

# Memorandum

**TO:** RULES AND OPEN GOVERNMENT COMMITTEE      **FROM:** Katy Allen

**SUBJECT:** SEE BELOW

**DATE:** September 3, 2008

Approved

*Christine J. Shuppey*

Date

*9/5/08*

**COUNCIL DISTRICT: #6**

**SUBJECT: TRAFFIC SIGNAL MODIFICATION AT WINCHESTER BOULEVARD AND FOREST AVENUE**

## RECOMMENDATION

It is Staff's recommendation that the Traffic Signal Modification at Winchester Boulevard and Forest Avenue not be agendized for Council action.

## OUTCOME

The Rules Committee's acceptance of staff's recommendation to not forward this item to Council will result in the modification to the traffic signal at Winchester Blvd. and Forest Ave. as part of the BAREC project. Following the signal modification, if warranted, staff will respond with traffic calming measures consistent with City policy.

If this item were to be agendized, the Council could vote on an action to deny the permit necessary to construct the traffic signal modification at Winchester and Forest. Such an action would be inconsistent with the approved project EIR and contrary to the Traffic Report's Analysis for a safe and efficient intersection (see Attachment A).

## BACKGROUND

The traffic signal modification under consideration is part of a proposed residential development located in the City of Santa Clara on a 17 acre site on the west side of Winchester Boulevard, north of Stevens Creek Boulevard. This site formerly contained an agricultural research facility named the Bay Area Research and Extension Center (BAREC).

Beginning in 2004, plans for this residential project were developed and an Environmental Impact Report was prepared. As part of the EIR process, a large number of community meetings, public hearings and open governmental processes took place that allowed for public comment. The San José neighborhood immediately north of the proposed development was noticed and invited to these meetings. In June 2007, the Santa Clara City Council approved the

project. SaveBAREC, an organization opposing the residential development, led a successful petition drive to put the issue before voters. In February 2008, Santa Clara voters ratified the residential development. SaveBAREC legally challenged the EIR, citing insufficient toxics studies. In July 2008, the Santa Clara Superior Court ruled the EIR complete and in compliance with CEQA mandates.

Throughout this process, San José's involvement has been one of an interagency role with Santa Clara having jurisdictional authority over the zoning, EIR and right-of-way (driveways) on Winchester Blvd. San José has jurisdictional authority over the traffic signal and associated technical review of the design and operations.

### **ANALYSIS**

The project proposed a signalized access at Winchester Boulevard and Forest Boulevard (East). The Forest/Winchester intersection is currently signalized, with the west leg of the signal offset to the north. The project EIR analyzed this intersection and recommended that the safest design would be to create a perpendicular signalized intersection and modify the current offset intersection. The EIR also analyzed the neighborhood impacts from this signal modification, and determined that the impacts were minimal and not significant (see Attachment A for analysis and signal modification). After technical review, San Jose staff agreed with the analysis and the findings.

### **EVALUATION AND FOLLOW-UP**

The EIR for the development of the BAREC site was litigated and found to be complete. The modification of the traffic signal at Winchester Boulevard and Forest Avenue is a recommended outcome of the traffic analysis. Staff concurs with the EIR findings that, once the signal is modified, impacts to the neighborhood would be minor and, in fact, would provide a safer and more efficient flow of traffic.

The City Council could direct the Public Works Director to deny the permit under which the modifications to the traffic signal would be constructed, however, it is staff's evaluation that San José would gain little by taking such an action and may actually create an unsafe operational condition at the intersection if it were not modified with the proposed development. Staff is further satisfied that, after development and in the event that traffic patterns are not as projected in the traffic analysis, the developer is committed to support San José in the installation of traffic calming amenities.

