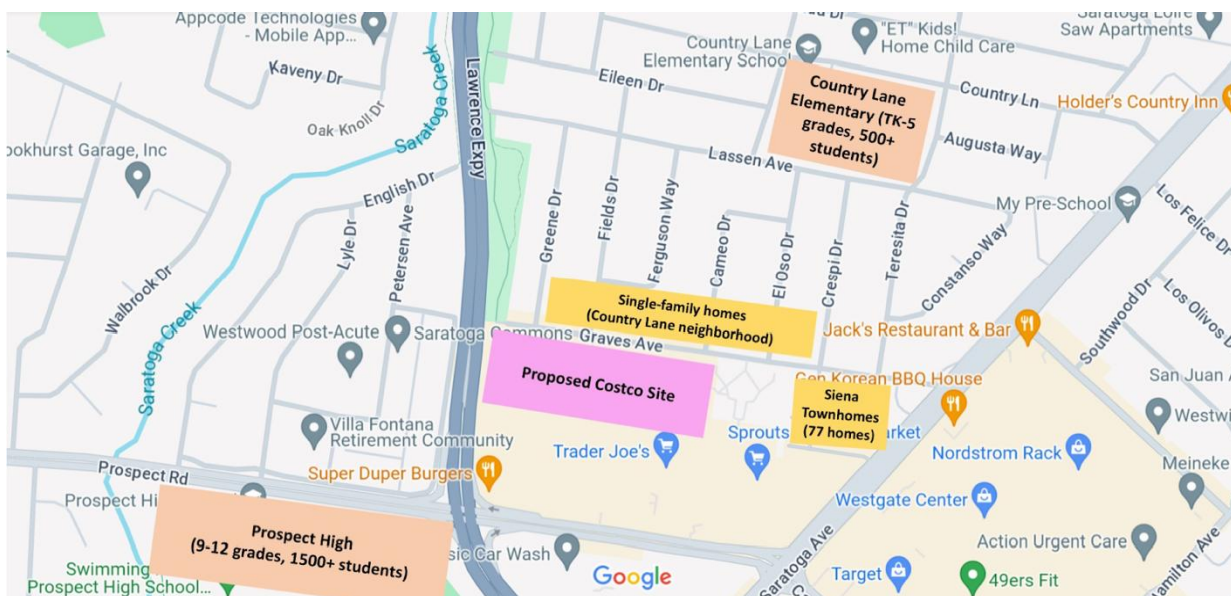
Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I am a 25+ year Country Lane neighborhood resident who strongly opposes putting a too-large Costco into the too-small site at Lawrence Expressway and Prospect Avenue. I have lived on Happy Valley Avenue for decades and am deeply concerned about multiple issues regarding this project, chiefly safety, traffic, noise, quality of life, and that it is wholly inconsistent with the City of San Jose's own Urban Village plan.

I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

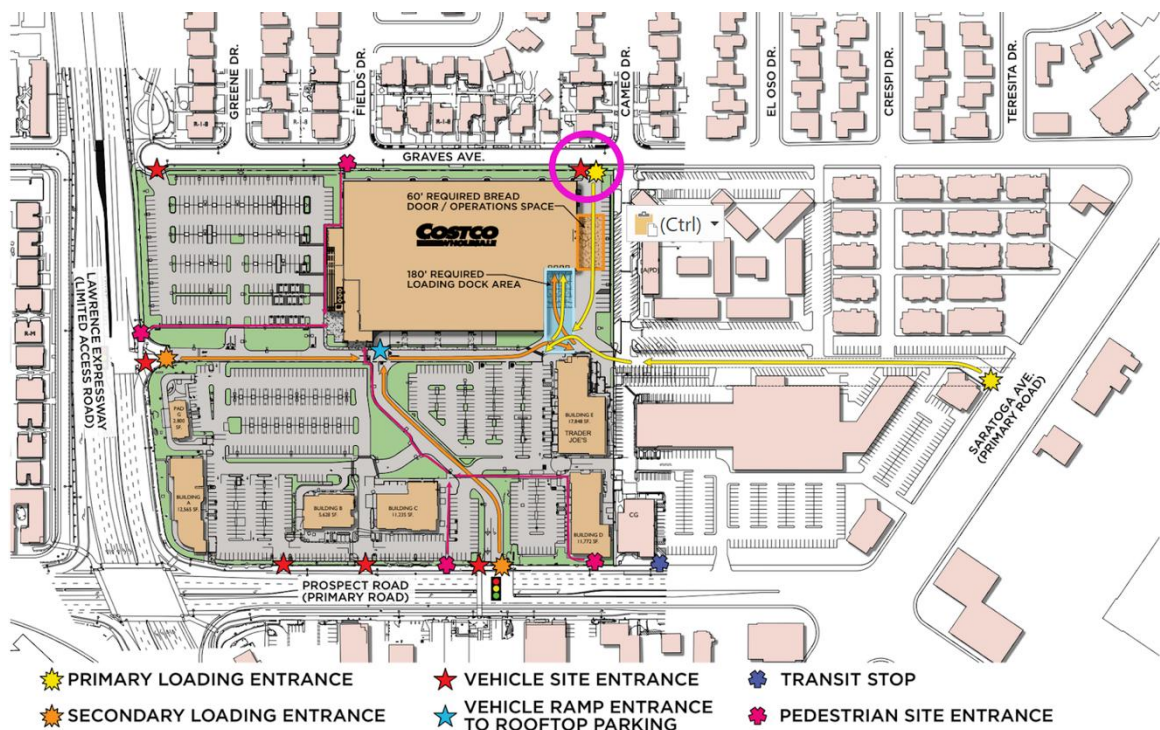
The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city's [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety

conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two-lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two-lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as "cut throughs" to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore, three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary,

Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools, and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children’s health also needs to be included in the DEIR given the project’s proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in

an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with the City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco

project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco’s characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient, and the City can lead by partnering with residents and

other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

I ask that you not allow this project to move forward. Thank you for your serious consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "D Underwood", written in a cursive style.

David Underwood
Country Lane Neighborhood Resident

Comment Letter 224

Feedback for Westgate West Costco DEIR, File no. CP21-022

Francisco Hernandez [REDACTED]

Mon 2/19/2024 3:56 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

My name is Francisco Hernandez and I am a 32 year resident of the Country Lane Neighborhood which is right next to the proposed Costco Warehouse at Westgate West. I am concerned about the over 11,000 car trips the project will generate (per Appendix L Transportation Analysis pages 13, 41) particularly at the already over-congested intersection of Lawrence Expy and Prospect Ave. Also, I am that the projected number, over time, may increase dramatically.

I have been to the Coleman Costco on weekdays and the northbound left turn to Costco has steadily increased. Just a few years ago, that turn could be done after one or zero red lights. Now that turn, consistently takes two to three red lights. Worse of all, on weekends the turn is so unbearable that a few weeks ago I aborted after at least six red lights (with at least a few more to go). I shudder at how long the lines on the Lawrence entrance will become as this Costco becomes more popular. Also, note that this Costco is planned around a residential zone, the one on Coleman is located in a business zone. The weekend nightmare traffic will impact quality of life (extra pollution, noise, visual stimulus) at a time when working families should be enjoying their hard earned two days off.

As previously, stated I lived in the area when the Orchard Supply Hardware, the Laundromat, the Yoga Studio, Children's Supply store, Ethan Allen, and many other stores existed. The traffic was never a fraction of what is (may I say) under projected for this Costco. I believe this community would be better served with a variety of businesses instead of this giant behemoth.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Francisco Hernandez of the Country Lane Neighborhood

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Comment Letter 225

File #CP21-022 Westgate West Costco Warehouse Project

Gary Smith <[REDACTED]>

Mon 2/19/2024 10:33 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

 1 attachments (17 KB)

File Number CP21-022 Comment from English Estates Neighborhood Association.docx;

[External Email]

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February 20, 2024

Attention: Kara Hawkins
Department of Planning, Building, and Code Enforcement
200 East Santa Clara St., 3rd Floor
San José, CA 95113

Gentlemen:

Subject: File No. CP21-022 Westgate West Costco Warehouse Project

English Estates Neighborhood Association requests that Costco, before their current development plan in west San Jose is presented to the San Jose City Planning Commission for approval or non-approval, is required by the City of San Jose to include pedestrian, bicycle, and vehicle traffic safety analysis with data for the Lyle Drive/Prospect Road street intersection and bus stop area, because that street intersection and bus stop is within 1000 feet of the west property line of the 19.8 gross acre Westgate West Shopping Center. Neither vehicle, pedestrian, or bicycle traffic analysis for the street intersection at Lyle Drive/Prospect Road was completed on the current Costco--Westgate West Draft EIR.

With ever increasing vehicle, bicycle, and pedestrian traffic throughout the west San Jose area over the next few years from various existing

sources as well as from approved planned development at the El Paseo major development site in west San Jose, and proposed development such as Costco in Westgate West, the need for more proactive pedestrian and bicycle safety measures and vehicle traffic calming measures including at or near the intersection of Lyle Drive/Prospect Road (a main entrance to English Estates Neighborhood) is needed since no vehicle traffic analysis was done regarding either the Lyle Drive/Prospect Road or English Drive/Prospect Road on the current draft EIR for the proposed Costco warehouse in Westgate West.

Also, English Estates Neighborhood Association requests that the data regarding impacts of Costco in Westgate West on the street intersection Lyle Drive/Prospect Road, be made available to the public via www.sanjoseca.gov under the San Jose Planning Commission “Major Development Projects,” with a new 30 or 45 day comment period, similar to current Draft EIR is available to the public with a public Draft EIR comment period ending on February 20, 2024.

It has come to our attention recently at a Community Meeting at Prospect High School on February 5, 2024 that the current Draft EIR for Costco in Westgate West omitted (did not include) pedestrian, bicycle, and vehicle traffic study data regarding the impact of added vehicle traffic (car trips) from the proposed Costco Warehouse to pedestrian, bicycle, and vehicle

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traffic at the corners of Lyle Drive/Prospect Road and English Drive/Prospect Road (both intersections directly across from Prospect High School) as explained below and within or close to 1000 feet from the west property line of the 19.8 gross-acre Westgate West Shopping Center.

English Estates Neighborhood is in west San Jose on the north side of Prospect Road directly across from Prospect High School. All seven streets within the English Estates neighborhood area – Lyle Drive, English Drive, Prospect Road (between English Drive and Maurice Lane), Petersen Avenue, Maurice Lane, English Court, and Mayme Avenue – are very close (approximately 1000 feet or less) to the west boundary of the 19.8 gross acre Westgate West Shopping Center where Costco proposes a full-sized warehouse store (including parking) on 9.69 acres of the Westgate West “General Commercial” zoned neighborhood shopping center.

Our major concerns about the proposed Costco warehouse store in Westgate West shopping center include but are not limited to the following:

1) what impact from Costco in Westgate West will there be to the vehicle, pedestrian, and bicycle traffic at the street intersection (Lyle Drive/Prospect Road) directly across from Prospect High School ? That street intersection/traffic light is within 1000 feet of the west property line of the 19.8 gross acre Westgate West shopping center. Traffic coming both ways (north and south) on to Prospect Road from Lyle Drive; as well as the student/parent, faculty, and visitor traffic going to and from Prospect High School at or near the Lyle Drive/Prospect Road intersection on to Prospect Road; as well as vehicle traffic coming to and from from English Drive on to Prospect Road, all within or close to 1000 feet from the Westgate West Shopping Center west property line, needs to be determined and made available to the public for public comment before the proposed Costco Warehouse at Westgate West goes to the City of San Jose Planning Commission and City Council for a vote.

At the recent community meeting on February 5, 2024 at Prospect High School, a representative of the traffic consultant hired by the City of San Jose and/or by Costco to prepare the Costco Westgate West draft EIR, stated, during a Q and A portion at that community meeting, that the Lyle Drive/Prospect Road intersection (at Prospect High School) ”is off of the map and was not included in the traffic analysis on the draft EIR for the Costco warehouse in Westgate West.”

The street intersection with traffic signal (Lyle Drive/Prospect Road) noted above as well as the non-traffic signal street intersection (English Drive/Prospect Road) feed vehicle, bicycle, and pedestrian traffic coming to and from Prospect Road with residences (single family homes and apartments) and residential care facilities located directly across from and close to (only one to three blocks) Prospect High School where there are seven streets (as noted above) that feed traffic in to those two intersections (Lyle Drive/Prospect Road and English Drive/Prospect Road) which are within approximately 1000 feet of the west property line of the 19.8 gross acre Westgate West neighborhood shopping center of which Costco is proposing to occupy part of those 19.8 gross acres with a full-size warehouse membership store on 9.69 gross acres in a shopping center zoned Commercial General Zoning District.

Omission of traffic analysis and data on both sides of the street (south and north) at the main vehicle entrance (Lyle Drive/Prospect Road intersection) for a public high school (Prospect

High School) as well as not including traffic analysis or traffic data for English Drive/Prospect Road intersection (also directly across from Prospect High school) is a serious omission of traffic analysis and

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data on the current draft EIR which should be rectified before the Draft EIR of the Costco Westgate West project goes before San Jose's Planning Department and City Council.

The two intersections noted above (Lyle Drive/Prospect Road and English Drive/Prospect Road) also handle some daily traffic of emergency vehicles that receive requests including from three residential care facilities whose addresses noted below are located on streets less than two blocks north of Prospect High School and within 1000 feet of the west property line of the proposed Costco warehouse in Westgate West. Fire trucks and ambulances come into the English Estates Neighborhood on calls approximately three times a day and sometimes more often based on a neighbor's observation who lives next to one of the senior residential facilities noted below.

555 Prospect Rd SJ 95129

5425 Mayme Ave SJ 95129

1601 Petersen Av SJ 95129

Now it isn't known how much time it may take for emergency vehicles (ambulances and fire trucks) to enter and exit the two available intersections which are also directly across from Prospect High School (Lyle Drive/Prospect Road and English Drive/Prospect Road) with a hypothetical 11,000 car trips per day generated by a full-size Costco warehouse store in Westgate West (18 times the car trips presently produced by businesses in Westgate West Shopping Center) according to data provided by Costco.

- The draft EIR, according to a question answered by the EIR consulting firm at the recent community meeting on February 5 at Prospect High School, did not include an estimate of the number of car trips from the other buildings (A, B, C, D, E, F) that will remain on the 19.8 gross acre Westgate West Shopping Center. Rather, the Costco--Westgate West draft EIR provides an estimate of 11,000 car trips per day from only the full-size Costco warehouse store to and from the 19.8 acre gross acre Westgate West Shopping Center. So, based on the data from the current Costco--Westgate West Draft EIR, the public does not have an estimate of the number of car trips generated per day from the other six buildings in Westgate West that will remain on the 19.8 gross acres of Westgate West Shopping Center. The number of car trips from the other six remaining buildings on the 19.8 gross acre site, in addition to Costco's warehouse on that site, could be significant and could add to traffic gridlock at times in that area as well as at the Lyle Drive/Prospect Road intersection as noted above and other streets going to and from

Lawrence Expressway/Prospect Road.

English Estates is a neighborhood in west San Jose that includes seven streets with 112 single-family homes, a few apartment buildings of various sizes, and three residential care facilities.

The English Estates Neighborhood Association, at a Special Meeting on February 3, 2022, voted to oppose the proposed Costco warehouse store (File No. CP21-022). At that special meeting we were concerned, as we are today, of possible negative traffic impacts that a large volume of vehicle traffic to and from a full-size retail warehouse store will have on pedestrian, bicycle, and vehicle flow and safety in a residential-commercial area with many mixed-use developments.

Sincerely yours,

Gary Smith, English Estates Neighborhood Association Representative

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San Jose, CA 95129

February 20, 2024

Attention: Kara Hawkins
Department of Planning, Building, and Code Enforcement
200 East Santa Clara St., 3rd Floor
San José, CA 95113

Gentlemen:

Subject: File No. CP21-022 Westgate West Costco Warehouse Project

English Estates Neighborhood Association requests that Costco, before their current development plan in west San Jose is presented to the San Jose City Planning Commission for approval or non-approval, is required by the City of San Jose to include **pedestrian, bicycle, and vehicle traffic safety analysis** with data for the **Lyle Drive/Prospect Road street intersection and bus stop area, because that street intersection and bus stop is within 1000 feet of the west property line of the 19.8 gross acre Westgate West Shopping Center.** Neither vehicle, pedestrian, or bicycle traffic analysis for the street intersection at Lyle Drive/Prospect Road was completed on the current Costco--Westgate West Draft EIR.

With ever increasing vehicle, bicycle, and pedestrian traffic throughout the west San Jose area over the next few years from various existing sources as well as from approved planned development at the El Paseo major development site in west San Jose, and proposed development such as Costco in Westgate West, the need for more proactive pedestrian and bicycle safety measures and vehicle traffic calming measures including at or near the intersection of **Lyle Drive/Prospect Road** (a main entrance to English Estates Neighborhood) is needed since no vehicle traffic analysis was done regarding either the **Lyle Drive/Prospect Road** or **English Drive/Prospect Road** on the current draft EIR for the proposed Costco warehouse in Westgate West.

Also, English Estates Neighborhood Association requests that the data regarding impacts of Costco in Westgate West on the street intersection **Lyle Drive/Prospect Road**, be made available to the public via www.sanjoseca.gov under the San Jose Planning Commission “**Major Development Projects**,” with a new 30 or 45 day comment period, similar to current Draft EIR is available to the public with a public Draft EIR comment period ending on February 20, 2024.

It has come to our attention recently at a Community Meeting at Prospect High School on February 5, 2024 that the current Draft EIR for Costco in Westgate West **omitted (did not include)** pedestrian,

bicycle, and vehicle traffic study data regarding the impact of added vehicle traffic (car trips) from the proposed Costco Warehouse to **pedestrian, bicycle, and vehicle**

page 2

traffic at the corners of **Lyle Drive/Prospect Road** and **English Drive/Prospect Road** (both intersections directly across from Prospect High School) as explained below and within or close to 1000 feet from the west property line of the 19.8 gross-acre Westgate West Shopping Center.

English Estates Neighborhood is in west San Jose **on the north side of Prospect Road** directly across from Prospect High School. **All seven streets within the English Estates neighborhood area** – Lyle Drive, English Drive, Prospect Road (between English Drive and Maurice Lane), Petersen Avenue, Maurice Lane, English Court, and Mayme Avenue – are very close (approximately 1000 feet or less) to the west boundary of the 19.8 gross acre Westgate West Shopping Center where Costco proposes a full-sized warehouse store (including parking) on 9.69 acres of the Westgate West “General Commercial” zoned neighborhood shopping center.

Our major concerns about the proposed Costco warehouse store in Westgate West shopping center include but are not limited to the following:

1) **what impact from Costco in Westgate West will there be to the vehicle, pedestrian, and bicycle traffic at the street intersection (Lyle Drive/Prospect Road) directly across from Prospect High School ?** That street intersection/traffic light is within 1000 feet of the west property line of the 19.8 gross acre Westgate West shopping center. Traffic coming both ways (north and south) on to Prospect Road from Lyle Drive; as well as the student/parent, faculty, and visitor traffic going to and from Prospect High School at or near the Lyle Drive/Prospect Road intersection on to Prospect Road; as well as vehicle traffic coming to and from from English Drive on to Prospect Road, all within or close to 1000 feet from the Westgate West Shopping Center west property line, needs to be determined and made available to the public for public comment before the proposed Costco Warehouse at Westgate West goes to the City of San Jose Planning Commission and City Council for a vote.

At the recent community meeting on February 5, 2024 at Prospect High School, a representative of the traffic consultant hired by the City of San Jose and/or by Costco to prepare the Costco Westgate West draft EIR, stated, during a Q and A portion at that community meeting, that the Lyle Drive/Prospect Road intersection (at Prospect High School) **”is off of the map and was not included in the traffic analysis on the draft EIR for the Costco warehouse in Westgate West.”**

The street intersection with traffic signal (**Lyle Drive/Prospect Road**) noted above as well as the non-traffic signal street intersection (**English Drive/Prospect Road**) feed vehicle, bicycle, and pedestrian traffic coming to and from Prospect Road with residences (single family homes and apartments) and residential care facilities located directly across from and close to (only one to three blocks) Prospect High School where there are seven streets (as noted above) that feed traffic in to those two intersections (Lyle Drive/Prospect Road and English Drive/Prospect Road) which are within approximately 1000 feet of the west property line of the 19.8 gross acre Westgate West neighborhood shopping center of which Costco is proposing to occupy part of those 19.8 gross acres with a full-size warehouse membership store

on 9.69 gross acres in a shopping center zoned Commercial General Zoning District.

Omission of traffic analysis and data on both sides of the street (south and north) at the main vehicle entrance (**Lyle Drive/Prospect Road intersection**) for a public high school (**Prospect**

High School) as well as not including traffic analysis or traffic data for **English Drive/Prospect Road intersection** (also directly across from Prospect High school) is a serious omission of traffic analysis and

page 3

data on the current draft EIR which should be rectified before the Draft EIR of the Costco Westgate West project goes before San Jose's Planning Department and City Council.

The two intersections noted above (**Lyle Drive/Prospect Road** and **English Drive/Prospect Road**) also handle some daily traffic of **emergency vehicles** that receive requests including from three residential care facilities whose addresses noted below are located on streets less than two blocks north of Prospect High School and within 1000 feet of the west property line of the proposed Costco warehouse in Westgate West. Fire trucks and ambulances come into the English Estates Neighborhood on calls approximately three times a day and sometimes more often based on a neighbor's observation who lives next to one of the senior residential facilities noted below.

555 Prospect Rd SJ 95129

5425 Mayme Ave SJ 95129

1601 Petersen Av SJ 95129

Now it isn't known how much time it may take for emergency vehicles (ambulances and fire trucks) to enter and exit the two available intersections which are also directly across from Prospect High School (**Lyle Drive/Prospect Road** and **English Drive/Prospect Road**) with a hypothetical 11,000 car trips per day generated by a full-size Costco warehouse store in Westgate West (18 times the car trips presently produced by businesses in Westgate West Shopping Center) according to data provided by Costco.

- The draft EIR, according to a question answered by the EIR consulting firm at the recent community meeting on February 5 at Prospect High School, **did not** include an estimate of the **number of car trips from the other buildings (A, B, C, D, E, F)** that will remain on the 19.8 gross acre Westgate West Shopping Center. Rather, the Costco--Westgate West draft EIR provides an estimate of **11,000 car trips per day from only the full-size Costco warehouse store** to and from the 19.8 acre gross acre Westgate West Shopping Center. So, based on the data from the current Costco--Westgate West Draft EIR, **the public does not have an estimate of the number of car trips generated per day from the other six buildings in Westgate West that will remain on the 19.8 gross acres of Westgate West Shopping Center.** The number of car trips from the other six remaining buildings on the 19.8 gross acre site, in addition to Costco's warehouse on that site, could be significant and could add to traffic gridlock at times in that area as well as at the **Lyle Drive/Prospect Road intersection** as noted above and other streets going to and from Lawrence Expressway/Prospect Road.

English Estates is a neighborhood in west San Jose that includes seven streets with **112 single-family homes**, a few **apartment buildings of various sizes**, and **three residential care facilities**.

The English Estates Neighborhood Association, at a Special Meeting on February 3, 2022, voted to oppose the proposed **Costco warehouse store (File No. CP21-022)**. At that special meeting we were concerned, as we are today, of possible negative traffic impacts that a large volume of vehicle traffic to and from a full-size retail warehouse store will have on pedestrian, bicycle, and vehicle flow and safety in a residential-commercial area with many mixed-use developments.

Sincerely yours,

Gary Smith, English Estates Neighborhood Association Representative

Comment Letter 226

Feedback for Westgate West Costco DEIR, File no. CP21-022

Gerald Law [REDACTED]

Mon 2/19/2024 3:28 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>; District1 <district1@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

Before I go into some feedback, here's a little background about our family. My wife and I moved to the Happy Valley neighborhood in 2010 with our 1 year old. We love the neighborhood and great retail options at the Westgate West Shopping Center. We frequent almost every grocery store, restaurant, and retail shop on a regular basis. We love to see parents and children that go to the same schools, soccer teams, and extracurricular programs while at Westgate West. Our kids walk and bike to school regularly since they went to Country Lane Elementary and Easterbrook Discovery, and now Prospect High. As you are aware, two of the schools mentioned are just 1-2 blocks away from the Westgate West Shopping Center.

During our education about the Costco Project, I've learned more about the vision of San Jose. Certain aspects particularly underscored our city leadership's visionary approach. I love the progressive agendas of Priority Safety Corridors, Vision Zero, and Urban Villages. Safety goals are basic "no regrets" initiatives and should never be compromised.

The Urban Village concept was particularly inspiring. It embodies so many great ideals for San Jose. Among them are adding affordable housing, promoting walking/bicycling more, local shopping, and store owners that live in and care about the community.

While Costco is a great business, it's not the right fit for this area. The point of view that Westgate West is already zoned for commercial general is disingenuous. A shopping center with OSH, Chocolatier, Goodwill, Smart and Final, Dominos, Yoga Studio, etc is commercial general. A Costco Warehouse that produces 18x as many daily trips is commercial general on steroids. On top of not passing that sanity check, trying to put a Costco on 9.7 acres plot when the average Costco plans for a 15 acre plot feels forced. I've been to 20+ Costcos in my life, and every Costco that I've been to is in a very open space, often more commercial, and NEVER a few blocks from multiple schools.

At a community meeting held by Rosemary Kamei's office on February 1st 2024 at Prospect High, an associate from Kittelson & Associates admitted that their Traffic Analysis did not consider any traffic impacts of the area north of the project. The area that is 2 blocks north is Country Lane Elementary School. Often, the response was that additional analysis was not a CEQA or city requirement, but shouldn't we hold ourselves to a higher standard to consider the spirit of the legislation we put in place as opposed to the letter of the law that could have loopholes.

The Costco project is counter to the vision and commitment that the city of San Jose stands for. There's no way there won't be more traffic, pedestrian/bicycle accidents, noise/traffic pollution for this area. As affordable housing is added, retail shops will thrive organically. Getting a Costco may be a quick way to increase revenue, but it's not good for the long term prosperity of this community.

I urge you and your team to re-evaluate the DEIR and its findings, and consider the *No Project Alternative* or at least move it to a more fitting location.

Thank you for your consideration and I look forward to hearing your response.

Sincerely,

Gerald Law

Parent of a 9th Grader at Prospect and a 7th Grader at Easterbrook Discovery School

13 year resident in the Happy Valley Neighborhood

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Comment Letter 227

Feedback for Westgate West Costco DEIR, File no. CP21-022

gina briody <[REDACTED]>

Mon 2/19/2024 9:05 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Dear Council:

I am a thirty-five-year resident of the West Valley Corridor. I have shopped and ben supportive of the various businesses in this area.

The proposed Costco at this location will be a massive eyesore, generating traffic gridlock, and a congestive feel to an otherwise urban experience. All other Costco Warehouses are in locations without close housing, schools, and small businesses.

I am alarmed at the planned Westgate Costco and totally opposed to it. I will gladly travel to the "Airport Costco," "Almaden Costco," or "Lawrence Station Costco."

Thank you!

Sincerely,

Gina Briody

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Comment Letter 228

Concerns about Westgate Costco

Gokina [REDACTED] >

Mon 2/19/2024 1:42 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Hi Kara,

Please close all entrances including pedestrians from Graves Avenue to the proposed Westgate West Costco Warehouse. Otherwise Costco shoppers will park on Graves and neighboring residential streets to access Costco.

Thank you,
Gokina

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Comment Letter 229

Feedback for Westgate West Costco DEIR, File no. CP21-022

Hang Ma [REDACTED]

Mon 2/19/2024 10:13 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I'm a resident and parent living in the Country Lane neighborhood. I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project, and I feel a lot of critical information is missing. I am writing to provide my feedback.

First of all, the DEIR failed to analyze the safety risk for the students who go to Prospect High School and Country Lane Elementary School. According to the World Health Organization (WHO), road traffic accidents (RTAs) are identified as the main cause of death among those aged 14–18 and the second most prevalent cause among those aged 4–13 ([NIH link](#)). The current DEIR mentions 11,000 cars per day to this site, what does that mean for the students at Prospect High School and Country Lane Elementary School? Do we have an estimate of how many more injuries and fatalities for the students affected? I don't see any hint in the current DEIR.

Current Epidemiological Trends of Pediatric Traffic Accidents at a Romanian Clinical Hospital

Background: Pediatric road traffic accidents (RTAs) have a substantial impact on the worldwide youth population, resulting in a considerable burden of disability. According to the World Health Organization's (WHO) Global Status Report on Road ...

Second, the DEIR lacks analysis to the traffic through the Country Lane neighborhood. As the current DEIR mentions 11,000 cars per day traffic brought to this site, I would be concerned about the increased traffic in the Country Lane neighborhood where more than 3,000 people live. The roads within the neighborhood might not have been ready for the new traffic. I would like to see how much more traffic would there be in the Country Lane neighborhood and is it OK for the current road capacity.

Lastly, I'm concerned about the air quality for younger kids at Country Lane Elementary school. More than 600 students go to Country Lane Elementary school every day. The current DEIR mentions the potential air quality problems caused by the Costco project. I would like to understand more about what that means for the 600 students. Is the air pollution low risk, medium risk or high risk for students of age 4-10?

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Hang Ma from Country Lane neighborhood

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Comment Letter 230

Feedback for Westgate West Costco DEIR, File no. CP21-022

Hideaki Tsuchiko <[REDACTED]>

Mon 2/19/2024 5:40 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

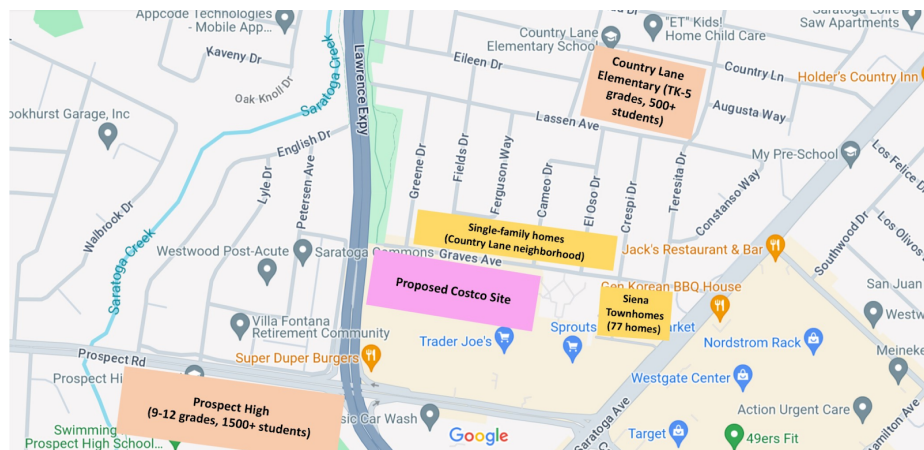
Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

We have been living in Country Lane for 15 years. We strongly request the City of San Jose to **discontinue Westgate West Costco project** for the significant concerns below.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city's [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA

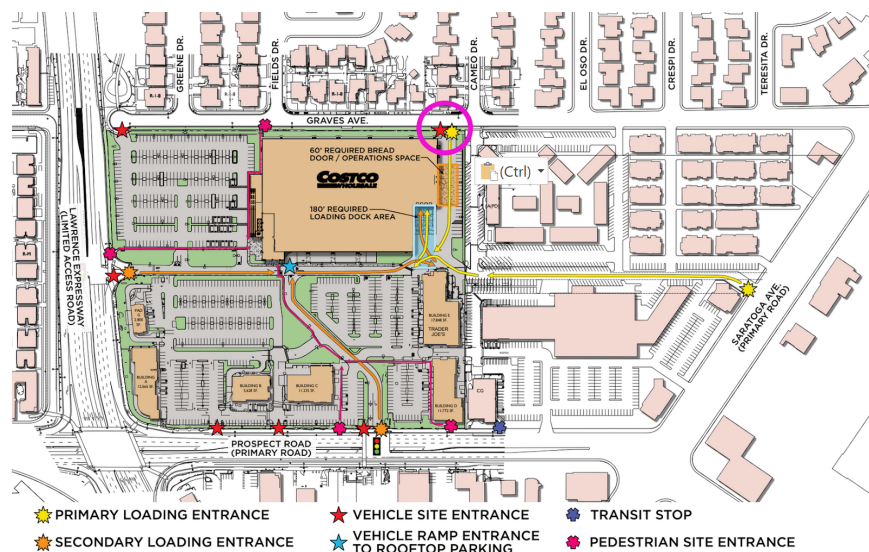
buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR

states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*

- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools,

including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans

or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by

the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as "locally and regionally accessible by multiple transport connections" on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the "engagement of local residents in planning the urban village" and "a mix of housing and employment to reduce traffic." The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,
Hideaki Tsuchiko
Country Lane resident

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Comment Letter 231

Feedback for Westgate West Costco DEIR, File no. CP21-022

janelle greenlee [REDACTED]

Mon 2/19/2024 6:32 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Councilmembers, and Planning Commission Chair Lardinois:

I am writing to express my strong opposition to the proposed Costco Warehouse development at the intersection of Lawrence Expressway and Prospect Road in San Jose. My primary concern lies with the potential negative impact on the safety of students at Prospect High School, located approximately 1,000 feet away, just across the street.

As you well know, safe streets are essential for a healthy and vibrant community. They encourage students to walk or bike to school, promoting physical activity, environmental responsibility, and fostering a sense of belonging. This, in turn, contributes to a more livable environment for everyone. However, the DEIR for the Costco Warehouse development fails to adequately address the safety needs of Prospect High School student pedestrians and cyclists, especially during peak school hours. This is particularly concerning considering that 42.5% of our students come from socioeconomically disadvantaged backgrounds and lack access to school bus transportation, forcing them to walk or bike to school, crossing this busy intersection. The projected increase of 11,000 daily vehicle trips associated with the development raises serious concerns about traffic congestion and its

potential safety risks for students and the entire community. This directly contradicts the goals of San Jose's Vision Zero Initiative and the Walk Safe San Jose program, both of which aim for zero traffic fatalities by prioritizing pedestrian safety.

I urge you to prioritize the safety of our community's most vulnerable members, particularly Prospect High School's student pedestrians and cyclists, by upholding the values of Vision Zero and Walk Safe San Jose. Please carefully re-evaluate the potential impact of this project and explore alternative solutions that align with our city's commitment to creating a safe and sustainable environment for all.

Thank you for your time and consideration in addressing these important concerns.

Sincerely,

Janelle Greenlee
Parent of Prospect High School student and alumni

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Comment Letter 232

Feedback for Westgate West Costco DEIR, File no. CP21-022

Jerry Li [REDACTED]

Mon 2/19/2024 3:05 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

 1 attachments (350 KB)

Screen Shot 2024-02-19 at 1.09.47 PM 1.png;

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project.

My name is Jerry Li and I am a 19-year resident live at the conner of Greene Dr and Graves Ave and my house is only 60 ~ 80 feet away from the proposed Costco building and its tire center. Both of my sons are walking to Prospect High School.

I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and attended all the public hearings. I am writing to share my feedback, concerns, and requests.

1. The DEIR Omits the impact by the future growth of Costco business.

Base on the attached research, Costco's paid members increased from 53.9M to 71M from 2019 to 2023, which is around 7~8% annual increase. I believe Costco will continue grow at a similar pace and this is why Costco needs to have a new location. The DEIR study completed by Kimley-Horn includes **no data on the impact of the Costco business growth brought to the area, in particular to traffic congestions and pedestrian safety in the future.** In past 6~7 years, I felt the traffic on Lawrance, Prospect, and Saratoga has been doubled and I witnessed more accidents than before. When this Costco opens to the public, it will be 2 ~3 years away and I would like to see the data and analysis to project at least next 5 to 10 years and see how the road and infrastructure can handle it. We also need to account other big development projects in the area together.

2. Concerns on Costco Operation Hours.

I have big concerns about the Costco operations hours, in particular after mid-night truck delivery at 2am and forklift operation starting at 4am. I lived right behind the old OSH warehouse and their warehouse operation hours were from 7am to 10pm. The beeping sound created by the forklift and truck when backing up were very annoying and they're loud. They will become louder after mid night when other ambient background noise is at the lowest level. I also have concerns regarding the hours of the parking lot and site surface cleaning. My experience with OSH has been horrible in which they often cleaned the parking lot and the back of the mall at mid night with loud equipment such as leaf blower and trucks. In the regards of noise, in another report focusing on noise, the data collected in front of my house was at 2pm in the afternoon which does not really reflect how the Costco will impact our sleeping and rest. At 2pm, normally nobody is at home or sleeping. I felt the study in both DEIR report and the noise report are inadequate.

I also want to express my concerns regarding the sound wall. It has been increased from 4 ft to 6 ft but I still think it's not adequate to block and reduce the sound and noise created from the site. I am requesting to increase it to at least 8ft. The townhome on the other end of Graves has at least 8ft(maybe 9 ft) sound wall. I also request to put a sound wall at the end of the Graves (facing Lawrence) that can help to reduce the vehicle acceleration noise created by hundreds maybe thousands of Costco shoppers existing the mall every day.

3.Pass-through traffic to the Happy Valley Neiborhood.

The dog park is located at the end of Graves Ave and my house is next to it. Currently, the dog park traffic comes through all different directions, including all neighborhood, Graves Ave and the shopping mall. Yes, the current shopping mall provides a convenient passing to access the dog park. Once the Costco is open, the mall passing will be blocked and all the dog park traffic can only go through the happy valley neighborhood and Graves Ave. I also believe some Costco shoppers will try to seek shortcuts and drive through the happy valley neighborhood during the busy hour when traffic on Prospect, Saratoga and Lawrance goes bad.

4.Impact on how locals will shop at Westgate West.

As we all know, we already lost Smart&Final and Goodwill, which are two popular stores among the locals. Costco will bring 10 times more traffic to the Westgate West and I have concerns that I have to spend more time to get in and out the mall and find a parking spot when I visit shops like Trader Joe's. I used to visit Smart&Final and Trader Joe's at least 3 ~4 times every week and I am afraid the new Costco will make this more time consuming and difficult. If Trader Joe's decides to moving out due to lower shopper rate, this will be a big change to our daily life. We have to spend more time and drive longer to visit Trader Joe's on Bollinger, which is 4 miles away. The closest Smart&Final is on Camden, which is 7 miles away. I don't mind to drive 10 miles to visit a Costco every 1 ~2 weeks, but I do mind to drive 4 ~7 miles to visit my favorite grocery stores 3 ~4 times a week.

Thank you for your consideration in responding to these serious concerns. I hope the city really listens to the locals who live next to the site and provides more opportunities for us to participate the decision-making process.

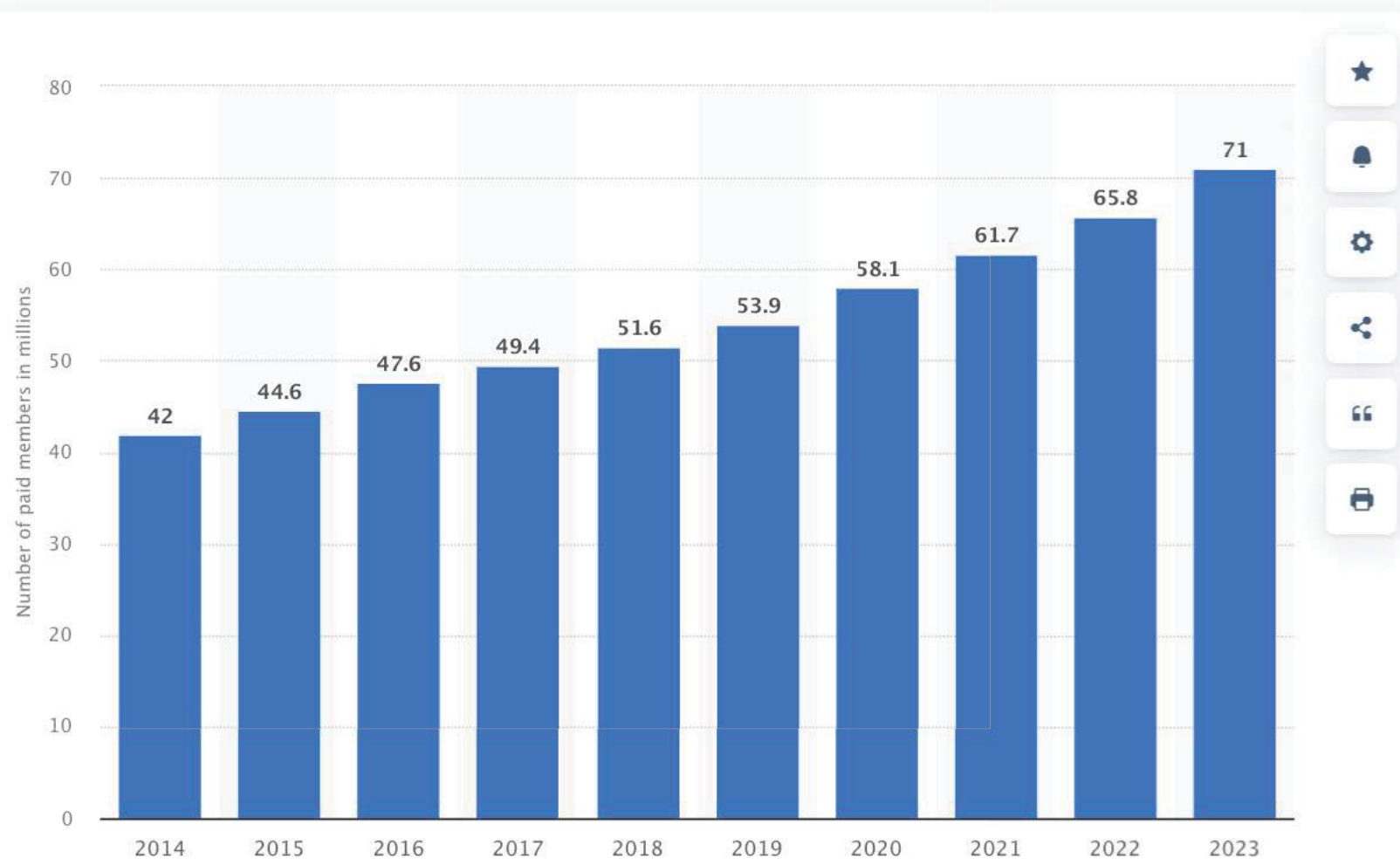
I can be reached via this email or by phone at 408-398-5497 if you would like to know more.

Sincerely,
Jerry

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Number of paid Costco members worldwide from 2014 to 2023

(in millions)



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- 🔔
- ⚙️
- 🔗
- “ ”
- 🖨️

[Additional Information](#)

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Comment Letter 233

I support the new Westgate Costco

Ji Li [REDACTED]

Mon 2/19/2024 1:52 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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I saw an organized campaign by some neighbors against a new Costco at former OSH site. I believe the concerns are overblown and the underlying motivation is really NIMBY!

Ji Li Walbrook

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Comment Letter 234

Feedback for Westgate West Costco DEIR, Files no. CP21-022

Joann Moritz [REDACTED]

Mon 2/19/2024 7:21 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

1) The DEIR omits pedestrian and cyclist safety data.

The greatest concern regarding the proposed Costco warehouse is the safety of pedestrians and cyclist if the proposal is approved. Based on San Jose police department reports on the city of San Jose website, Saratoga Avenue (East of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily utilized streets such as Prospect Road (South of the site) and Lawrence Expressway (West of the site and an 8 lane 50 mph major thoroughfare). Saratoga Avenue is considered "most dangerous for bike traffic" by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a Priority Safety Corridor through the city's Vision zero plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence is where Prospect High, a 1500+ student High School is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day and the athletes who trained by running on the streets. Students must walk outside the crosswalk lines because there too many children trying to cross the road. The many students who take public VTA buses (because there is no district provided transportation) are forced to walk across the intersection at least twice a day in order to reach their stops.

Surprisingly, the study completed by Kimly- Horn includes no data on pedestrian and cyclist conditions. During a February 5 community meeting at Prospect High two representatives from Kimly-Horn (Danae Hall and Amy Lopez) stated that this data was not required by the city of San Jose. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by the additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the city of San Jose.

The Western Southern and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also omits data from areas north of the proposed Costco. Graves Avenue is directly north of the proposed site and is frequently used as a "cut through" for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two-lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 foot street near Lawrence Expressway. Many young children from the 77 unit townhomes (at Saratoga Avenue and Graves Avenue) cross the street every day in order to go to school at Country Lane Elementary School. Figure 2.5 - 2 in the DEIR shows the proposed overall site plan including a truck and car accessway at Graves Avenue and Cameo Drive. The alternative placement for Costco in the DEIR (figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small two-lane road and that according to the DEIR, is expected to support large trailer trucks, vans, cars and pedestrian and cyclist traffic. The DEIR states that 11,000 + vehicle trips a day will be generated by Costco (Appendix I Transportation Analysis pages 23 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimly-Horn.

Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state that they want to increase pedestrian activity and decrease vehicular conflicts.

"Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity. (page 12)"

"Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadway. (Page 12)"

The Envision San Jose 2040 General plan also includes the following:

Policy TR-1.1 Accommodate and encourage use of non-automobile transportation modes to achieve San Jose's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT)

Policy TR-1.5 Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages.

Policy TR 1.6 Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.

policy TR 1.2 Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.

Policy TR-6.1 Minimize potential conflicts between trucks and pedestrian, bicycle, transit and vehicle access and circulation on streets with truck travel.

The lack of substantial mitigations to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions of the four streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, in and Saratoga Avenue. b) installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) painting green protected bike lanes; d) closing off the full-access point at Graves Avenue for Costco trucks, shoppers, and vendor vehicles; e) restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as a "cut through" to reach Graves Avenue; f) increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) installing speed bumps and radar signs on Graves Avenue and nearby streets; h) restrict large trucks from parking on Graves Avenue obstructing the view of pedestrians and cyclists; and i) reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students who often walk unaccompanied to and from school.

Over 3,650 students attend four public schools all within 1/2 mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moorland Middle. Therefore, longitudinal data should include morning commute and school drop off hours, school lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools: 1) Prospect High-Prospect/ Lawrence; Saratoga/Prospect 2) Country Lane Elementary- Country Lane /Teresita; Country Lane/Brenton; Lassen/Teresita; Lassen/Brenton; Lassen/Crespi; Lassen/El Oso 3) Easterbrook Discovery-Doyle/ Teresita; Doyle/ Priscilla 4) Moorland Middle-Fallbrook/ Campbell; Sagemont/Hamilton; Saratoga/Graves

Westgate West is immediately surrounded on four sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigation would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2) The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is part of West Valley which includes communities at the intersection of three cities: San Jose, Saratoga, and Campbell. Therefore, three of the streets that border West Gate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I- Transportation Analysis, pages 22 and 35). There is no room for expansion on either Prospect Road or Saratoga Avenue. Both are four lanes and many houses, schools, and businesses already line the roads. In Fall 2023 the City of San Jose spent a considerable amount of money on the Saratoga Avenue Traffic Safety Improvement Project which reconfigured traffic Lanes on Saratoga

from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimly-Horn do not include cumulative conditions from the improvement project. Additionally, there is no analysis for the El Paseo De Saratoga mixed-use 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road. Hall and Lopez from Kim Lee horn stated they were not required to study the to impact of these developments. Without complete data, the studies and predictions in the DEIR are not valuable to the public who cannot accurately view the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road) there are no proposed improvements. There are also no solutions for the one lane left turn Prospect Road to Saratoga Avenue, which is already heavily gridlocke

In addition to a lack of data, the methodology for assessing traffic conditions is lacking. The DEIR states "Existing traffic operations data were collected for two 2-hour peak periods 7:00-9 a.m. and 4:00-6:00 p.m. (page 209), which indicates Kimly-Horn representatives were4 only present for 4 hours total and conducted their entire study around this 4-hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off- campus, or peak after school hours (2:00-4:00 p.m.). While the tables in the DEIR may havegive the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and are not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower campus and countless daycares and preschools. There are at least four public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco warehouse that is a membership-only, for profit business.

3) The Project is in Conflict with City of San Jose Urban Village Plan.

The city of San Jose Urban Village concept describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the Planned Growth Areas Map and the Growth Areas and Urban Village Horizon Map. The FAQs on the website indicate that these villages are specifically selected to

"support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gases, and build more healthy communities. The proposed Costco warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687-692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000 vehicle trips per day (Appendix I- Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change Westgate and West Valley areas and ensure that the city's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are not pedestrian and bicycle friendly due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco warehouse will generate 11,000 vehicle trips per day (Appendix I-Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/ pedestrian /bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I- Transportation Analysis, page 62) supports the conclusion that not even Costco believes that it's customers will be bicycling to its Warehouse. The proposed Costco project is also not transit accessible. Although Costco describes the proposed warehouse as "locally and regionally accessible by multiple transport connections" on their project website, the only nearby bus stop is 500 ft away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is not a significant job-based development, which is a focus of the urban Villages concept. Costco touts the creation of 250 to 300 jobs from this project, however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Dtaft EIR December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of eight jobs provided by the project site. Furthermore, the project falls short of the stated goal of the Urban Villages initiative, which includes the "engagement of local residents in planning the urban village" and "a mix of housing and employment to reduce traffic." The proposal fails both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco Representatives. The Costco project will bring no new housing and will increase vehicle traffic making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

2/22/24, 3:21 PM

Mail - Hawkins, Kara - Outlook

JoAnn Moritz



San Jose. 95129

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Comment Letter 235

Feedback for Westgate West Costco DEIR, File no. CP21-022

Katarina Surjadi [REDACTED]

Mon 2/19/2024 10:37 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

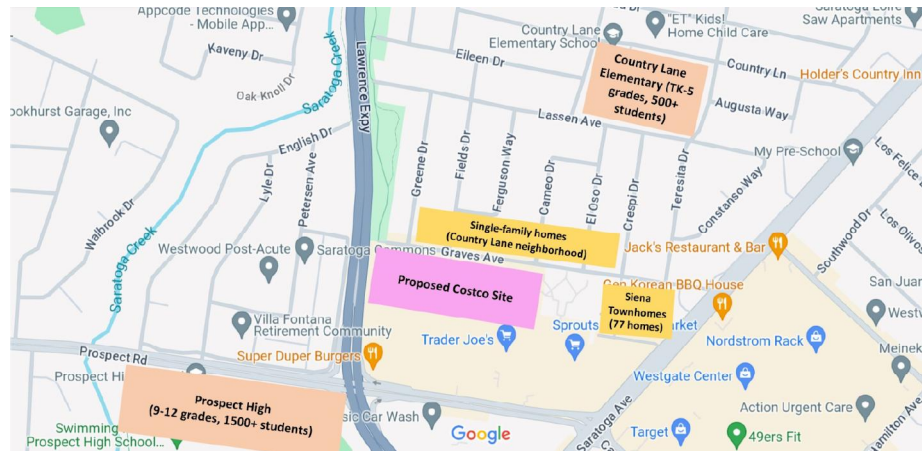
You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

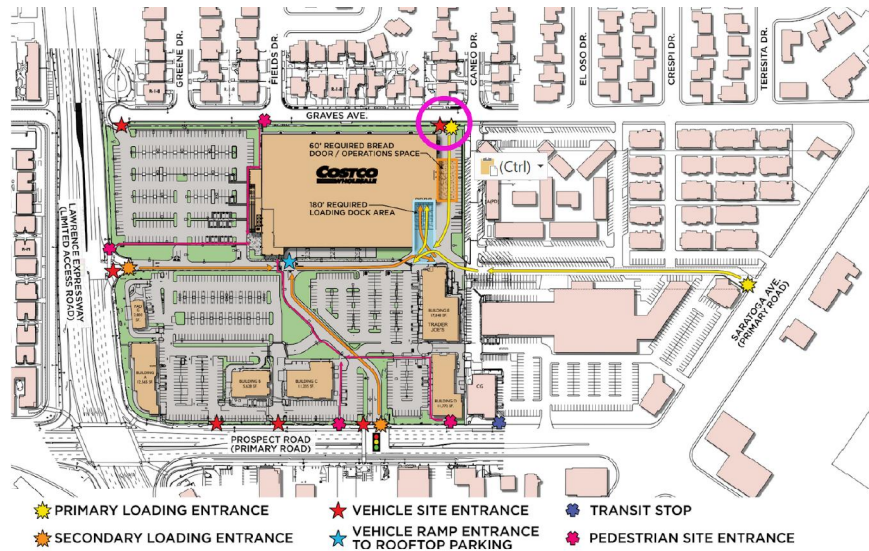
1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colored figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell.

Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares

for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

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be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children’s health also needs to be included in the DEIR given the project’s proximity to two public schools. The COVID

pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

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5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the

City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José’s decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to “sit at the table” with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Katarina Surjadi

Country Lane

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Comment Letter 236

Feedback for Westgate West Costco DEIR, File no. CP21-022

Katrina Illari [REDACTED]

Mon 2/19/2024 1:07 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

I am writing you today because I, as a West Valley resident, am concerned about the Westgate West Costco proposal described in the Draft Environmental Impact Report (DEIR), File no. CP21-022. In this email I wish to provide my feedback.

My house is very near to where the new Costco would be built. I have 4 children whom I have seen through Country Lane Elementary School, who are now at Latimer Middle School and Prospect High School. Every day when I drive my eldest daughter to high school, I see the craziness that occurs on the roads in the morning. Traffic is very congested. Large numbers of kids are crossing the road, on foot, on bicycles, or on scooters. Both the small vehicle riders/pedestrian teens and the drivers are making crazy maneuvers to get to school on time. To this mix, we would add the traffic of people going to Costco. I've been to Costco in other locations and I see what their stores do to local traffic. Long lines to get into the parking lot (even on large roads), rushing people trying to exit the parking lot. I fear that this volume of traffic will make the intersection of Lawrence Expressway and Prospect even more dangerous than it already is. It will also make it impossible for people to get to work in the morning. My daughter in high school is also on the track team. Because they run on the streets, I fear for her safety if the Costco is built and she is crossing the streets near the Costco and her school (Prospect High School). As mentioned the roads are already very busy and will be more so.

The study completed by Kimley-Horn provides no data on pedestrian and cycling conditions. In fact two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that the report of this information was not required by the city of San Jose. The people of West Valley need to know how cycling and pedestrian activity will be affected by the Westgate West Costco project. Furthermore, it seems odd that San Jose would allow a project that would bring 11,000 vehicle trips per day to the Westgate West Mall, when Saratoga Ave and Lawrence Expressway in that area are already considered to be a danger zone. Dangerous enough to be designated a priority safety corridor through the city's Vision Zero plan.

I also have walked my kids to Country Lane Elementary School for the years they were there. The traffic around the school is particularly bad when school starts, at 12:50pm when the kindergarteners get off, and when the grades 1-5 get off at 3pm. People are in a rush. Many kids walk home by themselves and there are no crossing guards. There is also no parking, so many parents driving kids home must park on the nearby neighborhood streets. Costco shoppers added to this mix of pedestrians and drivers will add to the insanity. No one would be able to park to get their kids. The area would be very unsafe, especially for the young students walking home by themselves. Perhaps Costco could use carts that automatically lock their wheels outside of Westgate West? If they don't, then the streets will be littered with shopping carts.

The amount of parking that they propose to provide does not really match what is needed for a store this size. Because of this, cars will park at Trader Joe's, Sprouts, Bevmo, Ace Hardware, and other stores at the Westgate West Mall. This will make it impossible for customers of those stores to park. People looking for parking will spill out from the Westgate West Mall into the surrounding neighborhoods. The street parking would be used up by Westgate West Mall patrons.

I also feel bad for the people who live on Graves Ave. If the Costco gets built, then there will be even more trucks traveling down Graves Ave. Trucks are loud, emit large amounts of pollution, and can damage the houses they pass with a large amount of vibration. These would be small cracks in concrete accumulated over the years of having trucks travel by. Graves Ave is omitted from the traffic evaluations in the DEIR, along with all of the neighborhood to the north of Costco. Graves Ave runs right behind the proposed Costco site. As mentioned before, the traffic is high and will increase. However there are no proposed crosswalks to help kids in the town houses on the south side of Graves Ave cross it to get to school. Currently, there are only a sidewalk crossing next to Lawrence Expressway and a crosswalk at the other end, where it intersects Saratoga Ave. This is insufficient considering the increased traffic caused by the proposed Costco.

I also noticed that there were no environmentally friendly on-site features proposed. They could be providing solar panels on top of carports. They could have more trees. They could offer some electric-only parking with chargers. They don't even consider the fact that there were businesses there previously that most likely polluted the ground. Among these businesses were Midas, Firestone, and a dry cleaner. It is well known that auto shops and dry cleaners pollute the soil, air, and water. The construction of the Costco Warehouse could release the human harming chemicals in the ground into the air due to the stirring of the ground carried out by the construction equipment. It states on page 51 of the DEIR that the construction activities could expose humans to the maximum estimated cancer risk due to toxic air, so mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. However, the DEIR does not state the effects that exhaust, volatile organic compounds (VOCs), and particulate matter can have on the children attending the two public schools in the area. They also propose to pollute the ground

some more by adding a tire shop.

I love the small businesses in Westgate West and don't want to see them destroyed by the proposed Costco Warehouse stealing their parking, and driving away their customers due to the lack of parking. I love my children and don't want to see them hurt due to the increased traffic. My neighbors also have many kids and I feel for them. Please consider my concerns when reviewing the Draft Environmental Impact Report for Westgate West Costco project, File no. CP21-022. Thank you for your time in reading this letter and for your efforts to improve San Jose.

Sincerely,
Katrina Illari
Mother of 4
(West Valley, San Jose, zip: 95129)

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Comment Letter 237

Feedback for Westgate West Costco DEIR, File no. CP21-022

kranti singh [REDACTED]

Mon 2/19/2024 9:01 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

 1 attachments (3 MB)

Feedback_Letter-2.docx;

[External Email]

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Sharing feedback on Costco proposal and that there are serious safety concerns with traffic going through the Country Lane neighborhood. There is an elementary school with little kids walking to school and drivers going to Costco pose a serious safety issue.

Regards,
Kranti

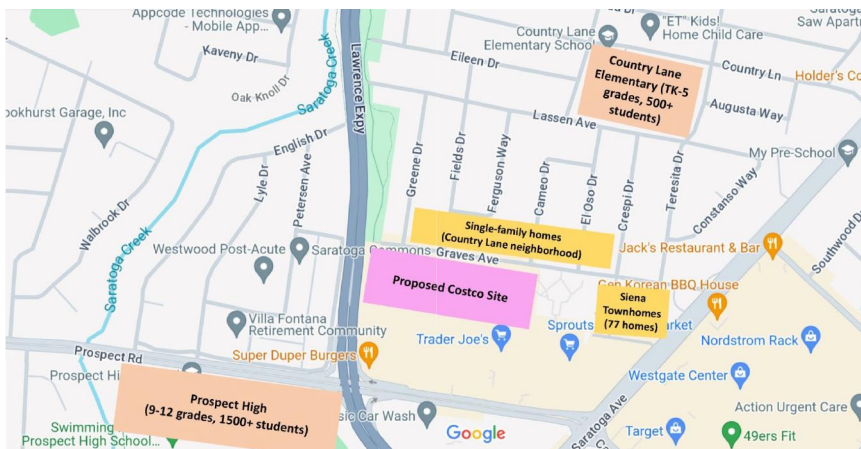
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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

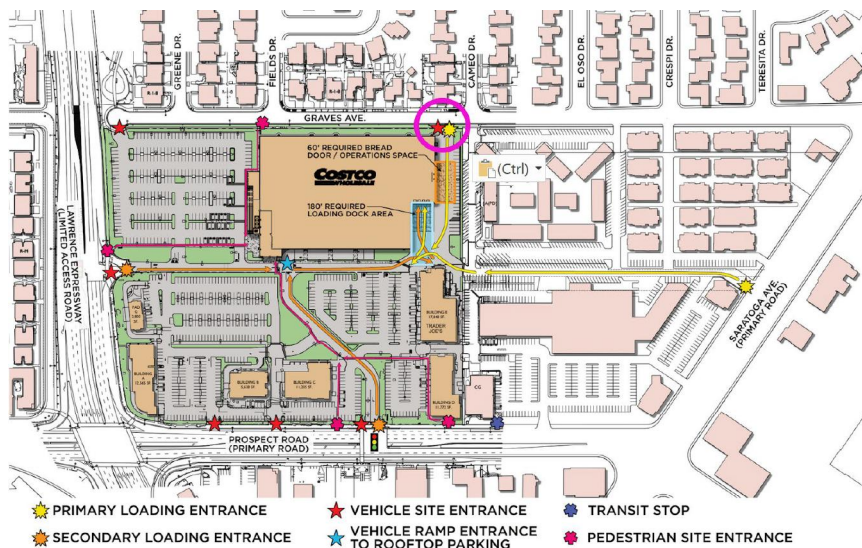
The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not

discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives

state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four

schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking.**

The DEIR states, “Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM” (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are “less than significant” traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and

controlling noise from workers' radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The

health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as "locally and regionally accessible by multiple transport connections" on their project website, the only

nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the "engagement of local residents in planning the urban village" and "a mix of housing and employment to reduce traffic." The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an "area of undue concentration." Since the proposed off-sale location is in an **over-concentrated census tract**, Costco's conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of "public convenience or necessity." It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe's, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project so informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR.

The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Kranti Singh
Country Lane, San Jose, 95129

Comment Letter 238

Feedback for Westgate West Costco DEIR, File no. CP21-022

Leslie Mattioda [REDACTED]

Mon 2/19/2024 3:57 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

As a parent of 2 students at Prospect High School, I am very concerned about student safety with respect to the increased traffic resulting from the planned Costco Warehouse development at Prospect and Lawrence Expressway. This intersection is already dangerous for student pedestrians and bicyclists. My daughter has experienced several "near misses" as a pedestrian going to and coming from Prospect High School already. The increased traffic without adequate provisions for pedestrian and bicyclist safety is unacceptable. The safety of our students must be a top priority.

Environmental concerns, including increased noise and air pollution are also a serious issue. The lack of proposed solar panels for the development should be addressed as well.

I can not in good conscience, support the proposed Costco development until these concerns, especially in regard to student safety are adequately addressed. We must protect the safety of some of this city's youngest residents.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Leslie Mattioda

Westgate Village Neighborhood resident

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Comment Letter 239

Feedback for Westgate West Costco DEIR, File no. CP21-022

Luann Abrahams [REDACTED]

Mon 2/19/2024 10:03 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. As a resident of the nearby Moreland West Neighborhood, I have serious concerns about the impact this project would have on my neighbors.

Once again, we are asked to evaluate a project without the context of the long-range plan for the area. The location, directly abutting a residential street on one side, with a high school across the street in the other direction, is part of the City of San Jose's designated Urban Village, and will have a significant long-term effect on the area. A members-only warehouse club is by nature a car-centric enterprise, yet it will be a centerpiece of the Paseo de Saratoga Urban Village which by definition is supposed to be pedestrian and bike-centric.

As others will note in greater detail, the DEIR has multiple deficiencies. The transportation study was inadequate, failing to include the recent changes to Saratoga Ave, the impact on the abutting residential neighborhood, and the conditions during the afternoon, when school lets out and it's the busiest time for retail shopping. Traffic near the site is already impossible at certain times of the day and the DEIR confirms that it will get worse. The DEIR calls for the impact on the abutting Country Lane neighborhood from cut-through traffic to be studied **after** construction, at which point it will be too late. It also fails to consider the impact on intersections beyond Prospect Ave and Lawrence Expressway. For the already overburdened intersection of those two streets, it concluded "many of the adverse effects to queuing do not have feasible improvements" - in other words, residents will just have to deal with it. The DEIR omits pedestrian and cyclist safety data, despite the project's proximity to the Vision Zero corridor at Saratoga Avenue, the site of unacceptably high traffic deaths and injuries.

Change is inevitable and I welcome sensible, inclusive, and appropriate development in our area. The continued piece-meal green-lighting of projects without a long-term plan or coordination with the City of Saratoga and the City of Campbell will result in a mess and a missed opportunity to create something that will stand the test of time. Instead, residents are expected to live with a patchwork of projects designed to optimize profit for the developers without consideration of what comes after.

Thank you for your attention.

Sincerely,

Luann Wilkins Abrahams
Moreland West

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Comment Letter 240

Feedback for Westgate West Costco DEIR, File no. CP21-022

Manjula Kumaravel [REDACTED]

Mon 2/19/2024 1:57 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

<no Costco please as it will be a big traffic problem and loss of small businesses your comments go here>

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
<Your Name and neighborhood go here>

Manjula,
Sent from my iPhone

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Comment Letter 241

Costco DEIR comments file CP21-022

Marilyn Nickel [REDACTED]

Mon 2/19/2024 3:22 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

 1 attachments (6 MB)

Costco comment letter signed 02192024.pdf;

[External Email]

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Hi Kara, thanks for the opportunity to provide comments on this project.

Marilyn Nickel

[REDACTED]
San Jose, CA 95130
[REDACTED]

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February 19, 2024

City of San Jose

Department of Building, Planning, and Code Enforcement

200 E. Santa Clara Street, 3rd Floor

San Jose, CA 95113

Attn: Ms. Kara Hawkins, Planner

File: CP21-022 Westgate West Costco Project – DEIR Comments

Comments submitted via email to Kara.Hawkins@sanjoseca.gov

Dear Ms. Hawkins:

Thank you for the opportunity to provide input into an important proposed project. The Draft Environmental Impact Report does not include all relevant information. Please address the following items of concern.

1. General: I am not for or against Costco. This is not an appropriate site or location for a large warehouse-type business. This type of business is more appropriately located in an industrial area. Also, the fact that rooftop parking is essential to make this project feasible indicates that a much larger site, typically found in industrial areas, is necessary. **The project must be denied for these reasons.**
2. General: The DEIR needs to address noise emanating from the rooftop, such as loud voices, kids playing radios, etc. Sound carries across long distances and will be a nuisance to the residential neighbors.
3. General: The DEIR needs to address the minimum on-site security requirements to be provided by Costco. The proposed project is kitty-corner from a high school. The rooftop parking lot is an attractive nuisance and may provide a gathering place for nearby high school students.
4. General: The DEIR does not address employee or customer parking in the adjacent neighborhood. All access from Graves Avenue needs to be blocked to insure that employees and customers park on-site and not within the adjacent neighborhood.

5. General: Add language to explain what each Level of Service rating at an intersection signifies. The letter grades do not make much sense to the travelling public when waiting more than one cycle at a traffic signal is considered “passing”.
6. General: Over the years we have seen raptors periodically in our neighborhood. I don’t know their territorial range but assume it to be fairly large. The regional area near the proposed project includes established neighborhoods and parks with tall trees providing habitat for raptors and their prey. Saratoga Creek and park is nearby, providing habitat for raptors and their prey. I am glad the CEQA process addresses the needs of raptors. Appendix A includes two photos of raptors, a falcon and Cooper’s hawk, taken a year apart within the region.
7. Page ES-1 Executive Summary: The project is described as a new 165,148 square foot building. On page 221, the building is described as having a leasing area of 140,375 square feet. Figure 2.5-2 Overall Site Plan identifies the difference as mechanical/fire room, open vestibule, and vertical circulation. The leasing area is used to calculate the minimum number of parking spots. Please explain why the leasing area is used for the calculation in lieu of the total building square footage.
8. Page ES-4 Impact BIO-1: The text currently recommends avoiding specific construction activities during nesting season if feasible. What does “if feasible” mean? Add language describing what conditions would allow construction to occur during nesting season. Provide mitigation measures if grading, demolition, tree removal, or building permit issuance occurs during nesting season.
9. Pages ES-6-9 Table ES-1.1-1 Impact NOI-1 and Impact NOI-2: “Construction activities” should be expanded to include trash, dust, construction workers’ personal vehicles, construction worker activities, such as where they eat lunch, take breaks, location of porta-potties, and other related activities. I don’t see any discussion about being a good neighbor to the existing residential and commercial businesses. **Construction parking, access, staging, and other activities should be prohibited on Graves Avenue.**

10. Page ES-10 No Project Alternative: The project location is designated as Neighborhood/Community Commercial Land Use in the General Plan with Commercial General (CG) zoning. Costco warehouses do not fit the generally accepted definition of neighborhood commercial business type. The four nearby existing Costco businesses are located in industrial or industrial-type zones. This project should not be located in a neighborhood commercial zone adjacent to a residential neighborhood and **must be denied**.
11. Page 12 Project Objectives #11 and 12: The objectives are admirable. However, it will be difficult to achieve due to the number of anticipated automobiles and the nature of people to walk wherever they want. The DEIR needs to address how to keep Costco patrons from taking all of the ground parking spaces necessary for the other businesses like Taco Bell, etc. Not everyone will want to park on a rooftop, especially seniors and families with small children. The other businesses will be driven out if their patrons cannot find a place to park, are subjected to parking lot congestion, and are forced to park on the rooftop, which is not practical. Also, Graves Avenue and the nearby neighborhood surface streets must not be a parking option for project/shopping center employees and patrons.
12. Page 22 City of San Jose City-Wide Design Standards and Guidelines S8: I paraphrased this to say that lighting fixtures adjacent to a residential development must be less than 40 feet tall. I interpret this to mean that the light bulb should not be taller than 40 feet above the ground. Demonstrate how this standard has been met as it appears that the rooftop parking lot surface is at elevation 40 feet and the light fixture stands an additional 10 feet tall. It is not clear what the common datum is when comparing the light bulb height to the adjacent residential neighbors. Newer construction is typically situated on concrete pads at higher elevations than older buildings. The difference in concrete pad height should also be added in a comparison with a residential facility.
13. Page 24 AES-4 Provide information on the height of the existing light fixtures along Graves Avenue adjacent to the proposed site. If the proposed project results in an overall height increase compared to existing, then that **should be a Significant Impact**. If the overall height of the new lighting does not comply with the Design Guideline S8, then that **should be a Significant Impact**.

14. Page 55: The text notes that substantial odor complaints are usually generated by specific types of industries/activities, which do not include retail food activities. However, anyone living adjacent to a grocery store, shopping center, or food service business knows that dumpsters at these sites generate significant odors. Even if only a few receptors are continually exposed to these odors and it does not reach BAAQMD-action levels, it is still an unpleasant and nauseating nuisance. Add language to the DEIR to address neighborhood mitigation for odor due to food/waste disposal from large scale operations such as Costco.
15. Page 113 Greenhouse Gas Emissions: Clarify why the proposed project is not required to install electric vehicle charging stations or solar panels. I recently saw electric vehicle charging stations being installed at a 7-11 convenience store. This seemed like a waste of money as those customers are parked for 15 minutes maximum. Customers at Costco are parked for significantly longer periods of time and charging stations should be included. A Costco rooftop is a huge expanse of space that would be appropriate for solar panels. Are rooftop panels not being required since the site is so small that the roof is dedicated to parking? Another reason that this is not an appropriate site for Costco **and the project should be denied.**
16. Page 181 Nighttime Construction: The text states that standard construction assumes that nearby receptors keep their windows shut. This may be true for part of the year, but the Santa Clara Valley has many hot days per year. Older homes were constructed without air-conditioning and rely on open windows to cool off. Therefore, this assumption is invalid. Revise the noise calculations assuming windows are open and update the mitigation measure requirements.
17. Page 187 Truck Loading Area Noise: Please correct the second sentence from "truck loading/unloading activities would occur on the *northern* portion of the" to read "truck loading/unloading activities would occur on the *southeastern* portion of the".
18. Page 188 Parking Areas: Include language discussing how sound will travel from the rooftop parking lot as compared to an at-grade parking lot. Update sound studies and adjust noise mitigations accordingly.

19. Page 188: Trash/Recycling Truck Pick-Ups: The text assumes that pick-up will occur during normal daytime hours of 7 am to 10 pm. Trash and recycling pick-ups at many shopping centers occur earlier than 7 am. As this can be a noisy operation, include an enforceable requirement in the DEIR to limit all pick-ups between 7 am and 5 pm. Provide an estimate of the number of pickups per week and also provide existing data for the other four nearby Costco sites.
20. Page 209 Transportation Analysis: This DEIR section fails to include safety recommendations discussed in the Transportation Analysis. See comments for Appendix I.
21. Page 219 Truck Access: The project is proposed to have 4 loading docks and anticipates 21 trucks arriving daily. Provide discussion on the length of time a truck will be sitting at the loading dock and how queuing will be managed when the fifth truck arrives. Queuing along Graves Avenue is not acceptable.
22. Page 223 Table 3.17-4 Intersection Operation Summary:
- a. Costco shoppers WILL cut through the residential neighborhood unless access is physically blocked at Graves Avenue. At a minimum, add several additional intersections to the study: Doyle Road/Lawrence Expressway, Doyle Road/Saratoga Avenue, Doyle Road/Brenton Avenue, Brenton Avenue/Lassen Avenue, Fields Drive/Graves Avenue, El Osos Drive/Graves Avenue, Graves Avenue/Saratoga Avenue, and Teresita Drive/Doyle Road. See comments for Appendix I regarding the residential neighborhood traffic concerns.
 - b. The table footnote clarifies that V/C stands for Volume to Capacity ratio. Provide additional text to indicate how this ratio measures the performance of the intersection. For example, what does ratio 1.0 mean? At what Level of Service do all queued vehicles make it through the intersection in one cycle? Explain why intersections #11 and 12 are assigned Level of Service D when intersections #18 and 19 are assigned Level of Service C, even though they have higher volume to capacity ratios than #11 and 12.
23. Page 230-235 Wastewater Treatment: The Costco Project will provide prepared foods, seating, beverages, and a grocery section. These services may increase overall water usage compared to the businesses being replaced. More water usage

means more wastewater discharge. The DEIR is missing analysis demonstrating that the 6 inch sewer pipe in Graves Avenue is adequate to convey the anticipated flow. Provide the analysis and include water usage data for the four nearby Costco sites for comparison. Identify Level of Service as described in City General Plan Policy IN-3.5.

24. Appendix I Transportation Analysis

- a. General: The Transportation Analysis fails to include substantive discussion about the realistic volume of cut-through traffic affecting the neighborhood to the north of the proposed project. In fact, Doyle Road was excluded from the Analysis. Cut-through traffic is a problem in residential neighborhoods, especially when Level of Service on the adjacent major roads is deemed a failure by the travelling public. Cut-through has increased even more with the use of route-finding applications. Many of the applications favor use of local and neighborhood roads over more congested arterials. Page 61 includes a recommendation for a traffic-calming study after the project is built. **That is too late! The impacts will already be happening.** The public has little faith in the ability of project owners and the City to diligently follow up and ensure studies/construction that are scheduled to occur after the business is open actually do occur. Even if traffic-calming mitigations are constructed after the fact, these mitigations will not be a deterrent to those shoppers taking the easier route. The necessary action is to close off all shopping center access from Graves Avenue to insure that cut-through is not a viable option. Any option that allows cut-through **should be designated as a Significant Impact.**
- b. Page viii Traffic Volumes: This paragraph should include discussion about the temporary reduction of traffic volume due to the work-from-home trend that began during the pandemic. The study should assume that traffic volumes will eventually return to pre-pandemic levels and then include the enormous amount of growth that is happening in the vicinity of the project.
- c. Page 9 The section titled Existing Transportation Conditions should include Doyle Road. Doyle Road is the gateway to the residential neighborhood to the north of the proposed project. Doyle Road also provides access to Easterbrook and Country Lane Schools. Student safety will be impacted if access to Costco is allowed through the residential neighborhood.

- d. Pages 60-61 Recommendations from the Analysis are not documented in the DEIR. These recommendations must be included in the DEIR **and must be mandated as project requirements**. The Analysis states "Based on the review of pedestrian facilities near and within the site, the following are project components or are recommended:
- The project will include pedestrian improvements to the signalized access point on Lawrence Expwy. Improvements include updating curb ramps conform with ADA (truncated dome detectable warnings), reconstruct pedestrian crossings, and install new sidewalk along the internal drive aisle. Future site plan submittals will include these improvements.
 - The project will include a clear pedestrian path from the parking outlot to the warehouse, including a destination for pedestrians crossing in the existing path to the landscaped area south of the main parking field.
 - City and County staff have identified a need at the Lawrence Expwy/Prospect Rd intersection to modify the pedestrian queue area of the northeast and southwest medians within the intersection footprint.
 - The project could improve the intersection of Graves Ave and Fields Dr to include curb extensions and enhanced pedestrian crossing markings.
 - The project proponent could conduct traffic analysis pre- and post-project construction to evaluate vehicle volumes, speeds, and potential cut-through traffic in the neighborhood directly north of the Westgate West shopping center.

Thank you again for the opportunity to comment on this important project. Please find a more appropriate location.

Sincerely,

Marilyn Nickel



[REDACTED]
San Jose, CA 95130

Attach: Appendix A Photo 1 Falcon

Photo 2 Coopers Hawk

Appendix A

Photo 1 Falcon

Photo 2 Cooper's Hawk

Photo 1 Falcon

Taken February 11, 2024 at 2:42 pm with iPhone Marilyn Nickel

Tree believed to be in backyard on Carola Court or San Tomas Court



Photo 2 Cooper's Hawk

Taken February 11, 2023 John Nickel
Near or at 3965 Hamilton Park Drive



Comment Letter 242

Feedback for Westgate West Costco DEIR, File no. CP21-022

MEC <[REDACTED]>

Mon 2/19/2024 6:28 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning
Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed
Westgate West Costco project and I am writing to provide my feedback.

I think the Costco is fine.

Thank you for your consideration and your care in responding to these
serious concerns.

Sincerely, Martha Champion, Country Lane

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Comment Letter 243

Feedback for Westgate West Costco DEIR, File no. CP21-022

May Lamp <[REDACTED]>

Mon 2/19/2024 11:48 AM

To:Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>;Mahan, Matt <Matt.Mahan@sanjoseca.gov>;Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>;Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>;Torres, Omar <Omar.Torres@sanjoseca.gov>;Cohen, David <David.Cohen@sanjoseca.gov>;Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>;Davis, Dev <dev.davis@sanjoseca.gov>;Doan, Bien <Bien.Doan@sanjoseca.gov>;Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>;Foley, Pam <Pam.Foley@sanjoseca.gov>;Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc:Planning Commission 5 <PlanningCom5@sanjoseca.gov>;District1 <district1@sanjoseca.gov>

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To	kara.hawkins@sanjoseca.gov ; matt.mahan@sanjoseca.gov ; rosemary.kamei@sanjoseca.gov ; sergio.jimenez@sanjoseca.gov ; omar.torres@sanjoseca.gov ; david.cohen@sanjoseca.gov ; peter.ortiz@sanjoseca.gov ; dev.davis@sanjoseca.gov ; bien.doan@sanjoseca.gov ; domingo.candelas@sanjoseca.gov ; pam.foley@sanjoseca.gov ; arjun.batra@sanjoseca.gov
Cc	planningcom5@sanjoseca.gov ; district1@sanjoseca.gov
Bcc	info@savewestvalley.org
Subject	Feedback for Westgate West Costco DEIR, File no. CP21-022

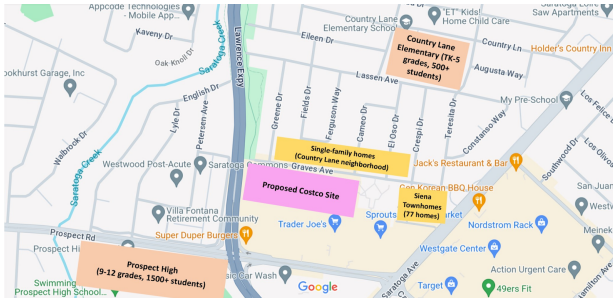
Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

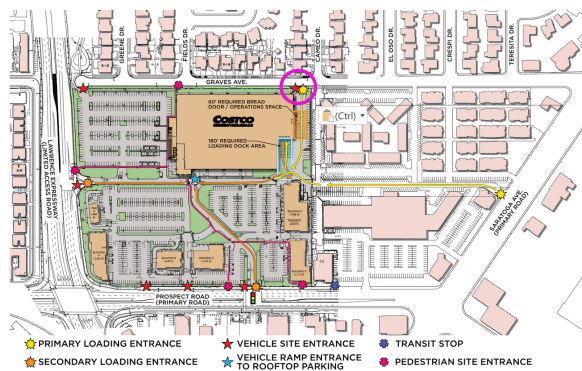
The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered "most dangerous for bike traffic" by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city's [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school

each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preference.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as "cut throughs" to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data

should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was

collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would "result in substantial noise-generating activities" (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the "noise is temporary, the Project would not result in a cumulatively considerable impact" (page 246) and the noise is reasonable because it does not exceed "airport- or or airstrip-related noise levels" (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers' radios (page 180) and defers others until the project has been approved. **The absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior

retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as "locally and regionally accessible by multiple transport connections" on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the "engagement of local residents in planning the urban village" and "a mix of housing and employment to reduce traffic." The proposal fails at both of these

objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an "area of undue concentration." Since the proposed off-sale location is in an **over-concentrated census tract**, Costco's conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of "public convenience or necessity." It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe's, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project so informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for

2/28/24, 11:50 AM

Mail - Hawkins, Kara - Outlook

decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

May Lamp
zip code 95129

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Comment Letter 244

Feedback for Westgate West Costco DEIR, File no. CP21-022

michellemcfoo@gmail.com [REDACTED]

Mon 2/19/2024 3:15 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I have lived in the Brookview Neighborhood off Prospect Road adjacent to Prospect High school for 35 years . I am also a long time member of Costco and a long time shopper at Westgate West.

I am very concerned about the over 11,000 car trips the Project will generate :

A. Traffic congestion at the following junctions :

1. Intersection of Lawrence Expressway & Prospect Road
2. At the left turn traffic junction on Prospect Road turning into Westgate West
3. Traffic intersection at Prospect Road & Lyle Ave. (Outside Prospect high school)
4. Traffic intersection at Prospect Road & English Ave (Outside Prospect high school)

5. Traffic intersection at Prospect Road & Brookglen Dr.

My most frequent shopping venue is Westgate West for my daily household needs. Convenient as it is, I do however avoid going to Westgate West or get onto Lawrence Ave or Prospect Road during commute hours and during Prospect High school start and end times due to traffic.

Cars will lined up on Prospect Road / Lawrence intersection. The queue can back up to the traffic junctions at English Ave and Lyle Ave and to the traffic intersection at Prospect Road and Westgate Mall, creating long wait times, especially when cars are waiting and blocking the junctions. Adding to this gridlock is the morning school traffic trying to get to and from Prospect High School.

B. Parking and Traffic at Westgate West.

Right now, I would also not go to Westgate West during weekends due to parking and difficulty trying to get in and out of the shopping area. Parking is limited and to add to that, the four way stop from and to Trader Joe's and the previous Smart and Final makes it difficult to back out of the parking area due to traffic waiting in line to get in or out of the parking area.

I understand the Proposed Plan will add additional parking spots but I fear the net number of spots after discounting the spots for Costco employees and existing businesses will hardly be sufficient to support the Costco traffic. Westgate West is just not large enough to accommodate such a significant increase in traffic load and there is no plan to mitigate the bottlenecks getting in and out of the mall.

C. Increased Traffic in residential area.

As of now, there is already an increased in traffic on my street during commute hours due to traffic trying to bypass traffic congestion in the Saratoga Ave/Prospect Road/ Lawrence Ave corridor to and from Highway 85, taking alternative routes through the residential neighborhoods where children play and high school students run as part of their track training exercise. I fear for the safety of the children and students.

A Costco at Westgate West will not only exacerbate the issues. The area and site just does not have the infrastructure and capacity to handle the significant increase in traffic and there is no plan for any major traffic controls or mitigations, only including minimal changes like sidewalk improvements and road striping. This makes worse an already unacceptable risk for students, pedestrians, and cyclists. This project alone generates more traffic at that site than roads can handle. Add in the traffic from thousands of new housing units across Prospect Road and along Saratoga Avenue and you have a recipe for danger, gridlock, and increased vehicle pollution from traffic-jammed cars.

This project is inappropriately scaled for the current and possible infrastructure at the site and should be denied. If the city insists on approving this dangerous project against better judgement, before granting approval the city must create, fund, and put in place specific traffic and pedestrian mitigation measures to address student, pedestrian, and cyclist safety.

Thank you for your care and consideration in responding to these serious concerns .

Sincerely,
Meng Chee Foo

[REDACTED]

Saratoga, CA 95070

[REDACTED]

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Comment Letter 245

Feedback for Westgate West Costco DEIR, File no. CP21-022

Mohini Singh [REDACTED]

Mon 2/19/2024 10:58 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I'm Mohini Singh, a resident of Country Lane Neighborhood adjacent to the proposed Costco Warehouse at Westgate West. My home on Eileen Dr is two blocks from the boundary of the proposed Costco site on Graves Ave. I'm also a parent of two Prospect HS students, who walk and bike to school via Graves Ave and the West Gate Shopping Complex.

I'm deeply concerned about the projected 11,000+ car trips the project will generate, exacerbating congestion at the already problematic Lawrence Expy and Prospect Ave intersection. Four pedestrian/car accidents involving students occurred there in the past year alone.

The Costco project lacks substantial traffic controls or mitigations beyond minor changes like sidewalk improvements and road striping. This exacerbates the risk for students, pedestrians, and cyclists. The project's traffic alone exceeds the capacity of the roads. Combined with traffic from new housing units, it poses dangers, gridlock, and increased accidents.

Further, I would rather see a commercial development plan that supports small and medium businesses which would benefit the country lane neighbor

The project's scale and purpose doesn't align with current infrastructure or the Envision San Jose 2040 plan. If approved, the city must implement specific traffic and pedestrian safety measures before construction.

