



Planning, Building and Code Enforcement

CHRISTOPHER BURTON, DIRECTOR

**NOTICE OF PREPARATION OF DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT
REPORT FOR THE MILLIGAN PARKING LOT PROJECT**

FILE NO: ER20-049
PROJECT APPLICANT: City of San Jose (ATTN: Mark Saturnio)
259-29-032; 259-29-033; 259-29-071;
APN: 259-29-072; 259-29-102

Project Description: The City of San José, as the owner of the subject property, proposes to remove all existing on-site buildings and construct an approximately 325-space surface parking lot. The proposed parking lot is intended to replace existing parking serving events at the nearby SAP Center at San José that will be lost due to future planned development within Downtown San José. The plans for the proposed parking lot are currently being developed; therefore, the total number of parking spaces provided is subject to change. Driveways onto North Autumn Street and West St. John Street would provide ingress and egress to the proposed parking lot.

Location: The approximately 2.6-acre project site consists of five parcels and is located in Downtown San José. The site is bordered by North Autumn Street to the west, West St. John Street to the south, the Guadalupe River to the east, and existing residential development to the north. The SAP Center at San José is located approximately 300 feet southwest of the site, and the Guadalupe Freeway (CA-87) is located approximately 650 feet to the east of the site.

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.

The project description, location, and 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. The City will accept comments on the scope of the SEIR until **5:00 p.m. on Friday, September 24, 2021**. If you have comments on this Notice of Preparation (NOP), please identify a contact person from your organization, and send your response via mail or email to:

City of San José
Department of Planning, Building and Code Enforcement
Attn: Thai-Chau Le, Environmental Project Manager
200 East Santa Clara Street, 3rd Floor Tower
San José CA 95113-1905
Phone: (408) 535-5658, e-mail: Thai-Chau.Le@sanjoseca.gov

Christopher Burton, Director
Planning, Building and Code Enforcement


Deputy

08/19/2021
Date

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August 2021

1.0 INTRODUCTION

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the general public of the environmental effects of a 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, and the requirements of the City of San José. Per the CEQA Guidelines Sections 15162, 15163, and 15164, when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines that substantial changes to the project or circumstances under which the project is undertaken would result in new or greater significant impacts than previously disclosed in the certified EIR. The lead agency may choose to prepare a supplement to an EIR rather than a subsequent EIR if only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation. Supplemental EIRs need contain only the information necessary to make the previous EIR adequate for the project as revised.

The proposed project is intended to replace existing parking serving events at the nearby SAP Center at San José that will be lost due to future planned development evaluated in the San José Downtown Strategy 2040 Environmental Impact Report (EIR) (SCH # 2003042127). Based on the analysis contained in the for the San José Downtown Strategy 2040 EIR, the changes to the project would not require major revisions to the San José Downtown Strategy 2040 EIR. Therefore, the City will prepare a Supplemental EIR (SEIR) for the project.

In accordance with Sections 15120 et seq. of the CEQA Guidelines, the SEIR will include the following:

- A project description;
- A description of the existing environmental setting, probable environmental impacts, and mitigation measures;
- 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 commitments of resources; (c) the growth-inducing impacts of the proposed project; and (d) cumulative impacts.

2.0 PROJECT LOCATION

The approximately 2.6-acre project site consists of five parcels and is located in Downtown San José. The site is bordered by North Autumn Street to the west, West St. John Street to the south, the Guadalupe River to the east, and existing residential development to the north. The SAP Center at San José is located approximately 300 feet southwest of the site, and the Guadalupe Freeway (CA-87) is located approximately 650 feet to the east of the site. Regional, vicinity, and aerial maps of the project site are provided in Figures 1-4.

3.0. PROJECT DESCRIPTION

The City of San José, as the owner of the subject property, proposes to remove all existing on-site buildings and construct an approximately 325-space surface parking lot. The proposed parking lot is intended to replace existing parking serving events at the nearby SAP Center at San José that will be lost due to future planned development within Downtown San José. The plans for the proposed parking lot are currently being developed; therefore, the total number of parking spaces provided is subject to change. Driveways onto North Autumn Street and West St. John Street would provide ingress and egress to the proposed parking lot.

4.0 ENVIRONMENTAL IMPACTS TO BE ANALYZED

The SEIR will address the environmental impacts associated with the proposed project. As explained above, the SEIR need contain only the information necessary to make the previous San José Downtown Strategy 2040 EIR adequate for the project as revised. The City anticipates the SEIR will include an analysis of the following key environmental issues:

Air Quality

Project construction activities would generate toxic air contaminants (TACs). However, given that construction of a parking lot would involve minimal construction activities, a Construction Health Risk Assessment with quantitative modeling of TACs is not warranted. Instead, the SEIR will include a qualitative assessment of construction-generated TACs in lieu of TAC modeling.

Biological Resources

The project site is located adjacent to the Guadalupe River. The SEIR will include a description of the existing biological setting and an analysis of impacts to biological resources, based on the analysis and conclusions of a Biological Resources Report (BRR) to be prepared for the project. The BRR will describe the existing biological conditions on and adjacent to the site (e.g., riparian habitat associated with the Guadalupe River), anticipated regulatory requirements (e.g., Santa Clara Valley Habitat Plan and City of San José Riparian Corridor Policy applicability), and mitigation measures necessary to reduce potentially significant impacts to less than significant levels under CEQA.

Cultural Resources

The potential for cultural resources, including archeological and historic resources, to be affected by the project will be evaluated based on existing available information and a Historic Resource Evaluation to be prepared for on-site structures not previously evaluated. The on-site Forman's Arena building is listed in the City's Historic Resources Inventory as Eligible for National Register (individually), Eligible for California Register (individually), and a Candidate City Landmark. Therefore, the Forman's Arena building is considered a historical resource under CEQA. The project would demolish the Forman's Arena building and construct a new a surface parking lot. Impacts to the building (historical resources) will be evaluated. Mitigation measures will be identified for significant cultural resource impacts, as appropriate.

