

CITY OF SAN JOSÉ
DETERMINATION OF CONSISTENCY WITH THE SANTANA ROW
EXPANSION PROJECT FINAL ENVIRONMENTAL IMPACT REPORT

Pursuant to Section 15162 of the CEQA Guidelines, the City of San José has determined that the project described below is pursuant to or in furtherance of the Final Environmental Impact Report (FEIR) identified below and does not involve new significant effects beyond those analyzed in the FEIR. Therefore, the City of San José can take action on the project as being within the scope of the FEIR.

PROJECT DESCRIPTION AND LOCATION: PD15-066 – Santana Row Lot 12. Planned Development Permit to allow for the construction of a 5-story, 258 unit multi-family attached residential building, including above and below-grade parking, and the removal of seven (7) ordinance sized trees on a 2.94 gross acre site. **Location:** Santana Row site on the east side of Hatton Street between Olsen Drive and Hemlock Avenue (APN 277-400-17).

The environmental impacts of this project were addressed by the “Santana Row Expansion Project Final Environmental Impact Report,” with findings adopted by City Council Resolution No. 77532 on September 22, 2015. Specifically, the following impacts were reviewed and found to be adequately considered by the FEIR:

Cultural Resources	Air Quality	Geology & Seismicity
Aesthetics	Air Safety	Energy Supply & Natural Resources
Noise	Biological Resources	Transportation & Circulation
Public Services and Utilities	Hazardous Materials	Hydrology & Water Quality
	Land Use	Greenhouse Gas Emissions

ANALYSIS

Background

The proposed residential development is part of the original Santana Row project evaluated in the Town and Country Village EIR, which was certified by City Council in June 1998 (Resolution no. 68210). The Town and Country Village EIR evaluated a Planned Development zoning that allowed the development of up to 650,000 square feet of commercial/retail space, 1,200 residential units, and 200 hotel rooms across the entire Santana Row site. Subsequent rezonings resulted in increases in commercial development capacity and modifications to maximum residential development capacities. As of May 2016, 834 residential units have been built on the original Santana Row site.

In September 2015, City Council adopted the Santana Row Expansion Project Final Environmental Impact Report (Santana Row Expansion FEIR) and approved a rezoning of the

development capacity (File no. PDC13-050, Ordinance no. 29619). This FEIR replaced the Town and Country EIR and evaluated changes to the Santana Row Planned Development zoning including an increase in office capacity by 510,000 square feet, an increase retail capacity by 55,641 square feet, and the incorporation of a 1.91 acre site with three apartment complexes (consisting of 47 residential units) on Dudley Avenue into the larger Santana Row site. With the approval of the rezoning and the incorporation of the Dudley Avenue apartments into the Santana Row site, the maximum residential development capacity increased to 1,229 units. The Santana Row Expansion FEIR incorporated applicable mitigation measures from the Town and Country EIR and identified new mitigation measures resulting from changes to the project.

Project Consistency with the Santana Row Expansion FEIR

The proposed Planned Development Permit is to build a multi-family residential building with up to 258 units on a portion of the original Santana Row site east of Hatton Street (known as Lot 12). These units are part of the remaining 348 unbuilt residential units allowed under the latest Santana Row Planned Development zoning. The project is consistent with the Santana Row Planned Development zoning and the Santana Row Expansion FEIR because:

1. Traffic generated by the project was evaluated in the "Background" and "Background plus Project Conditions" sections of the Traffic Impact Analysis as the residential units are previously entitled and are part of the City of San Jose's Approved Trips Inventory.
2. The project's air quality impacts related to operational air emissions and toxic air contaminants were included in the analysis of full build out of the Santana Row zoning.
3. Construction period air quality and noise impacts will remain the same as those evaluated in the FEIR.
4. Mitigation measures identified in the FEIR relating to traffic, air quality, biology, and geology will continue to apply to the project.
5. The density, height, and setbacks of the project comply with the development standards of the approved Planned Development zoning, upon which the analysis in the FEIR is based.

For the reasons stated above, the project will not involve new significant effects nor an increase in the significance of a previously identified significant impact analyzed in the Santana Row Expansion FEIR.

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5/16/2016
Date

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