Thank you for your consideration and your care in responding to these serious concerns.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Mohini Singh, Country Lane

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Comment Letter 246

Feedback for Westgate West Costco DEIR, File no. CP21-022

Mona E Awad [REDACTED]

Mon 2/19/2024 3:20 PM

To: Batra, Arjun <arjun.batra@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>
Cc: District1 <district1@sanjoseca.gov>; Planning Commission 5 <PlanningCom5@sanjoseca.gov>

[External Email]

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Kara Hawkins Department of Planning, Building, and Code Enforcement Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois: I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

San Jose. The DEIR details the impact of the proposed Costco Warehouse project at Westgate West on such areas as traffic, noise, and pollution.

We have young children walking to Westgate all the time with their friends, and the Prospect high school students, we do not need more congestion in that intersection.

We live in Saratoga Woods neighborhood right behind the high school. We do have plenty of grocery stores in the vicinity, in addition to the Whole Foods opening in the El Paseo shopping center.

Lawrence Costco, 85 Almaden Costco and the Santa Clara one are all 15 minutes from our neighborhood. We don't see a need for a giant wholesale store right there taking away business

from the smaller businesses

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Mona Awad

Saratoga Woods neighborhood

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Comment Letter 247

West Gate Costco and EIR

Noele Gringeri [REDACTED]

Mon 2/19/2024 9:50 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>

[External Email]

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Dear All,

Thank you for being our representatives.

We are a very concerned family about the new Costco going in adjacent to our neighborhood.

Traffic will increase, 11,000 trips per day, walking in the park will aggravate asthma and other sensitive groups because of air pollution.

We have an elementary and high school in the area which could increase accidents and deaths.
It isn't the Urban Village goal that would be much more ideal.

There are other nearby places to put this Costco.

I walk dogs in the park and this will be a problem.

School children are at risk.

Traveling to the YMCA on Quito road will require double or triple time to get through that intersection.

If it needs to be close to the Country Lane neighborhood, please consider putting it in the West Gate Shopping Center with plenty of parking where the 49ers gym is located.

Even an apartment building in this spot would be preferable.

Thank you for your consideration

as this will definitely affect the quality of people's lives.

Noele and Mark Gringeri



San Jose, 95129

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Comment Letter 248

Feedback for Westgate West Costco DEIR, File no. CP21-022

Pankaj Raghuvanshi <[REDACTED]>

Mon 2/19/2024 8:57 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

 1 attachments (3 MB)

Feedback_Letter.docx;

[External Email]

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Hello,

Wanted to share feedback on the Costco project. I am a resident of the neighborhood and have serious concerns about the traffic situation of cars cutting through the Country Lane neighborhood and the safety of children walking to school.

Pankaj

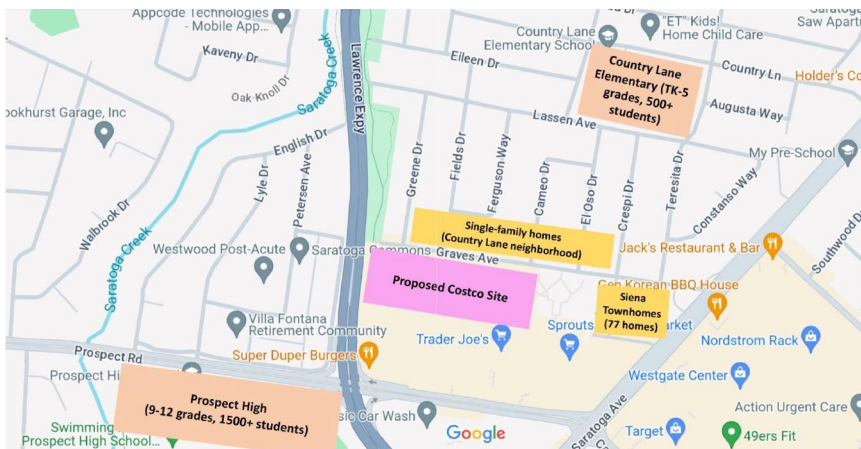
This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

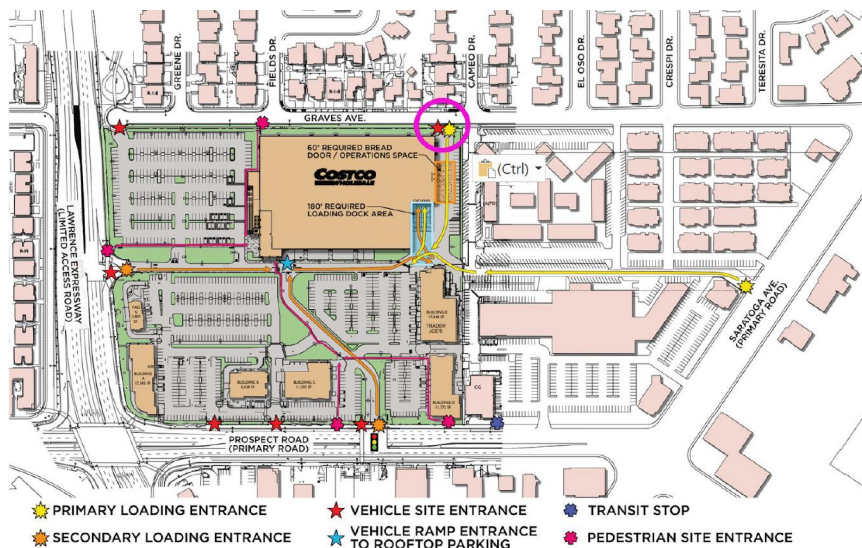
The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not

discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives

state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four

schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking.**

The DEIR states, “Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM” (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are “less than significant” traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and

controlling noise from workers' radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The

health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as "locally and regionally accessible by multiple transport connections" on their project website, the only

nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the "engagement of local residents in planning the urban village" and "a mix of housing and employment to reduce traffic." The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an "area of undue concentration." Since the proposed off-sale location is in an **over-concentrated census tract**, Costco's conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of "public convenience or necessity." It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe's, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project so informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR.

The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Pankaj Raghuvanshi
Country Lane, San Jose, 95129

Comment Letter 249

My comments on the proposed Westgate Costco project

Patrick Dalton [REDACTED]

Mon 2/19/2024 2:06 PM

To: Atienza, Manuel <Alec.Atienza@sanjoseca.gov>

Cc: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Burton, Chris <Christopher.Burton@sanjoseca.gov>

[External Email]

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

I have lived in Campbell for 40+ years and loved it .This project will destroy the neighborhood. It at the worst spot that I can think of. Please don't do this. I worked for Costco on Coleman Avenue for 10 Years. I know first hand how the traffic in and out of a Costco parking lot on any given Day and holiday.

This will be a disaster for Prospect Road and Lawrence expressway. Also what about all the long time small business at that location like Trader Joe's

and the New Ace Hardware. Please use common sense and shut it down. It will affect the flow of traffic and the everyday living in Campbell.

From Patrick Dalton and Jan Dalton

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Comment Letter 250

Westgate West Costco Concerns

Poonam D <[REDACTED]>

Mon 2/19/2024 10:37 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

Cc: Poonam D <dpoonam@gmail.com>

[External Email]

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Hi Kara,

We live in the Country Lane area, and we're worried about the shoppers at the proposed Westgate West Costco deciding to park on our streets to get easier access.

There's a part in the Draft Environmental Impact Report (link below) that's got us especially concerned. It says "A crosswalk across Graves Avenue at the intersection with Field Avenue would be installed to provide pedestrian access to the Project site."

What measures are being taken to prevent Costco shoppers from parking their cars along Graves and neighboring residential streets?

<https://www.sanjoseca.gov/home/showpublisheddocument/107938/638382284243900000>

Thank you and Regards,
Poonam D

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Comment Letter 251

Feedback for Westgate West Costco DEIR, File no. CP21-022

Preeti Powar [REDACTED]

Mon 2/19/2024 1:28 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

As a resident of the Country Lane neighborhood for the past 10+ years, this Costco development in the Westgate area is going to be a huge disruption to the neighborhood in terms of resident safety, traffic and crowds. I'm failing to grasp the need of a warehouse store in a residential neighborhood that already has a Trader Joes, Sprouts and Target with a 1 mile radius. The nearest Costco, Sunnyvale Lawrence, is less than 6 miles away. The other one is Costco Almaden, which is 10.7 miles away. People have enough options. Warehouse stores were never meant to be like local Starbucks, one at every corner.

There are 2 schools, one elementary and one high school, in a 1 mile radius from this proposed Costco. The removal of one lane on Saratoga to add a bike lane, has already increased the traffic congestion in the area. A warehouse store like Costco is just going to exacerbate that. There's no way that the incoming/outgoing traffic to Costco is going to stick to Saratoga/Prospect/Lawrence. People are going to cut through the residential neighborhood. That's just the reality of the situation. As a resident, I'm failing to understand the need of this warehouse at this particular location.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Preeti Powar

Country Lane neighborhood resident

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Comment Letter 252

Feedback for Westgate West Costco DEIR, File no. CP21-022

Rona Petroni <[REDACTED]>

Mon 2/19/2024 4:07 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

Please bring Costco.

Thank you for your consideration.

Sincerely,
R Petroni

Sent from my iPhone

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Comment Letter 253

Feedback for Westgate West Costco DEIR, File no. CP21-022

Rickey Lau [REDACTED]

Mon 2/19/2024 9:38 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

To Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

After reviewing the draft proposed Westgate West Costco project, I have an objection in having this Costco project moving forward. This location borders a quiet residential neighborhood - Country Lane. A whole-sale retailer like Costco attracts consumers and high traffic. However, many if not all Costco warehouses in the bay area are in the midst of a commercial zone – not immediately bordering with residential areas. A Costco in this location will attract higher than necessary traffic to the residential streets in the Country Lane area. Students walking to Country Lane Elementary and Easterbrook Discovery School will be impacted by this traffic, the probability of accidents will increase.

Furthermore, this Costco will push out nearby businesses in the area. It has already pushed out a Smart and Final. The expenses in having this Costco needs to be considered: road repairs, street redesignings for pedestrians safety, speed bumps, etc. The amount of tax revenue generated from having this Costco here may not be worth it compared to the expenses and the neighborhood devaluation. Please reconsider and halt this project. There are better locations for this Costco warehouse to be in.

Sincerely,

Rick Lau
Country Lane

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Comment Letter 254

Feedback for Westgate West Costco DEIR, File no. CP21-022

BobZalusky [REDACTED]

Mon 2/19/2024 3:47 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I am gratefully looking forward to having a new Costco nearby. Thank you for considering this project. I have lived in the West Valley area for 40+ years and driving to other Costco which we frequent often is often difficult. My wife is mobility challenged and the Sunnyvale location is difficult with its ramp. The Almaden location is much farther and parking challenged.

Clearly there is a demand for Costco and just like housing we need more of them.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Robert and Michelina Zalusky
South Cupertino Area
[REDACTED]

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Comment Letter 255

Feedback for Westgate West Costco DEIR, File no. CP21-022

Bob S. <[REDACTED]>

Mon 2/19/2024 11:59 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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To

Subject Feedback for Westgate West Costco DEIR, File no. CP21-022

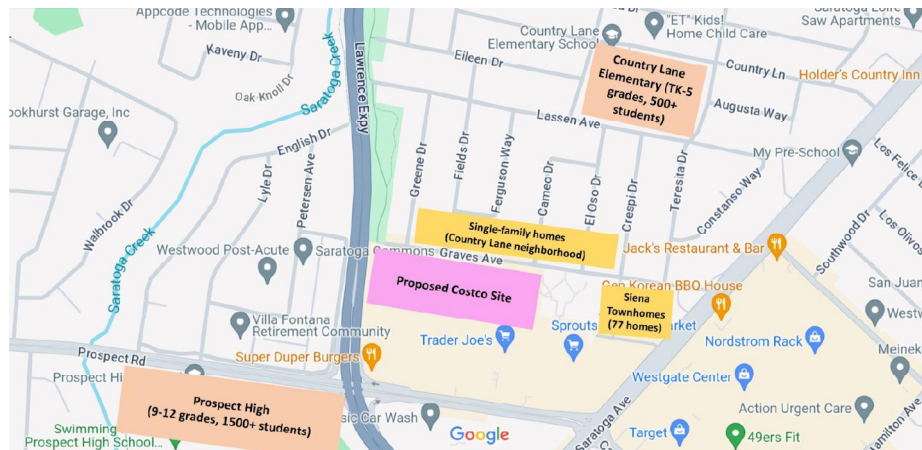
Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most

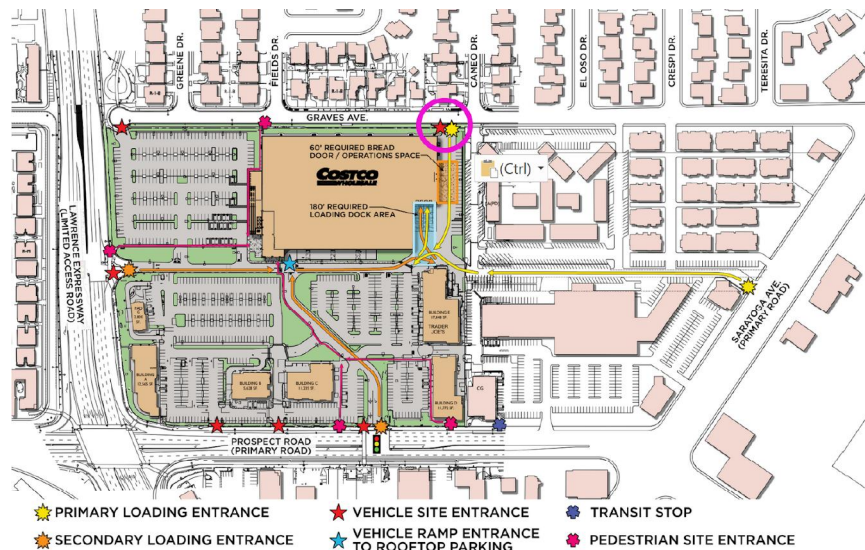
dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city's [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence

Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*

- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such

as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of

students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left

from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The

health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and

some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco’s characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools,

Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Robert Salvo

Campbell 95008

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Comment Letter 256

Feedback for Westgate West Costco DEIR, File no. CP21-022

Roberta Witte [REDACTED]

Mon 2/19/2024 9:17 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: District1 <district1@sanjoseca.gov>; Planning Commission 5 <PlanningCom5@sanjoseca.gov>

[External Email]

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the report and listened to the meetings with representatives from the city and Costco.

I am very concerned about alcohol sales at this proposed Costco Warehouse at the Westgate West shopping center. There already are four businesses that have permits to sell alcohol: Sprouts, Trader Joe's Bev Mo and the gas station on the Cornor of Graves and Saratoga Ave. This proposed Costco will be located across the street, less than 150 feet, from the Saratoga Creek Park and single family homes. A very easy waking distance to cause problems in our neighborhood park, where I walk my dog and take my grandchildren to play.

Please do not allow Costco a conditional use permit to sell alcohol.

Thank you,

Sincerely,

Roberta Witte

[REDACTED]

San Jose, CA. 95129

[REDACTED]

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Comment Letter 257

Feedback for Westgate West Costco DEIR, File no. CP21-022

RONALD MARFIL [REDACTED]

Mon 2/19/2024 7:32 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

While I believe these projects "stand alone" on these types of report metrics, I believe there is a major error in the making if one does not look at the cumulative effect of the Costco+ Paseo de Saratoga Development. Traffic, crowding, student safety, Noise, automobile caused pollution, delivery truck traffic, are a few for openers..

I do not believe this "load" is being foisted on any other neighborhood in the entire city.

Ronald Marfil

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

<Your Name and neighborhood go here>

Sent from my iPad

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Comment Letter 258

Feedback for Westgate West Costco DEIR, File no. CP21-022

rose t [REDACTED]

Mon 2/19/2024 10:01 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

As a resident of West San Jose, I am **dissatisfied** with the plans to build a Costco in West Valley. Here are the reasons:

- 1. Unnecessary Presence:** We do not need another warehouse in the area, considering the presence of multiple grocery stores like Trader Joe's or Target.
- 2. Safety Concerns:** Such an investment is likely to bring pollution, increased traffic, and decreased safety. We should be mindful of the environmental impact and potential risks associated with large-scale developments.
- 3. No Long-Term Viability:** Costco may become another declining brick-and-mortar business in a few years. Choosing to construct a new store on the site of an already closed mall concerns about the future relevance of such a project.
- 4. Unsustainable Choice:** Costco promotes overspending and generates excessive waste. Frequently, customers of this store purchase more than necessary, and due to the bulk packaging, perishable foods often go to waste. Is it really worth contributing to so much waste in the pursuit of making a few executives even richer? Consider the alternative – supporting local farmers' markets where people tend to be more mindful of their purchases and waste less food. This approach not only benefits the local community but also encourages sustainable and responsible consumption.

5. **No Community Building:** San Jose needs more community-building areas. Consider visiting places like Pruneyard during weekdays. The small playground there is often filled with children who would appreciate more safe spaces to play. Investing in urban villages and community spaces is a better way to shape the city's future compared to approving another generic, ugly commercial building.

6. **City Bears Burden, Not Costco:** The consequences of this decision will affect the city, not Costco. Corporations, when seeking investments, often overlook the aftermath of construction. Pollution, heightened traffic, potential accidents (including high schoolers), infrastructure maintenance, neighbor complaints, and failure to meet city goals are issues that Costco won't have to contend with once it's built — you will.

7. **Forward-Thinking:** It's essential to think about the future and make decisions based on current needs, not outdated models from the 1980s. Prioritizing community development and sustainable practices will contribute to creating a more vibrant and resilient city.

Let's focus on building a city for the future, one that fosters community, sustainability, and thoughtful urban planning.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Róża Turowska, West San Jose

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Comment Letter 259

Feedback for Westgate West Costco DEIR, File no. CP21-022

R Narayanan [REDACTED]

Mon 2/19/2024 9:42 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

Some very important issues bothered me right away. With a high school (Prospect High School) right opposite, I am very very extremely concerned about safety. Safety of the pedestrians and the cyclists. I would add its young cyclists and pedestrians, but every life is important. With 11,000+ additional cars, it poses a serious threat to the safety. It is really alarming is that the methodology for assessing the traffic conditions (page 209) is so very flawed. No study was done during the school peak hours. Irrelevant data (observations of traffic data during times that do not matter) is unethical. And you say with a straight face that 11000+ additional cars does not constitute significant impact? We have to be penalized for having a safe neighborhood so that the kids can be kids and not worry about their safety??? What about the parents? What about the athletes? The study has not been done with fidelity and the findings are so flawed as to be rejected. As a resident and a Prospect High School parent, I find this whole project unacceptable from a safety perspective. And makes a mockery of the safety corridor.

The DEIR also details the environmental impact of this project. We talk about sustainable living, yet what I see is I have to now live with a health nightmare due to the high rate of pollution caused by the project. The soil, water, air, noise pollution due to the cars, the trucks, tire center is not in line with any aspect of environmental safety.

The negative impact on the safety of the school kids and the environment and Costco's indifference to take steps to address them is unacceptable.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Rupa. Happy Valley/West Valley neighborhood.

Sent from Yahoo Mail on Android

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Comment Letter 260

Feedback for Westgate West Costco DEIR, File no. CP21-022

Scott Briody [REDACTED]

Mon 2/19/2024 9:00 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Dear Council:

I have lived in the West Valley area of San Jose for my entire life.

I am vehemently against the proposed Costco development as it stands today.

Costco adds an exponential amount of traffic that does not exist today. The area already struggles with congestion throughout the day. I am also concerned about the amount of pollution that will be produced by the additional vehicles, as well as the 300 employee vehicles. Traffic will undoubtedly spill over to other areas such as Campbell Avenue, Quito Road, and Pollard Road.

Pedestrian safety is also a personal concern. I am a wheelchair user affected by the increased traffic.

Additionally, I would like to point out that other Costco stores are positioned in industrial areas. If this project were to go through, it will be in an urban residential area.

If the Costco plan goes through, it will be to the detriment of the city.

Thank you for your time and consideration.

Sincerely,

Ryan "Scott" Briody

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Comment Letter 261

Feedback for Westgate West Costco DEIR, File no. CP21-022

Satyawati Singh [REDACTED]

Mon 2/19/2024 9:02 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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I am opposed to the Costco project because it poses a serious safety issue for both high school students from Prospect high school and also elementary school students from Country Lane. If there is an accident that happens, the city will be responsible for wilful negligence.

Satyawati Singh

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Comment Letter 262

Feedback for Westgate West Costco DEIR, File no. CP21-022

Sergey Verzunov [REDACTED]

Mon 2/19/2024 11:36 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I believe, the Westgate is not a place for the Costco store.

This is a residential area with several schools nearby.


Stores like Costco should be built near highways on undeveloped land with no or little residential areas around.

This project will draw lots of car traffic to the area, pressure existing businesses like Trader's Joe and Sprouts, dismantle others, like yoga.

People use parking spaces near Yogurtland and Supper Duper for picking up kids from Prospect HS. With Costco in that area this option will no longer be available.

Costco should not exist in that area. It is inconceivable to suggest otherwise.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Sergey Verzunov
San Thomas Aquino


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Comment Letter 263

Feedback for Westgate West Costco DEIR, File no. CP21-022

Sharon Taniguchi [REDACTED]

Mon 2/19/2024 7:43 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am concerned with the traffic congestion this will bring to the area and that I won't be able to get to the existing stores in the area like Trader Joe's, BevMo and Ace Hardware. We already have a Costco at Lawrence Expressway and Kifer Road which has a much larger area than what is available for this proposed new Costco location. It will cause undo traffic on Saratoga Avenue which has already been slowed down by moving it from 3 lanes to 2. There is no need for this store and the neighborhood id already missing the Smart and Final that was forced to close.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Sharon Taniguchi

Blackford Neighborhood

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Comment Letter 264

Feedback for Westgate West Costco DEIR, File no. CP21-022

Wen Xue <[REDACTED]>

Mon 2/19/2024 9:33 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered "most dangerous for bike traffic" by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city's [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern

I live on Cameo Drive with my husband and children. This is a very nice and quiet neighborhood with a high school, middle school, and elementary school within walking distance. A Costco warehouse will bring about 11,000 new vehicle trips/day, 18x today's traffic, and about 4M trips/year. This warehouse will greatly risk the safety of those students who walk or ride bicycles to schools and back to homes. This Costco warehouse is going to create unreversed damage to our neighborhood.

Currently the traffic around the intersection between Lawrence Expressway, Prospect, and Saratoga are already very heavy during busy hours. A Costco warehouse will make this area's traffic much worse and make the West Valley area (a nice suburb area) become a crowded "downtown" area. That would not only affect the people in this area in their commute to work and daily activities, but also the people living in Saratoga and Campbell.

Given the size of the Costco project, I feel that there are not enough parking spaces for the Costco location. As a result, there will be a negative impact on access to and parking near Traders Joe's, Starbucks, and other Westgate West and nearby stores/businesses. Since the roof parking provided by Costco is only accessed by a one-lane in and one-lane out ramp, people will be hesitant to use the roof parking, consequently overcrowding the plaza ground parking and leaving less parking spaces for other businesses. Also, there is no specific plan to specify the parking location for about 300 Costco employees.

Costco warehouse will have a great negative impact on the residents on Graves Avenue and nearby streets, including my family. It's very unusual for a big commercial warehouse to reside right in front of residential houses. There will be cut-through traffic through neighborhoods due to increased traffic from the Costco Warehouse. When surrounding streets are gridlocked, frustrated shoppers will seek easier ways to get to the Warehouse Store through the Country Lane Neighborhood, driving right by Country Lane Elementary. The Country Lane Neighborhood should be protected from cut-through traffic by closing off the remaining Graves Avenue entrance to the proposed Costco with a wall or other method.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Sherry Xue — Country Lane Neighborhood

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Comment Letter 265

Feedback for Westgate West Costco DEIR, File no. CP21-022

Srini Raghavan [REDACTED]

Mon 2/19/2024 5:18 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

- 1) The number of 11000 additional car trips generated as a result translates to almost a 1000 cars every hour that Costco is open. That's an extra 16 cars every single minute which by any standards is way too much. That is bound to result in serious injury or death to walkers and bikers in our neighborhood. By doing our part to help fight climate change, my wife and I have been walking and biking (not driving) to the shopping complex in and around west gate shopping center. At this point being a calm and quiet neighborhood we are freely able to exercise that choice. It also gets us our daily quota of exercise. We would not ever feel safe with the increased traffic any more.
- 2) We are within a mile of access to three major freeway's (101, 280 and 85). The proposed Costco will bring additional traffic that is going to increase the amount of time it takes us to get to these freeway access points to get to work and other needed activities.
- 3) We have kids who bike in the neighborhood a lot and their safety is our concern. The proposed Costco is going to add to our worries on a

constant basis.

4) There is going to be a two year period of noise and air pollution as construction activity ramps up and the quiet of this neighborhood is gone. Then we will have to deal with pollution from the remnants and leftover pollution in the soil for years to come. This neighborhood will never be the same again. It will start resembling an industrial complex and that brings me to my last point.

5) Neighborhood property prices are bound to take a significant hit. This is a direct hit to our retirement planning efforts. Verizon installed a 60 foot 5G cell phone tower 20 feet from my bedroom. Now it looks like a big eyesore in my backyard. After fighting the city and Verizon lawyers for 2 years the city approved the project anyways. They could have installed this tower in the Saratoga Creek park where there are no homes within 200 feet from anyone. But it seems that the city and our elected leaders are prioritizing their tax revenues from large corporations. I am frankly tired of the common man being short changed every single time. It's time for the city to scrap this plan and restore sanity to the good folks of my neighborhood, that I have been calling home for 25 years now.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Srini Raghavan, Namita Raghavan, Priyanka Raghavan and Anika Raghavan. (Impacted members = 4)
[REDACTED] San Jose, CA 95129.

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Comment Letter 266

Feedback for Westgate West Costco DEIR, File no. CP21-022

Susan Woods [REDACTED]

Mon 2/19/2024 11:10 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

Thank you for the opportunity to provide feedback and the Westgate West Costco Project. I have reviewed the DEIR and I am sharing my feedback and concerns.

The DEIR **fails** to include the impact to Prospect High School (.4 of a mile away from the proposed site with 1500+ students) drop off and pick up times, Country Lane ELEMENTARY School (.5 of a mile way), the El Paseo Project (.5 of a mile away) with 900 living units, plus Westgate shopping center, the existing stores (Trader Joe's, Super Duper Burger, Yogurtland, Taco Bell, etc) and the various high rise housing that will be going in directly across the street. The area is already gridlocked most of the time. Young people will be riding their bikes, walking and Mom's picking up their kids. The DIER has not adequately addressed the concerns of the cities of Saratoga and Campbell (which this project borders and impacts) and the county of Santa Clara.

11,000 vehicles are expected daily....how are they going to get in? Saratoga Avenue and Lawrence Expressway are already jammed and considered one of the most dangerous intersections in the county. There have been many accidents already. And this a RESIDENTIAL NEIGHBORHOOD.

I am not saying Westgate West doesn't need a facelift. It was being groomed for a light retail shopping center...an Urban Village Concept, Costco is not in keeping with the City's original intention.

If the Costco project approved the existing stores will fail....construction will not allow them survive. The medical complex will vacate due to lack of parking. Shoppers are relentless to find a spot...and they are not going to care as long as they get a spot.

The Costco project 1/3 larger than the Sunnyvale store, on 2/3 the acreage. This is not an industrial area....its residential! The project is too big for the area.

There are more issues for sure....Graves Avenue, the Tire Shop will have noise all day long, delivery trucks, roof top parking, the side streets in Country Lane to and from Doyle Rd., the pollution from vehicles, concentration of alcohol sales, buildings being closer to residences than the existing buildings now.

The Costco, if approved, it is .9 of a mile from my home....The Costco's off Lawrence Expressway and the Coleman store are 7 miles away. It will be easier to get to one of these stores than to get to the one .9 of mile from my home. I will not shop at the proposed store....and probably will not shop at Trader Joe's or Westgate (because I won't fight the traffic). I will be forced to shop elsewhere.

I have lived in zip code 95129 since 1967, so this neighborhood is near and dear to me. I have lived in San Jose all of my life. I was born in San Jose at the **OLD** O'Connor Hospital (long torn down and then a Sears and now a Safeway) on West San Carlos Street long before most of you are alive today. The orchards are gone...San Jose is now making orchards of high rise apartments. This is a chance to attempt to not make a bigger problem... please vote no on this project.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Susan Woods

EASTERBROOK NEIGHBORHOOD BETWEEN DOYLE & WILLIAMS



San Jose, CA 95129

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Comment Letter 267

Feedback for Westgate West Costco DEIR, File no. CP21-022

Zhu Talan

Mon 2/19/2024 10:49 AM

To:Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>;Mahan, Matt <Matt.Mahan@sanjoseca.gov>;Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>;Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>;Torres, Omar <Omar.Torres@sanjoseca.gov>;Cohen, David <David.Cohen@sanjoseca.gov>;Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>;Davis, Dev <dev.davis@sanjoseca.gov>;Doan, Bien <Bien.Doan@sanjoseca.gov>;Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>;Foley, Pam <Pam.Foley@sanjoseca.gov>;Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc:Planning Commission 5 <PlanningCom5@sanjoseca.gov>;District1 <district1@sanjoseca.gov>

[External Email]

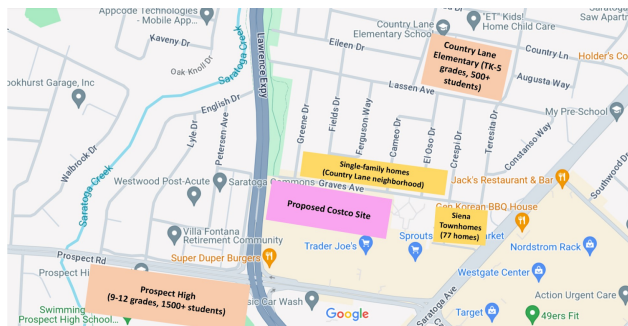
Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

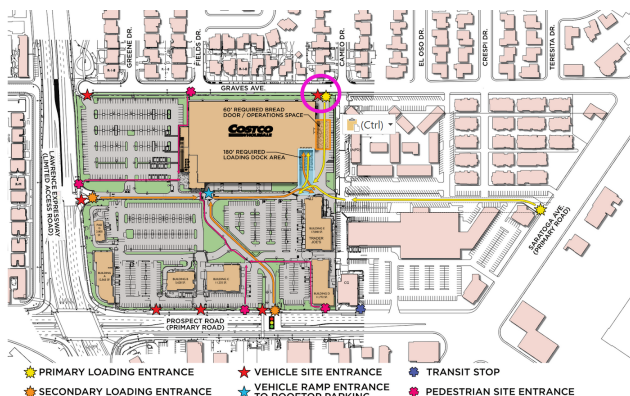
1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a "cut through" for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as "cut throughs" to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would "result in substantial noise-generating activities" (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the "noise is temporary, the Project would not result in a cumulatively considerable impact" (page 246) and the noise is reasonable because it does not exceed "airport- or or airstrip-related noise levels" (page 245). At the

February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers' radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion

that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco’s characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José’s decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to “sit at the table” with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Talan
San Jose 95129

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Comment Letter 268

Feedback for Westgate West Costco DEIR, File no. CP21-022

Vinita Subramanian <[REDACTED]>

Mon 2/19/2024 6:24 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: District1 <district1@sanjoseca.gov>; Planning Commission 5 <PlanningCom5@sanjoseca.gov>

[External Email]

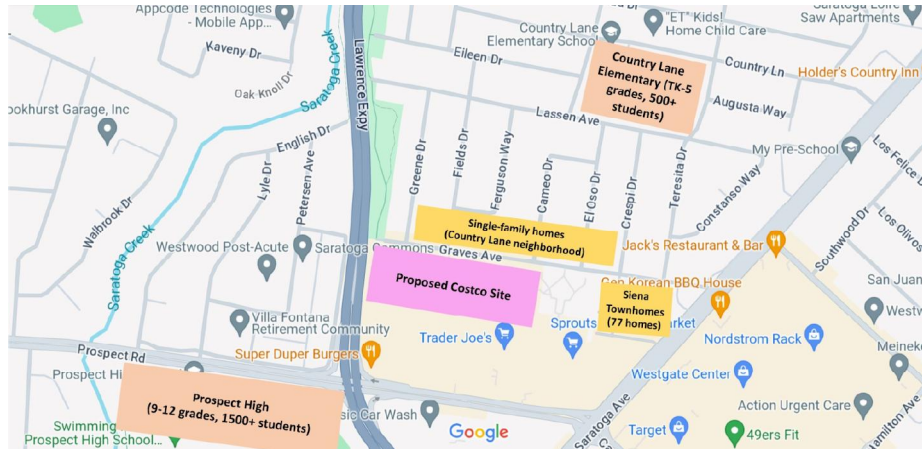
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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

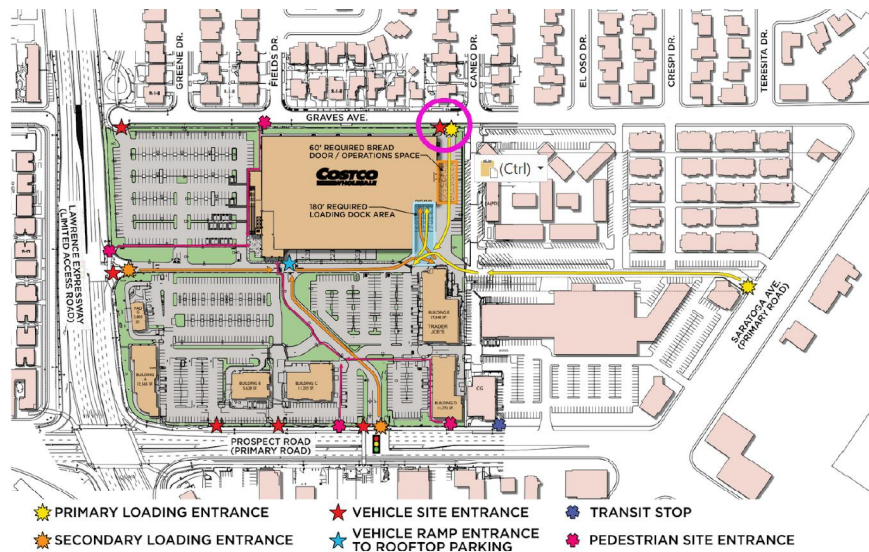
1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colored figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell.

Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares

for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may

be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children’s health also needs to be included in the DEIR given the project’s proximity to two public schools. The COVID

pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the

warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco’s characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the

City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

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Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,
Vinita Subramanian
95008

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Comment Letter 269

Feedback for Westgate West Costco DEIR, File no. CP21-022

Vishal Varma [REDACTED]

Mon 2/19/2024 2:35 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

<your comments go here>

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Vishal Varma, Brook view neighborhood

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Comment Letter 270

Westgate West Costco DEIR, File no. CP21-022

chris w <[REDACTED]>

Mon 2/19/2024 4:41 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

Cc: Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>; Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Subject:

Westgate West Costco Project
File No. CP21-022

2/19/2024

City of San José
Department of Planning, Building, & Code Enforcement
Kara Hawkins, Planner
200 E. Santa Clara Street, Tower 3rd Floor
San José, CA 95113-1905
Kara.Hawkins@sanjoseca.gov

Dear Kara Hawkins,

I am writing to express our strong opposition to the proposed construction of a Costco warehouse in close proximity to our neighborhood. We believe that this project would have detrimental effects on our community, including limiting our access to existing shopping options and exacerbating traffic congestion in the area. Those effects are not properly captured in the Draft Environmental Impact Report, which seems rather boilerplate and is missing important information, as outlined further below. As a result, the project needs to be halted until a proper assessment is done, at which point we are confident that it becomes clear that Costco at Westgate is not consistent with the environmental goals of the City of San Jose, in particular permanent increase in greenhouse emissions, and that the impact on the neighborhood so significant that the project shall be cancelled, because it is not compatible with the current zoning.

The strong concerns about the Costco Westgate project shall not be dismissed as not a NIMBY (“not in my back yard”), that would go away with some clever change management. We live about half a mile north and in general would love quick access to a Costco, but the current location is simply not suited for a warehouse location. If you check around in the Bay area, Costco warehouses function best in an industrial area with close access to freeways and expressways, including the ones at Lawrence, Coleman, Senter, Automation, Rengstorff, Evergreen locations. Why are those industrial areas best? Because they complement well in terms of peak shopping hours, meaning Costco peak hours are typically when businesses are closed, on evenings and weekends, which allows optimal use of transportation infrastructure. In a residential neighborhood, the opposite is true, especially in the proposed Westgate setting. Additionally, adding a Costco warehouse at the proposed location would have significant impact on the established residential community, which major schools in close proximity to the warehouse.

Our neighborhood currently enjoys a balanced mix of local businesses and retail establishments that cater to the needs of residents. The new Costco would effectively cut off the Country Lane neighborhood from the local businesses near Costco, which would have to be done to protect the neighborhood, and particularly the elementary school, from Costco shoppers passing through to circumvent the unavoidable gridlock that would happen at the intended access points near Prospect and Lawrence. The development would also cut off important access to the high-school drop-off and pick-up point near the North-East corner of Prospect and Lawrence, which hundreds of high-school students use every morning and afternoon. The DEIR complete misses that.

Furthermore, the operation of a Costco warehouse would inevitably increase traffic volume in the area, leading to congestion on our already strained roadways. This not only poses safety concerns for pedestrians and cyclists but also diminishes the quality of life for residents who would have to contend with longer commute times and difficulty accessing their homes during peak hours. The assessment of the DEIR is negligent in accurately assessing the additional traffic. Using handbooks and traffic information last updated in 2016 and general guidelines instead of actual data and surveys is inadequate and leads to the ludicrous conclusion that adding 11000 trips a day would have no significant impact. The DEIR is also not up to date, missing the fact that Saratoga has been reduced to 4 lanes (from 6), missing the high-school related traffic, and the planned development at El Paseo and Saratoga, to name a few.

In addition to these concerns, the environmental impact of such a project cannot be overlooked. The increased traffic generated by a Costco warehouse would contribute to air pollution and greenhouse gas emissions, further exacerbating climate change and posing risks to public health. Just to give a rough estimate, if we assume a conservative estimate of 20000 existing trips past the intersections near the planned Costco, either commute traffic or to access local shopping, and each trip will experience a delay of only 5 minutes, that would result in 10,000 pounds of CO2 emissions per day.

Considering these factors, we urge the city to reconsider the approval of the Costco warehouse project in our neighborhood. Instead, we encourage you to explore alternative locations that would minimize the negative impacts on existing residents and businesses. We also request that the city prioritize community input and engage in transparent decision-making processes that take into account the concerns of all stakeholders.

Here three specific examples where the Draft EIR appears to be incomplete or inaccurate:

1) Section 4.0, Cumulative Impacts

The cumulative impact study appears flawed and incomplete. There is no analysis offered to substantiate the conclusion that there are no significant cumulative impacts related to the Costco project. Just to name one obvious flaw, the planned development at El Paseo @ 1777 Saratoga is listed as having no significant impact on greenhouse gas emissions, transportation, etc. As a longtime resident, I can assure you that the nearby intersections are already at the limit of their capacity, evidenced by the fact that often you will have to wait more than one traffic light phase to be able to pass through. Obviously, any additional traffic will further stretch that out. An example of an omission is that the recent reduction in lanes on Saratoga Avenue from 6 to 4 was also not mentioned. It already has caused significant traffic backup at peak times and adding the estimated 11000 Costco will lead to a total collapse of traffic. While the calculated vehicle miles may not reflect that, the vehicle minutes will significantly increase and cause significant additional greenhouse gas emissions.

2) Section 3.17, Transportation

The additional traffic delays shown in the transportation study, summarized in table 3.17-4, are not credible. It does not make any sense that the 11000 additional trips on the main access roads will not impact the delays in already overloaded intersections. Additionally, the study is completely missing important points:

- High school related traffic overloads Prospect and Lawrence daily, and it is in no way credible that the additional load from Costco trips will not make matters exponentially worse.
- The reduction in lanes from Saratoga, as well as future developments, do not appear to be taken into account.

3) Section 3.11, Land Use and Planning, sub-question LU&P-1: *Would the proposed Project physically divide an established community?*

The assessment that there is no significant impact on the community completely misses the bigger picture. A community is not just a neighborhood. It is a community of residences, businesses, educational and recreational entities.

- The new Costco development will have significant impact on access of the Country Lane to local businesses, including grocery stores such as Trader-Joes, as well as restaurants and service businesses. While they appear accessible on the planned layouts, practically it will be much harder to get to them. Direct access from Graves will be blocked to avoid Costco shoppers from taking shortcuts through the residential neighborhood. However, that would also prevent neighborhood residents from access shopping through Graves, and they would then be forced to access the stores through the same entry points as Costco shoppers with their 11000 daily trips, navigating through scores of shoppers and competing with them over sparse parking spots. What used to be a 5 min trip each way would become much longer and more stressful, especially for our senior residents.
- The new Costco development will also cut off the existing access to the informal Prospect High School drop off and pick-up point near Super Duper Burgers. There is a beeline of cars twice a day with hundreds of students accessing the high school and taking the load off the access paths via Doyle/Lawrence or Prospect. There is no mention of that in the environmental impact report. Cutting off that access will significantly change the quality of life for students and their caregivers and thereby change the nature of our community.

We want to conclude with a final comment to illustrate the sentiment of the local residents:

It is very disappointing to see that there is very little consideration for the local residents, in particular the Country Lane neighborhood, and that the project is trying to get away with a boilerplate DEIR, providing an assessment that clearly does not pass simple common sense. Is the hope that, because the proposed Costco is right at the edge of the San Jose city limits, the negative response from directly affected San Jose residents and potential voters is small compared to a more central location?

Thank you for considering our concerns regarding this matter. We hope that you will act in the best interests of our community and make decisions that promote sustainable development and preserve the quality of life for all residents.

Sincerely,

The Wolters Family

2/22/24, 3:30 PM

Mail - Hawkins, Kara - Outlook

[REDACTED], San Jose, CA 95129

[REDACTED]

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Comment Letter 271

Feedback for Westgate West Costco DEIR, File no. CP21-022

Yeon Ok Kim <[REDACTED]>

Mon 2/19/2024 3:31 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I strongly oppose the Costco in the Westgate mall. It will significantly increase the number of cars passing by my house not only the small cars but also very big truck to deliver the products. Even now my family and neighbor are suffering from unendurable noise, vibration and smog. It's irritate focusing on work. If Costco is located in Westgate mall, it will add noise, vibration and smog intolerable level. It will cause severe health issue, and other side effect such as getting laid off originated by having Costco in Westgate mall.

Not only that, it is too dangerous for the passengers, residents and school children, their families and so on.

There are ten-thousands reason Costco in Westgate mall is bad idea. It needs to be further away out of this area. San Jose already have enough Costco nearby.

I earnestly request blanking the plan to establish Costco in Westgate mall.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

<Your Name and neighborhood go here>

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Comment Letter 272

Feedback for Westgate West Costco DEIR, File no. CP21-022

Ajit Lalwani [REDACTED]

Tue 2/20/2024 10:38 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am very concerned about the impact on air quality in the area, increase in traffic which is already high with two schools in the area, and foremost safety of the school children walking home. Drivers are NOT going to take main roads like Saratoga and Lawrence to go to store. Only fools will take the main road which are already heavily congested, specifically Saratoga which is now narrowed down from three lanes to two lanes for bicycle safety. Google Maps will show them inside roads through residential and Elementary School area to get to Costco.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Ajit Lalwani, Country Lane Neighborhood

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Comment Letter 273


Feedback for Westgate West Costco DEIR, File no. CP21-022

Amy Cody [REDACTED]

Tue 2/20/2024 2:34 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

Cc: Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>; Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

 1 attachments (130 KB)

MWNA Costco DEIR response_final.pdf;

[External Email]

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Ms. Hawkins,

Attached is the Moreland West NA's feedback for the Westgate West Costco DEIR, File no. CP21-022.

Thank you for your consideration and response.

Sincerely,

Amy Cody

President, Moreland West NA

www.morelandwest.org

[REDACTED]

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February 20, 2024

Kara Hawkins
Department of Planning, Building, and Code Enforcement
200 East Santa Clara St, 3rd Floor
San Jose, CA 95113

Re: **Feedback for Westgate West Costco DEIR, File No. CP21-022**

Ms. Hawkins,

Thank you for this opportunity to comment on the DEIR for the proposed Costco Warehouse project. The Moreland West Neighborhood Association represents the area in San Jose and Campbell bordered by Hamilton Avenue, Campbell Avenue and San Tomas Aquino Road. Our neighborhood is located in the heart of the Paseo de Saratoga Urban Village, which encompasses the proposed Costco site. Our residents shop and dine at Westgate West's neighborhood stores and restaurants. We travel on roads surrounding the site to commute to work and back. Our teenagers walk, cycle and drive to and from Prospect High School daily.

We commented on the NOP of the DEIR for this project. Our primary concerns remain:

- **Incompatibility with Urban Village Goals.** Replacing neighborhood businesses with a massive retail warehouse and parking that accommodates 5,500 vehicles daily conflicts with the City of San Jose's vision to create a **high-density, pedestrian and bicycle-friendly, transit-oriented** Urban Village here. A Costco Warehouse at this location would impact the ability to development significant new housing in nearby San Jose or Saratoga, and it would create challenges and limit opportunities for future, high-quality Urban Village planning in the area.
- **Traffic Impacts on Local Streets, Neighborhoods & Businesses.** The DEIR offers inadequate traffic analysis for the 11,000 daily vehicle trips that Costco is expected to generate. In particular, **impacts along congested Prospect Road will be severe and require further study and mitigation**, such as longer or additional left turn lanes onto Lawrence Expressway and Saratoga Avenue. Local streets and neighborhoods will experience additional traffic, and Country Lane – with a direct entrance to the project – will likely require mitigations. Due to the location and inadequate amount of Costco parking and the **lack of protected parking for co-located businesses**, site circulation is a major concern, with Costco and non-Costco shoppers vying for limited surface parking.

Moreland West Neighborhood Association

- **Pedestrian & Cyclist Safety**, especially along Prospect Road
- **Energy Demand & Greenhouse Gas Emissions** resulting from the project

I. The DEIR's Deficiencies Do Not Permit Meaningful Public Review of the Project

After reviewing the DEIR, we find that our concerns – described above and below – have not been allayed by its findings, and believe the document has flaws that make it difficult to evaluate the true impact of the project. The proposed Costco site is within the City of San Jose's designated Paseo de Saratoga Urban Village and it should be considered how the project would support or undermine long-term plans for the area. We had hoped the DEIR process would evaluate the project's consistency with the City's plans to transform the area into a high-density, pedestrian and bicycle-friendly, transit-oriented, mixed-use Urban Village.

Similarly, the DEIR's project evaluation does not consider the City of Saratoga's plans for high density residential development across Prospect Road, nor the City of San Jose's plans to build several high density residential buildings along Saratoga Avenue, including on the Popeye's site, located at the Costco entrance at Graves & Saratoga Avenues.

The transportation analysis and other studies fail to take into account the cumulative impact of foreseeable development in the area, much of which San Jose, Saratoga and Campbell are counting on to meet their current Regional Housing Needs Allocation (RHNA) goals:

- 1312 El Paseo & 1777 Saratoga Avenue Mixed-Use Village Signature Project, including a Whole Foods Market and significant plan revisions
- Plans by Westgate Church (across from the Costco site) to expand and relocate its parking lot to Prospect Road and construct a mixed-use building on Saratoga Avenue
- Expansion of retail/restaurant space at 1200 El Paseo de Saratoga
- Multi-unit residential development at Saratoga Avenue & Doyle Road
- Multi-unit residential development at Lawrence Expwy & Doyle Road
- High-density development plans at Prospect Road & Lawrence Expwy (across from the Costco site) per the City of Saratoga's updated Housing Element roadmap
- High-density development plans on Saratoga Avenue between Prospect Road & I-280 per the City of San Jose's updated Housing Element roadmap
- High-density development plans on Saratoga Avenue between Cox Avenue & Hwy 85 per the City of Saratoga's updated Housing Element roadmap
- High-density development plans at San Tomas Plaza per the City of Campbell's updated Housing Elementy roadmap
- Total growth plans for the Paseo de Saratoga Urban Village

II. The DEIR Fails to Adequately Evaluate & Mitigate the Project's Energy & Greenhouse Gas Emission Impacts

The DEIR notes that the City of San Jose requires “solar readiness” and “EV equipment” yet neither are described in the project. What are the specific and enforceable measures for energy, gas emissions and transportation that will reduce environmental impacts to less than significant levels? How will the project support San Jose's goal of carbon neutrality by 2030? Intent to enroll in PG&E's Solar Choice Program — if/when available — isn't enough.

Given that so much of the project site consists of parking, the opportunity to install solar panel canopies should not be missed. These create energy savings two ways, not only from the capture of solar energy that would otherwise be wasted, but also by providing cooling shade for the vehicles underneath, resulting in less power used for air conditioning. Solar panels cover parking at Prospect High School. As a retail leader with over 870 warehouses worldwide, Costco should generate onsite energy through solar over surface parking, too.

Similarly, Costco parking is an excellent location for EV charging stations, which are critical to encourage people to switch to electric vehicles. They should be a required and robust part of the Costco project plan, especially in light of the projected 5,500 cars on site every day.

The Transportation Study finds that over 600 new vehicle trips per day are expected to be generated by Costco employees. Will Costco encourage its employees to take transit or alternate forms of transportation to reduce the number of vehicles on the road? How will it do this? Has Costco provided a Transportation Demand Management Plan (TDM)? If so, is it available for public comment?

III. The DEIR Fails to Adequately Assess Existing Conditions and Evaluate & Mitigate the Project's Transportation Impacts.

The transportation analysis appears to be deficient in multiple areas, including but not limited to: failing to adequately describe the site's existing conditions; failing to fully analyze the project's impact on bicyclists and pedestrians; failing to include bicycle facilities or identifying bicycle lanes where they do not currently exist; no identification of non-ADA compliant pedestrian facilities; omission of the Saratoga Avenue and Quito Avenue intersections with Cox Avenue from the study area; or a solution or mitigation of the adverse queueing impacts for turning lanes at the intersection of Lawrence Expressway and Prospect Road (in fact stating that “**many of the adverse effects to queuing do not have feasible improvements.**”)

The study shows that this project will generate in excess of 11,000 new car trips per day -- over 4 million car trips per year. The study did not include the peak afternoon traffic hours for Prospect High School, which are also prime shopping hours. There is already gridlock at the intersection of Prospect Road and Lawrence Expressway twice a day, when students arrive or depart from school on foot, by bicycle, and in cars. Failing to include afternoon school dismissal time in the transportation analysis was a glaring oversight.

Additionally, the analysis failed to adequately analyze traffic conditions and impacts involving the Country Lane neighborhood, which has direct vehicle access to the project. Currently, some drivers heading from Country Lane to Lawrence Expressway travel on Graves Avenue and through the shopping center to avoid traffic on Saratoga Avenue and Prospect Road. This behavior was not recognized. The DEIR does recommend a deeper analysis of traffic impacts in the Country Lane neighborhood, but only after construction. This is too late.

The proposed project will add to the **City of San Jose's Vision Zero** safety concerns for the area. The City has designated Saratoga Avenue a Priority Safety Corridor due to its high number of vehicle-related deaths and severe injuries. Costco is relying on Saratoga Avenue to feed the warehouse a parade of delivery trucks and cars from multiple entrances, yet the project plan calls for no safety improvements at all here.

The City recently re-stripped Saratoga Avenue and gave it a "road diet" to calm traffic and reduce pedestrian and cyclist fatalities. The existing entrance/exit from Westgate West onto Saratoga Avenue, behind the Chipotle restaurant, has several blind parking spots very close to the pull-out onto Saratoga Avenue. This project will greatly increase the number of vehicles trying to turn in and out of an already hazardous major road.

Safety at the intersection of Prospect Road and Lawrence Expressway is of utmost concern due to the hundreds of students who walk and cycle to and from Prospect High School each day. Students must walk outside of crosswalk lines because there are too many youths trying to cross these very large and congested roads. There are no school district-provided buses, so students walk, cycle, drive or rely on public transportation. To access VTA buses, students must cross this busy intersection and others. Cross country and other athletes from Prospect High School, Lynbrook High School, and Archbishop Mitty High School traverse this intersection while running along local roads.

On a Nextdoor discussion thread re: pedestrian and cyclist safety at the intersection of Prospect Road and Lawrence Expressway, someone posited that student safety should be the concern and responsibility of Prospect High School, not Costco. Yet it's Costco's 11,000 vehicle trips per day that will make a bad situation worse. The project's impact at this intersection must be recognized and mitigated.

Finally, to mitigate transportation impacts, the DEIR suggests increased pedestrian activity and bicycle use, but doesn't offer specific or required measures to achieve this.

IV. The DEIR Fails to Adequately Evaluate & Mitigate Other Environmental Impacts

According to the DEIR, the majority of this project's expected noise impact will occur during the construction phase and – unless mitigated – will have a significant, detrimental impact. For ongoing use of the site, there will be a less significant but real impact. The report lacks a complete, detailed set of noise and vibration mitigations for both the construction phase and the ongoing use of the site. Daily operations after construction would also create incessant noise, especially from the tire center, delivery trucks, forklifts, and mechanical equipment. Much of the

noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also fails to provide details about the effects of soil vapor intrusion on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes.

Many of the listed mitigation suggestions for reducing air pollution focus on encouraging the use of public transportation and minimizing car trips while encouraging pedestrian and bicycle trips. It's absurd to expect that a significant number of customers of a private warehouse shopping club, known worldwide for selling groceries and household goods in bulk quantities, would walk or ride a bike to do their shopping.

How can we assess the project's impacts or feasibility through the present DEIR when so much was omitted from consideration and when mitigations are unspecific, unenforceable or inadequate? As others will note in greater detail, among other fundamental deficiencies, the DEIR fails to adequately describe key components of the project, it understates the project's significant environmental impacts and assumes that unquantified project design features will effectively reduce these impacts. The DEIR also fails to provide a legally adequate alternatives analysis.

In order to resolve these issues, we request that the City prepare a revised EIR that would remedy these deficiencies so that the true impact of this project can be evaluated.

Thank you again for this opportunity to comment.

Amy Y. Cody

Amy Cody
President, Moreland West Neighborhood Association
Email: [REDACTED]

Cc: Mayor Mahan, Vice Mayor Kamei, San José City Councilmembers
Planning Commission Chair Lardinois

Comment Letter 274

Feedback for Westgate West Costco DEIR, File no. CP21-022

Angela Chu [REDACTED]

Tue 2/20/2024 3:20 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

My name is Angela and I am a 26 year resident of the Country Lane Neighborhood which is right next to the proposed Costco Warehouse at Westgate West. My home on Augusta Way is about a half of a mile from the proposed site. I used to be a student at Prospect High School, and I would walk to school every day by cutting through the complex where the proposed site is. I walked this way to avoid being close to heavy traffic, and because my parents felt that it was a safer route.

I am concerned that this project is inappropriately scaled for the current and possible infrastructure at the site and feel that it should be denied.

I am also concerned about the statement by the DEIR that states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). With Saratoga Ave recently being reduced from 6 to 4 lanes in an attempt to calm traffic, wouldn't all the proposed traffic from this proposed site be a step backward from efforts to increase safety and reduce traffic on Saratoga Ave? Furthermore, what about high school students today who walk through this area to get to school, just like I did? This project would make it significantly more difficult and possibly more dangerous for our youth who are getting to and from school this way. In order to get to work, I take Saratoga Ave from Country Lane Ave or Graves Ave. The traffic is already congested each morning and evening from my neighbors, local students, and

local shoppers getting to Trader Joe's or nearby, going to and from this area. The additional traffic produced from this proposed site is only going to make the traffic worse. I'm concerned for my neighbors who live right adjacent to the site on Graves Ave or nearby. They will have to experience an influx of pollution from cars and trucks going to the site, as well as noise pollution. I don't want my neighbors to suffer as a result of this proposed project.

If the city insists on approving this dangerous project against better judgement, the city must create, fund, and put in place specific traffic and pedestrian mitigation measures to address student, pedestrian, and cyclist safety before funding this project.

There are many other concerns that have been raised by my fellow neighbors that I have not even mentioned in my letter, but I share many of their concerns as well.

Thank you for your time and for reading my letter.

Best,
Angela Chu
Resident of Country Lane neighborhood

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Comment Letter 275

Feedback for Westgate West Costco DEIR, File no. CP21-022

Anita Guerra [REDACTED]

Tue 2/20/2024 5:00 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

Yes, one more person in our neighborhood is shocked that the City of San Jose may prioritize sales tax revenue over the health and safety of our residents and our children.

I too have reviewed the Draft Environmental Impact Report for the PROPOSED WESTGATE WEST COSTCO project and am compelled to provide you with my feedback.

- a Costco larger than the one on Lawrence in Sunnyvale with less parking seems WILDLY INSANE (and that Costco is in an industrial area next to train tracks.... Sunnyvale Costco does not have residents right next to it, nor does it have students walking to and from school literally walking/biking/driving through the parking lot)

- since the city planners never quite thought about how students and parents would get to Prospect High and/or Country Lane if they live on the other side of Lawrence, or on the other end of Westgate West -- Westgate West is an unofficial street that cars drive through every morning before school, and then after school to deliver or fetch their children... and students walk and ride bike through there also --- if you really want the Costco sales tax revenue, DO BETTER and have a way for cars to actually be able to have a street to accomplish this with well laid out safety... take some of the money being spent on putting in street bike lanes and dividers (on Saratoga Avenue between Payne and Williams done in the last few months) and use the funds to make Westgate West safe & well demarcated!

Apparently we care about cyclists on Saratoga but there is little regard for thousands of students in and around Country Lane and Prospect High and Westgate West.

- having had my foot run over in the Costco Sunnyvale parking lot by a Costco customer rushing to leave the parking lot, the idea of safety is paramount and personal for me -- by the way, the driver never even stopped by the way! Where is CCTV when you need it to find out a license plate !

- safety - traffic calming CIRCLES should be installed on Graves avenue to prevent transport trucks from going to the entrances off of Graves, no access, period! (note calming circles can be designed with a slightly raised concrete border that still allow EMS and fire trucks to access the street)

- the walkway along Lawrence on the east side is not safe now -- I have seen students almost get taken out by a car as they come out of the walkway (to cross the parking lot exit) goes south along the Lawrence walkway/sidewalk where the sidewalk/walkway feeds out at the light on Lawrence, it is a blind access and I have seen cars just not stop at all before exiting the parking lot to turn right and go north on Lawrence

Thank you for your consideration and your care in responding to these serious concerns that I have brought up, along with the many many others that are emailing or sending letters with other details! Find another way to generate the revenue that Costco is tantalizing you with, we your residents are worth your consideration.

Sincerely,

Anita Guerra

 San Jose

San Jose West

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Comment Letter 276

No Costco at Westgate West// CP21-022

Annie March [REDACTED]

Tue 2/20/2024 4:07 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Dear Mayor Mahan, Ms. Hawkins and San Jose City Councillors,

The new proposed Costco at Westgate West is close to my home, at a location I routinely bike to for groceries, take out and housewares. Of course, no one bikes to Costco. Costco sells jumbo sized products that generally require a car to carry them.

My neighbors are very upset about the traffic and loss of parking that seems inevitable with this project. I'm curious to know: when you review the plans, does it seem like there won't be traffic jams? Does it seem like other neighborhood (non-Costco) shoppers will have a place to park?

I'm most upset about the air pollution associated with trucking to big box stores that will have a direct effect on the houses closest to where trucks will be constantly pulling in and out. I imagine there will be a sharp increase in truck traffic, in comparison with other retail stores. Have y'all examined how kids and those with asthma or other compromised health will be affected by living near this truck traffic?

Frankly, I am unsure what the benefits are of having a Costco... What are the benefits? Are there no other retailers to fill that space? I see there will be 250-300 estimated more jobs, but doubt they will pay enough for folks who live in my zip code. People who like to buy in bulk can buy in bulk there... Of course they could also have purchased in bulk from the Smart & Final which is no longer there. Any other benefits to adding Costco to our community?

I'm not a fan of this plan and I'd love nothing more than for that space to be filled with smaller retailers.

Thanks for reading,

Annie March



San Jose, CA 95129

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Comment Letter 277

EIR Comments - WESTGATE WEST COSTCO WAREHOUSE PROJECT (CP21-022)

Anonymous Resident [REDACTED]

Tue 2/20/2024 4:45 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; info@savewestvalley.org <info@savewestvalley.org>

[External Email]

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Dear Ms. Hawkins,

Thank you for all your efforts in compiling the community comments to the proposed project. Please find the following questions and comments to the DRAFT EIR. You may have received similar comments from the community as there has been considerable outreach to the neighborhoods on this project.

The Costco Wholesale Membership Club development appears incompatible with Envision San Jose 2040 General Plan Land Use designation as Neighborhood/Community Commercial District. Pursuant to Senate Bill 1333, charter cities like San Jose were to align the zoning district and general plan land use designations. As such San Jose has a policy to realign the zoning district to match the land use designation. It appears that this project has not followed the adopted general plan and the latest proposed development does not adhere to the City's Planning Department Guidance.

The EIR land use does not address the incompatible land use between the Costco diagonally across the street from a high school. This is a land use conflict. The Westgate West development should adhere to the current Neighborhood/Community Commercial Land Use. There are no other Costco's in the greater Bay Area that are built around an existing high school.

For neighborhood protection, Costco should not have any access through Graves Avenue. No City has allowed Costco warehouses in the Bay Area allow traffic to funnel through existing residential neighborhoods into parking lots. The EIR studied this as Alternative B in the Transportation Analysis excluding access through Graves Avenue. Examples of Costco developments separating existing neighborhoods (Costco – Almaden, Costco – San Leandro, Costco – Danville).

The EIR traffic analysis shows about 1/3 of the traffic accessing the residential neighborhood to load and unload the parking lot. Please have the EIR address where other jurisdictions have allowed such access. The City of Danville Costco protects the existing residents. Why would this project be any different?

The project will increase delivery trucks and Costco member's vehicle counts at Country Lane Elementary and Easterbrook Discovery School. Costco development should remove all access from Graves Avenue and protect schools from additional traffic.

The traffic analysis appears to show over one third of the peak traffic travelling through Graves and the existing neighborhood. The City of San Jose and other cities have consistently protected neighborhoods from traffic flowing through impacting the community. Please ensure the same planning comments protecting neighborhoods are analyzed through the proposed development process.

Big Box warehouse developments are permitted and constructed in Industrial Zones, or Commercial Industrial Zones. Membership club warehouses are not appropriate for neighborhood serving retail zones.

The proposed project has or will displace neighborhood serving facilities including (past and current tenants): yoga wellness facility, medical urgent care facility, supermarket (non membership), goodwill store, autocare facility, furniture store, AAA, restaurants, small business chocolate store, indoor child gymnastics, laundromat, indoor cycling club, and local restaurants. A large concern is that when the existing leases for other neighborhood businesses end that Costco will remove these others for additional parking.

The Westgate West land use designation is Commercial General and Warehouse Retail is not an allowed use in the City of San Jose code, see Chapter 20.40.100, Table 20-90 "Commercial Zoning Districts and Public/Quasi-Public Zoning District Use Regulations" for approved uses. Warehouse Retail is not listed as an allowed use.

Development plan submitted does not align with San Jose General Plan designation. San Jose Planning has provided guidance to property owners "Aligning zoning districts and land use designations reduces confusion. Property owners have a clearer understanding of how their property can be used for future projects, and this will save time and costs for owners who are interested in developing their property".

Does the traffic analysis include additional pedestrian safety measures for Prospect high school students at the intersection of Lawrence and Prospect given the increased traffic and increased truck deliveries?

Consider traffic improvements to install double left turn or extend left hand turn lane from Southbound Lawrence Expressway as the new vehicle counts may backup traffic on Lawrence Expressway.

EIR and Transportation Analysis does not identify increased vehicle counts along Doyle Road and Country Lane Neighborhood impacting Country Lane Elementary (Teresita Drive/Brenton Avenue/Country Lane) and Easterbrook Discovery (Doyle Road).

What are the developer plans (if any) on rezoning the property from the current Neighborhood/Community Commercial designation?

The EIR does not appear to include any Costco gasoline or other future expansion plans. Does the property owner have a phasing plan to remove existing building(s) with neighborhood services, amenities, or small businesses? If there are other development phases, shouldn't that be reflected in the EIR. How do we address the concern of a piecemeal environmental approval process for the development?

Rooftop Parking – Proposed rooftop parking generates increased glare from rooftop lighting. Please confirm that the parapet wall is high enough to contain glare and illumination from vehicle headlights.

Elevated rooftop parking will increase sound and noise propagation. Development should refine design to absorb noise and deflect noise away from adjacent neighborhoods. Does acoustic assessment include vehicle and Costco patron noise on the proposed rooftop parking?

Should a shade study be performed given the development has requested reduced variances from the setback requirements? To the extent residential homes are shaded and impacted from installing rooftop solar, development should be responsible for financial impacts to neighbors.

The proposed development does not adhere to the current San Jose's zoning ordinance for setback requirements. The EIR should include a project alternative that meets current setbacks.

The residential roadways should not be used to access the Costco development. Other Costco warehouses in the Bay Area do not access residential streets. Examples (Costco – Almaden, Costco – San Leandro, Costco – Danville).

Remove Vehicle Driveway access through Graves Avenue: The proposed development should have no vehicle access or driveways along Graves Avenue. This is Alternative B as studied in the EIR Appendix I - Transportation Analysis which excludes access through Graves Avenue.

Should the traffic study include neighborhood protections if Graves Avenue access remains? A more thorough analysis of mitigations required to prevent impacts to the residential community should be identified in the EIR to include traffic calming and other measures that would be the responsibility of the developer. Could this require several years of monitoring and additional mitigation projects for the safety of students and pedestrians?

A full perimeter fence or soundwall should be installed (with no pedestrian access directly into Costco) along Graves Avenue to prevent Costco members or employees from intruding into the neighborhood for parking.

Traffic study shows completion date is October 2023, prior to San Jose's Saratoga Avenue safety improvements and lane reductions. Has the EIR sufficiently analyzed the current 2024 traffic calming and lane reductions and reconfiguration on Saratoga Avenue?

The increased traffic in Alternative A of the EIR does not account for the removed third lane southbound on Saratoga Avenue. How will the project address the increased vehicle, bicycle conflicts given the increased safety with the new improvements on Saratoga Avenue.

Will the Costco development increase traffic counts trigger a role back on these safety and bike lane improvements?

The EIR Alternative Placement of Onsite Alternative is incorrect in Figure 8.2-1. Costco has stated that they will close the vehicle access and Costco truck deliveries on Graves Avenue. This design should not rely on loading the parking lot through the residential neighborhood. This alternative should be corrected.

The development should only have access from commercial frontage along Prospect and Lawrence Expressway.

The City of San Jose has compiled background accidents with bicycles and pedestrians. This project should be required to further mitigate if there is an increased amount of conflicts between vehicles and pedestrians/bicycles.

If Costco access is proposed along Graves Avenue, the developer should be required to study and implement traffic calming projects throughout the neighborhoods. This mitigation could be extended for several years. This could include additional lighted crosswalks, stop signs, parking restrictions (permitted parking) closing of through traffic in the Country Lane neighborhood to prevent neighborhood intrusion.

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Comment Letter 278

Feedback for Westgate West Costco DEIR, File no. CP21-022

ARNOLD BREIT <a[REDACTED]>

Tue 2/20/2024 9:42 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Arnold Breit

I am strongly opposed to the proposed to the Costco project.

I have owned a home and lived in the country lane neighborhood for 45 years. In recent months I have frequently traveled through the Lawrence/ Prospect intersection to visit a resident at the Villa Fontana community.

What I have witnessed at different hours, is organized traffic chaos. I would be at best, hesitant to cross either of these 2 thoroughfares as a pedestrian, for fear of being struck. The dozens of high school students who must negotiate up to 12 lanes of traffic to attend school at Prospect are already at peril. Adding the traffic as described in the EIR would be, to say the least, be irresponsible.

My family has had 8 members attend classes at Prospect and I am expecting 2 more grandchildren to attend in the near future. I want them to have the safest scholastic experience possible.

Perhaps our civic leaders involved in this approval process will spend some time as pedestrians crossing this intersection and deny this project in favor of another use that won't contribute to pedestrian peril.

Thank you,

Arnold Breit

Arnold Breit Photography

155 E. Campbell Ave.

Suite 214

Campbell, CA 95008

408-220-4687

abreit@comcast.net



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Comment Letter 279

Re: Feedback for Westgate West Costco DEIR, File no. CP21-022

Balasubramanian Narasimhan [REDACTED]

Tue 2/20/2024 3:56 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois,

I just wanted to add one more point to my letter.

As I read the DEIR again, I realized that the impact to Lawrence because of the truck traffic will be even more catastrophic because CA 85 does not allow trucks; all trucks will be routed through Lawrence or Saratoga Ave. The burden of noise, pollution, congestion together with the danger to pedestrians is very real, especially during school and commute times.

Please vote this proposal down; it does not fit the area.

Thank you.

--Balasubramanian Narasimhan

San Jose, CA 95129

On Mon, Feb 19, 2024 at 6:34 PM Balasubramanian Narasimhan <[REDACTED]@sanjoseca.gov> wrote:

Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois,

Thanks for the opportunity to provide feedback on the the proposed Westgate West Costco project.

I have written before that this project of this size is inappropriate for the Country Lane Neighborhood for several reasons including concerns regarding pollution, traffic, noise. The DEIR does nothing to address any of these issues. The increase in traffic (11,000+ trips/day) alone will lay waste to the character of the neighborhood and the four schools (Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle). Already, the traffic on Lawrence has now gotten louder over the last 5 years--- I hear it even as I go to bed. And now this proposal aims to increase it exponentially, around this compact neighborhood, defying all logic. I bring to your attention that just recently, because of safety concerns, Saratoga Avenue underwent a transformation where lanes were reduced from three to two and new lane markings were added, all in recognition of the dangerous traffic conditions present. How does that even square with the huge increase in traffic that the proposal will generate? Furthermore, the whole neighborhood will almost certainly become a maze of shortcuts for people trying to get to Costco, endangering children and folks living in the area.

This is a congested neighborhood where many people from around the area still manage to take walks. There are senior citizens from the retirement homes on Payne who bring their dogs to the dog park; there are school children biking through from Payne and Campbell avenue to school; there are parents dropping off and picking up children at country lane. All of these would be affected immensely by the scale of this project. And Graves avenue is a particular problem; the truck traffic and idling will generate enough pollution to take a few years off a resident's life if not more. No effort has been made to close off Graves Avenue!

I am afraid the DEIR offers little to mitigate these concerns. It goes against your own guidelines for your own objectives in the Envision San Jose General Plan.

Therefore, I urge you to reject the current proposal.

Sincerely,

Balasubramanian Narasimhan
San Jose, CA 95129

--

Balasubramanian Narasimhan

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Comment Letter 280

Costco Westgate West project DEIR comments`

Barbara Leimer-Bunsey [REDACTED]

Tue 2/20/2024 4:24 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Dear Ms. Hawkins, Mayor Mahan, Members of the Planning Commission, San Jose City Council Members,

I have lived in the Country Lane neighborhood for 20 years. I am also a satisfied Costco member. However, my home is adjacent to the proposed Costco warehouse building site in Westgate West and I am very concerned about the impact of this project.

The most significant, and most unaddressed issue I see is the monumental increase in traffic to this area. According to Costco's own findings, 11,000 more car trips will be added to our community **per day**. That is 18 times more traffic than this area currently sees! 18 times! How can this be considered "less than significant?" Prospect High School is within ¼ of a mile from this proposed site. With 1500 teenagers. It takes only common sense to see how 1500 teenagers and 11,000 cars will collide, both literally and figuratively. And yet, Costco has added no significant road improvements in their plan.

If no road improvements occur, especially on Lawrence Expressway, where will frustrated, gridlocked drivers go to escape the traffic? They will turn onto Doyle Road, and then zip through Country Lane neighborhood. On their way, they will approach Easterbrook Discovery School, and pass by Country Lane Elementary School. This is a disastrous, hugely unsafe scenario just waiting to happen.

On San Jose's government website, I see that one of the city's goals is to develop and foster urban villages within our city, and that the space in Westgate West is within the area of "Horizon #3." I cannot see how the addition of a Costco in this space will advance these goals. Costco, by its very nature, requires more vehicular traffic and less "transit use, bicycling, and walking," which are stated goals of urban village projects. How many customers will be both willing and able to take large bulk items on a bus or their bicycle?

Beyond safety concerns, I think about the day-in and day-out sounds of lug nuts being removed and replaced with air compressors echoing across the landscape; the parking nightmares for anyone trying to shop at Trader Joe's or Starbucks; the business that will be taken away from smaller established stores in the area. This doesn't seem to fit with San Jose's general plan.

Finally, I'd like to emphasize that I am not against development of this area. To the contrary, I would love to see it grow into a thriving and vibrant center of activity with quality businesses. However, the placement of a Costco in this location reminds me of Cinderella's step-sister trying to jam her foot into the glass slipper. As much as they push, it will never really fit.

I urge you to decline the building of a Costco warehouse on the Westgate West site.

Thank you for your consideration, and for all you do to make our city better.

Kindly,
Barbara Bunsey

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Comment Letter 281

Feedback for Westgate West Costco DEIR, File no. CP21-022

Kim Jackson [REDACTED]

Tue 2/20/2024 4:58 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am sending this email for a friend that does not have a computer.

Her name is Barbara D. Wilson

She states that she is a resident of West San Jose since 1966 and is in agreement with the comments that have been submitted by the West Valley residents that are saying No to a Costco at Westgate West.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Barbara D Wilson

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Comment Letter 282

Feedback for Westgate West Costco DEIR, File no. CP21-022

Betty Bennett-Morse [REDACTED]

Tue 2/20/2024 4:01 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

Honestly, I doubt that I'm going to find any better reasons on what a ridiculous site this is for a Costco than others have already pointed out. I have lived in Saratoga Woods my entire life and attended Prospect High School. I have seen many changes over the years. These past couple of years the multitude of proposed developments projected for this little corner of the world is entirely out of the realm of feasible, safe or necessary. We live on the Saratoga/San Jose border so we have both cities plaguing the same corridor with massive high rises, dense housing leaving us with gridlock, unsafe conditions and visual blight.

The safety of the Prospect High School students is another ginormous concern. When there is an incident it will be a could of, should have situation. At that point it will be way late. Secondly, building another Costco in such a densely populated area is unnecessary. We have 3 Costco's nearby and all an easy drive. Two are less than 6 miles away and another less than 7 miles away. San Jose and Saratoga planning commission need to communicate. Take a good look at it, within less than 2 miles from the corner of Saratoga Avenue and Lawrence Expwy to Westgate West Costco there will be the El Paseo Urban Village with two high rise apartment buildings directly across the street. These are just the closest developments. Saratoga has plans for further building on Saratoga Ave. near Cox and 85 and more up and down Prospect so they can meet their RHNA requirements from the state. There will be years of building and when the projects are finished Saratoga Avenue/Lawrence Exp. and Prospect Road will be no better able to handle the traffic than it is now. We have no plans of improving safety or expanding these roads. This is reckless. Currently, the traffic is horrific with only two lanes on either side of the street. During commute hours, we already can't get out of Saratoga Woods. There has been even more restrictive traffic

pattern changes on Saratoga Avenue for some unknown gain and have made it impossible to enter and leave local businesses. Finally, the environmental impact is much too great a sacrifice. Once all these buildings are completed there will be no going back to the way this area was. A place every one would love to call home.

As a final comment. All of the building proposed is going to clutter our skyline. The Saratoga Hills, Santa Cruz Mountains and Mt. Hamilton frame the views from our homes. This will be gone forever. That is too much a sacrifice. I'm all for changes that make sense, serve the people, and enhance the beauty of our two cities. What is proposed makes absolutely no sense for anyone. Clearly, the way we live will be no more. Noise, pollution, wasted time and energy, traffic and even our neighborhoods will change forever with folks using our neighborhoods to bypass the entire mess.

Please, please stop this insane idea of needing yet another Costco. Our little corner of these two cities needs a break from developments. We can't bear one more building. The impact is too great.

NO! on Costco at Westgate West.

Thank you for hearing what the people of this community want and will be sacrificing should this Costco come to fruition.

Your care in responding to these serious concerns is appreciated.

Most Sincerely,

Betty Bennett-Morse



Saratoga Woods

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Comment Letter 283

Feedback for Westgate West Costco DEIR, File no. CP21-022

Bill Bradley <[REDACTED]>

Tue 2/20/2024 4:31 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; bill_bradley_ca@yahoo.com <bill_bradley_ca@yahoo.com>

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Subject: Concerns regarding Westgate West Costco DEIR, File no. CP21-022

Dear Planning Department representatives, Mayor Mahan, Vice Mayor Kamei, and San Jose City Council members:

The Draft Environmental Impact Report (DEIR) appears to have been prepared with a faulty traffic analysis scope, flawed data, skewed assumptions, and negligently misses obvious traffic and **safety concerns**, as well as missing the importance of alignment with the Envision San Jose 2040 General Plan which identified the area of the proposed project towards an Urban Village.

Unlike the urban village planning with community involvement in Winchester Rd, Santana Row and Stevens Creek areas, the greater Westgate area identified in the Envision plan for an urban village has already been blind-sided by the high-rise high density El Paseo de Saratoga project proceeding without community input to the urban village plans.

Without proper data, many of the DEIR assertions of "Less than Significant" impacts cannot be relied upon.

Lack of independence is another potentially alarming facet to the DEIR and Local Transportation Analysis (LTA), as preparation by Kittleson & Associates mentions in the LTA that Kittleson has had a business relationship with Costco for over 20 years, covering United States, Canada and Mexico.

- **THE DEIR AND LTA DEFICIENCIES MAY BE CONSIDERED SO PROBLEMATIC AS TO WARRANT CAREFUL REVIEW BY THE CITY MANAGER, CITY LEGAL COUNSEL AND CITY COUNCIL MEMBERS TO MITIGATE COSTLY LAWSUITS RESULTING FROM POTENTIAL DEBILITATING ACCIDENTS OR DEATH DUE TO NEGLIGENT HANDLING OF TRAFFIC AND PEDESTRIAN SAFETY CONSIDERATIONS**

The San Jose Transportation Analysis Handbook outlines a process for the Traffic Analysis Scope in Section 2.2 Scope of Work involving the Public Works Department, and including stipulations that the work scope should document key project assumptions and justification of those assumptions.

In a February 5, 2024 community meeting hosted by Vice Mayor Rosemary Kamei, Kittleson consultants presented highlights of the DEIR and LTA. During the Question and Answer session, the consultant answering LTA questions mentioned a few times that the **scope was limited**, and did not include analysis of **pedestrian safety impacts** at the Prospect High School intersection, and did not address the City traffic calming impacts which reduced Saratoga Ave northbound and southbound lanes between Graves Ave and Prospect Rd, as well as the Prospect Rd westbound reconfiguration to accommodate bicycle transit between Saratoga Ave and Lawrence Expressway.

- The Draft EIR and LTA scopes need to adequately address pedestrian and bicycle safety impacts, which may likely show that there are no reasonable mitigations for the mixture of pedestrians, bicycles and increased traffic resulting from the project.
- The Work Scope for the DEIR/LTA as referenced in the LTA as Appendix A to the LTA does not contain a narrative of key project assumptions and justifications relative to the deficiencies in scope limitations mentioned in the preceding paragraphs.
- Appendix A beginning on LTA pdf page 92/266 provides Turning Movement Counts (performed by Quality Counts) dated January 13, 2022, January 20, 2022, January 27, 2022, February 10, 2022, and March 10, 2022
 - THESE DATES ARE HIGHLY PROBLEMATIC IN THAT THEY OCCUR DURING THE SANTA CLARA COUNTY PUBLIC HEALTH COVID RESTRICTIONS PERIOD (March 16, 2020, NOT RESCINDED UNTIL FEBRUARY 28, 2022) AND LIKELY UNDERSTATE CURRENT TRAFFIC CONDITIONS
 - MORE CURRENT TRAFFIC ANALYSIS SHOULD BE PERFORMED TO BE REPRESENTATIVE OF NORMAL CONDITIONS AS BASES FOR ALL LTA AND DEIR PRESENTATIONS. IT IS HIGHLY LIKELY THAT CURRENT TRAFFIC LEVELS ARE MUCH HIGHER, AND IN CONJUNCTION WITH NEW COSTCO PROJECTED TRAFFIC WILL RESULT IN SIGNIFICANT TRAFFIC AND PEDESTRIAN SAFETY IMPACTS.
 - WHY WERE THE TRAFFIC COUNT DATES ALL PERFORMED ON THURSDAYS? THURSDAYS MAY LIKELY BE LESS INTENSIVE TRAFFIC DAYS THAN FRIDAY, SATURDAY, SUNDAY, MONDAY DUE TO THE COMMON SHOPPING HABITS OF PEOPLE.
- The “scoping memo” dated March 18, 2022 provided by Kittleson to SJ Public Works begins on LTA pdf page 127/266.
 - Considering that the NOTICE OF PREPARATION (NOP) had a community response period of January 12, 2022 thru February 11, 2022, the scope and content of the LTA as processed thru the Public Works Department appear to have missed addressing concerns raised.
- Narrative within LTA Appendix A about the Costco Trip Database and Site Trip Generation Estimates begin on pdf page 130 and go thru pdf page 144. On LTA pdf page 132 it is stated that Trip information is based on 4 local area Costco locations during April 2019.
 - JUSTIFICATION SHOULD BE PROVIDED FOR WHY APRIL 2019 REFLECTS A GOOD BASE YEAR PERIOD FOR TRIP CONSIDERATIONS AND WHY A MORE CURRENT PERIOD AFTER COVID AND AFTER MANY YEARS OF ADDED

DEVELOPMENTS SINCE APRIL 2019 HAS NOT BEEN USED FOR THE DEIR.

- **AS THE SITE TRIP GENERATION PAGES UTILIZE ASSUMPTIONS ON TOP OF ASSUMPTIONS, THE SITE TRIP GENERATION ESTIMATE PAGES CARRYING SPECIFIC PERCENTAGES SHOULD BE FURTHER DESCRIBED, SCRUTINIZED AND JUSTIFIED, AND LIKELY SHOULD BE AUGMENTED WITH SENSITIVITY ANALYSIS OF BEST CASE AND WORST CASE RANGE COMPUTATIONS. THE PRESENTATION OF INFORMATION WITHOUT A PLUS OR MINUS RANGE INCORRECTLY INFERS A HIGHER DEGREE OF ACCURACY THAN POSSIBLE USING ASSUMPTIONS ON TOP OF ASSUMPTIONS.**
 - **COSTCO'S MOST RECENT PUBLIC COMPANY ANNUAL REPORT ON FORM 10-K FOR THE FISCAL YEAR ENDED SEPTEMBER 3, 2023 STATES: "The material seasonal impact in our operations is increased net sales and earnings during the winter holiday season.". A PROPER TRAFFIC AND SAFETY STRESS TEST SHOULD INCLUDE VEHICLE MILES TRAVELED AND TRIP ANALYSIS OF THE WINTER HOLIDAY SEASON.**
- **LTA Appendix B documentation on LTA pdf pages 146/266 thru 149/266 includes data in the form of Traffix reports with Level of Service (LOS), Delay per vehicle, and Base Queue data last updated December 1, 2016, under a Scenario Report titled "Existing". LTA Appendix E documentation on LTA pdf pages 186 thru 188 includes data in the form of Traffix reports with Level of Service (LOS) and Delay per vehicle and Base Queue data last updated December 1, 2016, under a Scenario Report titled "Background Conditions".**
 - **In the February 5, 2024 community meeting with the Vice Mayor and Kittleson consultants, the Kittleson traffic consultant suggested that current traffic conditions would likely reflect a deterioration of the LOS categories for intersections such as Saratoga Ave/Prospect, Prospect/Westgate West.**
 - **With those locations and several others shown to have LOS "D" classifications as of 2016, deterioration should be further evaluated by providing more current traffic studies.**
 - **The presentation of Traffix report information utilizing data from 2016 is outdated and likely not reliable towards a realistic understanding of current and proposed traffic, not adequately reflecting impacts of subsequent developments to date, such as Cupertino Main Street development and other permit issuances for residential building additions, and inferred population increases giving rise to traffic increases within the region considered to reflect the new Costco location membership map.**
- **In the February 5, 2024 community meeting with the Vice Mayor and Kittleson consultants, the Vice Mayor pointed out that there are many challenges with the project involving coordination of impacts with the many adjacent jurisdictions such as the City of Saratoga, Schools, Santa Clara County (Lawrence Expressway) and possibly the City of Campbell and City of Cupertino.**
 - **The City of Saratoga has submitted their responses to the DEIR and they should be taken seriously.**
 - **The cumulative impacts of various jurisdiction General Plans responding to State Mandated Housing Goals logically pose significant impacts to traffic, level of service, and information pertinent to due diligence in assessing LTA conclusions on pdf pages 90/266 thru 91/266 which illogically claim "less than significant" impacts (which get carried into the DEIR representations)**

- The DEIR Vehicle Miles Traveled (VMT) Analysis is presented on pdf pages 236/286 thru 237/286. The DEIR references Appendix I, the LTA, for calculations. As indicated in previous paragraphs, the LTA methodology and use of outdated traffic counts and LOS data is problematic. The LTA pdf page 40/266 and DEIR pdf page 236/286 describing methodology appear to have MISSED CONSIDERATION OF VMT FOR ESTIMATED VMT ASSOCIATED WITH EXISTING MEMBERS SHIFTING FROM THE EXISTING WAREHOUSES TO THE NEW WAREHOUSE MAKING MORE TRIPS. THIS CATEGORY OF INCREASED BUSINESS FOR COSTCO MUST BE REASONABLY DETERMINED WITH ASSUMPTIONS AND JUSTIFICATIONS, SCRUTINIZED AND INCLUDED, AND MAY LIKELY PUSH THE DEIR FIGURE SHOWN AS 2,596 MILES OF REDUCED PROJECT VMT INTO A NET INCREASE OF VMT MILES - A CONDITION WHICH RESULTS IN CEQA CATEGORIZATION OF A SIGNIFICANT IMPACT.
 - The DEIR Methodology on pdf page 236/286 describes use of a San Jose VMT Tool, which “streamlines” computations. Considering the atypical characteristics of Costco business as compared to typical retail business, the efficacy of using the VMT Tool should be further described.
 - Again, as mentioned earlier, assumptions on top of assumptions, and the efficacy and accuracy of estimates and streamlines do not provide an adequate basis for representation of an exact figure.

