

Proposed Topic for San Jose City Council Agenda:

Signal modifications at Winchester Blvd./Forest Ave (west).

Summary of the Issue:

The City of San Jose is in the process of approving the removal of a critical neighborhood traffic signal and installing a right-in/right-out barrier on Forest Ave. in order to accommodate a development project in the City of Santa Clara.

Executive Summary of the Opposition:

The intersection in question is the primary access point to the North of Forest neighborhood from Winchester Blvd. By eliminating this traffic light, the neighborhood feels that there could be reduced access to the neighborhood, reduced value of the homes, reduced quality of life, daily inconveniences, problems with the neighborhood, and increased cut-through traffic. A majority of the neighborhood has signed a petition stating that it does "**NOT** support any traffic signal modifications at the Winchester Blvd. and northern Forest Ave. intersection." The City Council District 6 Office (both past – Yeager and present – Oliverio) have never shown support for and traffic signal modifications at this intersection.

During the Santa Clara Gardens Draft EIR circulation, the San Jose Department of Public Works (DPW) stated in a letter (which became part of the Final EIR) that it was not going to approve either of the two options proposed by the developer regarding the signal at Winchester Blvd./Forest Ave. (west) for specific reasons. The first option was not supported due to operational and safety issues. The second option, the one being challenged here today that removes the traffic signal, stated that it "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.**"

The DPW concludes that "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 modifications appears to primarily benefit the Santa Clara Gardens Development Project in the City of Santa Clara at the expense of the City of San Jose residents' existing access to Winchester Blvd. at Forest Ave. The report should analyze other options, should the affected San Jose neighborhood and City Council District 6 Office not concur with the modification, such as..." And then gives a couple of suggestions.

Rather than following San Jose's advice, the developer simply states: "The DEIR and Recirculated DEIR concluded that this improvement would be under the City of San Jose's control and it is unknown whether this improvement would be implemented."

Opposition to this signal modification has been constant for over two years. Residents have been outspoken and have documented their objections.

The residents are now asking that you follow-through on the statements made in the San Jose Department of Public Works letter on April 21, 2006 and **reject this option, leaving our traffic light in place.**

The developer did not even explore alternatives or new driveway designs. They just ignored San Jose's warning that they would not approve a design if the neighborhood and council office was not supportive. Since this is the case (neither supports it), why would San Jose DPW approve this design? Two Public Record Act requests have been made specifically asking for information on this topic, and there are no documents that show support for the signal modification. See excerpts from the PRA request below:

5. Provide documents that quantify public approval of any signal modification or street configuration that would affect San Jose residents re: Winchester Blvd./Forest Ave. intersection.

Requested document(s) do not exist in the City of San José. The City of Santa Clara is managing the CEQA review process and associated public outreach.

6. Provide documents that quantify City Council District 6 approval of any signal modification or street configuration that would affect San Jose residents re: Winchester Blvd./Forest Ave. intersection.

Requested document(s) do not exist

The development project has many issues, but don't let that cloud the issue in front of you now. The issue is simple:

**Does San Jose have the support from the affected neighbors and council office?
No. Then why is the City of San Jose approving a design it already said it would not approve if this condition was not met?**

Sincerely,

Kirk Vartan, representing the residents of North of Forest