

Kirk Vartan

From: Kirk Vartan [kirk@kvartan.com]
Sent: Thursday, February 14, 2008 10:47 AM
To: 'Borden, Timm (PW)'
Cc: 'Fedor, Denelle'; 'District6@sanjoseca.gov'; info@SaveBAREC.org
Subject: RE: conceptual winchester layout

Timm,

I still have not heard from you nor anyone else on your team. Please contact me regarding this matter. It is very important to me and others. I am not the only voice here; rather, I am just the only voice that is contacting you to keep it easier for communication.

Thank you,

Kirk Vartan
408-666-6661

From: Kirk Vartan [mailto:kirk@kvartan.com]
Sent: Monday, February 11, 2008 12:27 PM
To: 'Borden, Timm (PW)'
Cc: 'Fedor, Denelle'; 'info@SaveBAREC.org'
Subject: RE: conceptual winchester layout
Importance: High

Timm,

Thank you for the reply. There was only one meeting...not "at least a couple" as you state. If there were more than one, please provide the details to me and any minutes. For the record, I was at that meeting and have an audio tape of it. In that meeting, a number of people expressed concerns with the design and the planning. I personally asked questions and raised issues with the project as did others. If you would like a copy of the audio of it, let me know. If this is the only meeting you are referring to, then the community was not supportive of the development and had lots of issues with it.

I am not satisfied with your response. Saying you do not have time to devote to this is fine, but I do not think it is fine to not answer my questions or concerns and simply say you feel you have answered all my questions. You have not.

I am telling you now, if it wasn't made clear in the prior meetings, that the neighborhood is NOT satisfied with the related traffic operations. Luckily, there is time to stop any further misunderstandings.

If you are not the correct person to follow-up with, please direct me to someone that is. You have not provided any documentation that I asked for and the document you did provide is something you now say is not the one you are working off of.

Please address my concerns and forward me contact information of someone I can follow-up with. I await your response and would like to speak with someone by Wednesday.

Thank you,

Kirk Vartan
San Jose Tax Payer

From: Borden, Timm (PW) [mailto:Timm.Borden@sanjoseca.gov]
Sent: Monday, February 11, 2008 6:55 AM
To: 'kirk@kvartan.com'
Cc: Fedor, Denelle; info@SaveBAREC.org
Subject: RE: conceptual winchester layout

Kirk,

The election is not really my time driver, but I currently don't have much time to devote to this. I feel that I have answered all of your questions, and all that I can add is that we have studied the concept further with Santa Clara staff and the traffic consultant, and we are satisfied that a design can be developed to satisfy our concerns related to traffic operations. We are also satisfied that at least a couple of meetings with the neighborhood occurred where the access points were discussed, without much concern expressed from the neighborhood. September 28, 2006 was the date I have for one of those meetings.

That said, the environmental document also analyzes the project without the Forest signal relocation, so Santa Clara's options for how the project is eventually permitted is still open.

Timm Borden

From: Kirk Vartan [mailto:kirk@kvartan.com]
Sent: Wednesday, February 06, 2008 10:38 AM
To: 'Borden, Timm (PW)'
Cc: 'Fedor, Denelle'; info@SaveBAREC.org
Subject: RE: conceptual winchester layout

Timm,

I still have not heard back from you. Since the election is over, I hope you will have time to address my concerns.

Denelle, can you help in this area?

Thank you,

-Kirk

From: Kirk Vartan [mailto:kirk@kvartan.com]
Sent: Monday, February 04, 2008 2:37 PM
To: 'Borden, Timm (PW)'
Cc: 'Fedor, Denelle'
Subject: RE: conceptual winchester layout
Importance: High

Timm,

I guess my issue with your statement is that it directly conflicts with the Final EIR letter sent by the City of San Jose. You are saying that it is "technically acceptable" when the EIR clearly states that it is NOT acceptable. I am trying to understand how this changed without the consent of the neighborhood and without District 6's approval...specifically the residents westerly of Winchester.

Please be specific in your response. When we spoke, it sounded like you were referring to existing plans, but now that does not seem to be the case. If someone else has the information, please forward this to them. I would like to get this information today, if possible.

Thank you.