This review and comments reflect high level considerations requiring further attention. There has not been enough time given to weigh many other practical deficiencies in depth, such as

- The northbound Lawrence Expressway traffic merge to the right lane along with the westbound Prospect Road traffic right turning and merging a lane to the left to continue with northbound Lawrence happens within a short distance, likely to reach an unsafe tipping point with increased volumes of traffic.
- The increased traffic exiting the new Costco onto westbound Prospect and attempting to turn left onto southbound Lawrence, where the left turn lane onto Lawrence will be too short for increased traffic loads; together with increased eastbound traffic on Prospect trying to make a left turn at the signalized intersection into the Westgate West shopping center where the left turn lane will be too short for increased traffic loads; and the insufficient distance for lengthening those left turn lanes relative to increased traffic.
- The parking problems with respect to sizes of parking stalls and two way traffic in parking lanes not wide enough to accommodate vehicle movement along with shoppers with the oversize Costco shopping carts and flat hand trucks.
- Queuing problems with the ground level and roof top parking where arriving members will not be very likely to navigate driving to unseen roof top parking availability, thereby clogging ground level parking lanes. [Maybe mitigated somewhat if a sensor based roof top parking availability system is included with ground level LED signage (like for Santana Row multilevel garage).

Thanks for considering and addressing these comments prior to City Council votes on the acceptability of the new Costco project.

Bill Bradley, nearby resident homeowner since 1997 in the English Estates neighborhood

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Comment Letter 284

Feedback for Westgate West Costco DEIR, File no. CP21-022

Stephanie <[REDACTED]>

Tue 2/20/2024 8:27 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I am writing to provide my feedback on the Westgate Costco Project.

I am wondering if a PEDESTRIAN BRIDGE could be placed to cross over Lawrence near the stoplight. There will be very heavy traffic if the Costco is put in. I don't know what you can do to deal with the increased traffic. It will make it hard for people to get places dealing with the long traffic lines.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Brianna Ferreira, English Estates area

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Comment Letter 285

Feedback for Westgate West Costco DEIR, File no. CP21-022

Carmita Villavicencio-Broussard [REDACTED]

Tue 2/20/2024 3:17 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

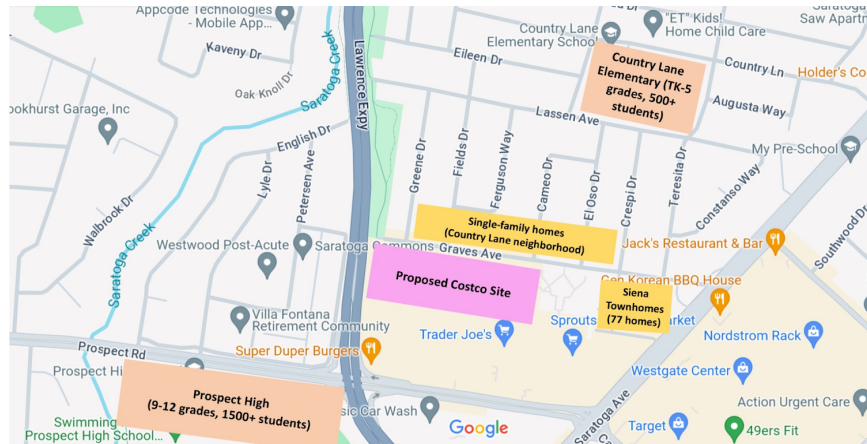
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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

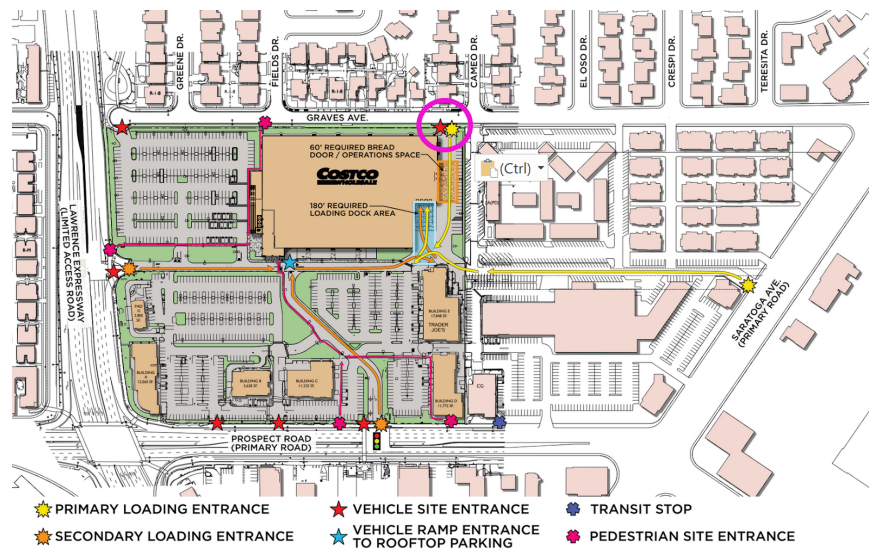
1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

Our kids personally walk from our home to their schools - Prospect High School and Country Lane Elementary. With the increased traffic, congestion, what benefit does Costco provide to guard our children and their walks to and fro school?

This is NOT a light-industrial area where other Costcos have historically been constructed. This is a thriving, vibrant residential community with children, partners, parents, and grandparents, who value our safe access to educational facilities. Children's SAFE access to our educational institutions should ALWAYS remain the priority.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse

effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square

foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as "locally and regionally accessible by multiple transport connections" on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the "engagement of local residents in planning the urban village" and "a mix of housing and employment to reduce traffic." The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control

Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

6. Costco is a Members-Only Store; the claim that the whole Community will benefit is a false narrative in itself.

Instead, why don't we perhaps convert that space to a wonderful park that allows for temporary small business stalls? A Farmers Market will work nicely - with nearby Saratoga wineries, we can entice them to sell at West San Jose.

Examples:

- **NYC's Farmer's Market** <https://www.theagencyre.com/blog/the-8-best-farmers-markets-in-nyc/>
- And learn from our neighbors who are the **Best Food Markets in Europe**: <https://www.ultravilla.com/best-food-markets-europe/>

Protect this space - after all, we started as a pueblo! We are a community, not an industrial area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required

between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Carmita Broussard

West San Jose, 95129

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Comment Letter 286

Feedback for Westgate West Costco DEIR, File no. CP21-022

Carolyn Brown [REDACTED]

Tue 2/20/2024 2:52 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am extremely concerned about the safety of pedestrians and motorists of all ages that will be jeopardized by the increases in traffic and congestion with a Costco at Westgate West. The area is already subject to delays and gridlock especially at peak hours and worse on school days. One need only look at the two Costco Warehouse stores that are within a few miles of this site to see the potential impacts: delays, accidents and injuries.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Carolyn Brown, Westmont neighborhood

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Comment Letter 287

my feedback for Westgate West Costco DEIR, File no. CP21-022

Coralmoon [REDACTED]

Tue 2/20/2024 2:35 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Dear Ms. Hawkins,

I have reviewed the Draft Environmental Impact Report (DEIR), File no. CP21-022, and am writing to share my feedback.

First of all, I should let you know that my house is in the Country Lane neighborhood, a few streets north of Graves ave.. **I'd like to speak as a potentially impacted neighbor to this project.**

While I could just copy from the information provided by [savewestvalley.org](#), which I assume that you might have read, however, I'd like to add that **while I agree with their data points, I thought I should give a few of my own suggestions/requests for making the project more acceptable** based on their plausible data analysis.

I have given a lot of thought and summarized 4 points of concerns with **7 requests (in red)** for your consideration.

1. Potential increased traffic that cut through our (Country Lane) streets.

On most days, **north of Graves ave**, our (Country Lane) neighborhood has been very very quiet and you rarely see many cars except during the school pickup and drop off hours for the Country Lane elementary school. With the opening of a driveway access on the north-east side of the proposed Costco site on Graves ave, many of us fear that **drivers outside of our neighborhood** who are frustrated with the increased traffic brought upon by Costco on the major streets, namely, Lawrence Expy, Prospect rd, and Saratoga ave, **will cut through the Country Lane neighborhood, thus bring in increased traffic and safety issues to the residents north of Graves ave..** This is very unfair to the residents here. **My request is to disallow any shopper vehicle access from Graves ave** (or the adjacent professional center) while allowing for foot/bike traffic, e.g.:

A. make the north-east driveway on Graves ave truck-access-only

A.1 In addition, **Costco should install mechanisms in their shopping carts so that they can't leave the site.** This will discourage shoppers, despite 'A' above, from using Graves ave as their parking lot. Together with 'A' above, this should keep the traffic on and north of Graves more or less similar to what we have today.

- B. add one more driveway on Prospect instead:** there are currently 3 driveway accesses from Prospect rd. Why is there only one on the Costco plan? I believe all existing driveways on Prospect should remain accessible to Costco **or else you are going to create some points of congestion.**
- C. Make sure no vehicle access can cut through between the professional center and the shops south of the professional center, or else people will still be tempted to cut through the CL neighborhood.**

2. pollution

[savewestvalley.org](https://www.savewestvalley.org) summarized it well on this topic, for example, "...A Costco **tire center** would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health...", etc.

- D. I'd like to request that Costco remove the tire center service.**

3. Site too small, and needs to reduce overall traffic increase in the surrounding areas.

We all see how large other nearby Costco sites are and yet how crowded they get both in the parking lot and inside the warehouses. **The less services there are, the less traffic there will be.** My request is to scale down and reduce services. The most obvious that comes to mind is the **food court** (it being a people and traffic magnet).

- E. I'd like to request that Costco remove at the minimum the food court,** and even some other less frequently needed services such as **optical/vision center**, which people would not mind going to other locations. The **Tire center** would also fall into the **"not serving the community much" category**, although it is already on my "cut" list under "pollution" above.

4. Pedestrian safety

The intersection at and near Lawrence Expy and Prospect road get super congested at the beginning and end of a school day. Many students in our and nearby neighborhood walk or bike to Prospect high school. I've heard of something called **"sky bridges"** that sounds like a very good idea to provide a safe alternative for pedestrian crossing.

- F. I'd like to request that Costco provides funds to add these sky bridges:** Adding these sky bridges will also have a very good side-benefit, which is to reduce the frequency that cars need to be stopped at red lights, thus increasing the traffic throughput. It's a win-win solution.

thank you,
Christina

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Comment Letter 288

Feedback for Westgate West Costco DEIR, File no. CP21-022

Christine Tsai <[REDACTED]>

Tue 2/20/2024 11:41 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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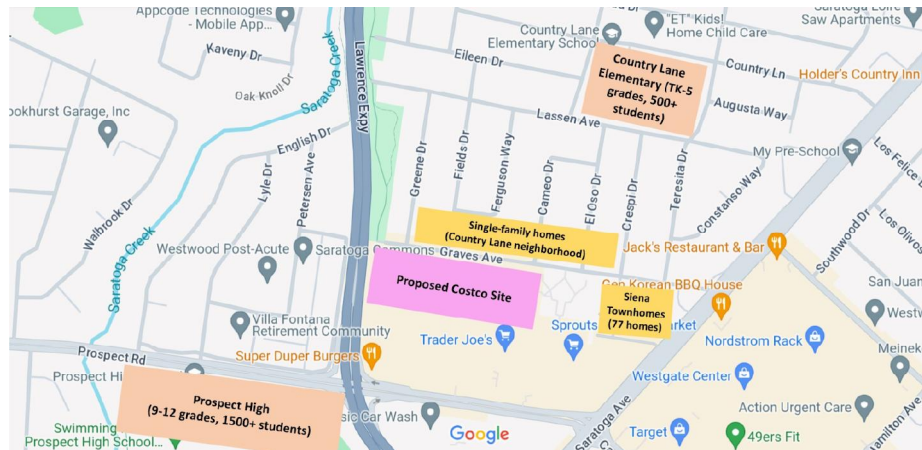
Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

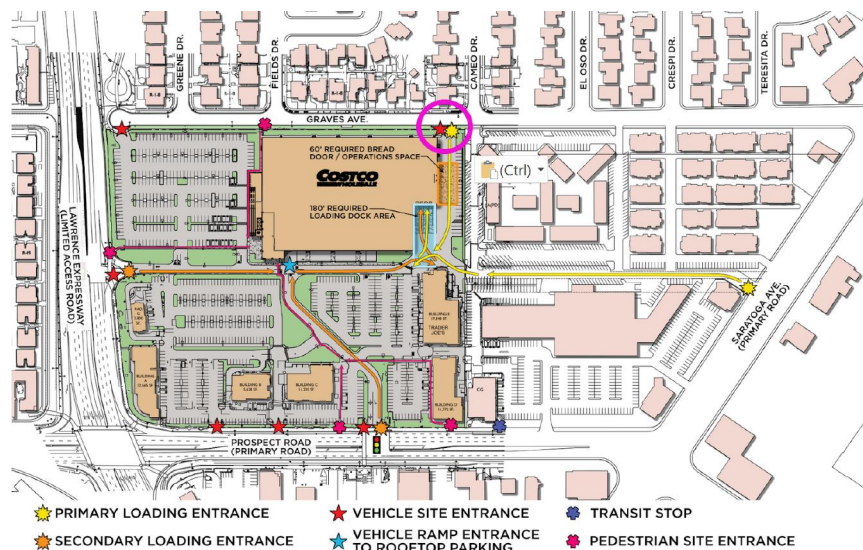
The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s

[Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colored figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costo's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as "cut

throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major

thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns.

The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes

would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers' radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic

compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3

according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to “support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities.” The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service

is miles away and there are no other viable public transit options. Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the "engagement of local residents in planning the urban village" and "a mix of housing and employment to reduce traffic." The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an "area of undue concentration." Since the proposed off-sale location is in an **over-concentrated census tract**, Costco's conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a

recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José’s decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to “sit at the table” with major decision-makers. There is a

considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Christine Tsai
95129

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Comment Letter 289

Feedback for Westgate West Costco DEIR, File no. CP21-022

Cindy Brown [REDACTED]

Tue 2/20/2024 2:44 PM

To: Batra, Arjun <arjun.batra@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>
Cc: District1 <district1@sanjoseca.gov>; Planning Commission 5 <PlanningCom5@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

My name is Cindy Brown and I have lived in my house on Cordelia Avenue for 64 years in the Country Lane Neighborhood which is right next to the proposed Costco Warehouse at Westgate West. I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am concerned about the over 11,000 car trips the project will generate (per Appendix L Transportation Analysis pages 13, 41) particularly at the already over-congested intersection of Lawrence Expy and Prospect Ave. There have been 4 pedestrian/car accidents involving students at that intersection in the past year alone.


The Costco project does not plan for any major traffic controls or mitigations, only including minimal changes like sidewalk improvements and road striping. This makes worse an already unacceptable risk for students, pedestrians, and cyclists. This project alone generates more traffic at that site than roads can handle. Add in the traffic from thousands of new housing units across Prospect Road and along Saratoga Avenue and you have a recipe for danger, gridlock, and increased vehicle pollution from traffic-jammed cars.

This project is inappropriately scaled for the current and possible infrastructure at the site and should be denied.

If the city insists on approving this dangerous project against better judgement, before granting approval the city must create, fund, and put in place specific traffic and pedestrian mitigation measures to address student, pedestrian, and cyclist safety.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Cindy Brown

 San Jose, CA 95129

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Comment Letter 290

Feedback for Westgate West Costco DEIR, File no. CP21-022

Connie Tietze <d[REDACTED]>

Tue 2/20/2024 3:45 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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February 20, 2024

City of San Jose
Department of Planning, Building, and Code Enforcement
Kara Hawkins, Planner
200 E. Santa Clara Street, Tower 3rd Floor
San Jose, CA 95113-1905
Kara.Hawkins@sanjoseca.gov

Re: Draft Environmental Impact Report for Westgate West Costco Warehouse Project
File No. CP21-022

Dear Ms. Hawkins:

I am a 35-year resident of the Country Lane neighborhood and my home is approximately 400 feet from the proposed Costco warehouse.

I have read the Draft Environmental Impact Report (DEIR) for the proposed Westgate West Costco warehouse project and am writing to provide my comments.

Costco's proposal to put an oversized (165,148 square foot) members-only serving retail warehouse on an undersized lot (9.69 acres) with insufficient parking (687 total surface and rooftop spaces) that will generate 11,000+ car trips per day in a neighborhood/community commercial shopping center directly across from a high school and right in the front yards of established residential neighborhoods is in conflict with our city's plans, visions, and goals and should not be approved.

Following are my specific comments on the DEIR.

Executive Summary

1. Project Overview, p. ES-1: The description of the proposed Costco is incomplete as it does not reflect the actual size of the Costco site area of 9.69 acres within the overall Project site of 19.8 acres. The location of the Costco building is inaccurately described as being on the "...northwestern portion of the Project site..." when it is actually located on the northeastern portion of the Project site. In order to properly evaluate the Costco project and the impacts of same, it is essential to understand the size and boundaries of the Costco site area and its location within the overall Project site of 19.8 acres. Based on the foregoing, the project description in this section of the DEIR must be corrected accordingly.

2. Table ES 1.1-1, Summary of Significant Impacts and Mitigation Measures, Impact NOI-1, p. ES-6: The Significant Impacts column mentions that project construction would result in substantial noise-generating activities within 500 feet of residential uses and 200 feet of commercial uses. Since there are residential uses within 500 feet to the east of the project site, why aren't these residential uses described in the Significant Impacts column along with the residential uses within 500 feet to the north of the project site?

3. Table ES 1.1-1, Summary of Significant Impacts and Mitigation Measures, MM NOI-1 Construction Noise Logistics Plan, p. ES-6 and 7: Since the substantial construction noise-generating activities described in Impact NOI-1 will occur within 500 feet of residential uses and 200 feet of commercial (uses), why are the notices to be sent prior to commencement of construction activities regarding the construction schedule of the proposed project as a mitigation measure only being sent to property owners and occupants located within 300 feet of the project boundary? Shouldn't all such notices be sent to property owners and occupants located within 500 feet of the project boundary at the very least?

4. Table ES 1.1-1, Summary of Significant Impacts and Mitigation Measures, NOI-2, p. ES-8: The Significant Impacts column mentions the impacts of noise levels from Nighttime project construction activities and 24-hour concrete pours exceeding noise standards on both the residences to the north and the residences to the east. Why would both the residences to the north and the residences to the east be impacted by the noise impacts of NOI-2 and only the residences to the north be impacted by the noise impacts of NOI-1 (see item 2. above)?

Project Information and Description

Section 2.1 Existing Project Site, p. 7: The total number of parking spaces available to serve the existing buildings is inaccurately described as being "...1,311..." when it is actually 1,031. Please correct this information in the DEIR.

Section 2.2 Project Site Vicinity, p. 8: In the third sentence, the name of the shopping center to the east is inaccurately described as "... the Westgate Shopping Center..." when it is actually the West Valley Shopping Center. In the fifth sentence, the name of the shopping center that

is beyond the residential uses further to the east is inaccurately described as "...the Westgate Shopping Center" when it should be either the Westgate West Shopping Center or the West Valley Shopping Center depending on the intent of the drafter. Please correct this information in the DEIR.

Section 2.3 Proposed Development, Proposed Project, p. 8: The description of the proposed Project is incomplete as it does not reflect the actual size of the Costco site area, which consists of "...one new wholesale warehouse retail center ("Costco building") and associated rooftop and surface parking...", of 9.69 acres. In order to properly evaluate the Costco project and the impacts of same, it is essential to understand the size and boundaries of the Costco site area within the overall Project site of 19.8 acres. Based on the foregoing, the proposed Project description in this section of the DEIR must be corrected accordingly.

Section 2.3 Proposed Development, Costco, p. 8: The location of the Costco building is inaccurately described as being on the "...northwestern portion of the Project site..." when it is actually located on the northeastern portion of the Project site. Please correct this information in the DEIR.

Section 2.3 Proposed Development, Costco, p. 9: In the Westgate West Costco Warehouse Project NOP, January 2022, p. 2, Costco indicated that operation of the Costco would include "Propane refueling and sales". Is Costco still planning to include propane refueling and sales in its operations at the Westgate West location? If so, please evaluate the impacts of these activities and include them in the DEIR.

Section 2.3 Proposed Development, Costco, p. 9: Unless Costco plans to close two of the three driveways from Prospect Road described in Section 2.1 Existing Project Site, p. 7, the fifth sentence of the paragraph beginning with "The Costco building..." in this section should be modified to read "Vehicle access to the surface parking from off-site would be provided by **six** driveways (**one** from the Lawrence Expressway, **three** from Prospect Road, and one from Graves Avenue) with an additional access point from Saratoga Avenue...". Please correct this sentence in the DEIR.

Section 2.4 Project Objectives, Objective 11., p. 12: The name of the shopping center in this objective is inaccurately described as "...the Westgate Shopping Center" when it should be the Westgate West Shopping Center. Please correct this information in the DEIR.

Air Quality

The Draft EIR states that "Source parameters for construction equipment and on-road mobile sources were developed based on USEPA's Particulate Matter Conformity Guidance for Hotspot Analysis, the USEPA AERMOD user guide, and South Coast Air Quality Management District (SCAQMD) Localized Significance Threshold Methodology." Why does the Draft EIR cite the South Coast Air Quality Management District's (SCAQMD) Localized Significance Threshold Guidance in Section 5.3.3. - Source Characterization for a Project located in the Bay Area Air Quality Management District?

Section 5.3.1 - Construction Sources Activity of the Air Quality Appendix states: "Emissions from construction vehicle activity were assumed to occur between the hours of 7AM and 7PM, per San Jose municipal code. Emissions from concrete trucks were assumed to occur between the hours of 12AM and 10AM, per Project-specific input. Construction will occur 6 days per week from February 2024 to November 2025, with concrete trucks operating during an approximately 12-day period within the building construction phase." How can the concrete trucks

operate from 12 AM to 10 AM if the construction activity is to be limited to 7 AM to 7 PM? How did this impact the modeled concentration of diesel particulate matter along the northern portion of the project site?

Section 5.3.2 - Operational Sources Activity of the Air Quality Appendix states: "Emissions from passenger vehicle activity were assumed to occur between the hours of 9:00 AM and 8:30 PM, 7 days per week, and 365 days per year based on the anticipated operating schedule of the Costco warehouse. Emissions from warehouse delivery trucks and TRU activity were to occur between the hours of 2:00 AM and 12 PM, 7 days per week, and 365 days per year based on the operation schedule of the warehouse deliveries. " Did this analysis include movement of the trucks through the community from 2:00 AM until 12 PM? How did this impact the modeled concentration of diesel particulate matter along the northern portion of the project site?

Based on the construction schedule, it appears that Demolition and Site Preparation is occurring concurrently. Given the size of the Project, please explain why it will take 315 days to complete the Demolition and Site Preparation?

In Table C-1 of the Air Quality Appendix assumes a duration of 287 days for the Site Preparation And Demolition. Why did the preparers reduce the number of days of construction?

On Table 5-5 the Air Quality Appendix notes that "Mitigated construction emissions assume the use of Tier 3 + Level 3 DPF mitigation for construction equipment greater than 50 hp." Tier 3 technology was replaced by Tier 4 Interim and Tier 4 Final technology. Why did the City not require the use of Tier 4 technology in the analysis?

The Draft EIR supplies input values for the AERMOD file but not the AERMOD input file. Please supply the file in a native format, preferably by posting to the Project page on the City's website. If other models were used to calculate cancer risk at each receptor location, please supply the native input files for those as well.

Please disclose whether the residential areas within 1,000 feet of the Project currently face elevated cancer risks from DPM exposure or other pollution burdens.

The Phase II ESA of the Project Site indicates that carbon tetrachloride was detected in the soil vapor nearest the residences to the north of the Project Site. Please provide further information and detail about the offsite concentration of chlorinated solvents in the affected community.

EIR Table 3.3-11 reports "N/A" for both unmitigated and mitigated cumulative cancer risk impacts from existing "major highways" sources, indicating in a footnote that "Cancer risk and PM2.5 concentration values were determined using BAAQMD's raster tool which reports risks and impacts for major highways, major streets and railways. Impacts were based on the maximum impact of a raster cell located near the maximally exposed receptor."

Please provide the most recent available data for daily truck traffic counts on the major roads near the site, including Lawrence Expressway, Prospect Road, and Saratoga Avenue.

Please report the existing ambient cancer risk at the MEI from existing highways sources, or explain how BAAQMD's raster tool is a substitute for this risk level determination.

Land Use and Planning

The DEIR states that the Project site has a neighborhood/community commercial (NCC) General Plan land use designation and a Commercial General (CG) zoning classification. Please identify any existing Costco warehouse retail center operating in the City of San Jose, and list the General Plan land use designation and zoning classification for each one.

Transportation / Traffic

The following comments address the Transportation Analysis prepared by Kittelson & Associates, Appendix I of the DEIR.

Existing Traffic Conditions

Page 14: The following signalized intersections were not included in the Transportation Analysis even though all are located between other study intersections.

- Lawrence Expy / Mitty Way
- Lawrence Expy / Doyle Rd
- Saratoga Ave / Blackford Ave
- Saratoga Ave / Williams Rd
- Saratoga Ave / Doyle Rd-San Tomas Aquino Rd
- Saratoga Ave / Payne Ave

The Country Lane neighborhood, which is immediately north of the proposed Costco warehouse site, is bordered by Doyle Road, Saratoga Avenue, Graves Avenue, and Lawrence Expressway.

Of particular concern to the Country Lane neighborhood are the signalized intersections at Lawrence Expy / Doyle Rd and Saratoga Ave / Doyle Rd-San Tomas Aquino Rd that were omitted from the study intersections. Since Doyle Road will be a primary feeder of neighborhood cut-through traffic in the Country Lane neighborhood to the proposed Costco when Lawrence Expressway and Saratoga Avenue back up, which will impact both Easterbrook Discovery School and Country Lane Elementary, it is essential that these intersections, along with the other omitted intersections set forth above, be studied and included in the DEIR Transportation Analysis.

Pages 14 - 15: Please show the complete work concerning the derivation of existing traffic volumes. The discussion is very brief and does not allow the reader to understand whether the relatively high percent increases for non-CMP intersections (Table 3) are reasonable.

Page 18: Please include the complete TRAFFIX output reports. The summary reports are not sufficient to properly review the work.

Page 22: Please show the work relating to the average member trip lengths without and with the new warehouse (Table 6). This is essential to allow the reader to understand this fundamental variable.

VMT Analysis

Page 25: Please show the work relating to the diverted trip length derivations for the warehouses (Table 7). This is essential to allow the reader to understand the nature and values of diverted trips.

Local Transportation Analysis

Page 34: The fact that the consultant maintains a Costco travel database is noted. However, there is no discussion of how the trip generation rates for the project were derived. Please provide the underlying Kittelson trip generation and travel characteristics data for Costco so that the Transportation Analysis's assumptions may be properly vetted. Please also explain the rationale and process used to derive the trip rates on Table 17 (i.e., are the results some sort of average, and do they have a geographic/local focus?). What is relevant about the comparison of the ITE Trip Generation rate and the Costco database rate?

Page 34: Please explain the rationale and process applied, and results of, using the Costco member surveys to derive the three trip types shown in Table 17.

Page 35: Please explain why ONLY Building F trip generation is included in Table 18. Why are Buildings H and J NOT included; they will also be removed and were assumed to be occupied. The actual existing site trip generation is the key relevant fact, and could be calculated based on the existing driveway counts that were conducted for this study. This is a potential fundamental flaw in the analysis.

Page 35 - 36: The reduction in employee trips shown in Table 19 (-600) is apparently due to the claim at the top of p. 36 that employees typically travel to and from the site outside of peak hours. Please document the Costco shift schedule to corroborate the claim.

Page 38: The general approach to pass-by and diverted trip assignment seems reasonable. Please show the work that led to these shares; these trip types represent a significant "credit" in the trip generation calculation. It is recognized that Appendix D contains the resulting vehicle trips by category.

Page 44: Please include the complete TRAFFIX output reports. The summary reports are not sufficient to properly review the analysis.

Page 44: The intersection analysis results shown in Table 20 (Background conditions) are clear. However, there are no facts presented to allow the reader to judge whether the changes from the existing condition (Table 4) to the background condition (Table 20) are reasonable. On the surface, the changes are nominal. As noted in the comment on pp. 14-15 above.

Page 45: Please include the complete TRAFFIX output reports. The summary reports are not sufficient to properly review the analysis.

Page 49: Please include the complete TRAFFIX output reports. The summary reports are not sufficient to properly review the analysis.

Page 53: Please include table data for all intersections discussed here. This will help the reader interpret the results.

Page 54: What is meant by “noticeable effect” at intersection 16? Table 22 shows the LOS change from B+ to B-.

Page 56: At intersection 17, the stated result is a substantial exceedance at a major intersection (change from 200 feet to 300 feet, with a 230-foot storage capacity), which could have a dramatic effect on operations. Please expand to corroborate the conclusion.

Page 56: At intersection E, does this not impact the operations at the adjacent parking drive aisle?

Page 56: At intersection 4, please expand to support this conclusion. This is a major intersection; a queued vehicle encroaching on a through lane could be problematic.

Page 56: At intersection 5, it appears that improvements are necessary to support the project at all movements cited. Please document what WILL be done.

Page 56 - 57: At intersection 6, it appears that improvements are necessary to support the project at all movements cited. Please document what WILL be done.

Page 57: At intersection 11, it appears that improvements are necessary to support the project at eastbound and westbound left-turn pockets. Please document what WILL be done.

Page 57: At intersection 12, it appears that improvements are necessary to support the project. Please document what WILL be done.

Page 57 - 58: At intersection 13, it appears that improvements are necessary to support the project. Please document what WILL be done.

Page 58: At intersection 3, it appears that improvements are necessary to support the project. Please document what WILL be done.

Page 59: At intersection 18, please expand to support this conclusion. This is a major intersection; a queued vehicle encroaching on a through lane could be problematic.

Page 60: The project should be required to participate in the pedestrian improvement at intersection 11.

Page 61: The project should be required to participate in the pedestrian improvements at the locations cited.

Page 62: Please state the estimated bicycle parking demand and discuss what the project will be required to implement to address the shortfall of bicycle parking spaces.

Additional Transportation / Traffic Concerns

a. Project Parking

--Bicycle Parking

The proposed Costco site does not have sufficient bicycle parking. Specifically, the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the proposed Costco project site (Appendix I - Transportation Analysis, page 62).

--Motorcycle Parking

The DEIR does not include information with regard to the number of motorcycle parking spaces being proposed by Costco for its project site nor the number motorcycle parking spaces required by the city for the proposed Costco project site. Without the foregoing information, the sufficiency of motorcycle parking spaces for the proposed Costco project site cannot be properly evaluated and, therefore, the DEIR should be revised to include it.

--Vehicle Parking

The proposed Costco project, which is the first of its kind in the US with rooftop parking, does not have sufficient vehicle parking to meet the City of San Jose parking requirements and fails to meet Project Objective #12 (DEIR, p. 12) to "Provide sufficient on-site parking to meet the needs of warehouse members and to minimize spillover spaces for other business and nearby residences."

Westgate West Shopping Center currently has 1,031 surface parking spaces on-site. The development of the Costco project would increase the total number of parking spaces by 280 parking spaces for a total of 1,311 parking spaces; however, it would also result in decreasing the number of surface parking spaces by 101.

The Costco proposal only provides for 687 (381 rooftop and 306 surface) vehicle parking spaces (Table 2.3-1: Proposed Parking, p. 10) on its 9.69-acre site. The remaining 624 vehicle parking spaces on the surface are for the Westgate West Shopping Center (Table 2.3-1: Proposed Parking, p. 10).

Although Table 3.17-2 in the DEIR (p. 221) and Table 28 in Appendix I - Transportation Analysis (p. 68) correctly reflect the City's requirement of 702 parking spaces for the proposed Costco, each erroneously overstates the number of Proposed Total Parking Spaces as 862 because Kittleson & Associates included 175 parking spaces that are outside of Costco's site area and belong to Westgate West Shopping Center to Costco's total of 687 parking spaces to erroneously arrive at the conclusion that Costco meets the City's parking requirements. If the Proposed Total Parking Spaces had been correctly stated as 687, it would be clear that Costco does not meet the City's requirement of 702 parking spaces.

Since 381 of Costco's parking spaces will be on the roof, which will be accessed by a single one-lane in and one-lane out ramp, people will be inclined to use the reduced surface parking first, leaving less parking for other businesses such as Trader Joe's, Starbucks, etc., causing vehicles queuing and circling the parking lot for parking spaces and spilling over into other businesses and near residential areas.

In addition to the above, Costco fails to address where its 250 - 300 employees will park. Will they be required to park in Costco's surface parking spaces? Will they be required to park in Costco's rooftop parking spaces? If not, what will prevent Costco's employees from parking in the Westgate West Shopping Center's 624 surface parking spaces or from parking in the West Valley Professional Center, the West Valley Shopping Center, or in the Country Lane neighborhood?

b. Cut-Through Traffic

Residents regularly walk and bike through the Country Lane neighborhood for exercise and to get to local schools, parks and shops. Even with current levels of traffic, students, pedestrians and cyclists of all ages are put in danger by hurried drivers trying to get to homes, schools, work, etc. With a Costco warehouse in Westgate West generating 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pp. 22 and 35), when traffic on surrounding streets (particularly Lawrence Expressway and Saratoga Avenue) backs up, impatient and frustrated shoppers will look for easier ways to get to the warehouse through the neighborhood, driving right by the Country Lane Elementary school from multiple directions, to the remaining primary access point on Graves Avenue, increasing the chances for dangerous student/pedestrian/bicycle and vehicle interactions.

The Transportation Analysis does not include a study of cut-through traffic in the Country Lane neighborhood. Since "Cut-through trips could adversely affect the character and function of local neighborhood streets and can be exacerbated by development projects." (Appendix I – Transportation Analysis, p. 61), it is vital that the proposed project's effect on cut-through traffic be studied and included in the DEIR Transportation Analysis.

Beyond the above concern, the Country Lane neighborhood should be protected from cut-through traffic, as well as other Costco customer and delivery truck traffic, etc. by closing off the remaining Graves Avenue entrance to the proposed Costco as a condition of approval for the project.

c. Traffic Congestion

Many local residents in San Jose and the surrounding communities of Saratoga and Campbell currently use Saratoga Avenue, Prospect Road, Lawrence Expressway, Doyle Road, etc. to drive to and from our homes, our elementary, middle, and high schools, our jobs, and to Highways 85 and 280. Traffic is already congested on each of these roads and the addition of 11,000+ vehicle trips a day generated by Costco will create gridlock, causing increased pollution/vehicle emissions hotspots due to more time spent idling while stopped at lights and being stuck in traffic.

In addition, the recent traffic calming and bicycle safety measures that reduced the number of lanes from three to two on Saratoga Avenue along the path to/from the proposed Costco site have altered traffic in the affected area. The Transportation Analysis does not address these changes to Saratoga Avenue and the impact on traffic flow/congestion in the area and, therefore, the traffic study needs to be rerun to accurately reflect these conditions and its impacts.

Urban Decay

The Draft EIR omits an urban decay analysis, even though CEQA has long recognized this as potentially significant impact of large-scale retail development in built-out retail market areas. (*Bakersfield Citizens for Local Control v City of Bakersfield* (2004) 124 Cal.App.4th 1184.) There appear to be several existing, neighborhood-scale retail establishments operating in a manner consistent with the NCC land use designation that could be adversely impacted by the Costco. If any of these retailers were to close as a result, there is a potential for a “domino effect” of retail closures nearby, potentially leading to urban decay.

Please identify any existing retailers within 1 mile of the Project site with whom Costco would compete, evaluate whether they are likely to close as a result of this competition, and the potential for urban decay if this were to occur.

Cumulative Impacts

As set forth in Section 4.0 Cumulative Impacts, p. 239, “The purpose of the cumulative analysis is to allow decision-makers to better understand the impacts that might result from approval of past, present, and reasonably foreseeable future projects, in conjunction with the proposed project addressed in this EIR.”

While the DEIR concludes that “neither construction nor operation are anticipated to result in impacts significant enough to be cumulatively considerable beyond a 2.5-mile radius of the Project for all resource areas with the exception of GHG emissions, where the Project’s contribution to a cumulative impact with the City of San Jose, the greater air basin, and globally is discussed.”, the DEIR does not describe how it arrived at the 2.5 mile radius as the appropriate distance for assessing cumulative impacts nor does it describe whether any portion of the housing units anticipated due to the Regional Housing Needs Allocation for both San Jose and Saratoga were included in the future build out assumptions for the cumulative analysis. That being said, since Urban Planning Partners is/has been serving as a consultant to Costco on the Project that is the subject of this DEIR and is/has also been serving as a consultant to the City of Saratoga on its current General Plan and the Environmental Impact Report for its Housing Element for 1700 units, any and all Saratoga Housing Element projects within such 2.5 mile radius of the Project, particularly those along the Saratoga Avenue and Lawrence Expressway corridors and Prospect Road, are reasonably foreseeable and must be considered in the cumulative impacts analysis and included in a revised DEIR for the Costco project.

Additional Concerns

In Conflict With our City’s Plans, Visions, and Goals

Although the proposed Costco warehouse site is within the designated Paseo de Saratoga Urban Village set forth in the city’s Envision San Jose 2040 General Plan, it directly conflicts with the goals for an urban village of being mixed-use, pedestrian and bicycle friendly, and transit-oriented.

Costco is not pedestrian and bicycle friendly nor is it transit-oriented. In fact, Costco’s business model of selling in bulk discourages pedestrian and bicycle traffic as most items purchased at Costco are too large to carry home on foot, on a bicycle, or on a bus (particularly when the only nearby bus stop is 500 feet away with buses only running every half hour).

Simply put, Costco's proposal to put an oversized (165,148 square foot) members-only serving warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 total surface and rooftop spaces) that will generate 11,000+ car trips per day in a neighborhood/community commercial shopping center is antithetical to an Urban Village, that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its western gateway and the Paseo de Saratoga Urban Village is never achieved.

Thank you for your time and consideration in responding to my concerns.

Sincerely,

Connie Tietze
Country Lane Neighborhood Resident
West Valley Citizens for Responsible Development Member

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Comment Letter 291

Feedback for Westgate West Costco DEIR, File no. CP21-022

Curt Mah [REDACTED]

Tue 2/20/2024 2:04 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

Topic: Need Modifications to Turn Lanes on Lawrence Exwy

The DEIR makes no modifications to allow adequate vehicle left turn access from Lawrence Expwy into the Costco Parking Lot.

Issue:

- Currently there is only a **single left turn lane with stoplight** for drivers on Lawrence Expressway that want to turn left into the proposed parking lot of Costco.
- With the added 11,000 new trips (per analysis provided by Costco), this will add a 1000%+ increase of traffic to Lawrence Expressway
- With only a single turn lane stoplight, Costco traffic will back up with drivers waiting their turn to make the turn into Costco.

- This will cause an overwhelming stand still and gridlock on Lawrence Expressway. This will have tremendous impacts to the entire Lawrence Expressway which is approx several miles long. This will cause miles of vehicle gridlock, accidents, driver frustration and idle exhaust to our environment.

Action:

- Build and expand the **single left turn lane with stoplight TO a double or multilane turn**, for drivers on Lawrence Expressway that want to turn left into the proposed parking lot of Costco.
- Lengthen the protected left turn lanes.
- Include this as part of the mandatory modifications and a dependency for Costco approval by the Planning Committee.

Vice Mayor Kamei,

It was great meeting with you at the community DEIR meeting. I would respectfully ask for this turn lane issue to be mitigated and included as a mandatory dependency before the Planning Commission can approve. Thank you so much.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Curt Mah

Country Lane Neighborhood Resident

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Comment Letter 292

Feedback for Westgate West Costco DEIR, File no. CP21-022 - Land Use Conflict

Curt Mah <t[REDACTED]>

Tue 2/20/2024 12:11 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

Topic: Land Use Conflict of Costco

- The DEIR makes no specific mention of conflict with San Jose's 2040 General Plan Land Use Designation. This is San Jose's plan for mixed-use, walk and bike friendly business.
- The DEIR does not address the impacts of a Big Box warehouse development located in neighborhoods that serve retail zones.
- The DEIR does not address the safety impacts to Prospect High School and its students, which would be directly across the street from Costco.

Issue:

- Big Box warehouse developments are permitted and constructed in **Industrial Zones, or Commercial Industrial Zones**. Membership club warehouses are not appropriate for neighborhood serving retail zones.

- Costco Wholesale Membership Club development is not compatible with the "Envision San Jose 2040 General Plan Land Use" designation as Neighborhood/Community Commercial District. If Costco is built in the proposed parcel, the city will not be able to achieve its goals for an Urban Village and the Envision San Jose 2040 General Plan Usage. Shoppers do NOT walk or bike to Costco. They use vehicles to be able to transport the bulk of items purchased at Costco.
- The Westgate West land use designation is Commercial General and Warehouse Retail is not an allowed use. See Chapter 20.40.100, Table 20-90 "Commercial Zoning Districts and Public/Quasi-Public Zoning District Use Regulations" for approved uses. Warehouse Retail is not listed as an allowed use.
- I have not found any big box membership warehouses like Costco being developed across the street from a high school (Prospect High School). This is a land use conflict. The Westgate West development should adhere to the current Neighborhood/Community Commercial Land Use.

From a personal standpoint, I am a concerned parent. My daughter will be attending Prospect High School in the Fall of 2026. Along with hundreds of other students, our daughter will be walking to/from their homes in the Countrylane neighborhoods to/from Prospect High School every day. This includes crossing the Prospect/Lawrence Exwy intersection twice a day. Per the Costco analysis, Costco will bring in 11,000 new car trips a day into Westgate West, which is centered in the heart of student pedestrian paths to get to/from their homes.

With the increased traffic that Costco will bring, the main student pedestrian path of Prospect/Lawrence Expressway intersection will be increasing more dangerous and become an accident hotspot. I fear this will result in children and student injuries and fatalities.

Recommendation:

There are many other business/retail options that will serve the area better, that will satisfy business profitability and Envision San Jose 2040 General city urban village goals.

There have already been 4 students hit this year at the Prospect High School intersection described above. Please - from a family and children safety perspective, Costco does not belong in this parcel.

I would like the city council to pass on/reject the Costco proposal and evaluate other retail and mixed use options for the parcel.

One student and pedestrian fatality is too much for any family, community and city to bare - knowing this could have been mitigated and less likely averted.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Curt Mah
Country Lane Neighborhood Resident

Parent of child from Moreland Middle School and future Prospect HS

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Comment Letter 293

Feedback for Westgate West Costco DEIR, File no. CP21-022

Curt Mah <[REDACTED]>

Mon 2/19/2024 10:03 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

DEIR TOPIC: CUT THROUGH TRAFFIC

The DEIR makes no specific mention of the impact and mitigation of the following:

Issue:

Costco shopper cut-through traffic thorough adjacent neighborhoods caused by increased traffic.

Description

When the main arteries of Saratoga and Lawrence Exwy are clogged with traffic, shoppers will seek easier and faster ways to get to Costco and take short cuts to gain access to Graves Ave.

With the current proposal, Costco shoppers will be incentivized to avoid busy traffic on Lawrence Expressway and Saratoga Ave and **instead drive through the Country Lane neighborhood from Doyle Rd, using the "short cut" streets of Cordelia Ave, Happy Valley Ave, Brenton Ave, and Teresita Dr.** These specific streets are in the heart of our neighborhood community and

this additional shopper traffic will **result in significant safety issues to students, bikers, and neighbor pedestrians**. Of particular concern is that Country Lane Elementary School (Children Ages 5-11) is located directed on Brenton Dr and Teresita Dr.

Our fear is that shopper vehicles will be racing through the Country Lane neighborhood right past Countrylane Elementary and seriously injure a student, family member or pedestrian. This area will become an accident hotspot!

Recommendation:

The neighborhood should be protected from cut-through traffic. This can be achieved and mitigated by closing off the remaining Graves Ave entrance (at Cameo Ave) for shoppers/trucks to Costco. If Graves Ave entrance is closed, shoppers will NOT benefit from cutting through the neighborhood.

The EIR studied that as "Alternative B" which is in the Transportation Analysis (pg vii) which excludes access through Graves Ave.

- **Please block off all shopper/truck access from Graves Ave.**
- **Please implement Alternative B !**

There are no other Costco warehouses in Bay Area that allow shopper traffic to funnel through existing residential neighborhoods. The other Costcos in San Leandro, Almaden and Danville separate Costco warehouses from existing neighborhoods. Please apply the same common-sense principals. This will also eliminate the desire for shoppers to park in the neighborhood, which pose safety, litter and abandoned shopper carts issue to our residents.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Curt Mah

Country Lane Neighborhood Resident

Parent of child from Moreland Middle School and future Prospect HS

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Comment Letter 294

feedback for Westgate West Costco DEIR, File no. CP21-022

zhiyou pop <[REDACTED]>

Tue 2/20/2024 3:24 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Dear Ms. Hawkins,

Below is my feedback for the Costco Westgate West DEIR.

We are in the Country Lane area north of the project site. Please request Costco to

1. close off any shopper vehicle access on Graves ave. to the Costco site. We don't want the increased traffic to cut through our neighborhood and make our streets unsafe and decrease our property value
2. remove the tire center service to help mitigate pollution.
3. increase the perimeter walls to 8' to reduce noise

thank you,
CW

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Comment Letter 295

Feedback for Westgate West Costco DEIR, File no. CP21-022

Ann Beymer <[REDACTED]>

Tue 2/20/2024 4:51 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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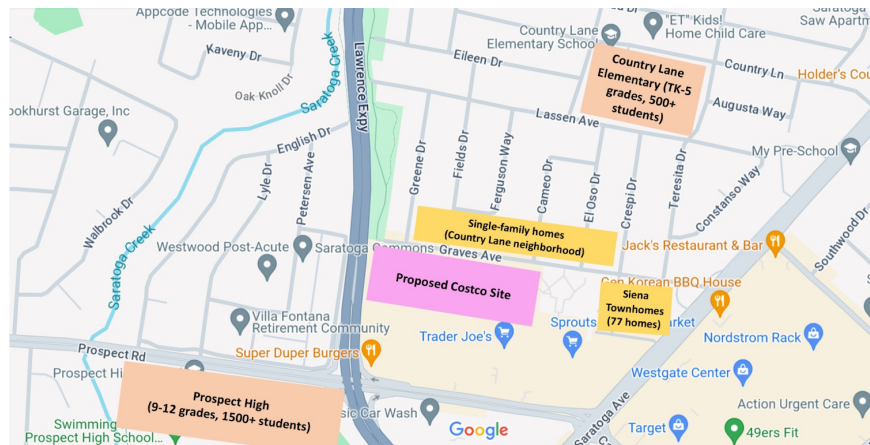
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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

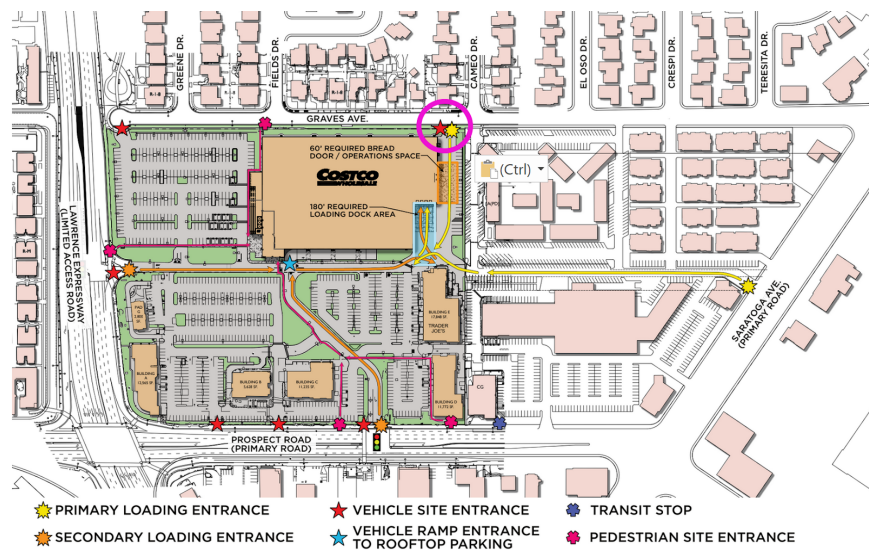
1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered "most dangerous for bike traffic" by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city's [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads.

In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed

The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children’s health also needs to be included in the DEIR given the project’s proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all

recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school,

and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco’s characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of

them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe's, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

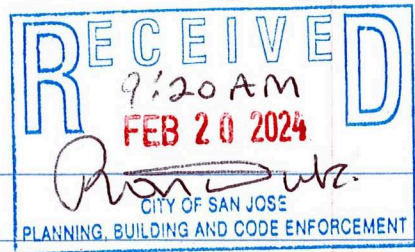
David and Ann Beymer

Country Lane Neighborhood, 95129



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Comment Letter 296



TO KARA HAWKINS:

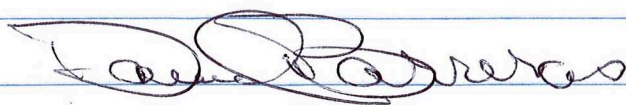
I AM WRITING TO YOU AND THE PLANNING COMMISSION REGARDING THE PROPOSED BUILDING OF A COSTCO STORE IN THE WESTGATE WEST SHOPPING CENTER. IT SEEMS TO ME THAT THIS PROJECT WAS EITHER RUSHED THROUGH OR NOT GIVEN THE PROPER SCRUTINY IT SHOULD HAVE HAD. FIRST OFF THE PLACEMENT OF SUCH A LARGE RETAILER DIRECTLY ACROSS FROM A HIGH SCHOOL (PROSPECT) WITH CLOSE TO 1,500 STUDENTS AND AN ELEMENTARY SCHOOL (COUNTRY LAKE) WITH OVER 400 CHILDREN DOES NOT SEEM TO HAVE BEEN TAKEN INTO CONSIDERATION. THE SAFETY OF OUR KIDS SHOULD COME FIRST! NO WHERE ELSE DOES A COSTCO DO THIS. IT SEEMS TO ME THAT WITH THE ADDITIONAL 11,000 VEHICLE TRIPS PER DAY (COSTCO ESTIMATE) THAT THE CITY IS CREATING A POTENTIAL DANGEROUS SITUATION WHERE NONE EXISTS NOW. I AM NOT AGAINST A NEW RETAILER COMING IN BUT NOT OF THIS MAGNITUDE. I ALSO FIND IT HARD TO UNDERSTAND HOW A COSTCO FITS IN WITH THE IDEA OF SAN JOSE WANTING TO

ESTABLISH URBAN VILLAGES THRU-OUT THE CITY. URBAN VILLAGES WHERE THE RESIDENTS LIVE, SHOP, DINE WITHOUT THE NEED FOR VEHICLES. A COSTCO UNDERMINES THAT WHOLE IDEA SINCE NO ONE WILL BE WILLING TO CARRY THE BULK SIZE ITEMS THAT ARE CARRIED AT COSTCO'S.

WE WERE TOLD THAT TRAFFIC STUDIES HAD BEEN DONE DURING THE PEAK TRAFFIC HOURS OF 5:00 - 7:00 P.M. BUT THIS DOES NOT TAKE INTO ACCOUNT THE PEAK TIMES OF STUDENTS (WHICH CAN VARY) COMING TO AND LEAVING SCHOOL THIS ALONG WITH THE PROPOSED ALMOST 1,000 RESIDENTIAL UNITS BEING BUILT ALONG THE SAME CORRIDOR IS ADDING ANOTHER LAYER TO THE ALREADY CONGESTED AREA.

GROWTH WITH COMMON SENSE SHOULD ALWAYS OUTWEIGH GROWTH FOR GROWTH'S SAKE.

A CONCERNED CITIZEN,



DAVID BARRERAS

Comment Letter 297

Feedback for Westgate West Costco DEIR, File no. CP21-022

Deana Hunter <[REDACTED]>

Tue 2/20/2024 3:06 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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I've lived in the same Country Lane Neighborhood home since 1980. It's a walking area, a school area, and a residential area. I've seen a lot of change over my 44 years here and so I have witnessed how increasing traffic from added businesses impacts the safety of pedestrians and neighborhood drive.

The main problem that I have with Costco in my neighborhood is the traffic.

It is so busy around here now and we all know that Costco is a very popular company.

The schools close by cause havoc already and there are still a lot of students at the high school that walk.

Please do not add to this problem.

Deana Hunter. Country Lane neighborhood

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Comment Letter 298

Feedback for Westgate West Costco DEIR, File no. CP21-022

Diana Ito [REDACTED]

Tue 2/20/2024 8:34 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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

Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

The impact of cut-through traffic through neighborhoods due to increased traffic from the Costco Warehouse will be awful. When surrounding streets are gridlocked, frustrated shoppers will seek easier ways to get to the Warehouse Store through the Country Lane Neighborhood, driving right by Country Lane Elementary. With recent traffic calming and bicycle safety measures implemented along Saratoga Avenue due to existing traffic safety issues. Saratoga Ave is designated the most dangerous for bike traffic by the Valley Transportation Authority. The Country Lane Neighborhood should be protected from cut-through traffic by closing off the remaining Graves Avenue entrance to the proposed Costco. I live off of one of those streets that are off of Graves, For the safety of the children and parents, please do not build a Costco right here at Westgate.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Diana Ito
Country Lane Neighborhood

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Comment Letter 299

Feedback for Westgate West Costco DEIR, File no. CP21-022

Dinah Sloan [REDACTED]

Tue 2/20/2024 12:58 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

 1 attachments (561 KB)

Westgate West Costco Feedback Letter_D Sloan.pdf;

[External Email]

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

Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

Please see the attached for my comments on the Westgate West Costco DEIR, File no. CP21-022.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Dinah Sloan
Country Lane neighborhood resident for over 28 years

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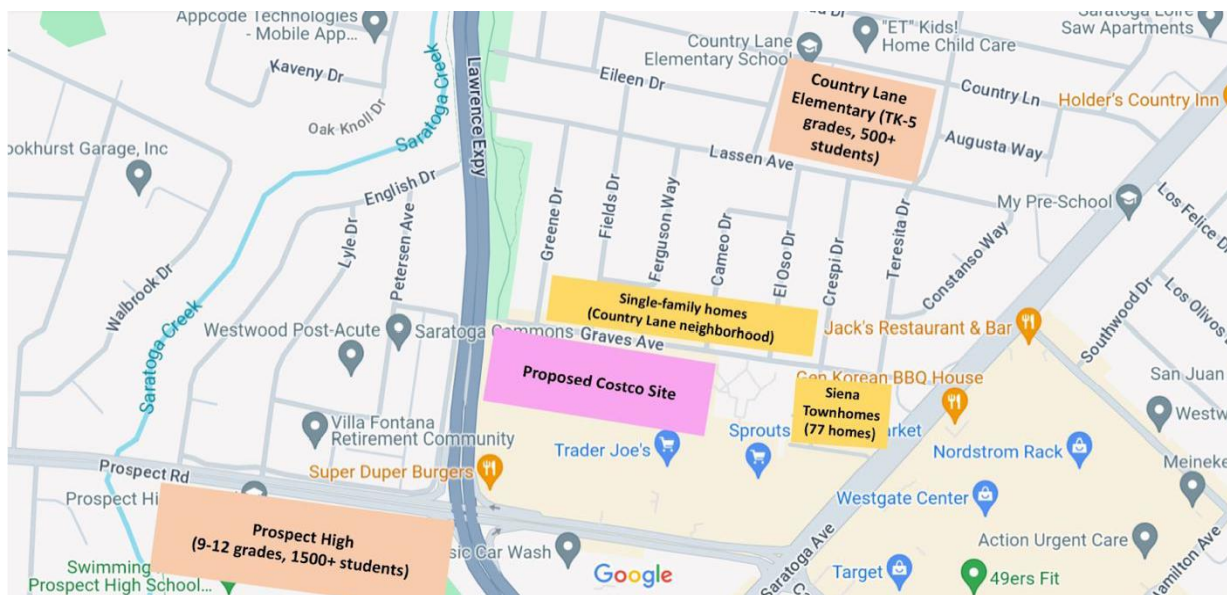
Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I am a 28 year Country Lane neighborhood resident who strongly opposes putting a too-large Costco into the too-small site at Lawrence Expressway and Prospect Avenue. I have lived on Happy Valley Avenue for over 28 years and am deeply concerned about multiple issues regarding this project, chiefly safety, traffic, noise, quality of life, and that it is wholly inconsistent with the City of San Jose's own Urban Village plan.

I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

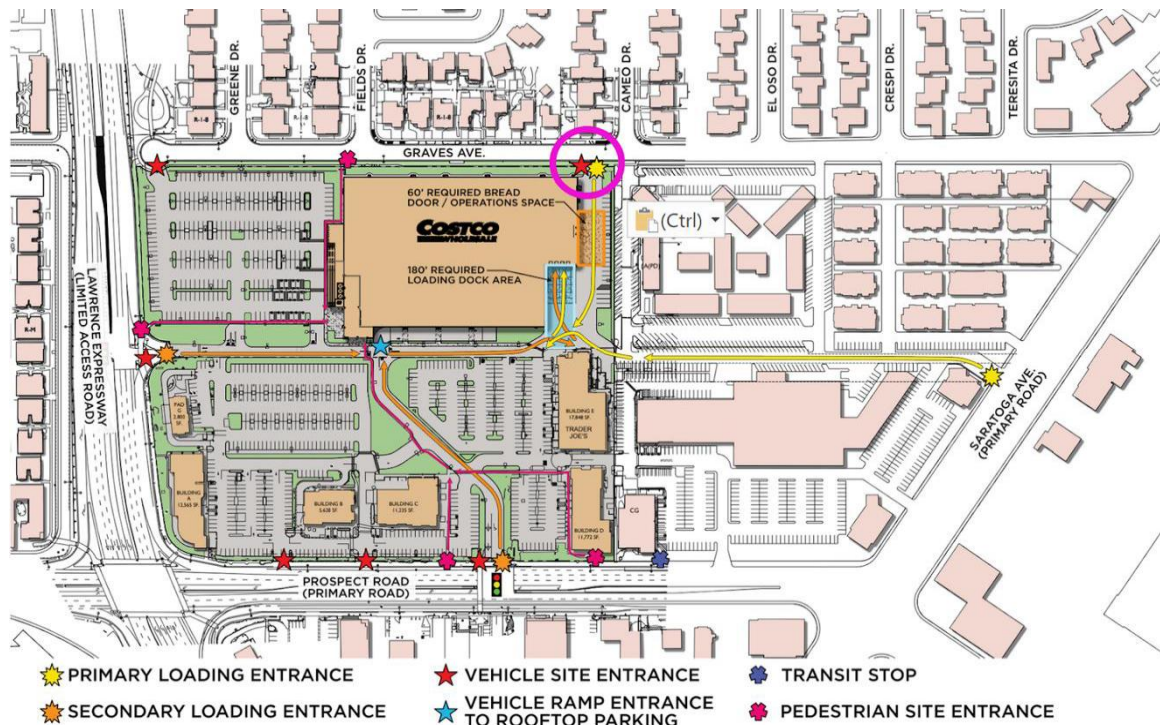
The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety

conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two-lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two-lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as "cut throughs" to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore, three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary,

Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools, and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and dry cleaners contaminate the soil, air, and water and auto repair shops are the largest generators of hazardous waste. A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children’s health also needs to be included in the DEIR given the project’s proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in

an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with the City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco

project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco’s characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. **Alcohol Sales in an Area of Undue Concentration**

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

6. **Lack of clean energy considerations is inconsistent with San Jose’s Climate Smart plan**

San Jose’s Climate Smart plan includes a goal to have San Jose be Carbon Neutral by 2030. While San Jose has passed multiple ordinances prohibiting use of natural gas, the Costco plan uses natural gas and lacks any clean energy options such as solar, energy storage, or Electric Vehicle chargers. San Jose’s own Clean Energy Community Advisory Commission recommended that the city should have Costco add these options and yet the city has refused to ask for them. The use of natural gas, lack of solar, and significantly increased traffic will cause gas-wasting gridlock and pollution, all inconsistent with San Jose’s plan to be Carbon Neutral by 2030.

I respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient, and the City can lead by partnering with residents and other city councils. I invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because they recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

I ask that you not allow this project to move forward. Thank you for your serious consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "D Sloan". The signature is fluid and cursive, with the first letter "D" being large and prominent.

Dinah Sloan
Country Lane Neighborhood Resident

Comment Letter 300

Our response to the Westgate West Costco DEIR, File no. CP21-022

JM Diekneite [REDACTED]

Tue 2/20/2024 4:49 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

We have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and are writing to provide our feedback.

We wish to express our strong opposition to the proposed Costco store at Lawrence Expressway and Prospect Road, in the Country Lane Neighborhood. While we certainly understand the tax benefits such a store can bring to the City, we believe the negative impacts on our community far outweigh any advantages.

SIMPLY PUT, BUILDING A COSTCO WAREHOUSE STORE AT PROSPECT AND LAWRENCE DOES NOT JIVE AT ALL WITH THE CITY'S VISION FOR URBAN VILLAGES, aka PEDESTRIAN- and BIKE-FRIENDLY NEIGHBORHOODS. IN FACT, IT IS THE EXACT OPPOSITE OF WHAT THE CITY AIMS TO ACHIEVE WITH ITS STATED URBAN VILLAGE CONCEPT.

Here are our most critical concerns:

1- Contrary to San Jose's Urban Village Goals: The proposed Costco site is located within a designated Urban Village area, which aims for walkability and new housing development, with access to rapid transit. However, the current plan completely contradicts these goals. Moreover, the lack of viable transit options exacerbates the traffic burden even further.

Currently our neighborhood is fortunate to have hundreds of active seniors, students, pedestrians, runners, dog walkers, and bicyclists who enjoy being outdoors and are on our streets at all hours of the day. We ourselves are avid bicyclists and walkers, and as such will face greatly increased

danger from the projected Costco traffic with 11,000+ car trips per day streaming to and through our neighborhood, as outlined in the DEIR.

2- Traffic Congestion: The projected 11,000+ car trips per day pose significant risks to all our community members. Not only is this a **greater than three-fold increase** compared to the current traffic in the area, it also does not correlate with the City's vision for Urban Villages with walkable, bikeable neighborhoods. Walking or biking home with Costco-size packages of toilet paper, rice, bottled beverages or canned food is simply not possible.

3- Safety Hazards: We have particular safety concerns, not only because of the number of cars, but because no upgrades are planned to Saratoga Avenue, Prospect Road or Lawrence Expressway. The City of San Jose considers our area a "Priority Safety Corridor #1," however no safety improvements are planned.

Of particular concern are the students at Country Lane Elementary School, located just blocks away and situated on two streets leading to and from the Costco area. Prospect High School, too, sits directly across the street from the proposed Costco and its 1500 students walk and bike directly through the area twice a day to get home, go to the West Valley Branch Library, or get to a bus stop.

At the very least a pedestrian bridge needs to be built across Lawrence before a major development can be considered. The Costco area itself also would need to be walled off along Graves Avenue (the southern border of our neighborhood), to mitigate the likelihood of cut-through traffic streaming through our quiet, peaceful residential streets and to blunt the noise from semi-truck deliveries at the loading docks, which will disturb the peace and quality of life currently present in our area.

4- Air Pollution: The daily gridlock resulting from 11,000+ car trips and idling cars stuck at intersections will bring enormous amounts of air pollution to our neighborhood. In addition to our current residents, we soon will have 1100 new housing units and a Whole Foods store at the El Paseo de Saratoga site, previously approved by the City Council. Traffic from that site was not considered in the DEIR for Costco!

The Town of Saratoga is also planning a multi-story housing complex across the street from the proposed Costco; this also was not considered in the DEIR. The cumulative gridlock and pollution effects from this and many other housing developments planned for the surrounding area must be considered before Costco or any serious major development can be undertaken at this intersection.

Bottom line, our neighborhood has a distinctly quiet and close-knit character. A big-box store like Costco will forever disrupt and destroy our identity and diminish the charm of living here. We, like the majority of residents in our immediate area, would greatly prefer to see independent shops and restaurants located at Westgate West, interesting restaurants and shops like we used to have before the landlord intentionally doubled the rents to kick these tenants out. We love to walk and bike to places where we can gather with our neighbors, in short, the Urban Villages concept, not a Costco which has no place in a quiet family residential area.

In light of these concerns, we urge both the City of San Jose and the landlord to explore alternatives that prioritize the well-being of our neighborhood and surrounding neighborhoods. Let us work together to create sustainable, reasonable development that aligns with our neighborhood's values and preserves the unique character we have come to appreciate in the 31 years we have lived here.

Thank you for your attention to this matter.

Sincerely,

Don and Juliana Diekneite



San Jose, CA 95129

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Comment Letter 301

Feedback for Westgate West Costco DEIR, File no. CP21-022

Ellen Rudy [REDACTED]

Tue 2/20/2024 2:54 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

The Costco project is the wrong location for a store of its size and customer base. There are already 2 major shopping centers within one traffic light of this location, and congestion would make it daunting for people like me who need to access other services in that complex .

Not to mention the difficulty and safety of local school children in their "commute" by car or on foot. Surely Costco can find another location for a store of this size.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Ellen Rudy

The Rose Garden

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Comment Letter 302

Feedback for Westgate West Costco DEIR, File no. CP21-022

Emily Ding <[REDACTED]>

Tue 2/20/2024 2:54 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

My name is Emily, and I have lived in the Country Lane neighborhood on Cameo Drive (a few doors away from where the proposed Costco Warehouse would be built) all 25 years of my life and hope to stay here for as long as the circumstances allow. Westgate West is my stomping ground: I walk across the street to get a missing recipe ingredient from Trader Joe's or Smart and Final, stroll around Sprouts on Wednesdays when they release their weekly deals, worked my first job in high school at a cupcake shop previously in the plaza, and am a frequent customer of Goodwill for when I regularly purge my space or need a little retail therapy.

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project, and I am writing to provide my feedback to address significant concerns regarding the proposed construction of the Costco Warehouse in our beloved West Valley neighborhood. As a resident deeply committed to our community's prosperity and well-being, I believe it is essential to collaboratively explore solutions that uphold our shared values and address the challenges posed by this development.

- 1. Traffic Congestion and Safety Measures:** The projected increase of 11,000 car trips per day raises legitimate concerns regarding traffic congestion and safety on our roads. It's imperative to discuss the impacts of backups on Saratoga Ave and Prospect Rd, both of which feature two lanes in each direction, limited space for turning lanes, and no room for expansion. The closest plaza entrance on Lawrence Expressway is already challenging to navigate from all directions: there's a very short distance to access the rightmost lane while watching for merging cars from the right. Moreover, the specific left turn lane into the entrance is also notably short. It's

difficult to envision how this entrance might safely accommodate more traffic with the proposed increase in vehicles entering and exiting.

2. **Urban Village Goals:** Additionally, the proposed Costco Warehouse site is located within a designated Urban Village area and does not align with its goals of residential and jobs-based development, access to transit, and walkability and bicycle-friendliness. To mitigate these challenges and better align with the Urban Village objectives, I propose exploring alternatives that foster mixed-use neighborhood-scaled development. Collaborative efforts with urban planning experts and community stakeholders can ensure that future projects meet the diverse needs and aspirations of our neighborhood while enhancing our urban fabric.
3. **Supporting Local Businesses:** Recognizing the potential impact on neighboring businesses, such as Trader Joe's and Yogurtland, it's vital to emphasize the importance of proactive measures to support their sustainability amidst the influx of Costco-related traffic. Exploring options such as strict designated parking zones (for the neighboring businesses as well as Costco customers and employees) could hopefully enhance the overall shopping experience in the plaza.
4. **Mitigating Noise Pollution and Enhancing Livability:** The noise generated by Costco includes noise from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding neighbors, occurs throughout the day and night, and some (e.g., HVAC equipment) is continuous 24/7. This affects students, seniors, and neighbors, particularly those with sound sensitivity conditions, as they study, work, sleep, etc. Implementing sound barriers, landscaping buffers, and designated delivery hours can effectively minimize noise disturbances while preserving the residential character of our neighborhood.
5. **Existing Costco Warehouses:** Additionally, there are already four Costco Warehouses in the immediate area (around 15 minute drives away), situated in more appropriate light industrial and commercial areas. Considering this saturation and despite being a huge Costco fan and frequent shopper, I believe that the addition of another Costco in Westgate West may have adverse impacts that outweigh the benefits.

Thank you for considering these important points as we collectively work towards a solution that respects the character and needs of our community. And thank you for your dedication to serving our community and respectfully request your support in considering these solutions as we move forward. Your leadership and commitment to inclusive decision-making are instrumental in shaping a future that reflects the values and aspirations of our diverse neighborhood.

Sincerely,
Emily Ding
Country Lane Neighborhood Resident

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Comment Letter 303

Feedback for Westgate West Costco DEIR, File no. CP21-022

Fred Worley [REDACTED]

Tue 2/20/2024 4:56 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

As a parent of Prospect High School students I am very concerned that the traffic studies done did not target the times of day when students cross the street. That intersection is extraordinarily busy today. An additional ~11,000 cars per day to the site creates a significant health risk for the youth in our community. The City must conduct a traffic study **when students are present** to properly assess the impact of the proposed Costco project on our community.

This is not a quality of life issue. It is a quantity of death issue.

It should be straightforward for the city to do this study to quantify the impact of additional traffic on our children and the children who will live in our community for the next 50+ years. Once done, this project will not be undone. Please take the time to get it right.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Fred Worley
Country Lane neighborhood

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Comment Letter 304

Feedback for Westgate West Costco DEIR, File no. CP21-022

Frona Kahn [REDACTED]

Tue 2/20/2024 2:22 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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

Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

We are extremely concerned about the safety of all of the students attending the local schools. The traffic impact on roads not designed for extensive car usage is extreme and we do not want that to occur.

No matter what Costco says, there will be huge noise and truck travel along Graves ave. This is untenable.

Additionally, the disruption to stores we depend on like Trader Joe's etc will be overwhelming and prevent us from easily shopping and parking.

As residents of west San Jose since 1983, we vote resoundingly No, No, No to Costco.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Frona and Ted Kahn
[REDACTED]

2/21/24, 1:40 PM

Mail - Hawkins, Kara - Outlook

San Jose, 95129

Sent from my iPhone

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Comment Letter 305

Important Feedback for Westgate West Costco DEIR, File no. CP21-022

Gary Gehrke [REDACTED]

Tue 2/20/2024 4:32 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and I am grateful for the opportunity to provide feedback on the proposed Westgate West Costco project and provide feedback on this proposal.

I live just 5 blocks north of the proposed location, near Country Lane Elementary School. I am a long-time customer of Costco, and have always admired it as a company for its hiring and wage practices. Unfortunately, Costco is trying to fit a store into a space that is inappropriate in so many ways.

The placement of this Costco on the edge of the West Valley neighborhood is completely inappropriate and is inconsistent with how Costco Warehouses have been located historically. Other Costcos are in light industrial and commercial areas more appropriate for a warehouse. This is no accident. It is where they need to be located due to the traffic, noise, pollution they generate and space they require. In contrast, this proposed Costco would be 50 feet from the front yards of homes along Graves Avenue. Country Lane Elementary School is one block away and is bounded by two residential streets that will be attractive for cut-through traffic from shoppers trying to avoid the traffic snarl that will result on Lawrence and Prospect. This neighborhood is filled with people walking all day long, and especially has a lot of foot traffic with young children heading to and from Country Lane from all directions. Additionally, the student drop-off traffic at the school is already pushing the limits of the residential streets around the school. I don't see how this safety issue can be ignored or dismissed. This traffic impact has not been studied, and it must be.

Prospect High School is located diagonally across the intersection of Lawrence Expressway and Prospect Road. The DEIR mentions Prospect high School about 12 times. However, in all those mentions, the DEIR never looks at the impact on the safety of the students that will have to navigate this immense intersection with the increased traffic levels as the shopping center's trips grow to 18 times today's volume. Lawrence and Prospect are already overtaxed with traffic. A now out-of-date Level of Service Report rated Lawrence as a "D" 10 years ago. It surely rates lower now. Adding the anticipated 11,000 new daily vehicle trips that the Costco will generate will

decrease safety for the students (and other pedestrians) crossing the intersection on foot. Adding this Costco in a location where its increased traffic will impact so many students walking to and from schools neighboring the site flies in the face of San Jose's Vision Zero goal of eliminating traffic deaths and severe injuries. There needs to be a new traffic study completed of the pedestrian and vehicle traffic during peak school hours at Lawrence and Prospect. There is no reason for this study to not be done and considered when determining if the Costco is a fit for this location.

This location is also simply too small for what Costco wants to build. This store is LARGER than the Sunnyvale store, on a site that is $\frac{2}{3}$ the size of the Sunnyvale site. There will also be fewer parking spaces, with more than half of them accessed by single lane ramps in and out. The plan to use rooftop parking will only add to the frustration of drivers trying to shop there. Frustrated drivers are not safe drivers. The Sunnyvale Costco's traffic is a challenge, and it does not have the burdens of rooftop parking, or the additional stores lining the parking lot that will add to the traffic and parking needs of the undersized location. Shopping at the other stores in the center will become more frustrating as well.

Years ago, in one of the first Zoom meetings to discuss this project, the person hired by Costco to find a location in West San Jose stated how hard it was to find a large enough site and how many, many years they had been looking for a site. When looked at with an objective eye, it is clear that Costco still has not found an appropriate site, and should look elsewhere, rather than shoehorning in a store where it does not fit. Eric Orren, vice president of Costco's real estate

operations was quoted in the September 2023 Costco Connection magazine saying "When necessary, we adapt our warehouse buildings to better serve the communities in which we operate." Unfortunately, that does not seem to be the case here, as any consideration of the community needs and impact seems to be a complete afterthought on the part of Costco.

There are already plenty of Costco Warehouses in the area, with 3-4 stores just a short drive away. It is not a store that people generally need to go to frequently, so any added "convenience" of a Costco being nearby is far outweighed by the many negatives mentioned above.

This West Valley neighborhood is not just a bunch of squares on a map, but is home to many people whose lives will be negatively affected by this store. Some, like me, have lived here decades, and others are newly moved in with school-aged children. We want the kids (and everyone else) to be safe as they walk to and from school. We all want to be able to take walks without having the residential streets along Country Lane School turned into expressways. Doyle Road is already difficult to make left turns onto at its current level of traffic. This will only get worse with added cut-through traffic and the need for residents to access the Costco/Trader Joe's parking lot via Doyle and Lawrence Expressway, and High School traffic not being able to go through the shopping center. There are many other infill housing projects planned in this area that will pack the traffic arteries with many more daily vehicle trips. Adding housing is an understandable priority. Adding another Costco with all the above mentioned negatives, is a very poor choice, especially when there are already many Costcos nearby. The planning commission

needs to realize the total impact of ALL the proposed development in this area, and the consequences to those already living here and those that will live here in the future. As residents of the Country Lane area of West San Jose, we are all relying on you, who represent us, to have our best interests in mind, listen to our concerns, and promote development that will bring long-term benefits to our community. This is not a time to trade sales tax dollars for the safety and well being of the residents living here.

Adding a Costco to the mix of proposed new development is unnecessary and a poor choice. Once the building is built and the consequences are realized, it will be too late to fix the situation. There are better choices. Please keep this ill-fitting Costco out of our neighborhood.

If the store does not fit, you must not permit!

Thank you

Gary Gehrke

Bela Drive

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Comment Letter 306

File #CP21-022 Westgate West Costco Warehouse project -- comment from resident

Gary Smith [REDACTED]

Tue 2/20/2024 4:56 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

 1 attachments (14 KB)

File Number CP21-022 Costco Westgate West - comment from resident Gary G Smith.docx;

[External Email]

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Dear Kara,

I've attached a Word Docx file of a two-page comment letter that I've written in regard to the proposed full-size Costco Warehouse in west San Jose.

Thank you for the opportunity to comment on this and other large-scale projects.

--

Gary Smith -- [REDACTED] San Jose

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Gary G. Smith

San Jose, CA 95129

February 20, 2024

Attention: Kara Hawkins
Department of Planning, Building, and Code Enforcement
200 East Santa Clara St., 3rd Floor
San José, CA 95113

Gentlemen:

Subject: File No. CP21-022 Westgate West Costco Warehouse Project

Neither the 286-page Draft Environmental Report nor the 60-page Architectural Plan Set (most recent edition) shows whether or not the rooftop outdoor lighting, of the proposed four-acre full-size Costco Warehouse Store in Westgate West, will be either turned off or dimmed after hours seven days a week, 365 days per year.

California's Title 24, Part 6 Energy Code requires (a **Mandatory** requirement) that lighting on the exterior of commercial buildings **either be** turned off (by what's called an automatic "Part Night Lighting Control" or an "Automatic Time Switch" such as an "Astronomical Time Clock") **or** dimmed by an "automatic" lighting control system.

Since Costco Warehouse Store, like most retail business, is not be open for business after a certain hour; therefore, it's necessary, and required by the California Energy Code Title 24, that rooftop lighting either be turned off or dimmed (**the specific amount of the dimming is stated in the California Title 24 Energy Code Standards**).

With a proposed project of this size, and the fact that Costco is proposing to install roof-top LED lighting, which according to public data will be the first Costco Warehouse Store in the United States **with roof top lighting**, the lighting Site Plan and supporting Luminaire Fixture Description data that Costco has presented on their Draft Environmental Report, for the proposed full-size Costco Warehouse in west San Jose, is inadequate and needs to be redone.

A revised draft EIR then needs to be made available for public comment such as the current Draft EIR is available for public comment through Feb. 20, 2024.

Also, Costco does not explain clearly on the Draft EIR for the proposed Costco Warehouse in west San Jose, other than stating the Backlight, Uplight, and Glare rating for a specific LED light fixture, what will be the "**glare**" produced from the rooftop LED light fixtures shining down on to the concrete surface of the four-acre rooftop parking.

While the "Uplight" or "U" rating is 0 (which is excellent), and the "Backlight" or "B" is 1

February 20, 2024

which is good, the “**Glare**” rating or “**G**” in the BUG (Backlight, Uplight, Glare) rating for the LED luminaire is 2 or 3, which is only mediocre for an LED luminaire that is shown on the Light Fixture Schedule on their Architectural Plan Set for the LED light fixtures on 10-foot tall poles on top of the four-acre proposed Costco Warehouse in west San Jose.

Costco makes no mention on the Draft EIR of the **light pollution from reflected light bouncing up off of the concrete rooftop surface and/or bouncing up off of light colored vehicles that are parked** under the LED luminaires on 10-foot tall light poles on the four-acre rooftop parking. Also, no mention is made in the Draft EIR about the **vehicle head lights (often LED lights in newer vehicles) going up the vehicle ramp** to the roof top parking which could be significant

When parking is at ground landscape level, rather on roof top lighting with LED lights that are a very bright light source, the light tends to be better absorbed by the darker color of the pavement and vegetation.

Conscientious designers, businesses, and residents in the United States and other countries are becoming much more aware of sky glow and light pollution and how glare sources such as from LED light sources over light colored concrete surfaces can and will unfortunately contribute to the sky glow problem not limited to just roof top LED lighting.

Rather than accepting a proposed project with a four-acre roof top parking with LED lighting, which sets a bad example to other cities, **please deny the proposal as presented.**

Should the proposed project be approved, please require Costco to comply with Title 24 regarding turning off outdoor building lights and/or dimming those roof-top lights when their store is closed.

I oppose the full-size Costco Warehouse store in Westgate West Shopping Center as presented in their Draft EIR and in their Architectural Plan Set **for the reason noted above regarding roof top lighting glare** as well as for the adverse effect such a large retail warehouse store could have on pedestrian, bicycle, and vehicle safety in the general area of Prospect Road and Lawrence Expressway.

I’m LC (lighting certified) by the National Council on Qualifications for the Lighting Professions since 2006. Also, from 2006 to 2010 for five consecutive years, I was a Board Member of the Illumination Engineering Society San Francisco section still while living on English Drive in Jose where I live now only approx 1000 feet from the proposed Costco full-size warehouse.

Thank you for accepting these comments.

Sincerely yours,

Gary G. Smith

Gary G. Smith

Comment Letter 307

Feedback for Westgate West Costco DEIR, File no. CP21-022 - Saratoga Transportation Analysis

travelbyrocket <[REDACTED]>

Tue 2/20/2024 1:26 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am the grandmother of a resident of the Country Lane Neighborhood. I visit my granddaughter twice a week and am very familiar with the area. I visit the Westgate restaurants and retail stores often. My son Curtis is a resident and helped me write this summary.

Topic: Must Redo or Provide Updated DEIR Transportation Analysis of Saratoga Ave

Issue:

In the past few months, I noticed that Saratoga Ave installed new barriers and safety pedestrian line modifications to the road. I understand that these are to provide better safety for pedestrians, and I support better safety. However, this has made an already busy Saratoga Ave even more congested.

I read the DEIR report with my son.

- The DEIR did the transportation analysis with the older Saratoga Rd flow and did not account for the new vehicle lines and modifications.
- The DEIR transportation analysis does not account for the latest pedestrian modifications in place.

- This makes the current transportation analysis and traffic study in **the DEIR invalid**.

I understand that at the community meeting with Rosemary Kamei on Feb 5, 2023, this issue was brought up. Kittelson and Associates said they did not perform the study with the new modifications since they were not put in place at the time of the analysis.

Kittelson and Assoc said that the SJ city did an independent study with the Saratoga Ave modifications in place.

This independent study or modified study has not been included in the DEIR, so we as a community have no way of reviewing this. An updated transportation study needs to be provided, included or referenced in the DEIR.

Action Needed:

- The current DEIR transportation analysis and traffic study in **the DEIR is invalid, since it does not account for the recent pedestrian line modifications on Saratoga Ave**.
- An updated transportation study needs to be performed, included and referenced in the DEIR, that takes account of the new pedestrian line modifications on Saratoga Ave.
- The community needs adequate time to read and provide comments.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Gin Mah
Curt Mah
Country Lane Neighborhood Family members

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Comment Letter 308

Feedback for Westgate West Costco DEIR, File no. CP21-022

Hannah Law [REDACTED]

Tue 2/20/2024 4:10 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

Firstly, I bike and walk to Prospect High School every day, and the safety of pedestrians and cyclists is a significant concern for me. The DEIR fails to adequately address the risks on streets like Saratoga Avenue and Prospect Road, where accidents are already happening. Recently, one of my classmates was hit by a car while biking to school. Adding 11,000 more cars per day to these streets could make things much worse and put many more lives at risk.

Furthermore, the DEIR doesn't thoroughly examine traffic conditions and pollution, which could have serious consequences for our community, especially for residents of color. This oversight goes against the principles outlined in San José's Urban Village Plan and could harm our safety and health.

I urge you to prioritize gathering more data and involving the public before making any decisions about the Westgate West Costco project. We need to ensure the safety and well-being of our community are considered carefully.

Thank you for your attention to these important matters.

Sincerely,
Hannah Law
Country Lane Neighborhood

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Comment Letter 309

Feedback for Westgate West Costco DEIR, File no. CP21-022

Heather Pierson [REDACTED]

Tue 2/20/2024 12:40 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois: I live in Santa Clara but I enjoy shopping at Westgate. But putting in Costco seems to be a bad idea because the area is too small and the parking will be crazy! I enjoy going to Trader Joe's but if the parking is impossible I will avoid shopping there. Plus there are many high school students in the area and there will be increased danger for them too with more cars in this area.

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

<your comments go here>

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

<Your Name and neighborhood go here> Heather Pierson, Westwood area Santa Clara

Sent from my iPhone

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Comment Letter 310

Feedback for Westgate West Costco DEIR, File no. CP21-022

j yamauchi <[REDACTED]>

Tue 2/20/2024 4:37 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

As a resident of the West Valley area since 1994, I've seen much growth and many changes occur nearby. While growth is inevitable and many simply call it progress, I am requesting that the City of San Jose Planning Commission and City Council please re-evaluate the Westgate West Costco project based on the input from those most directly impacted- the nearby neighbors of this West Valley area. While studies (per the DEIR) have been performed to demonstrate viability of this addition, I have many concerns regarding the efficacy of some of the study conclusions and which entities will benefit the most from this proposed 2-story behemoth.

Don't get me wrong; I am a Costco patron, NOT a Costco hater. That said, I am also:

- a Trader Joe's patron probably 20 times more often
- a Sprouts patron 10 times more often
- a former Smart & Final patron 8 times more often (no longer relevant due to Costco plan?)
- a patron of multiple other businesses nearby, i.e. Chase Bank, Chipotle, Happy Lemon, Starbucks, Boudin, Tomatina, Bev Mo, Target, 49er Fit, etc.