### **PUBLIC OUTREACH/INTEREST**

As part of the EIR process, and at issue with Mr. Vartan, are San Jose's initial traffic comments on the Draft EIR. For completeness, the letter dated April 21, 2006 containing those comments is provided as Attachment B. In retrospect, staff comments could have been stated differently to better describe the intent of Public Works. However, all along Public Works' intent has been to

insure that community comments and noticing were addressed and that technical requirements to address impacts were met. Public Works is satisfied that both requirements have been met. Mr. Vartan is not in agreement. Public Works has fulfilled all Public Records Act requests submitted by Mr. Vartan and has made every effort to openly communicate the process and efforts to date.

**COORDINATION**

This memorandum has been coordinated with the City Manager's and City Attorney's Offices. Council District 6 has been apprised of staff's evaluation and recommendation.

*Katy Allen*

KATY ALLEN  
Director, Public Works Department

For questions, please contact TIMM BORDEN, DEPUTY DIRECTOR, at (408) 535-8300.

TB/KF/aa  
Attachments



Based on these criteria, the proposed development will not have a significant impact on the five CMP intersections. The Stevens Creek Boulevard/San Tomas Expressway intersection is projected to operate at LOS F during both peak hours; however, the addition of project traffic to this intersection does not satisfy criterion Number 2 above. The remaining CMP intersections are projected to operate at LOS E or better during both peak hours.

### **Freeway Impacts**

Freeway segment operations were analyzed according to VTA guidelines. Detailed level of service analysis is required for those segments to which the proposed project will add traffic equal to or greater than one percent of the segment's capacity. The study freeway segments were evaluated to determine if a significant amount of project traffic would be added during the AM and PM peak hours. A capacity of 2,300 vehicles per hour per lane (vphpl) was used in this analysis. Table 8 presents the capacities for each freeway segment, the estimated number of trips added to each segment by the project, and whether or not the freeway segment must be evaluated in greater detail.

The results presented in Table 8 show that the project is estimated to add traffic equivalent to less than one percent of each freeway segment's capacity and therefore, would not have a significant impact on any of the freeway segments.

### **Vehicular Site Access and On-Site Circulation**

This section addresses vehicular site access and the on-site circulation system. The conceptual site plan for the development is shown on Figure 2.

#### Site Access

Access to the project site will be provided via two driveways on Winchester Boulevard. One proposed driveway would provide full-access to the site via the signalized intersection Winchester Boulevard and Forest Avenue. The site driveway would form the west leg of the southern portion of this offset intersection. The second driveway would be a right turn-in, right turn-out only driveway and would be located south of the full access driveway, primarily serving the senior housing development. The number of driveways is considered sufficient to serve project-generated traffic during the peak hour.

Winchester Boulevard has an offset intersection with Forest Avenue, with the west leg located approximately 80 feet north of the east leg. The main site driveway would be located at the southern intersection across from Forest Avenue (east). There is currently a driveway cut at this location that served the agricultural research center that is no longer being used. The main site driveway would need to be incorporated into the Winchester Boulevard/Forest Avenue intersection in order to provide full access (i.e. allow both left turns and right turns) for vehicles entering and exiting the site. Providing full access to the project site would require signal and striping modifications, including the conversion of the shared northbound through/left-turn lane on Winchester Boulevard at the site driveway to an exclusive northbound left-turn lane.

This intersection is projected to operate at an acceptable level of service using the adopted method for analyzing this offset intersection as a single intersection (obtained from the City of Santa Clara and the City of San Jose TRAFFIX databases). A SYNCHRO/SimTraffic analysis, which analyzes the combined operations of adjacent intersections, was also conducted and