6/18/2009

Kirk Vartan
598 N Henry Ave
San Jose District 6 Taxpayer

From: Borden, Timm (PW) [mailto:Timm.Borden@sanjoseca.gov]
Sent: Monday, February 04, 2008 1:22 PM
To: 'spokesperson@BAREC.org'
Cc: Fedor, Denelle
Subject: RE: conceptual winchester layout

We have said that the concept for the signal relocation and project access to Winchester is acceptable to us from a traffic operations standpoint. This has nothing to do with the details of how the access is provided at other non-signalized access points. We have analyzed enough information to make the evaluation that the access is technically acceptable, but no details have been set beyond this feasibility analysis.

From: SaveBAREC No on Measures A and B Committee [mailto:spokesperson@BAREC.org]
Sent: Monday, February 04, 2008 12:53 PM
To: 'Borden, Timm (PW)'
Cc: denelle.fedor@sanjoseca.gov
Subject: RE: conceptual winchester layout
Importance: High

Hi Timm,

If the configuration has not been finalized and you have not determined if a right in/right out is the configuration, how can the City of San Jose "approve" the project entrance? This is what the Mercury News printed:

"The A and B opponents claim San Jose hasn't approved access to Winchester Boulevard from the site. Not true."

If you agree with this statement, please explain it to me. If the above statement is not correct, please let me know that too.

Regarding the meeting that took place when I was not there. That was a Valley Fair meeting, NOT a Santa Clara Gardens meeting. It was not publically notified as a Santa Clara Gardens meeting, so even if information was presented on the Santa Clara Gardens project regarding road configuration, the information still needs to be noticed.

Additionally, if the diagram you sent me is not representative of what you are evaluating, please send me one that is. If you are not working off of a real diagram that is accurate, how can you even give a nod to approving a design? The residents are NOT supporting the project and they do NOT support a reconfiguration of that intersection as it will impact them directly. This was identified in the Final EIR (link below...letter 3, page 4-8, page 8 of the PDF).

<http://santaclaraca.gov/pdf/collateral/FEIR/CH4Part1Letters1through24.pdf>

This is a very important that this get resolved ASAP. As I mentioned before, if you need the neighbors to contact you or you want me to get a letter signed by the neighborhood, please let me know.

Thank you,

-Kirk

From: Borden, Timm (PW) [mailto:Timm.Borden@sanjoseca.gov]
Sent: Monday, February 04, 2008 12:29 PM
To: 'spokesperson@SaveBAREC.org'

Subject: RE: conceptual winchester layout

Kirk,

This layout was really prepared for Valley Fair and they added this intersection just for information on how the corridor could ultimately be signalized. The ultimate design for the neighborhood has not been finalized, as to whether the right in/right out configuration is necessary or not. This is conceptual only. With regard to the second driveway along the BAREC frontage, again, it was prepared for Valley Fair and the driveway location was irrelevant and really has no bearing on this ultimate design and is not an issue as to the completeness of the environmental document.

Timm

From: SaveBAREC Spokesperson [mailto:spokesperson@SaveBAREC.org]

Sent: Friday, February 01, 2008 4:59 PM

To: 'Borden, Timm (PW)'

Cc: legal@barec.org

Subject: RE: conceptual winchester layout

Importance: High

Thank you Tim. I got your email and I want to call your attention to the upper left corner (northern most part). Notice that there is a trapezoid looking figure at the top. That is a right in, right out configuration....not signalized. Also, I do not see the second entrance/exit to the proposed project on here. I see a cross walk just south of the veteran's building into their parking lot, but I do not see a driveway. This is not consistent with the proposed design (please see Draft EIR, Exhibit 3-4, page 9 of the pdf). Link below:

http://santaclaraca.gov/pdf/collateral/eir/vol1/3_Project_Description.pdf

I would like to officially request that whatever formal objections and official review that can be done on a citizen's behalf, be done. I would like to speak with you on Monday about this. It is very important to me and the residents that the City of San Jose know that the residents on the westerly part Winchester (part of Jill, Forest, Crestview, Pineview, N Henry, and part of Westridge) DO NOT support this plan, DO NOT support ANY proposed modification to the intersection, and object to this plan design.

If you have any questions, want to meet with the residents, or need some form of documentation from the residents, please let me know ASAP and I will get it done.

Please call me on Monday so we can discuss further.

Many thanks,

Kirk Vartan
598 N Henry Ave
San Jose, CA 95117
cel: 408-666-6661
kirk@kvartan.com

From: Borden, Timm (PW) [mailto:Timm.Borden@sanjoseca.gov]

Sent: Friday, February 01, 2008 2:44 PM

To: 'kirk@barec.org'

Subject: conceptual winchester layout

Per your request.

Timm Borden
Deputy Director of Public Works

6/18/2009