I cannot imagine that having my own neighborhood Costco would not have a negative impact to those far more frequent visits at neighboring businesses.

Will a Costco within 1 mile be worth the expected headaches that will inevitably ensue when I can drive 5.3 miles to Costco Lawrence Station or 5.5 miles to Costco on Coleman or 7.3 freeway miles to Costco on Almaden? The analysis claiming a VMT benefit (DEIR pp 217-219) seems superfluous and hopefully will not be given much mind. It fails to consider that sometimes people just shop where they shop or close to where they work or where there is better parking etc. It feels inevitable that more human congestion and automotive traffic will also occur at the businesses near this new Costco, such as the Westgate Mall and the El Paseo mall too. Perhaps it won't be all bad; call me a pessimist. (But hearing that Costco employees asked Almaden patrons waiting at checkout to sign petitions that *essentially* said "Bring on the West Valley Costco" wreaked of something disingenuous.)

In addition to multiple issues including the increase in traffic which I will discuss below, I feel for my neighbors on Graves who will be most impacted by the 2nd story parking lot lighting and noise that are a necessary consequence of such a bustling business. I grew up with a market and strip mall behind our house and it would be a gross misstatement to say that the noise from the deliveries to the loading area did not disrupt us constantly.

Initial Concern: Traffic and Pedestrian Safety

I live on the North side of Brook Glen Drive and almost daily traverse the intersection of Prospect and Lawrence Expressway, either on foot or by car. My home is essentially "surrounded" by Prospect High School, Lynbrook High School, Miller Middle School and Christa McAuliffe Elementary School. It might be described as something of a placid, family-oriented community. But, if bell schedules for these schools should overlap, which is often the case, AND you had plans to go somewhere near that time, the resulting consequence to those in my situation is essentially GRIDLOCK.

This problem will surely be aggravated when Costco moves in. Non-resident traffic will increase as patrons will further avoid the notorious Sunnyvale-Lawrence store. I predict that Prospect Avenue, already noticeably more trafficked in the past 10 years will be further impacted as it becomes a throughway from the West to the new Costco to the East. I don't think the DEIR considers the impact on this portion of Prospect Avenue.

I'm certain that many have already cautioned that the risk to students of Prospect HS in particular, is likely to increase. Keep in mind that these are children, likely between the ages of 13-18, and already when driving on Prospect during drop-off and release, local drivers know to be hyper-vigilant as impatient student and parent drivers must be considered as well as the stream of pedestrian students crossing Lawrence Expressway during these times.

Among the issues/questions I have:

1. May I reiterate that Costco will not exist in a bubble; San Jose's proposed El Paseo development will create a large increase in additional traffic in this area as well, (also on Saratoga Avenue and Lawrence Expressway). Additionally, the City of Saratoga's Housing Element may add further impact in these areas. That could create an overall explosion if not studied altogether or will it be studied altogether?

2. The Costco traffic analysis in part is based on comparative information from April 2019, which seems 5 years out of date.
3. Since the aforementioned study, Saratoga Avenue has been re-striped for bike lanes, leading to the loss of the rightmost lane when turning from Saratoga onto Prospect. Was this change taken into account?
4. Prospect and Lawrence is an already heavily trafficked intersection, heavily traversed by students of Prospect High School. Was the analysis performed during the hours when student foot and vehicle traffic is at its peak?
5. Prospect is a pothole ridden road (I've actually seen it get worse after heavy rainy seasons); perhaps fixing this would be a contingent requirement?
6. Lawrence Expressway and Prospect Road are thruways; the increase in traffic on Prospect will require work even west of the Lawrence crossing; in the years I have lived here, I have without a doubt seen a major increase in traffic. Making left turns from either side of Brook Glen onto Prospect is more dangerous with trees lining the middle divide. Doing so often requires longer and longer waits; an increase in throughway traffic will increase this negative impact.
7. When exiting Westgate West from either of the two exits closest to Lawrence, and with the desire to continue west on Prospect (across Lawrence Expwy) might cars block the right turn lane so that it becomes difficult to exit to the through lanes? If so, this would only accommodate exiting at the traffic light.

I understand that some of my points are speculative. I also understand that this is a desirable location for a bigger anchor business. However, I believe that the size and scope of a Costco installation is NOT the best fit here. Are there no other options for a strong prospective taker that might better fit the area?

Thank you for your consideration.

Jan Yamauchi

[REDACTED], Saratoga

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Comment Letter 311

Feedback for Westgate West Costco DEIR, File no. CP21-022

Jeff Brown [REDACTED]

Tue 2/20/2024 2:38 PM

To: Batra, Arjun <arjun.batra@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>
Cc: District1 <district1@sanjoseca.gov>; Planning Commission 5 <PlanningCom5@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

My name is Jeff Brown and I am a 22 year resident of the Country Lane Neighborhood which is right next to the proposed Costco Warehouse at Westgate West. My home on Cordelia Ave would be negatively impacted by the increased traffic and noise this project will create. I feel it will make walking or biking in the neighborhood dangerous. It will also impact me using the dog park. If this project is built it will also deter me from visiting any of the existing Westgate / Paseo Parkway businesses.

I am concerned about the over 11,000 car trips the project will generate (per Appendix L Transportation Analysis pages 13, 41) particularly at the already over-congested intersection of Lawrence Expy and Prospect Ave. There have been 4 pedestrian/car accidents involving students at that intersection in the past year alone.

The Costco project does not plan for any major traffic controls or mitigations, only including minimal changes like sidewalk improvements and road striping. This makes an already unacceptable risk worse for students, pedestrians, and cyclists. This project alone generates more traffic at that site than roads can handle. Add in the traffic from thousands of new housing units across Prospect Road and along Saratoga Avenue and you have a recipe for danger, gridlock, and increased vehicle pollution from traffic-jammed cars.

This project is inappropriately scaled for the current and possible infrastructure at the site and should be denied.

If the city insists on approving this dangerous project against better judgement, before granting approval the city must create, fund, and put in place specific traffic and pedestrian mitigation measures to address student, pedestrian, and cyclist safety.

Please reject this proposal in the interest of keeping the Country Lane neighbourhood a pleasant and safe place to live.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Jeff Brown

[REDACTED]

San Jose, CA 95129

Cell - [REDACTED]

Email - [REDACTED]

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Comment Letter 312

Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

1.The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.

Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community

meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.

Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costo's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian

and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and

substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2.The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse

queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, “Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM” (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are “less than significant” traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply

trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3.The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the

noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may

impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4.The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading

entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as "locally and regionally accessible by multiple transport connections" on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco's characterization

of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a

residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential

neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Jeff Clevenger
Prides Crossing South

Comment Letter 313

Feedback for Westgate West Costco DEIR, File no. CP21-022

Jennifer Worley [REDACTED]

Tue 2/20/2024 3:03 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback. I have many concerns, but here are the biggest ones:

I am concerned about the increased traffic this will cause. Costco's plan expects an additional 11,000 car trips per day to/from this new warehouse. Prospect High School, just diagonally across from the new proposed Costco site, Hundreds of students - including my own - cross the intersection at Prospect and Lawrence each day. Runners from teams at both Prospect High and Archbishop Mitty High run past here regularly for workouts. Many students, including my own, walk across the exit from that parking lot onto Lawrence Expressway. Drivers often do not look for or expect pedestrians at that egress already; thousands of drivers unfamiliar with the area will be even less prepared. This is already making a heavily teen pedestrian travelled walk hazardous. Dramatic increases in traffic will only exacerbate the situation.

Recent redesign of Saratoga Avenue has already increased traffic flow and complicated turning into and out of local businesses. The stated reason was to slow traffic down (and apparently irritate local residents). Well, it has done that, but not I think in the intended way. This redesign is currently causing increased backups at all traffic lights, which does slow traffic I guess, but at the expense of smooth traffic flow. Adding thousands more cars for a Costco will make Saratoga Avenue a parking lot, and further shunt drivers onto Lawrence and Prospect and toward student pedestrian walks.

When the proposed high-rise at El Paseo de Saratoga is included in the picture, the traffic situation looks even worse. Increased students walking to schools, two schools (Prospect and Country Lane) would have them walking past the Costco. More residents means more local traffic competing with cars from would-be Costco traffic.

By other major concern is the size of the building and the parking lot. This warehouse is larger than the warehouse on Lawrence Expressway, and the parking lot is smaller. Proposed 682 parking spaces, and 300 employees. Since there are few buses and no nearby trains, almost half the spaces may be taken up by

employees. Please, just visit that Lawrence Costco parking lot, especially on a weekend – it is so gridlocked that I finally gave up and stopped shopping there and cancelled my membership. It is the worst gridlocked parking lot I have ever encountered. And consider: that Costco warehouse doesn't share parking space with other businesses - the only one was a Sweet Tomatoes restaurant, which looks to have been torn down for ... yes, more parking.

And to live next to one that's MORE impacted?! I'm scared to even think about it. If this goes through, I think it will starve the surrounding businesses of customers, who can no longer tolerate the chaos of trying to get in and out of there. It's already cost us the Smart & Final grocery. I don't see how Trader Joe's will survive so close to a Costco, or how TJs customers will be able to park. But perhaps that's a bright side for Costco, they can tear those buildings down as well for more parking.

How is this going to be good for my neighborhood again? I'm not seeing it.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Jennifer Worley
Country Lane Neighborhood

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Comment Letter 314

Feedback for Westgate West Costco DEIR, File no. CP21-022

Jason Lu [REDACTED]

Tue 2/20/2024 12:55 AM

To:Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>;Mahan, Matt <Matt.Mahan@sanjoseca.gov>;Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>;Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>;Torres, Omar <Omar.Torres@sanjoseca.gov>;Cohen, David <David.Cohen@sanjoseca.gov>;Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>;Davis, Dev <dev.davis@sanjoseca.gov>;Doan, Bien <Bien.Doan@sanjoseca.gov>;Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>;Foley, Pam <Pam.Foley@sanjoseca.gov>;Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc:Planning Commission 5 <PlanningCom5@sanjoseca.gov>;District1 <district1@sanjoseca.gov>

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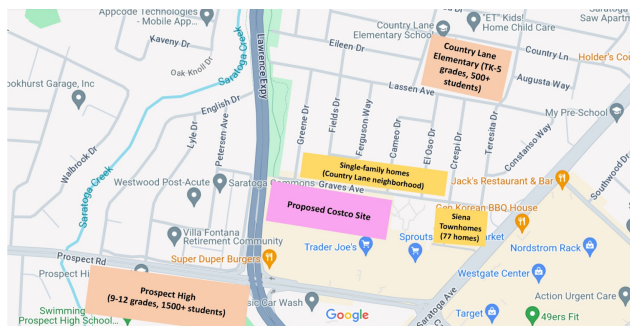
Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project.

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

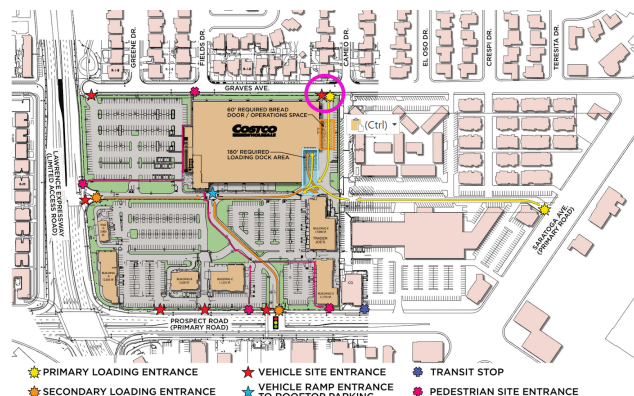
1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered "most dangerous for bike traffic" by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city's [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a "cut through" for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as "cut throughs" to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would "result in substantial noise-generating activities" (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the "noise is temporary, the Project would not result in a cumulatively considerable impact" (page 246) and the noise is reasonable because it does not exceed "airport- or or airstrip-related noise levels" (page 245). At the

February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers' radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion

that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco’s characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José’s decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to “sit at the table” with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Jianshen Lu, Country Lane neighborhood

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Comment Letter 315

Costco in Saratoga

Jill Halloran [REDACTED]

Tue 2/20/2024 3:47 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Hi Kara,

I'm a Cupertino resident. I frequent the Lawrence/Prospect area frequently and I live nearby. I walk and bike the pedestrian trails near Lawrence, and I live nearby.

I am opposed to this project for many reasons.

- There are already 2 Costcos within 15-20 minutes of this site.
- This would greatly exacerbate already heavy traffic in the area.
- Costco is a big-box store that drives many retailers out of business. I never shop at Costco (or Walmart) and never will.

Thank you

Jill Halloran

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Comment Letter 316

Feedback for Westgate West Costco DEIR, File no. CP21-022

Jingjing Sun [REDACTED]

Tue 2/20/2024 2:59 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I'm surprised to see no plans of compliance with San Jose's [mandate of solar powers for new commercial buildings](#). This part is definitely missing from the current DEIR. I would like to see the following details:

1, Is this project exempt from the solar mandate? If not, how does it comply with it? If yes, why?

2, I'm proud to live in San Jose which is set to [achieve carbon neutrality by 2030](#). I'd like to understand is this Costco project going to undermine this goal? If not, any data or plan supporting it? If yes, by how much?

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Jingjing Sun from Country Lane neighborhood

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Comment Letter 317

Feedback for Westgate West Costco DEIR, File no. CP21-022

Joseph DePrimo <[REDACTED]>

Tue 2/20/2024 12:40 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

My wife and I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

My wife and I live north of the proposed site just inside Santa Clara. We are frequent customers for businesses in the area of the proposed Costco site. Given this, we are concerned that the parking situation for the proposal will not be adequate for the number of shoppers that go to a Costco.

We currently shop often at the Costco at Lawrence and Kifer, and have noted that the area available for parking at the new location will be much smaller, while the size of the store will be larger. Knowing how crowded the Lawrence Station Costco is already, it would seem to indicate an even more constricted experience at the proposed location.

Suggestions made indicating the use of public transit or other such options (bicycle, walking) are untenable for obvious reasons. Very few Costco customers will be able to take their purchases home via such options, the typical shopper often fills their shopping cart with large

items— it seems like it's not really an option.

Further, the idea that roof-top parking, with the attendant awkwardness of driving up the ramp with lots of people driving down, and others scanning for empty spots is also asking for gridlock.

Also, the suggestion to make each spot smaller to try to get more spots is also fraught— it's hard already at the existing Costco (Lawrence Station) to squeeze into the spots. All that jockeying to do so slows everything down, adding further to gridlock.

Finally, the existing businesses that will remain will be sharing parking with Costco, so it's even worse that what I have described so far. I fear that we may have to avoid the area altogether if this project goes through.

We feel strongly that the site in question is more appropriate for a different type of business which does not generate that volume of traffic.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Joe DePrimo and Patricia Fujii
Maywood Park area near Pruneridge Ave. and Pomeroy Ave.

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Comment Letter 318

Feedback for Westgate West Costco DEIR, File no. CP21-022

John Mangelsdorf [REDACTED]

Tue 2/20/2024 1:08 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

Allowing the construction of a Costco warehouse at Westgate West would be an unmitigated disaster for a multitude of reasons.

Foremost in my mind is the safety of our children. There are two schools within a quarter mile of the build site, one of which is Prospect High. Many of these kids walk or bike to school. They are already crossing dangerous intersections such as at Lawrence Expressway and Prospect Ave, where the speed limit is 50 MPH and traffic is already heavy with commuters; the DEIR estimates Costco will generate 11,000 car trips per day above and beyond what the area currently endures. The likelihood of children getting injured from this massive traffic increase will skyrocket.

And what happened to San Jose's wonderful plans for Urban Villages? This is just the opposite. The warehouse would serve those who would drive from miles around while gravely impacting the residents nearby. A warehouse less than 150 feet from a residential neighborhood of families with young children? It's ludicrous.

This is an affront to the lauded concepts of "Climate Smart" as it will cause horrible gridlock and pollution, and what about "Vision Zero"? Stuffing a Costco that is larger than the Sunnyvale one into a shopping center with 1/3rd the area is completely nonsensical and would be an utter disaster for the local communities. Please do not approve this project in any form.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
John Mangelsdorf

Prospect High School Neighbor

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
<Your Name and neighborhood go here>

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Comment Letter 319

Feedback for Westgate West Costco DEIR, File no. CP21-022

Jose Heredia [REDACTED]

Tue 2/20/2024 10:46 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I believe this project will just make the area worse in regards to traffic, since I commute through this area during the week. Lawrence Expy bottlenecks here, surrounded nearby busy Saratoga Ave with Mall and shops, all flanked around by Prospect Rd, with many businesses in a small space. All this, plus Prospect High School in front of the project, this project will make it a headache to drive by, even more before and after schools, school sporting events, and rush hour. This project would be unsafe for drivers, pedestrians, and students.

Thank you for your time.

Sincerely,
Jose Heredia, Campbell
(Hazelwood Neighborhood)

Sent from my iPhone

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Comment Letter 320

Feedback for WestGate West Costco DEIR, File no. CP21-022

Julie Bradley [REDACTED]

Tue 2/20/2024 1:25 PM

To: Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>; Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project File no. CP21-022. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn, as well as other available information that I reference below. I am writing to share my concerns.

My name is Julie Bradley, I am a 26-year resident and taxpayer of San Jose, specifically the West San Jose residential area near the proposed Costco site at Westgate West. I actually grew up just down the road from where I live now and have obviously seen a lot of changes in the area over the last 60 years, but this Costco proposal really caught my attention as something that was worthy of my time to share my deep concerns.

On Thursday, February 1st, I attended a community meeting organized by SaveWestValley.org. At the meeting, my awareness was raised in regards to the Draft Environmental Impact Report (DEIR) for the proposed Costco project. Then, on Monday, February 5th, I attended a community meeting hosted by District 1 Vice Mayor, Rosemary Kamei, where two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) explained in more detail the contents of the DEIR. It was at this meeting that I first heard that the Environmental Impact findings in the DEIR for the Costco project were "Less Than Significant" in every area. This didn't seem right to me. The information they presented, to come to this conclusion, seemed incomplete. There were impact areas (described below) that weren't even studied. The DEIR seemed to be lacking critical data. I learned the DEIR is drafted as a Disclosure of the impacts of a project so decision makers can make a fully informed decision. It became apparent to me that this DEIR only showed part of the picture, and not even what I thought were the most critical parts.

This spurred me on to look more closely at available information on the topic. I read the DEIR. I also read the official Comment Letter from the SaveWestValley.org website. In addition, I looked for information on the Costco website and the City of San Jose website. Lastly, I read the Comment Letter from Bryan Swanson, City of Saratoga Development Director, in which he had numerous serious concerns with the faulty and incomplete DEIR. It became apparent to me that the City of San Jose had let our community down by presenting to the community a DEIR that was limited in scope and nowhere near

reflects the actual current impacts, and certainly not the future impacts, of the Costco project! This project not only has an environmental cost, but it also has a human cost! The huge potential for increased vehicle and pedestrian accidents, especially with schools nearby, the reality of increased pollution from idling cars stuck in gridlock and the reality that the neighborhood feel of this area would be forever ruined! I agree with Mr. Swanson when he writes, “Many of the impacts in the EIR pertained to the construction of the Costco building, it’s the lasting after-effects of air quality, congestion, safety and ruining the neighborhood feel of the area, that are at the heart of my concerns.”

Costco is, in my opinion, the absolute wrong solution for this site! I am pro responsible-growth as outlined in San Jose’s Project 2040 Urban-Village Plan. I like the idea of mixed use, residential and business spaces, designed with community, diversity, open green space, job-based, walkability, public transit and safety in mind. There is nothing about a Costco site that suggests Urban-Village. According to the city of San Jose’s own website, an Urban-Village is a “residential and jobs-based development, with access to transit, and be walkable and bicycle-friendly.” I would welcome a mixed-use neighborhood scaled project that would meet these goals. Costco meets none of these goals. Costco belongs in Commercial-Retail use zones like those of the Sunnyvale, Almaden and Mountain View locations nearby.

Here are my specific concern areas:

1) The City of San Jose is basing their information on a DEIR which Omits Pedestrian and Cyclist Safety Data! The city also seems to be diverting from their own Vision Zero goals

When I looked on the city of San Jose’s own website <https://www.sanjoseca.gov/your-government/departments-offices/transportation/safety/vision-zero/maps-data>

I read that the area surrounding where Costco would be located is classified by the City of San Jose, under their Vision Zero plan, as a Priority #1 Safety Corridor. The website describes that as: “These corridors account for a high proportion of fatalities and severe injuries on San José streets.” I’m aghast to read those words knowing the city of San Jose has continued to move forward with the Costco project proposal. There are already too many cars on the road for public safety. As stated in the DEIR, there will be 11,000 car trips PER DAY just to the proposed Costco location, not including car trips to other businesses in the complex! The number of accidents will only increase, not decrease! I read on the City of San Jose’s website that just recently there was a pedestrian death in the Priority #1 area that brought the city’s 2024 total deaths to nine, and we’re only in February! The City of San Jose may tout a “Vision Zero” plan to reduce pedestrian and bicycle deaths, but I have not seen or heard of any meaningful planned road safety improvements in regard to the Costco project. It seems the City of San Jose has their eye on profits and lost sight of “Vision Zero”!

I completely agree with the SaveWestValley.org position statement on this matter and would like to read your comments addressing this issue. They stated, “The biggest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Surprisingly, the study completed by Kimley-Horn includes no data on pedestrian and cyclist conditions. During the February 5th community meeting at Prospect High, the two representatives, Hall & Lopez, stated that this data was not required by the City of San José. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority #1 Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. The lack of substantial mitigations to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected. Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for

pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.”

I found the comments from Bryan Swanson on this topic noteworthy and would like to read your comments addressing this issue. He stated, “Vision Zero” Plan is intended to create a community culture that prioritizes traffic safety and ensures that mistakes on roadways do not result in severe injury or death. Despite San Jose’s clear priorities to protect pedestrians and bicyclists from harm, the DEIR does not evaluate the potential impacts on pedestrians and bicyclists that would be caused by the Project’s increased vehicular travel. CEQA requires such an analysis. It is imperative that the DEIR disclose existing pedestrian and bicycle accident rates in the study area and then evaluate how these rates would change with the addition of Project traffic. This evaluation must include Saratoga Avenue between I-280 and Quito Road as this roadway segment is designated a “Priority Safety Corridor” as part of Vision Zero San José. The DEIR must address, at the very least, the following questions: How many pedestrian and bicycle accidents have occurred on streets in the study area over the last decade? What was the cause of these accidents? What actions has the San Jose taken to prevent such accidents? Because the DEIR does not fully analyze impacts on pedestrians and bicycles its discussion of mitigation measures, it also falls short. At a minimum, the City of Saratoga requests that the improvements identified in Saratoga’s Safe Routes to School Plan along Prospect Road and Lawrence Expressway be implemented as a part of this project. Although located in the City of Saratoga, the Prospect High School attendance boundary includes a portion of San Jose and Prospect High students would appear to be among those most affected by this project. Vision Zero Plan is intended to create a community culture that prioritizes traffic safety and ensures that mistakes on roadways do not result in severe injury or death. Despite San Jose’s clear priorities to protect pedestrians and bicyclists from harm, the DEIR does not evaluate the potential impacts on pedestrians and bicyclists that would be caused by the Project’s increased vehicular travel. CEQA requires such an analysis.”

2) Students walking to and from school on weekdays are further endangered by the lack of mitigation measures in the DEIR:

Prospect High School students are most affected by an increase in vehicle traffic on Prospect Road, Lawrence Expressway and Saratoga Avenue! The traffic study in the DEIR did not consider vehicle and pedestrian numbers in the afternoon when Prospect High School lets out. Prospect High School sits on the corner of Prospect Road and Lawrence Expressway, not far from the proposed Costco site. There are 1,500 students at Prospect High School. Monday through Friday, many of the students leave the campus in mass. Hundreds walk, others are picked up, increasing vehicle traffic and still other teens leave school in their own cars revving their engines as they leave school. I live in the neighborhood across from Prospect High School and on weekdays, I see the huge crowd of teens who leave the school in the mid-afternoon to walk home. I get concerned for their safety. They walk in mass on the sidewalk along Prospect Road, towards Lawrence Expressway. They are talking and laughing and hardly pay attention to cars. The teens will dart across the street or start to walk across the street without the signal. Unfortunately, teens aren’t the only ones distracted these days, drivers are more distracted. It’s safe to assume, the roadways will become even more chaotic and dangerous with an increase in car traffic. In addition, the Costco project does not plan for any major traffic controls or mitigations; It only includes minimal changes like sidewalk improvements and road striping. There’s already an unacceptable risk for Prospect High School students, pedestrians, and cyclists. This project alone would generate more traffic in the area than roads can handle. Add in the traffic from thousands of new housing units, already being built and others to come in the near future, and you have a recipe for increased accidents. Please consider the safety of students! This is paramount and must be a top priority! There have already been vehicle-pedestrian accidents in the area recently. Even ONE is too many!

I agree with what SaveWestValley.org wrote on this topic and I would like your comments addressing this issue. They stated, “Prospect Road connects the two streets and the intersection of Prospect and Lawrence is where Prospect High, a 1500+ student high school, is located. This intersection is of serious

particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road.

In addition to a lack of data, the methodology for assessing traffic conditions is lacking. The DEIR states, “Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM” (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are “less than significant” traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.”

I think the Saratoga Planning Director, Mr. Swanson has wise words, and I would like to read your comments to his concerns addressing this issue. He stated, “It is imperative that the DEIR disclose existing pedestrian and bicycle accident rates in the study area and then evaluate how these rates would change with the addition of Project traffic. This evaluation must include Saratoga Avenue between I-280 and Quito Road as this roadway segment is designated a “Priority Safety Corridor” as part of Vision Zero San José. The EIR must address, at the very least, the following questions: How many pedestrian and bicycle accidents have occurred on streets in the study area over the last decade? What was the cause of these accidents? What actions has the San Jose taken to prevent such accidents? Because the DEIR does not fully analyze impacts on pedestrians and bicycles its discussion of mitigation measures. it also falls short. At a minimum, the City of Saratoga requests that the improvements identified in Saratoga’s Safe Routes to School Plan along Prospect Road and Lawrence Expressway be implemented as a part of this project. Although located in the City of Saratoga, the Prospect High School attendance boundary includes a portion of San Jose and Prospect High students would appear to be among those most affected by this project.”

3) The Traffic Conditions Study in the DEIR does not include cumulative conditions from the already approved projects in the immediate area.

I was surprised to learn at the February 5th Community meeting that the cumulative impact of the Paseo de Saratoga high-rise Urban Village development, as well as other approved developments in the area, were not included or evaluated in the DEIR! These are huge considerations that were omitted from the DEIR!

I agree with what SaveWestValley.org wrote on this topic and I would like your comments addressing this issue. They stated, “The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn do not include cumulative conditions from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José’s full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked. The DEIR states that 11,000+ vehicle trips per day will be generated just by cars going to Costco (Appendix I - Transportation Analysis, pp. 22 and 35). The study did not look at or consider how many existing vehicle trips there already are to the other existing business in the Westgate West Shopping Center. There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga

Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse.”

4) The neighborhood to the North of the proposed Costco project will be negatively impacted.

Although I’m not directly affected, I’m very concerned for the neighborhood to the North of the proposed Costco project. The streets would see an increase in traffic through their quiet, residential, 25mph streets and the safety of the very young children who live and play in the area and attend Country Lane Elementary would be negatively affected! My son’s used to attend Country Lane Elementary and the streets were relatively quiet. They were only congested for short periods in the morning, for student drop-off and in the afternoon, for student pick-up. I assume that continues today. Parents picking up their kids have a vested interest in driving slowly, being more patient and cautious. I’m very concerned for the safety of students and the increased possibility for vehicle accidents in the area caused by people leaving Costco and cutting through the streets just to find another way out.

I agree with what SaveWestValley.org wrote on this topic and I would like your comments addressing this issue. They stated, “The DEIR also omits data from areas North of the proposed Costco. Graves Avenue, a 25mph residential street, and the residential streets that are in the area near Country Lane Elementary School. These streets will surely become “cut through” streets for vehicles looking to avoid the gridlock on Prospect, Lawrence Expressway and Saratoga Avenue. The planned exit onto Graves Avenue would allow anyone to cut through the 25 mile an hour residential streets of the Happy Valley/Country Lane Elementary School area. This area was not studied in the Traffic portion of the DEIR.”

5) The Project is in Conflict with City of San José Urban Village Plan

As I previously stated, I am pro responsible-growth as outlined in San Jose’s Project 2040 Urban-Village Plan. I like the idea of mixed use, residential and business spaces, designed with community, diversity, open green space, walkability, job-based, public transit and safety in mind. I don’t see how the proposed Costco site can be justified within the parameters of San Jose’s own Urban-Village plan.

I agree with the three comments below that SaveWestValley.org wrote on this topic and I would like your comments addressing these issues.

“The City of San José’s [Urban Villages Concept](#) describes a policy framework that “directs most of San Jose’s new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities.” Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to “support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities.” The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco’s proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City’s vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.”

“The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases

the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco’s characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.”

“The proposed Costco is not a significant job-based development, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project falls short of the stated goals of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.”

6) Parking

The parking is inadequate for this Costco site! The Westgate West Costco would be larger than the one in Sunnyvale, placed on a site only 2/3 the size. There will only be 692 parking spaces, which is fewer than the Sunnyvale site. Surrounding businesses will certainly be affected by their parking spots being gobbled up with Costco customers. I have seen the development area schematic map with the entrance from Prospect Road and a diversion to the right for businesses like Trader Joe’s and others in that area. However, with no signs, restrictions or allowances for those businesses, or any others, it’s unrealistic to think that most parking spots won’t be gobbled up by Costco customers. Parking will also likely bleed out onto the residential streets to the North of the building. Rooftop parking doesn’t solve the problem either. With it’s one-lane in and one-lane out ramp, it will not be the first place Costco shoppers will look to park. People will be inclined to use the general parking lot first, leaving less parking for other businesses. The rooftop parking will be an overflow area at best! There are also no specifics as to where the 300 Costco employees will park. Costco’s own website admits that no other Costco site in the United States has rooftop parking and there are only “half-a dozen” (i.e. six) locations in other countries with roof top parking. To me, this is a clear indication that the City of San Jose and Costco know that the site is too small for this size project, but are moving forward anyway, trying to cram too big a store into too small a space.

In conclusion, through the strong leadership of the SaveWestValley.org team I’ve learned, there are many Costco members who are against this project, I am one of them! There are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José’s decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to “sit at the table” with major decision-makers. There is a considerable imbalance of power in this situation.

I, along with other concerned residents who are joining with SaveWestValley.org, respectfully request the City of San José pause any further action on the Costco project to gather much more data. There seems to be so much missing in the DEIR! I request that the City of San Jose work closely with neighboring cities to make sure plans align across city lines. The Saratoga City Council asked the City of San José for increased collaboration and carefully detailed 7 ways the DEIR failed to provide adequate evaluation and information to the public. During the February 5th community meeting at Prospect High, Vice

Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. The City of San José has a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety. The City of San Jose can ... and should ... do better!

Thank you for your attention to my concerns. I understand I will receive a reply. I look forward to this.

With best intentions,

Julie Bradley
English Estates, 95129

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Comment Letter 321

Feedback for Westgate West Costco DEIR, File no. CP21-022

Julie Reynolds-Grabbe [REDACTED]

Tue 2/20/2024 4:17 AM

To: Save West Valley Info <info@savewestvalley.org>; Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

My name is Julie Reynolds-Grabbe, a 26 year resident of the larger West Valley area and a 20+ year resident of the Easterbrook Neighborhood which is one

neighborhood away from Country Lane neighborhood and the proposed 4 acre warehouse at Westgate West.

My street, Happy Valley Avenue, is often referred to as the "Happy Valley Highway" as drivers use it as a traffic thoroughfare to escape traffic on Lawrence, Williams, Saratoga and Doyle. Although already unsafe, there is not much we can do about it, and that is one reason I am laser focused on safety being such a priority BEFORE a project is approved. I am also on the board of Prospect's Parent Teacher Student Association (PTSA), Team Mom for the Cross Country and Track teams, and a member of the local chapter of the League of Women Voters.

I am a (7) year parent at Prospect High and have a junior at there, which is located ~468-791 feet from the proposed 4 acre warehouse.

Images below show (2) different images with measurements of just how close the proposed 4 acre warehouse is from Prospect High School. One is measured from the front door of the proposed warehouse and the other is measured to its shared parking with other businesses in Westgate West. 468 to 791 feet (NOT 1000+ as it is stated in the DEIR).



Image below is one of the proposed 4 acre warehouse's shared parking lots being only ~468 feet from Prospect High School. The DEIR stated that Prospect High was more than 1000+ away.

My junior is a cross-country and track team runner at Prospect and his team's practice route goes right through the proposed Costco site and also through the Saratoga

Creek park that abuts the site. They also run through the intersection of Prospect Road and Lawrence Expressway at least twice during practices. In addition, the Mitty and Lynbrook teams use this same area to run through as well.

TRAFFIC & SAFETY

I am most concerned about the over +11,000 car trips the project will generate (per Appendix L Transportation Analysis pages 13, 41) particularly at the already over-congested intersection of Lawrence Expressway and Prospect Road. There have been 4 pedestrian/car accidents involving students near/inside this intersection in the past year already before the addition of a 4-acre warehouse on too small of a parcel, with a larger warehouse and less parking than Sunnyvale's location.

An image of what the area looks like today. Note that "1" is the Costco parking lot with the proposed warehouse to be built to the right of it. The "2" is Prospect High School. The "3" is the bus stop that many of Prospect's 42% of low socio-economic students must walk to/from every school day (using VTA buses, since CUHSD does not provide general education bussing). Also note the 3 very unsafe streets pictured - Lawrence Expressway, Prospect Road and Saratoga Avenue. All of which are very dangerous ALREADY/NOW.

The Costco project does not plan for ANY major traffic controls or mitigations, only including minimal changes like sidewalk improvements and road striping. This makes worse an already unacceptable risk for students, pedestrians, and cyclists. This project alone generates 18 times the traffic congestion we have today according to the DEIR's non-recent traffic study which was done during the pandemic. It is hard to imagine that anyone thinks this is a good idea!

I realize that this area is complex because it is at the nexus of 4-5 jurisdictions: San Jose, Saratoga, Santa Clara County, Campbell (close by), VTA and possibly others. That doesn't mean it doesn't need a solution NOW/SOON to make it safer for pedestrians, cyclists and drivers. I am shocked that the City of San Jose is not making ANY effort to address this intersection before even considering a project like Costco or El Paseo a block away. It doesn't work that way - you don't purposefully add something that will make things worse to an already unsafe area. I find this absolutely unconscionable.

There is no amount of money that is worth the injury or death of a Prospect High student, or a Country Lane elementary student, or a local cyclist, or a senior citizen or a nearby resident (or ANY students, cyclists or residents). This area is already part of the Safety Priority Corridor #1 for San Jose and has recently had a Vision Zero project completed on nearby Saratoga Avenue. You would think with this designation and the

priority San Jose puts on making the area safer for pedestrians and cyclists, someone would have done a recent study on the existing traffic and congestion? But no, the City/State doesn't require it, so it was just skipped. What a tremendous mistake! No recent studies were made and the one that was done in 2019/2020 did NOT include the area near Prospect High School, Prospect Road, Graves Avenue (less than 50 feet from the proposed 4 acre warehouse), the impact on Country Lane or English Estates neighborhoods in terms of traffic/congestion and subsequent cut-through traffic, or consider the time of day where this intersection is literally teeming with teenagers (up to 1000-1200 within a 30 minute timeframe) after dismissal and it was done during the pandemic and before the re-do of Saratoga Avenue with the changes related to the Vision Zero improvements. It also did not take into consideration all of the HDH infill development within a block or so (El Paseo, Saratoga's HDH tower(s) on Prospect Road). I wish ANYONE involved with this project would consider what is already wrong with this area before choosing to make it much more unsafe.

I realize that we are Plan B for the Costco team. Costco tried this same plan with rooftop parking in Marin County and their City listened and denied the project because it was too large of a building and too close to homes. My wish is for the Costco team to move along to Plan C - hopefully in an industrial area like all the other Costcos in the Bay Area, not ~468-791 feet from a 1500 student high school, not ~50-70 feet from the front yards of several single family homes, not across the street

from several senior citizen facilities, medical offices/facilities, multiple daycares, not on a parcel 2/3 the size of the Sunnyvale Costco, with a 20K foot larger warehouse (in an industrial area), with much less parking. This is just confounding that anyone thinks this will work, unless they only see dollar signs and are blinded by greed.

I am begging you, Mr. Lardinois, Planning Commissioners and ultimately all (9) Councilmembers, Vice Mayor Kamei and Mayor Mahan to please CARE about our concerns and ultimately our kids, students, seniors, and residents that make up our community. Walk the walk, don't just talk the talk!

I am not NIMBY, nor am I YIMBY - I am QIMBY or SIMBY! Quality In My BackYard or Safety In My BackYard. There should be a balance here and so far the expected tax revenue and the unmitigated greed of the landowners and the Costco team seems to be blinding those in power to approve something that will actually fit on this parcel and also what will blend in with what is already there without drastically increasing the danger.

For those who say "Ah well this shopping center is empty and dead already". Yes, I agree, at the hand of the landowners who have PURPOSEFULLY doubled the rents and

not renewed leases of many beloved stores (Dolce Bella, Smart & Final, the BEST Goodwill in the Bay Area, Ben's BBQ, Edible Arrangements, Ethan Allen, Sutter Health, Dry Cleaners, Yong Yao Dance, Color Me Mine, AAA, and soon Dominoes Pizza, with the UPS Store and Bikram Yoga (having to move to buildings that won't be bulldozed; somehow those two made the cut). Make no mistake, this center being empty and dead has been the goal for the landowners so that the City would be more amenable to cram a massive 4 acre, 40 foot high box-shaped warehouse within several hundred feet of several EXISTING schools, senior citizen and medical centers, day cares, and within 329 feet of one of the only parks we have on this side of Lawrence.

ALCOHOL PERMITS

Off-sale alcohol seller density limits (SJ Muni Code Title 6, Muni Code Title 20) are meant to ensure sufficient space between off-sale alcohol sellers in the Westgate region. The current limit is (3) sellers and we already have (6). The proposed Costco site is in an "area of undue concentration" of alcohol sellers which is located well within 150' of several homes and townhomes (actually it is ~47-70 feet from several homes' FRONT and side yards) and within 500' of a park (this warehouse would be ~329 feet away from Saratoga Creek Park).

Image below is of Graves Avenue and the 4 acre warehouse, the park, the larger neighborhood of ~1500 homes, the nearby medical offices and the Sienna Townhome complex. This is an overview slide of what a 4 acre warehouse is in close to. Most importantly, please note the (18) homes that are on Graves Avenue. Nine of them are between 47-70 feet away from the proposed 4 acre warehouse.



Also Costco is the largest seller of alcohol in the US. They make ~\$5 BILLION on alcohol sales per year. In an area with undue alcohol concentration, it is going to be absolutely saturated with alcohol sales. There is a Trader Joe's, Bev Mo Alcohol Superstore, Sprouts market, and Rotten Robbie gas station all just several hundred feet away from the proposed 4 acre warehouse. And until a few weeks ago, Smart & Final (also a big alcohol seller) was there before the landowners refused to renew their lease. This is one of the only two stores I shop at for groceries (the other being Trader Joe's) and now I will have to drive further (as will many others, upping our VMT). That

is not discussed in the DEIR that I could find, obviously the Costco customers VMT is the only thing that seems to matter.

This 4 acre warehouse proposal violates BOTH distance limits of your own municipal code - for distance to homes AND distance to a park. This means the Planning Commission MUST vote NO on this DEIR and punt it to the City Council so you can grant yourselves a waiver to violate your own rules to build this. What are rules for if you can waive them any time you want? Please make it make sense!

Image below of the Saratoga Creek Park/Dog Park and the edge of the proposed 4 acre warehouse. The DEIR says it is over 500 feet away but in my measurements it only came up to ~329 feet away. According to Off-sale alcohol seller density limits (SJ Muni Code Title 6, Muni Code Title 20), this distance should be GREATER than 500 feet. VIOLATION!



Image below is one of many nearby homes on Graves Avenue where the proposed 4 acre warehouse is ~69 feet from their property line/and their FRONT YARD. According to Off-sale alcohol seller density limits (SJ Muni Code Title 6, Muni Code Title 20), this distance should be GREATER than 150 feet. VIOLATION!

Image below is one of many nearby homes on Graves Avenue where the proposed 4 acre warehouse is ~69 feet from their property line AND their FRONT YARD. According to Off-sale alcohol seller density limits (SJ Muni Code Title 6, Muni Code Title 20), this distance should be GREATER than 150 feet. VIOLATION!



Image below is one of many nearby homes on Graves Avenue where the proposed 4 acre warehouse is ~68 feet from their property line AND their FRONT YARD. According to Off-sale alcohol seller density limits (SJ Muni Code Title 6, Muni Code Title 20), this distance should be GREATER than 150 feet. VIOLATION!



Image below is one of many nearby homes on Graves Avenue where the proposed 4 acre warehouse is ~68 feet from their property line AND their FRONT YARDS. According to Off-sale alcohol seller density limits (SJ Muni Code Title 6, Muni Code Title 20), this distance should be GREATER than 150 feet. VIOLATION!

Image below is one of many nearby homes on Graves Avenue where the proposed 4 acre warehouse is ~67 feet from their property line AND their FRONT YARD. According to Off-sale alcohol seller density limits (SJ Muni Code Title 6, Muni Code Title 20), this distance should be GREATER than 150 feet. VIOLATION!



Image below is one of many nearby homes on Graves Avenue where the proposed 4 acre warehouse is ~67 feet from their property line AND their FRONT YARD. According to Off-sale alcohol seller density limits (SJ Muni Code Title 6, Muni Code Title 20), this distance should be GREATER than 150 feet. VIOLATION!

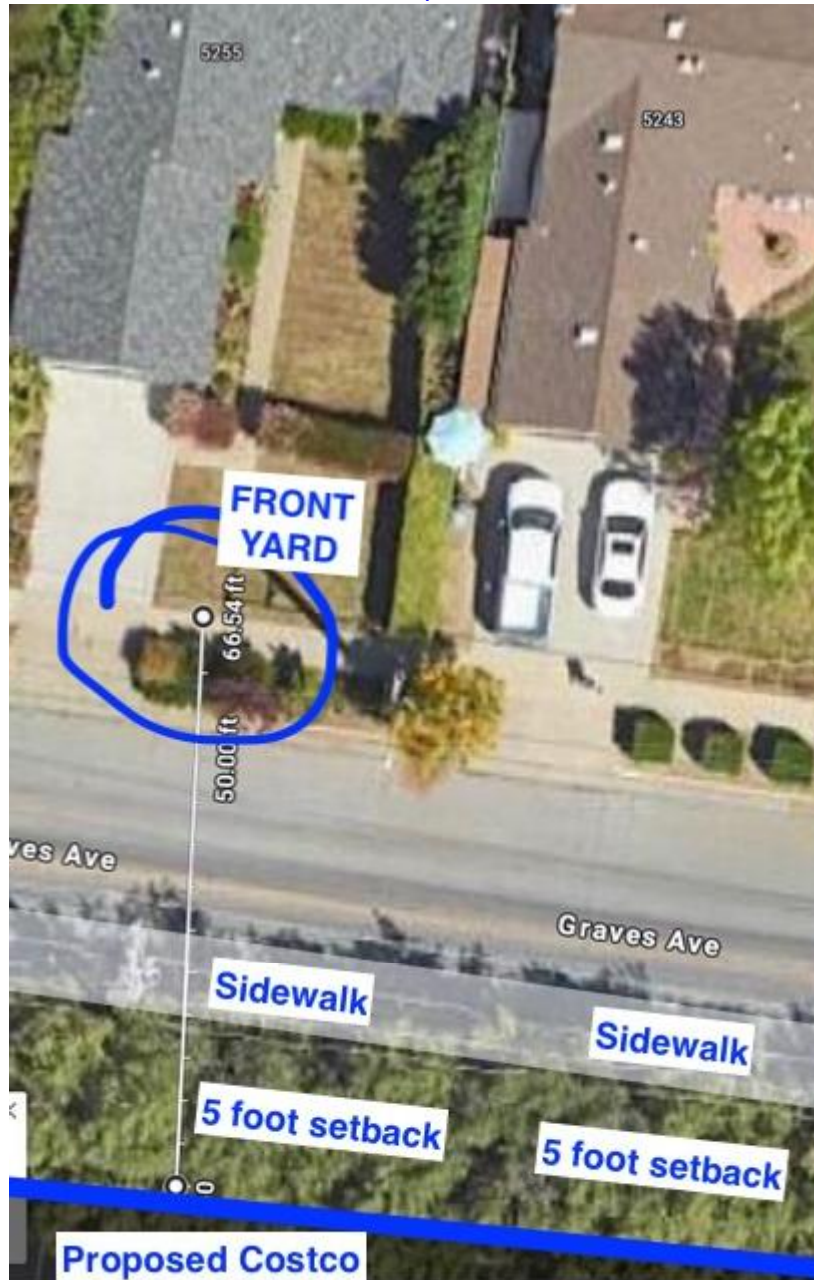


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Image below is one of many nearby homes on Graves Avenue where the proposed 4 acre warehouse is ~68 feet from their property line AND their FRONT YARD. According to Off-sale alcohol seller density limits (SJ Muni Code Title 6, Muni Code Title 20), this distance should be GREATER than 150 feet. VIOLATION!

Image below is one of many nearby homes on Graves Avenue where the proposed 4 acre warehouse is ~59 feet from their property line AND their FRONT YARD. According to Off-sale alcohol seller density limits (SJ Muni Code Title 6, Muni Code Title 20), this distance should be GREATER than 150 feet. VIOLATION!

Image below is one of many nearby homes on Graves Avenue where the proposed 4 acre warehouse is ~46 feet from their property line to the Costco Driveway planned for Graves Avenue. According to Off-sale alcohol seller density limits (SJ Muni Code Title 6, Muni Code Title 20), this distance should be GREATER than 150 feet. VIOLATION for the distance to this house, 2 ways! VIOLATION!

Image below is across Lawrence Expressway from the proposed 4 acre warehouse. It is ~611 feet from the property lines of homes in the English Estates neighborhood. This means they will hear the noise of the tire center 358 days a year, all day long.



Image below is across Lawrence Expressway from the proposed 4 acre warehouse. It is ~214 feet from the property lines of homes in the English Estates neighborhood. This means they will hear the noise of the tire center 358 days a year, all day long. Either way you measure the distance, it is not reasonable.

Image below is across Lawrence Expressway from the proposed 4 acre warehouse's parking lot. It is ~729 feet from a senior community in the English Estates neighborhood. These are definitely sensitive receptors! It is even closer to several senior medical facilities. Again, not in any way ideal.



Image below is across Lawrence Expressway from the proposed 4 acre warehouse. It is ~1200 feet from a daycare in the English Estates neighborhood. These young children are definitely sensitive receptors!

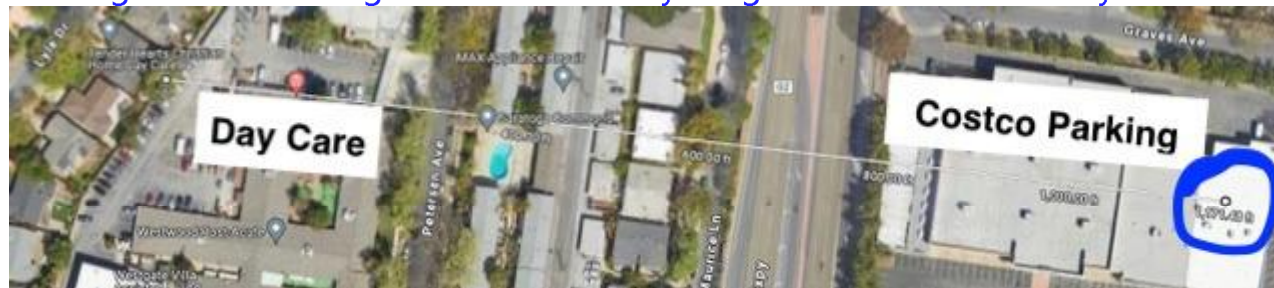


Image below shows the distance the proposed 4 acre warehouse is from another day care. It is ~716 feet from a daycare in the Sienna Townhomes complex. These young children are definitely sensitive receptors and should not have the constant noise of beeping trucks, forklifts, trash compaction, and HVAC units running 24 hours a day!



The other major issue is that this DEIR doesn't incorporate any of the City of San Jose's goals, programs, mandates, and rules when it comes to the Envision 2040 plan, Urban Villages, Climate Smart, Vision Zero, and many others.

I can't think of any retail business that is more antithetical to the above list than a 40 foot tall, 4 acre box-shaped warehouse. Once this goes in, Westgate West can NEVER become an urban village. Think about that for just a moment...

Why not ask Costco to put in solar panels, and make EV chargers available? Why not ask them to find a way to heat the 4 acre warehouse with something other than fossil fuels? Why not ask them to explain where their 300 employees (net 42 employees over what we had before many retail businesses were forced out) are going to park. As far as I can see the rooftop parking pretty much covers their own employees and not much else.

Also the impact to the remaining businesses in Westgate West will be immense. Costco is considering all the parking in this center as shared parking for it's customers and it is still less parking than the Sunnyvale location. Good luck parking for a quick trip to Trader Joes, Mod Pizza, the Chiropractic location, the UPS Store, Bikram Yoga, Teriyaki Madness, House of Bagels, Starbucks, Super Duper, YogurtLand, Omee J 2, Ike's Sandwiches, Happy Lemon, Poppy Bank or Taco Bell. This is untenable and it will make local residents drive elsewhere (to other cities to spend their money and subsequent sales taxes) to avoid the gridlock, stress and danger of shopping at this location. That will definitely add to the VMT count and not in a good way.

An image of what the center looks like today... Note the setback of Ethan Allen, Goodwill and Smart & Final buildings that will be demolished. The proposed Costco building will have a 5 foot setback from the sidewalk on Graves. Also note the homes across Graves. Those homes are between ~47-70 feet from the proposed warehouse. The crossed out red businesses have been forced out with only Domino's left standing (for now). Add AAA to that

red pile. It was forced out so Bikram Yoga can move there. Please note: the labels are not an exhaustive list of what is gone and is staying.

An image of what the Costco proposal looks like. Note the setback of the proposed Costco building with a tiny setback from the sidewalk on Graves. Also note the homes across Graves. Those homes are between ~47-70 feet from the proposed warehouse. Note all the parking that Costco will consider is shared for its customers.



Another image of what the Costco proposal looks like. Note the setback of the proposed Costco building with a tiny setback from the sidewalk on Graves. Also note the homes across Graves. Those homes are between ~47-70 feet from the proposed warehouse. Note all the parking that Costco will consider is shared for its customers.



Please listen to the residents who are most impacted by this plan. We are being reasonable with our requests to mitigate unimaginable noise, traffic, congestion, and

pollution for a MEMBERS ONLY 40 foot tall, 4 acre box-shaped warehouse in our midst with no plan for safety and traffic improvements, with less parking than any other Costco's that are smaller. A 5 foot setback, then a sidewalk, then a road, another sidewalk is all that will separate homeowners from this view...

A warehouse in a residential neighborhood

The view today from a neighborhood front yard



The same view if Costco comes in



I am asking that you deny this proposal. It has already been denied in Marin County and Costco has enough money that they can go find a more appropriate location in an industrial area of San Jose. It's ok to say no. Or say maybe with a TON of mitigations and requests. Do what is right for all the sensitive receptors in our community and for the environment and for your collective vision of what San Jose should look like in the future. A big box warehouse is NOT the future. It is so 1980s and in no way belongs in the midst of so much congestion and lack of safety.

Sincerely,

Julie Reynolds-Grabbe

25+ year D1 resident / Prospect parent close to 7 years / Prospect High PTSA President (Acting) / Prospect Team Mom for Cross Country & Track Teams / League of Women Voters Southwest Santa Clara Valley Board Member / Founding Easterbrook Neighborhood Member / Former District 1 Leadership President & Member / Former Moreland School Board Trustee (2012-2020)

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Comment Letter 322

Feedback for Westgate West Costco DEIR, File no. CP21-022

Kathleen Aranjo <[REDACTED]>

Tue 2/20/2024 3:54 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

 1 attachments (17 KB)

Letter Costco Eric Orren Edited on 2.20.24.docx;

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I spent some time on September 12, 2023 and wrote to Eric Orren, VP of Real Estate Operations at Costco. I have attached a copy of the letter that I wrote to him and I would like to include this as part of my feedback regarding the DEIR. I would also like to provide some additional feedback as I have been able to attend a community meeting regarding this Costco project at Westgate West. Here is my feedback:

1. I am disappointed to hear that Costco has made very few adjustments or mitigations to the original proposed plan for that location. Among other things, there will still be significant traffic on Graves, which goes through a quiet neighborhood and has an elementary school within a block of that road.
2. Costco has no plans for solar power, yet will be adding natural gas. California's governor is pushing to increase solar and electric power and reduce natural gas over the next 5-10 years.
3. The city of San Jose, per its own municipal codes only allows 3 alcohol sellers in a certain density, yet Costco will increase that number to 7.

4. The scale of the project does not fit the size of the lot/space. The current proposal is a 4 acre Costco, which is larger than the Sunnyvale Costco and has 2/3 of the amount of parking. Sunnyvale purchased and removed a Sweet Tomatoes to make extra parking and it still doesn't have enough parking on weekends. Traffic and parking will be a colossal issue at this location. All businesses in the area will be affected by this and the customers will begin to park in the surrounding parking lots. Shopping carts will be left all over in the parking spaces and lots. I saw that happen at the Costco Business Center in San Jose. They opted not to have shopping cart returns in one section of the parking lot. I had to pass 8 spots because people left the carts in those spots. I informed management of this issue. The other issue is the amount of parking spaces needed for a tire center. I observed this recently at the Almaden Costco. There were at least 30 cones on top of the cars, identifying them as tire center customers, thus 30 less parking spots for other customers.
5. There are no plans for traffic controls or improving the traffic patterns on Lawrence Expressway and Prospect Rd. Those are two very busy intersections and especially when the schools are beginning and ending. I implore the planning commission to stop by the location and see the impacts of adding 11,000 car trips a day in and out of that center. Also, the right turn onto Lawrence Expressway from Prospect Rd is a complete nightmare during the best of times. At a minimum, there needs to be changes to that transition from one road to another. This is a very dangerous situation for all of the students that walk and bike in front of Westgate West throughout the day. There are also regular pedestrians that do the same throughout the day in this area.
6. The tire center will create air quality issues as well as noise and vibration issues. The HVAC systems will as well. They must run 24/7 365 days a year. Trucks (Costco and vendors) will have a constant steady stream of noise and traffic issues, even if the proposal is from 2:00 a.m. until 1:00 p.m. each day. Forklifts and other necessary equipment will all do the same.
7. I would like to have the City of San Jose traffic safety perform some traffic studies of Graves/Country Lane neighborhood as well as Prospect/Lawrence Expressway. Lawrence Expressway traffic Level of Service Report in 2013 had a "D". I have lived here since 2001 and I know that the area is much worse than even 2013.
8. We want a new study regarding the new plans for high density housing at El Paseo de Saratoga as well as the land next to Westgate Church. Also, if the McDonalds land is sold, that would continue to exacerbate the traffic in the area.
9. Vision Zero safety corridor: Given that Saratoga Avenue has been identified as one of the 40 corridors across the city that are the most dangerous, that plays a significant factor in the traffic patterns for this proposed Costco location as well.
10. Rooftop parking has never been done before by Costco. This is not the place to test out this new theory. Try it somewhere else!
11. We live in a neighborhood across from Prospect High School. As it is, it is becoming increasingly difficult to get out of our neighborhood. When we do, we usually have to drive through Lawrence/Prospect. I need to travel that direction to get my kids to and from school.
12. My final input would be that this is not the right location for a Costco of this size and magnitude (the attached letter to Eric Orren cites the reasons why); however if this is to go forward, please consider making it a Costco Business Center. That reduces some of the bigger concerns that many of us have. No tire center or gas station; less traffic; different operating hours.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Kathleen Aranja

Westbrook (The Brooks) neighborhood

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September 12, 2023

Eric Orren
Vice President of Real Estate Operations
Costco Wholesale Corporation
999 Lake Drive
Issaquah, WA 98027

Dear Mr. Orren,

I'm writing you from Saratoga, California. We have lived in our home in Saratoga for over 22 years. It is within a mile of the proposed Costco being opened in Westgate West where Orchard Supply Hardware used to be. I was just reading the article in *Costco Connection*, "Expanding Frontiers." That is where I saw your name and it prompted me to write this letter. I am aware that there have been some community meetings about this proposed Costco location. The City of San Jose has the board which has information regarding the build. I urge you to consider how building this particular Costco will negatively impact the surrounding area.

First, I am a HUGE fan of Costco. My son's first sentence was, "hello Costco," when we drove up to Costco Lawrence Station. No joke! We spend tens of thousands of dollars a year shopping at the various Costco warehouses around the San Francisco Bay Area. We have eight Costco locations within 16 miles of our home. I have observed that Costco tends to go into areas where there is land or open space and they can build exactly as they want. This is very important for traffic patterns, parking, gas stations, etc. Many Costco locations are near a freeway or pretty close to a freeway. They also tend to be in more industrial areas, or they build in an open area and then housing and other businesses will build near it. This is not the case with this particular Costco that is being proposed at Westgate West in San Jose.

The Westgate West Center has other businesses, some small and some bigger that will be very negatively impacted by a Costco being built. Trader Joe's has been in this location for over 20 years and has frequent shoppers. When a business the size of Costco goes into a center like this, people won't shop at the smaller stores. It will be impossible to get parking, so they will go elsewhere. The proposal also shows tearing down a Smart & Final, Goodwill and other businesses in the center. These are businesses that many in our area currently frequent.

The proposed parking lot will not be large enough to handle a Costco. Even with having a parking structure on top of the building. People will not want to go and park on the top and then take their carts and groceries up there to load them and then drive back down to leave. It might possibly work for a store that doesn't do the bulk shopping that Costco customers tend to do, but it won't work here. Plus is still won't be enough parking.

This proposed Costco is coming into a space that cannot support the traffic that will be brought to the neighborhood adjacent to it, and also to the two main roads (Lawrence Expressway and Prospect). There are businesses across the street and currently in the center. Prospect High School is on the opposite corner. There are large apartment complexes on the other corner. There is a large church across the street. High school students walk across the very busy intersection throughout the day. Parents currently use the parking lot as a drop off and pick up place since it is so difficult to get through to the school in the mornings and afternoons. The amount of additional traffic that this Costco would bring to the area would be absolutely horrible. As it is, the transition from Prospect Rd. onto Lawrence Expressway is challenging and dangerous. This intersection feeds into one of the entrances into the Westgate West center on Lawrence. The only "frontage" road for customers to get into the Costco parking lot would be through a quiet neighborhood that has an elementary school. That is the school that my children attended for six years. We could not walk to school because of the distance and danger of crossing a busy expressway to get the kids to school. The Country Lane neighborhood would be very negatively impacted by having your company build out a Costco in a location that is already established as a quiet neighborhood. Also, there will be absolute gridlock on the roads leading to it, especially in the afternoons when the schools get out and during the evening rush hour.

I know that land and locations are difficult to come by in the Bay Area, but I urge you to consider how this will impact this area of West San Jose, Cupertino and Saratoga. This proposed Costco is forcing itself into already established businesses, homes, schools and a church. That has not been what I have seen of the Costco warehouses that I have shopped in over the past 25+ years. I had my first membership at Price Club, then Price Costco and then Costco. Please listen to a long time member that has shopped in Costco warehouses all over the country and in other countries as well. I understand that I am one voice, but I know I am speaking for those who live in the area and for the businesses within a mile or two of this proposed location. It will make getting around this area very difficult and it will negatively impact the businesses in the area as well.

I appreciate you taking the time to read this letter. If you would like to speak to me further, I can be reached at XXX-XXX-XXXX.

Regards,

Kathleen Aranjo
Member number: XXXXXX

Comment Letter 323

Feedback for Westgate West Costco DEIR, File no. CP21-022

Kathryn [REDACTED]

Tue 2/20/2024 9:13 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Lardinois:

Thank you for the Vision Zero safety improvements to Saratoga Avenue in San Jose. It has been revelatory to see how roads are made safe with designs to slow traffic down and require drivers to drive with more consideration and thought. To see the elimination of the turning lanes and access to excess lanes blocked with striping and barriers has been a real lesson on how roads should be. I'm writing to ask for this kind of consideration by the City of San Jose to continue in the rest of our area, but in particular, the part of Prospect Avenue that runs by Westgate West, the planned site of Costco, and the part of Prospect Avenue and Lawrence Expressway in San Jose that runs in front of and the on the side of Prospect High School.

A little history first to explain how our area ended up the way it did, with a school zone where hundreds of students cross twice a day, by foot and bike, a busy expressway, and why the much reduced, boxed in front of the school gets pressurized every school day.

Lawrence Expressway's 1959 original plan was to connect the South Bay Expressway (SR-237) to the West Valley Freeway (SR-85).¹ That complete connection would have made Lawrence Expressway worthwhile, but that's not what happened. The expressway stops at Saratoga Avenue, with just a few miles of Quito Road to SR-85, a failed project. It stops there even though it is the City of Saratoga that refused to allow a short, simple stretch of Lawrence Expressway in San Jose, along its border, to reach the proposed route of the West Valley Freeway (SR-85). The City of Saratoga and the town of Los Gatos lobbied to stop the West Valley Freeway (SR-85) Quito Road and the West Valley Freeway (SR-85) Prospect Avenue interchanges.² These would have relieved traffic in those cities, giving easy access to a freeway instead of what now takes place. The City of Saratoga residents and visitors travel up and down Prospect Avenue and Saratoga Avenue daily via San Jose. The two growth-restrictive cities also insisted that their part of the SR-85 be sunken to prevent excessive sound and have a truck ban on that portion, controlling not just sound but commercial traffic from their roads.

So what does that mean for our San Jose neighborhood at this border to the City of Saratoga? Residents from Los Gatos, Campbell, and Saratoga press the accelerator to travel as fast as possible when hitting San Jose's Quito Road or coming from the City of Saratoga on Saratoga Avenue or Prospect Avenue onward to our portion of those roads or Lawrence Expressway all day long, traveling not to shop at the retail space but to gain access to a freeway. Think of all the cost of Vision Zero safety improvements needed on San Jose's portion of Saratoga Avenue as compliments of the City of Saratoga and the town of Los Gatos.

If one visits this area, one will find that a wide unrestricted Saratoga Avenue, from the end of Lawrence Expressway, travels into the City of Saratoga but then, after a few miles, is narrowed more and more and slowed to a crawl as it approaches the retail strips and eventually the Village part of the City of Saratoga. This traffic pattern is by design. So is the reverse route, the accelerated traffic flooding into San Jose, damaging the quality of life and shopping experience there, also by the design of the City of Saratoga.

"Quality rather than quantity should be the goal for Saratoga's commercial areas. Growth of the Village shopping center will be limited by the amount of reasonably level land available for expansion and by its off-center location for a majority of Saratoga's future residents. The proposed Westgate Center, three and one-half miles away at Saratoga Avenue and Prospect Avenue in San Jose, will offer strong competition which can only be met by making shopping in the Village outstandingly pleasant experience." ³

And if you need further proof of the effects of this City of Saratoga policy on Prospect High School, look at where the border of the City of Saratoga meets Prospect High School property. There is a long island in the middle of the City of Saratoga's portion of Prospect Avenue with trees all the way to prevent any traffic-related events like crossovers, U-turns, or any ideas of additional entrances or exits on the City of Saratoga's side of Prospect Avenue's Prospect High School. Boxed in by design, allowed by the City of San Jose.

This plan for a Costco and all its traffic, this elimination of stores that serve lower-income residents, such as Smart and Final, the Goodwill store, and the negative impact of competition and reduced access and parking for Trader Joe's, in preparation for a fee-based shopping store of big-ticket items to serve to the growth-restrictive cities of Saratoga, Los Gatos, Monte Sereno, and Cupertino. Unless there's a complete change in traffic approach, this will be just more of a damning, overwhelming assault on the students of Prospect High School and area San Jose residents. Is the City of San Jose ready to take responsibility for that?

Here is a suggestion for the entrance of Prospect High School, whatever the decision is regarding Costco or any other retail development. Remove the innermost left-hand turn lane of Prospect Avenue onto Lawrence Expressway and use that freed-up space to create a long entrance lane into Prospect High School, along with a narrow island down that stretch for safety. Then, extend the time of that left turn arrow into Prospect High School in the mornings to allow that long turning lane to empty into the high school's parking area. Stop serving the City of Saratoga traffic at the expense of the safety and well-being of San Jose's students. Also, lower the speed limit to 25 mph and mark it as a school zone with signs and flashing lights on Lawrence Expressway in the area that is 500 feet from the Prospect High School property and in that crossing of Prospect Avenue and Lawrence Expressway to reflect that it is genuinely a school zone, stop the pretending that it has ever been anything else than that.

Here's a suggestion for the rest of the area: With what is already in the works by San Jose's plans for urban villages and high-density housing in our area, take a page from the City of Saratoga's playbook. Slow and restrict as much traffic as possible everywhere. While we in the neighborhood care about student safety and quality of life, City of San Jose officials should also care about the success of these new projects to bring in tax dollars. That success will only come if San Jose slows down the traffic even further, increasing quality and safety, leading to a real, lasting, successful retail space and urban village in Westgate West, El Paseo de Saratoga, and Westgate Mall.

1. "Half Billion Dollar Road Plan Proposed." Los Gatos Times-Saratoga Observer (Los Gatos, California), February 4, 1959, page 1, <https://www.newspapers.com/image/696797921>.
2. SR-85 Transportation Corridor, Route 101 to Route 280, Santa Clara County: Environmental Impact Statement, 1987, pages 17–18.
3. "Saratoga Adopts Land Use Policy," Los Gatos Times-Saratoga Observer (Los Gatos, California), March 5, 1959, pages 1-2, [newspapers.com/image/696798767/](https://www.newspapers.com/image/696798767/).

Thank you for your consideration and your care in responding to these serious concerns,

Kathryn Narasimhan
Country Lane Neighborhood

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Comment Letter 324

Feedback for Westgate West Costco DEIR, File no. CP21-022

K V Prajapati [REDACTED]

Tue 2/20/2024 4:57 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I vote NO on Project Costco !!

1. Presence of added traffic will cause safety issues to neighbourhood Public School Students.
2. Pollution due to added traffic will cause health concerns for the residents.
3. Heritage gem like neighbourhood will lose its charm due to commercial presence of giant Costco which eventually affects the home prices in our area as well. It is a financial loss to an individual.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Kavita and Vipool

Happy Valley Ave Residents (West San Jose)

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Comment Letter 325

Feedback for Westgate West Costco DEIR, File no. CP21-022

kavita prajapati [REDACTED]

Tue 2/20/2024 4:43 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

It is a too big project to be present in peaceful neighborhood where schools and small businesses thrive.

1. Prospect High School students walk, bike and learn driving in these streets- Costco's vehicle load will jeopardize their safety on the road.
- 2.. We have Saratoga creek trail alongside of Lawrence where community walk, jog, play tennis in pure air atmosphere. Load of excess traffic will ruin the privilege that residents enjoy in the neighborhood.
3. Community has youngsters biking on Lawrence Expressway, excess traffic will make it unsafe to exercise biking.
4. Many kids from EDS, Prospect, Country Lane, Lyn brook, Portal elementary, Hyde middle and Mitty high schools bike and walk to and fro on Lawrence and Saratoga roads will put them in danger with monstrous traffic rise due to Costco.
5. We have Seniors living in the residential homes, in the nearby retirement homes on Prospect and on Doyle Saratoga intersection where respected elderlies walk/drive to nearby stores and they will be at risk due to added traffic and pollution to the neighborhood.

Please put forth these concerns as if this is your own residence, your own child going to these school and as if it is your own elderly seniors leaving in this neighborhood.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Kavita Prajapati
Prospect High Mom

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Comment Letter 326

Feedback for Westgate West Costco DEIR, File no. CP21-022

Kim Jackson [REDACTED]

Tue 2/20/2024 4:24 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback

I appreciate the opportunity to submit comments regarding the recent Draft Environmental Impact Report (DEIR) for the proposed Westgate West Costco Project. After review of the DEIR I have addressed the concerns I have about this project.

Costco's Warehouse proposal at the Westgate West Shopping Center will have a significant impact on San Jose and surrounding communities beyond what is specified in the DEIR and CEQA guidelines, primarily because they do not measure quality of life.

Costco agrees that buildings and roadways dominate the aesthetic character of the site. The residents believe noise, traffic and pollution will dominate the environment. The predominant character of the visual and aesthetic environment is that of a commercial and RESIDENTIAL area.

Eric Orren, vice president of Costco's real estate operations, in the September 2023 issue of their Costco Connection magazine, states that "when necessary, we adapt our warehouse buildings to better serve the communities in which we operate." For example, they built a warehouse entirely underground, featuring a soccer field above the underground parking, basketball courts and other recreational areas as well as a massive green roof. He

further stated that, “ this allowed Costco to meet the community needs and their needs.” Why has the city not required Costco to make these kinds of community amenities and aesthetics available to this neighborhood?

I have lived and worked in San Jose for the past 50 years and at retirement age now find myself at ground zero for a project that is excessive in size and scope for this Westgate West site and is less than 100 feet from my front door.

As stated, I live at ground zero which means I live directly across from the only primary access point to the Costco site from Graves Avenue. Most residents on Graves Avenue are just 100 feet North of this 40 foot high structure with rooftop parking, a design that is unprecedented and unproven in the US. Policy CD-1.12 states Unless it is appropriate to the site and context, franchise-style architecture is strongly discouraged. Why do all their advertising pieces and websites show the Costco franchise style?

This site is too small for this oversized project and should be located in a more industrial area.

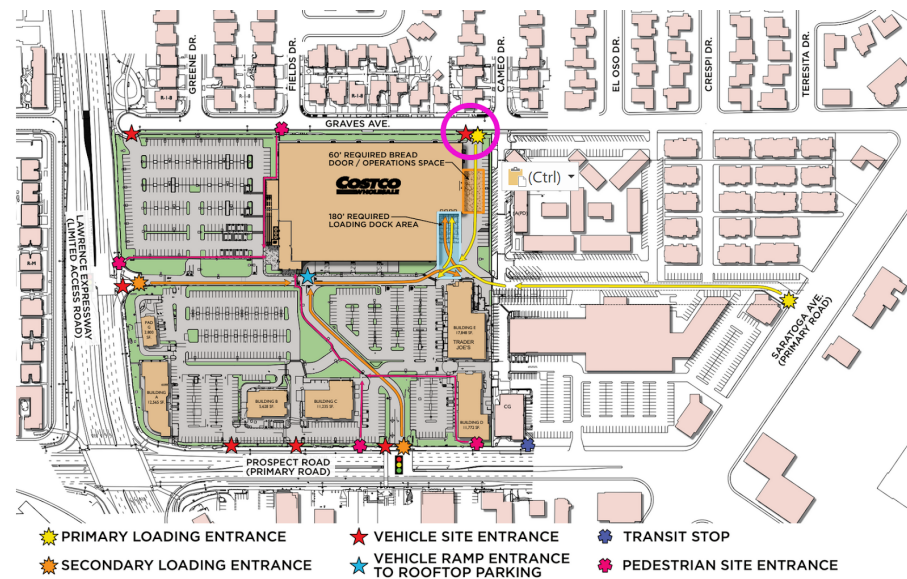
The DEIR states that the project site has a neighborhood/community commercial (NCC) General Plan land use designation and a Commercial General (CG) zoning classification. Please identify any existing Costco warehouse retail center operating in the City of San Jose, and list the General Plan land use designation and zoning classification for each one.

TRAFFIC AND SAFETY

Graves Avenue has been a focal point of study and discussion among neighborhood residents and city officials because of its close proximity to the proposed Costco site.

Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. There is inadequate traffic analysis of the streets off Saratoga Avenue and Lawrence Expressway that will be used as “cut-throughs” to gain access to Graves Avenue and ultimately the Costco site when other major streets like Saratoga Avenue and Lawrence are impacted.

Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car access way at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this access way is shown below.



There are no safety measures in place for pedestrians crossing Graves Avenue. Many residents, including elderly, mothers with children, shoppers going to the local stores, as well as students walking and bicycling to school, cross this busy street multiple times a day.

Cars and trucks speed down this small two lane residential street, often exceeding the 25 mph limit.

Despite these already dangerous conditions, there are no stop signs, bumps to slow the traffic or designated crosswalks, except one located adjacent to the Saratoga Creek Dog Park at the furthest end of this 2000 foot street near Lawrence Expressway, on Graves Avenue.

According to the DEIR, Graves Avenue is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35)

The DEIR omits any safety improvements or mitigations on Graves Avenue for these dangerous conditions and insufficient pedestrian and cyclist **safety data** in all surrounding streets.

The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue access way. The Graves Avenue access way is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Residents at the Cameo Drive and Graves Avenue entry Point would be subjected to loading dock traffic and continual noise of the beeping forklifts.

Potential pedestrian and cyclist safety improvements could include:

- A.** Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue;
- B.** Installing yellow steel safety bollards and pedestrian lights on major thoroughfares;
- C.** Painting green protected bike lanes;
- D.** Closing off the full-access point at Graves Avenue for Costco trucks, shoppers, and vendor vehicles;

Residents are calling for the closure of Graves Avenue to Costco customers, entry/exit for the safety of everyone.

AIR QUALITY, NOISE AND VIBRATIONS, SENSITIVE RECEPTORS

Sensitive receptor residents on Graves Avenue face the highest health impact due to demolition, construction, and operational activities associated with the proposed project, including massive traffic, poor air quality, noise, vibrations, and construction pollutants.

As a sensitive receptor myself, in my early 80's, I have a breathing disorder (OSA) and most air pollutants contribute to the risk and severity through airway irritation, edema and subsequent narrowing of the airways especially in older adults. I have real concerns about the cumulative effects on my OSA as well as my overall health. Additionally, I am concerned about cancer risks with being so close to the project site and so many pollutants that will be discharged into the air. I do not feel the DEIR has evaluated the health risks associated with this project when I am less than 100 feet from the site. Actually It's more like 50 feet.

The Draft EIR supplies input values for the AERMOD file but not the AERMOD input file. Please supply the file in a native format, preferably by posting to the Project page on the City's website. If other models were used to calculate cancer risk at each receptor location, please supply the native input files for those as well.

In addition to construction pollutants, truck and auto traffic, as we know, also contribute to health risks.

EIR Table 3.3-11 reports "N/A" for both unmitigated and mitigated cumulative cancer risk impacts from existing "major highways" sources, indicating in a footnote that "Cancer risk and PM2.5 concentration values were determined using BAAQMD's raster tool which reports risks and impacts for major highways, major streets and railways. Impacts were based on the maximum impact of a raster cell located near the maximally exposed receptor."

Why does it take nearly 2 years, as stated in the DEIR to complete this project?

Based on the construction schedule, it appears that Demolition and Site Preparation is occurring concurrently. Given the size of the Project, please explain why it will take 315 days to complete the Demolition and Site Preparation?

Table C-1 of the Air Quality Appendix assumes a duration of 287 days for the Site Preparation And Demolition. Why did the preparers reduce the number of days of construction?

Hazardous materials from previously owned businesses, a dry cleaning facility, Midas and Firestone Tires, are **inadequately studied for this site**. Human harming chemicals will be released during construction due to the unearthing of heavy materials and polycyclic aromatic hydrocarbons.

The Phase II ESA of the Project Site indicates that carbon tetrachloride was detected in the soil vapor nearest the residences to the north of the Project Site. Please provide further information and detail about the offsite concentration of chlorinated solvents in the affected community.

The DEIR does not detail plans or processes for bioremediation, oxidation or stabilization of the contaminated land during construction. Page 46 mentions that the soil will be watered twice a day to reduce dust emissions but no details are provided for the effects of this act on chemical laden soil.

On Table 5-5 the Air Quality Appendix notes that "Mitigated construction emissions assume the use of Tier 3 + Level 3 DPF mitigation for construction equipment greater than 50 hp." Tier 3 technology was replaced by Tier 4 Interim and Tier 4 Final technology. Why did the City not require the use of Tier 4 technology in the analysis?

If residents with sensitive receptors find the effects of these pollutants to seriously degrade their health, who will be responsible?

It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available before the project can move forward**.

The proposed project should not be approved as it is contrary to the city's own vision for the future as set forth in the Envision San Jose 2040 General Plan. Should the city choose to approve the proposed project with all the additional safety, traffic and health concerns, it should at least protect its citizens to the greatest extent possible from these impacts by requiring specific mitigations as conditions of approval of the project. Possible mitigation solutions are as follows:

- **Closing the opening of Graves Avenue to any Costco customer traffic.**
- Constructing a higher wall along Graves Avenue and along the eastern portion of the site to reduce pollutant dispersion and noise impacts.

- Using industrial air filtration systems during construction to limit/reduce pollutants.
- Installing solar panels over the entire Costco parking areas.
- Installing underground parking

Urban Decay

The Draft EIR omits an urban decay analysis, even though CEQA has long recognized this as a potentially significant impact of large-scale retail development in built-out retail market areas. (*Bakersfield Citizens for Local Control v City of Bakersfield* (2004) 124 Cal.App.4th 1184.) There appear to be several existing, neighborhood-scale retail establishments operating in a manner consistent with the NCC land use designation that could be adversely impacted by the Costco. If any of these retailers were to close as a result, there is a potential for a “domino effect” of retail closures nearby, potentially leading to urban decay.

Please identify any existing retailers within 1 mile of the Project site with whom Costco would compete, evaluate whether they are likely to close as a result of this competition, and the potential for urban decay if this were to occur.

In addition to local, smaller businesses that would be affected by a Costco, the “domino effect” would translate to their vendors, sales people and advertisers as well.

This project has life altering consequences for San Jose if approved.

If not approved, this proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Please, do not consider approval of this project.

Thank you for your consideration and your care in responding to these serious concerns.

Thank you,
Kim Jackson

Country Lane Resident

Sincerely,
<Your Name and neighborhood go here>

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Comment Letter 327

Subject: Feedback for Westgate West Costco DEIR, File no. CP21-022

Kim Jones [REDACTED]

Tue 2/20/2024 12:02 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair,

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I was raised and continue to live in West San Jose for over 50 years. I attended Stichter Elementary School, Miller Middle School and Lynbrook High School. I am a retired software engineer and local homeowner. I am very familiar with the traffic patterns in the West San Jose area. I drive on Prospect road everyday to access local businesses. Traffic in the Westgate West area is already very bad especially during school drop off and pick up times. There are so many schools (Prospect, Moreland, Christa McAuliffe, Lynbrook, Miller, Murdock, Dilworth, Mitty) very close to this project. I am very concerned about the amount of traffic and safety issues for pedestrians, bicycles and cars that the 11,000 car trips the project is expected to generate. The Transportation Analysis in the DEIR did not include the afternoon pick up time frame (2-4pm) which is when traffic is at it's worst.

The San Jose Vision Zero plan identifies Saratoga Avenue and Lawrence Expressway as priority safety corridors. The Transportation Analysis existing traffic operations at Prospect Rd/Lawrence Expwy, Saratoga Ave/Prospect Rd-Campbell Ave are already operating at a LOS of D during weekday PM peak hours. I don't see how adding 11,000 daily car trips to this area will meet the requirements of Vision Zero plan.

The San Jose Better Bike plan 2025 goal includes improving safety and encouraging people of all ages and abilities to travel by bicycle. I frequently ride my bike to Campbell and West Valley farmers markets on weekends but I never ride on prospect road near Westgate West because it is too dangerous now without Costco. I don't see how adding 11,000 daily car trips to the area improves safety for bicyclists.

At a minimum I request that DEIR include the following:

- An updated Transportation Analysis to include the lunchtime and 2pm-5pm time when schools in the area let out.
- An updated Transportation Analysis to include the reduced lanes on Saratoga Ave.

- A pedestrian and bicycle safety analysis providing steps to mitigate any safety issues that are identified by the study.

If the city insists on approving this dangerous project, before granting approval the city must create, fund, and put in place specific traffic and pedestrian mitigation measures to address student, pedestrian, and cyclist safety. Please don't wait for pedestrian and cyclists deaths to make appropriate changes.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Kim Jones
Rainbow West San Jose neighborhood

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Comment Letter 328

Feedback for Westgate West Costco DEIR, File no. CP21-022

Ngan [REDACTED]

Tue 2/20/2024 9:47 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

While I am a Costco member for 2 decades, I believe its presence will damage the community feel of the Westgate West area and its neighborhood.

Most if not all of the Costco existing locations in California and elsewhere (IE: Portland), they're situated in an industrial zone -- not bordering a high school and residential area. A Costco will completely ruin the character of the area being a warehouse with gas stations.

They're better situated in the southern part of El Paseo area .

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Kimngan Nguyen ; Strawberry Park

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Comment Letter 329

Feedback for Westgate West Costco DEIR, File no. CP21-022

Kranti Singh [REDACTED]

Tue 2/20/2024 7:40 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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As a resident of the Country Lane neighborhood, I am concerned about the safety of children in both the elementary school and Prospect High School. There is a danger of an accident happening with cars going to Costco cutting through the neighborhood. I see a lot of elementary school kids walking to school alone and if there is an increase in the number of cars going to Costco, this will directly lead to accidents. The city has rushed this project in spite of the warnings on multiple parents and the situation is an accident waiting to happen. If something happens, this will be considered wilful negligence on the part of the city officials who have not taken the effort to understand the situation on the ground. If you really want to see what the risk is, I would kindly suggest folks to drive by the neighborhood when school is in session or the kids are walking back home. It is very clear that these streets cannot accommodate the additional traffic that impatient Costco drivers will bring.

Kranti Singh

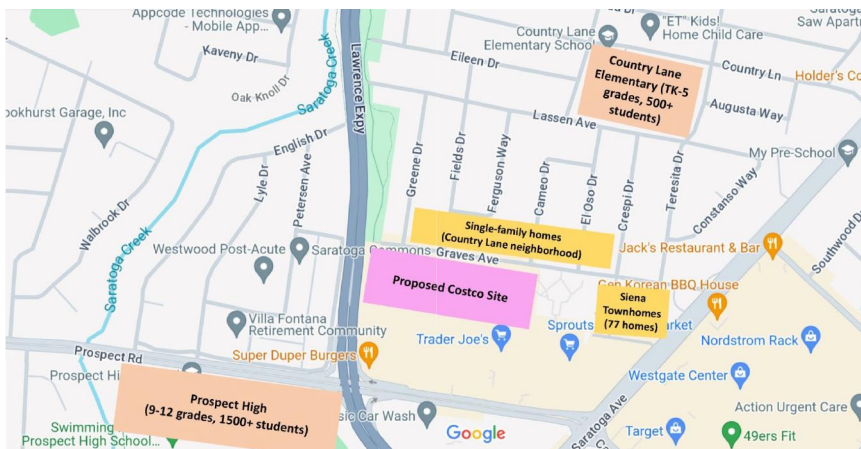
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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

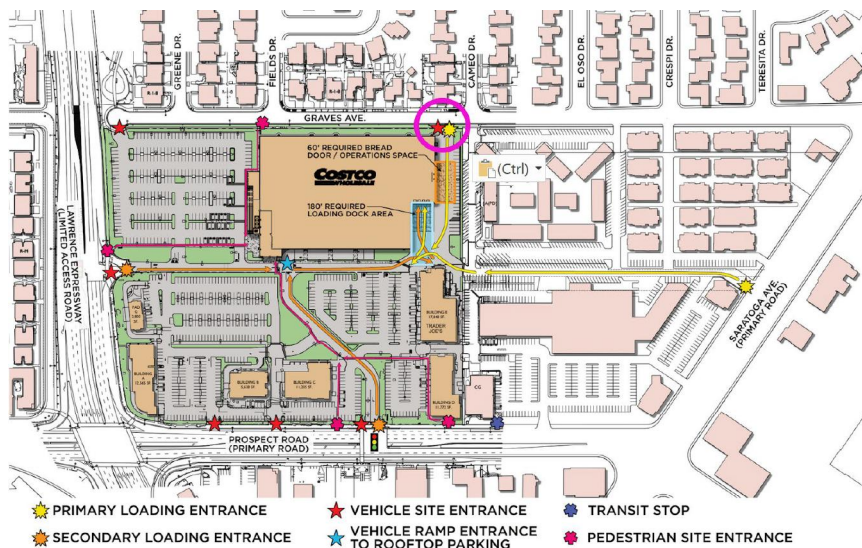
The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not

discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives

state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four

schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking.**

The DEIR states, “Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM” (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are “less than significant” traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and

controlling noise from workers' radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The

health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as "locally and regionally accessible by multiple transport connections" on their project website, the only

nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the "engagement of local residents in planning the urban village" and "a mix of housing and employment to reduce traffic." The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an "area of undue concentration." Since the proposed off-sale location is in an **over-concentrated census tract**, Costco's conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of "public convenience or necessity." It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe's, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project so informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR.

The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Kranti Singh
Country Lane, San Jose, 95129

Comment Letter 330

Feedback for Westgate West Costco DEIR, File no. CP21-022

Kris G.C. [REDACTED]

Tue 2/20/2024 2:36 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am a Costco shopper who lives a mile from the project. I am NOT eager to have a Costco at Westgate West. The project doesn't provide a great benefit for the community.