| Freeway Segment               | Direction & Lane Type | Peak Hour | No. of Lanes <sup>1</sup> | Capacity <sup>2</sup> | 1% of Capacity | Project Trips | Requires Analysis? |
|-------------------------------|-----------------------|-----------|---------------------------|-----------------------|----------------|---------------|--------------------|
| I-280 Winchester to Saratoga  | NB MF                 | AM        | 3                         | 6,900                 | 69             | 11            | No                 |
|                               | NB HOV                | AM        | 1                         | 1,800                 | 18             | 0             | No                 |
|                               | NB MF                 | PM        | 3                         | 6,900                 | 69             | 8             | No                 |
|                               | NB HOV                | PM        | 1                         | 1,800                 | 18             | 0             | No                 |
|                               | SB MF                 | AM        | 3                         | 6,900                 | 69             | 5             | No                 |
|                               | SB HOV                | AM        | 1                         | 1,800                 | 18             | 0             | No                 |
|                               | SB MF                 | PM        | 3                         | 6,900                 | 69             | 14            | No                 |
|                               | SB HOV                | PM        | 1                         | 1,800                 | 18             | 0             | No                 |
| I-280 Meridian to I-880       | NB MF                 | AM        | 4                         | 9,200                 | 92             | 3             | No                 |
|                               | NB HOV                | AM        | 1                         | 1,800                 | 18             | 0             | No                 |
|                               | NB MF                 | PM        | 4                         | 9,200                 | 92             | 10            | No                 |
|                               | NB HOV                | PM        | 1                         | 1,800                 | 18             | 0             | No                 |
|                               | SB MF                 | AM        | 4                         | 9,200                 | 92             | 8             | No                 |
|                               | SB HOV                | AM        | 1                         | 1,800                 | 18             | 0             | No                 |
|                               | SB MF                 | PM        | 4                         | 9,200                 | 92             | 6             | No                 |
|                               | SB HOV                | PM        | 1                         | 1,800                 | 18             | 0             | No                 |
| I-880 Bascom to The Alameda   | NB                    | AM        | 3                         | 6,900                 | 69             | 8             | No                 |
|                               | NB                    | PM        | 3                         | 6,900                 | 69             | 7             | No                 |
|                               | SB                    | AM        | 3                         | 6,900                 | 69             | 4             | No                 |
|                               | SB                    | PM        | 3                         | 6,900                 | 69             | 11            | No                 |
| I-880 Stevens Creek to Bascom | NB                    | AM        | 3                         | 6,900                 | 69             | 2             | No                 |
|                               | NB                    | PM        | 3                         | 6,900                 | 69             | 2             | No                 |
|                               | SB                    | AM        | 3                         | 6,900                 | 69             | 3             | No                 |
|                               | SB                    | PM        | 3                         | 6,900                 | 69             | 8             | No                 |
| I-880 Stevens Creek to I-280  | NB                    | AM        | 3                         | 6,900                 | 69             | 5             | No                 |
|                               | NB                    | PM        | 3                         | 6,900                 | 69             | 15            | No                 |
|                               | SB                    | AM        | 3                         | 6,900                 | 69             | 12            | No                 |
|                               | SB                    | PM        | 3                         | 6,900                 | 69             | 9             | No                 |
| SR-17 I-280 to Hamilton       | NB                    | AM        | 4                         | 9,200                 | 78             | 2             | No                 |
|                               | NB                    | PM        | 4                         | 9,200                 | 78             | 5             | No                 |
|                               | SB                    | AM        | 3                         | 6,900                 | 69             | 4             | No                 |
|                               | SB                    | PM        | 3                         | 6,900                 | 69             | 3             | No                 |

Notes:  
<sup>1</sup> Source of lanes, volumes, and density: VTA's 2002 VTA CMP Database (April 2003).  
<sup>2</sup> Capacity is based on 2,300 vehicles per hour per lane (vphpl) for mixed flow lanes and 1,800 vphpl for HOV lanes.

MF = Mixed-Flow Lanes  
HOV = HOV Lane

showed that the intersection would operate acceptably at LOS B and C in the AM and PM peak hours, respectively (see Appendix for LOS worksheets). However, the addition of the project driveway as a new leg could cause potential safety problems at this intersection due to driver confusion with the shared left-turn/through lanes on Winchester Boulevard. The recommended solution is to remove the traffic signal control of the Forest Avenue (west) intersection with Winchester Boulevard and restrict that intersection to right-turns only (see Figure 10). The project driveway could then be accommodated at the Winchester Boulevard/Forest Avenue (east) intersection in a more typical configuration with fewer conflicting turning movements.

