

**NOTICE OF PREPARATION OF
A DRAFT ENVIRONMENTAL IMPACT REPORT
FOR THE WEST SAN CARLOS STREET PROJECT**

FILE NOs: PDC19-014 and PD19-014

PROJECT APPLICANT: Viji Mani

APNs: 277-18-018, 277-18-019, and 277-18-020

Project Description: Planned Development Zoning from the CP (Commercial Pedestrian) and RM (Multiple-Residence) Zoning Districts to the PD (Planned Development) Zoning District and a Planned Development (PD) Permit to allow the demolition of existing structures on-site and the development of two seven-story, mixed use buildings comprised of 173 residential units and 17,189 square feet of commercial uses on an approximately 1.34-gross acre site. **Location:** 1530-1544 West San Carlos Street

As the Lead Agency, the City of San José will prepare an Environmental Impact Report (EIR) for the project referenced above. The City welcomes your input regarding the scope and content of the environmental information that is relevant to your area of interest, or to your agency's statutory responsibilities in connection with the proposed project. If you are affiliated with a public agency, this EIR may be used by your agency when considering subsequent approvals related to the project.

A joint community and environmental public scoping meeting for this project will be held:

When: Thursday, January 9, 2020 at 6:30 PM

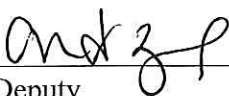
Where: Buena Vista Midtown, 1535 West San Carlos Street, San Jose CA 95126

The project description, location, and a brief summary of the probable environmental effects that will be analyzed in the EIR for the project can be found on the City's Active EIRS website at: www.sanjoseca.gov/ActiveEIRS, including the EIR Scoping Meeting information. According to State law, the deadline for your response is 30 days after receipt of this notice. However, responses earlier than 30 days are always welcome. If you have comments on this Notice of Preparation, please identify a contact person from your organization, and send your response to:

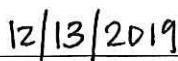
City of San José
Department of Planning, Building and Code Enforcement
Attn: Adam Petersen, Environmental Project Manager
200 East Santa Clara Street, 3rd Floor Tower
San José CA 95113-1905

Phone: (408) 535-1241, E-mail: Adam.Petersen@sanjoseca.gov

Rosalynn Hughey, Interim Director
Planning, Building and Code Enforcement


Deputy

Date: December 13, 2019


Date

NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE 1530-1544 WEST SAN CARLOS MIXED-USE PROJECT

DECEMBER 2019

Introduction

The purpose of an EIR is to inform decision makers and the general public of the environmental effects of the proposed project that an agency may implement or approve. The EIR process is intended to provide information sufficient to evaluate a project and its potential for significant impacts on the environment; to examine methods of reducing adverse impacts; and to consider alternatives to the project.

The EIR for the proposed project will be prepared and processed in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended. In accordance with the requirements of CEQA, the EIR will include the following:

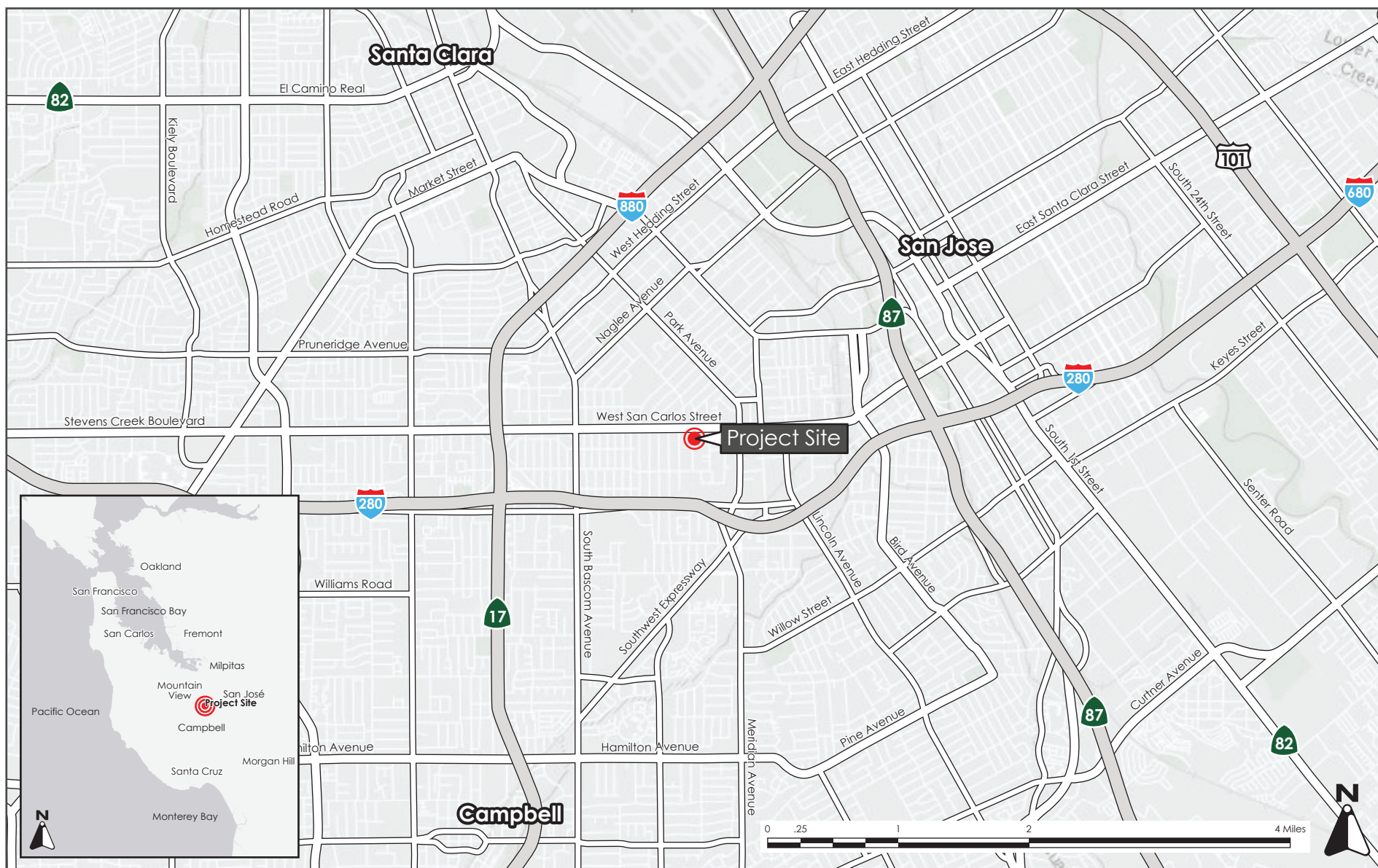
- A summary of the project;
- A project description;
- A description of the existing environmental setting, environmental impacts, and mitigation measures for the project;
- Alternatives to the project as proposed; and
- Environmental consequences, including (a) any significant environmental effects which cannot be avoided if the project is implemented; (b) any significant irreversible and irretrievable commitment of resources; (c) the growth inducing impacts of the proposed project; and (d) cumulative impacts

Project Location

The approximately 1.35-gross acre project site is comprised of three parcels (Accessor Parcel Numbers 277-18-018, 277-18-019, and 277-18-020) located at the southeast corner of West San Carlos Street and South Buena Vista Avenue in the City of San José. The site is in the West San Carlos Urban Village Plan boundary. Regional and vicinity maps of the project site are shown in Figure 1 and Figure 2, respectively.