My concerns:

First, there are a lot of teens traversing the parking lot to get home to Country Lane neighborhood, as well as meeting their parent in the lot. The youth are walking in the parking lot, as far as the AAA building to meet their parents. The increased traffic, along with distracted drivers eager to exit the parking lot, is literally an "accident waiting to happen". Youth from Prospect support the local businesses by making purchases at Starbucks, Happy Lemon, all the way down to MOD Pizza. We need to control the traffic. An estimated 11,000 trips a day, spread over 8 hours translates to more than 1,000 vehicles entering the lot at any given hour.

Second, I am concerned about the impact on local businesses if the Costco-bound cars spread into the parking spaces near the other businesses. It's not just cars, but the abandoned shopping carts taking up valuable parking spaces. It will definitely inconvenience local residents who shop at Trade Joe's for those few quick items. The footprint of Costco is too big for the character of the area. This is bigger

than Sunnyvale with a smaller parking lot. Costco will take away business from so many other local stores....why make space for a giant business that will create more empty store fronts by driving out others?

My suggestions:

If Costco comes in, they can afford to be the best neighbor.

I would recommend giving Costco a dedicated entrance directly from Lawrence. They would not share the existing driveway. This would corral the Costco customers to a dedicated parking area. Shopping carts would lock after a certain distance, so that they are not abandoned near Starbucks.

Redesign the medians in the parking lot, so that Costco shoppers will not impede on those who are shopping at Trader Joe's or dining at the local SuperDuper Burgers, Ike's, Starbucks, Taco Bell, or Happy Lemon. Make a solid median that people can walk across but not push shopping carts. Extend the median down past where Trader Joe's is located.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Kristin Gan
Moreland West Neighborhood

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Comment Letter 331

Feedback for Westgate West Costco DEIR, File no. CP21-022

T C Rocks [REDACTED]

Tue 2/20/2024 12:20 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Hello Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, City Council members, and Planning Commission Chair Lardinois,

I live in the Country Lane neighborhood and am a 6th grader at Moreland Middle School. I live on Teresita, which I think Costco shoppers will use to get to the new Costco to avoid traffic on Lawrence and Saratoga. My Mom and Dad are very worried about the new Costco coming into the neighborhood and the traffic it will bring in. I am very worried too. My mom walks our dog Bruno every day in our neighborhood. On the weekends, my mom and I walk our dog Bruno in our neighborhood. I am afraid we will get hit by a car going through our neighborhood to get to Costco.

I will be a freshman at Prospect High School in Fall 2026. I will be walking to Prospect High School and back home every day. I will be crossing the intersection at Prospect and Lawrence. Costco will bring in a lot more traffic at this intersection.

I am very worried and nervous about crossing it. I am afraid that either I or my friends will get hit. I have heard from my friends that already 4 students have been hit in this intersection. That is very scary to me.

Thanks for letting me write to you about this. I hope you understand and will listen.

From,
Leah Mah
6th grader at Moreland Middle School
Country Lane Neighborhood

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Comment Letter 332

Feedback for Westgate West Costco DEIR, File no. CP21-022

Lindsay Walker [REDACTED]

Tue 2/20/2024 5:00 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to continue providing feedback on the proposed Westgate West Costco project. I have already submitted a letter describing my concerns, but I wanted to add two points that I did not address in the previous letter.

1. I would like to propose that if Costco is to go in it does not have the tire center. There is already a well reputable tire center across the street that serves more people in the community. The Costco tire center is only available to Costco members and the Big O Tires center serves the larger community (including the low-income folks who cannot afford a Costco membership).
2. Please include a new traffic study that includes the increase in traffic that will be expected from the new El Paseo community.

Thank you!

Lindsay Starek

Country Lane Neighborhood, Crespi Drive

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Comment Letter 333

Feedback for Westgate West Costco DEIR, File no. CP21-022

Lisa Rathjens [REDACTED]

Tue 2/20/2024 1:45 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

While I understand the interest in developing / revitalizing Westgate, I am very concerned that the DEIR shows only cursory traffic study and has made inadequate provisions for the safety impact to this area. The intersections at Prospect/Lawrence and Saratoga/Lawrence are very congested, already considered unsafe for bike traffic, and have especially high pedestrian traffic due to the proximity of Prospect High School. Considering that Prospect High School students cross that intersection en masse every school day (at least four times), we need to see the city do more to avoid injuries to pedestrians and cyclists. In light of the increased car traffic that Costco will surely generate, I would like to see additional details re how the city plans to upgrade/ improve these streets and intersections to ensure safety for pedestrians and cyclists, as well as improve traffic flow. There are also three other elementary and middle schools very close to this location, and the safety and well-being of those students and families as they go to and from school should be planned for and ensured BEFORE any construction begins on the addition of a large retail destination. This impacts Lawrence Expwy and Prospect and Saratoga Aves, as well as Graves Ave.

Please do the work to ensure these streets are safe for pedestrians and cyclists (widening, adding lights or speed bumps, blocking entry, and / or other options) before allowing the Costco work to begin.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Lisa and Dietrich Rathjens
neighbors in the Saratoga Woods neighborhood

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Comment Letter 334

Ground will not support a pedestrian bridge and more. Feedback for Westgate West Costco DEIR, File no. CP21-022

Lisa Palumbo [REDACTED]

Tue 2/20/2024 2:32 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>; District1 <district1@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the DEIR and here are my comments: Thank you for taking me and my family's comments into consideration!

- **Policy CD-1.8 Create an attractive street presence with pedestrian-scaled buildings - provide an engaging, safe, and diverse walking environment.** Encourage compact, urban design, including use of a smaller building footprint, to promote pedestrian activity throughout the City

I see in this explanation of what the DEIR looks for is not what this Costco will adhere to. With over 10,000 cars daily going in and out of this Costco, that is not what any of this CD Policy supports. The Costco will not PROMOTE pedestrian activity. The traffic itself is a major concern. I have lived next to this area for over 25 years. During that time they tried to build a pedestrian bridge. **They can NOT. The ground will not support a bridge.** They have done the studies already. Like, the Prospect High School's buildings just built, which wanted to go up to 2 stories (by the football field) they had to **abort that design** and do a one story. The traffic will be a major factor in creating a NON pedestrian friendly area after Costco is built. It is already very dangerous.

I have personally seen 4 major accidents at the intersection of Lawrence and Prospect. This intersection has given me lots of anxiety - even PTSD. The 100's of students and community members that use this crosswalk will give way to so many more accidents with people driving in and out of Costco. This brings me anxiety to know these students and neighbors will be subjected to this type of traffic each day. **I have anxiety** and this will further it to know this is happening everyday that an extra 10,000 plus cars will be coming and going from this area near me.

I also am an avid athlete and work out in this area. The pollution that this will bring will create a very unhealthy atmosphere and give way to many health problems for me. I have **allergies** and **pollution will makes this worse**.

I am not opposed to an appropriate project for this space. Policy CD 1.8 seems to protect big business from coming in to destroy local communities. We need well thought out spaces for mental health and community engagement.

Thank you for your time and consideration on these points that are **serious** to me and my family. Health and mental wellness are at stake.

Regards,
Lisa Palumbo
Brookview Neighborhood
(beside Prospect High School)

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Comment Letter 335

Feedback for Westgate West Costco DEIR, File no. CP21-022

Lori [REDACTED]

Tue 2/20/2024 4:34 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests. I hope you will consider these when you make a determination for or against the Costco proposal. I have similar concerns that many have about the safety and risks of the increased traffic by this Costco project for the areas near to the site. However, I will not elaborate as I believe others will have covered that extensively. Here are some other points to consider from my viewpoint.

1. Envision 2040 San Jose General Plan

Here is a quote from the Envision San Jose: "In terms of the City's physical form, the General Plan outlines a wide variety of living and working environments; continued development of the Downtown; **preservation and improvement of existing residential neighborhoods; and creating new, vibrant urban villages.**" This physical form is attractive to San José's diverse population and meets the needs of two growing segments of the population: young professionals and aging seniors." And this plan received a reward of excellence. So I am wondering, how this Costco will help this plan by being plopped down in the midst of two new urban village developments and existing well-developed neighborhoods. Costco demands cars, to take home the large amounts of things to be bought. Costco also assumes a membership that excludes many people from shopping there, and it also is normally a place where people go once a month or maybe twice, not somewhere that is frequented regularly by the local people like typical grocery stores. It doesn't encourage any other kind of transportation and is not a place for community or typical use that enhances either village or enhances the existing residential neighborhoods.

2. Urban Village Concept

An Urban village sounds like a great idea. It will still bring in much traffic, but not quite the same as a Costco. And everyone won't be funneling into the same two entrances, and up the same parking ramp. Different shops, housing, and restaurants could service the neighbors and visitors, and wouldn't discriminate like a Costco member warehouse would.

I see that Paseo de Saratoga and Saratoga Ave are considered Urban Village areas. I'm not sure how Saratoga Ave will accomplish this with the amount of traffic that will be on it for Costco and other developments. It already is a mess at times, I try my best to not use it. It sounds like Westgate West is not considered part of the urban village and instead will bring in things that may support the village. So the neighbors that already live in an area that could expand the urban village, too bad for them. I don't see a vision for providing a place where people go for many things (food, entertainment, shopping, relaxing), building a sense of community and pride for their area as well as inclusion, jobs, and continued income growth for many businesses. Not walking around a big warehouse amongst the thousands of other paying members and then leaving again, to come back many weeks later.

3. Risk to the kids of Country Lane and other outlying neighborhoods

The neighborhoods around the Costco proposed site will change for the worse, as cars will be routed to go through the neighborhoods when Lawrence Expressway and Saratoga Ave get backed up. People will just use their GPS to route them there, and it will find the path of least resistance, even if it is a 25 mph road like Teresita Dr, Benton, Happy Valley Ave (to name a few). All of them run from Doyle down to Graves. With this will come some

accidents, people harmed, even killed, and then speed bumps, roundabouts, and other things will be put in place to keep people safe after accidents have already occurred. A few streets go right by Country Lane School, which already gets lines of cars from parents dropping off and picking up their kids, as well as teachers and coaches parking on the streets for quick access into the building. Costco shoppers will be focused on getting where they need to go, and not on the residential street and happenings they are being routed through.

I myself cut through neighborhoods to get to my Pilates classes, as Saratoga is too backed up most times, and my GPS routes me differently. So if this Costco is built and Lawrence Expressway and the access to Doyle backs up more and more, I will choose to cut through a neighborhood to the north, to find my way home. Which means that the traffic problems both pollution and accident risks start to expound out to the adjacent communities.

4. Other factors to pollution than VMT

It was determined that since the VMT will be lower if all the members close to this proposed site go there, so there will be less pollution. And if you just look at those numbers it appears to be right. However I think many more factors need to be weighed against this. What about the cars idling waiting to turn into the store because there will be lines from the increase of 11,000 more cars each day. Or the line of cars going up and down a ramp to parking. Or Idling in the parking lot to snag a parking space right outside Trader Joes, because who really wants to go up the one ramp to rooftop parking.

The removal of stores (Smart & Final, Goodwill, etc.) also have caused people to drive out to find those products elsewhere. Costco will not service those needs. So the pollution will go up for those trips to new stores farther away, and have already started since these stores have left. Plus these stores may service a more frugal population that won't be buying a membership to Costco, and now have been pushed out to drive farther to meet their needs. Costco is not inclusive at all for many people that can't afford it or don't live in homes that can afford the space needed for the many bulk items. Urban villages usually have smaller footprint homes and don't provide much storage.

5. Recent upgrades to Saratoga to slow down traffic

You may be aware or were even part of the planning process for Saratoga Ave and that new bike lanes and other changes have been made. Though it has confused and annoyed many people, I have heard that it is slowing cars down, hoping to bring some ease to the accident rate. So now Costco is going to bring 11,000 new cars a day and one of the main roads is slowing traffic down. Saratoga already gets backed up during key times of day, and this will not help. These plans seem to be conflicted.

6. Ulterior motives

These may be rumors or just negative thinking but I (and many others) believe that Costco has bigger plans to expand more and potentially take over much of Westgate West. Costco has proposed to be placed right next to Trader Joe's and other stores, those stores will have no choice but to leave. Their shoppers will not want to wait in a line to Costco and circle and wait for parking, so they will go elsewhere. So these businesses will have to move. This means less jobs and less community. And even more pollution as those shoppers will drive farther away to shop. This may be what Costco hopes so they can later expand and bring in gas, and other services. These are again not conducive to a neighborhood area.

I saw a cool rendering of a Costco with a mixed use area : <https://www.sfgate.com/local/article/new-california-costco-store-looks-different-17751432.php>. This would have been a great proposal for the development going on in El Paseo that I believe will have a Whole Foods. There is enough space there and separation from the neighbors already that it would have fit better. It also looks a lot nicer than a warehouse and includes other services/shops that are more inclusive. Also the traffic, though still way too much for 2 already busy roads, wouldn't be so close to schools and pedestrians as they will be now. I believe an alternative solution and placement would be the best recommendation, or really just enhancing the current three Costcos that are already within 10-15 minutes of me and another two within 20 minutes.

In Summary, I hope you see from the points above that building a Costco at Westgate West is not the best solution. Definitely bringing in more stores, restaurants and housing would be great for the area to bring it life, community, jobs and growth. Right now it looks like a ghost town since leases aren't being renewed because the property owner hopes to bring in an easy "sure thing" even if disruptive to the area. These appear to be deliberate decisions made to keep other stores out of Westgate West.

In closing I do want to say I am a Costco member and still will plan to shop at the one closer to my work that is well established and provides gas. It is convenient for me when I am going to / coming from work. Though busy at times, it is manageable and still has room for growth.

If you decide to move forward with the Costco proposal I hope the city works with Costco to be more innovative on its look, fit, and thoughtful to the risks presented and the community it will greatly negatively impact. This includes closing all entrances and traffic into Costco on a neighborhood street (Graves Ave), enhancing all the crosswalks across busy roads within a 1/4 mile radius as this is an area of pedestrian usage - unlike other Costcos (maybe even pedestrian overpasses). And encouraging other shops and protecting parking for the current stores for supporting the community needs.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Lori Ronning from Country Lane neighborhood

[REDACTED], San Jose, CA 95129

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Comment Letter 336

Feedback for Westgate West Costco DEIR, File no. Cp21-022

Lucy Sun [REDACTED]

Tue 2/20/2024 7:24 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Maguire, Jennifer <jennifer.maguire@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Manager Maguire, City Council members and Planning Commission Chair Lardinois:

I've reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco Project and I writing to give you my feedback.

For 52 years, my family has lived on a street right off Graves Avenue. As you are probably aware, Graves Avenue borders the back of the proposed Costco project. From our house, we can see the existing parking lot of the proposed site adjacent to the doctor's office complex.

I have many concerns, as well as suggestions, about the proposed project.

Construction & Home Values:

- The amount of time it will take to tear down existing businesses is long.
- The constant noise, dirt, construction vehicles carrying supplies, and heavy equipment will disturb residents and their pets, disrupt patients in the doctor's offices, disrupt local birds and wildlife.
- The Costco building will stand less than 150 feet from the homes on Graves Avenue. It will tower over these homes, block their view, and block the sun from their South-facing yards for the majority of every day. Costco would likely drive home values down, make it even

harder to live.

- The Costco building will stand less than 150 feet from the Saratoga Creek Dog Park on Graves Avenue. It will disrupt residents and their dogs walking to/from the park.

SUGGESTIONS:

- On Graves Avenue: close the driveway nearest Cameo Drive to the parking lot; build a 10-12 foot wall for privacy to residents, to block view of blight from trash, pallets, equipment, deliveries, and to mitigate noise.
- Attract businesses that would benefit the community, support the environment.
- Bring back Smart & Final (affordable prices) and Goodwill (promotes reuse, recycled materials).

Urban Village and Accessibility:

Building Costco here goes against San Jose's strategies to build an Urban Village.

- *Strategy: A mix of housing and employment to reduce traffic.* Costco will **not build housing** and will **increase** traffic.
- *Strategy: Densities that support transit use, bicycling, and walking.* Costco will **increase traffic** on a residential street and **crowd bicyclists and pedestrians**.

SUGGESTIONS:

- Attract businesses that welcome employees who get to work in shared family vehicles, by bike or on foot. Offer employees shifts with varied start times to allow for flexibility in how they get to work. Encourage businesses that will compensate employees with a realistic living wage.

Safety and Traffic:

The intersections at 1) Prospect & Lawrence Expy 2) Prospect & Saratoga Avenue and 3) Graves & Saratoga, are the busiest, most dangerous, most congested spots around the proposed Costco site. Costco would bring an estimated 11,000+ more cars to the area.

- My family has disabled members who need safe, ADA compliant walkways in and around the site to get to doctor's offices, Sutter Health Clinic and Trader Joe's.
- I've personally seen Prospect High student bicyclists almost get hit by a cars twice in 2023 at Prospect & Lawrence Expy.
- There were two actual accidents between students and cars in 2023 at Prospect & Lawrence Expy.
- Hundreds of students cross each of the three above intersections every single day.
- The same students walk to/from home and Prospect High through the parking lot of the proposed site.
- Hundreds of Country Lane Elementary and Easterbrook Discovery School students walk to/from home and school through the neighborhood between Graves Ave, Lawrence Expy, Doyle Rd and Saratoga Ave.
- The 11,000+ added cars coming to this area will back up traffic at peak hours, 7 days/week.
- Three other Costcos nearby in Sunnyvale, Santa Clara, and North San Jose. They are on bigger lots with a lot more parking spaces that already accommodate the traffic.

SUGGESTIONS:

- Build safety corridors for pedestrians, bicyclists along the above intersections.
- Require Costco to build safe, ADA compliant passageways (during and after construction) through the parking lot for the disabled, people with strollers, students, dog walkers and anyone on foot.

Thank you very much for your consideration, time and care in responding to these serious concerns.

Sincerely,

Lucy Sun

Graves Avenue Neighborhood

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Comment Letter 337

Feedback for Westgate West Costco DEIR, File no. CP21-022

Radevic family [REDACTED]

Tue 2/20/2024 1:48 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I have been a resident of the west valley area since 1980. My children attended both Country Lane and Prospect High School. I am extremely concerned for the safety and health of the current residents in my area, both school age and seniors. Many walk to school and to shopping. This would not be a safe with a Costco on the corner of Prospect and Lawrence. The amount of increased traffic would be hazardous to all who tried to navigate their way through. This would apply to cyclists too. I don't know I if you have personally observed drop off and pick up times at Prospect High School, but it is already a mess and traffic is backed up on Lawrence as well as Prospect. Costco traffic would only exacerbate this problem.

Another concern I have is about pollution from additional traffic , any lubricants required for hoists and machinery, noise pollution from impact wrenches and noxious odors from stored tires all from the proposed tire center.

I am also wondering if the 'big picture' is being considered in this case. The proposed Paseo Saratoga development , the new housing on Cox, further development proposed to north Saratoga will all be of great consequence to the quality of life for the current residents of this area.

The roadways are sure to become parking lots adding stress and accidents. The extra consumption on our utilities is sure to break the current

systems. The resources of our community are already stretched ie. power outages, brownouts, restricted times for power consumption, water resources are precious few and prices are high and amount is also restricted. No where do I see that any of these concerns are being addressed. (* restrictions in this case are cost incentives and cut backs of allotments)

In conclusion, I would submit an idea for the Costco site. A community center including a pool, tennis and or pickle ball courts, soccer fields, rooms for afterschool or adult education, a track, and a par course. Any of these would enhance the life of the residents and could be enjoyed by all ages.

Thank you for your consideration.

Sincere, Lynne Radevic

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

<Your Name and neighborhood go here>

Sent from my iPad

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Comment Letter 338

Feedback for Westgate West Costco DEIR, File no. CP21-022

Margaret Mori [REDACTED] >

Tue 2/20/2024 1:12 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my comments.

A). West Valley Japanese Americans Citizens League Community Center is on Graves.

It's been there for over 50 years.

It doesn't have a parking lot: seniors ages 50-102 park on Graves Avenue, close to the back entrance to where Costco hopes to be.

Seniors depend on lunches there; weekly bridge games; weekly card games; meetings; socialization.

They've managed to find close street parking for over 50 years; agreeing to a gigantic warehouse will make safe parking & access impossible.

B). It's setting a bad example to have a monster warehouse with PRIVATE membership take away stores we, the public, needed & used.

Seniors depend on S.S. & most don't have \$ for private club fees just to shop or carry & store jumbo packs of supplies.

Statistics show we will have a large senior population.

If younger residents choose to pay membership fees & load up large vehicles with heavy supplies, fine. But they're also the ones who can drive 10-15 miles to 1 of the other Costcos, located off freeways & very wide streets.

C). The area, for miles in each direction, has above-ground PGE equipment. The power goes out for days at a time, multiple times each year.

If Planning Department & all City Council members had to try to reach Saratoga, Campbell, West San Jose; or urgent clinics, medical/ dental/ vision; markets; schools at the intersections of Prospect Road, Lawrence Expressway, Campbell Avenue, Saratoga Avenue, Quito Road, & Hamilton Avenue during these outages you'd realize what a dangerous, dark nightmare it is as all those cities & roads meet in that one-block-intersection.

D). We've grown up & lived near here so we know there's no way to further widen the main roads leading to the proposed site.

Residents are already aware there will be heavily-increased traffic with needed housing.

That's a necessity as the population grows.

But housing & senior housing is not the same as a private warehouse need for profit.

E). It is hugely unfair to long-established medical, dental, vision professionals & urgent care clinics & their patients; to established markets & their patrons; to local businesses; to school staff, students, & parents who bought in a basically residential area for the schools' access; to 2 important Community Centers; to established churches; to seniors who need reasonably quick access to their long-established community center meals, events, safe parking; why are they being forced to give up quality of life?

F). Because our elected officials & planning commission are juggling something that will greatly and adversely impact children, parents, elders, & all the established professionals, businesses, churches, schools, & community centers we would expect that every single person with a voice come sit at the intersections (Prospect Road/ Lawrence Expressway/ Campbell Avenue/ Saratoga Avenue/ Quito Road/ Hamilton Avenue) during 3 major traffic times.

During rainy season and during one of our 98° summer days.

Please do come during peak traffic, heat, bad-air quality (which San Jose & Santa Clara County already rate badly & need to mitigate not wosen) & power outages because this is our children's, parents,' & our life.

G). In every city's planning there are (limited) opportunities to determine quality of life for it's residents; chances to lower not increase pedestrian tragedies & vehicle accidents; ways to minimize traffic congestion; foresight to reduce bad-air quality rather than ensure it; ethical responsibilities to maintain the fastest safest access to medical professionals; vision to balance the lives of all ages in their chosen residential areas with pushes from conglomerates & corporations whose incentive is profit.

For all of us who already live and work here...this is that time when we need our city to remember it's residents above all.

Our elected officials are able to set boundaries when a privately corporation's profits endanger the residents' quality of life.

Please don't forget all us residents' quality of life and the forever negative consequences a private membership-only warehouse would entail.

Thank you for your attention to our serious concerns,

Sincerely,

Margaret and Arthur Mori

And family (who all live, work, receive education, market, shop, walk, bike in the potentially-impacted area & will for generations-to-come.)
(West) Campbell, California 95008

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Comment Letter 339

Feedback for Westgate West Costco DEIR, File no. CP21-022

L M [REDACTED]

Tue 2/20/2024 10:43 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

There are multiple schools nearby, especially Prospect High School just across the street. Adding Costco will create more traffic and cause accidents. Also, there's a dog park nearby, and it has already caused parking and littering problems in the neighborhood. Adding a bike lane on Saratoga and nearby streets has created heavier traffic on already congested roads. It makes no sense to build a mega store like Costco in our neighborhood.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Mariko Lalwani, Country Lane

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Comment Letter 340

Proposed Westgate West Costco

mark [REDACTED]

Tue 2/20/2024 4:02 PM

To: Hawkins, Kara <Kara.Hawkins@sanioseca.gov>

CC: [REDACTED] Bill Gott [REDACTED]; Yuchi Zhang [REDACTED]

[External Email]

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Dear Mrs. Hawkins,

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am concerned about the drive lane at Saratoga Ave (between the Sienna townhome wall and behind Chipotle). This looks like that drive lane will continue from Saratoga Ave to Lawrence Expressway.

If that is the case then the diagonal parking on the outer South end of West Valley Professional Center will be greatly impacted by delivery trucks and cars that will block vehicles that need to park and back out in those parking stalls.

Now that Saratoga Ave between Graves Ave and Prospect Ave is reduced from 6 to 4 lanes, the traffic will certainly get worse having delivery trucks and vehicles using that drive lane at Saratoga Ave.

There is no proposed barrier between the parking strip by the east-facing side of the Costco park strip and the west-facing side of the West Valley Professional Center.

This may create a pedestrian and vehicle problem for shoppers who will park at the West Valley Professional Center since there is no barrier.

Westgate West and West Valley Shopping Center shoppers and employees park in the West Valley Professional Center regularly. With Costco shoppers and employees, this will get worse. Shopping carts are left at the West Valley Professional Center constantly.

With the proposed Costco with a height of 40 ft and pushed 50 ft East towards West Valley Professional Center, there will be a significant loss of sunlight during the day.

Thank you for your consideration and your care in responding to these concerns.

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Comment Letter 341

Feedback for Westgate West Costco DEIR, File no. CP21-022

Mary Chiao [REDACTED]

Tue 2/20/2024 1:19 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I have lived in the Country Lane area for over 40 years. I am really concerned for Westgate and the surrounding areas if this project is passed. The traffic at Lawrence Expressway and Prospect Avenue and the traffic at Saratoga Avenue and Graves and Saratoga Avenue and Hamilton/Campbell is already is already at a gridlock during commuting hours and hours when Prospect High School starts and ends. I hope each one of you have taken the responsible step of driving here at those times so that you can experience the frustration that we do already. The high estimate of cars expected daily at Costco will exacerbate the problem.

We can expect drivers who cannot find spaces to park at Costco to take spaces away from the surrounding businesses, thereby causing them to consider whether they will leave the area, and more small businesses will be lost. We can expect drivers who cannot find spaces to park at Costco to park on our residential streets.

I am concerned for our neighborhood children who will not be safe crossing the already hazardous Lawrence Expressway. Large trucks will speed down Graves like they have already been doing even though they are not supposed to.

We can forget being able to park at the dog run area next to the proposed Costco site that San Jose just put a lot of money into.

Graves Avenue currently is a challenge for those of us who cross it to visit our medical professionals. I also expect those parking spaces will be taken up by Costco customers.

The new Costco will increase both noise and light pollution, not to mention the unhealthy smells from auto and truck exhaust we already have to suffer in the area.

There are already several Costcos within driving distance. Why put another one here?

Costco is a member only business. I can't walk in there without joining and paying a fee to do so. I can walk into all the other businesses in Westgate without joining and giving them money just to be able to shop there. Couldn't you have found a way to support our local businesses?

I urge you to vote against Costco at Westgate.

Thank you for your consideration and your care in responding to these serious concerns.

Very truly yours,

Mary Miller Chiao



San Jose, CA 95129

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Comment Letter 342

Feedback for Westgate West Costco DEIR, File no. CP21-022

maryalexgeorge@aol.com [REDACTED]

Tue 2/20/2024 2:08 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback.

While I initially supported this project, I now have some major concerns due to the other construction projects planned within the same few blocks. The El Paseo De Saratoga project which includes 10 and 12 story high-rise buildings at the corner of Saratoga Avenue and Prospect Road and the Paseo de Saratoga Urban Village at the corner of Lawrence and Prospect will have a huge impacts on traffic and infrastructure, yet cumulative conditions have not been considered. It seems foolish to approve this project without considering the impact that all three projects will have.

Please study the effects of all three projects before approving any of them.

Thank you for your serious consideration.

Sincerely,

Mary Tanner
Miller Neighborhood
95129

do not include cumulative conditions from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments.

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Comment Letter 343

Feedback for Westgate West Costco DEIR, File no. CP21-022

Megan Gazard [REDACTED]

Tue 2/20/2024 4:55 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

We have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and are writing to provide our feedback.

We live one block behind the Westgate West shopping center and have lived here 18 years. We are 100% opposed to the Costco project. Don't get me wrong, are not opposed to the property being redeveloped for new retail. We loved it when Orchard Hardware was open and operating. But trying to shoehorn Costco into this location will bring too much traffic, noise and threaten the safety of students and pedestrians, not to mention greatly reduce the our quality of life as a nearby resident.

First major concern: 11,000+ vehicles a day using the entrance and exit points on Doyle/Graves/Saratoga/Lawrence Expressway that we use to get to and from our house. It will severely impact our ability to reach our home. Every. Single. Day.

Second major concern: privacy because of roof parking in the shopping center. The public will be able to see into our backyards and homes. This feels violating.

Third major concern: parking. Will there be enough of it? Will parking overflow onto the adjacent streets where I live? Will lack of parking make us prisoners at home and not want to leave the house because of traffic and congestion?

Fourth major concern: the already approved housing projects and increased population in this immediate area, specifically the El Paseo project and the residential building for the corner of Saratoga and Doyle.

You know, we could go on and on. But we feel like we're wasting our breath. We are the only neighbors at the end of Lassen writing to you because the others don't think it will matter and this is a "done deal". This feels like a losing battle as a resident. I know Costco means big dollars but putting it at Westgate West is STEAMROLLING the residents in favor of appeasing a corporate behemoth. THIS SITE IS TOO SMALL. Tell Costco to go find a larger property, one where the regular joes, who are already paying more than they can afford on mortgages and property tax, don't get pushed out.

If any of you would like to come by our home and see the impact of the project on our immediate area, you are welcome anytime for a cup of tea and a chat.

PLEASE, we beg of you, look for another retailer other than Costco to occupy this space.

Sincerely,

Megan and Kevin Gazard

[REDACTED] SJ, 95129

Country Lane Neighborhood Residents since 2006

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Comment Letter 344

[REDACTED]

From: Michele Hemeryck [REDACTED]
Sent: Tuesday, February 20, 2024 1:19 PM
To: kara.hawkins@sanjoseca.gov; matt.mahan@sanjoseca.gov;
rosemary.kamei@sanjoseca.gov; sergio.jimenez@sanjoseca.gov;
omar.torres@sanjoseca.gov; david.cohen@sanjoseca.gov; peter.ortiz@sanjoseca.gov;
dev.davis@sanjoseca.gov; bien.doan@sanjoseca.gov;
domingo.candelas@sanjoseca.gov; pam.foley@sanjoseca.gov;
arjun.batra@sanjoseca.gov
Cc: planningcom5@sanjoseca.gov; Vice Mayor Rosemary Kamei;
supervisor.ellenberg@bos.sccgov.org
Subject: Feedback for Westgate West Costco DEIR, File no. CP21-022
Attachments: Costco DEIR Response File Number CP21-022.pdf

Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback, which is attached.

Thank you for your consideration and your care in responding to these serious concerns.

Respectfully,

Michele Hemeryck
Country Lane Neighborhood

Kara Hawkins
Department of Planning, Building and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have lived on Bela Drive in the Country Lane neighborhood for 31 years. I have invested significant time reading the Draft Environmental Impact Report. I have attended multiple community meetings, the meeting hosted by Vice Mayor Rosemary Kamei and the Vice Mayor's office hours to gather information and understand how to submit my comments.

I am opposed to the construction of a Costco Warehouse in our residential neighborhood. Should this project go forward, I believe significant mitigations should be implemented:

1. Reduce the disturbance to residents, Prospect High School Students and Country Lane Elementary Students from increased and dangerous traffic, air, light and noise pollution
2. Improve pedestrian safety for residents and Prospect High School Students
3. Ensure all local government parties are engaged to coordinate and provide appropriate planning and infrastructure to accommodate thousands of new residents based on proposed nearby construction projects not included in the scope of the DEIR
4. Align with the City of San Jose's stated objectives, including but not limited to Urban Villages and the 2040 Plan, Vision Zero, Climate Smart and Off Sale Alcohol Seller Density Limits

While the DEIR may conform to the limited scope of technical reporting requirements under CEQA, exhaustively citing regulations and data, the analysis that concludes this project has a "less than significant impact" on most matters covered clearly ignores the true impact of this project on the human beings and living creatures that comprise our community. It measures things that are statutorily required but does not measure other things that are significant. As often happens in our society, it fails to recognize that which is not easily measured or is simply not quantitative. The DEIR does not assess the project with a holistic view of the impact to the surrounding neighborhoods and key stakeholders such as residents, local businesses and students.

When we purchased our home in 1993, we could easily walk to satisfy our shopping, service, dining and entertainment needs. We found ourselves in a "walkable urban village" before the term was widely used. We continue to highly value the ability to fulfill our needs by walking, as our Silicon Valley traffic is frustrating and draining. Over time, the retail options in the Westgate West Shopping Center have suffered. For over a decade, the vacancies at Westgate West have increased. We lost our walkable pharmacy and most importantly our local hardware store. We very much welcome quality re-development at this property. We would most appreciate development that would be a welcoming part of the neighborhood, featuring a variety of

businesses, including some that are locally owned, and offering an attractive place to meet and relax.

A previous owner of Westgate West had the vision of a mixed-used space that would have an inviting entrance facing the neighborhood. Lacking any such thing in walking distance, we often drive to Main Street in Cupertino. While it is not perfect, it's success is apparent when you visit. Families and friends meet and enjoy the open plaza, which occasionally hosts small community events. Parking was planned to allow pedestrians to stroll. The buildings are varied and attractive. The landscaping provides a relaxing feel. Some of the businesses have come and gone, but the spaces appear to re-lease and provide new concepts that appeal to the community.

Our West Valley area is on the precipice of dramatic growth. The El Paseo De Saratoga re-development as currently proposed will bring close to 1,000 new housing units, including buildings that will be 10 stories tall. It may be entitled for 1,500 additional units. This will bring a dramatic number of new neighbors, all of whom will need places to gather and enjoy their new neighborhood. Considering the dearth of green space in our corner of District 1, which is itself deficient in open space, a development that could function like the community living room would be welcoming for newcomers and a benefit for all of us absorbing the significant change.

Putting this valuable, limited real estate to its highest and best use for the community at large would require vision by the developer and the City of San Jose. Building for the future community involves significantly more risk and operating skill than simply building a warehouse.

It seems an aberration in San Jose's zoning that a warehouse is allowed in a residential neighborhood. Perhaps the Commercial General zoning in San Jose pre-dates the popularity of retail warehouses. Many areas are now breaking from the devastating impact zoning has imposed on urban planning. Modern plans are stepping away from the environmentally unfriendly and isolating car focused approach. <https://www.theatlantic.com/ideas/archive/2024/02/american-street-grid-city-planning/677432/>. The City of San Jose's professed plan for Urban Villages makes it seem the City may be recognizing the mistakes of the past, at least in concept.

Unfortunately, despite the transformation our area is facing, it has not yet been designated as an Urban Village by the City of San Jose. If the City of San Jose were engaged in a holistic planning process to shape the future of this area, it would be evident this proposed warehouse is not compatible with San Jose's Urban Village vision, which aims to create communities that prioritize public transportation, walking and biking over car traffic. A massive, four-story warehouse is a barrier to walking and biking. Walkers and bikers are forced to circumnavigate the massive structure or navigate a dangerous, precarious parking field, depending on their destination.

Understandably, neighbors nearest Graves Avenue wish for bike and pedestrian access to be limited to prevent Costco parking in the neighborhood, among other concerns. Unfortunately, this makes travel more difficult for neighbors who enjoy accessing shopping and services

walking or biking. Should this project go forward, Costco and the City of San Jose need to provide for access from the neighborhood to the shopping center for bikes, pedestrians and safe passage for students. With or without the project, Graves Avenue needs to feature multiple crosswalks from the neighborhood to the shopping center to improve safety for pedestrians, bicycles and motorists.

For some, pedestrian access is geographically necessary. The shopping center is directly in the path between our neighborhood and Prospect high school. Students from our neighborhood walk and bike through the shopping center to the high school. Although this project exists in a “Priority Safety Corridor #1” and the City of San Jose touts its commitment to “Vision Zero”, there is no evidence of planned safety improvements. Minor improvements contemplated for the sidewalk along Lawrence Expressway cannot change the unwelcoming and dangerous experience of walking alongside the fast-moving car traffic. The need for improvements is paramount at the Lawrence Expressway and Prospect Avenue intersection which must be navigated by all students either by car, bike or foot. It is inexcusable that this intersection functions as it currently does, let alone to add traffic.

My son graduated from Prospect High School in 2021. When he started high school, I drove him to school on my way to work. As it was overly stressful and time consuming to navigate into the school parking lot, we parked in a nearby Saratoga residential area, where he walked the remaining distance. Each day, we first sat in the long backup on Doyle Avenue. We then fought our way down Lawrence Expressway. We had to navigate very carefully turning right onto Prospect. There is a very small crosswalk near the apartments where students might cross. Students using a skateboard or scooter could appear very suddenly. It was very easy to not see them because we were looking left to fight our way onto Prospect via right hand turn. We’d look at all the students who waited at the concrete islands at various points in the intersection, or on the sidewalks. There were often too many students to fit on the areas available for pedestrians. Daily, a driver would run a red light. Daily students wouldn’t make it across the intersection in the allotted time. Daily drivers would get angry, cut each other off and generally add danger to an already bad situation. This is the main entrance to the school. The only other place a vehicle can drop off a student is in the back of the school, in a residential area. Should the Costco project go forward, this neighborhood will surely suffer.

Later, my son drove himself to high school. He concluded taking Saratoga Avenue to Prospect helped him avoid the dangerous and frustrating right hand turn from Lawrence onto Prospect. Unfortunately, I don’t believe that strategy would be useful today due to the recent limitation placed on right hand turns from Graves to Saratoga. Graves now backs up significantly at school drop off and release times.

A pedestrian bridge across the Lawrence Expressway and Prospect intersection was mentioned at a local meeting regarding the DEIR. A community member shared that this had once been explored but was found to be impossible due to the soil conditions. If prohibitive cost was part of this decision, it should be reconsidered. The municipal parties planning growth for this area

must at the same time provide infrastructure for the growth. The students and the community deserve improved safety at this important intersection.

The DEIR does not adequately address the impact of the project's increase in traffic on the already congested and extremely dangerous intersection of Lawrence Expressway and Prospect Avenue. The DEIR limits its traffic analysis to the regulatorily favored Vehicle Miles Traveled (VMT) approach. While this is data that may contribute to understanding the traffic impact, it is recognized as flawed as it does not adequately measure the level of gridlock at peak times. To begin, the VMT analysis provided is hypothetical by its very nature. While it considers a forecasted savings in VMT for Costco members, it does not contemplate the additional VMT that will result from businesses that close due to Costco and the impending El Paseo project. Already, AAA, Smart & Final and Goodwill have left the area, causing our community members to drive further to satisfy these needs. When one considers the Costco's general merchandise, grocery, bakery, alcohol sales, vision and optical center, hearing aid, pharmacy and tire sales and service operations it is apparent that many of the local businesses now functioning in our neighborhood's diverse retail environment will be placed at risk of closing. Further, businesses co-located will suffer from congestion and parking issues caused by Costco, placing them at risk. It takes little imagination to foresee Costco VMT savings will be offset by VMT added for community members that choose not to patronize Costco and seek goods and services that once were available in the neighborhood.

The traffic studies relied upon are inadequate. They are outdated. Aside from being from several years ago, not recognizing the increased traffic in the area under present conditions, they most certainly don't reflect the new traffic patterns caused by the changes to Saratoga Avenue. Further, they don't consider key traffic corridors such as Doyle Avenue. They also don't consider the impact of traffic consequences on the neighborhood, Country Lane Elementary, Moreland Middle School and EDS Middle School. They also do not appear to have tested the Lawrence Expressway and Prospect Avenue intersection and surrounding intersections at times when school traffic is heaviest. Adding to the inadequacy of this analysis, the DEIR, probably by design, doesn't consider the impact of the El Paseo and other projects adding thousands of homes to this area.

A more robust analysis of the traffic needs to be completed. The City of San Jose, the City of Saratoga, Santa Clara County and other involved parties must coordinate to determine the infrastructure that is necessary for the growth planned for this area. Infrastructure improvements need to be made before the completion of the contemplated projects causes further deterioration of already wasteful and dangerous traffic.

Part of that infrastructure should include a more robust approach to public transportation. The DEIR cites the few VTA bus routes available as proof that there is reliable public transportation available in our West Valley neighborhood. Any human experience with this system will quickly prove otherwise.

The DEIR does not appear to include an analysis of the impact of Costco on students at Prospect High School or Country Lane Elementary School. Air pollution will increase both during construction and operations. The students at these schools are “sensitive receptors”. The high school athletic field shares the intersection with Costco. The elementary school is a few blocks away. The report dismisses the impact of increased diesel fuel and auto exhaust air pollution. The existing condition does not feature the level of diesel pollution that will result with Costco. It also does not feature car exhaust emitted by vehicles four stories in the air. This new source of airborne pollution will impact the schools, the neighborhood and our limited green spaces at the park and creek. High school students use the field regularly for athletic activities and this furthers their vulnerability to the pollutants. Elementary school students eat lunch outside daily, weather permitting and play outdoors for recess. Rooftop parking does not seem an appropriate strategy at the property.

Noise pollution will also impact the nearby students, senior housing, neighborhood and green spaces during construction and operations. Exposing students to the construction noise for two years is at odds with the community’s education goals. It is documented that consistent exposure to noise, even of automobiles, has a negative impact on concentration and wellbeing.

While the DEIR claims noise will not escape into the neighborhoods, I can say from experience this is not true. Our home was constructed in 1958 and is typical of our neighborhood housing stock. It was not built with air conditioning as this was likely unavailable at the time and it was unnecessary. In the summer, the temperature drop allows us to cool our home by opening the windows. Unfortunately, the very early morning delivery noise at El Paseo would often wake me, forcing me to shut my windows. El Paseo is much further from our home than Costco. It is very expensive to add air conditioning to these homes. To be done properly, it requires a permit. Further, using air conditioning adds to energy usage and pollution. The DEIR does not consider this increased usage of energy in the surrounding neighborhoods. I have no desire to be locked in my home with closed windows, but the increased noise, light and air pollution are likely to force this upon us.

The tire center is a particular worry for the students, seniors, neighbors and wildlife living nearby. The tire center should either be eliminated or constructed as a closed shop.

As a bird enthusiast, I appreciate the mitigation measures contemplated to protect nesting and migratory birds during construction. Measures during operation are also necessary. Our bird populations across North America are under threat. A well-documented primary factor causing the decline is light pollution.

The DEIR states there is a less than significant impact on light pollution, as light pollution already exists in the area. This does not put us on a path to restoring our environment, which most people now support. Forward thinking jurisdictions around the world, in the United States and in the Bay Area are recognizing the devastating impact light pollution has on the living creatures in the environment, human and otherwise. When we moved into our home in 1993, and up until only a few years ago, I was able to view the stars from my front yard driveway and

back yard. Sadly, the City of San Jose has inexplicably loosened its commitment to maintaining our dark sky resource. If the Costco project advances, light pollution mitigation strategies used by other local municipalities should be included. https://www.mercurynews.com/2023/12/26/collisions-with-buildings-are-killing-millions-of-birds-nationwide-a-dark-sky-movement-to-save-them-is-sweeping-the-bay-area/?utm_email=C40D64C824A5743D645515C251&utm_term=https%3a%2f%2fwww.mercurynews.com%2f2023%2f12%2f26%2fcollisions-with-buildings-are-killing-millions-of-birds-nationwide-a-dark-sky-movement-to-save-them-is-sweeping-the-bay-area%2f&utm_campaign=bang-mult-nl-morning-report-nl&utm_content=manual

Many new projects are keenly focused on environmentally friendly, green construction and operation. This does not seem to be the case for this project, which does not even make mention of solar panels. Why isn't Costco more environmentally oriented? Why doesn't the City of San Jose ask more of new projects? New projects are the opportunity to build a more sustainable future. They should not repeat mistakes of the past.

The City of San Jose needs to consider what happens to this four-story concrete warehouse building when Costco fails. A planful and sustainable approach requires the City of San Jose to consider what happens when Costco no longer occupies this warehouse. This is a large plot of land in an area that is currently slated for significant residential growth and has been touted as a potential "Urban Village". Dedicating this precious space to one large retailer is a questionable strategy for this valuable resource. What other types of businesses that are compatible with a residential neighborhood would lease this space? We have seen protracted vacancies and blight because of Orchard Supply Hardware's demise, as well as the demise of Lucky and the other big box retailers at El Paseo. The same condition exists at the former Walmart location at West Gate. Our community has been left to languish with these large, empty spaces and apparently the only fix is redevelopment. Our community would be better served by development that is more judicious with our land resources and provides for flexibility as markets and habits change.

Although the West Valley community will bear the negative consequences of this inappropriate project, only Costco Members will benefit. This is inequitable. Our area is often touted as affluent, and that may be true for some, by some metrics. There are significant numbers of our community that struggle against the extremely high cost of housing and living in general. Statistics regarding food insecurity in our area are alarming. This proposed development has already eliminated shopping options that are accessible for many, including Smart and Final and Goodwill. This makes it more difficult for the community to fulfill their needs. Existing development plans in the area will bring thousands of new residents. The City of San Jose must recognize that neighborhoods deserve to have ready access to nearby goods and services for all.

Of course, there is a proper place for a membership warehouse. Perhaps this is what justifies people taking a bit more of a drive from their local community to access such a business. Members can choose the inconvenience of going a small distance to fulfill their consumption desires at a large warehouse located on less prime real estate. Alternatively, they can enjoy access to a diverse line up of retail and service offerings in their neighborhood, available to all that make up the community.

Thank you for your consideration and your care in responding to these serious concerns.

Respectfully,

Michele Hemeryck
Country Lane Neighborhood

Comment Letter 345

File No. CP21-022: Westgate West Costco Warehouse Project

MinhNgoc Nguyen [REDACTED]

Tue 2/20/2024 4:43 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: District1 <district1@sanjoseca.gov>; Planning Commission 5 <PlanningCom5@sanjoseca.gov>

[External Email]

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

Attention: Kara Hawkins**Subject: File No. CP21-022 Westgate West Costco Warehouse Project**

Dear Ms. Kara Hawkins,

As a member of the Bicycle Pedestrian Advisory Committee (BPAC) of the City of San Jose. I oppose the above Costco Project at the Westgate West location regarding the safety of our community. Especially the welfare of the children who walk, ride bicycle, being dropped off or picked up from the two nearby schools:

1) Prospect High School (PHS):

- The children from Prospect High School (18900 Prospect Rd, Saratoga, CA 95070) ride their bicycles/scooters, walk across Prospect Rd and Lawrence Expw to/from school. Some of them are dropped off or picked up from nearby shops at Westgate West: (: (Yogurtland, Taco Bell, Trader Joe's, Mod Pizza, Sprouts', Domino Pizza, etc..).
- The PHS Track and Fields Team trains in a nearby residential neighborhood. They enter the trail along Lawrence Expressway where the Costco trucks would enter/exit from its warehouse.

2) Country Lane Elementary School (K-5th grade):

- I live in The English Estate Neighborhood (EEN) in San Jose, directly across from Prospect High School. The children in our neighborhood walk along Prospect Road, cross Lawrence Expressway, then cross the same entrance/exit that Costco Trucks/Customers would be turning into from Lawrence Expressway.
- An elementary school aged child walking or riding their bicycles across this street while sharing it with delivery trucks whose drivers might not see the child - because she or he were in the truck drivers' blind spots???
- Could you imagine what could/might happen?
- These kinds of incidents happen across the nation. PLEASE protect our children by denying Costco Warehouse to have its new facility at the risk of our young and voiceless community safety. All my family members have been Costco members for more than 30 years. We shop wherever their warehouses are located. We do not want convenience at the expense of our children's safety.

As a member of The Bicycle Pedestrian Advisory Committee, a member of The League of American Bicyclists, and a League Cycling Instructor, I respectfully ask for your support in protecting our children by denying Costco's request in having its new warehouse built at Westgate West.

--

Cảm ơn bạn,

Minh

[REDACTED]
San Jose, CA 95129

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Comment Letter 346

Feedback for Westgate West Costco DEIR, File no. CP21-022

Pam Sloan [REDACTED]

Tue 2/20/2024 3:41 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

 1 attachments (2 MB)

Westgate West Costco Feedback.pdf;

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

Thank you for this opportunity to respond to the proposal. I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I have lived on Happy Valley Avenue for over 25 years and am deeply concerned about multiple issues regarding this project, chiefly safety, traffic, air pollution, noise, quality of life, and that it is wholly inconsistent with the City of San Jose's own Urban Village plan.

Let me first tell you a bit about my neighborhood. It is a quiet, culturally diverse neighborhood where neighbors know each other. On many warm summer nights, my husband and I will sit out in our front garden and greet neighbors as they walk by. We are not alone in that. The park, dog park and general walkability of the area is something to strive for in all areas. The lot in question has the possibility of extending our wonderful neighborhood to the many new residential projects proposed in the immediate vicinity. This project, as proposed, will only deteriorate the area and its livability through traffic congestion, pollution and reduced traffic safety. Many of the 11,000 additional trips in the area from this Costco, will end up weaving through our neighborhood streets to avoid the general traffic congestion.

Besides the impact to the immediate neighborhood, you should also understand that I have an elderly parent living in Saratoga. It is vital that we are able to reach his house in a reasonable amount of time in case of any emergencies. The distance is short, just a few miles, but at times during the day, this journey of 4 miles can already take 20+ minutes if I forget that school lets out at a certain time and take the “**wrong route**”. Now imagine another projected 11,000 daily trips in the area and the impact.

Air and noise pollution is also a concern. My sister has bad asthma. The projected impact to the air quality, which can already be a challenge in the Bay Area, will render her ability to use the outdoor recreation areas impossible.

I implore you to take another detailed look at the proposal, especially in light of all the changes already proposed for the area and find a way to use this lot to enhance the area and join these neighborhoods rather than rendering them merely a pathway to the Costco for others outside the area. Ensure traffic safety and minimize congestion within the neighborhood and surrounding areas so we can reach destinations in a reasonable amount of time using the major access areas not residential streets. Keep our air breathable. Prevent the constant ring of air jacks from becoming the background noise in our everyday lives. Minimize truck access in the feeder streets. Review the proposal in light of existing laws and urban development plans.

You will find further details about my concerns in the attached **letter**.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Pamela Sloan Underwood
Country Lane Neighborhood

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I am a 25+ year Country Lane neighborhood resident who strongly opposes putting a too-large Costco into the too-small site at Lawrence Expressway and Prospect Avenue.

I have lived on Happy Valley Avenue for over 25 years and am deeply concerned about multiple issues regarding this project, chiefly safety, traffic, air pollution, noise, quality of life, and that it is wholly inconsistent with the City of San Jose's own Urban Village plan.

I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

Let me first tell you a bit about my neighborhood. It is a quiet, culturally diverse neighborhood where neighbors know each other. On many warm summer nights, my husband and I will sit out in our front garden and greet neighbors as they walk by. We are not alone in that. The park, dog park and general walkability of the area is something to strive for in all areas. The lot in question has the possibility of extending our wonderful neighborhood to the many new residential projects proposed in the immediate vicinity. This project, as proposed, will only deteriorate the area and its livability through traffic congestion, pollution and reduced traffic safety. Many of the 11,000 additional trips in the area from this Costco, will end up weaving through our neighborhood streets to avoid the general traffic congestion.

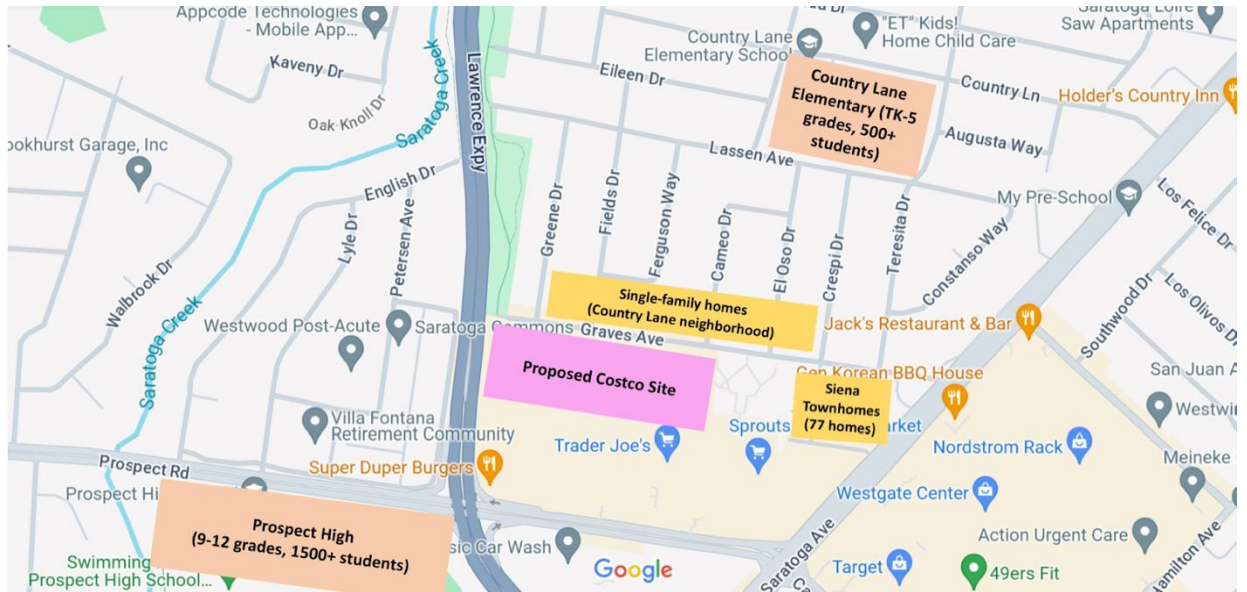
Besides the impact to the immediate neighborhood, you should also understand that I have an elderly parent living in Saratoga. It is vital that we are able to reach his house in a reasonable amount of time in case of any emergencies. The distance is short, just a few miles, but at times during the day, this journey of 4 miles can already take 20+ minutes if I forget that school lets out at a certain time. Now imagine another projected 11,000 daily trips in the area and the impact.

Air and noise pollution is also a concern. My sister has bad asthma. The projected impact to the air quality, which can already be a challenge in the Bay Area, will render her ability to use the outdoor recreation areas impossible.

Below are more specific details about the plan of which I have concerns.

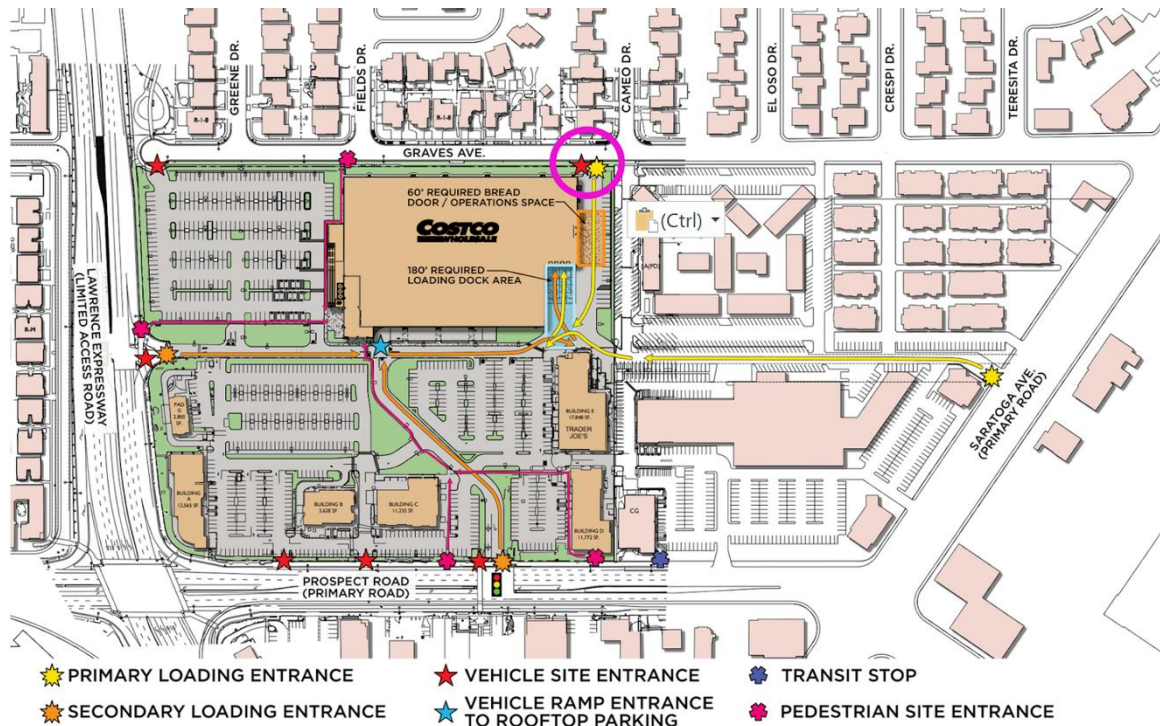
1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered "most dangerous for bike traffic" by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city's [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two-lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two-lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and

Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore, three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about

current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would "result in substantial noise-generating activities" (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the "noise is temporary, the Project would not result in a cumulatively considerable impact" (page 246) and the noise is reasonable because it does not exceed "airport- or airstrip-related noise levels" (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers' radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to

remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools, and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with the City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the

[Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to “support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities.” The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco’s proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City’s vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco’s characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since

the proposed off-sale location is in an **over-concentrated census tract**, Costco's conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of "public convenience or necessity." It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe's, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient, and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

I ask that you not allow this project to move forward. Thank you for your serious consideration.

Sincerely,

Pamela Underwood
Country Lane Neighborhood Resident

Comment Letter 347

Feedback for Westgate West Costco DEIR, File no. CP21-022 from Prospect PTSA

Prospect High PTSA [REDACTED]

Tue 2/20/2024 4:53 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; allexecs@prospectpts.org <allexecs@prospectpts.org>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Greetings Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, City Council members, Planning Commission Chair Lardinois and District 1 Staff,

The Prospect High School Parent Teacher Student Association (PTSA) has serious reservations about the proposed Costco Warehouse development across the street from our school. This project poses a significant threat to the safety of our diverse student body, particularly those who walk, bike, or take public transportation due to the already congested and dangerous Prospect/Lawrence intersection, designated a "Priority Safety Corridor" by San Jose's Vision Zero initiative.

The predicted 11,000 additional daily car trips associated with Costco will significantly endanger our students, especially during peak school hours. The proposed minor walkway improvement is insufficient protection, and relying on an outdated 2019 traffic study that fails

to consider crucial developments like Vision Zero, pandemic-induced traffic changes and massive high density housing projects planned in the same area along with no consideration that a high school is less than 800 feet away is irresponsible. We demand a comprehensive, up-to-date study focused on student safety concerns.

Beyond traffic, noise pollution from the development could disrupt learning and athletic activities, while potential hazardous materials on the site raise safety concerns during construction. The lack of sustainable features like solar panels and EV chargers contradicts San Jose's own Climate Smart goals, making this project incompatible with the city's environmental vision.

The PTSA urges a comprehensive traffic analysis considering recent developments and student safety, implementation of effective pedestrian safety measures, incorporation of sustainable features, and open communication with the community to address these critical safety and environmental concerns. We stand with our students in demanding immediate action before approving this development. Prioritizing pedestrian safety, implementing traffic management solutions, and conducting comprehensive environmental assessments are essential before moving forward.

Thank you for your attention to this matter.

Sincerely,

The Parent Teacher Student Association (PTSA) of Prospect High School

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Comment Letter 348

Feedback for Westgate West Costco DEIR, File no. CP21-022

Pat Stempski [REDACTED]

on behalf of

Pat Stempski [REDACTED]

Tue 2/20/2024 8:50 AM

To:Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>;Mahan, Matt <Matt.Mahan@sanjoseca.gov>;Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>;Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>;Torres, Omar <Omar.Torres@sanjoseca.gov>;Cohen, David <David.Cohen@sanjoseca.gov>;Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>;Davis, Dev <dev.davis@sanjoseca.gov>;Doan, Bien <Bien.Doan@sanjoseca.gov>;Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>;Foley, Pam <Pam.Foley@sanjoseca.gov>;Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc:Planning Commission 5 <PlanningCom5@sanjoseca.gov>;District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback. Section 15126.6 notes that an EIR “describe a reasonable range of alternatives to the proposed Project that could feasibly attain most of the Project objectives.” **In fact, Costco fails to meet almost all of these Project objectives which are listed in the EIR as follows:**

1. “Positively contribute to the economy of the region through new capital investment and revitalization of an existing developed site.”

Please note that previously this site did not need revitalization. Many of the existing businesses were forced out to make room for Costco. Costco is a destroyer of small businesses and leaves the surrounding communities no other shopping options. How is this a positive contribution to the economy of the region?

2. “Construct and operate a new Costco warehouse that serves the local community with competitively.”

. Costco is a members only commercial business that only offers aggressive lower pricing for its paying members on a limited number of items in any category. It uses member dues to keep prices lower than other stores in the area, thus driving out competition. However, those of us who choose not to shop daily at what will be essentially a monopoly and a killer of small businesses will be forced to drive to other communities to shop.

The small businesses that do survive in Westgate West will do so by serving only Costco customers--and the largest portion of these customers will be coming from outside the local community-- because no one else will be able to find a place to park. I can't see myself swinging by Happy Lemon to pick up drinks when that tea shop is located in the Costco parking lot.

Most people go to Costco for specific reasons. I don't know anyone who wants Costco to be the only store available in their neighborhood.

3. "Provide a state-of-the-art Costco warehouse to better serve the membership in the greater San Jose area in a location that is convenient for its members, the community and employees to travel to shop and work."

Please note that Costco by its own admission views this area as its prime marketing target—not because it will serve San Jose customers, but because it allows them closer access to their customers in Saratoga, Cupertino and Campbell. Our West Valley community does not need a more convenient Costco shopping experience. We already have two existing Costco Warehouses within five minutes of the Westgate West location

4. "Provide a Costco warehouse in a location that is serviced by adequate existing infrastructure."

Please note that a Costco warehouse will not be adequately serviced by the existing roads. The Lawrence Expressway is not a major freeway. At Prospect Rd it intersects with the local high school and student foot traffic in that area. Lawrence and Prospect and Saratoga Ave will be overwhelmed by an additional 11,000 car trips per day. The traffic analysis ignores the human factor. Last month my husband was hit by a car while riding his bicycle within the bicycle lane on Sunnyvale-Saratoga Road near the entrance to the Safeway shopping center. He is still convalescing. How many biking and pedestrian accidents should we anticipate if Costco moves into Westgate West?

5. "Improve the Westgate West Shopping Center to support the development and operation of the Costco development."

I can't think of any way that Westgate West will or can be improved enough to support the addition of Costco.

6. . Employ architectural and landscaping designs that soften the scale and mass of the building, create a pleasant and attractive appearance, and complement the surrounding area.

Please note that in no way can architecture or landscaping soften the impact or complement the surrounding area on Graves Ave and other near-by streets in the Country Lane grade school neighborhood which borders Westgate West on the north side of the property. Graves Ave., which is directly across from the proposed warehouse, is a residential street. Its houses will now face the back of a tall warehouse with a parking garage on top.

7. "Develop buildings that meet new state and City sustainability and green building standards and reduce energy use for building operations."

Costco has been given an exemption from installing roof top solar panels.

8. Promote economic growth and diverse new employment and retail/service opportunities for city residents.

Costco will not provide diverse new employment and retail/service opportunities to the area. It is replacing a hardware store, an auto parts store, a automobile repair shop, a Smart and Final, a furniture store, a Goodwill, a Chocolate Shop and restaurant, a barbecue eatery, a dance studio, a UPS shipping store, a pottery shop and a neighborhood bar, to name a few of the displaced small businesses and other stores, many of which were priced out of the center to make room for a Costco. It was those businesses that promoted economic growth and diversity in employment and retail/ services to our community. A members-only big box monopoly such as Costco can never do that!

There never was a shortage of businesses interested in locating at Westgate West. "Develop a Costco warehouse that is large enough to accommodate all the uses and services Costco provides to its members."

Why should the city be more solicitous of Costco Corporation and the needs of Costco members than it is for the health, safety and well-being of the average residents of the area? What many Costco members want is a Costco gas station. Is that the next gift we are going to get in this area?

10/11." Provide safe, efficient, and assessable multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity."

Pedestrian traffic and a Costco Warehouse do not go together. People drive to Costco. They arrive in their big vans and drive back out loaded with bulk or large items, usually entering, and exiting onto a major freeway that is free of pedestrian and school traffic. That will not be the case at Westgate West. With 11.000 new car trips a day being added to our existing streets, accidents involving pedestrians, cyclists and students will happen.

Public transportation is a joke in the West Valley. Unless they live in the neighborhood, store employees are going to have to drive.

12. "Provide sufficient on-site parking to meet the needs of warehouse members and to minimize parking spillover into parking spaces for other businesses and nearby residences."

I do not believe this requirement can be met by Costco in the area provided. It is difficult to find parking at Trader Joe's currently. I think it will be impossible if Costco has a warehouse at Westgate West. Unless prevented from doing so by physical barriers Costco customers will be parking in every available space from Lawrence Expressway to Saratoga Ave., and will be abandoning their shopping carts throughout the area. Initially, Costco promised to collect their shopping carts daily from all of the surrounding areas within a mile of their warehouse. That area would encompass nearly the entire County Lane neighborhood that already includes a dog park and a grade school. We are not prepared to also provide parking for a members-only big box store. Costco claims the lot is big enough to accommodate all their parking needs. If that is the case they need to prove it by taking measures to contain their traffic on their business lot and on the surrounding commercial streets.

To date, consideration of putting a Costco in Westgate West has generally ignored the special circumstances of the County Lane neighborhood which is directly to the north of the development. Any entry/exit to and from the Costco site onto Graves Ave will allow traffic to travel through neighborhood streets between Doyle Rd and Graves Ave where Doyle connects further down the road to both Lawrence Expressway and Saratoga Ave. Many years ago, the entry/exit to Westgate West at Fields and Graves was closed to calm traffic travelling through the neighborhood. There will be a major increase in neighborhood traffic if Costco members are using our neighborhood to escape the congestion the warehouse has created on Prospect Rd., Saratoga Ave., and the Lawrence Expressway at or near the location of their business. Further, this traffic will impact both Country Lane grade school and Easterbrook Discovery School which is located on Doyle Rd.

If a Costco is allowed at this location, Graves Ave should be closed to Costco traffic and Costco shopping carts should have wheel locks to keep them in the designated Costco parking area.

A Costco at this location will fail to meet almost all of the objectives stated in the EIR. Westgate West is simply the wrong place for a Costco Warehouse which has too big of a footprint for such a small space.

Section 8.0 ALTERNATIVES

Viable alternatives might be building a mixed-use development on the urban village model, or to simply to return the land to a general retail shopping area. We are going to need more diverse shopping to meet the needs of all of the new residents who will live in the housing planned at Prospect Road opposite Westgate West and Saratoga Ave on the site of the former El Paseo de Saratoga shopping center.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Pat Stempski,
44 year resident of the Country Lane neighborhood

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Comment Letter 349

Feedback for Westgate West Costco DEIR, File no. CP21-022

Rachel Hunter [REDACTED]

Tue 2/20/2024 1:21 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

My family moved into our home kitty-corner to Country Lane Elementary School in 1980. We're invested in this neighborhood and love it.

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I've been dismayed about this proposal since I first heard about it – and the more I learn, the more confused I am that it is even being discussed as a possibility due to its obvious divergence from San Jose's Urban Village and 2040 Plans, Vision Zero, and Climate Smart laws.

Original concerns regarding traffic in an already difficult to navigate area (walking, biking, bus, and driving!) and safety of children remain top of mind. Well, also light, sound, and emissions pollution and the loss of so many trees!

In addition, the DEIR does not consider my neighborhood – Country Lane - even although it borders the proposed Costco and is bound to be impacted by the huge increase in cars which will cut through from Doyle Ave to Graves Ave (a road totally unsuitable to be an entrance to a huge warehouse.) There's bound to be horrible consequences – especially in the area of *the elementary school, which is only a block from the proposed Costco and its traffic.*

Even now, our corner (Lassen and Brenton Aves), is a cut-through for traffic and weekly we see speeders, close calls, and people running the stop signs next to the school.

As we consider the increase in traffic in the Country Lane neighborhood, I'm not just concerned over additional cars of Costco shoppers – it will also be people living in the vicinity who are frustrated by gridlock along Saratoga, Doyle, Lawrence, and Prospect roads who will be looking for a short cut.

My hope is that common sense will prevail, and the Country Lane neighborhood can remain residential and a safe place for families.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Rachel Hunter
Lassen Avenue, Country Lane Neighborhood

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Comment Letter 350

Feedback for Westgate West Costco DEIR, File no. CP21-022

Ramesh Gunna [REDACTED]

Tue 2/20/2024 12:26 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

 1 attachments (373 KB)

Costco_DEIR_response_CP21-022.pdf;

[External Email]

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Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the DEIR for the proposed Westgate West Costco and I writing you to provide my feedback after being involved in tracking this project for more than 2 years since it was announced to the public. I am attaching a pdf version of the letter as a backup. Thank you for the opportunity to allow us to participate in the process, provide feedback and help build a better San Jose.

File No.	CP21-022
----------	----------

I am a 20 year country lane neighborhood resident, who has enjoyed living in the western corridor of San Jose. This is my one and only home that I have purchased. I love the corridor and the neighborhood, good local businesses, excellent to walk around, I commute by bike to work, very familiar with bicycling related aspects on the city streets.

I understand that development and change is inevitable but one needs to look at development in the right context and make sure it is done in a responsible manner without up ending the quality of life.

The debate of a large development like Costco has its supporters and distractors, as a responsible San Jose resident, I want to look into the details of the project and I have many concerns based on data that leads me to believe that this proposed project is not a right fit for the community at large at this location.

Please review my comments, address the issues and help us San Jose residents to contribute towards the development of the city by bringing in meaningful projects that enhance the quality of life.

LAND USE/ZONING ISSUES

Throughout the DEIR, there are various references to Envision San Jose 2040 General Plan, guidelines, frame work, how the rules are being met & how the project is satisfying the GP 2040., however there is a significant deficiency that the GP land use criteria is not being met. Please see the brief below, I would like the city to address the issue.

The proposed Costco Wholesale Membership Club development is incompatible with Envision San Jose 2040 General Plan Land Use Designation.

The Westgate West property is designated as Neighborhood/Community Commercial (NCC) in GP 2040 land use and zoned as commercial general (CG zoning).

New development and land uses **must conform** to the Land Use/Transportation Diagram and the Land Use goals and policies of the [Envision San José 2040 General Plan](#). (This is verbatim from the city page)

“If the zoning district and land use designation differ, the **land use designation trumps the zoning district.**”, see **ALIGNMENT PROJECT FAQs**

Neighborhood Community Commercial :

- This designation supports a very broad range of commercial activity, including commercial uses that serve the communities in neighboring areas, such as neighboring serving retail and services and commercial/professional office development. Neighborhood / Community Commercial uses typically have a strong connection to and provide services and amenities for the nearby community and should be designed to promote that connection with an appropriate urban form that supports walking, transit use and public interaction. General office uses, hospitals and private community gathering facilities are also allowed in this designation. This designation also support one hundred percent (100%) deed restricted affordable housing developments that are consistent with General Plan Policy H-2.9 and Policy IF-5.12.

Big Box warehouse developments are permitted and constructed in Industrial Zones, or Commercial Industrial Zones. Membership club warehouses are not appropriate for neighborhood serving retail zones.

- This designation is supported in San Jose Title 20 Zoning Code 20.50.130 and designates Warehouse Retail which is a conditional use for IP industrial park, LI light industrial, and HI heavy industrial districts.
- Costco Retail Membership Warehouse clubs are developed in Industrial Zones in the cities of San Jose, Sunnyvale, Mountain View, Santa Clara.
 - Please see the land use designation listing below
 - 2201 Senter Road, San Jose - Heavy Industrial
 - 1709 Automation Pkwy - Combined Industrial/Commercial Zone
 - 5301 Almaden Expressway - Regional Commercial
 - 6898 Raleigh Rd, San Jose - Combined Industrial/Commercial Zone
 - Sunnyvale – Industrial and Service
 - Santa Clara – Medium Heavy Industrial

- Mountain View – General Industrial

*The Westgate West zoning designation is Commercial General and Warehouse Retail is **NOT** an allowed use.*

- See Chapter 20.40.100, Table 20-90
- “Commercial Zoning Districts and Public/Quasi-Public Zoning District Use Regulations” for approved uses. Warehouse Retail is not listed as an allowed use.
- However Chapter 20.50.100, Table 20-110 lists Warehouse Retail as the allowed use for Industrial Zoning Districts

Development plan submitted does not align with San Jose General Plan land use designation.

- San Jose Planning has provided guidance to property owners “Aligning zoning districts and land use designations reduces confusion. Property owners have a clearer understanding of how their property can be used for future projects, and this will save time and costs for owners who are interested in developing their property”. See [Rezoning and General Plan Alignment](#).
- “REZONING & GENERAL PLAN ALIGNMENT PROJECT. Per state law, we are undertaking an extensive rezoning of properties in San José to align zoning districts with the land use designations of the Envision San José 2040 General Plan. This does not affect your current use of your property. San José is a charter city that — until now — had land use designations in the City's General Plan that were separate from zoning districts as identified in the Zoning Ordinance. Wherever the two policies have been inconsistent, the General Plan designation has superseded. In 2018 with the passage of Senate Bill 1333, charter cities must align and match zoning districts and General Plan land use designations. For example, if a property's land use designation is PQP (Public Quasi Public) and its zoning is LI (Light Industrial), then the City will rezone the property to PQP to align with the land use designation. Aligning zoning districts and land use designations reduces confusion. Property owners have a clearer understanding of how their property can be used for future projects, and this will save time and costs for owners who are interested in developing their property.”

AIR QUALITY

- The **DEIR** references to WESTGATE WEST COSTCO PROJECT [AIR QUALITY TECHNICAL REPORT](#) which is based on **BAAQMD 2017 guidelines**
- On April 20, 2022, the [Air District Board](#) of Directors adopted *CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans*.
- Shouldn't the project be evaluated to the new 2022 Guidelines, I see the [AIR QUALITY TECHNICAL REPORT](#) used “**CalEEMod Version: CalEEMod.2020.4.0**”.
- Did the analysis use the latest version of the guidelines from 2022 ?
- If the analysis is not using the latest version, shouldn't it be evaluated against the latest 2022 guidelines ?, how can it be ensured that the application of the newer guidelines would not produce a different conclusion regarding AQ impact.
- [2022 CEQA Guidelines](#) from the BAAQMD provides the reason and what's changing for 2022.
 - The CEQA Air Quality Guidelines were published in 2012 and revised in 2017 to address the CA Supreme Court's opinion on the new receptor thresholds. (*California Building Industry Assn. v. Bay Area Air Quality Management Dist.* (2015) 62 Cal.4th 369.) **The 2017 revision did not address outdated references, analytical methodologies, or technical information improvements. Additionally, the Air District adopted new Climate Impact Thresholds on April 20, 2022, using performance-based standards requiring new guidance on evaluating the climate impacts of land use projects and plans.**
 - The 2022 Guidelines include a new chapter with best practices for centering Environmental Justice, health, and equity; a new appendix with the rationale for the recommended climate impacts thresholds of significance; a new appendix to assist with developing community-scale greenhouse gas (GHG) reduction strategies aligned with the State CEQA Guidelines and the Air District's plan-level thresholds; an appendix with guidance on using the California Emissions Estimator Model (**CalEEMod 2022**) for Bay Area projects; and a new criteria pollutants and precursors screening tool for mixed land use projects.

- The 2022 Guidelines include updated chapters on thresholds of significance, air quality and climate impacts, and mitigating impacts; updated criteria air pollutant and precursor impacts screening tables for single land use projects; updated basic and enhanced best management practices for construction-related fugitive dust; and an updated appendix with guidance for conducting individual project and cumulative cancer risk and hazards analysis.

SITE PARKING

Bicycle Access

- The preliminary site plan shows the project proposes 10 bicycle parking stalls be installed adjacent to the entry canopy. Based on the square footage of the project, the proposed bicycle parking is 37 stalls fewer than the City's requirement
- How is the **reduced bicycle parking** not a violation of the minimum requirements ?

Vehicular Parking

- The number of parking spaces for the proposed project is 687 dedicated stalls for Costco
- Why does the proposal have less parking spots when compared to Sunnyvale Costco which has 838 parking spots and is a smaller store at 137,450 square footage
- It seems like the developer is not looking at the requirement using the most current data & usage pattern of its existing warehouses in the vicinity (Sunnyvale)
 - [Costco Sunnyvale application for additional parking](#) as of 9/26/2020
 - Costco cited the need for more parking from an existing number of 762 adding 102 more parking spots to make it 868
 - Sunnyvale Costco site is smaller at 137,450 square foot compared to 165,148 square footage
 - **So, the developer is clearly underselling the parking requirements for the new location (687 here vs 868 at Sunnyvale)**
- Here is a Costco proposal in Central Point Oregon that states
 - https://www.centralpointoregon.gov/sites/default/files/fileattachments/community_development/project/934/costco_findings_11-6-2015.pdf
 - **Costco Building & Site Design: With over 30 years of building membership warehouses** Costco has 686 warehouses worldwide. This experience has allowed Costco to develop a carefully thought out program for constructing new facilities.
 - Costco is proposing to build a warehouse having roughly 163,000 sq. ft. **For a warehouse of this size Costco has discovered through their experience from building over 600 warehouses that 800 parking stalls (+/-) are needed to effectively handle the volume of members that use their facilities.** The size of the property under consideration, about 18.28 acres, is large enough to accommodate these improvements.
- All this points to an inadequate site for a retail warehouse with insufficient parking, the project should not be accepted & approved as proposed in its current form.

NOT MEETING SAN JOSE PARKING REQUIREMENTS

- In the DEIR on pages 220 and 221, Costco claims to meet/exceed San Jose minimum parking requirements. This is not correct.
- Out of the 862 parking spots shown in table 3.17-2, 175 parking spots are claimed from stalls that are not dedicated to Costco.
- Costco has only 687 dedicated slots, see page-9 of DEIR and Table 2.3-1
- So, the non dedicated stalls of 175 should not be counted by Costco to establish parking requirements.
- The minimum required parking stalls is 702 and 687 falls short of the required minimum, this is a **CLEAR VIOLATION** of the requirement, so this project cannot be approved without a resolution towards meeting the requirement.
- If there is another way the project is meeting the requirement, please provide the details in the DEIR

CLEAN ENERGY

- Why isn't solar energy not part of this project ?
- DEIR page 41 is **misleading**
 - Project proponent has committed to the community "Solar Choice" program with PG&E, which is PG&E's program to provide 100% solar to customers, which is a zero-carbon electricity source. Therefore all electricity used by the project would be from zero-carbon sources .
 - Envision San José 2040 General Plan says
 - Policy MS-2.2 Encourage maximized use of on-site generation of renewable energy for all new and existing buildings.
 - However, the following from PGE website says it is
 - PGE website (<https://www.pge.com/en/clean-energy/solar/community-renewable-programs.html>)
 - In the Solar Choice program, you can elect to purchase solar energy to match either 50% or 100% of your energy use. Joining the waitlist is easy – [sign in to your PG&E online account](#) or call us at 1-877-743-8429.
 - If you were previously enrolled on Solar Choice and feel you have been unenrolled in error, please call us at 1-877-743-8429 to be re-enrolled on the program.\
 - Residential and Non-Residential enrollment in Solar Choice is on hold per California Public Utility Commission directive in [Decision 21-12-036](#). **All customers attempting to enroll will be placed on a waitlist for future enrollment if capacity becomes available.**
 - This should **NOT** be a choice option for a new development to just opt-into PGE, who will monitor that a business stays in the program and does not opt-out, where are the compliance enforcement rules ?
 - Given PGE's statement that Solar Choice enrollment is on hold & is dependent on capacity, there should be onsite Solar power generation and this should be a requirement for the project of this magnitude
- DEIR on page 42 - Gas water heaters will be direct vent and 94% efficient or greater.
 - [As of March 2023, BAAQMD adopted amendments](#) for residential and commercial natural gas and water heater appliances to be **zero Nox**
 - Is the current project in compliance with this regulation ?, if not why - Please explain.
 - This would be a great opportunity for a new development to take the lead and become compliant even though the regulation kicks in 2027

TRAFFIC ANALYSIS ISSUES

- **Lawrence Expwy / Bollinger Rd-Moorpark Ave (Intersection 5) (Page 56 of Appendix I - Transportation analysis)**
 - Options are provided to mitigate adverse effect
 - No commitment from the city to say these will be implemented
 - What is the city's commitment - shouldn't a mitigation or remedy plan be part of the DEIR before the project is sought for approval
- **Saratoga Ave / Graves Ave (Intersection 6) (Page 56/57)**
 - Why isn't option B the default option
 - Report says option A has adverse affect under all conditions
 - Options are provided to mitigate adverse effect
 - No commitment from the city to say these will be implemented
 - What is the city's commitment - shouldn't a mitigation or remedy plan be part of the DEIR before the project is sought for approval
- **Lawrence Expwy / Prospect Rd (Intersection 11) (Page 57)**
 - There are adverse effects and no mitigations possible
 - What is the remedy here ?? (None have been identified in the DEIR)
- **Prospect Rd / Westgate West shopping center signalized driveway (Intersection 12) (Page 57)**
 - There are adverse effects and no mitigations possible
 - What is the remedy here ?? (None have been identified)

- During the 5% of the peak hour when this condition may exist, shopping center patrons will likely use other driveways along Lawrence Expressway, Prospect Road, and Saratoga Avenue to spread out the demand at this location.
- This is speculative in nature, not a solution, how can one rely on such speculative measure to be a mitigating solution - what is the real solution here ?
- **Saratoga Ave / Prospect Rd-Campbell Ave (Intersection 13)**
 - Adverse effect identified
 - Possible solution identified but it is not clear whether that is recommended or a suggestion ?
 - No commitment from the city to say this will be implemented
 - What is the city's commitment - shouldn't a mitigation or remedy plan be part of the DEIR before the project is sought for approval
- **In Summary**
 - for the all above issues where options exist for remedy
 - What is the city plan ?
 - **Is there a commitment from the city on implementing the plan ?**
 - What are the detailed implementations ?
 - **Please list the necessary & required details as part of the required clauses for project approval.**
 - for all the issues where no options exist for remedy
 - What does the city plan to do ?
 - **What are the consequences if they are not remedied ?** Please list in detail of any and all the impacts
 - **Please elaborate all the details , residents need to be aware of such shortfalls for project approval and it is important for project approvers as well.**

SAN JOSE VISION ZERO CONSIDERATION

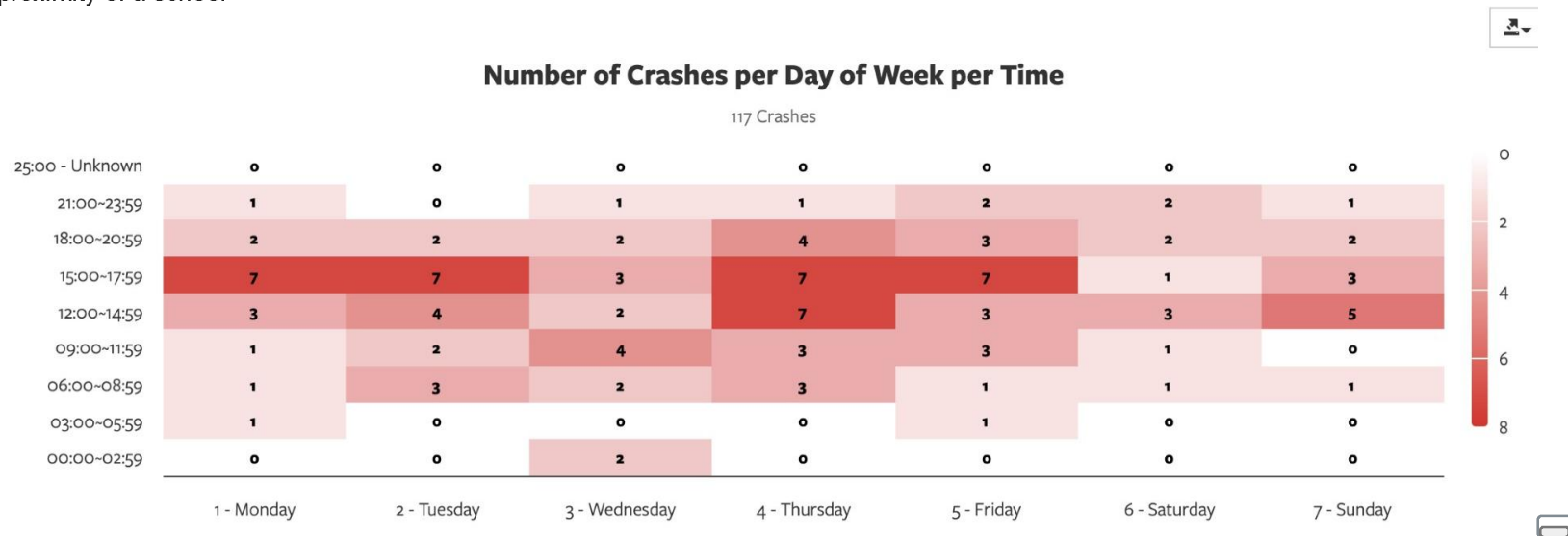
The City of San José takes traffic safety seriously. In 2015, we became the fourth U.S. city to officially adopt a Vision Zero initiative. The goal of [Vision Zero](#) is to reduce and eventually eliminate traffic deaths and severe injuries.