With this modification, all of the existing traffic that is currently turning left at the Winchester Boulevard/Forest Avenue (west) intersection (18 AM peak-hour and 19 PM peak-hour vehicles) will be redirected to other routes. These vehicles were reassigned to the intersections of Winchester Boulevard with Pruneridge Avenue/Hedding Street and Winchester Boulevard with Dorcich Avenue. Levels of service for Winchester Boulevard at Pruneridge Avenue, at Forest Avenue, and at Dorcich Avenue were recalculated with the revised traffic volumes and geometries. The results indicate that all three intersections would operate at acceptable levels. Similar to Project Conditions without the modification, the Winchester Boulevard intersection with Pruneridge Avenue/Hedding Street would continue to operate at LOS D. The intersections of Winchester Boulevard at Forest Avenue (east) and at Dorcich Avenue are projected to operate at LOS B and C.

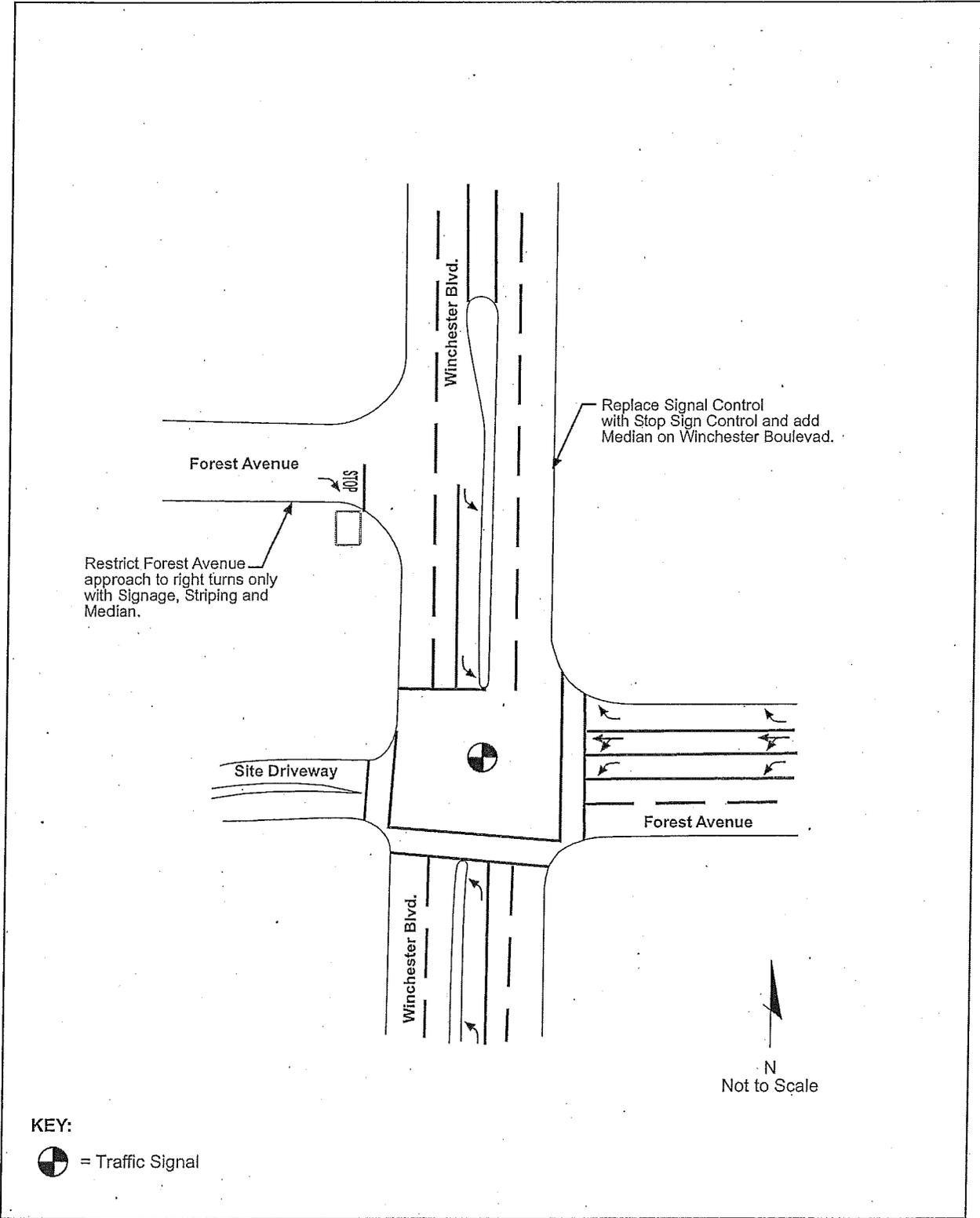
Emergency access to the site will be provided via both Winchester Boulevard driveways. In addition, a secondary emergency vehicle access will be provided through the park to the single-family homes. The design of this vehicular access pathway will be developed in consultation with City Fire Department staff. Based on the proposed plan, emergency vehicle access is considered adequate.