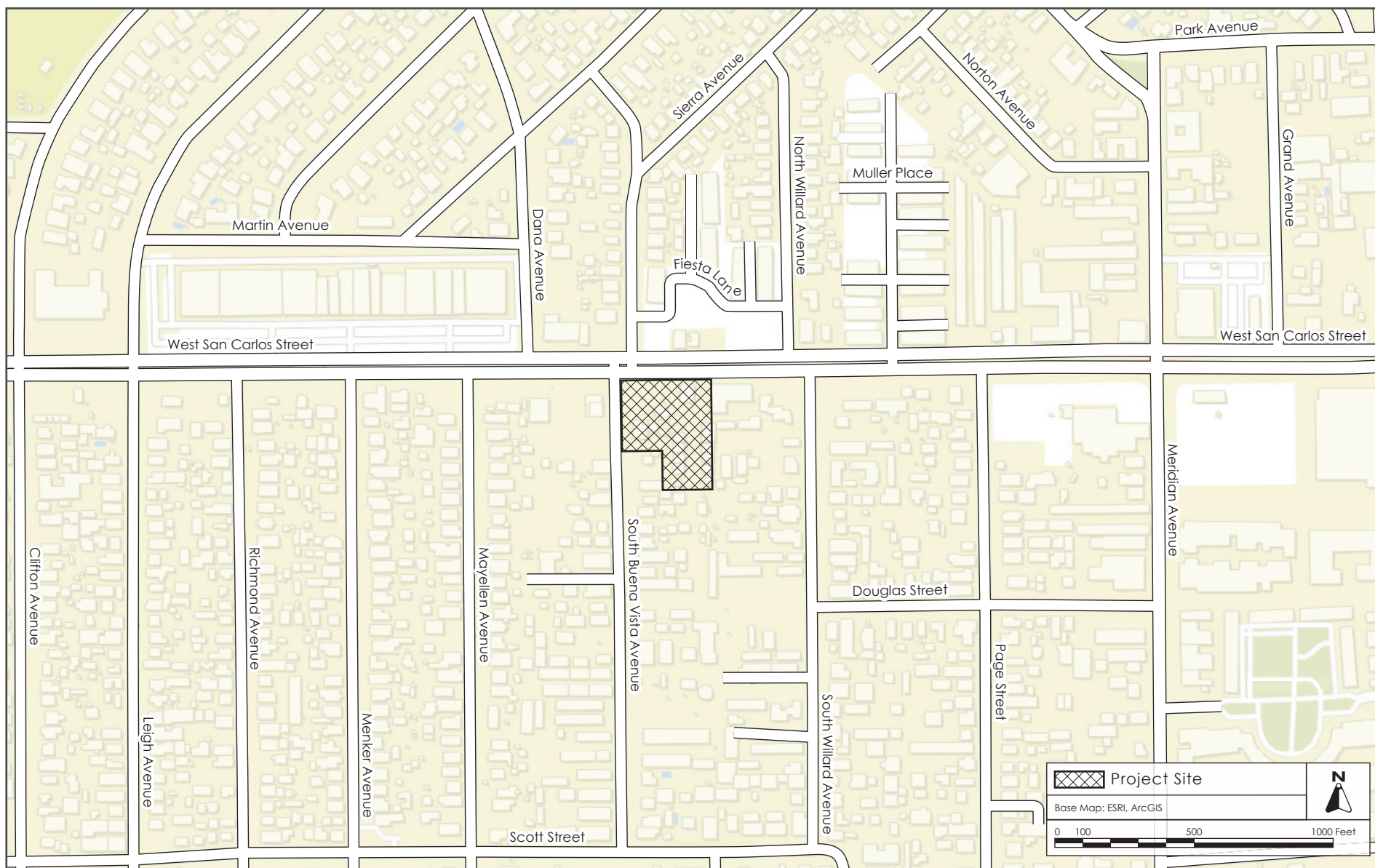
Project Description

The project site is currently developed with three commercial buildings and associated ancillary structures currently used for two automotive businesses, a martial arts studio, and a restaurant, and associated surface parking. In addition, the site is developed with eight single-family residences and associated ancillary garage structures behind the restaurant building. Site access is currently provided via two driveways on South Buena Vista Avenue and two driveways on West San Carlos Street.