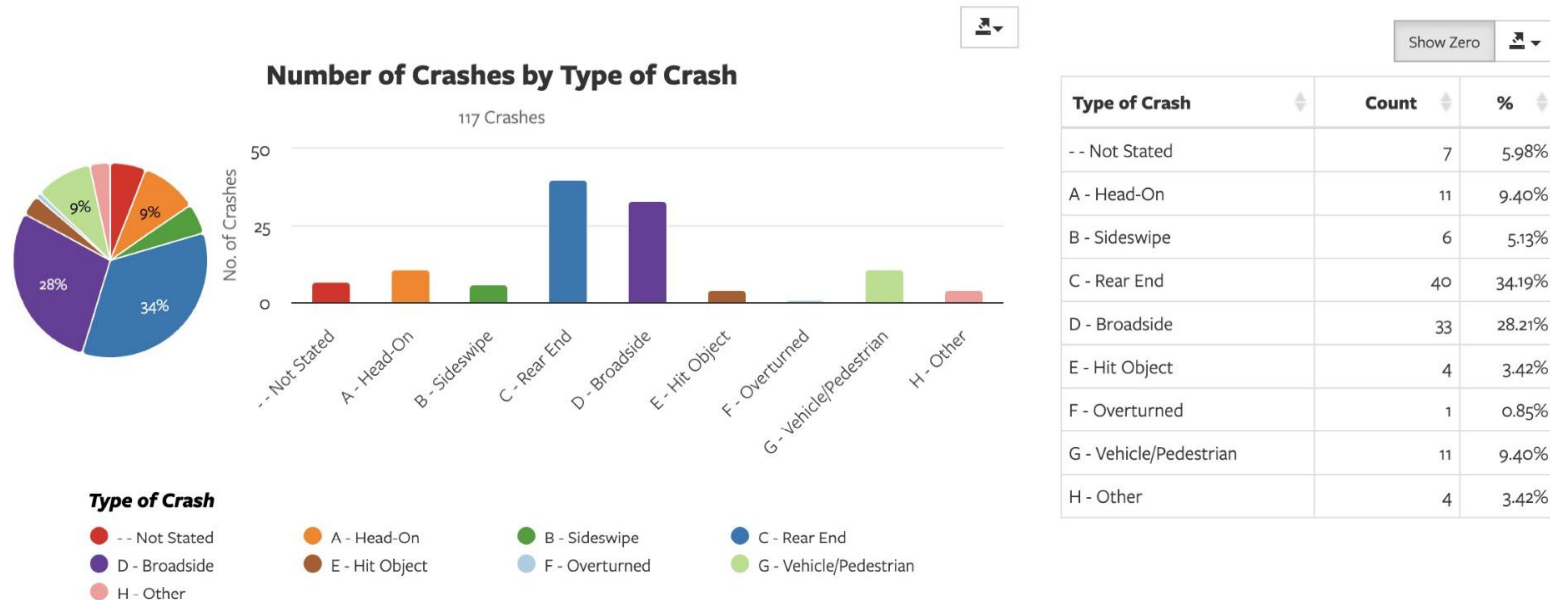
- **Saratoga Ave** from 280 to Lawrence Expressway is a city identified **Priority Safety Corridor**.
- City data points to 42 crashes for year 2022, this is the most current data available from [vision zero crash data](#)
- [Transportation Analysis report](#) (page 37, Fig-8) shows the assigned trip distribution. At 10% for Saratoga Ave, this equates to 1100 car trips added.
- How does the safety get impacted on Prospect Ave with 17% (page 37, Fig-8) increase of 1870 cars, please study this and detail the impacts.
- As far as I am aware, there was no evaluation from a safety perspective on this corridor ?, the city has only done an LoS evaluation on Saratoga, this was communicated as such by EIR & Traffic consultants at the Feb-5, 2024 Vice Mayor Rosemary [meeting](#)
- Isn't it imperative that the safety aspects also be evaluated and what impacts it has on the users of this stretch of a priority safety corridor.
- Traffic study completion date is October 2023, prior to San Jose's Saratoga Avenue safety improvements and lane reductions. Has the EIR sufficiently analyzed the revised configuration on Saratoga Avenue? **Will the Costco development increased traffic counts trigger a role back on these safety and bike lane improvements?**
- The City/Costco should go back, evaluate the safety impacts and publish a report before the project is sought for approval.

STUDENT SAFETY

- The proposed Costco location is within 800 feet of Prospect high school
- There is no other Costco that is right across from a high school, why are we proposing a **retail warehouse in a school zone** ?
- The retail warehouse business highlights how car centric the project is at 11K daily vehicle trips

- There is no meaningful discussion of safety issues related to prospect high school students in the DEIR which is a significant deficiency
 - Please explain if there was any crash data analysis that was done in the radius zone (1/4 mile, 1/2 mile) of Prospect high school and how the proposal with its car centric approach alleviates safety concerns.
 - Please explain what traffic calming measures have been explored and what are the detailed plans to implement ?
 - The city needs to have evaluation and answer the questions related to safety before the project can proceed further.
-
- Another important aspect is that the traffic analysis is done during peak hours. According to the DEIR: "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209)
 - Plotting a 1/2 mile radius of crash data for Prospect high school (Jan-1-2012 - Dec-31-2022) shows the impacts happen in an extended time period window (a) 15:00 - 17:59 hours and (b) 12:00-14:59, source is [Transportation Injury Mapping System: TIMS](#)
 - It is incorrect to draw conclusions based on assuming what the peak periods for traffic and what the critical periods for a school zone are leads to fundamental errors. This needs to be rectified, please reevaluate the traffic study and crash impact potential from having this project within 1000 feet proximity of a school





COUNTRY LANE NEIGHBORHOOD ISSUES

- Residents on Graves Ave and the Country lane neighborhood right behind the Costco have the highest burden
- The current access to the site from Graves being open allows for potential cut through traffic done from country lane neighborhood
- Once Lawrence, Saratoga, Prospect arterial roads experience traffic backups, there is a very high likelihood of access from Doyle road using Teresita Dr, Happy Valley Ave or Brenton Ave landing at Graves Ave.
- Country Lane Elementary School sits right on these streets and will be in the cross hairs
- From my understanding, there was no evaluation of traffic access studies done from country lane neighborhood, this is just poor planning.
- Any evaluation on the impacts to the neighborhood from traffic issues and traffic related safety issues cannot be an after thought, it has to be done before the project is approved and evaluated as part of the DEIR if Graves Avenue access to Costco site remains.
- Please evaluate traffic issues and traffic related safety concerns for the country lane neighborhood from the Costco proposal, please advise and detail what traffic calming measures will be implemented in the DEIR
- All access points to the sites from Graves should be cut off** (see Alternative "B" as studied in EIR Appendix I - Transportation Analysis which excludes access through Graves)
- Residential Roadways should not be used to access Costco warehouse site.** No other Costco location that we are aware of provides such an access.
- A full perimeter fence should be installed (with no pedestrian access directly into Costco) along Graves to prevent Costco members or employees from intruding into the neighborhood for parking.

NOISE IMPACTS

- The DEIR mentions that the construction would last for 21 months, this long of a proposed project with many sensitive receptors identified in the vicinity ranging from 50 feet to 1000 feet is not an acceptable solution. This has the potential to cascade into long term effects.
- Where are the studies showing that such a long term construction length with sensitive receptors in close proximity do not pose health risks, please publish data so that the residents understand.
- The DEIR simply points to noise ordinances, none of the city ordinances or project proponents have put together data to show there aren't health risks associated while residents continue to live within 50 feet of such a major construction.
- Post construction, where is the data that shows that the retail warehouse noise is acceptable for residents from ordinances, this is a significant risk in allowing a retail warehouse operations 50 feet from residential homes. There is a reason why Costco or retail warehouses are limited to industrial areas or regional commercial areas, the 2040 GP plan specifically excludes the retail warehouse from NCC zoned areas and for a good measure. A regular retail store operation is orders of magnitude different than a retail warehouse operation, the impacts and effects that come with it are why retail warehouses are excluded in NCC.
- It would be almost impossible to create a 1 dB environment outside of scientific labs and we are within 1dBA of the limit threshold !, this is very clear that the project is right on the threshold of noise levels with no room for margin and noise is logarithmic scale.
 - How are we guaranteeing that the data is accurate with barely any margin to say that the thresholds are acceptable ?
 - What happens when memberships increase, more goods & services are introduced as the site evolves even from Costco projection ?
 - This clearly makes it with such narrow margins that the warehouse is not a good fit right against residential neighborhood with residences within 50 feet.
 - Page 190 of the DEIR states the following
 - Section 20.30.700 of the City's Municipal Code establishes a limit of 55 dBA for commercial areas adjacent to residential areas and 60 dBA for commercial uses adjacent to commercial areas. As shown in Table 3.13-14: Project Operational Noise Levels, Project-generated noise levels at the nearest residential uses would range from 33.8 dBA Leq to 54.0 dBA Leq and would not exceed the City's Municipal Code noise limit of 55 dBA for residential areas. Further, Project-generated noise levels at the nearest commercial uses would reach a maximum of 58.8 dBA Leq and would not exceed the City's Municipal Code noise limit of 60 dBA for commercial areas. As shown in Table 3.13-15, it is anticipated that Project operations would comply with City's Municipal Code.

PROJECT CONTRADICTS SAN JOSE URBAN VILLAGE

- The City of San José's [Urban Villages](#) Concept describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas](#) Map and Growth Areas and [Urban Village Horizon Map](#).
 - Urban villages are areas that include residential and jobs-based developments; have access to transit; and are walkable and bicycle-friendly. Creating urban villages is the fifth of 12 major strategies in [San José's General Plan](#). The urban village strategy fosters:
 - Engagement of local residents in planning the urban village;
 - A mix of housing and employment to reduce traffic;
 - Revitalizing underutilized properties;
 - Densities that support transit use, bicycling, and walking; and
 - High-quality urban design.
- The DEIR on page 217 says the following
 - Due to the function and operational characteristics of the Project site as a retail warehouse building, the Project is not anticipated to add substantial trips to the existing pedestrian, bicycle, or transit facilities in the area. Therefore, the Project would not create an adverse effect to the existing pedestrian, bicycle, or transit facility operations.
 - The project is adding 687 parking spots plus a rooftop parking
- The DEIR itself is self revealing in many ways that this project is not meeting the [Urban Villages](#) concept as it is not meeting the criteria as listed above, it fails short of almost all of the goals.

- The proposed project is in **direct conflict** with the Urban villages policy framework.

ALCOHOL SALES IN AN AREA OF UNDUE CONCENTRATION

- Everyone including the city is aware of the census specific tract limitations for **off-sale alcohol** for the proposed area is 3 and it is currently **over that threshold limit** & the distance regulations to residences, parks will necessitate a city council vote.
- There is an exclusive alcohol retailer in BevMo in the census tract, so there is no need to justify adding more off sale alcohol retailers which is what Costco attempts here !. There is no overwhelming convenience factor that supports the neighborhood in the decision for planning/city council to override the alcohol census tract limits.
- As this goes to **city council**, I urge every single member of the city council to strongly think through all the issues as to why the current development does not add convenience that outweighs all the issues associated with such a development. It is imperative that the city council not override the off sale alcohol limit with an ill planned and unwarranted development that is being forced upon this community.

SITE ALTERNATIVES

- **As stated in the DEIR (page 254), the city should go back to the MIXED USE ALTERNATIVE**
This better aligns with the vision of the Mixed Use multifamily residential and commercial uses, in addition to associated parking and circulation, landscaping, and infrastructure improvements.
- **The Mixed Use alternative also aligns with the San Jose 2040 General Plan, a retail warehouses should not accommodated next to residential neighborhood.**
- **Reduced VMT is an anomaly in that there is no end to it as one can keep adding Costco retail warehouses as an in fill into many of the designated commercial zone areas and there would be a reduction of VMT for a certain percentage of its paying customers.**
- **This particular location serves to extract the sales tax revenue from the adjacent cities of Saratoga, Campbell, Cupertino while burdening the population of its own citizens - namely San Jose residents. Eliminating local businesses from the site and vicinity within San Jose jurisdiction accomplishes nothing as it is revenue shifting.**
- **This is a dangerous ploy by Costco to dangle revenues to the city while burdening San Jose residents with majority if not all of the impacts.**
- **In many ways, It is better for the city of San Jose to ratify this parcel to align with its Envision San José 2040 General Plan and make it a true gateway to the Western corridor of San Jose along with the El Paseo de Saratoga village plan.**

SUMMARY

In my overall reading of the DEIR, understanding all the pitfalls, having been involved in this project for over a period of more than 2+ years, **I cannot advocate for this project to be approved** as it violates many of the requirements, does not advance Envision San Jose 2040 General Plan, it is antithetical to Urban villages concept, does not lend itself promoting pedestrian or bike friendly environment, drives the car centric bulk retail warehouse concept deeper into the residential neighborhoods attracting customers from far and near for bulk shopping which will not enrich the lives of anyone who live in the vicinity.

The residents deserve pedestrian, bicycle friendly, variety of local businesses, as the cities push for higher density housing.

As the world moves towards online shopping, relying on such a brick & mortar business economy model for city's sales tax revenue is not a good long term vision, it does not enhance the quality of life for its residents, does not align with the city's mixed-use urban villages theme, does not promote vibrant life in the suburban areas which we would want to transform to attract folks into higher density housing like the El Paseo project, it does not promote local businesses nor have a bike or pedestrian friendly appeal.

Do we really want to stand up and say - a bulk retail warehouse is the best that we have got to offer & please come to our district area, I sure hope that is not the case.

If approved, a Costco warehouse would forever deteriorate the Westgate and West Valley areas, ensuring that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village will not be achieved.

Despite all of the above objections, if and when the city finds a remedy to all the issues raised and it does decide to approve, **at a bare minimum, the condition of approval needs the following without any exceptions, please enforce them.**

- (A) Shut off complete access to the Costco site from Graves Ave for vehicular traffic except for controlled emergency vehicle access
- (B) No home delivery services ever from the proposed Costco warehouse
- (C) No gas station and/or expansion of the site to bring in a Costco gas station proposal from the warehouse in the future.
- (D) No piece meal expansion of the warehouse or services from the warehouse detriment to the current EIR approval
- (E) No eviction of businesses or further parking expansion at the site due to warehouse increase in foot-traffic or services, this would prevent surface lot area expansion and keep local businesses accessible to the community.

Thank You for giving us residents an opportunity to participate in the process, provide our feedback. I look forward to further participation and hearing back from the concerned authorities with regard to all the questions that have been posed in the comments and as to how we can make San Jose a better city for its residents.

Ramesh Gunna
Country Lane Neighborhood resident
Member of the West Valley Citizens for Responsible Development

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

City of San Jose
Department of Planning, Building, and Code
Enforcement
Attn: Kara Hawkins, Environmental Project Manager
200 East Santa Clara Street, 3rd Floor Tower
San José, CA 95113-1905
Via email: kara.hawkins@sanjoseca.gov

Re: Draft Environmental Impact Report for the Westgate West Costco Warehouse Project

<i>File No.</i>	CP21-022
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I am a 20 year country lane neighborhood resident, who has enjoyed living in the western corridor of San Jose. This is my one and only home that I have purchased. I love the corridor and the neighborhood, good local businesses, excellent to walk around, I commute by bike to work, very familiar with bicycling related aspects on the city streets.

I understand that development and change is inevitable but one needs to look at development in the right context and make sure it is done in a responsible manner without up ending the quality of life.

The debate of a large development like Costco has its supporters and distractors, as a responsible San Jose resident, I want to look into the details of the project and I have many concerns based on data that leads me to believe that this proposed project is not a right fit for the community at large at this location.

Please review my comments, address the issues and help us San Jose residents to contribute towards the development of the city by bringing in meaningful projects that enhance the quality of life.

LAND USE/ZONING ISSUES

Throughout the DEIR, there are various references to Envision San Jose 2040 General Plan, guidelines, frame work, how the rules are being met & how the project is satisfying the GP 2040., however there is a significant deficiency that the GP land use criteria is not being met. Please see the brief below, I would like the city to address the issue.

The proposed Costco Wholesale Membership Club development is

incompatible with Envision San Jose 2040 General Plan Land Use Designation.

The Westgate West property is designated as Neighborhood/Community Commercial (NCC) in GP 2040 land use and zoned as commercial general (CG zoning).

New development and land uses **must conform** to the Land Use/Transportation Diagram and the Land Use goals and policies of the [Envision San José 2040 General Plan](#). (This is verbatim from the city page)

"If the zoning district and land use designation differ, the **land use designation trumps the zoning district.**", see **ALIGNMENT PROJECT FAQs**

Neighborhood Community Commercial :

- This designation supports a very broad range of commercial activity, including commercial uses that serve the communities in neighboring areas, such as neighboring serving retail and services and commercial/professional office development. Neighborhood / Community Commercial uses typically have a strong connection to and provide services and amenities for the nearby community and should be designed to promote that connection with an appropriate urban form that supports walking, transit use and public interaction. General office uses, hospitals and private community gathering facilities are also allowed in this designation. This designation also support one hundred percent (100%) deed restricted affordable housing developments that are consistent with General Plan Policy H-2.9 and Policy IF-5.12.

Big Box warehouse developments are permitted and constructed in Industrial Zones, or Commercial Industrial Zones. Membership club warehouses are not appropriate for neighborhood serving retail zones.

- This designation is supported in San Jose Title 20 Zoning Code 20.50.130 and designates Warehouse Retail which is a conditional use for IP industrial park, LI light industrial, and HI heavy industrial districts.
- Costco Retail Membership Warehouse clubs are developed in Industrial Zones in the cities of San Jose, Sunnyvale, Mountain View, Santa Clara.
 - Please see the land use designation listing below
 - ◆ 2201 Senter Road, San Jose - Heavy Industrial
 - ◆ 1709 Automation Pkwy - Combined Industrial/Commercial Zone
 - ◆ 5301 Almaden Expressway - Regional Commercial
 - ◆ 6898 Raleigh Rd, San Jose - Combined Industrial/Commercial Zone

- Sunnyvale – Industrial and Service
- Santa Clara – Medium Heavy Industrial
- Mountain View – General Industrial

The Westgate West zoning designation is Commercial General and Warehouse Retail is **NOT** an allowed use.

- See Chapter 20.40.100, Table 20-90
- "Commercial Zoning Districts and Public/Quasi-Public Zoning District Use Regulations" for approved uses. Warehouse Retail is not listed as an allowed use.
- However Chapter 20.50.100, Table 20-110 lists Warehouse Retail as the allowed use for Industrial Zoning Districts

Development plan submitted does not align with San Jose General Plan land use designation.

- San Jose Planning has provided guidance to property owners "Aligning zoning districts and land use designations reduces confusion. Property owners have a clearer understanding of how their property can be used for future projects, and this will save time and costs for owners who are interested in developing their property". See [Rezoning and General Plan Alignment](#).
- "REZONING & GENERAL PLAN ALIGNMENT PROJECT. Per state law, we are undertaking an extensive rezoning of properties in San José to align zoning districts with the land use designations of the Envision San José 2040 General Plan. This does not affect your current use of your property. San José is a charter city that — until now — had land use designations in the City's General Plan that were separate from zoning districts as identified in the Zoning Ordinance. Wherever the two policies have been inconsistent, the General Plan designation has superseded. In 2018 with the passage of Senate Bill 1333, charter cities must align and match zoning districts and General Plan land use designations. For example, if a property's land use designation is PQP (Public Quasi Public) and its zoning is LI (Light Industrial), then the City will rezone the property to PQP to align with the land use designation. Aligning zoning districts and land use designations reduces confusion. Property owners have a clearer understanding of how their property can be used for future projects, and this will save time and costs for owners who are interested in developing their property."

AIR QUALITY

- The [DEIR](#) references to WESTGATE WEST COSTCO PROJECT [AIR](#)

QUALITY TECHNICAL REPORT which is based on **BAAQMD 2017 guidelines**

- On April 20, 2022, the **Air District Board** of Directors adopted *CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans*.
- Shouldn't the project be evaluated to the new 2022 Guidelines, I see the **AIR QUALITY TECHNICAL REPORT** used "**CalEEMod Version: CalEEMod.2020.4.0**".
- Did the analysis use the latest version of the guidelines from 2022 ?
- If the analysis is not using the latest version, shouldn't it be evaluated against the latest 2022 guidelines ?, how can it be ensured that the application of the newer guidelines would not produce a different conclusion regarding AQ impact.
- **2022 CEQA Guidelines** from the BAAQMD provides the reason and what's changing for 2022.
 - The CEQA Air Quality Guidelines were published in 2012 and revised in 2017 to address the CA Supreme Court's opinion on the new receptor thresholds. (*California Building Industry Assn. v. Bay Area Air Quality Management Dist.* (2015) 62 Cal.4th 369.) **The 2017 revision did not address outdated references, analytical methodologies, or technical information improvements. Additionally, the Air District adopted new Climate Impact Thresholds on April 20, 2022, using performance-based standards requiring new guidance on evaluating the climate impacts of land use projects and plans.**
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- In the DEIR on pages 220 and 221, Costco claims to meet/exceed San Jose minimum parking requirements. This is not correct.
- Out of the 862 parking spots shown in table 3.17-2, 175 parking spots are claimed from stalls that are not dedicated to Costco.
- Costco has only 687 dedicated slots, see page-9 of DEIR and Table 2.3-1
- So, the non dedicated stalls of 175 should not be counted by Costco to establish parking requirements.
- The minimum required parking stalls is 702 and 687 falls short of the required minimum, this is a **CLEAR VIOLATION** of the requirement, so this project cannot be approved without a resolution towards meeting the requirement.
- If there is another way the project is meeting the requirement, please provide the details in the DEIR

CLEAN ENERGY

- Why isn't solar energy not part of this project ?
- DEIR page 41 is **misleading**
 - Project proponent has committed to the community "Solar Choice" program with PG&E, which is PG&E's program to provide 100% solar to customers, which is a zero-carbon electricity source. Therefore all electricity used by the project would be from zero-carbon sources .
 - Envision San José 2040 General Plan says
 - ◆ Policy MS-2.2 Encourage maximized use of on-site generation of renewable energy for all new and existing buildings.
 - However, the following from PGE website says it is
 - ◆ PGE website (<https://www.pge.com/en/clean-energy/solar/community-renewable-programs.html>)
 - ◇ In the Solar Choice program, you can elect to purchase solar energy to match either 50% or 100% of your energy use. Joining the waitlist is easy – [sign in to your PG&E online account](#) or call us at [1-877-743-8429](tel:1-877-743-8429).
 - ◇ If you were previously enrolled on Solar Choice and feel you have been unenrolled in error, please call us at [1-877-743-8429](tel:1-877-743-8429) to be re-enrolled on the program.\
 - ◇ Residential and Non-Residential enrollment in Solar Choice is on hold per California Public Utility Commission directive

in [Decision 21-12-036](#). All customers attempting to enroll will be placed on a waitlist for future enrollment if capacity becomes available.

- This should **NOT** be a choice option for a new development to just opt-into PGE, who will monitor that a business stays in the program and does not opt-out, where are the compliance enforcement rules ?
 - Given PGEs statement that Solar Choice enrollment is on hold & is dependent on capacity, there should be onsite Solar power generation and this should be a requirement for the project of this magnitude
- DEIR on page 42 - Gas water heaters will be direct vent and 94% efficient or greater.
 - As of March 2023, BAAQMD adopted amendments for residential and commercial natural gas and water heater appliances to be zero Nox
 - Is the current project in compliance with this regulation ?, if not why - Please explain.
 - This would be a great opportunity for a new development to take the lead and become compliant even though the regulation kicks in 2027

TRAFFIC ANALYSIS ISSUES

- **Lawrence Expwy / Bollinger Rd-Moorpark Ave (Intersection 5) (Page 56 of Appendix I - Transportation analysis)**
 - ◆ Options are provided to mitigate adverse effect
 - ◆ No commitment from the city to say these will be implemented
 - ◆ What is the city's commitment - shouldn't a mitigation or remedy plan be part of the DEIR before the project is sought for approval
- **Saratoga Ave / Graves Ave (Intersection 6) (Page 56/57)**
 - ◆ Why isn't option B the default option
 - ◆ Report says option A has adverse affect under all conditions
 - ◆ Options are provided to mitigate adverse effect
 - ◆ No commitment from the city to say these will be implemented
 - ◆ What is the city's commitment - shouldn't a mitigation or remedy plan be part of the DEIR before the project is sought for approval
- **Lawrence Expwy / Prospect Rd (Intersection 11) (Page 57)**
 - ◆ There are adverse effects and no mitigations possible
 - ◆ What is the remedy here ?? (None have been identified in the DEIR)

- **Prospect Rd / Westgate West shopping center signalized driveway (Intersection 12) (Page 57)**
 - ◆ There are adverse effects and no mitigations possible
 - ◆ What is the remedy here ?? (None have been identified)
 - ◆ During the 5% of the peak hour when this condition may exist, shopping center patrons will likely use other driveways along Lawrence Expressway, Prospect Road, and Saratoga Avenue to spread out the demand at this location.
 - ◆ This is speculative in nature, not a solution, how can one rely on such speculative measure to be a mitigating solution - what is the real solution here ?
- **Saratoga Ave / Prospect Rd-Campbell Ave (Intersection 13)**
 - ◆ Adverse effect identified
 - ◆ Possible solution identified but it is not clear whether that is recommended or a suggestion ?
 - ◆ No commitment from the city to say this will be implemented
 - ◆ What is the city's commitment - shouldn't a mitigation or remedy plan be part of the DEIR before the project is sought for approval
- **In Summary**
 - for the all above issues where options exist for remedy
 - ◆ What is the city plan ?
 - ◆ **Is there a commitment from the city on implementing the plan ?**
 - ◆ What are the detailed implementations ?
 - ◆ **Please list the necessary & required details as part of the required clauses for project approval.**
 - for all the issues where no options exist for remedy
 - ◆ What does the city plan to do ?
 - ◆ **What are the consequences if they are not remedied ?** Please list in detail of any and all the impacts
 - ◆ **Please elaborate all the details , residents need to be aware of such shortfalls and it is important for project approvers as well**

SAN JOSE VISION ZERO CONSIDERATION

The City of San José takes traffic safety seriously. In 2015, we became the fourth U.S. city to officially adopt a Vision Zero initiative. The goal of **Vision Zero** is to reduce and eventually eliminate traffic deaths and severe injuries.

- **Saratoga Ave** from 280 to Lawrence Expressway is a city identified

Priority Safety Corridor.

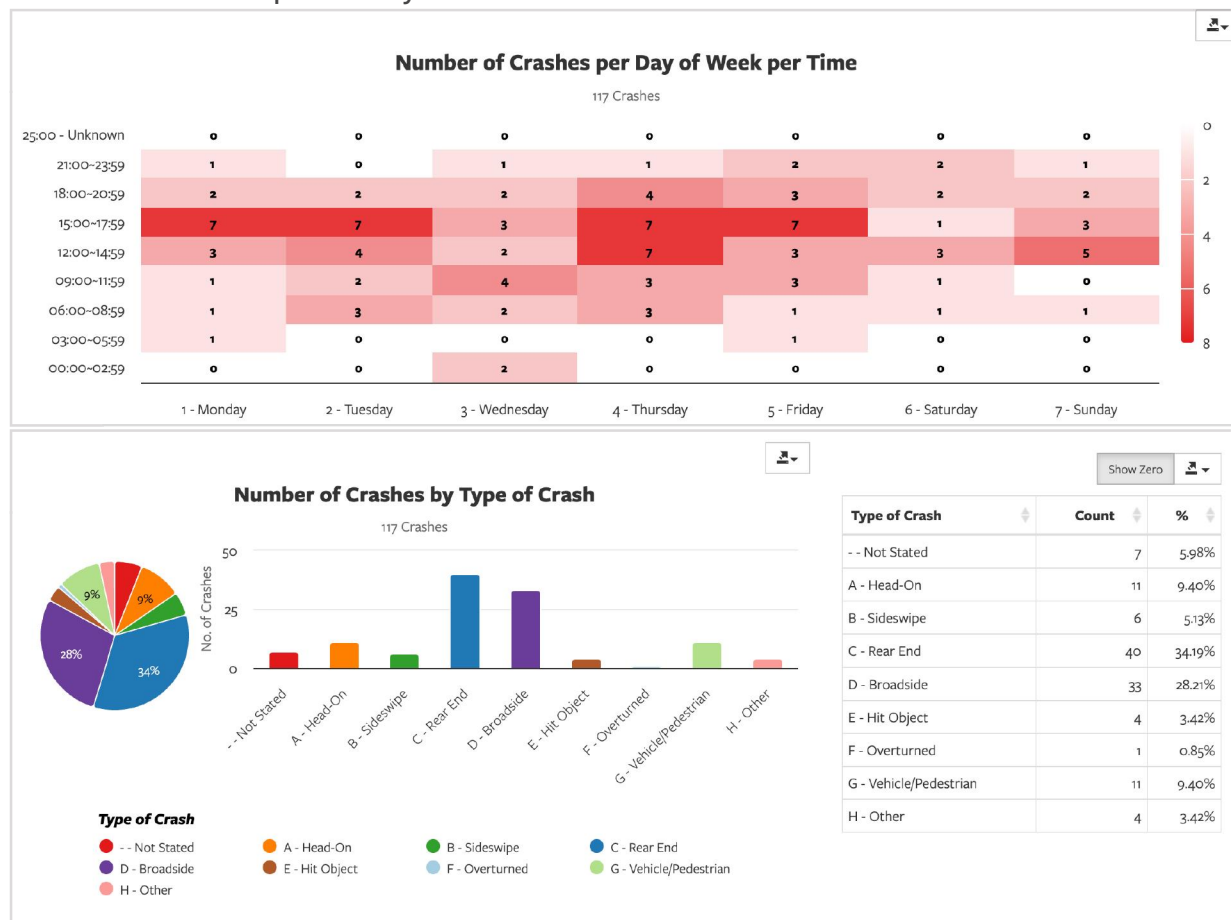
- City data points to 42 crashes for year 2022, this is the most current data available from [vision zero crash data](#)
- [Transportation Analysis report](#) (page 37, Fig-8) shows the assigned trip distribution. At 10% for Saratoga Ave, this equates to 1100 car trips added.
- How does the safety get impacted on Prospect Ave with 17% (page 37, Fig-8) increase of 1870 cars, please study this and detail the impacts.
- As far as I am aware, there was no evaluation from a safety perspective on this corridor ?, the city has only done an LoS evaluation on Saratoga, this was communicated as such by EIR & Traffic consultants at the Feb-5, 2024 Vice Mayor Rosemary [meeting](#)
- Isn't it imperative that the safety aspects also be evaluated and what impacts it has on the users of this stretch of a priority safety corridor.
- Traffic study completion date is October 2023, prior to San Jose's Saratoga Avenue safety improvements and lane reductions. Has the EIR sufficiently analyzed the revised configuration on Saratoga Avenue? [Will the Costco development increased traffic counts trigger a role back on these safety and bike lane improvements?](#)
- The City/Costco should go back, evaluate the safety impacts and publish a report before the project is sought for approval.

STUDENT SAFETY

- The proposed Costco location is within 800 feet of Prospect high school
- There is no other Costco that is right across from a high school, why are we proposing a [retail warehouse in a school zone](#) ?
- The retail warehouse business highlights how car centric the project is at 11K daily vehicle trips
- There is no meaningful discussion of safety issues related to prospect high school students in the DEIR which is a significant deficiency
- Please explain if there was any crash data analysis that was done in the radius zone (1/4 mile, 1/2 mile) of Prospect high school and how the proposal with its car centric approach alleviates safety concerns.
- Please explain what traffic calming measures have been explored and what are the detailed plans to implement ?
- The city needs to have evaluation and answer the questions related to safety before the project can proceed further.
- Another important aspect is that the traffic analysis is done during peak hours. According to the DEIR: "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00

PM" (page 209)

- Plotting a 1/2 mile radius of crash data for Prospect high school (Jan-1-2012 - Dec-31-2022) shows the impacts happen in an extended time period window (a) 15:00 - 17:59 hours and (b) 12:00-14:59, source is [Transportation Injury Mapping System: TIMS](#)
- It is incorrect to draw conclusions based on assuming what the peak periods for traffic and what the critical periods for a school zone are leads to fundamental errors. This needs to be rectified, please reevaluate the traffic study and crash impact potential from having this project within 1000 feet proximity of a school



COUNTRY LANE NEIGHBORHOOD ISSUES

- Residents on Graves Ave and the Country lane neighborhood right behind the Costco have the highest burden
- The current access to the site from Graves being open allows for potential cut through traffic done from country lane neighborhood
- Once Lawrence, Saratoga, Prospect arterial roads experience traffic backups, there is a very high likely hood of access from Doyle road using Teresita Dr, Happy Valley Ave or Brenton Ave landing at Graves Ave.

- Country Lane Elementary School sits right on these streets and will be in the cross hairs
- From my understanding, there was no evaluation of traffic access studies done from country lane neighborhood, this is just poor planning.
- Any evaluation on the impacts to the neighborhood from traffic issues and traffic related safety issues cannot be an after thought, it has to be done before the project is approved and evaluated as part of the DEIR if Graves Avenue access to Costco site remains.
- Please evaluate traffic issues and traffic related safety concerns for the country lane neighborhood from the Costco proposal, please advise and detail what traffic calming measures will be implemented in the DEIR
- **All access points to the sites from Graves should be cut off** (see Alternative "B" as studied in EIR Appendix I - Transportation Analysis which excludes access through Graves)
- **Residential Roadways should not be used to access Costco warehouse site.** No other Costco location that we are aware of provides such an access.
- A full perimeter fence should be installed (with no pedestrian access directly into Costco) along Graves to prevent Costco members or employees from intruding into the neighborhood for parking.

NOISE IMPACTS

- The DEIR mentions that the construction would last for 21 months, this long of a proposed project with many sensitive receptors identified in the vicinity ranging from 50 feet to 1000 feet is not an acceptable solution. This has the potential to cascade into long term effects.
- Where are the studies showing that such a long term construction length with sensitive receptors in close proximity do not pose health risks, please publish data so that the residents understand.
- The DEIR simply points to noise ordinances, none of the city ordinances or project proponents have put together data to show there aren't health risks associated while residents continue to live within 50 feet of such a major construction.
- Post construction, where is the data that shows that the retail warehouse noise is acceptable for residents from ordinances, this is a significant risk in allowing a retail warehouse operations 50 feet from residential homes. There is a reason why Costco or retail warehouses are limited to industrial areas or regional commercial areas, the 2040 GP plan specifically excludes the retail warehouse from NCC zoned areas and for a good measure. A regular retail store operation is orders of magnitude different

than a retail warehouse operation, the impacts and effects that come with it are why retail warehouses are excluded in NCC.

- It would be almost impossible to create a 1 dB environment outside of scientific labs and we are within 1dBA of the limit threshold !, this is very clear that the project is right on the threshold of noise levels with no room for margin and noise is logarithmic scale.
 - How are we guaranteeing that the data is accurate with barely any margin to say that the thresholds are acceptable ?
 - What happens when memberships increase, more goods & services are introduced as the site evolves even from Costco projection ?
 - This clearly makes it with such narrow margins that the warehouse is not a good fit right against residential neighborhood with residences within 50 feet.
 - ◆ Page 190 of the DEIR states the following
 - ◆ Section 20.30.700 of the City's Municipal Code establishes a limit of 55 dBA for commercial areas adjacent to residential areas and 60 dBA for commercial uses adjacent to commercial areas. As shown in Table 3.13-14: Project Operational Noise Levels, Project-generated noise levels at the nearest residential uses would range from 33.8 dBA Leq to 54.0 dBA Leq and would not exceed the City's Municipal Code noise limit of 55 dBA for residential areas. Further, Project-generated noise levels at the nearest commercial uses would reach a maximum of 58.8 dBA Leq and would not exceed the City's Municipal Code noise limit of 60 dBA for commercial areas. As shown in Table 3.13-15, it is anticipated that Project operations would comply with City's Municipal Code.

PROJECT CONTRADICTS SAN JOSE URBAN VILLAGE

- The City of San José's Urban Villages Concept describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the Planned Growth Areas Map and Growth Areas and Urban Village Horizon Map.
 - Urban villages are areas that include residential and jobs-based developments; have access to transit; and are walkable and bicycle-friendly. Creating urban villages is the fifth of 12 major strategies in San José's General Plan. The urban village strategy fosters:

- Engagement of local residents in planning the urban village;
 - A mix of housing and employment to reduce traffic;
 - Revitalizing underutilized properties;
 - Densities that support transit use, bicycling, and walking; and
 - High-quality urban design.
- The DEIR on page 217 says the following
 - ◆ Due to the function and operational characteristics of the Project site as a retail warehouse building, the Project is not anticipated to add substantial trips to the existing pedestrian, bicycle, or transit facilities in the area. Therefore, the Project would not create an adverse effect to the existing pedestrian, bicycle, or transit facility operations.
 - ◆ The project is adding 687 parking spots plus a rooftop parking
- The DEIR itself is self revealing that this project is not meeting the **Urban Villages** concept as it is not meeting the criteria as listed above, it fails short of almost all of the goals.
- The proposed project is in **direct conflict** with the Urban villages policy framework.

ALCOHOL SALES IN AN AREA OF UNDUE CONCENTRATION

- Everyone including the city is aware of the census specific tract limitations for **off-sale alcohol** for the proposed area is 3 and it is currently **over that threshold limit** & the distance regulations to residences, parks will necessitate a city council vote.
- There is an exclusive alcohol retailer in BevMo in the census tract, so there is no need to justify adding more off sale alcohol retailers which is what Costco attempts here !. There is no overwhelming convenience factor that supports the neighborhood in the decision for planning/city council to override the alcohol census tract limits.
- As this goes to **city council**, I urge every single member of the city council to strongly think through all the issues as to why the current development does not add convenience that outweighs all the issues associated with such a development. It is imperative that the city council not override the off sale alcohol limit with an ill planned and unwarranted development that is being forced upon this community.

SITE ALTERNATIVES

- **As stated in the DEIR (page 254), the city should go back to the MIXED USE ALTERNATIVE**
This better aligns with the vision of the Mixed Use multifamily residential and commercial uses, in addition to associated parking and circulation, landscaping, and infrastructure improvements.
- **The Mixed Use alternative also aligns with the San Jose 2040 General Plan, a retail warehouses should not accommodated next to residential neighborhood.**
- **Reduced VMT is an anomaly in that there is no end to it as one can keep adding Costco retail warehouses as an in fill into many of the designated commercial zone areas and there would be a reduction of VMT for a certain percentage of its paying customers.**
- **This particular location serves to extract the sales tax revenue from the adjacent cities of Saratoga, Campbell, Cupertino while burdening the population of its own citizens - namely San Jose residents. Eliminating local businesses from the site and vicinity within San Jose jurisdiction accomplishes nothing as it is revenue shifting.**
- **This is a dangerous ploy by Costco to dangle revenues to the city while burdening San Jose residents with majority if not all of the impacts.**
- **In many ways, It is better for the city of San Jose to ratify this parcel to align with its Envision San José 2040 General Plan and make it a true gateway to the Western corridor of San Jose along with the El Paseo de Saratoga village plan.**

SUMMARY

In my overall reading of the DEIR, understanding all the pitfalls, having been involved in this project for over a period of more than 2+ years, **I cannot advocate for this project to be approved** as it violates many of the requirements, does not advance Envision San Jose 2040 General Plan, it is antithetical to Urban villages concept, does not lend itself promoting pedestrian or bike friendly environment, drives the car centric bulk retail warehouse concept deeper into the residential neighborhoods attracting customers from far and near for bulk shopping which will not enrich the lives of anyone who live in the vicinity.

The residents deserve pedestrian, bicycle friendly, variety of local businesses, as the cities push for higher density housing.

As the world moves towards online shopping, relying on such a brick & mortar business economy model for city's sales tax revenue is not a good long term

vision, it does not enhance the quality of life for its residents, does not align with the city's mixed-use urban villages theme, does not promote vibrant life in the suburban areas which we would want to transform to attract folks into higher density housing like the El Paseo project, it does not promote local businesses nor have a bike or pedestrian friendly appeal.

Do we really want to stand up and say - a bulk retail warehouse is the best that we have got to offer & please come to our district area, I sure hope that is not the case.

If approved, a Costco warehouse would forever deteriorate the Westgate and West Valley areas, ensuring that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village will not be achieved.

Despite all of the above objections, if and when the city finds a remedy to all the issues raised and it does decide to approve, **at a bare minimum, the condition of approval needs the following without any exceptions, please enforce them.**

- (A) Shut off complete access to the Costco site from Graves Ave for vehicular traffic except for controlled emergency vehicle access
- (B) No home delivery services ever from the proposed Costco warehouse
- (C) No gas station and/or expansion of the site to bring in a Costco gas station proposal from the warehouse in the future.
- (D) No piece meal expansion of the warehouse or services from the warehouse detriment to the current EIR approval
- (E) No eviction of businesses or further parking expansion at the site due to warehouse increase in foot-traffic or services, this would prevent surface lot area expansion and keep local businesses accessible to the community.

Thank You for giving us residents an opportunity to participate in the process, provide our feedback. I look forward to further participation and hearing back from the concerned authorities with regard to all the questions that have been posed in the comments and as to how we can make San Jose a better city for its residents.

Ramesh Gunna
Country Lane Neighborhood resident
Member of the West Valley Citizens for Responsible Development

Comment Letter 351

Feedback for Westgate West Costco DEIR, File no. CP21-022

Richard Brown [REDACTED]

Tue 2/20/2024 3:07 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

<your comments go here> I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

>

>

> I am extremely concerned about the safety of pedestrians and motorists of all ages that will be jeopardized by the increases in traffic and congestion with a Costco at Westgate West. The area is already subject to delays and gridlock especially at peak hours and worse on school days. One need only look at the two Costco Warehouse stores that are within a few miles of this site to see the potential impacts: delays, accidents and injuries.

>

Thank you for your consideration and your care in responding to these serious concerns. Thank you for your consideration and your care in

responding to these serious concerns.

Sincerely,
Richard Brown
Westmont Neighborhood

Sent from my iPhone

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Comment Letter 352

Feedback for Westgate West Costco DEIR, File no. CP21-022

Robert LoPresto [REDACTED]

Tue 2/20/2024 4:49 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback. The negative project impacts of the Costco at Westgate are many! They include danger to students, pedestrians and cyclists, traffic gridlock, increased pollution and the negative impact on existing businesses and homes!

This project goes against San Jose's own mandates, regulations and future goals and will permanently impact the safety and wellbeing of our children, seniors, residents and the community at large. I strongly object to the proposed Costco expansion in Westgate. Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Robert LoPresto
[REDACTED]

Saratoga, California 95070

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Comment Letter 353

Feedback for Westgate West Costco DEIR, File no. CP21-022

Ron Tietze <[REDACTED]>

Tue 2/20/2024 4:31 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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February 20, 2024

City of San Jose
Department of Planning, Building, and Code Enforcement
Kara Hawkins, Planner
200 E. Santa Clara Street, Tower 3rd Floor
San Jose, CA 95113-1905
Kara.Hawkins@sanjoseca.gov

Re: Draft Environmental Impact Report for Westgate West Costco Warehouse Project File No. CP21-022

Dear Ms. Hawkins:

I am a 35-year resident of the Country Lane neighborhood.

I have read the Draft Environmental Impact Report (DEIR) for the proposed Westgate West Costco warehouse project and am writing to provide my comments.

I oppose Costco's proposed plan to shoehorn a 40-foot high, 4 acre warehouse with **first of its kind (in the US) rooftop parking** on a undersized **9.69 acre** lot (Costco's own builder (MG2 Corporation, states that Costco likes it's warehouses on a 15 acre site with parking for 750 cars, this proposed plan has parking for 687 cars). This site is totally inappropriate for multiple reasons as described below for this proposed plan. The site is directly across from Prospect High School, two blocks from Country Lane Elementary School and only 50 feet from the front yards of a long established residential neighborhood.

Following are my specific comments on the DEIR.

Air Quality

The DEIR has no adequate mitigation measures stated in regard to the toxins and contaminants in the soil that will be airborne during construction. Cancer causing dust particles will expose all sensitive receptors thru-out the surrounding residential communities and the adjacent Medical/Dental buildings of West Valley Professional Center(WVPC). Just using Water Trucks twice a day as stated will not be sufficient considering that residential properties are as close as 50 feet from the project site. CalEEMod assumes only a 55% reduction in "Fugitive dust" by watering twice a day. Of great concern are the levels of asbestos and lead based paint particles released into the air as the sites existing buildings are being

demolished. (D-46) Considering the scale of the project site and the DEIR's findings of these toxins in the soil, a reduction of only 55% of "Fugitive dust" is not acceptable. How will the project applicant encapsulate the remaining 45% of this cancer causing dust?

The DEIR stated that "there were no non-residential sensitive receptors identified within the BAAQMD recommended 1,000 foot radius from the project site." However, the DEIR fails to recognize that 60 feet from the project site is the West Valley Professional Center (WVPC) -where medical and dental patients are having procedures done) and the other businesses in Westgate West and West Valley Shopping Center are within the stated 1000 foot grid and should have been evaluated in the Air Quality study. All the Employees, Patients, Doctors and patrons of those properties were given no consideration in the air quality studies.

The DEIR has not considered the fueling type/source(gas, propane, electric) to be utilized by the Forklifts and the impacts on air quality and energy etc. Does this site still plan to have a propane refueling and sales component, and, if so, have the hazards and impacts of storing and handling propane been studied for this project in this residential area?

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. **The DEIR also does not provide details about the effects of soil vapor intrusion on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes.** Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a comprehensive public health plan is available before the project can move forward.

Stormwater Management.

The DEIR has inadequately analyzed hazardous Storm Water run-off

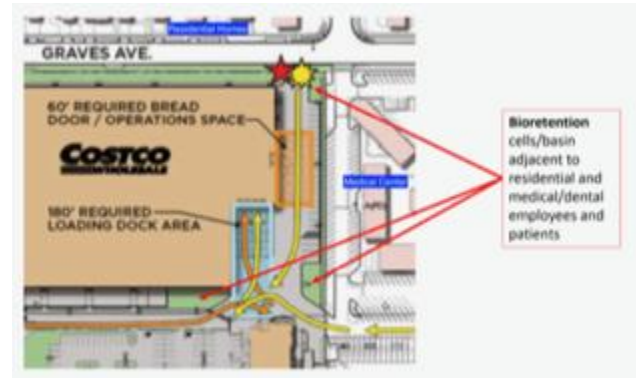
The City of San José's Environmental Services Department is responsible for stormwater management within the City. The Project would install bioretention basins throughout the proposed surface parking lots that feed into the City storm drain system. Underground 12 or 24 inch piping would convey stormwater from the bioretention basins to pipe that would connect to the existing storm drain under Graves Avenue.

1. **The Bioretention Basins** as shown on the site plans must be compliant (including size) and located elsewhere on the site. Essentially they are **Toxic Waste collectors** adjacent to a Medical / Dental Facility and its patients and residential housing of senior citizens and children! These Bioretention Basins collect pollutants such as phosphorus, hydrocarbons, nutrients, heavy metals, harmful bacteria, pathogens, sediment, oils, grease and other types of organic material. **OSHA's website has information on all the negative human health effects of these materials.**

A bioretention basin can overflow and potentially pose harm to humans under certain circumstances. A bioretention basin, also known as a rain garden or bioinfiltration swale, is designed to capture and treat stormwater runoff from impervious surfaces like roads, parking lots, and rooftops. The basin contains vegetation and engineered soil media that help filter pollutants and absorb water, promoting infiltration and groundwater recharge.

However, several factors could lead to an overflow scenario, which may have adverse effects:

- **High Intensity Rainfall Events:** During intense or prolonged rainfall events, the capacity of the bioretention basin to capture and store runoff may be exceeded, leading to overflow. This can result in excess water flowing out of the basin and potentially causing localized flooding, erosion, and property damage.
- **Clogging or Blockage:** Accumulation of debris, sediment, or pollutants within the basin's vegetation, soil media, or drainage infrastructure can impede water flow and reduce storage capacity.
- **Contaminant Transport:** overflow from a bioretention basin can carry the aforementioned Toxins, which can be harmful to human health and the environment. Contaminant transport can occur if the basin's treatment capacity is overwhelmed or if pollutants are not adequately retained and filtered.
- **Public Health Risks:** Depending on the nature and concentration of pollutants present in the overflow water, there can be potential health risks to humans exposed to contaminated runoff. This could include direct contact with polluted water, ingestion of contaminated soil or groundwater, or inhalation of airborne contaminants.



Bioretention Cell locations near homes and medical center

The California Stormwater Quality Association also states that “by design, bioretention, BPMs, have the potential to create very attractive habitats for mosquitoes and other vectors because of highly organic, often heavily vegetated areas mixed with shallow water.” **Touching these materials directly as well as the issues of Phytovolatilization and Evapotranspiration pose a potential danger to those at the Medical/Dental Facility and the residential community at large.** This entire Westgate West site has been used for years as a pathway for students walking between their homes and Prospect High School. The 10ft wall as proposed (see Figure 1-W) would help mitigate and minimize possible exposure if children, including our local students, or adults were to leave the sidewalk and venture into or across the proposed Bioretention area next to Graves Avenue.

What provisions have been made for all the storm water that drains from the proposed rooftop parking area? The square footage of proposed parking, especially considering the rooftop area parking, will more than double from the existing surface parking. The concern is whether the planned Bioretention Basins connected to the current San Jose City storm drains, and those installed on the project site, are big enough to handle the projected flow of stormwater without backing up and overflowing, especially with climate change increasing the rate of rainfall projected in the future? This contaminated and toxic water could flow out of these Bioretention Basins creating immediate health hazards for the surrounding communities and businesses. **Two of these Basins are located on the Northeast side of the proposed project, only 50 feet from residences to the North housing senior citizens and young children and 50 ft to the East where West Valley Professional Center resides)**

(Please see picture (Figure W-2) that shows the type of wall that could help protect the neighboring community, pedestrians young and old, cyclists and WVPC, from this potential issue, as well as block the sights and sounds of Costco's back wall operations as was done at the Almaden Costco when it was built. Please see Figure W-1 which maps the possible placement of a wall to solve this problem)

The DEIR has failed to study the hazardous placement of these Bioretention Basins and the potential of a Wall to help mitigate these issues should the City choose to move forward with this project.

Figure W-1 - Proposed Wall

**Figure W-2**

Wall and side gate used at Almaden Costco to protect Neighbors in 1996 from the sights and sounds of Costcos Operations/Work side of their warehouse. Please note sign and San Jose City Code 10.16.10 (Disturbing the Peace)

Noise and Vibration

The DEIR does not adequately Mitigate Noise Impacts**Project Construction Noise Level - Table 3.13.11**

The construction noise levels on this Table do not reflect the noise levels that all sensitive receptors will experience during construction. . Each construction phase listed shows -"Distance is from the nearest receptor to the main construction activity area on the project site. Not all equipment would operate at the closest distance to the receptor." The "Distance(feet)" shows the "nearest receptor" to the North side residences(Graves Avenue) for each Construction Phase is 330 feet, when in fact it's 50 feet. Because the proposed building is located with the length of it's entire North side up against Graves Avenue, a major portion of "construction activity" using all it's noise making equipment will be within 50 feet of the homes of Country Lane neighborhood. Consequently, the closer the receptor is to the source, as in this case, results in a much higher dBA. The long term average of 68.2 dBA Leq does not reflect the amount of "instantaneous maximum" limits that will be attained during construction. The City of **San Jose's General Plan Policy EC-1.7 states anything over 80dBA Leq for residences is unacceptable.** The DEIR's own reference data (Table 3.13-11) shows that some individual pieces of equipment will generate maximum noise levels between **80 and 90 dBA Lmax** when used 50 to 150 feet from the nearest residences, West Valley Professional Center and Westgate West businesses. **There will be so much sporadic excess noise over 80 dBA for such a long period of time and exceed in such a large margin that it constitutes a temporary significant noise impact.** The DEIR states that "Construction will last approximately 21 months of "Substantial noise generating activities." The Construction Noise Logistics Plan(MMNO1-1) as stated does not mitigate this major issue. The construction noise over that duration of time can bring significant health risks to the surrounding residential communities, especially for people who already have ongoing health problems. The National Library of Medicine (10/26/2016) published an article assessing the health impairment risks associated with construction noise for individuals living adjacent to construction sites. They classified these noise induced health impairments into four distinct categories from their research: cardiovascular disease, cognitive impairment, sleep disturbance and annoyance. The results have shown that construction noise can bring significant health risks to the neighboring resident community.

Operational Noise -Acoustical Assessment

The DEIR fails to take into account that of the 6 references used to determine dBA levels of Operational on site Sources, one was published in 1993, 4 were done in 2015 and only one done in 2022 was recent enough to be valid. Did the DEIR show studies of the continuous beeping noise made by the Forklifts when they are used - particularly outside? **The DEIR states that Forklifts are the loudest mechanical equipment at 85dBA used on site! Its stated that Forklift use will be from 4am til closing at 8:30pm! The DEIR also did not include in the Forklift use hours, the work also being done between 8:30 at night and 4am in the morning - restocking the complete Warehouse, moving merchandise displays and bringing empty pallets, shelving, displays, etc. outside to the Operations side of the building to be stored.** Consequently, at any time of the night or day, the 85 dBA beeping from the Forklifts will be heard throughout the Neighborhood of Country Lane and the West Valley Professional Center. **The DEIR does not show any mitigations for this public annoyance.** Has the DEIR measured the dBA for the Trash trucks and Recycling trucks picking up their loads? How often will they be picking up a new load? Ideally, these rolling trash dumpsters can be rolled into the South facing loading dock area on pick up days to help protect the surrounding neighborhoods from more excessive noise early in the morning. The Operations/Work side of the building(East) side has 4 - 30 ft long parking spaces designated as truck loading/unloading - all unprotected from sight or sound from the residential areas to the North and East and the West Valley Professional Center. (Please see Figures W-3 and W-4)

Figure W-3

Pictures W-3 and W-4 show just some of the **activity and storage** that is done every day in the Operations/Work area of every Costco. The proposed plan for the Westgate West site does not have near enough space on their Operations side to handle their every day work load and it's all open and exposed - sights and sounds - directly to the North residential neighborhood and to the East the West Valley Professional Center.



Figure W-4

Please see - Figure 3.13-3: Project Noise Contour

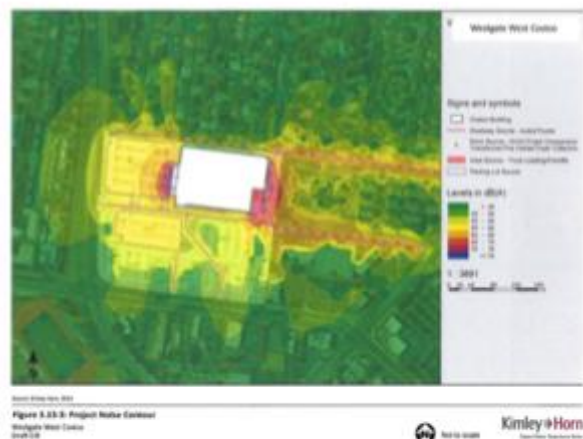
Please note - the loudest noises that will continue to come 358 days a year and at least 20 hours a day from this site are depicted on this Project Noise Contour. All that sound/noise

comes from -Point Source - HVAC - Trash Compactors - Transformer - Trash Collection Area Source - Truck Loading and Unloading - Forklifts - All of these sounds and noise take place on the East side - Operations/Work Area. Notice how the sound radiates strongly outward into the surrounding neighborhood and the West Valley Professional Center! **The DEIR fails to have any mitigations for this issue . . . however, once again rises the need for a continuous WALL (please see Figure 1W)**

On the West side of the building the sound will also be radiating out of the Tire Center the same 358 days a year and out to the surrounding neighborhoods all the way past Lawrence Expressway.

The DEIR fails to mention the use of **Parking Lot Sweepers** - how often do they clean the parking lots and what time of day? What is the loudest dBA level when the sweepers are going? Sweeping of the rooftop parking areas will be especially loud in the adjacent residential area. Sweeping of the rooftop parking should not be done between the hours of 10:00 pm to 8:00 am and never on weekends.

DEIR - Figure 3.13-3: Project Noise Contour



The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. **The absence of a complete, detailed set of noise and vibration mitigations in the DEIR** does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion - see above), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

How has the DEIR tested SoundPlan’s results for accuracy based on the following information:

Overall, SoundPlan can be a valuable tool for predicting noise impacts during construction projects near residential properties. However, like any modeling software, its accuracy is subject to limitations and uncertainties, and it should be used judiciously in conjunction with other assessment methods and professional judgment. Additionally, local regulations and guidelines may dictate specific requirements for noise assessment, which should be considered in conjunction with the use of modeling software.

•

SoundPlan is a software tool commonly used for noise modeling and prediction in near residential properties. Its accuracy in modeling real-life circumstances depends on several factors:

various scenarios, including construction projects

Input Data Quality: The accuracy of SoundPlan’s predictions relies heavily on the quality of input data provided by the user. This includes information such as the geometry of the buildings, properties of the materials involved, topography of the area, and characteristics of the surrounding environment.

- Noise Source Characteristics: SoundPlan considers various factors related to noise sources, such as construction equipment, machinery, and activities. Accurate characterization of these sources, including their emission levels, operating patterns, and frequencies, is **crucial for realistic modeling**.

- Propagation Modeling: The software uses algorithms to simulate how noise propagates through the environment, including reflection, diffraction, and absorption effects. While these algorithms are based on scientific principles, **their accuracy depends on the assumptions made and the complexity of the modeling scenarios.**
- Site-Specific Conditions: Real-life circumstances can vary widely depending on factors such as local regulations, weather conditions, time of day, and the presence of obstacles or barriers. SoundPlan allows users to input site-specific parameters to account for these factors, **but the accuracy of predictions may still be affected by uncertainties or variations.**
- Validation and Calibration: **Validating and calibrating the model against real-world measurements is essential for assessing its accuracy.** This involves comparing predicted noise levels with actual measurements taken at the site under similar conditions. Calibration helps identify any discrepancies and fine-tune the model parameters for better accuracy.

Have any of these "actual measurements" and tests been done at different times on different days in different weather conditions? Did the DEIR reference the effect atmospheric pressure has on sound influenced by factors such as air temperature, relative humidity, air velocity and direction as well as temperature inversion. The DEIR should reference all of the times and ways that SoundPlan did their test samples. Especially since most all dBA reference numbers were submitted using SoundPlan data.

Proposed Parking

DEIR - 2.4 Project Objectives (pg. 12)

#12 - Provide sufficient on-site parking to meet the needs of warehouse members and to minimize parking spillover into parking spaces for other business and nearby residences.

The DEIR needs to confirm the number of parking spots this proposed plan has on its 9.69 acres.

The applicant has proposed Rooftop parking for 381 vehicles, Surface parking for 306 vehicles - Total 687 parking spaces, which is less than the 702 the City of San Jose requires. The applicant is erroneously trying to add to their total the 175 parking spaces for Pad F, which the other businesses in Westgate West pay for in their lease for their customers. Also, the applicant should not be counting the 4 - 30' long parking spaces on the East side/Operations side of the building for their Delivery trucks in their 687 total? **Why does the proposed plan show no evidence of EV parking with charging stations?**

The applicant has stated they will have 250-300 employees -where will the designated Employee on site parking be? Where are the motorcycle parking spots? Where are the additional Bicycle parking spots? The Sunnyvale Costco has parking with signs "Employee Parking Only" on the back/Operations side of the building. Because this site is too small for this project, there is no room on the Operations side for Employee parking. **The City of San Jose should mandate that there should be no Employee or Customer parking on Graves Avenue or Country Lane neighborhood streets, once again, the need for a wall to block off access to the Costco from Graves Avenue completely.**
Subterranean Parking Alternative vs Rooftop Parking

The DEIR should do a more thorough analysis of Subterranean Parking which meets the same criteria as Rooftop parking and solves many of this proposed projects issues. The only issues the DEIR really addressed was the additional soil removal during construction, noise, potential hazardous materials and additional time. These are still the same basic issues that construction of rooftop parking will incur. However, the positive results of parking under the building far outweigh using rooftop parking - there would be no rooftop fugitive lighting glaring into the neighborhood, the building doesn't have to be so tall looming over the neighborhood, so the overall aesthetic will be improved, there will be no noises broadcast over the neighborhood (especially at night) from the elevated surface - did the DEIR study the acoustic assessment of vehicles and patrons noise from the proposed rooftop parking? Rooftop parking doesn't adhere to **San Jose's Green Vision Building Standards.**

Using Subterranean Parking - Costco will be able to use their normal heat reflecting roofing materials (see [costco.com](https://www.costco.com) - Operations - Construction), they can use their normal energy saving Solar panels (currently they have no Solar planned for this site) and they can employ their normal touted software controlled Skylight system for lighting that also saves energy - all of which the applicant does not have in its current plans but would be in keeping with San Jose's Green Vision Building Standards if the proposed project designs are revised. Should the City of San Jose choose to move forward with this project, the surrounding community understands that the Subterranean Parking will add some time during construction, however, as evidenced above it solves many of the "forever" issues that face the local residents with the current proposed design.

The DEIR does not include a study of the proposed Rooftop parking which will be a first of its kind in the United States. This study is needed to determine the extent of noise/sound levels that will be broadcast over the adjacent residential neighborhood from the top of this 40 foot tall structure, especially at night.

Rooftop and Subterranean parking both have one inherent flaw, one way in and one way out in the middle of an undersized site crowded with vehicles creating gridlock and backing up traffic on all surrounding roadways.

Project Objectives - DEIR - 2.4 pg. 12

DEIR has no Mitigations for:

#4 - there are no plans for upgraded infrastructure to support the additional 11,000 car trips per day expected at or near the proposed site location.

#6 - Project style and design does not comply - proposed building is too tall and oversized for the location, signage facing residential homes is not "attractive" or "complement the surrounding area."

#7 - Proposed project is not in compliance with San Jose's Green Building Standards. Project has made no provisions for Solar Energy, for EV charging, etc. (please see Subterranean Parking Alternative)

#11 - the proposed project will create circulation gridlock onsite and a traffic nightmare on all surrounding roadways for anyone passing thru these roadway corridors. Of special concern are the student pedestrians and cyclists from Prospect High School and Country Lane Elementary. The DEIR studies did not analyze the magnified safety issues that will be created by this proposed project. Keeping these children and ALL pedestrians and cyclists safe should be priority #1 in keeping with the premise of Vision Zero. **(Please see picture Figure W-5)**

#12 The proposed project does not provide even close to the number of parking spaces that the City of San Jose requires. (Please reference Proposed Parking above)

Figure W-5. - Prospect High School Students
(Intersection of Prospect and Lawrence Expressway)

Envision San Jose 2040 General Plan

DEIR has no Mitigation plans for:

Policy MS-1.1 - the proposed project is not in compliance with San Jose's Green Building policies for energy and water conservation. Please confirm that like other locations, the proposed plan uses an on-site treatment plant where treated water is then used for site irrigation and flushing of toilets. Are they installing a "water capture system" and "underground cisterns" for storage and use as they do at other Costco locations?

Policy MS-2.3 - Proposed plan has no intent to use Solar power as they do at other locations and the "Solar Choice" program they are "enrolled" in with PG&E is not currently operational.
Action MS-2.11 - Proposed plan is not in compliance - (Please see Subterranean Parking Alternative's explanation of what energy saving methods have been left out of this proposed plan)

Policy MS-3.1 - not compliant - Please see Policy MS-1.1

Policy MS-14.4 - Please see all of above.

Policy MS -17.2 - Please see Policy MS -1.1

Policy LU-5.4 - Proposed circulation plan creates havoc for all Pedestrians and cyclists, project site is too small to accommodate the daily traffic on top of current existing traffic.

City of San Jose General plan

The applicant is not compliant with:

Policy CD-1.12
1.18
1.24
1.2.3
4.9

Operational Traffic Noise

The DEIR fails to address that the increase in traffic count will amount to **18 times** what it is currently and nothing has been planned to mitigate this issue. The DEIR's traffic and safety studies were not done on weekends when traffic is historically the heaviest and not done during the peak hours when Prospect High School students travel to and from school. Consequently, overall dBA would be considerably louder than indicated - new Traffic and safety studies must be made. The DEIR did not study many of the important intersections surrounding the proposed site . . . these need to be re-evaluated. Especially the intersection of Lawrence Expressway and Prospect Road. Its very dangerous to pedestrians, cyclists, students from PHS and vehicles themselves - partially due to the 50 mph speed limit on Lawrence Expressway.

Noise from On-Site Vehicle Circulation

The DEIR cites employee, customer, semi trucks, delivery trucks, heavy trucks, etc. accessing the site will happen "between 7:00 am and 10:00 pm and 2:00 am and 10:00 am. This means that the local and surrounding community will be subjected to loud, annoying, unhealthy noise for 20 HOURS A DAY! 358 days a year! ONCE AGAIN, should the city approve this preposterous affront to quality of life and common sense, all of the communities around this site and anyone traveling thru this corridor's lives will be forever negatively changed!

Recreation 3.16

The DEIR shows this proposed site to be too close to a City Park. (Saratoga Creek Park and Dog Park)

The city has recently completed a renovation of the dog park for over \$750,000 located at the end of Graves Avenue across from the proposed site. Once again, there should be no access to the proposed Costco site from Graves Avenue. No employee or customer parking should be allowed on Graves Avenue. Another reason for the aforementioned wall to be built. Without the wall there will be no parking spaces for all the people using the Park and newly renovated Dog Park. A wall 10-12 feet tall such as the wall built behind the Almaden, San Jose Costco, must be in this plan should the City of San Jose choose to go forward with this project.

City of San Jose Envision San Jose 2040 General Plan

Policy TR-6.7

The DEIR doesn't have an answer for this problem:

The DEIR hasn't addressed the design flaw on the East side of the proposed building. Because this site is too small for this project, the operations area (normally the back side of a Costco building) is only about a quarter the size of other Costcos. The average (it's higher in CA) Costco location pulls in over \$550,000 to a \$1,000,000 in sales EVERY DAY! That takes a huge amount of merchandise to be shipped into the store every day. ALL of these deliveries come through the Operations side of the building. Because the proposed Operations side is way too small, by the time they store all the normal items that stay in this area outside (pallets, shelving, storage containers, shopping carts, rolling trash bins, recycle bins, forklifts, employees cars, etc.) then while Semi-trucks, Delivery truck, Venders vehicles, Bread trucks, refrigerated trucks, etc. need to be there to unload, they want customer vehicles, pedestrians, cyclists and the local Students to traverse this area too! Graves Avenue will be gridlocked every day with customers trying to navigate into this back entrance, there will be accidents and injuries. As traffic backs up, both driveways to West Valley Professional Center(WVPC) will be blocked and Costco shoppers will be cutting thru their property to try to get to the store. Once again, the area behind Costco and between the property of WVMC needs to be walled off with no entrance to the site from Graves Avenue and a controlled gate added at the end of the wall at Trader Joe's for delivery trucks to enter coming down the easement. (Figure W1)



Figure -W 1

The DEIR fails to adequately assess this project's impacts on:

Policy TR-1, TR-1.1, TR-1.4, TR-1.5, TR-2, TR-2.8, TR-6.1, TR-6.7, TR-9.1, CD-2.3, CD-3.3

Goal TR-2, Goal TR-5, Goal TR-8, Goal TR-12

The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered "most dangerous for bike traffic" by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city's [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the **DEIR also omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and will be used as a "cut through" for vehicles who want to avoid traffic on larger streets if access to the Costco site is left open. Cars and trucks will dangerously speed down the small two lane residential street trying to get to the back entrance. Once again showing the need for a Wall (see figure W-1) if the City chooses to move forward with this project.

There is one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit Sienna townhomes. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.

Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)
- **Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)**

The [Envision San José 2040 General Plan](#) also includes the following:

- Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).
- Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.
- Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.
- Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.
- Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.

The lack of substantial mitigations to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) use a wall to Close off the full-access point at Graves Avenue for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as "cut throughs" to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and h) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with **Vision Zero and Better Bike Plan 2025 goals**. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. **The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn do not include cumulative conditions from this improvement project.** There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, **the methodology for assessing traffic conditions is lacking.** The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

Table 3.17-4: Intersection Operation Summary for Background Plus Project Conditions

DEIR has stated statistics from the City of San Jose Citywide Traffic Database which is dated December 1, 2016. Data is outdated and numbers calculated from 8 year old traffic counts need to be updated.

Water Demand

DEIR has underestimated the water usage for this proposed project by comparing it to the former tenants - these numbers need to be reassessed.

Water consumption from the use of the Restrooms will now be for thousands of people daily. The kitchen facility and food court use - the kitchen area cooks chickens from 6 am all day, and food prep resulting from items that haven't sold to be packaged differently - consequently they are using the dishwashers throughout the day - all consuming water that wasn't used in this manner previously.

The DEIR doesn't state but should check - if the applicant's proposal has on-site treatment plants to treat water for site irrigation and flushing of toilets with a "water capture system" and underground cisterns for storage. In an effort to be Green, these water saving systems are used at other Costco Warehouses. (Please see [costco.com](https://www.costco.com) - Operations)

SITE CIRCULATION

The DEIR has failed to thoroughly study how traffic will move through the proposed parking lots to get to the rooftop parking and then out again. The design has vehicles needing to cross the area right in front near the entrance to the warehouse to get to the one lane up to the rooftop parking. This is the busiest area of any Costco, people waiting to get into the store, pushing shopping carts in the parking lot, into the store and back out with full carts, vehicles going both ways and in and out from the rooftop parking. **It's a four way stop right there!** Gridlock will ensue, it will back up four different directions with people trying to walk thru, push their carts through, drive thru, etc.

With the rest of the West Gate West's businesses customers vying for a parking spot, there will be no "I'll just park way out in the North 40 and walk in". There is NO NORTH FORTY! That's why on this undersized lot, Costco is trying (for the first time in the United States) to utilize parking on the roof! Common sense should dictate while looking at this site plan that the outcome will be a nightmare of frustration for the end users. The internal back up of vehicles will keep getting worse, as people search for a parking spot or wait for someone to unload their cart, take the cart to a cart corral, go back to their car and then back out of the spot, all the while blocking the impatient cars lining up behind them also looking for a parking spot. This will spill out and affect traffic adversely on Lawrence Expressway, Saratoga Avenue, Prospect Road and any other small "feeder street" surrounding the site that people think is a shortcut.

City of San Jose - GREEN VISION

The Green Vision provides a comprehensive approach to achieve sustainability through new technology and innovation. **"Environmental sustainability and an enhanced quality of life for San Jose residents and businesses."**

The DEIR has not considered that important issues pertaining to this proposed project are cited from references that are out of date and not necessarily accurate given the changes that have happened since published.

SECTION 9.0 REFERENCES

Caltrans (California Department of Transportation). 1987. California Vehicle Noise Emission Levels.
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Cyril M. Harris. 1979. Handbook of Noise Control, Second Edition.
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Urban Crossroads. 2015. Lake Elsinore Walmart 2015 Noise Impact Analysis.

The DEIR doesn't state how local businesses will be compensated by Costco for their lost business during the construction phases?

Thank you for your time and consideration in responding to my concerns.

Sincerely,

Ron Tietze

Country Lane Neighborhood Resident

West Valley Citizens for Responsible Development Member

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Comment Letter 354

Feedback for Westgate West Costco DEIR, File no. CP21-022

Sean Worley <[REDACTED]>

Tue 2/20/2024 4:10 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

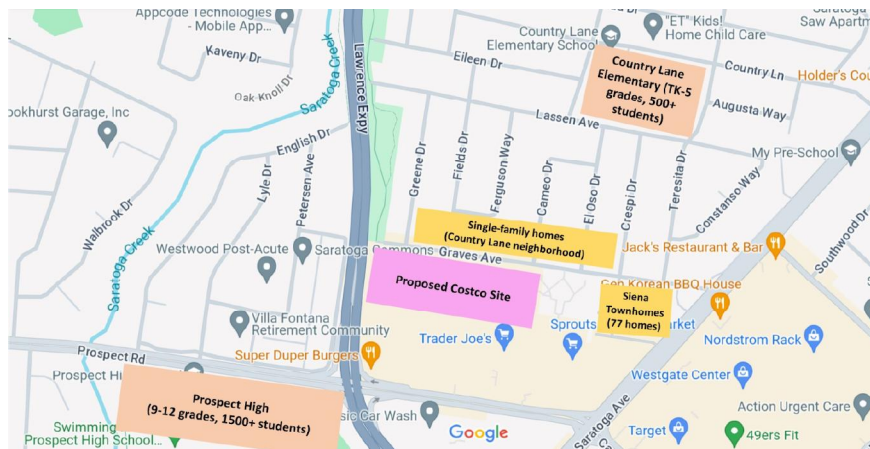
Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

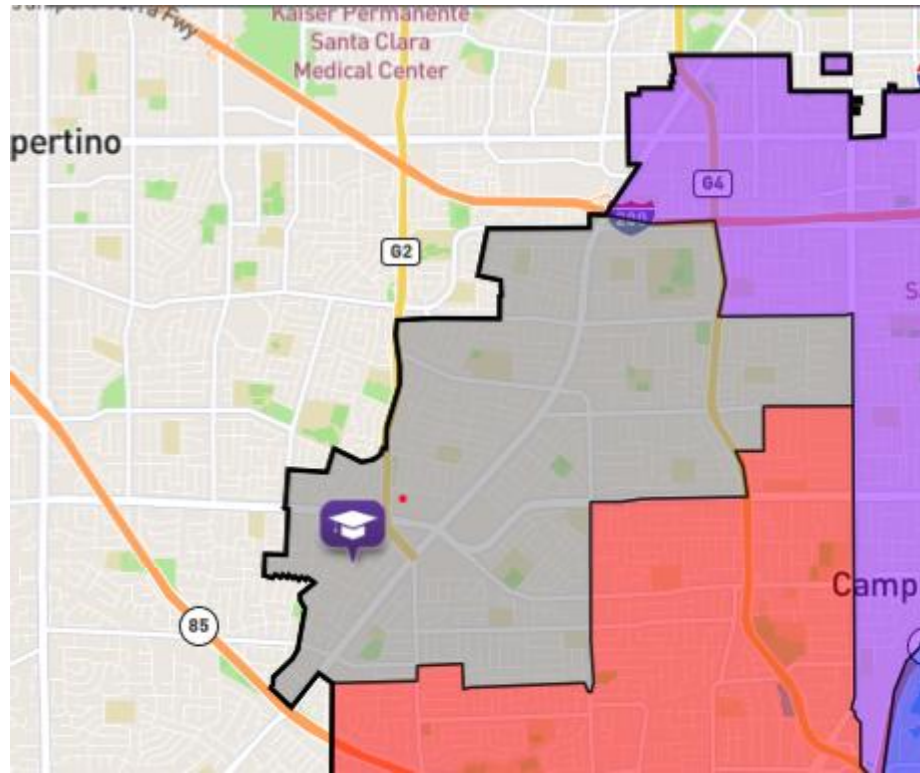
1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority, and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school and my alma mater, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the

road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



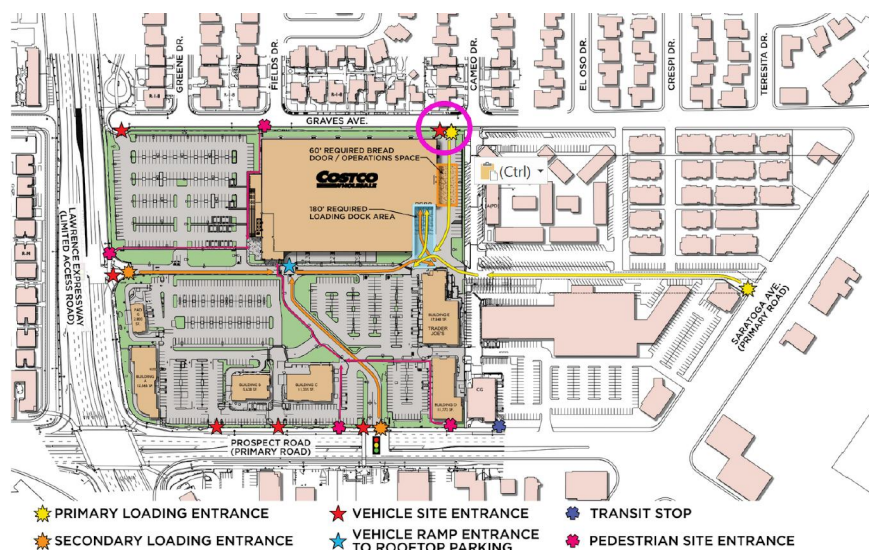
It isn't just students who take the bus who need to cross the street. Prospect High is in the very southwest corner of its district, rather than in the center. The vast majority of students who do not drive to school have to cross at that intersection. I've obtained this map from the [CUHSD website](https://www.cuhsd.org/) and marked the location of the proposed Costco with a red dot:



During my time at Prospect High, every day after school let out, I remember clumps of students larger than the traffic islands waiting at the intersection to cross the street. About half (myself included) had to cross both streets to reach the corner diagonally opposite the school. On most days, the crosswalk was full for three full cycles of the traffic light as students slowly filtered out of the school. Due to the long delays at the light, and the impatience of high school students, jaywalking was not only common but encouraged. If a group of students arrived at the crosswalk and the 30-second countdown timer was higher than 10 seconds, you could bet at least one student would sprint across. It should go without saying that increasing the number of cars at that intersection by even half as much as building a Costco would, would greatly increase the chances of teaching the student body a deadly lesson.

Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and

Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

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3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children’s health also needs to be included in the DEIR given the project’s proximity to two public schools. The COVID pandemic demonstrated the importance of clean air

on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color; 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of

established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco’s characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Sean Worley

CA, 95129 One street away from the proposed Costco

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Comment Letter 355

Comments on WESTGATE WEST COSTCO WAREHOUSE PROJECT (CP21-022)

Shani Kleinhaus [REDACTED]

Tue 2/20/2024 3:42 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

 1 attachments (220 KB)

240220_SCVAS_Costco EIR.docx.pdf;

[External Email]

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Dear Ms. Hawkins,

Please find Santa Clara VALley Audubon Society comments on the Westgate West Costco Warehouse Project attached.

Thank you,

Shani Kleinhaus, Ph.D.
Environmental Advocate
Santa Clara Valley Audubon Society

[REDACTED]
Cupertino, CA 95014
[REDACTED]



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February 20, 2024

Kara Hawkins
Environmental Planner
City of San Jose Kara.Hawkins@sanjoseca.gov
By email to: Kara.Hawkins@sanjoseca.gov

Re: WESTGATE WEST COSTCO WAREHOUSE PROJECT (CP21-022)

Santa Clara Valley Audubon Society (SCVAS) thanks the City of San Jose for the opportunity to submit comments on the Environmental Impact Report (EIR) Westgate West Costco Warehouse Project (Project).

SCVAS was founded in 1926 and is one of the largest National Audubon Society chapters in California. SCVAS's mission is to promote the enjoyment, understanding, and protection of birds and other wildlife by engaging people of all ages in birding, education, and conservation. SCVAS works to protect wildlife and habitat, endangered (and common) species in natural and in urban environments. Our members have a strong interest in projects that could impact biological resources.

The project is a Conditional Use Permit to allow demolition of existing commercial buildings totaling approximately 188,265 square feet and the removal of 115 trees (81 ordinance-size trees and 34 non-ordinance-size trees) for the construction of an approximately 165,148-square foot wholesale retail center ("Costco"), including a tire center and associated parking and landscaping within an existing approximately 9.69-gross acre shopping center ("Westgate West Shopping Center"). Rooftop parking is anticipated.

The EIR identifies no biological impacts despite the loss of 115 trees, and the likely introduction of additional lighting, including lighting on the roof of the building.

1. Loss of trees

As stated on the City of San Jose Community Forest Master Plan¹, "Trees are a critically important part of our city's infrastructure. Trees make the city a healthier, more beautiful place. They provide shade, beautify the city, and improve air and water quality." Yet the City of San Jose has been suffering a reduction in its tree canopy. Citywide tree canopy cover has decreased from

1

<https://www.sanjoseca.gov/your-government/departments-offices/transportation/landscaping/trees/community-forest-management-plan>

15.36 percent in 2012 to 13.54 percent in 2018² and the loss of trees continues. An outcry from the community has led to a recent Audit³ and the formation of a Community Forest Advisory Committee⁴. However, at this time, there is no clear path to show that in-lieu fees paid to mitigate the loss of trees and canopy actually result in new trees and canopy.

1.1 The Final EIR should provide analysis to show how the mitigation fees will be used, specifically, to accomplish the recommendations of the Audit, including but not limited to the recommendations in Finding #3 and associated recommendations:

Finding 3: DOT Has Not Been Spending In-Lieu Fee Revenues Timely. The City collects in-lieu fees when applicants remove a tree and do not have room to plant a new tree on their property. DOT staff then use the in-lieu fee revenues to plant trees on the applicant's behalf. We found:

- DOT has spent only a small portion of the in-lieu fees collected. Between FY 2018-19 and FY 2021-22, the City collected over \$1.5 million in in-lieu fees. By the end of FY 2021-22, staff had spent \$88,000 (about 6 percent).
- Though staff used fee revenues on planting and watering costs, DOT staff should improve how they track in-lieu fee spending.
- Staff also do not have clear guidelines on where or how to spend in-lieu fee revenues, and DOT does not regularly review information about where fees were collected during the fiscal year.

RECOMMENDATIONS:

To better spend in-lieu fees, DOT should:

- Identify planting locations or uses for accumulated fees
- Create guidelines for how fees should be spent
- Regularly review information on fee collection

1.2 The EIR should evaluate an alternative that retains all the trees on the perimeter of the property. This should help mitigate aesthetic, noise and air quality impacts to nearby residences and roadways.

2. Nesting birds

All migratory bird species are protected by the Migratory Bird Treaty Act (MTBA) with prohibited "take" of nesting birds and active nests. A nesting bird survey is needed prior to removing trees or demolition and other construction related activities that could result in "take".

²

<https://www.sanjoseca.gov/your-government/departments-offices/transportation/landscaping/trees/community-forest-management-plan>

³ <https://www.sanjoseca.gov/home/showpublisheddocument/92310/638052325107930000>
and <https://sanjosespotlight.com/san-jose-collects-developer-fees-but-slow-to-replace-trees/>

⁴

<https://www.sanjoseca.gov/your-government/departments-offices/transportation/landscaping/trees/community-forest-management-plan/community-forest-advisory-committee>

2.1 The Bay Area official bird nesting season extends from February 1st through August 31st, inclusively. This is also the date range for which preconstruction bird surveys should be conducted prior to any tree removal, demolition, and/or construction activities. Preconstruction bird nesting surveys should be conducted no more than 14 days prior to any tree removal, demolition, and/or construction activities during the entire nesting period. This is because many of the locally common migratory bird species nest late in the season or repeatedly in these months (Mourning Dove, Dark-eyed Junco, Anna's Hummingbird, House Finch, and others). Furthermore, birds can build a nest, lay eggs, and start raising young within two weeks, and an entire reproductive cycle may start and end within 30 days.

3. Outdoor lighting

The evidence that Artificial Light At Night (ALAN) causes pervasive harm to human health, our ecosystems and our planet is overwhelming⁵. Most birds migrate at night and nocturnally migrating birds are attracted to light⁶. The National Audubon Society's Lights Out program⁷ is a national effort to reduce the attraction of these birds to inhospitable locations. We believe that mitigations to reduce light pollution and harm to migratory birds should be provided, including a curfew on all night lighting on the roof.

4. *Energy*

The installation of solar panels on the roof is needed to mitigate Greenhouse Gas emissions and help the City accomplish its pledge to become carbon neutral by the end of the decade.

SCVAS thanks you for allowing us the opportunity to provide comments on the EIR.

Shani Kleinhaus, Ph.D.
Environmental Advocate
Santa Clara Valley Audubon Society
[REDACTED]

⁵ <https://www.darksky.org/wp-content/uploads/2022/06/IDA-State-of-the-Science-2022-EN.pdf>

⁶ <https://www.nytimes.com/2021/04/10/us/bird-migration-lights-out.html>

⁷ <https://www.audubon.org/conservation/project/lights-out>

Comment Letter 356

Feedback for Westgate West Costco DEIR, File no. CP21-022

Sharlene Wong [REDACTED]

Tue 2/20/2024 4:25 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Planning Commission 10 <PlanningCom10@sanjoseca.gov>; Planning Commission 1 <PlanningCom1@sanjoseca.gov>; Planning Commission 2 <PlanningCom2@sanjoseca.gov>; Planning Commission 3 <PlanningCom3@sanjoseca.gov>; Planning Commission 4 <PlanningCom4@sanjoseca.gov>; Planning Commission 6 <PlanningCom6@sanjoseca.gov>; Planning Commission 7 <PlanningCom7@sanjoseca.gov>; Planning Commission 8 <PlanningCom8@sanjoseca.gov>; Planning Commission 9 <PlanningCom9@sanjoseca.gov>; Planning Commission CW <PlanningComCW@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed and tried to understand the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback. I have concerns about both Westgate West Costco and the Paseo de Saratoga Urban Village projects.

