

RESOLUTION NO. 56883

RESOLUTION OF THE CITY COUNCIL OF SAN JOSE MAKING CERTAIN FINDINGS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT IN CONNECTION WITH A PROJECT CONSISTING OF REZONING FROM A(PD) TO A(PD) TO ALLOW PROFESSIONAL OFFICE, RESEARCH AND DEVELOPMENT AND MANUFACTURING USES ON 24.2 ACRES LOCATED ON THE NORTH SIDE OF HAMILTON AVENUE AND BOTH SIDES OF GREYLANDS DRIVE AND EASTERLY OF BASCOM AVENUE, FOR WHICH AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE:

WHEREAS, the Council intends to approve the rezoning from A(PD) to A(PD) to allow professional office, research and development and manufacturing uses on 24.2 acres located on the north side of Hamilton Avenue and both sides of Greylands Drive and easterly of Bascom Avenue, (File No.PDC 83-5-34), hereinafter referred to as the "project"; and

WHEREAS, the California Environmental Quality Act of 1970, as amended, (CEQA) requires that, in the approval of a project for which an Environmental Impact Report (EIR) has been prepared, the decision-making body shall review said EIR and make certain findings regarding the significant effects on the environment identified in said EIR; and

WHEREAS, such project was the subject of an Environmental Impact Report (EIR) entitled Greylands Business Park Environmental Impact Report prepared by the City of San Jose as the Lead Agency in compliance with the requirements of the California Environmental Quality Act of 1970, as amended, and the said EIR was found complete by the City of San Jose Planning Commission on August 10, 1983 and

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WHEREAS, the City Council of the City of San Jose is the decision-making body for the rezoning from A(PD) to A(PD) to allow professional office, research and development and manufacturing uses on 24.2 acres located on the north side of Hamilton Avenue and both sides of Greylands Drive and easterly of Bascom Avenue; and

WHEREAS, this Council does hereby certify that as a decision-making body, it has considered and approved the information contained in such EIR prior to acting upon or approving such project.

NOW THEREFORE, THE COUNCIL DOES HEREBY make the following findings with respect to the significant effects on the environment of such project as identified in the hereinbefore mentioned EIR:

1. a. IMPACT: Project generated traffic will contribute to Level of Service E conditions at the Hamilton/Leigh Avenues intersection during the a.m. peak traffic hour. The project will also contribute traffic to the Hamilton/Bascom Avenues intersection which currently operates at Level of Service E in the p.m. peak hour, and will continue to operate at that level after completion of the project.
- b. MITIGATION: Mitigation of these impacts is not possible by street improvements in the existing or planned right-of-way, since these intersections are already improved to the maximum configuration. However, the proposed project itself represents a reduction of the greater traffic generation and traffic impacts of another project that is presently approved on the site. Traffic from the other presently approved project would result in a Level of Service F at the Hamilton/Leigh Avenues intersection. However, the proposed project would replace the presently approved project and will result in a greater reduction in traffic impacts. The presently approved project included significant improvements to improve the traffic condition throughout the area.
2. a. IMPACT: The project could potentially result in land use compatibility impacts with adjacent residential uses.
- b. MITIGATION: The project will locate buildings and the principal industrial activities away from adjacent residential uses and provide a decorative, sound-light fence and landscaped screening along the common boundary.

3. a. IMPACT: Significant noise will be generated on site by project construction activities. The project site is subject to high traffic noise levels adjacent to Bascom and Hamilton Avenues.
b. MITIGATION: Construction noise can be reduced by using equipment with properly maintained mufflers and scheduling construction activities during normal working hours, as well as installation of the sound tight perimeter fence during the early phases of construction. A program to mitigate construction impacts will be included with the PD Permit. Traffic noise intrusion from Bascom and Hamilton Avenues will be attenuated by steel frame masonry buildings.
4. a. IMPACT: Hazardous materials may be utilized by some occupants within the business park.
b. MITIGATION: A network of state, federal, and local regulations control the storage, handling and disposal of hazardous materials. The proposed project will conform to the City of San Jose Hazardous Chemical Storage Ordinance. The proposed project itself prohibits tank farms, storage of large quantities, outside storage and below ground storage of hazardous materials.

ADOPTED this 30th day of August, 1983, by the following vote:

AYES: ALVARADO, BEALL, FLETCHER, HAMMER, IANNI, RYDEN, SAUSED0,
WILLIAMS, McENERY
NOES: NONE
ABSENT: ESTRUTH, LEWIS


Thomas McEnery, Mayor

ATTEST:


Helen E. Jackson, City Clerk

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