REGIONAL MAP

FIGURE 1



VICINITY MAP

FIGURE 2

The project site is in the *Commercial Pedestrian* (CP) and *Multiple Residence* (R-M) Zoning Districts, and has a land use designation of *Urban Village* under the Envision San José 2040 General Plan.¹ Within the West San Carlos Urban Village Plan, the project site is designated as Urban Village and is within the Mixed-Use Residential Character Area.²

The project would demolish the existing improvements on-site and develop two seven-story mixed-use buildings. Commercial retail space would be located on the ground level and second floor of the buildings. Residential units would be located on the second through seventh floors over two-levels of parking (one below-grade and one at-grade). Building 1 (on the east side of the site) would include up to 103 residential units and approximately 14,046 square feet of commercial uses. Building 2 would include up to 70 residential units and approximately 7,118 square feet of commercial uses. The maximum height of the buildings would be 82 feet to the roofline and 92 feet to the highest point of architectural element (stairs). The southern edge of the site between Building 1 and the southern property line would include a 30-foot wide paseo. The conceptual site plan is shown on Figure 3.

The project proposes a total of 189 parking spaces on-site. Vehicular access to the site would be provided via a 26-foot, two-way driveway on West San Carlos Street connecting to the entrance of the parking garages for the two proposed buildings.