#### On-Site Circulation

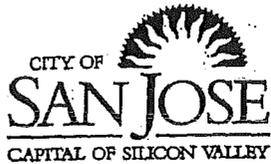
The vehicular circulation within the single-family housing portion and the senior housing portion of the site was reviewed. The site plan shows a new street that begins at the main driveway and provides access around the perimeter of the rear portion of the site. The units within this perimeter are accessed by private alleys oriented in a north/south direction that connect to the perimeter street. This configuration is considered adequate to accommodate project generated traffic.

The circulation aisle provided for the senior housing portion also is located on the perimeter of the housing units. The aisle connects with the new street that serves the rear portion of the site at two locations. This circulation aisle provides access to the underground parking for the senior housing units. The proposed on-site circulation is adequate to serve the number and type of housing units.

Sidewalks and pedestrian paths are planned throughout the development providing pedestrian connections within the site, to Winchester Boulevard, and to the park. It is recommended that, the crosswalk located at Lot 34 be raised to slow vehicular traffic along the main entry road.

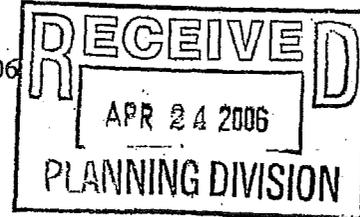


BAREC TIA



*Department of Planning, Building and Code Enforcement*  
STEPHEN M. HAASE, AICP, DIRECTOR

April 21, 2006



Gloria Sciara, Project Manager  
City of Santa Clara, Planning Division  
1500 Warburton Avenue  
Santa Clara, CA 95050

**SUBJECT: DRAFT EIR FOR THE 90 N. WINCHESTER DEVELOPMENT PROJECT  
(SANTA CLARA GARDENS)(File No. OA06-001)**

Dear Ms. Sciara:

The City of San Jose (CSJ) appreciates the opportunity to review and provide comments on the Draft Environmental Impact Report (EIR) prepared for the proposed Santa Clara Gardens project located at 90 N. Winchester Boulevard, adjacent to the CSJ. The project proposes to develop up to 110 single-family dwelling units, 165 senior housing units and one acre of park uses on the former 17-acre Bay Area Research Extension Center (BAREC) site.

The CSJ has reviewed the Draft EIR for the project, and has the following comments:

**Traffic**

**Page 3-7, Section 3.5 Trustee and Responsible Agency Actions.** Revise description of City of San Jose as follows:

The City of San Jose has jurisdiction over the public right-of-way along Forest Avenue and Winchester Blvd., and therefore, the project sponsor must obtain an encroachment permit from the City of San Jose Department of Public Works to allow improvements in the public right-of-way along Forest Avenue and Winchester Blvd. for emergency vehicle and pedestrian access, and any other traffic improvements in the City of San Jose jurisdiction required for the project, to the satisfaction of the Director of Public Works.