Westgate West Costco

- **Why is another Costco needed in this area?**
 - From Mountain View to Costco Senter Road, there is a distance of 17 miles (using Google Maps) - there are already 6 Costco locations from the proposed location:
 - Lawrence Station 5.8 miles
 - Coleman 7.6 miles

- Almaden 9.5 miles
- Senter Road 11 miles
- Automation Parkway 11.7 miles
- Mountain View 13.8 miles
- From Mountain View to San Francisco, there is a distance of 34 miles and there are 5 Costco locations. Here are the distances between the Costco locations:
 - Mountain View to Redwood City 10.1 miles
 - Redwood City to Foster City 9.1 miles
 - Foster City to South San Francisco 11.5 miles
 - South Airport to El Camino 3.8 miles
 - El Camino to San Francisco 11.4 miles
- With this proposed location, there is a higher concentration of Costcos in this limited land area where more housing is needed instead of another warehouse.
- ***Have the local residents asked for another Costco or is this proposal coming from Costco?***

- **LOS (Level Of Service) is rated D**

- From what I can see from the Transportation Report (Appendix I), D is typically assigned when the volume-to-capacity ratio is high and either progression is ineffective, or the cycle length is long. Many vehicles stop and individual cycle failures are noticeable.
- Traffic is already unsustainable in this area - ***do we not want to improve and not maintain the same LOS situation?***
- Queuing for left turns from Prospect onto Saratoga is already long - sometimes one must wait two light cycles.
- Saratoga Ave has now been reduced from 3 lanes to 2 with the new rubber posts added in the slow lanes so there is already increased congestion.
- Table 3.17-3: Estimated Project Trip Generation shows a projected 18x increase in the number of car trips per day:
 - Current number of Westgate West Shopping Center trips per day = 601
 - Projected number of Westgate West Costco trips per day = 11,017

- **Impact of proposed Paseo de Saratoga Urban Village**

- My understanding is that there is no adopted urban village plan so the Paseo traffic impact is not figured into this Report.

- **Increased queuing on Lawrence Expressway to get in / out of Costco**

- **Increased emissions**

- Not everyone can afford an Electric Vehicle so increased emissions will be inevitable in this area with idling engines waiting in traffic.

- **Graves Avenue impact**

- Noise for residents north of Graves will be unavoidably increased.

- Graves Avenue is a narrow street and was not designed for large warehouse truck traffic.
- **Local favorite business impact**
 - The following businesses were forced to move so people will have to drive (using more gas) to farther locations:
 - Smart and Final
 - Goodwill
 - Ethan Allen
- **Other buildings to be demolished**
 - The following businesses will be impacted forcing people to find other businesses and locations:
 - Domino's
 - UPS Store
 - Bikram Yoga
- **Businesses at risk**
 - The following businesses are at risk because of Costco's competitive offerings:
 - Wheel Works
 - BevMo
 - Sprouts - this would be a loss because the Cupertino location has already closed
 - Trader Joe's - this location has better parking than the Bollinger location
- **Westgate West Costco will be another congested Costco location**
 - I live in the 95129 zip code and I am a very frequent Costco shopper (twice a month).
 - Because of the close parking spaces and congestion at the Sunnyvale Costco location, I never shop there and travel to the Mountain View (and sometimes Almaden) store instead.
 - If Costco is built at this Prospect location, I will not patronize this Costco and will still drive to the Mountain View or Almaden because it is more efficient and less frustrating than to deal with all the people, close parking, undesirable parking in a parking structure, dings on my car, traffic, etc.
- **Alternative location**
 - In my opinion, if a Costco is really needed in this area (which I do not agree with), the El Paseo de Saratoga location is more suitable than the Prospect location. The surrounding roadways (Saratoga Ave and Lawrence Expressway/Quito Road) are more major thoroughfares than Prospect Road.

Paseo de Saratoga Urban Village

- **Was everyone in this area notified about this project?**

- I was not aware of this housing project and just recently learned about its approval in 2022 on the Nextdoor social platform.
- ***Were residents in the nearby zip codes notified before this proposal went to the Planning Commission or do citizens have to dig around for each project?***

- **Residential units**

- 1777 Saratoga
 - 280 multifamily units
 - ***Are there 150 affordable units?***
 - ***What is considered affordable? What would be the sale price of one unit?***
 - Mixed use
 - 1x 12-story building (this is very high for that block)
 - Building 4: 7 stories (120 senior units)
 - Lack of parking may affect Westgate Church
- El Paseo
 - 820 market-rate units
 - ***What is the proposed pricing for these units?***
 - ***Are there any guidelines to prevent these units from becoming investments for landlords (not homeowners) to charge high rents?***
 - Mixed use (no Education use)
 - Building 1: 12 stories (279 units)
 - Building 2: 10 stories (302 units)
 - Building 3: 1 story with 1 level of underground parking (239 -> 0 units)
 - Whole Foods
 - ***What is the final distribution of the 239 residential units from Building 3 to Buildings 1, 2 and 4?***
 - I could not find this documented in the Paseo Addendum.
 - This distribution will likely have traffic impact.
- 7, 10, 12 story buildings are not a fit for the area
 - From the renderings, the height of these buildings does not seem to fit the landscape of the area. I am not aware of any buildings with the same height nearby.
 - This area will become urban in a suburban neighborhood.

- **Keep it middle class**

- I rarely shop at Whole Foods because it is more expensive - Sprouts would be a better choice.
- Please do not consider high-end stores like at Santana Row. I no longer shop at Valley Fair or Santana Row because the merchandise is too high-end and expensive.
 - Exceptions: I have done online pickup at Macy's or Best Buy because non-Valley Fair locations do not have an item.

- **No approved Urban Village Plan**
 - As of December 2023, Paseo de Saratoga Urban Village does not have an approved Urban Village Plan.
 - ***October 2023 report needs to be updated to include the Urban Village impact.***
- **Alternative location**
 - In my opinion, the Westgate West location seems more suitable for residential buildings because the area north of Graves includes the Country Lane neighborhood and medical offices.
 - In addition, Prospect High School students would be walking past a more residential neighborhood instead of a busy Costco parking lot.
 - There would be better access to an El Paseo Costco than Westgate because of the two major thoroughfares - Saratoga Ave and Lawrence Expressway.

General Comments about Silicon Valley Growth

- **Infrastructure**
 - Water
 - This area is still susceptible to drought conditions.
 - ***Can water supply be sustained with the increased number of residents?***
 - Utility bills are getting expensive and there is no control over or limit to the increases.
 - San Jose Water is a profit-making company which means increased bills paid by customers for mismanagement of funds and to please the shareholders.
 - Somehow the City of Santa Clara is able to manage their finances and maintain reasonable water expenses - San Jose needs a more customer-minded water company.
 - Gas and Electric
 - PG&E cannot even support current power requirements during Category 1 storms or during hot summers.
 - Utility bills are outrageously expensive with multiple increases during the year and there is no control over or limit to the increases.
 - PG&E is another profit-making business with high-paid executives and shareholders. Customers are now paying high utility bills to pay for the poorly managed and failed power lines which caused the California fires.
 - ***How can California go green by 2035 if the lights and air conditioning cannot stay on all year now?***
 - Not everyone can afford to go solar. I looked into it but roof replacement and solar installation are too expensive.
 - ***How are we going to handle or recycle solar panel and EV cell e-waste?***
 - Affordability
 - There may be very affluent people with very high salaries and stock options who live here in Santa Clara County but many of us did not benefit from such windfalls.
 - Some of us are in the former upper middle class which I now consider middle class.
 - Many people are in the lower middle class, did not have the advantage of an advanced education even though many were born and raised in San Jose.

- If the objective is to get the less affluent and seniors to move out of Silicon Valley, this has been effective for many cases.

- **Sand Hill Properties**

- This developer needs to think about the local residents and about the best use at the property. This location is better suited for Costco as a commercial zone and the developer seems to have a personal disinterest in Costco instead of considering the traffic, residents, fit and needs of the vicinity.
- My perception is that this developer has also a bad track record with the lack of progress at the Vallco Cupertino location.

- **Costco**

- I love Costco and have been a member since 1991.
- However, the corporation must also consider the needs of and impact on the local residents over additional profits.
- There are undoubtedly other communities in the US without Costco which can be explored instead of this Costco-dense county.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Sharlene Wong
San Jose, CA 95129

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Comment Letter 357

Feedback for Westgate West Costco DEIR, File no. CP21-022

Shoba Iyer [REDACTED]

Tue 2/20/2024 2:41 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building and Code Enforcement.

Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I have been a resident of the country lane neighborhood for the past 24 years. The neighborhood abuts the proposed Costco site and I am less than 1000 feet away from it. I have a child who is a sophomore at Prospect . She is part of the cross country and track team that runs through the Saratoga Creek park. My sophomore also walks back home on many occasions.

I am gravely concerned about the over 11,000 car trips the project will generate (*per Appendix L Transportation Analysis pages 13, 41*) especially at the already super congested intersection of Lawrence and Prospect Ave. There have been 4 pedestrian/car accidents in the past year alone.

The Costco project does not plan for any major traffic controls or mitigations, only minimal changes like sidewalk improvements and road striping. The project alone generates more traffic than the roads can handle. Add in traffic from the thousands of new units across Prospect Road and along Saratoga Avenue and there is a recipe for disaster, increasing gridlock and unacceptable

risk for students, pedestrians and cyclists. Furthermore, this gridlock will force frustrated shoppers through the residential lanes of the Countrylane neighborhood, again driving right by Country Lane Elementary. The Country Lane neighborhood should be protected by closing off access from Graves Ave. The risk is not contained to just Countrylane elementary as there are many schools (EDS, Queen of Apostles, Mitty, Prospect High) in the area and the increased traffic poses increased concerns to our most vulnerable population - our children.

There are no viable transit options to alleviate the traffic concerns. The only bus stop is 500 meters away, with buses running every 30 mins. The nearest rail service is 2 miles away. This is in contradiction to Costcos claim on their website that the site is "locally and regionally" accessible by multiple transport connections.

The proposed Costco is also a member only store. So it is accessible only to those who pay to use the store. This is in direct contrast to Smart and Final that also provides wholesale prices which was forced to relocate. The other store that bears mention is the Goodwill store that does job training, community service and a place for the neighborhood to drop of their gently loved treasures to be used for a good cause.

The city of San Jose has a wonderful vision of an "Urban Village" concept. The city wants Urban villages that are walkable, bicycle-friendly, transit-oriented developments in mixed-use settings that provide both housing and jobs; The proposed Costco Warehouse is located within the designated Urban village area and meets none of these goals. The neighborhood would welcome mixed-use neighborhood scaled projects that would meet these goals.

There are 4 Costco warehouses in the immediate area already. Two are within a 10-15 min drive - Almaden and Sunnyvale. The other two are about the same - Coleman and Senter. All are in light commercial and industrial neighborhoods more suited to a warehouse. So is there really a need to have a Costo in a residential neighborhood?

If the city insists on approving this dangerous project then before granting approval, it **MUST** create, fund and put in place specific traffic and pedestrian mitigation measures to address student, pedestrian and cyclist safety.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Shoba Iyer


San Jose
CA 95129



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Comment Letter 358

Feedback for Westgate West Costco DEIR, File no. CP21-022

Shveta Bagade [REDACTED] >

Tue 2/20/2024 4:45 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

As a 20+ year resident of the Country Lane neighborhood, I have some serious concerns. My primary concerns are about pedestrians and traffic around our neighborhood and Prospect High School. My youngest and third child is a junior at Prospect High School (PHS). One of the things we appreciate about PHS is its accessibility to pedestrians and convenience. To see hundreds of students walking and bicycling across Lawrence and Prospect Road to get to school is truly a sight. You see kids talking, laughing and getting ready for the school day. And when you see them leaving PHS, it is a similar sight. Many of these same students go to Starbucks, Super Duper, Mod Pizza, House of Bagels, Five Guys, Yougurtland and many of the businesses in the area. They walk and cycle through the shopping plaza where these businesses are located.

It should be the number 1 priority to think about these students. As a Costco member, I shop at the Lawrence Expressway location. It is clear that Costco does not think about the same pedestrians who spend their money at this location. There are no stop signs in the parking lot, virtually no safe walking space for shoppers, and minimal access to the parking lot and the store entrance, which impacts the drivers and shoppers.

It is prudent to hold Costco accountable for keeping the students who will be walking and cycling in the area during school hours AND those who will be shopping at the Costco location. I am sure there are ways to help increase the safety of pedestrians, cyclists, and shoppers. So please hold them accountable to the highest standards of safety. With increased traffic, it will be necessary for the city of San Jose and Costco to do

everything possible to think of the neighborhood and the residents. An investment in safety will be needed to minimize costly issues later. Thinking about the future now is key!

There are many other concerns but the traffic and its definite impact on pedestrians and cyclists is my number one concern. The short-term gains should not outweigh the long-term and short-term issues.

Please take this into consideration along with the other concerns I know are being brought to your attention.

Thank you for taking the time to consideration of the concerns of many residents in our neighborhood.

Sincerely,

Shveta Bagade

Country Lane Resident.

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Comment Letter 359

Feedback for Westgate West Costco DEIR, File no. CP21-022

Michael Lai [REDACTED]

Tue 2/20/2024 3:21 PM

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Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

 1 attachments (12 MB)

Signatures Included - Siena at Saratoga Letter Response to DEIR.pdf;

[External Email]

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Hi Ms Hawkins and the included audience in the To: field,

Please find attached a letter from the residents at Siena at Saratoga, a 77-unit townhome complex located in West San Jose.

The letter discusses our concerns and responses to the DEIR for the proposed Westgate West Costco project. We look forward to your response and continued discussion!

Thanks,
Michael, on behalf of all the resident signers at Siena at Saratoga

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide comments on the Draft Environmental Impact Report for the proposed Westgate West Costco project.

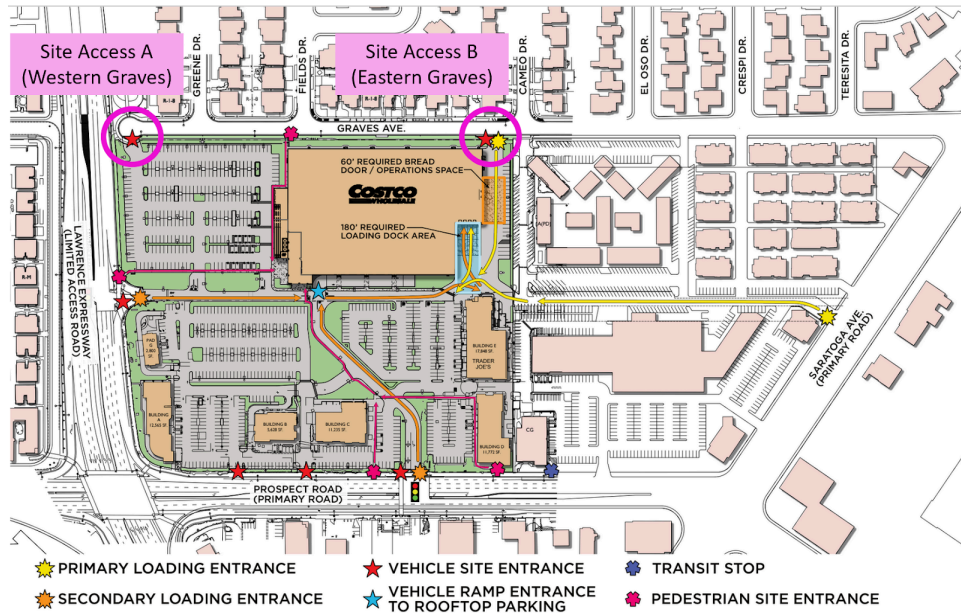
We are families and individuals who reside in the 77-unit Siena at Saratoga Townhomes, located on 5 streets at the northeast corner at the intersection of Graves Avenue and Saratoga Avenue. We would like to share some background information, concerns, and requests regarding the proposed Westgate West Costco project to illustrate who this project directly and permanently impacts. **The signers of this letter oppose the proposed industrial-sized, membership-only Costco Warehouse requiring nearly 2 years of construction only 500 feet away from our homes.**

Young, first generation immigrant families of color comprise the majority of our community. Households typically have one or more children under the age of 10 and many families have babies and children under 5. The residents living here have grown in closeness, both figuratively and literally, as have our children. There are countless impromptu, outdoor “play dates” that occur throughout the year within our community due to the ease and convenience of living so close together. There is always an open invitation of hearing other children playing outside, and having your children join in. The parents co-mingle and genuinely care and look out for one another. We have built and continue to grow a very unique community at Siena at Saratoga. **A Costco at Westgate West will permanently ruin our community.**

Our Concerns:

1. The safety of our children and loved ones are our highest priority. Children who live at Siena attend Country Lane Elementary School, which is one block North and a short walk away from our community. Country Lane Elementary serves over 500 TK-5 grade students. It is impossible for children at Siena to reach the school without crossing Graves Avenue, which currently does not have a crosswalk for us to use. Children walk on this street every weekday between the hours of 8:00AM – 8:30AM and 12:00PM – 3:30PM as the school day ends at different times for different grade levels. The DEIR states 11,000+ vehicle trips per day will be generated from the Costco Warehouse (Appendix I - Transportation Analysis, p. 22 and 35), yet **no data on pedestrian safety data was collected from the Country Lane neighborhood**. This year, a 6th grade Moreland Middle student was struck by a vehicle at the intersection of Graves Avenue and Saratoga Avenue as he was riding his bicycle home to the Country Lane neighborhood.

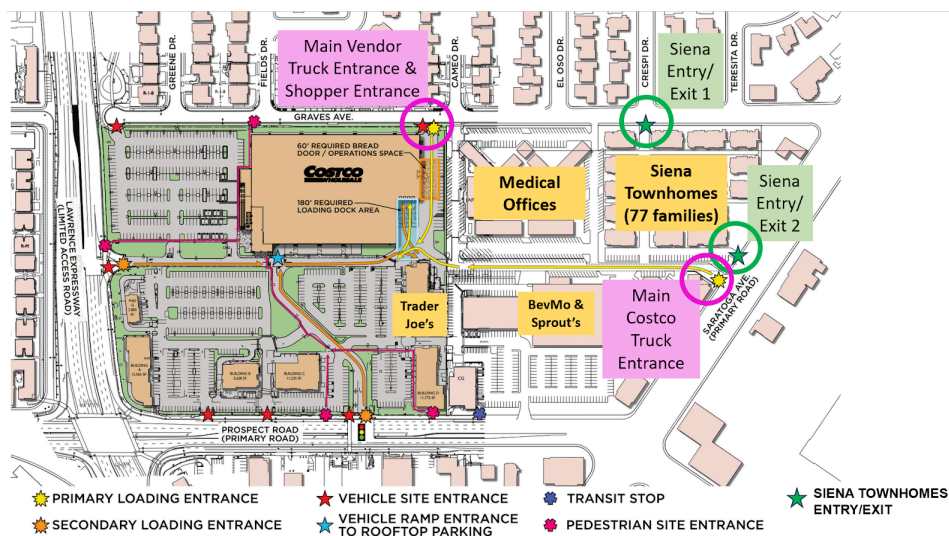
The DEIR describes a project change to close off the existing Western driveway at the end of Graves Avenue and touts this as an example of Costco ‘listening’ to residents, but this decision only trades away one problem and creates another. The closure of the Western driveway (Site Access A in the Transportation Analysis report) will funnel traffic through the single Eastern entrance on Graves Avenue at Cameo Drive (Site Access B), which does not provide additional safety for pedestrians. See figure below for locations.



A document titled [SW SAN JOSE COSTCO TRANSPORTATION ANALYSIS – FINAL REPORT](#) by Kittelson & Associates prepared for Costco includes a section titled *GRAVES AVENUE VEHICLE & TRUCK ACCESS* which includes **outdated data from two years ago**. A statement on page 63 somehow concludes that if the project were to be approved, it would result in a 5% increase in existing traffic at Site Access B. This 5% value is near comical, implying that for every 100 cars that create traffic on Graves Avenue today, there would be an increase of just 5 additional cars driving on Graves Avenue if Costco was approved. We can use data collected for the report as an example. Kittelson & Associates indicates the number of vehicles using Site Access B averaged over two days was 2,107 cars. A 5% increase would be 105 cars, resulting in 2,212 cars. The DEIR from Kimley-Horn states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35). The 11,000+ number includes car trips to and from Costco, which means 5,500+ additional cars are expected due to the warehouse each day, yet Graves Avenue's sole entry/exit point Site Access B will somehow only see a 5% increase in traffic of 105 cars. This increase also does not take into account Costco's regional and local vendor trucks, who are permitted to use Site Access B (page 64 from Kittelson & Associates report). The conflict between the DEIR and the 5% value **needs to be further analyzed and scrutinized, as it minimizes and misrepresents the actual potential impact of traffic on safety**.

Pedestrian safety is our largest concern because we know drivers are often distracted by phones or rushing and speeding. Please see **APPENDIX A** at the end of this letter for a sample of the types of comments people are having about the Westgate West Costco project. We ask the City Council and Planning Commission to consider if all of these people will drive with safety as their top priority for every car trip they make. Please help protect us from Costco shoppers, vendors, and drivers instead of leaving our safety in the hands of individuals who do not care about us.

2. The Siena at Saratoga community has only **two small entry/exit points for 77 homes**, as illustrated by the green stars in the figure below. One driveway is on Graves Avenue (Entry/Exit 1) and the other is on Saratoga Avenue (Entry/Exit 2). These entry/exit points are utilized multiple times each day by residents driving to their garages and shared parking spaces. The accessways are also used by pedestrians and cyclists in our community, as **concrete walls, buildings, and fences prevent us from entering and exiting at other locations**. These two access points are often used by non-residents to 'cut through' and avoid the traffic light at the intersection of Graves and Saratoga Avenue. Non-residents have been less likely to obey the posted 15mph speed limit on our streets or exercise caution with children, pedestrians and cyclists, putting residents at risk for physical harm. The increased traffic from Costco vendors and shoppers will significantly exacerbate this problem. We can spend money to install signage and deterrents, but there is no way for our community to restrict public access to these driveways.



Additionally, it is not uncommon for these two entry/exits to be obstructed or impacted by other vehicles. The Graves Avenue driveway is often blocked during commute hours and school dismissal times (see image and video link below). This poses a risk for our community members in the event of an emergency, such as a fire, rapid evacuation, or health issue.



[Video Link of Graves Avenue Traffic Blocking Siena Driveway](#)

3. Another significant concern is regarding noise and air pollution impacts due to the proposed Costco project. One of Costco's main loading truck entrances is off of Saratoga Avenue and is mere feet away from the Siena driveway (see figure above). The noise and vibrations from massive trailer trucks will disrupt all the homes facing Westgate West. Homes facing Graves Avenue will also suffer from the effects of vendor trucks accessing Costco from the North. The DEIR states the construction of a Costco Warehouse would "result in substantial noise-generating activities" (page 180) for 21 months (almost 2 years). **The proposed Costco site is only 500 feet from the closest townhome in our community and the furthest townhome is within 1000 feet of the warehouse.** There are Costco parking spots in the proposed project that are further in distance than our homes. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and the DEIR shows some construction takes place over 24 hours. Kimley-Horn states noise levels inside homes would be moderate (around 60db), typical to the level of conversations. This would be very disruptive for the babies, toddlers, and children in our community, who will most struggle with over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. The DEIR proposes some mitigations such as controlling noise from workers' radios (page 180) but it defers describing other mitigations until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow us to prepare for how to manage the noise and whether we are forced to relocate from our homes for almost 2 years.

Demolition and construction for this project will release human-harming, carcinogenic chemicals such as heavy metals right near our homes. These chemicals were left from a former auto repair shop and dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). The DEIR does not provide details about mitigating the vaporization of contaminated soil or the effects of soil vapor intrusion on the health of children and adults through the inhalation of volatiles and dust in outdoor air and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), additional mitigations for soil vaporization and construction equipment

emissions should be proposed and described in the DEIR. The increased number of vehicles and ensuing gridlock generated from the Costco Warehouse after it is built will result in poor outdoor air quality due to vehicle emissions. The State of California, Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). As mentioned at the beginning of our letter, Siena at Saratoga is a thriving community with many young children who regularly meet and play outdoors. It is unthinkable to require children to remain indoors for almost 2 years to protect them from the effects of demolition and construction. Even if the children in our community remain indoors, we do not know if the heating, ventilation, and air conditioning (HVAC) systems on all 77 homes can filter out the massive amounts of construction exhaust, volatile organic compounds (VOCs), and particulate matter in the air. Please help protect the children and residents in our community from shouldering the burden of exposure to potentially disabling, permanent, or life-altering consequences. We should be able to be safe in our residential, family-based neighborhood.

Our Requests:

The residents of Siena at Saratoga oppose the approval of the project and the construction of a Costco Warehouse at Westgate West. If the Planning Commission and City Council choose to move forward, we respectfully request the preparation of a detailed study on the health effects of air, soil, and noise pollution as well as a comprehensive health plan describing substantial mitigations to reduce human-harming matter and chemicals. Additionally we request adequate pedestrian and traffic studies and substantial mitigations to be included in the DEIR. While the current studies are acceptable according to Kimley-Horn,, we urge the City of San José to **hold the City to a higher standard than the minimum** required so the public can meaningfully review and engage with the data. Finally, we ask for the safety improvements below.

- **Close off the full-access point at Graves Avenue** to Costco trucks, shoppers, and vendor vehicles (Site Access B);
 - **Restrict Costco-related access to the West Valley Professional Center medical office parking lots**, which are often used as 'cut throughs' to reach Graves Avenue;
 - **Increase the number of lighted crosswalks along Graves Avenue** (see examples below) and throughout the Country Lane neighborhood;
 - **Install speed bumps and a stop sign** on Graves Avenue;
 - Put up speed radar signs on Graves Avenue and Country Lane neighborhood streets so drivers can see how fast they are going;
 - Restrict large vehicles and trucks from parking on Graves Avenue, which obstructs the view of pedestrians and cyclists;
 - Reduce the speed limit to 15 mph by Country Lane Elementary
-



The Siena at Saratoga community includes many Costco members who are against this project because we recognize a large warehouse belongs in an industrial area, not in an already congested, residential neighborhood. We are NOT “NIMBY” residents - we welcome development at Westgate West that is aligned to Urban Village and Vision Zero policies and plans. Residences allow families to build beautiful memories; a Costco Warehouse will build substantial hazards. The City of San José’s decision on this project will permanently negatively impact our lives for decades to come, and once the Costco is built, it will not be “un-built.” Costco will have strong control of the area, and they can decide to change their minds at any point for semi-truck access on Graves Avenue or work with developers to push out other businesses in order to install a gas station.

The City of San José, Costco, and land owners and developers have substantial resources and are well-versed in the practices and processes that will get projects approved, including hiring lawyers and firms to produce documents aligned with their goals. Siena at Saratoga children and residents do not have the financial resources, language abilities, time, expertise, or opportunity to “sit at the table” with

major decision-makers. Even if we did, we would likely not be included. There is a **considerable imbalance of power** in this situation and **we can only advocate for ourselves and our families with our voices**. Please hear our concerns and do what is right by honoring our requests - it is not an exaggeration to say a Westgate West Costco Warehouse will irreversibly ruin our community of 77 homes. Many of us have been at Siena at Saratoga for a long time and are intimately aware of our community and neighborhood, unlike people who do not spend their daily lives here. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle or substantially risking their health. Even one injury, disability, or fatality is too many, and **no business or tax revenue is worth considerable jeopardy to human health, life, and well-being**. **Our lives are not the 'cost of doing business'** and we are real people. **Please care for us as if we were one of your own family members**. Please do not approve this project - it is wrong for far too many people.

Thank you for your serious consideration and care in thoroughly responding to these significant concerns.

Sincerely,

Siena at Saratoga Family and Resident Community
San José, 95129

74 Resident Signers on Behalf of 125 Children, Seniors, and Adults

1. Leonidas Galanis, Ruffino Terrace
 2. Stella Demetriou-Galanis, Ruffino Terrace
 3. Oliver Huang, Le Miccine Terrace
 4. Sungjun Im, Ruffino Terrace
 5. Hyungah Jo, Ruffino Terrace
 6. Yoo Kim, Ruffino Terrace
 7. Kwang Kim, Ruffino Terrace
 8. Esther Kim, Ruffino Terrace
 9. Yuna Kim, Ruffino Terrace
 10. Ayden Amini, Ruffino Terrace
 11. Diana Amini, Ruffino Terrace
 12. Shannon Lieu, Ruffino Terrace
 13. Justin Lieu, Ruffino Terrace
 14. Su Sri, Capanelle Terrace
 15. Michael Lai, Graves Avenue
 16. Yen Lin Chen, Graves Avenue
 17. Jun Chen, Capanelle Terrace
 18. Amy Huang, Ruffino Terrace
 19. Ben Reuben, Ruffino Terrace
 20. Brandon Hurst, Le Miccine Terrace
 21. ChuFei Tang, Graves Avenue
 22. Fangjie Zhuang, Graves Avenue
 23. Mamiko Fujita, Le Miccine Terrace
 24. Samuel Chao, Capanelle Terrace
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25. Wendy Wang, Capanelle Terrace
 26. Q. Chow, Ruffino Terrace
 27. E. Lam, Ruffino Terrace
 28. Abigail Yu, Le Miccine Terrace
 29. Yin Wu, Le Miccine Terrace
 30. Minqi Cai, Le Miccine Terrace
 31. Kailiang Ying, Le Miccine Terrace
 32. Yang Deng, Le Miccine Terrace
 33. Shiqian Shao, Le Miccine Terrace
 34. Seungyeon Lee, Graves Avenue
 35. Hyoungsoo Park, Graves Avenue
 36. Dara Park, Graves Avenue
 37. Youngwook Ko, Graves Avenue
 38. Haesoo Kang, Graves Avenue
 39. Hyeyeon Yoon, Le Miccine Terrace
 40. Junrgyu Park, Le Miccine Terrace
 41. Kristie Park, Le Miccine Terrace
 42. Ming Xu, Le Miccine Terrace
 43. Heng Li, Le Miccine Terrace
 44. Yuting Chen, Ruffino Terrace
 45. Jin Zhao, Ruffino Terrace
 46. Mykhaylo Kubasov, Le Miccine Terrace
 47. Yevgeniya Rudenko, Le Miccine Terrace
 48. Chen Luo, Graves Avenue
 49. Yichuan Wang, Graves Avenue
 50. Robert Abad, Ruffino Terrace
 51. Marvy Abad, Ruffino Terrace
 52. Michael Abad, Ruffino Terrace
 53. Samantha Abad, Ruffino Terrace
 54. Danylo Bukin, Le Miccine Terrace
 55. Ruslana Bukina, Le Miccine Terrace
 56. Serhiy Bukin, Le Miccine Terrace
 57. Yuqi He, Graves Avenue
 58. Jianqiao Zhu, Graves Avenue
 59. Cong Chen, Le Miccine Terrace
 60. Margaret Kim, Le Miccine Terrace
 61. Ting-Kang Pai, Le Miccine Terrace
 62. Shih-Ting Huang, Le Miccine Terrace
 63. Hsin-Hui Chiu, Le Miccine Terrace
 64. Samuel Cheng, Le Miccine Terrace
 65. Ronald Matsuura, Ruffino Terrace
 66. Channing Cheuk, Ruffino Terrace
 67. Pei-Chen Hsieh, Ruffino Terrace
 68. Chuheng Yu, Graves Avenue
 69. Linyin Lyu, Graves Avenue
-






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- 70. Simon Chang, Le Miccine Terrace
 - 71. Karry Chang, Le Miccine Terrace
 - 72. KangCheng Ko, Capanelle Terrace
 - 73. Chuni Wu, Capanelle Terrace
 - 74. Juong-Sik Lee, Graves Avenue
-

APPENDIX A. Sample of Different Reddit User Comments about proposed Westgate West Costco from r/SanJose Usernames have been redacted to respect their privacy.

1.	<p>I feel like costco would be good if this intersection wasn't already a driving hellhole.</p> <p>I also like how everyone is casually ignoring the climate change concern in this thread lol.</p> <p>Like having another poi here without proper transportation isn't an issue?</p>	2.	<p>That parking area is going to be so crowded.</p> <p>Haha gonna suck for that neighborhood.</p> <p>I don't care as long as I can get my toilet paper and bottled water packages.</p>
3.	<p>No gas. But Costco's MO is to sneak in, then force out other occupants and put in a gas station later. Money hungry and don't care about the residents or near by schools and kids.</p>	4.	<p>No. I'd prefer to have it occupied by other businesses than a fucking Costco. With the planned development at El Paseo de Saratoga the areas already going to turn into a shit show.</p>
5.	<p>I pity Prospect HS traffic.</p>	6.	<p>Car dependency at its finest</p>
7.	<p>That Trader Joe's parking lot is already absolute hell. With the Costco right there and everyone hauling giant packages of TP and paper towels into their oversized ridiculous SUVs? Gonna be an injury a week at that parking lot.</p> <p>Plus, because there's still no real drop off plan at Prospect High School, you're going to have all those parents dropping off their kids in a parking lot that just got exponentially busier.</p>	8.	<p>Holy fuck, all of that parking 😂</p> <p>Guess it's too late to put housing on top of it, right? Maybe a transit line? You can build a 10 story building over that lot with several hundred units.</p> <p>No? Y'all still married to your fucking cars? That parking lot is bigger than the store itself.</p> <p>So glad I left this fucking dump. What a nightmare.</p>

9.	<p>I love Costco to death and the convenience off having one so close would be pretty sweet....</p> <p>However, this location is objectively terrible. The residential area less than 100 ft away, the proximity to the foot-traffic of Prospect HS, and the clusterfuck of that parking lot's ingress and egress. There has got to be ways to mitigate traffic in that area or alter the plan to make it less impactful.</p> <p>But I guess those arguments make me a NIMBY, so bring on the downvotes</p>	10.	<p>If you'd ever been in that parking lot you would understand why. Estimates are that a Costco there will create 11K more cars going in and out of the parking lot daily.</p> <p>It already gets congested as it is with just a Trader Joe's, a bunch of small restaurants/ businesses and a yoga studio in there. If they were to build a triple decker parking garage or maybe underground parking, okay. However, I don't see that being part of the plan.</p>
11.	<p>It's the little things that impact... Like half of Prospect high school either park there or get dropped off in that parking lot and walk to the school.</p>	12.	<p>Honestly, I'd prefer costco be over at west gate mall. There's already tons of parking. Turn the old OSH and the other bldg into homes.</p>
13.	<p>This is going to completely destroy that shopping center. I already don't go to that Trader Joe's because of the parking situation.</p>	14.	<p>Parking will be terrible especially after 12pm when prospect highschool kids go across the street here for starbucks and burgers</p>
15.	<p>How dare you not want a Costco in an already over crowded area. You're a bad person and you should feel bad.</p>	16.	<p>Except Costco is a wholesale retailer. Think big, heavy items. Not geared towards those solo travelers taking public transportation with just a carton of milk and 12 eggs.</p>
17.	<p>Yay, more of our planet dedicated to car infrastructure..</p>	18.	<p>Of course a bunch of old ass people are against it. NIMBYs are clowns 🤡.</p>
19.	<p>But Costcos are inherently designed around the extremes of car culture unless they build a multi-story car lot. There will never be enough parking. Most of the stuff bought at Costco too big to carry home in public trans. So the car is the only option....</p>	20.	<p>I'm big on transit, but there's no way you can convince me to lug 36 rolls of toilet paper and my rotisserie chicken on transit when I can barely carry my laptop as is.</p>
21.	<p>OMG.. Tell me more about this parking lot. Now imagine more pick-up trucks and SUVs occupying so much spaces, blocking roads..</p>	22.	<p>that shopping center is going to be a shit show when that opens.</p> <p>Lol, sucks for them. Glad I don't live near there.</p>

23.	<p>There are 7 costco in the santa clara area.</p> <p>I guess they are trying to make a web of costcos that are a similar distance from each other. West San Jose is the only location that doesn't have one.</p> <p>Although it's kinda a nightmare driving around areas with costcos around.</p>	24.	<p>Other Costcos have parking garages such as the SF Costco as well as the brand new Newark Costco</p> <p>⋮ ↩ ↑ 6 ↓</p> <p> Ahhh good point. Yeah I wish they could've done that instead. I can tell the current design is going to leech off the parking for the rest of the plaza.</p>
25.	<p>Old people reaching per usual, would be cool to have an outdoor area for kids to enjoy the hot dogs, chicken bakes, and pizzas from there. Easy cheap food for them</p> <p>⋮ ↩ Reply ↑ Vote ↓</p> <p> You need a membership to get the food.</p> <p>Kids under 18 can't have a membership card. So no chicken bakes after school :(</p>	26.	<p>Anyone who has been to the Sunnyvale or any of the other San Jose Costco's knows how hectic they get. And this planned warehouse is larger than Sunnyvale's with about 3/4 the parking, except that parking in the proposed location will be shared between many stores and not just Costco. This is in addition to the already back to back traffic that Lawrence experiences for the 1-2 hours of rush hour in the morning and evenings, as well as the school traffic from the school literally across the street from this proposed location. It will be an absolute disaster if this goes through.</p>
27.	Fuck NIMBYs	28.	Losers! Build it, that'd be the closest costco to me
29.	I swear everybody always seems to complain about how shitty drivers are around here but keep wanting to make areas more congested.	30.	I agree with you, the parking/ space situation at El Paseo is far better than it is over at the Trader Joe's location. Omg.
31.	It's hard to find Costco drivers figure out a roundabout, now add the unpredictability of teenagers who think they'll live forever, I can imagine this will be a giant shitshow. El Paseo is a better location.	32.	I kinda disagree with this. Imo high density housing would be a far better option, won't cause as much traffic. Although it might be a good idea to have a real transportation system in the area, like light rail.

33.	I love trolling these NIMBYs on ND. They get soo mad.	34.	I have family and friends that left that area and noted both of those projects as part of the reason.
35.	<p>It's honestly my major criticism for this costco. There is no public transportation. And the bike lane on Prospect Lane between Lawrence and Saratoga is just terrifying to bike on.</p> <p>The amount of traffic that goes through that area is pretty wild, depending on the day.</p>	36.	<p>This site is such a bad fit that Costco originally had delivery trucks driving through residential streets at 2 AM for deliveries, and 25 ft tall light poles directly across the street shining light into the houses on Graves the entirety of the night.</p> <p>This is not nimbyism, this is strictly just a piss poor location for something that will inevitably become a shit show if it gets built.</p>
37.	<p> That Westgate area is already a shit show, I try to avoid it at all costs. That parking lot specifically with the Trader Joe's and yoga studio is insane. With a Costco there, I don't envy anyone that tries to shop there.</p> <p>: ← Reply ↑ 24 ↓</p> <p> Agreed. Grew up in that area. As they pieced together Westgate West to what it is now, the parking lot only got worse.</p> <p>: ← ↑ 11 ↓</p> <p> Lol well it's only gonna get worse with this new development and t redevelopment of El Paseo ✓</p>	38.	<p> I mean traffic in that area is already kinda bad around school hours. I can't imagine what the Costco traffic would bring. I think it would do better over by the movie theater. That old luckys or whatever it was has a larger area for cars and multiple exits out of that parking lot. The parking by Trader Joe's is pretty small.</p> <p>: ← Reply ↑ 23 ↓</p> <p> Parking is so bad at that location that the proposed building has a ramp to the roof where there will be a few hundred stalls.</p>
39.	I would say rare NIMBY W. It would have worsened traffic on Saratoga and Lawrence. All you have to do is look at Great Oaks Blvd near 85.	40.	But if there's inadequate/no space for parking, then shoppers will have to be forced to take public transportation. While I encourage alternative means of transportation including public transportation, there's a reason why Costco stores tend to have huge parking lots.

41.	This will pass. Money talks.	42.	What a bunch of idiots.
43.	<p>Actually, since you brought up the tire shops...</p> <p>It might also be the tireshop businessmen and workers against the plan. So they won't have a major competitor across the street.</p> <p>Although I do have to say that if costco gets built, I have a feeling the tire/body shops might go out of business since they can't compete against a giant like costco.</p>	44.	<p>No one commenting here appears to actually be from the affected area. The Prospect /Saratoga cross street from this Costco was identified by San Jose as one of the most dangerous stretches of road in all San Jose (calculated by fatalities). You can find their data, their mitigation plans, and their justification on San Jose's Vision Zero site, and building this Costco will go directly against those initiatives:</p> <p>https://www.sanjoseca.gov/your-government/departments-offices/transportation/safety/vision-zero</p>
45.	<p>Erm, not necessarily true. I loath the Almaden Costco, and drive allllll the way to great oaks or up to Coleman instead. Both 15 ish minutes away, just to avoid Almaden. As a 30 something west San Jose home owner, I get not wanting a Costco in your backyard. The traffic at these places, especially if there is a Costco gas station, is bananas. Even worse on weekends. Adding ANOTHER Costco feels unnecessary, IMO, because I feel like we already have many locations in the South Bay. And it would absolutely attract a ton of ppl. Ppl traveled far and wide to snag heavily discounted Vuori, 49ers meet n greets, caviar steals, etc from the new Newark Costco. They promote the heck out of new Costco locations.</p>	46.	<p>There's also a high school right across the street and kids get out of school and are walking across that road all the time. It is not a good location for Costco. The parking lot is just not big enough, unless pretty much every other store in that shopping center would close down. Imo, across the street at Westgate could work but neither of their anchor stores (Target and Nordy's Rack) are leaving anytime soon that I'm aware of.</p> <p>Plus there's already a Costco about 12 minutes down the road off Lawrence Expressway as well as another Costco off Almaden Expressway about 10 minutes away.</p>

Comment Letter 360

Feedback for Westgate West Costco DEIR, File no. CP21-022

Stephanie Lu <[REDACTED]>

Tue 2/20/2024 1:10 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

I am a resident of one of the single-family homes on Graves Avenue, directly opposite the street from the proposed Costco site. I grew up on Graves Avenue and have lived here for over 20 years. I attended local public schools and still remember when the Westgate West center was home to Orchard Supply, a fencing center, Midas, and various small businesses; I have always valued the variety and convenience of having these businesses nearby.

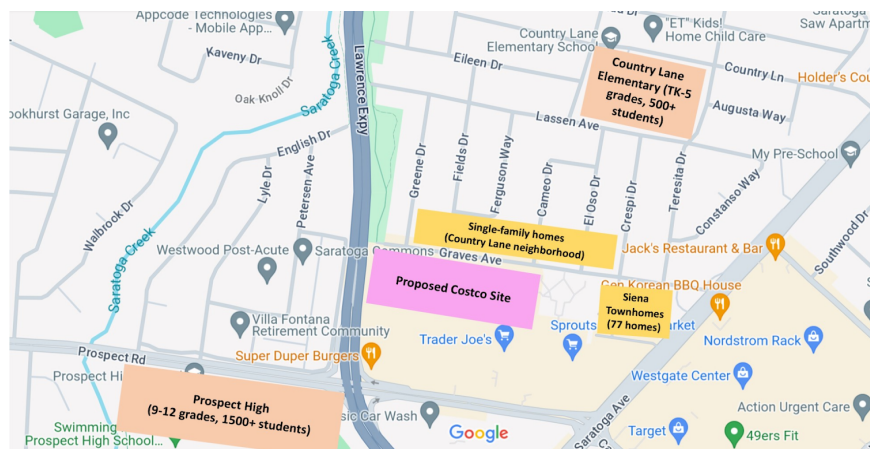
However, the Costco project concerns me deeply because it is simply not suitable for the Westgate location, given its size, traffic/public safety impact, and close proximity to residential areas and schools (especially Prospect High School). As a resident of Graves Avenue who can see the proposed Costco site from my home window, the addition of a Costco would affect me and my neighbors immensely. The proposed plan would bring the Costco wall just a stone's throw from my front door — significantly closer and higher than the current building, blocking out views of the Santa Cruz mountains. The raised parking garage would create light pollution and invade privacy, with shoppers directly overlooking homes on Graves Avenue. This is not to mention the 21 months of construction work that would disrupt the neighborhood, creating a noisy and miserable living environment. The proposed site is at the crossroads of several busy intersections frequented by students and pedestrians like myself; with 11,000 projected car trips a day, an increase in collisions is almost guaranteed. And with an entrance/exit to the Westgate West Center

on Graves Ave, and more limited proposed parking than the Costco Sunnyvale, we will see an unwanted and unsafe increase in cars trying to shortcut through residential neighborhood streets.

Considering that we already have two existing Costcos within 6 miles away, in more appropriate industrial areas, a Costco here would bring more harm than benefit to the community.

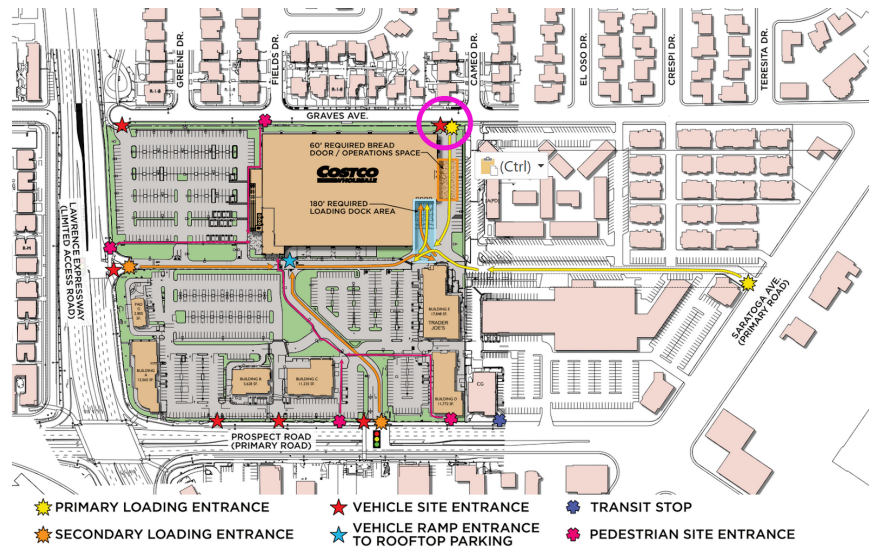
1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell.

Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares

for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may

be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children’s health also needs to be included in the DEIR given the project’s proximity to two public schools. The COVID

pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the

warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco's conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the

City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José’s decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to “sit at the table” with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Stephanie Lu
Country Lane Neighborhood

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Comment Letter 361

Feedback for Westgate West Costco DEIR, File no. CP21-022

Stephanie Sierra [REDACTED]

Tue 2/20/2024 2:06 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

My name is Stephanie Sierra and I am a 14 year resident of the Country Lane Neighborhood which is right next to the proposed Costco Warehouse at Westgate West. I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am the parent of a sophomore and incoming freshman at Prospect HS, which is located less than 1,000 feet from the proposed Costco site. We reside on Cordelia Ave so my son must cross Lawrence Expressway at Prospect to get to school. My daughter will do the same when she starts Prospect next year. In addition, my husband cycles regularly through the Lawrence/Prospect intersection.

My feedback is regarding the safety of anyone who must cross through the intersection of Lawrence Expressway and Prospect, especially if the proposed Costco is approved as is.

I am concerned about the over 11,000 car trips the project will generate (per Appendix L Transportation Analysis pages 13, 41) particularly at the already over-congested intersection of Lawrence Expressway and Prospect Ave. There have been 4 pedestrian/car accidents involving students at that intersection in the past year alone.

The Costco project does not plan for any major traffic controls or mitigations, only including minimal changes like sidewalk improvements and road striping. This makes worse an already dangerous situation for students, pedestrians, and cyclists. This project alone generates more traffic at that site than roads can handle. Add in the traffic from thousands of new housing units across Prospect Road and along Saratoga Avenue and you have a recipe for danger, gridlock, and increased vehicle pollution from traffic-jammed cars.

If the city does decide to move forward with this project, before granting approval I would ask that the city create, fund, and put in place specific traffic and pedestrian mitigation measures to address student, pedestrian, and cyclist safety. Can there be a traffic study during peak school hours to see how our children might be impacted? Can improvements be made to traffic patterns on Prospect and also Lawrence? Can medians be added to provide landing areas for our students when they cross the intersection? If San Jose is truly a Vision Zero city, surely something can be done to improve the safety of our students, pedestrians, and cyclists.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Stephanie Sierra, Country Lane Neighborhood

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Comment Letter 362

cp 21-022 costco

Susan Kauffman [REDACTED]

Tue 2/20/2024 5:00 PM

To: Batra, Arjun <arjun.batra@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>

 1 attachments (390 KB)

21624 Costco draft EIR comments.pages;

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2/16/24 Costco draft EIR comments

Proposed Costco Warehouse at Westgate West. File No. CP21-022

For 63 years my family and I have been grateful homeowners on a quiet street in the Graves Ave/Country Lane neighborhood. My parents chose to buy a home on Greene Dr because it was the last street down on Graves Ave, a no-thru street, and would therefore be the most peaceful and quiet, and would be a safe street and neighborhood to raise young children. They were right. There were almost no cars, other than those who lived on our block. Us kids could safely play games out in the street for hours after school.

During my elementary school years at Country Lane in the 1960s, the area now known as Westgate West, was a huge tranquil orchard with an old wooden farmhouse hidden deeply amongst the fruit trees. Our family knew the area would eventually change over the years but we had faith in the land use planning process, the City Council and Planning Commission guided by the General Plan. We trusted that the City Planning officials would listen to their constituents and make wise land use decisions, compatible with the healthy, safe and peaceful quality of life that they would want for their own families and neighborhoods.

Today, 63 years later, the days of being surrounded by more orchards and rustic farmhouses than stores is long gone. The orchards are gone and shopping centers abound. However Greene Dr has remained a pretty calm, quiet street and is still a nice safe neighborhood for kids to play. Our children don't deserve any less than that.

Unfortunately, the project you are considering today could change all that. The proposal to construct a ginormous 165,000 sq ft Costco Warehouse at the end of our street would put an end to the good life, a safe and mostly calm and quiet life in our residential neighborhood and in countless other quiet, almost traffic-free residential neighborhoods in the broader Costco project vicinity.

Please DO NOT CERTIFY THE EIR. It is INADEQUATE in addressing the project's countless negative impacts and contains INADEQUATE and INSUFFICIENT mitigation measures.

Please DO NOT APPROVE this totally INAPPROPRIATELY LOCATED project proposal. The proposed institution-sized Costco Warehouse generating 11,000 CAR TRIPS PER DAY is as far from neighborhood compatible as can be. It is clearly and blatantly inconsistent or noncompliant with the goals, objectives and measures of the following adopted City documents which you were charged to uphold, comply with, and guide you in making WISE land use planning decisions, not ones that would destroy the safe and peaceful lives we cherish in our sweet neighborhood residential areas.

The proposed 165,000 sq ft Costco WAREHOUSE is GROSSLY INAPPROPRIATELY located. Just because the zoning ordinance allows for behemoth warehouses in the general commercial zone district, which it should not, does not mean it's a wise use immediately adjacent to quiet residential neighborhoods where children play and attend schools. Remember this is a discretionary, not a ministerial project. Please do not approve this project as it does not comply with the following City Land Use Planning documents:

- the City of San Jose General Plan
- the City of San Jose Municipal Code
- the City Zoning Ordinance
- the California Environmental Quality Act (CEQA),
- the Urban Village Plan,
- Envision San Jose 2040,
- the City Climate Smart Plan, and
- the City's Vision Zero Action

The proposed humungous Costco Warehouse belongs in a light industrial area, not across the street from our homes and our families.

I am not opposed to growth and development or Costco (I'm a longtime Costco member), however I am strongly opposed to the proposed Costco warehouse immediately adjacent to our residential neighborhood, rather than on a parcel designated for this light industrial use. The environmental impacts of the proposal would not only create unhealthy and unsafe conditions for our families and completely and permanently degrade our quality of life for those living in residential neighborhoods surrounding in the project vicinity. Please be guided by the goals, objectives and policies in the City's aforementioned land use planning documents and decide wisely.

❗ Too Large and Too Close to peaceful quiet residential neighborhoods. The size and scale of the proposed 165,000 sq ft Costco Warehouse is way too large for this undersized neighborhood/community commercial designated site. It belongs on a large light industrial zoned parcel, not across the street from a large neighborhood.

Please take the following issues into consideration in make sure wise decision on this proposed Costco .

❗ Project Not Needed. Our area is already "Costco Warehouse Saturated" with 4 Costco warehouses, 3 of which are within 7 miles of the proposed West Valley Costco.

❗ Neighborhood incompatibility/ inappropriate location:

Our elected, planning officials, the city council should use wise and reasonable land use planning principles to know better than to allow for a 165,000 sq ft warehouse immediately adjacent to a residentially zoned calm and quiet residential child-dense, neighborhood with an elementary school.

❗ Huge projects such as the proposed 165,000 sq ft warehouse that would result in numerous life-quality degradating environmental impacts, belong in light industrial zoning, not on parcels such as these, with Neighborhood/Community General Plan designations. All 4 other Costco warehouses in this area are in light industrial and commercial areas more appropriate for a Warehouse.

!! !! Traffic/Safety.

From Congestion to Gridlock

Our nearby streets/roads, are already congested and can be gridlocked at peak hours. If we add in Costco's 11,000 daily car trips to the traffic that will be generated by the 1,700 new housing units planned across the street from the Costco project site, the ginormous increase in traffic will undoubtedly create the "perfect storm" traffic-wise or "a recipe for

disaster" for cars and the all day Costco serving trucks, but also for bicyclists, pedestrians and the 1,500 Prospect High School students, and for emergency vehicles.

❗ Safety for our students.

Even without Costco's additional 11,000 car trips per day, there have already been 4 pedestrian/car accidents involving students at the Lawrence Expressway/Prospect Rosd intersection in the past year alone. How many more students and others (drivers, bicyclists and pedestrians) will be injured or killed in traffic accidents by the 11,000 car trips generated by Costco each day and the additional cars from 1,700 proposed housing units across the street from Costco? What is more important, our safety and ability to travel to and from our home without increased nightmarish traffic, or yet another Costco when we already have 4 others within a reasonable distance?

❗ Safety of our Students. This project is inconsistent with the City's Vision Zero Plan : The most recent Costco Warehouse plan would add 11,000 car trips per day, but it does not include any significant road safety improvements for cars, bike, and pedestrians. This is especially dangerous since the Costco Warehouse would sit across a busy intersection that's crowded with students going to school and after school each day.

❗ **Project Alternatives.** We need a much better option than a hugely oversized warehouse which belongs in an industrial zone, not in our front yards or next to our quiet residential neighborhood. We need a project that is consistent with wise planning policies, a mixed use neighborhood-compatible SMALL SCALE, LOW IMPACT project proposal, primarily affordable housing with light, neighborhood commercial uses, such as office commercial, three-stories maximum.

❗ **More and better traffic calming measures and bike and pedestrian safety measures** are needed. The Costco proposal would generate 11,000 additional car trips per day accessible the site from our roads and streets, but it does not adequately address the increased need to provide for better vehicle, bike and pedestrian safety measures. If I was a traffic , i would suggest the most effective measures, but i am not. This should be adequately addressed by the Costco's traffic engineer consultants and by the City's traffic engineers. As a cyclist, I do know that protected bike lanes work and should be required in such a dangerous, heavily congested area.

❗ **Prevent cut-through traffic** through our neighborhoods due to hugely increased traffic from the proposed Costco Warehouse. Since surrounding streets are already gridlocked, frustrated shoppers will seek easier ways to get to the Warehouse Store through the Country Lane Neighborhood, driving right by Country Lane Elementary School. Traffic calming and bicycle safety measures need to be implemented along Saratoga Avenue to existing traffic safety issues. Saratoga Ave is designated the most dangerous street for bike traffic by the Valley Transportation Authority. The Country Lane/Graves Ave Neighborhood should be protected from all cut-through traffic as well as Costco and West Valley Shopping Center shoppers, deliveries, trucks by completely closing off Graves Avenue to and from the proposed Costco/West Valley West shopping center with a solid wall.

❗ **Transit, Designated Urban Village area.** The project site is in a designated Urban Village area. This requires projects to provide access to transit, be walkable and bicycle-friendly". The proposed Costco Warehouse site meets none of these requirements, and should be subject to comply with the Urban Village objectives, including safe and accessible transit options.

❗ **Transit**

The project proposal lacks viable transit options. The only nearby bus stop is 500 feet away and buses only run every half hour. Fully protected (from cars) bike paths are needed to access the project along Saratoga Ave and Prospect Rd. The nearest rail service is miles away. Costco states that the site is "locally and regionally accessible by multiple transport connections" on their project website, but this is untrue. A project of this magnitude should be required to provide viable, safe and efficient transit options.

❗ **Require Energy Savings Measures/Climate Solutions**

The City's Climate Smart goal is to have San Jose be Carbon Neutral by 2030. The proposed Costco warehouse lacks clean energy options like solar panels on the roof with energy storage. Project design should be revised to include these features. The City's Clean Energy Advisory Commission recommended that the City should require Costco to add these energy saving equipment however the City refused to ask or require them and other energy savings equipment and practices. This needs to be addressed.

❗ **Protect our Health.** Prevent us from pollution (water and air) resulting from project construction and daily operations.

Pollution disproportionately affects, children, youths, seniors and/or infirm, and nearby neighbors, particularly those with asthma and other respiratory conditions. Address and mitigate the chemical, hazardous materials, air and water pollution from decades-old Midas and Firestone auto repair site and the dry cleaner and from grading, earth moving, excavating and from any construction and operating activities.

❗ Noise, Vibration, Air Pollution: Our Health and our Quality of Life. Protect nearby and neighboring residents and businesses from disturbing, annoying and harmful noise, vibration and air pollution generated from the project sites' demolition, grading, compacting, construction, vehicles and heavy equipment activities and operations of the project. The noise and vibration generated and needing to be addressed by the proposed Costco includes noise from the tire center (air impact guns), cars (doors slamming, loud voices, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), the beeping of vehicles in reverse, trucks, mechanical equipment including all HVAC and refrigerators equipment, transformers, trash compactors). Much of the noise generated by construction and daily operations broadcasts into our adjacent and surrounding neighborhoods. This occurs throughout the day and night and some (e.g. HVAC/refrigeration equipment) is continuous 24/7. Prevent this from permanently degrading our quality of life.

Do not allow construction activities, cement, pours, truck deliveries and pick-ups, ANY vehicle idling outside normal business hours: 8-5pm.

❗ Post profuse signs in all locations where vehicles (cars, operations vehicles, and trucks) are allowed, including all parking areas and on all sides of the proposed warehouse, clearing stating that "This is a quiet zone" and that "Vehicle idling is not permitted. Pollution kills!"

❗ Shielding needed to prevent Visual Blight in our residential neighborhood
Shielding of all Costco, supplier or vendor visual blight, storage, merchandise, operations from public view, for the residents and residential areas to the north, businesses and their clients to the east, and the Graves Ave/Country Lane neighborhood. This applies to visual blight

generated by Costco, its operations, its on-site vendors, and those serving or being served by Costco, including but not limited to pallets, merchandise, storage and containers, storage racks and shelving, shopping carts, forklifts, compactors, recycling materials, vehicles and trailers, equipment, trash/garbage of any kind, trucks, pick-up or delivery vehicles, on-site lighting, and semi-trailers left near, at or outside loading areas, etc.

❗ Shielding shall be provided by a 12-foot high sturdy, solid sound wall (not fencing), neutral colored, permanently and continuously maintained and kept free of graffiti.

❗ All operations areas of the proposed Costco should be shielded from view for the neighbors, neighboring residential areas, businesses and their clients and customers.

!!! Traffic and Parking.

IMPERATIVE!!!! Close off ALL access for pedestrians, bikes, delivery vehicles, cars and trucks from entering and exiting Costco to or from the adjacent Graves Ave/Country Lane residential neighborhood. These closures must be mandatory and non-negotiable, in order to preserve and protect our safe and quiet neighborhoods, our quality of life, and peace of mind, if we are to be subject to living adjacent to a massive and inappropriately located 165,000 sq ft Costco Warehouse.

-- Complete closure of Graves Ave access to and from the proposed Costco is the only way to prevent our residential neighborhood from inundation by thousands of daily car and trucks driving to and from Costco and the entire West Gate West shopping center and for the prevention of neighborhood cut-through traffic.

Complete closure is the only way we can prevent our small, safe, quiet residential streets in our child-dense neighborhood from becoming Costco shoppers, truck drivers, and delivery persons preferred Costco parking area.

!!!! Increased Traffic, Neighborhood Cut-Through Traffic, Safety, Parking. IMPERATIVE!!! Close off ALL access for pedestrians, bikes, cars, delivery vehicles, and

trucks from entering and exiting Costco to or from our Graves Ave/Country Lane residential neighborhood. Prevent spillover parking on our residential streets.

Due to a smaller than usual parcel and an exceedingly oversized Costco Warehouse proposal, significantly less parking spaces than much smaller Costco warehouses is planned. A congested parking lot and parking shortage will result in shoppers parking on our quiet neighborhood residential streets. Many of Costco's parking spaces will be on the roof, which will be inadequately accessed by a congested one-lane in and one-lane out ramp. Costco shoppers will find it easier and more convenient to park in our residential neighborhood, especially cut-through drivers from Doyle Road and other areas. Please block all access for pedestrians, bikes, cars, trucks, and delivery vehicles from entering and exiting Costco to and from our Graves Avenue / Country Lane residential neighborhood. prevent spillover Costco parking on our residential streets.

❗ Emergency vehicle access shall be allowed (to and from Graves Ave) during emergencies only.

❗ Displacement of a worthy cause.

The proposed Costco Warehouse would result in the displacement of our local Goodwill store in Westgate West. Goodwill stores provide community-based programs and job training to a challenged population. Our local store also has provided a convenient place for residents/

neighbors to donate their unwanted items to a good cause, rather than needlessly discarding (i.e. burying) usable items in our City's ever-growing landfill.

❗ Alcohol sales at Costco would be a clear Violation of the City Code (in number, concentration and location (within 150 ft of residences on and near Graves Ave.)

Costco's proposed alcohol sales would clearly violate San Jose City's Municipal Code which restricts the number and concentration/density of stores which sell alcohol for off-site consumption. The City code also limits the proximity of alcohol sales to residences. The Municipal Code clearly restricts the concentration/density (number) of vendors which sell alcohol for off-site consumption to 3 stores for that area. This limit is already exceeded since there are currently 7 stores selling alcohol in that area, even without the proposed Costco warehouse. Therefore, the Westgate West area is defined as an "area of undue alcohol sales concentration".

The City Code also prohibits alcohol sales within 150 feet of a residence or within 500 feet of a park, however the Costco site is much less than 150 feet from many of the homes on and nearby Graves Ave. (It just barely meets the distance requirement from Saratoga Creek Park.) Per these Municipal Code restrictions, the proximity and density shall prevent the City of San Jose Planning Dept from giving approval to the Costco proposal. It also means that the City Council cannot approve alcohol sales at Costco since it would be in clear and blatant violation, and would be a grant of special privileges to allow the Costco Warehouse with its alcohol sales. The case for an exception to the City Code restriction cannot be made since the criteria for "public convenience/necessity" can't be cited when there are already 7 other nearby stores where consumers can buy alcohol in an area where 3 are allowed. Costco is the largest seller of alcohol in the U.S. (\$5 billion in sales per year) but it should not be "above the law".

Also, the City Code requirement prohibiting alcohol sales for off-site consumption within 150 feet of a residence was established for the purpose of safety and protection of the public. This City Code requirement should also not be circumvented to accommodate the approval of this Costco Warehouse proposal in an inappropriate and neighbor-UNfriendly location.

The City Council should not somehow "accommodate" and approve the proposed Costco Warehouse with its alcohol sales (density and location) clearly in violation of the City's Code requirements.

Very Sincerely

Susan Kauffman Greene Dr homeowner

Comment Letter 363

Seniors Against Westgate West Costco Proposal

SUSAN YAMASHITA <[REDACTED]>

Tue 2/20/2024 8:35 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Kara Hawkins,

We oppose the proposal to build a Costco in the (District 1) Westgate West shopping center.

My name is Susan Yamashita, I'm writing for many concerned Japanese-American seniors who attend a beloved senior clubhouse (West Valley JACL). This clubhouse is over 50 years old and is smack in the middle of Graves Avenue, which is behind the proposed Costco.

The future onslaught of frenzied Costco drivers will jeopardize our safety, this will affect our ability to access our Community Center. I have lived in this area over 50 years, and do not believe the proposed (gigantic) Costco is a good fit in a safe residential area.

We are hopeful the City of San Jose will use their better judgment for social concerns such as ours. Sustainable growth with seniors in mind is appreciated.

Thank you,

Susan Yamashita

P.S. Dedicated registered voter and vote all the time.

Susan Yamashita

email: [REDACTED]

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Comment Letter 364

Feedback for Westgate West Costco DEIR, File no. CP21-022

Tammy Cook [REDACTED]

Tue 2/20/2024 11:43 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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

Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms Hawkins, Mayor Mahan, Vice Mayor Kamei, City Council members, and Planning Commission Chair Lardinois,

Thank you for the opportunity to review the DEIR for the proposed Costco at Westgate West shopping Center in San Jose. I have reviewed it and my comments are below. But first, I'd like to give you a little background on me.

I am a 19-year resident of the Country Lane neighborhood. Country Lane neighborhood is a child dense neighborhood that sits just 50 feet north of the proposed Costco. This neighborhood has sidewalks and beautiful trees that our residents enjoy daily with families out walking dogs, riding bikes, pushing babies and toddlers in strollers. I see this everyday all day long! Our elementary school, Country Lane, sits 1000 feet directly behind Costco and is home to 500 students.

I do not believe a Costco belongs in a residential area so close to students walking/biking to school and families out walking/biking in the neighborhood. This is a huge safety concern. My daughter is currently a 6th grader at Moreland Middle School and will be attending Prospect High School in Fall 2026. She will walk to/from Prospect High every day. With the 11k new vehicle trips coming into the project site, we are very concerned for her safety crossing the Lawrence Expwy/Prospect intersection. Additionally, she will walk down Teresita Drive which is a major cut through street that shoppers will take to bypass traffic on the main roads into Costco.

With the increased traffic that Costco will bring, the main student pedestrian path of Prospect/Lawrence Expressway intersection will be increasingly more dangerous and become an accident hotspot. I fear this will result in children and student injuries and fatalities. There have already been 4 students hit this school year at this intersection.

We as a community are talking, texting, emailing, holding community meetings to discuss the impact of the project, talking with the impacted Home and School Clubs in the area, and handing out flyers to neighbors, shoppers at Westgate West and parents at the schools. My biggest concern, and the one I have heard the most from others, is student safety. Although safety was not an issue in the DEIR it is of the utmost concern for parents. Student safety was also a big issue raised by parents and students at the Vice Mayor Rosemary Kamei Community Meeting on February 5th. I am thankful to Vice Mayor Kamei for holding this meeting and listening to our concerns.

Please - from a family and children safety perspective, Costco does not belong at Westgate West. There are many other business/retail options that will serve the area better, that will satisfy business profitability and city urban village goals. I would like the city council to reject the proposal and evaluate other options for the parcel.

Thank you very much for your consideration of my family's concerns regarding the proposed Costco at Westgate West.

Sincerely,
Tammy Cook
Country Lane Neighborhood

Traffic Study Feedback:

1.) Traffic Study does not account for the Saratoga Lane Safety Changes. Saratoga Avenue is designated as a Priority Safety Corridor through the city's Vision Zero Plan. The traffic study was done prior to the Saratoga Avenue safety improvements for pedestrians and bicyclists. The Saratoga lanes nearest the project went from 6 to 4 lanes. Per Costco analysis, 11,000 new vehicle trips a day will be brought in by the project. These trips include cars, SUVs, and delivery trucks. This will increase traffic and congestion. The Transportation analysis should be redone to account for this change and its impact.

2.) Traffic Study did not include the afternoon hours when students get out of school. The traffic study was done during peak rush hour traffic 7-9am and 4-6pm. It was not done during the times when the schools let out in the afternoon and hundreds of students are walking/biking home from school. It should be redone to include the hours when students get out of school. There are 4 schools totaling 3,650 students all within ½ mile of the project:

- **Prospect High School** (1500 students) is 1000 feet directly across Lawrence Expwy/Prospect intersection. Hundreds of students a day cross this intersection to walk home or get picked up by parents at Westgate West shopping center. 11k new vehicle trips will make this intersection even more dangerous. I know of no other Costco built so close to a high school.
- **Country Lane Elementary** (500 students) is 1000 feet north of Costco sitting between Teresita Drive and Brenton Avenue. Shoppers will use Traffic apps to soon learn they can cut through our neighborhood on Teresita and Brenton to bypass traffic on Lawrence Expwy and Saratoga. This will put these elementary school children at great risk of being hit by cars speeding through our neighborhood
- **Easterbrook Discovery School (EDS)** (950) students) is a K-8 school located on Doyle Road. Students from this school cross Doyle to walk/bike home. Many of them cross at Doyle/Teresita Drive and walk down Teresita to go home. I live on Teresita and see this every day. Shoppers turning on Doyle from Saratoga and Lawrence Expwy to bypass traffic put these children at great risk of being hit.
- **Moreland Middle School** (700 students) is ½ mile east of Costco. These students cross Campbell, Hamilton, and Saratoga to walk/bike home. Increased traffic on these major roads leading into the new Costco puts these students at increased risk of being hit. A 6th grade friend of my daughter at Moreland Middle School was hit this school year at the Graves/Saratoga Ave intersection while riding his bike home from school.

3.) Traffic study did not consider the impact of cut through traffic in the County Lane neighborhood. Cut through traffic in Country Lane neighborhood impacts the safety of students and families walking/biking. All Graves Ave access including pedestrian access should be cut off to the project to prevent Costco shoppers and employees from driving through the neighborhood. A wall should completely block access from Graves to Costco. This will help to address cut through traffic but will not completely eliminate it. Shoppers will still cut through the neighborhood, turn left on Graves and then right on Saratoga to avoid traffic. Calming measures will still be needed in the neighborhood to address speeding cut through traffic. There are no Costco warehouses in the Bay Area that allow traffic to drive through the residential neighborhoods into the Costco parking lot. Cutting off Graves access will help to protect those students at the 4 schools mentioned above who walk/bike home through the Country Lane neighborhood.

4.) Traffic Study did not include the intersections of Lawrence Expwy/Doyle Road and Saratoga Ave/Doyle Road. As already stated, Costco shoppers will use Traffic apps to figure out they can bypass traffic on Saratoga and Lawrence Expwy by turning onto Doyle and cutting through the Country Lane neighborhood. These intersections will backup and cause congestion and accidents. They should be included in the analysis. Note, even with all Graves Ave access cutoff to Costco, they will still cut through the neighborhood to turn left on Graves Ave and then right on Saratoga, bypassing the main artery traffic.

5.) Lawrence Expwy / Prospect Rd (Intersection 11).

Page 57 of Appendix I Transportation Analysis states the EBL and the WBL turn queues exceed storage in all scenarios of the weekday PM peak hour. See the below cut/paste. The response is 'There is not enough room to extend the existing left-turn pocket'. Not addressing this adverse effect will allow traffic to back up here creating hazardous conditions for students at Prospect High School who cross this intersection when walking/biking home immediately after school or later after events/practices. I think it is unacceptable to do nothing about this traffic hazard given the safety impact to students. Mitigations should be in place to address this.

The eastbound left-turn lane queue exceeds the storage in all scenarios during the weekday PM peak hour. This movement would have an **adverse effect** from the project as project trips add one vehicle length to the queue in the Background Plus Project scenario and two vehicle lengths to the queue in the Cumulative Plus Project scenario. There is not room to extend the existing left-turn pocket as there is assumed to be a similar demand for queue space during peak school times for the westbound left-turn at the adjacent signalized intersection of Prospect Rd / Lyle Drive.

The westbound left-turn queue exceeds the storage in all scenarios during the weekday PM peak hour. This movement would have an **adverse effect** from the project as project trips add eight vehicle lengths to the queue in the Background Plus Project scenario and nine vehicle lengths to the queue in the Cumulative Plus Project scenario. There is not room to extend the existing left-turn pocket as there is a similar demand for queue space for the eastbound left-turn at the adjacent intersection of Prospect Rd / Westgate West shopping center signalized driveway

6.) Prospect Rd / Westgate West shopping center signalized driveway (Intersection 12)

Page 57 of Appendix I Transportation Analysis states the EBL turn queue exceeds storage in all scenarios of the weekday PM peak hour. See the below cut/paste. The response is 'There is not enough room to extend the existing left-turn pocket'. A traffic backup here will cause further back up at the EBL turn pocket at Prospect/Lawrence Expwy. This makes the Lawrence Expwy/Prospect intersection extremely dangerous for students who cross this intersection when walking/biking home immediately after school or later after events/practices. I think it is unacceptable to do nothing about this traffic hazard given the safety impact to students. Mitigations should be in place to address this.

The eastbound left turn queue exceeds the storage length in all scenarios during the weekday PM peak hour. This movement would have an adverse effect from the project as 86 project trips are added to this movement. There is not room to extend the existing left- turn pocket as there is a similar demand for queue space for the westbound left-turn at the adjacent intersection of Prospect Rd / Lawrence Expwy.

7.) Saratoga Ave / Prospect Rd-Campbell Ave (Intersection 13)

Page 57 of Appendix I Transportation Analysis states the NBL turn queue exceeds storage in all scenarios of the weekday PM peak hour. See the below cut/paste. The response is 'There is not enough room to extend the left-turn pocket'. Prospect High School students and Moreland Middle School students

cross this exit daily when walking/biking home. Not addressing this adverse effect will allow traffic to back up here creating hazardous conditions for students. I think it is unacceptable to do nothing about this traffic hazard given the safety impact to students. Mitigations should be in place to address this.

The northbound left-turn queue exceeds the storage in all scenarios during the weekday PM peak hour. This movement would have an adverse effect from the project as project trips add four vehicle lengths to the queue in the Background Plus Project and Cumulative Plus Project Alternative A scenarios; five vehicle lengths to the queue in the Background Plus Project (Alternative B); and six vehicle lengths to the queue in the Cumulative Plus Project (Alternative B). There is not room to extend the left-turn pocket without reducing through lanes or reducing queue area needed for southbound left-turns at the adjacent retail center driveway.

8.) Saratoga Ave / Graves Ave (Intersection 6)

Page 56 of Appendix I Transportation Analysis states the following:

The northbound left-turn lane queue exceeds the storage in all scenarios during the weekday PM peak hour. This movement would have an adverse effect from the project only for Alternative A – With Graves Access which adds trips to that movement; Alternative B – Without Graves Access would not have an adverse effect as no project trips are added. Lengthening the left-turn pocket or reviewing traffic signal timing plans to reduce queues are potential options to address queues.

Graves Ave access will be the back way into Costco. This intersection is crossed by students biking/walking home from Moreland Middle School into Country Lane neighborhood. As previously mentioned, a 6th grader biking home from school this school year was hit at this intersection. All access from Graves Ave to Costco must be closed from a safety perspective for students. **Alternative B in Transportation analysis should be done to block off all Graves Ave access to Costco.**

9.) DEIR says Traffic Impact is Less Than Significant

All of these issues at the intersections surrounding the proposed new Costco have a significant impact on traffic congestion and pedestrians/bicyclists/students' safety. I do not understand why the DEIR on pg. 219 states the following:

Trans-3 Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
Less Than Significant

These intersections surrounding the proposed Costco are hazardous not due to a sharp curve or geometric design feature, but due to an adverse effect from increased traffic. The transportation analysis acknowledges there is adverse impact at these intersections but can't do anything about it due to no room to extend the turn pockets. These issues should be addressed before Costco is allowed to be built there. If the Costco goes in with no mitigations for these issues, it puts our students at great risk of being hit which could result in severe injuries or fatalities.

10.) Appendix G Cumulative Traffic Conditions – TRAFFIX Reports

Maybe I am reading this Appendix incorrectly, but to me it shows absolutely no change at any intersection with the new Costco in place. I do not understand how 11,000 new vehicle trips a day in and out of Westgate West will have no impact on LOS. The traffic analysis acknowledges adverse impacts at the Costco intersections due to increased traffic but the inability to do anything about it due to no room to extend left turn lanes. Can you please explain how 5,500 new cars sitting idling at these clogged intersections around Costco will not have a negative impact on LOS and air quality?

Other Concerns:

11.) Personal Safety Concerns for the Students Walking to/from School

As I have already stated, Costco shoppers will cut through the Country Lane neighborhood to bypass traffic on Saratoga and Lawrence Expwy. This will happen even with Graves Ave access to Costco cutoff. Introducing 11k new vehicle trips into our area increases the personal safety of our students walking home. Some Country Lane Elementary 4th and 5th graders walk home alone without a parent. We have Moreland Middle School students walking/biking to their home in Country Lane neighborhood without a parent. And of course, the Prospect High students walk home without a parent. 11k new vehicle trips in our neighborhood increases the likelihood a student could be forced into a stranger's car and abducted. As much as I hate to think about this or even say it, it is a very real possibility with that many new people coming into our neighborhood. Please consider the safety of the students in our community when deciding on this issue.

12.) Not Enough Parking for Costco

The proposed Westgate West Costco is bigger than the Sunnyvale Costco on less land with less parking. I go to the Sunnyvale Costco and parking is always a problem there. Clearly, parking will be an issue at the proposed Westgate West Costco if it goes through. Westgate West Costco will have 381 Rooftop parking stalls and 306 surface stalls. This is a total of 687 parking spots for Costco shoppers. However, per the Costco analysis, it will generate 300 new jobs. I did not see an employee parking plan in the DEIR. I assume the 300 employees will be using these new 687 Costco parking stalls. This will result in even less parking for shoppers. What does this mean? It means Costco shoppers are going to park in the unprotected parking spots for Trader Joes, Mod Pizza, UPS, Happy Lemon, Yogurt Land, and Super Duper. All of our favorite local businesses will be losing business because their loyal customers can no longer park there. This is very sad and may force them out of business. I will no longer go to Trader Joes or Yogurt Land with my daughter. Instead, we will go to Trader Joes in Cupertino and the Yogurt Land in Cupertino, increasing our VMT. Your VMT analysis does not consider the impact of local residents not going to their favorite stores in Westgate West due to parking/traffic congestion brought in by the new Costco.

13.) Does not align with Envision San Jose 2040 Plan and Urban Villages

The Westgate West shopping center is included in Paseo de Saratoga which is a designated Urban Village located in Horizon #3. Urban villages are areas that include residential and jobs-based developments; have access to transit; and are walkable and bicycle-friendly. Costco is not urban village compatible because it is not pedestrian and bicycle friendly. Costco shoppers are in cars/SUVs to buy and transport in bulk. If the Costco is approved and built, Westgate West will never be an Urban Village.

14.) Westgate West is zoned as Commercial General (CG) and Neighborhood/Community Commercial (NCC) General Plan Land Use designation

Westgate West is zoned as Commercial General. This is on the Sanjoseca.gov website, see below cut/paste.



RESIDENTS

BUSINESSES

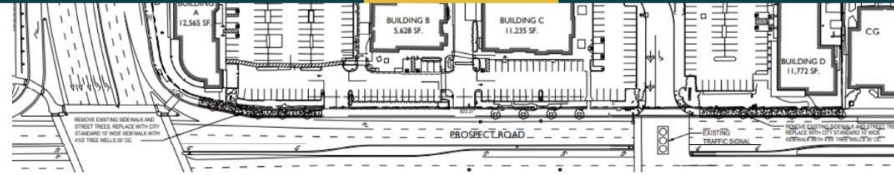
JOBS

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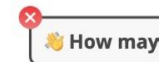


ZONING

- Existing: CG Commercial General

APPLICATION INFORMATION

- File Number: CP21-022
- Submittal Date: November 17, 2021
- Owner Name: DS Westgate West LP



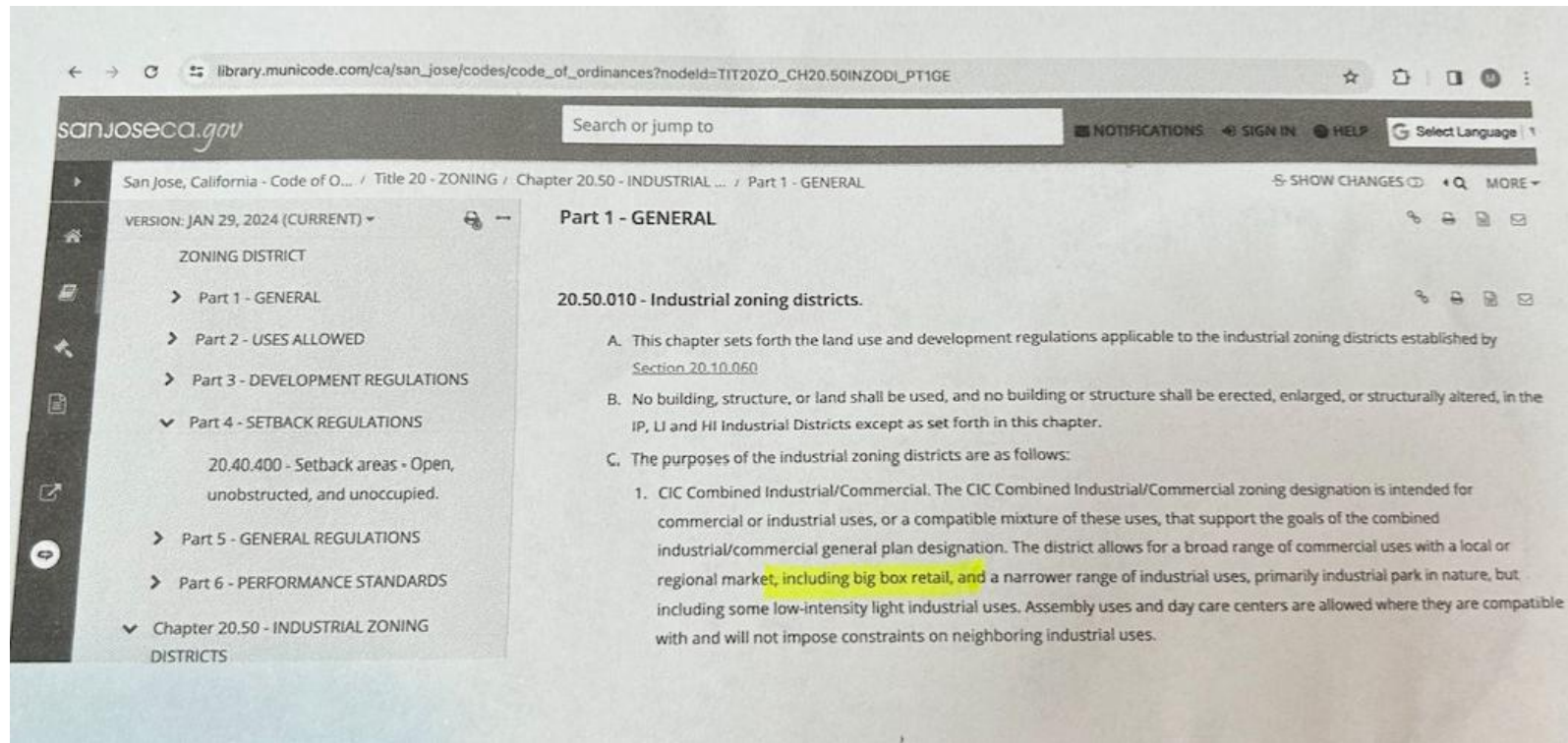
This is also on pg. 4 of the Draft EIR, see below cut/paste:

ZONING DISTRICT AND GENERAL PLAN DESIGNATION

General Plan: Neighborhood/Community Commercial (NCC)

Zoning: Commercial General (CG)

Costco does not fit in a Commercial General (CG) zoned area. Costco is Big Box Retail which fits under 20.50.10 – Industrial zoning districts. See below cut/paste from the sanjoseca.gov website on this.



I do not understand why Costco is considered at this location. It does not fit with the CG zoning of this property. Furthermore, Costco does not fit in with the Envision San Jose 2040 plan because it does not comply with the Neighborhood/Community Commercial (NCC) District General Plan Use designation. NCC land use designation is for Commercial Pedestrian (CP), Commercial Neighborhood (CN), and Commercial General (CG) district zoned areas. See the below two cut/pastes on this from the sanjoseca.gov website. If Costco goes in, then Westgate West can **NEVER** be an Urban Village as per the Envision San Jose 2040 Plan.

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sanjoseca.gov

Neighborhood/Community Commercial

NOTIFICATIONS SIGN IN HELP

San Jose, California - ... / Title 20 - ZONING / Chapter 20.120 - ZONING / Part 2 - ORDINANCES CONFORMING TO THE GENERAL PLAN / 20.120.110 - Conformance with the general plan

VERSION: JAN 29, 2024 (CURRENT)

- Chapter 20.80 - SPECIFIC USE REGULATIONS
- Chapter 20.85 - SPECIFIC HEIGHT RESTRICTIONS
- Chapter 20.90 - PARKING, LOADING, AND TRANSPORTATION DEMAND MANAGEMENT
- Chapter 20.95 - STORM WATER MANAGEMENT
- Chapter 20.100 - ADMINISTRATION AND PERMITS
- Chapter 20.110 - OTHER PROCEDURES
- Chapter 20.120 - ZONING CHANGES AND AMENDMENTS
 - Part 1 - GENERAL
 - Part 2 - ORDINANCES CONFORMING TO THE GENERAL PLAN
 - 20.120.100 - Ordinances conforming to the general plan.
 - 20.120.110 - Conformance with the general plan.

be made in the manner set forth in Table 20-270:

Table 20-270

EXPAND

General Plan Designation	Conforming District
All designations	OS, A
Open Hillside	OS
Lower Hillside (1 du/5 ac)	R-1-RR
Rural Residential (2 du/ac)	R-1-1, R-1-2
Residential Neighborhood	R-1-8, R-1-5
Urban Residential	UR
Transit Residential	TR
Mixed Use Neighborhood	MUN
Mixed Use Commercial	MUC
Neighborhood/Community Commercial	CP, CN, CG

< Prev Hit Next Hit >

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sanjoseca.gov

Search or jump to

NOTIFICATIONS SIGN IN HELP Select Language

San Jose, California - Code of Ordinanc... / Title 20 - ZONING / Chapter 20.40 - COMMERCIAL ZONI...