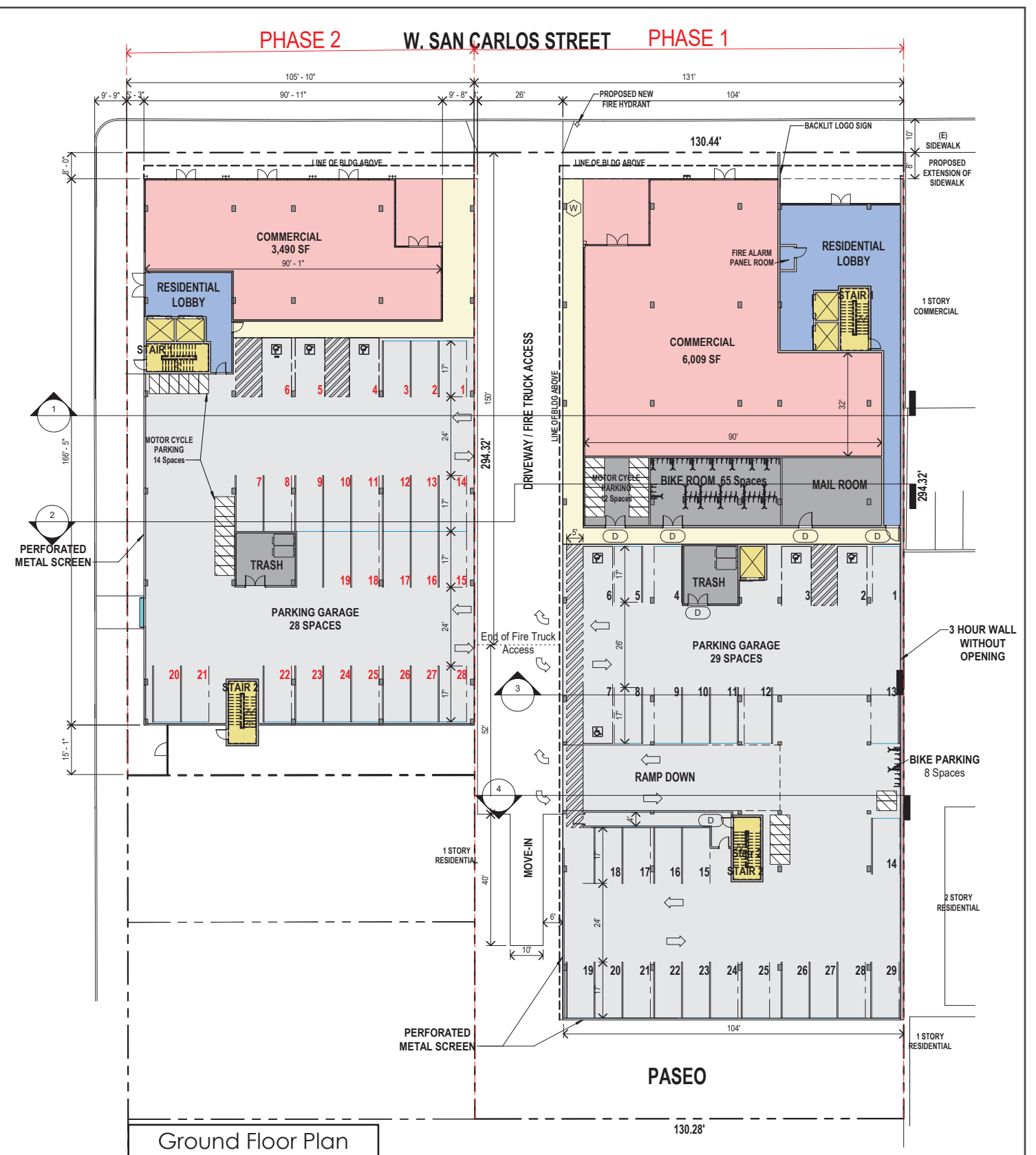
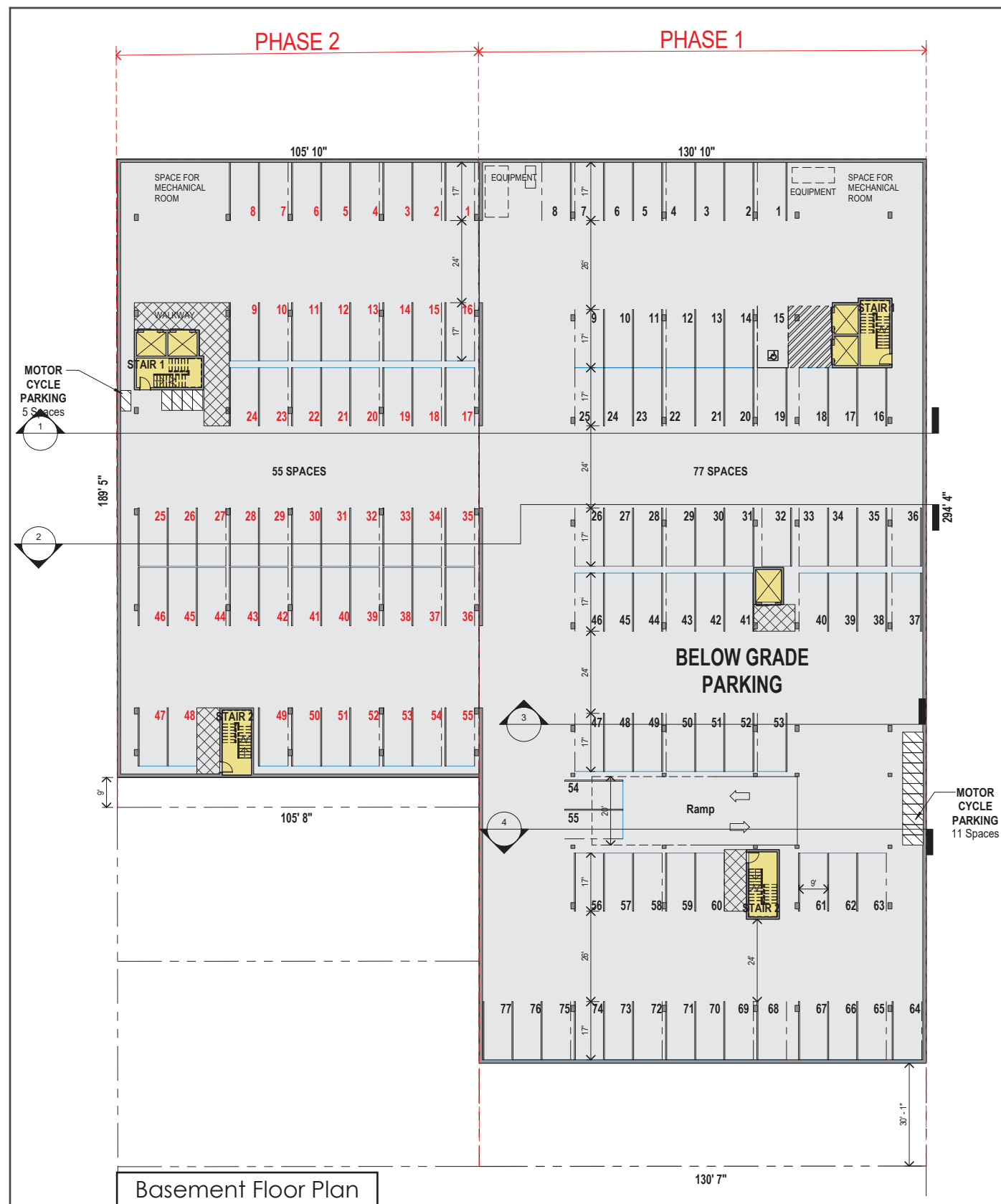
The project is proposed to be developed in two consecutive phases.