**Page 4-112, Impact 4.10-9 Neighborhood Impacts, Mitigation for Impact 4.10-3.**

The City of San Jose agrees with the EIR statement that a significant safety impact will occur with the addition of the project roadway as a new leg to the existing offset intersection, under City of San Jose jurisdiction, at Forest Ave. and Winchester Blvd. To address the impact, the EIR presents two options, both of which present concerns.

Gloria Sciara

RE: CSJ COMMENTS ON DRAFT EIR FOR SANTA CLARA GARDENS PROJECT (File No. OA06-001)

April 21, 2006

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Option 1) The access configuration Exhibit 4-11a labeled "New site driveway with existing access" would not be acceptable because of potential operational and safety conflicts with the existing Forest Ave. neighborhood's signalized access west of Winchester Blvd.

Option 2) Furthermore, the solution proposed in the report, illustrated in Exhibit 4-11a labeled "New site driveway with modified Forest Ave. access" which includes removal of the signalized access to the existing Forest Ave. neighborhood west of Winchester Blvd, appears acceptable from an engineering perspective, but causes neighborhood impact or livability impacts to the existing Forest Ave. neighborhood which may cause the City of San Jose to ultimately reject the proposed improvement.

Therefore, the City of San Jose is not prepared to commit to approving the recommended new site driveway with modified Forest Avenue access without input from the affected San Jose residents westerly of Winchester Blvd. who would lose the signalized access and concurrence from the San Jose City Council District 6 Office, which represents those residents. The proposed signal modification appears to primarily benefit the Santa Clara Gardens Development Project in the City of Santa Clara at the expense of City of San Jose residents' existing access to Winchester Blvd, at Forest Ave. The report should analyze other design options, should the affected San Jose neighborhood and City Council District 6 Office not concur with the modification, such as construction of a right-turn in/out only driveway or relocating the main project driveway outside of the operations of the current offset Forest Ave./Winchester Blvd intersection.

The EIR should also disclose that the project's proposed park will itself attract some additional trips from outside the immediate neighborhood which will move through the Forest Ave. neighborhood west of Winchester Ave.

#### Hazardous Materials

##### **Pages 4-54 to 4-67 – Hazards and Hazardous Materials.**

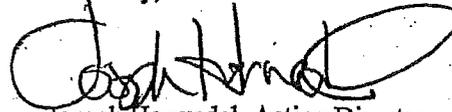
The Draft EIR indicates that a Removal Action Workplan (RAW) has been prepared which addresses the removal of soils containing dieldrin and arsenic contaminants. The emphasis of the RAW appears to be primarily on soil removal construction worker safety. Potential impacts on area residents from contaminated soil removal activities should also be addressed through the preparation of a Community Health and Safety Plan (CHSP). The CHSP should, among other things, address an emergency response plan in the event of a truck accident or spill and identify a contact person and the notification process for community awareness.

Gloria Sciara  
RE: CSJ COMMENTS ON DRAFT EIR FOR SANTA CLARA GARDENS PROJECT (File No. OA06-001)  
April 21, 2006  
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Thank you for the opportunity to comment on the Draft EIR for this project. The CSJ looks forward to reviewing the Final EIR, as soon as it becomes available for public review. Please send a copy of the complete Final EIR, all future staff reports and notification of all public hearings for this project to my attention.

If you have specific questions concerning any of the transportation comments, please contact Karen Mack, City of San Jose Department of Public Works (408) 535-6816. For additional discussion on hazardous materials, please contact Napp Fukuda, City of San Jose Department of Environmental Services at (408) 975-2594. If you need to contact me, you may reach me directly at (408) 535-7815.

Sincerely,



Joseph Horwedel, Acting Director  
Planning, Building and Code Enforcement

C: Karen Mack  
Napp Fukuda  
Janis Moore