SHOW CHANGES MORE

VERSION: JAN 29, 2024 (CURRENT)

- 20.10.080 - City divided into zones.
- 20.10.090 - District boundaries.
- 20.10.100 - Fees.
- Chapter 20.20 - OPEN SPACE & AGRICULTURAL ZONING DISTRICTS
- Chapter 20.30 - RESIDENTIAL ZONING DISTRICTS
- Chapter 20.40 - COMMERCIAL ZONING DISTRICTS AND PUBLIC/QUASI-PUBLIC ZONING DISTRICT
 - Part 1 - GENERAL
 - 20.40.010 - Commercial zoning districts.
 - Part 2 - USES ALLOWED
 - Part 3 - DEVELOPMENT REGULATIONS
 - Part 4 - SETBACK REGULATIONS
 - 20.40.400 - Setback areas - Open, unobstructed, and unoccupied.

2. CP Commercial Pedestrian District. The CP Commercial Pedestrian District is a district intended to support pedestrian-oriented retail activity at a scale compatible with surrounding residential neighborhoods. This district is designed to support the goals and policies of the general plan related to Neighborhood Business Districts. The CP Commercial Pedestrian District also encourages mixed residential/ commercial development where appropriate, and is designed to support the commercial goals and policies of the general plan in relation to Urban Villages. This district is also intended to support intensive pedestrian-oriented commercial activity and development consistent with general plan urban design policies. This district may be located, in addition to areas of the city that have a commercial land use designation in the general plan, in areas that have an Urban Village land use designation. In these locations, the uses and development in this district are intended to be in conformance with applicable approved Urban Village Plans. The type of development supported by this district includes Neighborhood Business Districts, neighborhood centers, multi-tenant commercial development along city connector and main streets as designated in the general plan, and small corner commercial establishments. New development should orient buildings towards public streets and transit facilities and include features to provide an enhanced pedestrian environment.

3. CN Commercial Neighborhood District. The CN Commercial Neighborhood District is a district intended to provide for neighborhood serving commercial uses without an emphasis on pedestrian orientation except within the context of a single development. This district also differs from the CP Commercial Pedestrian District in that there is no limit on the size of the stores. The type of development supported by this district includes neighborhood centers, multi-tenant commercial development along city connector and main streets, and small corner commercial establishments.

4. CG Commercial General District. The CG Commercial General District is a district intended to serve the needs of the general population. This district allows for a full range of retail and commercial uses with a local or regional market. Development is expected to be auto-accommodating and includes larger commercial centers as well as regional malls.

15.) Off-sale Alcohol Seller Density Limits

(SJ Muni Code Title 6, Muni Code Title 20) to ensure sufficient space between off-sale alcohol sellers in the Westgate region. The limit is 3 sellers in the Westgate area. We already have 7. We do not need another off-sale alcohol seller within ½ mile of 4 public schools (3,650 students) and just a little over 500 feet from the Saratoga Creek dog park. And within 50 feet of residences on Graves Ave. This raises safety concerns for students walking/biking home.

16.) Vision Zero Initiative

I am proud that my city San Jose was the 4th city in the US to adopt the Vision Zero Initiative. In the past, my daughter and I felt safe to bike to Target and to local restaurants for lunch on her early school dismissal days on Wednesday. But with the 11k new vehicle trips a day per the Costco Transportation analysis, we will rethink these bicycle trips due to safety. With no meaningful planned road safety improvements or pedestrian bridge for the safety of Prospect High School students, this does align with the Vision Zero Initiative that San Jose has adopted.

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Comment Letter 365

Feedback from Save West Valley for Westgate West Costco DEIR, File no. CP21-022

Save West Valley Info [REDACTED]

Tue 2/20/2024 3:12 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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City of San Jose

Department of Planning, Building, and Code Enforcement

Attn: Kara Hawkins, Environmental Project Manager

200 East Santa Clara Street, 3rd Floor Tower

San José, CA 95113-1905

Via email: kara.hawkins@sanjoseca.gov

Re: Draft Environmental Impact Report for the proposed Westgate West Costco Warehouse Project

File No. CP21-022

Dear Ms. Hawkins:

We, the members of Save West Valley, urge the San Jose Planning Commission and San Jose City Council to choose to reject the proposed Westgate West Costco Warehouse project. We represent thousands of residents and businesses in the West Valley where the communities of San Jose, Saratoga, and Campbell come together.

Members of Save West Valley have been following the proposed Westgate West Costco Warehouse Project since it first came to our attention in November 2021. As we did then, we continue to believe San Jose city leadership should choose to outright reject the proposal. As

proposed, the Warehouse project is unsafe, inappropriate for the site, will be detrimental to our city's own visions and aspirations, and be a disservice to the students, residents, and businesses of the West Valley.

The city of San Jose is known for its leadership on crucial issues: safety, equity, climate action and its visionary General Plan. With a project as visible and impactful as this, let's not take a step backward – or even look like we are taking a step backwards – on these commitments.

The Costco Warehouse proposal misses opportunities to advance several of our city's visions:

- Climate Smart, meant to bring San Jose to carbon neutrality by 2030: The Warehouse project has no solar panels, relies on natural gas, and the expected traffic gridlock from the 11,000+ vehicle trips per day it will generate contradicts our carbon neutrality goal. [Details found in the Energy section our response]
- Vision Zero, meant to eliminate pedestrian deaths and prioritize pedestrian safety: The Warehouse's lack of pedestrian and cyclist safety improvements jeopardizes our commitment to zero traffic fatalities. [Details in the Transportation and Circulation section]
- Urban Villages: meant to bring mixed-use, transit, pedestrian, and bicycle friendly live-work areas across the city: The Warehouse lacks the mixed-use, walkable, and transit-accessible design envisioned in our General Plan. It is the antithesis of the Urban Village. If it is built, it will eliminate any hope for an Urban Village in the area.

We are especially deeply concerned about the potential impact of the proposed Costco Warehouse project on the safety of students at Prospect High School, located just 1,000 feet away from the proposed site. A reported 42.5% of Prospect's students are classified as "Socioeconomically Disadvantaged". Due to a lack of school district bussing, hundreds of Prospect's 1,496 students walk or bike to school and need to cross the busy intersection where the proposed Warehouse would be to access subsidized public transportation. The current Warehouse plan fails to adequately address student pedestrian and cyclist traffic, especially during peak school hours when the Costco Warehouse will be in full operation.

San Jose city leadership has a choice whether to approve the Warehouse Project or not. If the city chooses to approve the project, it will be against the explicit wishes of thousands of West Valley residents, as evidenced by the Stop Costco at Westgate West petition signed by 650 residents in person and over 3,500 online.

Save West Valley maintains that San Jose leadership should choose to reject this Warehouse project. Our main concerns are focused on the city priorities embodied in the Warehouse Project, and that San Jose:

- **Must prioritize student, pedestrian, and bicyclist safety**
- **Must address the expected significant impacts on traffic and circulation that take into account not only the major effect the Warehouse Project would have on the area, but also the effects of known future growth in the West Valley**
- **Must address noise issues, both during construction and during Warehouse operation**

Save West Valley deeply appreciates the positive changes to the Warehouse project facilitated by Vice Mayor Kamei, her District 1 staff, and multiple San Jose city departments. We are in strong alignment with the Vice Mayor's expressed concerns that safety must be a paramount goal of the Warehouse project ([video of the Costco DEIR community meeting at 1:36:14](#)).

If San Jose intends to approve the project, to best serve the interests of West Valley residents, students, visitors, and consumers, we believe that the city should make the following conditions of approval of the Warehouse project:

- Conduct new traffic pedestrian safety studies during hours when Prospect High School is in session, particularly when it lets out at 1:40pm M and 4pm T–F. Current studies ignored these crucial times which means safety issues from hundreds of students crossing the Lawrence Expwy / Prospect Rd intersection are not included in the Warehouse plan.
- Conduct new traffic analysis examining cut-through traffic in the Country Lane, Mitty, and English Estates neighborhoods taking into account the expected gridlock on Saratoga Ave, Prospect Rd, and Lawrence Expy that will force traffic onto local streets.
- Limit the site from ever having a Costco gas station. Per Costco's own studies, a gas station would increase vehicle traffic by an additional 50%, to a total of 16,500 daily trips for this Warehouse. That would bring the West Valley and particularly the intersection of Lawrence Expy and Prospect Rd to a standstill, cause frustrated drivers, pedestrians, and cyclists to take unsafe maneuvers, and would further go against the San Jose vision of an Urban Village in this area.
- Limit the Costco from ever running a home delivery service. A delivery service was removed from the operating plan early in the EIR cycle. For safety in and around the Westgate West and West Valley area delivery drivers should be prohibited. Delivery drivers are usually not trained drivers, are constantly under extreme time pressure, all of which could bring additional aggressive driving through the Warehouse site as well as adjoining neighborhoods like Country Lane.
- Permanently close all access from Graves Ave to the site per the city's own recommendation of 12/17/21 [see attachment Attachment_A_-_Costco_EIR_Comment_Letter_012924.pdf] and per Costco's own "Alternative B" embodied the DEIR. Closing all Graves access will ensure safety for Country Lane Elementary school students by limiting cut-through traffic in the Country Lane

Neighborhood. It will eliminate blight from customers leaving shopping carts on the street. It will ensure adequate parking for users of the Saratoga Creek Park and Saratoga Creek Dog Park.

- Require adherence to noise limits during construction. Multiple residences are less than 100 feet from the proposed Warehouse site and 21 months of noise exceeding San Jose and Saratoga limits will adversely affect their quiet enjoyment of their homes. Further, the noise limits during construction exceed the standards for both San Jose and Saratoga (which is less than 1,000 feet away) for both amount of noise and expected sound level. [See the Noise and Vibration section later in this document]
- Require adherence to noise limits during operations. Multiple residences are less than 100 feet from the proposed Warehouse site and operational noise, even with proposed directional noise mitigations, will adversely affect their quiet enjoyment of their homes. Further, noise limits in the DEIR are just barely below acceptable levels, which leads to concern the daily noise levels will cause annoyance with the expected constant operation of the store with no noise barrier between it and residences.
- Enforce parking stall ratios for the Costco Warehouse and other Westgate West businesses as were in effect when those projects were approved. The current parking stall inventory is inadequate for the square footage of the Costco Warehouse plus other existing Westgate West businesses. Costco is attempting to double-count parking stalls when those stalls will be used by other Westgate West businesses, leading to dangerous parking lot conditions, gridlock, and pollution.

Lastly, though not explicitly stated in the DEIR, we are concerned that the zoning and land use designations of the proposed Warehouse site do not support Retail Warehouse development as a permitted use:

- The proposed site is zoned General Commercial ([search here](#))
- The Envision San Jose 2040 General Plan designates the site as Neighborhood Community Commercial (NCC) ([search here](#))
- Per [SJ Muni code 20.40.100](#), NCC does not support Retail Warehouse as a permitted use. [Section 20.50.100](#) does list Retail Warehouse as a permitted use within an Industrial Zone Combined Industrial/Commercial (CIC) zone
- SJ's website says about new development "New development and land uses must conform to the Land Use/Transportation Diagram and the Land Use goals and policies in the [Envision San José 2040 General Plan](#)" and "[If the zoning district and land use designation differ, the land use designation trumps the zoning district](#)"
- The Envision San Jose General Plan 2040 land use should take priority here, which means the site is NCC. Since NCC does not list Retail Warehouse as an allowed use, then the use is not permitted.

All other Costco Warehouses in San Jose are built in areas zoned Commercial, Industrial, or a mix of the two where Retail Warehouse is a permitted use. None are NCC.

Save West Valley and all our West Valley neighbors and businesses look for strong advocacy from our representatives on the planning commission and the city council, particularly so for our underserved residents. We believe our underserved residents and the West Valley would be safer, and would be better served, by a project that advances the Urban Village vision of San Jose, rather than one that winds San Jose's visions backward, most likely permanently.

Our Specific DEIR Concerns

We note the following concerns with the DEIR :

Aesthetics & Visual Resources

- The rooftop parking level design needs to eliminate any impact of the following:
 - Rooftop lighting glare on the neighborhood and violation of San Jose's light pollution guidelines.
 - Glare from car headlights on neighboring residences.
 - Privacy of neighboring residences in the Country Lane neighborhood.
- Parking for the Warehouse should be required to be underground to completely avoid these and other significant impacts of rooftop parking,
- All outdoor operations for the Warehouse, including, but not limited to, the storage of shopping carts, shelving, pallets, forklifts, scissor lifts, garbage dumpsters, unloaded or loaded tractor trailers, storage sheds, etc. should be completely enclosed and not visible or audible to neighbors and surrounding businesses to avoid disruptive noise and avoid visual blight.

Air Quality

- Any detrimental effects on sensitive receptors needs to be completely mitigated. The Villa Fontana Retirement Community and Prospect High School, both located just across Lawrence Expressway from the site, and Country Lane Elementary School nearby are all sensitive receptor populations and are all less than ¼ mile from the site. The potential effect of air quality changes due to site-generated emissions (including during demolition, construction, and on-going operations), as well as auto and truck exhaust from increased traffic density, need to be measured and mitigated.

- Aerosolization of contaminants from existing buildings such as the Midas / Firestone auto shop and the closed dry cleaner need to encapsulate or contain soil and waste during demolition to eliminate potential harmful effects of any contaminants during excavation and construction.

Biological Resources

- A comprehensive wildlife survey for the green area adjacent to the site and the neighboring Saratoga Creek Park should be undertaken to remove detrimental effects on local wildlife.
- Any detrimental effects to local bat colonies that live in the trees along Graves Ave need to be eliminated in addition to studying whether the bats are rare or endangered.
- The impact of the Warehouse on the Saratoga Park Dog Park also needs to be evaluated and any issues mitigated.

Energy

- Ensure the increased energy usage of the Warehouse does not make the adjacent neighborhood and businesses more susceptible to power outages.
- To adhere to the San Jose city Climate Smart plan of carbon neutrality by 2030, solar energy generating technology and energy storage should be required for the Warehouse.

In fact, the city was approached by the San Jose Clean Energy Advisory Commission in November of 2022 noting Climate Smart will be a difficult goal to attain and that it would be a missed opportunity if Costco installed solar and energy storage to advance Climate Smart. However as we understand it, the city declined to even ask the client Costco about the possibility of installing solar and energy storage.

While Costco has said in the 2/5/2024 DEIR Community Meeting that they “intend to purchase “clean energy” from PG&E” that does not, in aggregate, change the overall energy carbon production by PG&E. In fact, it appears that PG&E is no longer enrolling customers in the Solar Choice program and that the program itself is on indefinite hiatus. There also appears to be no language in the DEIR or in the project description that would ensure compliance with Costco advancing the goals of Climate Smart or using cleaner energy at all.

Instead, the Costco Warehouse project could far more advance Climate Smart with solar and/or energy storage on site. The city should take the opportunity to have Costco cover the voluminous surface parking they plan to build with solar panels and install on site energy storage to shift energy load away from peak usage times.

Greenhouse Gas Emissions

- The Appendix I Transportation Analysis pages 13 and 41 say the Warehouse will generate over 11,000 daily car trips. Though CEQA only calls for VMT analysis for traffic, the level D and E LOS data and the Transportation Analysis stating inadequate road capacity and turn pocket capacity all over the site and at surrounding intersections mean there will be cars sitting and idling far in excess of levels seen today. The clouds of emissions and pollutants need to be evaluated for their effects on sensitive receptor populations.
- The city should apply the prohibition of natural gas for new construction as of August 2021 to the Warehouse to mitigate the outsized effect of natural gas on greenhouse gas production.

Hazards and Hazardous Materials

- The effects of herbicide and pesticide soil residues from former farming use need to be evaluated for the hazardous effects aerosolization will have on the surrounding neighborhoods.
- The effects of hazardous chemical residues from the former Midas Muffler shop site slated to be demolished requires evaluation for hazardous waste on site and in the soil.
- The former dry cleaners site slated to be demolished, whose occupant was previously cited for improper hazardous waste disposal, requires evaluation for chemical waste on site or in the soil.
- The former Orchard Supply Hardware and auto repair store site slated to be demolished should require evaluation for possible chemical waste on site or in the soil.
- The age of the existing buildings slated to be demolished requires evaluation for asbestos, lead based paint, and other possible contaminants.

Hydrology and Water Quality

- Due to possible contamination from brake dust and other chemical waste, wastewater from the tire store, as well as other Warehouse operations, should not flow to the bay.

Noise and Vibration

- The DEIR does not adequately mitigate noise and vibration impact. It is not consistent with San Jose's nor Saratoga's noise ordinances. Saratoga is located just across the street from the proposed Warehouse site so its ordinances must be taken into consideration.

- Demolition and construction hours are inconsistent with San Jose's noise ordinances. San Jose allows construction from 7am – 7pm M–F when within 500 feet of residences. The Warehouse project is less than 60 feet from residences at some points. The DEIR and statements at the Feb 5th Community Meeting state construction will be 7am – 7pm M–Sa which is outside the allowable limits. The project must adhere at least to San Jose's limits.

Demolition and construction should also only take place during Saratoga's more restrictive allowable noise hours: 7:30am – 6pm M–F and 9am – 5pm Sa. This is in contrast to the DEIR and statements at the Feb 5th Community Meeting where construction was said to be from 7am – 7pm M–Sa.

In aggregate, allowable construction times must be at most 7:30am – 6pm, M–F.

- Given the DEIR states the project will take 21 months, the amount of noise will have a significant detrimental effect on the large number of neighboring houses in Country Lane neighborhood directly to the north of the site as well as businesses in Westgate West and the West Valley Professional medical center adjacent to the site to the east of the site.
- Noise levels during demolition, construction, and excavation must be continually measured and should not exceed applicable limits.
- The 10/29/21 Operations Plan and Project Narrative submitted to San Jose calls for receiving between 2am – 1pm every day which is a significant impact and an ongoing, unreasonable annoyance directly adjacent to a residential neighborhood. Business hours should be limited to 8AM – 8PM, including all receiving, deliveries, and pickup involving the warehouse.
- In addition to the noise impacts noted above, the DEIR needs to evaluate the cumulative impacts of noise generated by the Warehouse's ongoing outdoor operations, including, but not limited to, the use of forklifts, scissor lifts, trash compactors, garbage disposal and collection, etc.

Public Services

- Access and use of the Saratoga Creek Dog Park, particularly regarding parking, should not be adversely affected. To avoid traffic and congestion, customers will park on Graves Avenue and walk to and from the store, eliminating the possibility of Dog Park users having a location to park adjacent to the facility. This could be mitigated if pedestrian access is not possible between the Project and Graves Avenue and shopping carts access is limited to Graves Ave by the use of wheel locks or physical barriers such as bollards.
- Access, use, and the safety of students and staff of Country Lane Elementary School should not be adversely affected. The school is located between two arterial roads - Brenton Ave and Teresita Dr - that would be used to access the Warehouse. Completely closing access to Graves Ave would address this.

Recreation

- The Warehouse should not adversely affect use and enjoyment of the Saratoga Creek Park and the Saratoga Creek Dog Park, particularly regarding trails and bike paths to access these parks.

Transportation and Circulation

- The San Jose General Plan policies “discourage inter-neighborhood movement of people and goods on neighborhood streets. Streets are to be designed for vehicular, bicycle and pedestrian safety. Neighborhood streets should discourage both through vehicular traffic and unsafe speeds”. [General Plan Transportation Impact Policy 5-3] [\[link\]](#)
- To support the General Plan policies, ensure safety for Country Lane Elementary school students, and address issues of cut-through traffic in the Country Lane neighborhood immediately north of the proposed Warehouse, Save West Valley is in alignment with Costco for their “Alternative B” that closes off all access to Graves Ave, and is agreement with city staff comments from the Planning Division as set forth in the communication dated December 17, 2021 ([\[link\]](#) and attached) from San Jose Project Manager, Alec Atienza, to Erik Schoennauer and Urban Planning Partners that

“... supports the closure of vehicular ingress/egress from the site to Graves Avenue (except for emergency vehicles). All vehicular and truck ingress/egress should occur from Prospect Road or Lawrence Expressway.”

This is embodied in the DEIR as “Alternative B” where all access from Graves Ave is closed off

We believe this issue can be further mitigated by construction of a wall that extends between the West Valley Professional Center and the Warehouse site, eliminating all access from Graves Avenue to the Warehouse.

- The intersection of Lawrence Expressway and Prospect Road is insufficiently designed to safely support vehicle and pedestrian traffic when the forecast 11,000 daily car trip are added by the proposed Warehouse. The aggregate increase in traffic from new traffic from the Warehouse, plus new traffic from the housing element projects across Prospect Road from the Warehouse and documented in Saratoga’s RHNA plan, plus existing traffic from Prospect High School, plus new traffic from the proposed El Paseo mixed use project ¼ mile away along Prospect Road, all exacerbate the situation to unsafe and unacceptable levels at an already unsafe intersection
- The city must prioritize the safety of students walking through and adjacent to the site to and from Prospect High and Country Lane Elementary school.

- The city must perform traffic and pedestrian safety studies during normal Prospect High School hours when students let out Mondays at 1:40 pm and T – F at 4:00 pm. Existing studies as documented in the DEIR were done completely ignoring these crucial times.
- Traffic studies need to be undertaken on normal weekdays, evaluated at pre-COVID conditions, while Prospect High and Country Lane Elementary schools are in session.
- The DEIR, and comments from EIR preparer Kimley Horn at the Feb 5 DEIR Community Meeting note that no traffic studies were conducted in the County Lane, English Estates, Mitty, or Moreland West neighborhoods to simulate and evaluate cut-through traffic and consequent safety issues. San Jose must commission studies to ensure safe neighborhoods where students from Prospect High School and Country Lane Elementary school walk and bike every school day.
- We are in alignment with the staff comments from the City of San Jose Planning Division as set forth in the communication dated December 17, 2021 [see attachment Attachment_A_-_Costco_EIR_Comment_Letter_012924] requiring redesign of the Warehouse to adhere to city guidelines regarding pedestrian and bicycle traffic, etc. The San Jose General Plan policies and Citywide Design Guidelines support the use of paseos and encourage a safe, direct and well-maintained bicycle network that links residences with employment centers, schools, parks, and transit facilities. Bicycle lanes are considered appropriate on arterials and major collectors. Bicycle safety is to be considered in any improvement to the roadway system undertaken for traffic operations purposes per applicable General Plan Transportation Policies.

Utilities and Service Systems

- The site must be held to the same water reduction requirements as the whole of San Jose to mitigate the effects of the drought. This means initially holding the site to a base allocation of a 15% reduction from the 2019 baseline measure.

Alternatives

- Save West Valley recommends a No Project alternative. This Warehouse is an oversized Warehouse shoehorned into an undersized and under provisioned site when compared to other infill development Costco's. It will create unsafe pedestrian patterns for students and residents alike. It creates inequality for our underserved population. It is an inappropriately sized business for the proposed location.

Cumulative Impacts

- In violation of CEQA, it appears this DEIR is piecemealing the impact of the project. The DEIR must include the cumulative impacts of current and planned future projects in the City of San Jose and in the neighboring jurisdictions of the City of Saratoga, the City of Campbell, and the city of Cupertino; including, but not limited to:

- 1312 El Paseo & 1777 Saratoga Avenue Mixed Use Project that was recently significantly revised
- San Jose's Housing Element projects along Saratoga Ave all the way to Interstate 280
- Westgate Church across from the proposed Warehouse site plans for a mixed-use building on Saratoga Ave
- A high density housing development at Saratoga Ave and Doyle Rd
- Saratoga's Housing Element projects on Prospect Road across from the proposed Warehouse site, which should be known to San Jose as the same consultant is working on Saratoga's General Plan as well as the proposed Costco Warehouse
- Saratoga's Housing Element projects on Saratoga Rd by Cox Ave and Highway 85 per their housing element roadmap
- Projects along the Saratoga Avenue and Lawrence Expressway corridors and Prospect Road
- Any aggregate plans for the Paseo de Saratoga Urban Village

Factors such as aggregate traffic, noise, and pollution must be modeled.



- Allowing the Warehouse to be evaluated separately from the above projects allows for the impacts of each project to be minimized and potentially mitigated in isolation thereby circumventing the requirement of evaluating the cumulative impacts. Approval of this Warehouse in isolation will result in significant irreversible environmental changes and is an area of known controversy.
- The Warehouse must be limited to the footprint as defined or any proposed expansions be added as part of the proposal. Any approval of the Warehouse needs to be provisioned on not expanding the Warehouse site now or in the future, including, but not limited to, the addition of traffic-generating businesses expansions such as a Costco gas station.

Other Concerns

- The Warehouse as proposed does not conform to the Envision San Jose 2040 General Plan. In fact it is directly contradictory to the goals of that plan for a pedestrian and bicycle friendly, transit-oriented, mixed use Urban Village. A Costco Warehouse is none of those things. It encourages vehicular customer traffic, discourages bicycle traffic due to the bulk nature of the products it sells, and does not have any practical transit alternative with the nearest bus stations over 500 feet away from the store, and then for bus lines that run very infrequently.
- The Warehouse as proposed is an exclusive members-only club store and works against San Jose's goals to be inclusionary.
- If this Warehouse is approved as proposed, San Jose's hope of an Urban Village in the area will never come to pass.

Overall, this DEIR lacks sufficient specificity in too many areas to be considered complete. The impacts and feasibility of the plan cannot be effectively and comprehensively evaluated with so much missing, incomplete, or consisting of out of date information. This results in an understated amount of environmental impact. The only feasible solution is for San Jose to create a revised and updated EIR that includes updated information. The revised EIR needs to be circulated for public comment and feedback.

Thank you for your consideration of our comments and for your advocacy for projects that make for a well-planned, equitable, and climate-positive San Jose. We believe that this project is not such a proposal.

We look forward to your response.

The Members of Save West Valley

The Members of Save West Valley

Email:



Website: savewestvalley.org

CC: District 1 Council Member and Vice Mayor Rosemary Kamei: rosemary.kamei@sanjoseca.gov

1 The Country Lane Neighborhood Association (CLNA) submitted their NOP DEIR response on February 11, 2022. Since that time, the CLNA has allied with the Save West Valley organization. For the purposes of this response, consider that the CLNA's concerns are represented here.

2 Online petition: <https://www.change.org/p/save-west-valley-stop-costco-from-destroying-our-neighborhood>

Circulated paper petition: <https://drive.google.com/file/d/1reexVZa0Vy23yowkLqCIIRi-9qYpdNF1/view>

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Comment Letter 366

Feedback for Westgate West Costco DEIR, File no. CP21-022

Vipool Prajapati <[REDACTED]>

Tue 2/20/2024 4:36 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

The warehouse will create a traffic hazard for high school students for Prospect High across the street and for primary school students for EDS. There are no meaningful measures in the latest plan for traffic safety.

There are already 3-4 Costco warehouses within 15 min driving . We have local shops like Trader Joe's that are sufficient for our immediate needs. There is no need for another warehouse in the area.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Vipool Prajapati
Happy Valley Avenue, San Jose

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Comment Letter 367

YES to Costco Westgate

Celia Chiang <[REDACTED]>

Tue 2/20/2024 11:59 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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The results of several polls conducted in recent months in Nextdoor showed ~60% in favor of Costco Westgate.

I'm a 35 year resident living nearby so I know the gross exaggeration and inaccurate information from the opposition; which they said have been provided to your commission.

I trust you will approve this project for public good, i.e. tax revenue, job creation, help families to save grocery bills, and ease traffic leading to the Costco Sunnyvale which is way over capacity to the point I shop there less often for quite some time now. I rather have my sales tax go to my city - not Sunnyvale.

Please note there are tenants who chose to live at the luxury Prado apartment right across from Costco Sunnyvale and they pay up to \$5.600/month rent; I haven't read about any complaints.

Thank you.

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Comment Letter 368

Feedback for Westgate West Costco DEIR, File no. CP21-022

Divya [REDACTED]

Tue 2/20/2024 6:17 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Dear Ms Hawkins, Mayor Mahan, City Council Members and Planning Commission Chair

I am writing to provide my feedback about the proposed Costco project in Westgate.

I stand firmly against this project.

I am very concerned about:

1. the adverse implications on the safety of children who will be attending nearby schools, including mine
2. the adverse implications due to increased day to day traffic of shoppers and corporate heavy duty vehicles
3. The adverse impact on local San Jose businesses that we love that have already been impacted like the Smart and Final, Goodwill and more.

As a resident of the neighborhood, I will find much greater value in using the premises for supporting local businesses that support the diverse needs of our community. We already have Costcos available within 10 mins of driving distance and don't agree that building a Costco at Westgate is the best use of high value and scarce land resources.

Thank you for the opportunity to provide feedback and for your consideration.

3/12/24, 12:02 PM

Mail - Hawkins, Kara - Outlook

Divya Sharma
Easterbrook neighborhood
San Jose

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Comment Letter 369

Feedback on proposed Westgate West Costco project

Ilene Gehrke [REDACTED]

Tue 2/20/2024 5:02 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

I am a resident of the West San Jose “Happy Valley” neighborhood and live only blocks away from the proposed site for the Westgate West Costco project. I have reviewed the Kimley-Horn Draft Environmental Impact Report (DEIR) and have many, deep concerns. I appreciate the opportunity to share some of my concerns with you.

According to the DEIR, a Costco store at the intersection of Lawrence Expressway and Prospect Road would increase the number of car trips per day in this area by 11,000, an increase of 18 times today’s traffic. That is a staggering number. Even more staggering is what 11,000 more car trips per day portends in terms of impact on the surrounding community.

More car traffic means more risk to pedestrian and cyclist safety. The major roads surrounding the proposed Costco site (Prospect Road, Saratoga Avenue, Lawrence Expressway) have already been deemed “most dangerous for bike traffic” (per the Valley Transportation Authority) or “Priority Safety Corridors” (per San Jose’s

[Vision Zero](#) plan). The safety risks to all pedestrians, cyclists and drivers who use these roads to get to school, work and do their day-to-day business would increase exponentially with the increased traffic a Costco Warehouse would bring. It is untenable.

It is also unthinkable that anyone would consider approving the Costco Warehouse project without conducting all the appropriate safety studies first. For example, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. Please provide a traffic study during peak school drop-off and pick up hours and on weekends from 9 - 5.

I am also concerned about the additional traffic that a Costco Warehouse in the area would bring to the residential streets around my neighborhood. Costco shoppers would inevitably be routed through my neighborhood to bypass traffic on the major roads. There are people of all ages walking around the neighborhood during all parts of the day, including parents walking children to and from Country Lane Elementary School. I am concerned that quiet residential streets would become throughways for Costco shoppers looking for faster, easier access to the store. Again, it is a safety issue. The Costco Warehouse proposed is not a fit for my, or any, residential neighborhood. And by no means should access to the store be available via any residential street.

In addition to increased safety risks to thousands of pedestrians and cyclists, more car traffic on the roads surrounding the proposed Costco Warehouse site means more traffic congestion. We already have a frustrating traffic congestion problem. I work five miles from my home, but it takes 30 minutes to get to and from work due to the heavy morning and evening commuter traffic (including traffic related school drop off and pick up times). In the morning, it is nearly impossible to turn left onto Doyle Road from Saratoga Avenue. Then there is the wait to get through the light to turn onto Lawrence Expressway. The excessive traffic just leads to frustration and angry drivers who make poor driving choices that put everyone else at risk. Having a Costco down the road would only exacerbate this problem for me and for all the other people on the road, at any of the intersections in the area.

Finally, I am concerned about the noise and air pollution that a Costco Warehouse would bring to this area. The DEIR states that it would significantly impact air quality and noise and vibration. These by-products of a warehouse-type store are not appropriate for a residential area. The proposed Costco Warehouse just is not a fit for this area.

I am concerned the necessary studies have not been completed for anyone to be able to make a well-informed judgment about the proposed site being appropriate for a Costco. Please do these studies and consider the feedback of the people who live here and will bear the consequences of your decisions.

Thank you for your consideration,

Ilene Gehke

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Comment Letter 370

Feedback for Westgate West Costco DEIR (File no. CP21-022)

Laura McNeil <[REDACTED]>

Tue 2/20/2024 10:26 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois,

We have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and would like to provide some feedback and concerns in regards to pedestrian safety.

While we are Costco customers, we are very concerned about the proximity of the potential Westgate West Costco to Prospect High School, with many students biking and walking to and from school and having to cross at the Prospect/Lawrence intersection. We sincerely hope research is being done and efforts are being made to address pedestrian safety in the areas around Costco and this intersection. There is a path next to Lawrence Exp connecting Graves Ave to the shopping area that has very low visibility. My kids and I frequently run, walk, and bike in that area, and if we're heading South on that path and come toward the right hand turn lane that leaves the shopping center there, most vehicles do not even stop or even look to their right to see who is coming. This is been a problem for some time and is quite dangerous, and with the additional of Costco and more traffic, I am very concerned specifically about pedestrian safety in this area.

We support more research be done and solutions be implemented. Some ideas we've heard are: a pedestrian bridge, crossing guards there, raised crosswalks, and various other measures to protect pedestrian safety. We sincerely hope all of this is being looked at and addressed before a tragedy occurs.

Thank you all for all you do. We appreciate your consideration and efforts in this matter.

Best,
Laura & Ken McNeil
Country Lane Residents

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Comment Letter 371

Feedback for Westgate West Costco DEIR, File no. CP21-022

Lavanya Shastri <[REDACTED]>

Tue 2/20/2024 9:23 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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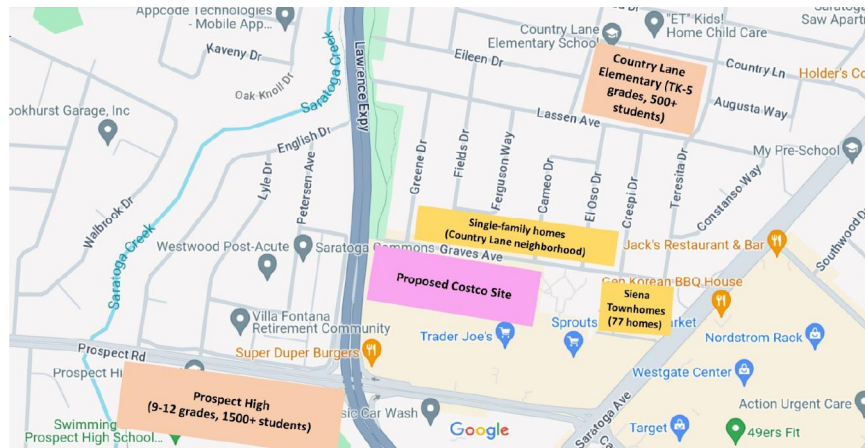
Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

1. The DEIR Omits Pedestrian and Cyclist Safety Data

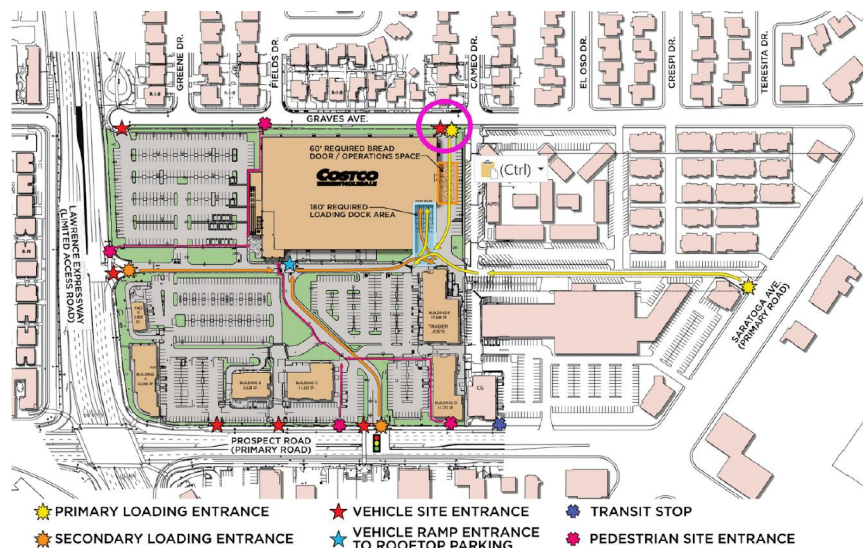
The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s

[Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colored figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities with*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable,*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as "cut throughs" to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes

on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during

non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes

for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

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air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

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4. The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square

foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as "locally and regionally accessible by multiple transport connections" on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of

42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader

Joe's, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José's decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to "sit at the table" with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Lavanya Shastri

Country Lane (95129)

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Comment Letter 372

Feedback for Westgate West Costco DEIR, File no. CP21-022

Mike Giomi [REDACTED]

Tue 2/20/2024 5:01 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

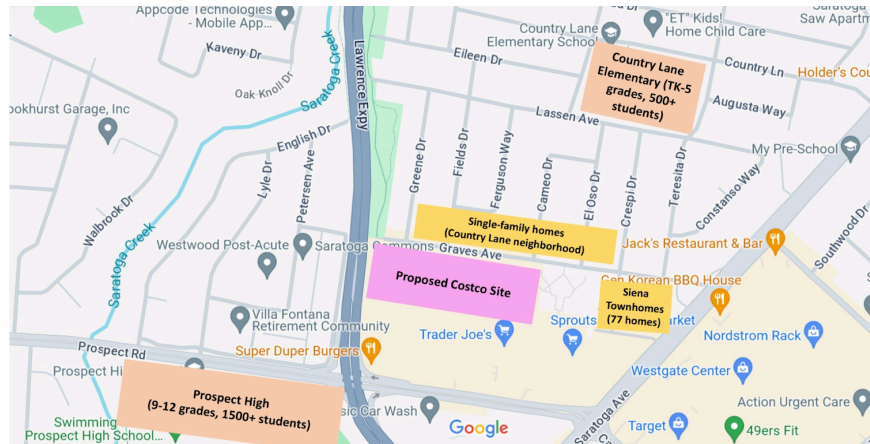
Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

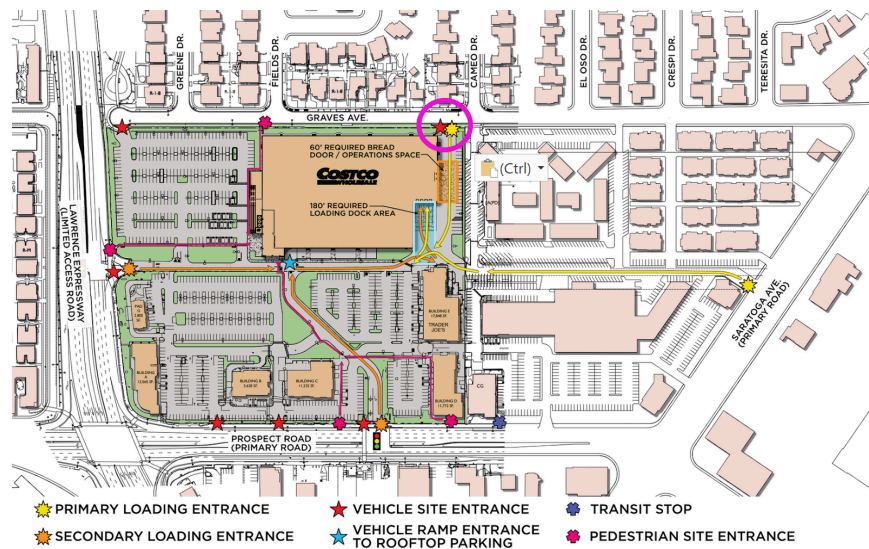
1. The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered “most dangerous for bike traffic” by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city’s [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

- *Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)*
- *Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)*

The [Envision San José 2040 General Plan](#) also includes the following:

- *Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).*
- *Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.*
- *Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.*
- *Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.*
- *Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.*

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue. Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

- Prospect High - Prospect/Lawrence, Saratoga/Prospect
- Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/El Oso, Happy Valley/Country Lane, Cordelia/Eileen
- Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla
- Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

2. The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell.

Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares

for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may

be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

3. The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would “result in substantial noise-generating activities” (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the “noise is temporary, the Project would not result in a cumulatively considerable impact” (page 246) and the noise is reasonable because it does not exceed “airport- or or airstrip-related noise levels” (page 245). At the February 5 meeting, Hall and Lopez declared noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers’ radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

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The City of San José's [Urban Villages Concept](#) describes a policy framework that "directs most of San Jose's new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities." Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to "support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities." The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco's proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City's vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the

warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

5. Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco's conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the

City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR. The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José’s decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to “sit at the table” with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Mike Giomi

[Redacted signature]

Saratoga, CA 95070

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Comment Letter 373

Feedback for Westgate West Costco DEIR, File no. CP21-022

Sharon Kenzler <[REDACTED]>

Tue 2/20/2024 5:25 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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

Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

<your comments go here> please allow the Costco warehouse to be built on this property as we have been waiting a long time for it to be approved! Yes my family and I approve for the building of Costco on this property! Thank You Sharon

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
<Your Name and neighborhood go here>

Sent from my iPhone

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Comment Letter 374

Feedback for Westgate West Costco DEIR, File no. CP21-022

Joy Tani <[REDACTED]>

Wed 2/21/2024 12:22 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

My name is Joy Tani and I live in the area.

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

Do we really need another Costco here? There are at least three within an easy drive from this location. The traffic at that intersection is already exceedingly congested and with an estimate of ~11,000 more car trips, this will become impossible to deal with. Not only will that be a risk for drivers, but it will be a serious danger to the many Prospect High School students just across the street. Do you want to wait for a serious accident to a pedestrian, bicyclist or car to demonstrate the danger? Then it will be too late. Unless a cross-over bridge or similar structure can be built, our kids and our community will be at risk.

The traffic on Prospect Rd, Saratoga Ave, and the on-ramps and off-ramps to Hwy 85 will become more congested impacting even those not going to Costco.

Also, the ~17,000 extra VMT may be a total for all drivers, but is another metric of the expected congestion.

I already avoid other retail stores locations (Target, Trader Joe's, Starbucks) due to traffic and parking congestion. I would avoid this parking lot and the surrounding intersections as they will quickly become overwhelmed. I want to support the local businesses, but not to support the "Monster Store". Small businesses need to be protected.

This is not even getting to the matter of the impact to local communities (like Graves Ave.) and how the increased traffic will increase air pollution and noise around the clock. That on top of the added residences across the street and in El Paseo will create total grid-lock. Don't wait until the problem is a

reality.

Please consider more of an Urban Village approach to revitalizing Westgate West. That would be more attractive, in keeping with the neighborhood and safer for all.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Joy Tani

[REDACTED] Saratoga, CA 95070

Sent from [Mail](#) for Windows

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Comment Letter 375

Feedback for Westgate West Costco DEIR, File no. CP21-022

Shireen Sheridan <[REDACTED]>

Wed 2/21/2024 6:34 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins

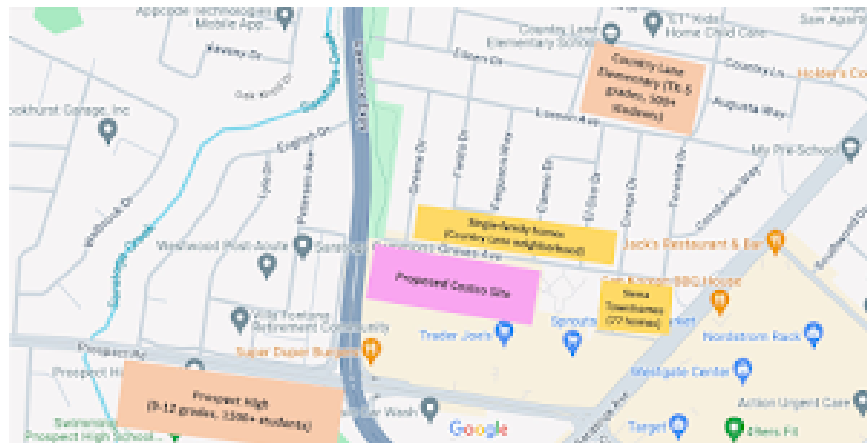
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, Vice Mayor Kamei, San José City Council members, and Planning Commission Chair Lardinois:

Thank you for the opportunity to provide feedback on the proposed Westgate West Costco project. I have reviewed the Draft Environmental Impact Report (DEIR) generated by Kimley-Horn and am writing to share my feedback, concerns, and requests.

The DEIR Omits Pedestrian and Cyclist Safety Data

The greatest concern regarding the proposed Costco Warehouse is the safety of pedestrians and cyclists if the proposal is approved. Based on San José Police Department [reports on the City of San José website](#), Saratoga Avenue (east of the Costco site) alone had 42 crashes last year. This data does not include incidents that were not reported or crashes on other heavily-utilized streets such as Prospect Road (south of the site) and Lawrence Expressway (west of the site and an 8 lane, 50mph major thoroughfare). Saratoga Avenue is considered "most dangerous for bike traffic" by the Valley Transportation Authority and both Saratoga Avenue and Lawrence Expressway are designated as a [Priority Safety Corridor](#) through the city's [Vision Zero](#) plan due to existing dangerous conditions. Prospect Road connects the two streets and the intersection of Prospect and Lawrence (see map below) is where Prospect High, a 1500+ student high school, is located. This intersection is of serious particular concern due to the expected danger to hundreds of students who walk and bike to and from school each day, and the athletes who train by running on the streets. Students must walk outside of crosswalk lines because there are too many children trying to cross the road. The many students who take public VTA buses (because there is no district-provided transportation) are forced to walk across this intersection at least twice a day in order to reach their stops.



Surprisingly, the study completed by Kimley-Horn includes **no data on pedestrian and cyclist conditions**. During a February 5 community meeting at Prospect High, two representatives from Kimley-Horn and Kittelson & Associates (Danae Hall and Amy Lopez) stated that this data was not required by the City of San José. This means the DEIR does not discuss future safety conditions including the approved [El Paseo and 1777 Saratoga Avenue Mixed-Use Village](#), which will include nearly 1,000 residential units. The public cannot meaningfully review the report when there is no mention of pedestrian or bicycle accident rates over the past decade, and how those rates would be affected by increased numbers of pedestrians and additional cars on multiple roads. The DEIR should include safety data during the most congested times for the intersections of a) Prospect Road and Lawrence Expressway, and b) Saratoga Avenue and Prospect Road. Both are Priority Safety Corridors according to the City of San José.

The Western, Southern, and Eastern sides of Westgate West are not the only serious concerns to pedestrian and cyclist safety, yet the DEIR also **omits data from areas North of the proposed Costco**. Graves Avenue is directly North of the proposed site and is frequently used as a “cut through” for vehicles who want to avoid traffic on larger streets. Cars and trucks speed down the small two lane residential street, often exceeding the 25 mph limit. There is only one crosswalk located on one end of the 2000 ft. street, near Lawrence Expressway. Many young children from the 77-unit townhomes (at Saratoga Avenue and Graves Avenue) cross this street every day in order to go to school. Figure 2.5-2 in the DEIR shows the Proposed Overall Site Plan including a truck and car accessway at Graves Avenue and Cameo Drive. A colorized figure that more clearly shows this accessway is shown below. The alternative placement for Costco in the DEIR (Figure 8.2-1) also shows the Graves Avenue accessway. The Graves Avenue accessway is to be used as a primary loading dock and a Costco shopper and vendor vehicle site entrance/exit. Graves Avenue is a small, two lane road that according to the DEIR, is expected to support large trailer trucks, vans, cars, and pedestrian and cyclist traffic. The DEIR states that 11,000+ vehicle trips a day will be generated by Costco (Appendix I - Transportation Analysis, pages 22 and 35), yet no analysis of Graves Avenue and the streets near Country Lane Elementary School were conducted by Kimley-Horn.



Due to the insufficient pedestrian and cyclist safety data in all surrounding streets, the DEIR does not include any meaningful road safety improvements. Two of Costco's project objectives state they want to increase pedestrian activity and decrease vehicular conflicts:

Objective #10: Provide safe, efficient, and accessible multi-modal transportation opportunities within the Project area to support businesses and increase pedestrian activity (page 12)

Objective #11: Minimize potential access and circulation conflicts between automobiles and pedestrians within the Westgate Shopping Center and adjacent roadways (page 12)

The [Envision San José 2040 General Plan](#) also includes the following:

Policy TR-1.1: Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).

Policy TR-1.5: Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians, bicyclists, and transit users of all ages, abilities, and preferences.

Policy TR-1.6: Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.

Policy TR-1.2: Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.

Policy TR-6.1: Minimize potential conflicts between trucks and pedestrian, bicycle, transit, and vehicle access and circulation on streets with truck travel.

The **lack of substantial mitigations** to support these objectives in the DEIR demonstrates a serious oversight and incomplete understanding of existing conditions on the 4 streets surrounding Westgate West: Saratoga Avenue, Prospect Road, Lawrence Expressway, and Graves Avenue.

Potential pedestrian and cyclist safety improvements could include: a) Widening sidewalks and islands and building new medians and Americans with Disabilities Act (ADA) compliant ramps on Lawrence Expressway, Prospect Road, and Saratoga Avenue; b) Installing yellow steel safety bollards and pedestrian lights on major thoroughfares; c) Painting green protected bike lanes; d) **Closing off the full-access point at Graves Avenue** for Costco trucks, shoppers, and vendor vehicles; e) Restricting Costco-related access from the West Valley Professional Center medical office parking lots, which are often used as “cut throughs” to reach Graves Avenue; f) Increasing the number of lighted crosswalks along Graves Avenue and throughout the Country Lane neighborhood; g) Installing speed bumps and a speed radar sign on Graves Avenue and nearby streets; h) Restrict large trucks from parking on Graves Avenue, obstructing the view of pedestrians and cyclists; and i) Reducing the speed limit to 15 mph by Country Lane Elementary, a TK-5 school that serves over 500 of the youngest public school students, who often walk unaccompanied to and from school.

Over 3,650 students attend 4 public schools all within ½ mile of the proposed Costco site: Prospect High, Country Lane Elementary, Easterbrook Discovery, and Moreland Middle. Therefore, longitudinal data should include morning commute and school drop-off hours, student lunch hours, afternoon school dismissal hours, and evening commute hours. Data should also be collected and shared for the intersections most utilized by students at the four schools:

Prospect High - Prospect/Lawrence, Saratoga/Prospect

Country Lane Elementary - Country Lane/Teresita, Country Lane/Brenton, Lassen/Teresita, Lassen/Brenton, Lassen/Crespi, Lassen/EI Oso, Happy Valley/Country Lane, Cordelia/Eileen

Easterbrook Discovery - Doyle/Teresita, Doyle/Priscilla

Moreland Middle - Fallbrook/Campbell, Sagemont/Hamilton, Saratoga/Graves

Westgate West is immediately surrounded on 4 sides by streets that are already unsafe for pedestrians, runners, and cyclists. Constructing a Costco warehouse here without longitudinal pedestrian and cyclist data and substantial road improvements and mitigations would be irresponsible and conflict with Vision Zero and Better Bike Plan 2025 goals. Children, seniors, and residents should be able to attend school and use neighborhood streets without fear of being struck by a vehicle. Even one injury or fatality is too many, and no business or revenue is worth the jeopardy to human health and life.

The Traffic Conditions Study in the DEIR is Inadequate

Westgate West is a part of West Valley, which includes communities at the intersection of three cities: San José, Saratoga, and Campbell. Therefore three of the streets that border Westgate West (Saratoga Avenue, Prospect Road, and Lawrence Expressway) are major thoroughfares for commuters living and working in different cities. The DEIR states that 11,000+ vehicle trips per day will be generated by Costco (Appendix I - Transportation Analysis, pp. 22 and 35). There is no room for expansion on Prospect Road and Saratoga Avenue (both 4 lanes) as many houses, schools, and businesses already line the roads. In Fall 2023, the City of San José spent a considerable amount of money on the [Saratoga Avenue](#)

[Traffic Safety Improvement Project](#), which reconfigured traffic lanes on Saratoga Avenue from 6 to 4 lanes in an attempt to calm traffic. The Costco DEIR was completed before the lane reconfiguration and the DEIR does not include the impact of the reduced lanes on the increased traffic due to the warehouse. The DEIR and Non-CEQA Local Transportation Analysis (LTA) from Kimley-Horn **do not include cumulative conditions** from this improvement project. There is no complete analysis for El Paseo de Saratoga, a 10-12 story high-rise project at the corner of Saratoga Avenue and Prospect Road because the project is still undergoing refinement. Also, San José's full development plans for the Paseo de Saratoga Urban Village are not included in the DEIR because they are not complete. Hall and Lopez from Kimley-Horn stated they were not required to study the cumulative impact of these developments. Without complete information about current and future plans, the studies and predictions in the DEIR are not valuable to the public, who cannot accurately review the impacts of surrounding projects in this corridor. Due to the lack of data, few mentions of road improvements and mitigations are supplied in the DEIR. Even when concerns are noted (such as the adverse queuing impact on left turns from Lawrence Expressway to Prospect Road), there are no proposed improvements. There are also no solutions for the one-lane left turn from Prospect Road to Saratoga Avenue, which is already heavily gridlocked.

In addition to a lack of data, the **methodology for assessing traffic conditions is lacking**. The DEIR states, "Existing traffic operations data were collected for two 2-hour peak periods: 7:00 - 9:00 AM and 4:00 - 6:00 PM" (page 209), which indicates Kimley-Horn representatives were only present for 4 hours total and conducted their entire study around this 4 hour span of time. Even though the proposed Costco site is located near two public schools, no data was collected during lunch hours, when Prospect High students go off-campus, or peak after school hours (2:00 - 4:00PM). While the tables in the DEIR may give the impression that there are "less than significant" traffic impacts, 4 hours of data divided across multiple Westgate locations only provide snapshots in time and not complete assessments of traffic patterns. The snapshot data should be triangulated with City, police incident, and 911 call data to determine if the snapshots are representative of actual traffic conditions. Responsible study investigators understand the importance of adequate data collection in order for their results to be valid and reliable. When data is not collected with fidelity, the study is considered to be flawed and the findings should be rejected.

The substantial increase in vehicle trips a day generated by Costco in this area would pose a major disruption to the lives of residents by creating constant traffic congestion, even during non-commute hours. This means simple errands may take considerable time and residents with special needs may be less able to travel. Gridlock will also cause great difficulty for the parents and children of many nearby schools, including Prospect High, Country Lane Elementary, Archbishop Mitty High, Latimer Elementary, Baker Elementary, Moreland Middle, Christa McAuliffe Elementary, Lynbrook High, The Harker School Upper and Lower Campus, and countless daycares and preschools. There are at least 4 public school districts represented by the schools above and daily congestion would cause hardship to the 10,000+ West Valley students who are simply trying to attend school or take part in school athletics and activities. Notably, emergency response vehicles will be delayed in reaching their destinations, which may be the difference between life and death for victims. The well-being of students, their families, and all inhabitants of the area deserve to be prioritized over a Costco Warehouse that is a membership-only, for-profit business.

The DEIR Improperly Describes and Mitigates Pollution that Impacts Communities of Color

The DEIR states the construction of a Costco Warehouse would "result in substantial noise-generating activities" (page 180) for 21 months (almost 2 years) and the origin of the noises would occur within 500 feet of residential housing. San Jose Municipal Code 20.100.450 allows construction from 7:00AM - 7:00PM Monday through Friday, but the Costco construction plan violates this ordinance by including Saturday work. Additionally, the DEIR notes night hours begin at 10:00PM and Kimley-Horn slides from February 5 show some construction takes place over 24 hours. The DEIR also states that because the "noise is temporary, the Project would not result in a cumulatively considerable impact" (page 246) and the noise is reasonable because it does not exceed "airport- or or airstrip-related noise levels" (page 245). At the February 5 meeting, Hall and Lopez declared

noise levels inside homes would be moderate (around 60db), typical to the level of conversations. Most individuals cannot tolerate over 12 hours of conversation noise in their homes, 6 days a week, for almost 2 years. Babies, young children, seniors, and those with special needs would be negatively affected every day. The study proposes some mitigations such as preventing pile driving and controlling noise from workers' radios (page 180) and defers others until the project has been approved. The **absence of a complete, detailed set of noise and vibration mitigations** in the DEIR does not allow the public to ascertain whether they are able to remain in their homes for 2 years. Daily operations after construction would also create incessant noise, especially from the tire center (air impact guns), cars (doors slamming, radios playing), delivery trucks (air brakes, idling), forklifts (constant beeping while in motion), and mechanical equipment (HVAC equipment, transformers, trash compactors). Much of the noise generated by daily operations, which can be broadcast into surrounding homes, schools and the nearby senior retirement community, occurs throughout the day and night and some (e.g. HVAC equipment) are continuous, even when the Costco is not open for business.

The DEIR inadequately studied hazardous materials, including the impact of soil vaporization on and near the proposed Costco site. Human-harming chemicals will be released during construction due to the unearthing of heavy metals and polycyclic aromatic hydrocarbons left from defunct businesses such as Midas, Firestone, and a dry cleaner. It is well known that auto repair shops and [dry cleaners contaminate the soil, air, and water](#) and [auto repair shops are the largest generators of hazardous waste](#). A Costco tire center would further contaminate the soil with chemicals such as trichloroethylene and perchloroethylene. Removing the tire center from the proposed project could help reduce the adverse effects of soil pollution on human and ecosystem health. The DEIR does not describe plans or processes for bioremediation, oxidation, or stabilization of the contaminated land during construction. Page 46 mentions that soil will be watered twice a day to reduce dust emissions, but no details are provided for the effects of this act on chemical-laden soil. The DEIR also **does not provide details about the effects of soil vapor intrusion** on human health through inhalation of contaminated air in the proposed warehouse, outdoor air, and nearby homes. Because construction activities could expose humans to the maximum estimated cancer risk due to toxic air (page 51), mitigations that apply to equipment less than 50 horsepower should be proposed and detailed. The impact of emissions from construction exhaust, volatile organic compounds (VOCs), and particulate matter on children's health also needs to be included in the DEIR given the project's proximity to two public schools. The COVID pandemic demonstrated the importance of clean air on human health and the increased number of vehicles and ensuing gridlock from inadequate infrastructure will result in an increase in emissions and reduce air quality. The State of California, the Environmental Protection Agency, and the International Agency for Research on Cancer (IARC) all recognize [car fumes as a carcinogen](#). It is the responsibility of the City to understand how carcinogens in the land, air, and water may impact the community and ensure a **comprehensive public health plan is available** before the project can move forward.

The Westgate-adjacent community is **ethnically, linguistically, and socioeconomically diverse**. According to California Department of Education [data](#), 77% of students at Prospect High are students of color, 40% identify as Hispanic or Latino/e/x, 40+ languages are spoken at the school, and 45% of the student body are considered economically disadvantaged and qualify for free and reduced-price lunch. The ethnic diversity index of the school is 61 out of a high of 76. Near Westgate West, there is a group of 77 townhomes located 500 feet from the proposed Costco site that houses primarily middle class immigrants of color and many young children under 10 years old who attend Country Lane Elementary (76% students of color). The health of these babies, toddlers, and children would be at risk for two years if they played outside their homes and parents would need to upgrade ventilation and filtration systems for their households. If the Costco warehouse is built, the vast majority of Westgate families are not privileged enough to relocate to other communities in order to provide a safer environment for themselves and their children. While toxins and emissions are unavoidable in our modern society, it is unethical to place such a heavy burden on Westgate West-adjacent students and immigrant communities of color by overloading them with potentially permanent, life-altering consequences.

The Project is in Conflict with City of San José Urban Village Plan

The City of San José's [Urban Villages Concept](#) describes a policy framework that “directs most of San Jose’s new job and housing growth to occur within walkable and bike friendly Urban Villages that have good access to transit and other existing infrastructure and facilities.” Saratoga Avenue and Paseo de Saratoga is a designated Urban Village located in Horizon #3 according to the [Planned Growth Areas Map](#) and [Growth Areas and Urban Village Horizon Map](#). The FAQs on the website indicate that these villages are specifically selected to “support and encourage increased transit use, protect open spaces and hillsides, reduce greenhouse gasses, and build more healthy communities.” The proposed Costco Warehouse site utilizes Saratoga Avenue as a primary loading entrance and main road. The intersection of Saratoga Avenue and Prospect Road is also in Horizon #3 and would be impacted by increased vehicle traffic generated by the warehouse. Costco’s proposal to put an oversized (165,148 square foot) warehouse on an undersized lot (9.69 acres) with insufficient parking (only 687 - 692 total surface and rooftop spaces instead of the required 702 parking spaces) that generates 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) is antithetical to an Urban Village that, if approved, will forever change the Westgate and West Valley areas and ensure that the City’s vision for its Western gateway and the Paseo de Saratoga Urban Village is unlikely to be achieved.

The main reason for the failure of this Urban Village plan would be due to the car-centric nature of the Costco project. Costco Warehouses are **not pedestrian- and bicycle-friendly** due to the inherent requirements of shopping for items in bulk. Members typically drive their largest vehicle to the warehouse because the items are packaged in large quantities and some products cannot fit in smaller cars. It is a rarity for pedestrians to shop at Costco because many items cannot be physically carried home or on bicycles. The proposed Costco Warehouse will generate 11,000+ vehicle trips per day (Appendix I - Transportation Analysis, pages 22 and 35) to a site directly across from a high school, two blocks from an elementary school, and with primary site access 50 feet from the front yards of established residential neighborhoods. The volume of vehicle traffic generated by Costco only increases the chances for dangerous student/pedestrian/bicycle and vehicle interactions in the project area. In addition, the fact that the Costco proposal only provides for 10 bicycle parking spaces instead of the 47 bicycle parking spaces required by the city for the project site (Appendix I - Transportation Analysis, page 62) supports the conclusion that not even Costco believes that its customers will be bicycling to its warehouse. The proposed Costco project is also **not transit accessible**. Although Costco describes the proposed warehouse site as “locally and regionally accessible by multiple transport connections” on their project website, the only nearby bus stop is 500 feet away with buses running every half hour. The nearest rail service is miles away and there are no other viable public transit options. Costco's characterization of multiple transportation options is disingenuous, as it is unlikely that a shopper would be able to transport the type of large purchase typically made at their warehouse stores.

The proposed Costco is **not a significant job-based development**, which is a focus of the Urban Villages concept. Costco touts the creation of 250 - 300 jobs from this project; however, even using the maximum number of 300 jobs, the project would only result in a net increase of 42 jobs provided by the project site (Draft EIR, December 2023, page 39). If the minimum number of 250 jobs is used, the project would result in a net decrease of 8 jobs provided by the project site. Furthermore, the project **falls short of the stated goals** of the Urban Villages initiative, which includes the “engagement of local residents in planning the urban village” and “a mix of housing and employment to reduce traffic.” The proposal fails at both of these objectives, as evidenced by the inadequate data for public review in the DEIR and the lack of public hearings from developers and Costco representatives. The Costco project will bring no new housing and will increase vehicle traffic, making it less safe for pedestrians and cyclists. It is a project in direct conflict with the Urban Villages policy framework.

Alcohol Sales in an Area of Undue Concentration

Costco sells an estimated \$5 billion of alcohol annually, including beer, wine, and hard liquor. They are the largest alcohol distributor in the country and Costco policy allows any adult (even non-members) to access the warehouse to purchase alcohol. The California Alcoholic Beverage Control Act has limits for the number of premises for which an off-sale general license can be issued in a specific census tract. The area where the proposed Costco would be located is limited to 3, but there are already 7 in the area, which makes it an “area of undue concentration.” Since the proposed off-sale location is in an **over-concentrated census tract**, Costco’s conditional use permit application requesting the off-premises sale of alcoholic beverages would require a determination of public convenience and necessity. In order for the San José Planning Commission to issue such a determination, it would have to make certain findings, including that the site is not located within 150 feet of a residence or within 500 feet of a park. Because the Costco site is much less than 150 feet from multiple houses on Graves Avenue and is about 505 feet from Saratoga Creek Park, the Planning Commission cannot issue a Determination of Public Convenience or Necessity and is required to make a recommendation to the City Council as to whether the City Council should make a decision for the proposed use. This means the City Council would need to vote on whether the site can violate these rules out of “public convenience or necessity.” It would be extremely confusing for the City Council to determine that a Costco Warehouse provides a necessary public convenience when there are 7 other nearby stores where consumers can buy alcohol (4 of them in the same block as the proposed Costco – the BevMo alcohol superstore, Trader Joe’s, Sprouts supermarket, and the Rotten Robbie gas station). A Costco warehouse is not a necessity for alcohol purchases in this already oversaturated area.

We respectfully request the City of San José **acquire much more data around the Costco project** so **informed public review** and leadership decisions can be made. Caution should be exercised when there is so much missing about current conditions and future cumulative impacts in the DEIR.

The [Saratoga City Council recently approved a comment letter](#) and issued a [staff report](#), carefully detailing 7 ways the DEIR failed to provide adequate evaluation and information to the public. They also asked the City of San José for increased collaboration. During the February 5 community meeting at Prospect High, Vice Mayor Rosemary Kamei stated that due to the unique location of this proposed project, a lot of complex coordination is required between multiple jurisdictions such as the city of Saratoga, city of Campbell, and Santa Clara County, as well as entities including multiple schools, Costco, the developers, and existing Westgate West businesses. Perhaps these concerns can serve as indications to Mayor Mahan and City Council members that the DEIR is insufficient and the City can lead by partnering with residents and other city councils. We invite the Mayor, Planning Department, and City Council members to spend time with residents in this corridor to discover its unique assets and limitations.

There are many Costco members who are against this project because we recognize there are more appropriate sites for a large warehouse than in a congested, residential neighborhood that lacks sufficient infrastructure. The City of San José’s decision on this project will permanently impact the lives and well-being of hundreds of thousands of residents in the Westgate and West Valley area for decades to come. The City, Costco, and the developers have substantial resources and are well-versed in the practices that will get projects approved, including hiring lawyers and firms to produce documentation aligned with their goals. Students and local residents do not have the financial resources, time, expertise, or opportunity to “sit at the table” with major decision-makers. There is a considerable **imbalance of power** in this situation, and we only have our voices. Please hear the lived experiences of diverse residents in this area and honor the requests from the West Valley community. This proposal gives the City of San José a great opportunity to show strong leadership by aligning revenue and development goals with City policies and resident health and safety.

Thank you for your serious consideration and care in responding to these significant concerns.

Sincerely,

Shireen Sheridan

Sent from my iPhone

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Comment Letter 376

Feedback for Westgate West Costco DEIR, File no. CP21-022

Terence Kearney [REDACTED]

Sat 2/24/2024 10:39 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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

Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

The amount of traffic that this Costco will bring, plus with the addition on the El Paseo construction will make it all but impossible to be able to get around our streets. Plus with not widening but narrowing of Saratoga Avenue, people will not be patient in driving thru this area, which will I certain cause accidents and have unsafe conditions right across from Prospect High School. The added traffic will also cause a strain on Kosich Dr in that parents and students will use this street to access the back of Prospect High School. Additionally, students will be parking all along Kosich and the side streets to get to school and avoid traffic on Prospect Rd. This is a very quiet area with many residents walking these streets that have no sidewalks nor streetlights so during the winter months the people on foot in the neighborhood will be at risk because of the uptick in this unnecessary traffic. Please reconsider in putting a Costco in the old Orchid Supply building/area. You're effecting 3 other cities other than San Jose. Please be considerate of your city neighbors.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Terry Kearney resident of Saratoga Woods

Sent from my iPad

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Comment Letter 377

Feedback for Westgate West Costco DEIR, File no. CP21-022

kes tsang <[REDACTED]>

Sun 2/25/2024 6:49 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Dear Ms Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

The current information of the proposal is very concerning to me as it is adding a tire center and not the "light weight store" that was initially mentioned. Regardless, the proximity of such a high traffic retail outlet in the neighborhood with short walking distances to an elementary school, high school and a quiet neighborhood is extremely troubling and concerning to the safety and well being to all of us living here.

I live on Winding Way, only 10 minutes walk to the nice shopping area with very diversified selection of shops and services. It appears the landlord has been mismanaging their property that already causing several much loved stores and services to leave. This downward trends is not desirable for the neighbor that has wide variety of needs and appreciate the freedom of choice. Having a big box discounter like Costco will only further the limits and hardship on those of us.

traffic and safety has been mentioned and heavily discussed. however, look at all the other costco in the bay area and none are as close to a low commerce area and within a traditionally quiet residential area. this type of high traffic commercial installation will just destroy the neighborhood. I am sure you do not want your own neighborhood to be destroyed, or a commercial building towering over your own family friendly school area. This is what this Costco will be doing this development would be allowed. Please consider our life.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
keswick

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Comment Letter 378

Feedback for Westgate West Costco DEIR, File no. CP21-022

Lois Marella [REDACTED]

Mon 2/26/2024 9:51 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

Westgate West is a particularly bad location for a Costco. The already approved plans for the El Paseo project brings a massive amount of car traffic, safety hazards to walking Prospect High School students and air/noise pollution to the area. It is untenable that a Costco would be added to the area, further exacerbating all aforementioned problems. Costco at the Westgate West location does not make common or community sense. Because there are 3 other Costco's within a 15 minute drive from Westgate West, there is no need for another one to be built. The surrounding communities beg you to not approve it.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Lois Marella

Country Lane neighborhood

Sent from my iPhone

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Comment Letter 379

Re: Notice of Availability: Westgate West Costco Project Environmental Impact Report (CP21-022)

Mahesh M [REDACTED]

Mon 2/26/2024 8:28 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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Hi Kara,

Good day! I am not sure if it is too late to provide some additional input. If not, please include the below picture as part of the information already provided.

You will notice Costco carts quite far away for Almaden Costco location. The current plan allows access from Graves, which is bound to be become an extended parking lot with carts all over.

Once again, given the situation, our request is to close all entrances from Graves for all access - vehicular or otherwise. Allowing access would mean more challenges like speeding and additional traffic throughout the Happy Valley Area.

We greatly appreciate your support in addressing the serious concern.

Thanks,

Mahesh



Mahesh
Sent from my iPhone

On Jan 23, 2024, at 8:46 AM, Hawkins, Kara <Kara.Hawkins@sanjoseca.gov> wrote:

Hello Mahesh,

Thank you for taking the time to read through the EIR and provide your thoughts and concerns. The city will be responding to all environmental comments in a formal Responses to Comments document. This document will be prepared and posted online

after the public comment period ends, and I will notify you once it is available.

I will also add your email to the public records for this project so that it can be made available to the decision makers.

Best,

Kara Hawkins, Planner III

City of San Jose | PBCE

kara.hawkins@sanjoseca.gov

(408) 535-7852

From: Mahesh M [REDACTED]

Sent: Monday, January 22, 2024 8:00 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

Subject: Re: Notice of Availability: Westgate West Costco Project Environmental Impact Report (CP21-022)

[External Email]

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Hello Kara,

This is in response to your email pertaining to "NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT". I am also a member of Costco and welcome development.

That said, I noticed in many places the plan continues to allow a driveway and a pedestrian walkway from Graves Ave to the project site.

In other words, Graves Ave and the surrounding streets would be an extended parking lot, with shopping carts strewn all over the neighborhood, and encouraging further traffic through the neighborhood as a shortcut to dearth of parking spots.

I am very much opposed to this plan and kindly request that all access from Graves Ave be closed for good. That may be a minor inconvenience, in exchange for preserving the Happy Valley Area, but well worth it. I am available to discuss further any time.

Thanks for your time and consideration and appreciate it,

Mahesh

On Fri, Dec 15, 2023 at 9:48 AM Hawkins, Kara <Kara.Hawkins@sanjoseca.gov> wrote:

**NOTICE OF AVAILABILITY OF
A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)
AND PUBLIC COMMENT PERIOD
(SCH# 2022010135)**

A Draft Environmental Impact Report (DEIR) for the Westgate West Costco Project is now available for public review and comment. The project is a Conditional Use Permit to allow demolition of existing commercial buildings totaling approximately 188,265 square feet and the removal of 115 trees (81 ordinance-size trees and 34 non-ordinance-size trees) for the construction of an approximately 165,148-square foot wholesale retail center ("Costco"), including a tire center and associated parking and landscaping within an existing approximately 9.69-gross acre shopping center ("Westgate West Shopping Center"). The project also includes a request for the off-sale of alcohol (Type 21 ABC License – full range of alcoholic beverages) in the CG Commercial General Zoning District.

Location: The project site is located at 5287 Prospect Road within an existing shopping center on the northeast corner of Lawrence Expressway and Prospect Road. The Project site is bounded by Graves Avenue to the north, the Westgate Shopping Center to the east, Prospect Road to the south, and Lawrence Expressway to the west.

APNs: 381-36-012, 381-36-014, 381-36-018, 381-36-021, 381-36-023, 381-36-028, 381-36-029, and 381-36-030

Council District: 1

File No.: CP21-022

The proposed project will have potentially significant environmental effects with regard to air quality, biological, hazardous materials, and noise. The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed toxic sites are present at the project location. The project location is contained on a list of hazardous materials sites maintained by the State in accordance with California Public Resources Code Section 65962.5.

The Draft EIR and documents referenced in the Draft EIR are available for review online at the City of San José's "Active EIRs" website at www.sanjoseca.gov/activeeirs and are also available at the following locations:

Department of Planning, Building, and Code Enforcement
200 East Santa Clara St., 3rd Floor
San José, CA 95113
(408) 535-3555

Dr. MLK Jr. Main Library
150 E. San Fernando St.,
San José, CA 95112
(408) 277-4822

West Valley Branch Library
1243 San Tomas Aquino Rd,
San José, CA 95117
(408) 244-4747

The public review period for this Draft EIR will be 65 days, between **December 15, 2023 and February 20, 2024**. Written comments must be received at the Planning Department by 5:00 p.m. on February 20, 2024, in order to be addressed as part of the formal EIR review process.

Comments and questions should be referred to Kara Hawkins in the Department of Planning, Building and Code Enforcement at 408-535-7852, via e-mail: Kara.Hawkins@sanjoseca.gov, or by regular mail at the mailing address listed for the Department of Planning, Building, and Code Enforcement, above (send to the attention of Kara Hawkins). For the official record, please email or mail your written comment letter and reference File No. CP21-022.

Following the close of the public review period, the Director of Planning, Building, and Code Enforcement will prepare a Final Environmental Impact Report that will include responses to comments received during the review period. At least ten days prior to the public hearing on the EIR, the City's responses to comments received during the public review period will be available for review and will be sent to those who have commented in writing on the EIR during the public review period.

Best,

Kara Hawkins, Planner III
City of San Jose | PBCE
kara.hawkins@sanjoseca.gov
(408) 535-7852

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Comment Letter 380

CP21-022 EIR comments - Email from Sprouts complying with site permit that trucks should NOT use Graves ave

rameshb <[REDACTED]>

Mon 2/26/2024 11:54 AM

To: Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; alec.atienza@sanjose.gov <alec.atienza@sanjose.gov>; Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

 1 attachments (2 MB)

sprouts center permit restrictions on delivery hours and no-graves.png;

[External Email]

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Comments for Costco project CP21-022

Costco claimed they have observed Sprout trucks using graves ave entrance and was using it as a reason to keep Graves entrance open.

fyi - Email below from Sprouts translates to complying with site permit that their trucks should not use Graves ave.
See attachment for site permit for sprouts site.

In the past I already sent Trader Joe's commitment for their trucks to not use Graves ave.

Ramesh

From: Zachary Hanauer <zacharyhanauer@sprouts.com>

To: [REDACTED]

Sent: Monday, February 26, 2024 at 09:33:04 AM PST

Subject: Your Sprouts Feedback

Hi Ramesh,

Thank you for reaching out about this situation. We have contacted our Distribution Center to provide the feedback that the driver was not entering on the correct road. They have confirmed they have spoken with their drivers and will make sure they know going forward.

I expect this to be resolved but if for some reason it is not feel free to reach out directly to me or through the Customer Service portal.

Thanks,

Zach Hanauer | District Director – D57 South Bay Area

C: (623) 262-4180

5455 E. High St., Suite 111

Phoenix, Arizona 85054

P: 480-814-8016 | F: 480-814-8017



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Comment Letter 381

Feedback for Westgate West Costco DEIR, File no. CP21-022

Smita Garg <[REDACTED]>

Mon 2/26/2024 2:45 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

1. I have a student at Prospect High School and I am very disturbed to find out that the kids and their well-being was not considered in the study. With an additional 11,000 cars daily, Costco is going to worsen the traffic on an already busy intersection, making it dangerous for the kids crossing that intersection to get to school or get to the bus stand.
2. The students frequent the restaurants and eateries in the immediate vicinity of the proposed Costco, and I fear for the safety of all our students and loss of easy access to the safe spaces they hang out in.
3. I worry that the school parking lot will be used as extra parking for Costco customers. Students are at school not just during regular hours but also beyond those hours for sports, theatre and music concerts, and club activities. The Costcos I have been to, always seem to be short on parking spaces.
4. I really don't see the need for a Costco in our area when we have other Costcos just around 15-20 mins away. Why build a megastore in the middle of a quiet neighborhood making it hard for residents and students of neighborhood schools to feel safe.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,

Dr. Smita Garg, Strawberry Park neighborhood with a kid attending Prospect High School

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Comment Letter 382

Feedback for Westgate West Costco DEIR, File no. CP21-022

Diana Morgan-Hickey <[REDACTED]>

Wed 2/28/2024 7:57 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am hopeful this project can go elsewhere, for it will back up traffic in both directions on Lawrence Expressway, and just cause general local congestion.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Diana Morgan-Hickey, Mitty High School neighbourhood

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Comment Letter 383

Feedback for Westgate West Costco DEIR, File no. CP21-022

Robin Zonic <[REDACTED]>

Thu 2/29/2024 11:15 AM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

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Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am a very close resident to the proposed Costco, and live in the in the Brookview area. We are adamantly opposed to having a Costco so close to our residential area! Already during drop-off and pick-up times at Prospect High School, which sits kitty-corner from the intended site, there are hundred's of students that cross the intersections at Lawrence Exwy and Prospect Rd. and high volume of cars that seriously clog those main arterial roads. If a Costco is added, it will not only add to the wait time for vehicles through the signals at that intersections that run from Johnson through Saratoga Ave, but it will increase the air pollution of the hundreds of cars that have to wait through multiple crowded traffic signals. Additionally, many juveniles will be at serious risk of being hit by passing cars crossing at the various intersections without additional safeguards!

I am a very long time Costco customer, and have utilized their warehouses from Sacramento to Los Angeles, but I can NEVER recall a Costco being built in a residential area. My husband and I and our neighbors are very upset that the City of San Jose has been so careless about allowing a site that jeopardizes the safety of children in the nearby neighborhoods and schools and increases substantially poor air quality by

the increase of idling vehicles in the area.

My husband and I appreciate your consideration in responding to these most serious concerns.

Most sincerely,
Robin (and Don) Zonic

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Comment Letter 384

Feedback for Westgate West Costco DEIR, File no. CP21-022

mark tashima [REDACTED]

on behalf of

mark tashima [REDACTED]

Thu 3/14/2024 9:37 PM

To:Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>;Mahan, Matt <Matt.Mahan@sanjoseca.gov>;Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>;Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>;Torres, Omar <Omar.Torres@sanjoseca.gov>;Cohen, David <David.Cohen@sanjoseca.gov>;Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>;Davis, Dev <dev.davis@sanjoseca.gov>;Doan, Bien <Bien.Doan@sanjoseca.gov>;Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>;Foley, Pam <Pam.Foley@sanjoseca.gov>;Batra, Arjun <arjun.batra@sanjoseca.gov>

Cc:Planning Commission 5 <PlanningCom5@sanjoseca.gov>;District1 <district1@sanjoseca.gov>;mark tashima [REDACTED];Gmail [REDACTED]

[External Email]

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

Kara Hawkins

Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

If the drive lane for the Westgate West Costco at Saratoga Avenue (between the Sienna Townhouse wall and the back of Chipotles) will be a thoroughfare and continue West to the Lawrence Expressway, this will create serious traffic and parking concerns for the West Valley Professional Center.

Costco, bread, Sprouts, Trader Joe's and others that will use that driveline will limit the West Valley Professional Center diagonal parking on South facing side. Delivery drivers will tend to park by the diagonal parking which blocks the parking in that area.

The vehicles and shopping carts from Trader Joes, Sprouts employees and patrons that park the West Valley Professional Center is a daily problem. The proposed Westgate West Costco will make the problem worse.

All the other vehicles that cut through the Westgate West Shopping Center will need to find another way for ingress and egress. The vehicle path of least resistant maybe traveling through the West Valley Shopping Center and the West Valley Professional Center.

Having the Costco at 40 feet and expanded 50 feet to the East towards the West Valley Professional Center will have an significant impact on blocking sunlight at the West Valley Professional Center buildings 5, 10, and 12.

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
Mark Tashima
West Valley Professional Center
Sent from [Mail](#) for Windows

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Comment Letter 385

Missing feedback in the CP21-022 Westgate West Costco NOP DEIR document

Marc Pawliger [REDACTED]

Thu 3/14/2024 10:06 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

Cc: Connie Tietze [REDACTED]; Ron Tietze [REDACTED]; Craig Thomas [REDACTED];
Bhret Graydon [REDACTED]; Ramesh Gunna [REDACTED]; Ramesh B [REDACTED]; Mary Jane Reiter [REDACTED]; Kranti
Singh [REDACTED]; Shrirang Yardi [REDACTED]

[External Email]

Kara-

As part of the NOP DEIR process for the Westgate West Costco project (CP21-022) I submitted feedback on behalf of the Country Lane Neighborhood Association (CLNA) to the city of San Jose. The email contained a top level cover letter as well as four attachments:

1. Country Lane Neighborhood Association Costco Warehouse NOP DEIR Response Letter.pdf
2. 2021-10-29 CP21-022 Operations Plan.pdf
3. 2021-10-29 CP21-022 Project Narrative.pdf
4. 2021-12-17 CP21-022 Initial Planning Comment Letter.pdf

The most recent document published by the city as the collected NOP DEIR comments can be found here: <https://www.sanjoseca.gov/home/showpublisheddocument/107908/638382284073770000> That document is linked from the WESTGATE WEST COSTCO WAREHOUSE PROJECT (CP21-022) page found here: <https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/active-eirs/westgate-west-costco-warehouse-project-cp21-022> This most recent NOP DEIR comment document is a 110 page PDF file.

The CLNA comment cover letter as submitted can be found on page 25 of the NOP DEIR comment document PDF. However none of the contents of the attachments are included in the comment document PDF. This means the significant details and work of the CLNA – as well as apparently any other NOP DEIR comment that was submitted with attachments – is unavailable to anyone needing to reference or access that information and is effectively hidden from anyone needing to access it.

An archived copy of the NOP DEIR comment document PDF taken from the San Jose website on April 1, 2022 can be found here: https://drive.google.com/file/d/1POplOnnpy-MkDHqBdxRMfC_jSLzA_JAk/view That file is a 130 page PDF. On page 25 you can see the contents of the CLNA comment as part of this earlier version of the PDF.

This contents of the attachment should be included in the most recent version of the NOP DEIR collected comments document.

Please take measures to:

1. Restore the contents of any attachments to again be made part of the collected NOP DEIR comment document, including the NOP DEIR comments from the CLNA
2. Place a note prominently in the NOP DEIR collected comments document that earlier versions omitted important information that has since been restored
3. Notify city personnel who might have used the NOP DEIR comments as part of their research or decision making process for the Westgate West Costco project that missing information has been restored to the file
4. Ensure that any attachments submitted as part of the recent DEIR comment process are included in the collected DEIR comments when they are made available to the public.
5. Inform us when the restored NOP DEIR comment document is available.

This should ensure the document is again made whole, and that the forthcoming DEIR document also has all relevant information included in attachments.

Thank you,
Marc Pawliger
On behalf of the Country Lane Neighborhood Association

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Comment Letter 386

Feedback for Westgate West Costco DEIR, File no. CP21-022

TIMOTHY KELIHER [REDACTED]

Wed 4/10/2024 12:56 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>
Cc: Planning Commission 5 <PlanningCom5@sanjoseca.gov>; District1 <district1@sanjoseca.gov>

[External Email]

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

Kara Hawkins
Department of Planning, Building, and Code Enforcement

Dear Ms. Hawkins, Mayor Mahan, City Council members, and Planning Commission Chair Lardinois:

I have reviewed the Draft Environmental Impact Report for the proposed Westgate West Costco project and I am writing to provide my feedback.

I am writing today to comment on the possibility of a Costco in our area. Our streets will not be able to accommodate all the traffic that this will generate. There has already been a reduction to the lanes on Saratoga Ave, not increasing to accommodate more cars, instead putting in bike lanes.

Right now there are two Costcos within a short drive of our area, where one is right off Lawrence Expressway and one is off 85, for easy Access in and out without having to go into neighborhoods, or to disrupt the area, ie., as they would with Prospect High School and the current small businesses

Nearby,

This Costco however, is not the only change to the traffic in our area. With the addition of "The Elm" Condo community on Cox, in small Neighborhood shopping center where Gene's Supermarket was, there are many units going in which will have to go out on Cox or surrounding Neighborhoods to get out to 85 or to Lawrence Expressway. The traffic flow there is already increasing, especially during dropping off and picking up children

In addition there are more large stores going into El Paseo Shopping Center, a Whole Foods store, along with more apartments/condos To further add to the traffic

I do not think anyone who has studied the traffic patterns and the total effect on our area, would think this is a good idea. Surely there are better places to add a Costco
That will not be as disruptive

Thank you for your consideration and your care in responding to these serious concerns.

Sincerely,
<Timothy Keliher, [REDACTED] Saratoga

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Comment Letter 387

Westgate West

Michelle Morgan [REDACTED]

Tue 5/28/2024 4:09 PM

To: Hawkins, Kara <Kara.Hawkins@sanjoseca.gov>

[External Email]

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

Hello

As a long term resident of the Westgate area, I am strongly opposed to the Costco proposal. The area proposed is too small for a Costco and too close to residential. The proposed Costco would bring too much traffic, noise and congestion to an area where traffic is already a problem and would negatively impact the quality of life for the residents surrounding the site.

Thank you for your consideration.

Michelle Morgan, Los Olivos Drive

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