Required Project Approvals:






1. Vesting Tentative Map
2. Demolition Permits
3. Building Permits
4. Grading Permits
5. Encroachment Permits and other Department of Public Works Clearances

¹ “Urban villages” are walkable, bicycle-friendly, transit-oriented, mixed use settings that provide both housing and jobs.

² The Mixed-Use Residential Character Area is an eastern gateway into the Urban Village. The area is envisioned with higher-density mixed-use and residential development drawing energy from nearby Downtown San José and the Diridon Station. Development is proposed to range between three and seven stories with residential uses above a mix of active ground-floor retail. Land uses in this area include Mixed-Use Commercial, Urban Residential, and Urban Village.



**PACEL AGGREGATION IS INTENDED FOR PHASE 1 (APN277-18-019 & 277-18-020),
PHASE 2 (APN 277-18-018) REMAINS AS SEPARATE PARCEL UNTIL CONSTRUCTED**

 COMMERCIAL
  WINDOW
 DOOR
 RESIDENTIAL LOBBY
 PARKING



Potential Environmental Impacts of the Project

The EIR will identify the significant environmental effects anticipated to result from development of the project as proposed. Mitigation measures will be identified for significant impacts, as warranted. The EIR will include the following specific environmental categories as related to the proposed project:

1. Aesthetics

The proposed project is located within a transit priority area (as defined by Senate Bill 743). The project would demolish the existing structures and hardscape, and remove landscaping on-site. The EIR will describe the existing visual setting of the project area and address the project's aesthetic impact consistent with Senate Bill 743.

2. Air Quality

The EIR will address the regional air quality conditions of the Bay Area and discuss the proposed project's construction and operational emissions' impacts to local and regional air quality in accordance with the 2017 Bay Area Air Quality Management District (BAAQMD) CEQA guidelines and thresholds. The EIR will also address the impacts of construction toxic air contaminants on nearby sensitive receptors (i.e., residences).

3. Biological Resources

Habitats in the project area are low in species diversity and include predominately urban-adapted birds and animals. The EIR will address the loss of trees on-site, within and adjacent to the construction zones. In addition, the EIR will identify and discuss potential biological impacts resulting from construction of the project (e.g., construction during bird nesting season). The project site is within the Santa Clara County Habitat Conservation Plan boundary and the project's consistency with the Plan will also be discussed.

4. Cultural Resources

This area of San José is not considered a sensitive area for archaeological resources. The EIR will address the impacts to known and unknown buried archaeological resources on-site.

The project site is developed with three commercial buildings, eight single-family residences, and associated ancillary structures. All structures on-site are over 50 years old and are proposed to be demolished for the proposed project. According to historic evaluations completed for all structures on-site, none of the structures are eligible for listing on the California Register of Historical Resources or National Register of Historic Places; however, it is preliminary determined that the eight residential units are eligible for listing as a candidate City Landmark. The EIR will evaluate the project's impact to eligible historic resources on-site.

5. *Energy*

Implementation of the proposed project would result in an increased demand for energy on-site. The EIR will address the increase in energy usage on-site and proposed design measures to reduce energy consumption.

6. *Geology*

The project site is located in the most seismically active region in the United States. The EIR will discuss the possible geological impacts associated with seismic activity and the existing soil conditions on the project site.

7. *Greenhouse Gas Emissions*

The EIR will address the project's contribution to regional and global greenhouse gas (GHG) emissions. Proposed design measures to reduce energy consumption, which in turn would reduce GHG emissions, will be discussed.

8. *Hazards and Hazardous Materials*

The project area contains auto-related commercial uses, general commercial uses, and residential uses. The EIR will summarize known hazardous materials conditions on and adjacent to the project site and will address the potential for hazardous materials impacts to result from implementation of the proposed project.

9. *Hydrology and Water Quality*

Based on the Federal Emergency Management Agency flood insurance rate maps, the EIR will address the possible flooding issues of the site as well as the effectiveness of the storm drainage system and the project effect on storm water quality consistent with the requirements of the Regional Water Quality Control Board.

10. *Land Use*

The project site is located within a developed urbanized area of San José surrounded by auto-commercial, commercial, and residential land uses. The EIR will describe the existing land uses adjacent to and within the project area. Land use impacts that would occur as a result of the proposed project will be analyzed, including the consistency of the project with the City's General Plan, zoning code, and Urban Village Plan, and compatibility of the proposed and existing land uses in the project area.

11. *Noise and Vibration*

Noise levels in the project area are primarily influenced by vehicular noise on West San Carlos Street, and the surrounding roadways. The EIR will discuss noise that would result from operation of the proposed project, including a discussion of the increase in traffic noise and mechanical equipment

noise that would result from implementation of the project, and the impact of any noise increase on nearby sensitive receptors. The EIR will also discuss temporary construction noise. Noise levels will be evaluated for consistency with applicable standards and guidelines in the City of San José.

12. Population and Housing

The project would replace eight single-family units and construct 173 multi-family units. The EIR will discuss if the project would induce substantial growth in the area, or displace substantial numbers of houses or residents.

13. Public Services

Implementation of the proposed project would increase the resident population of the City which would result in an increased demand on public services, including police and fire protection, schools, and recreational facilities. The EIR will address the availability of public facilities and services and the potential for the project to require the construction of new facilities.

14. Transportation

The EIR will examine the existing traffic conditions in the immediate vicinity of the project site. A Transportation Analysis (TA) will be prepared based on the City's Transportation Analysis Policy (Council Policy 5-1). Consistent with Council Policy 5-1, the TA will include both a vehicle miles traveled (VMT) analysis to evaluate the project's impacts under CEQA and a local transportation analysis (LTA) to evaluate the project's operational effect on the local transportation network. The LTA will include an evaluation of site access, circulation, parking, and multi-modal (bicycle and pedestrian) facilities, and Congestion Management Plan conformance.

15. Tribal Cultural Resources

The EIR will discuss the project's potential for impacts to tribal cultural resources.

16. Utilities

Implementation of the proposed project would result in an increased demand on utilities and public facilities compared to existing conditions. The EIR will examine the impacts of the project on public services, including utilities such as sanitary sewer and storm drains, water supply/demand, and solid waste management.

17. Wildfire

The proposed project is located within a developed area of San José. The EIR will discuss project impacts on wildfire.

18. Other Topic Areas

The EIR will also address the project's impacts on agricultural resources, and mineral resources. These discussions will be based, in part, on the City's General Plan EIR and other available technical data.

19. Alternatives

The EIR will examine alternatives to the proposed project including a "No Project" alternative and one or more alternative development scenarios depending on the impacts identified. Other alternatives that may be discussed could include design development alternatives (e.g., smaller project footprint), and/or alternative locations. Alternatives discussed will be chosen based on their ability to reduce or avoid identified significant impacts of the proposed project while achieving most of the identified objectives of the project.

20. Significant Unavoidable Impacts

The EIR will identify those significant impacts that cannot be avoided, if the project is implemented as proposed.

21. Cumulative Impacts

The EIR will include a Cumulative Impacts section that will address the potentially significant cumulative impacts of the project when considered with other past, present, and reasonably foreseeable future projects in the development area.

In conformance with the CEQA Guidelines, the EIR will also include the following sections: 1) consistency with local and regional plans and policies, 2) growth inducing impacts, 3) significant irreversible environmental changes, 4) references and organizations/persons consulted, and 5) EIR authors.



January 15, 2020

City of San Jose, Department of Planning, Building, and Code Enforcement
Attn: Adam Petersen, Environmental Project Manager
200 East Santa Clara Street, 3rd Floor Tower
San Jose CA 95113-1905

Re: Notice of Preparation for the West San Carlos Street Project Draft Environmental Impact Report (PDC19-014 and PD-014)

Dear Mr. Petersen:

Thank you for including the City of Santa Clara (Santa Clara) in the environmental review process for the West San Carlos Street Project (Project) and for informing Santa Clara of the Notice of Preparation of a Draft Environmental Impact Report for the Project. The Project includes a Planned Development Zoning from the CP (Commercial Pedestrian) and RM (Multiple-Residence) Zoning Districts to the PD (Planned Development) Zoning District and a Planned Development (PD) Permit to allow the demolition of existing structures on-site and the development of two seven-story, mixed use buildings comprised of 173 residential units and 17,189 square feet of commercial uses on an approximately 1.34-gross acre site. Location: 1530-1544 West San Carlos Street.

Santa Clara requests the following information be included in the environmental analysis being prepared for this Project:

Traffic Study Work Scope: Santa Clara understands the City of San Jose no longer views congestion as a CEQA impact and Vehicles Miles Travelled (VMT) is now the adopted CEQA metric to measure transportation environmental impacts per City Council Policy 5-1. However, the City is kindly requesting a "local transportation analysis" per the City of San Jose's Transportation Analysis Handbook dated April 2018 for this Project. Local operational analysis at signalized intersections using level of service and delay is requested. The City of Santa Clara uses criteria of the VTA TIA Guidelines as a basis for determining study intersections. Accordingly, municipal and CMP intersections with ten or more project trips per approach lane should be analyzed along Stevens Creek Boulevard as project trips most likely will utilize this corridor. Santa Clara would also like to review and comment on the scope of work related to the local transportation and VMT analyses to be prepared for this Project.

Per the Santana West Settlement Agreement (Settlement Agreement), any impacts found at protected intersections, including Winchester Boulevard/Stevens Creek Boulevard, which will also impact traffic in the City of Santa Clara will require payment of fees to be used for transportation system improvements to alleviate the increased traffic congestion in Santa Clara.

January 15, 2020

Page 2

The City of San Jose shall be in conformance with the requirements of the Settlement Agreement related to Stevens Creek Boulevard corridor. A clear explanation of how fees are calculated should be provided, and offsetting improvements should be identified with specificity and coordinated with the City of Santa Clara. Additionally, please refer to the attached December 6, 2019 letter sent to San Jose regarding Protected Intersection Significant Impact Criteria and note that impacts to Protected Intersections occur at a threshold that is half that of San Jose's threshold for impacts at non-Protected Intersections in San Jose. The lower threshold for impacts under the Protected Intersection criteria should be adhered to in the Project's local transportation analysis.

Thank you for the opportunity to comment on the Notice of Preparation for the Project. Santa Clara looks forward to meeting with the City of San Jose to discuss the findings of the local transportation analysis.

Should you have any questions regarding this letter, please contact Reena Brilliot, Planning Manager via email at rbrilliot@santacclaraca.gov or phone 408-615-2452.

Best Regards,



For Andrew Crabtree

Director of Community Development
attachment

Cc: Michael Liw, Assistant Director of Public Works