Transportation

A Vehicle Miles Traveled (VMT) Analysis and Local Transportation Analysis (LTA) will be prepared for the project in accordance with City policy. Because the proposed project is providing replacement parking for existing trips on the roadway network (i.e., those going to and from SAP Center at San Jose), the VMT Analysis and LTA will identify any potential impacts due to the reassignment of parking trips from their current locations to the proposed Milligan Parking Lot.

Site access and circulation will be reviewed to determine the adequacy of the proposed parking lot access points for sight distance, queuing, and alignment. Standard measures, conditions of approval, and/or mitigation measures will be identified, as appropriate, to reduce potential impacts to the surrounding roadways and improve deficiencies.

Other Resource Areas

Other resources areas to be covered in the SEIR include greenhouse gas emissions, hydrology and water quality, and tribal cultural resources

Other Sections

The above discussions identify and highlight the major issues to be addressed in the SEIR. In conformance with the CEQA Guidelines, the SEIR will also contain other sections, including: 1) Significant Unavoidable Impacts; 2) Growth Inducing Impacts; 3) Significant Irreversible Environmental Changes; 4) SEIR References and Organizations and Persons Consulted; and 5) SEIR Authors.

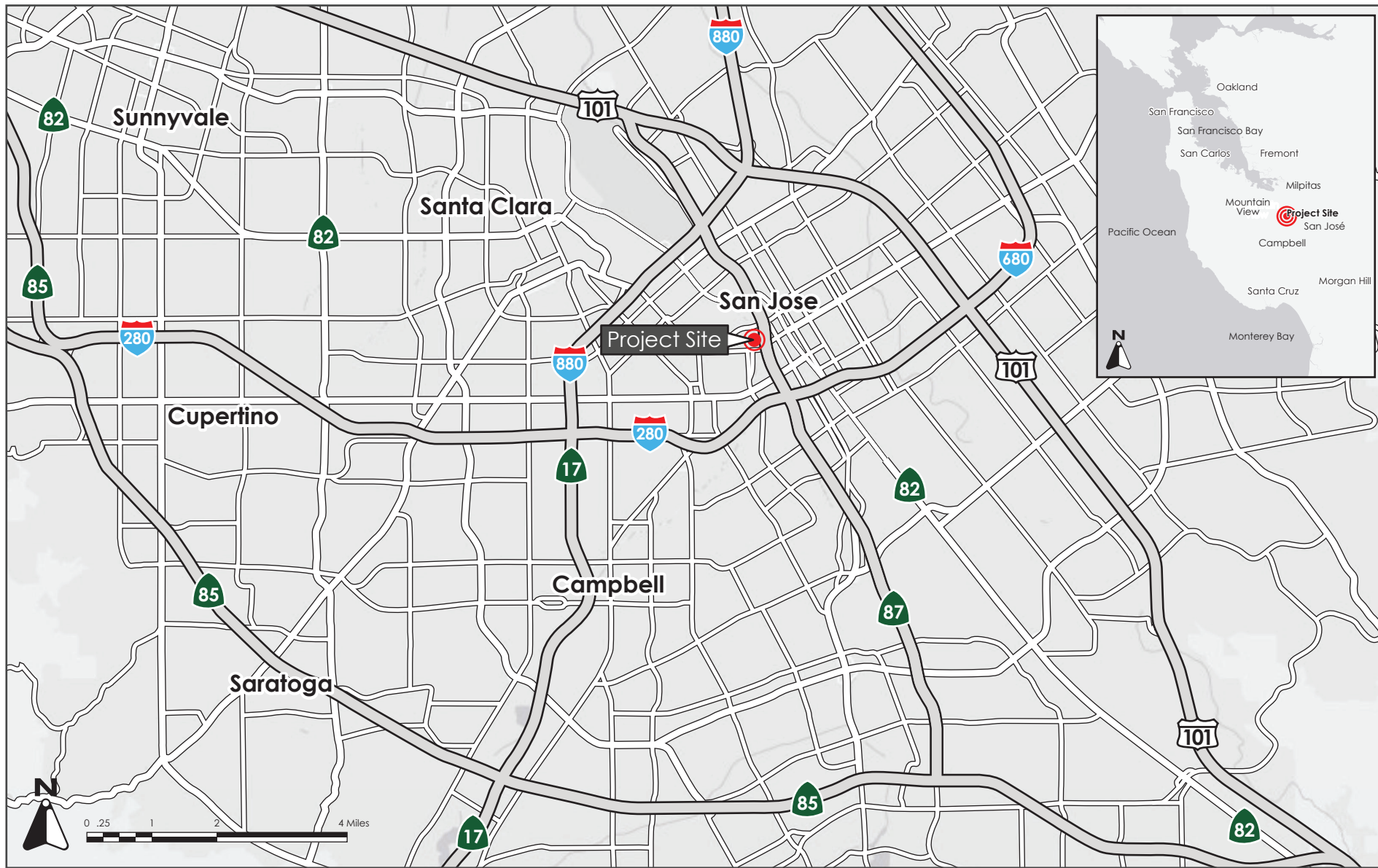
The SEIR will also include an evaluation of cumulative impacts and alternatives, as discussed below.

Cumulative Impacts

Pursuant to CEQA Guidelines Section 15130, the SEIR will discuss the cumulative impacts of the project in combination with other past, present or reasonably foreseeable projects. Mitigation measures will be identified to reduce and/or avoid significant impacts, as appropriate.

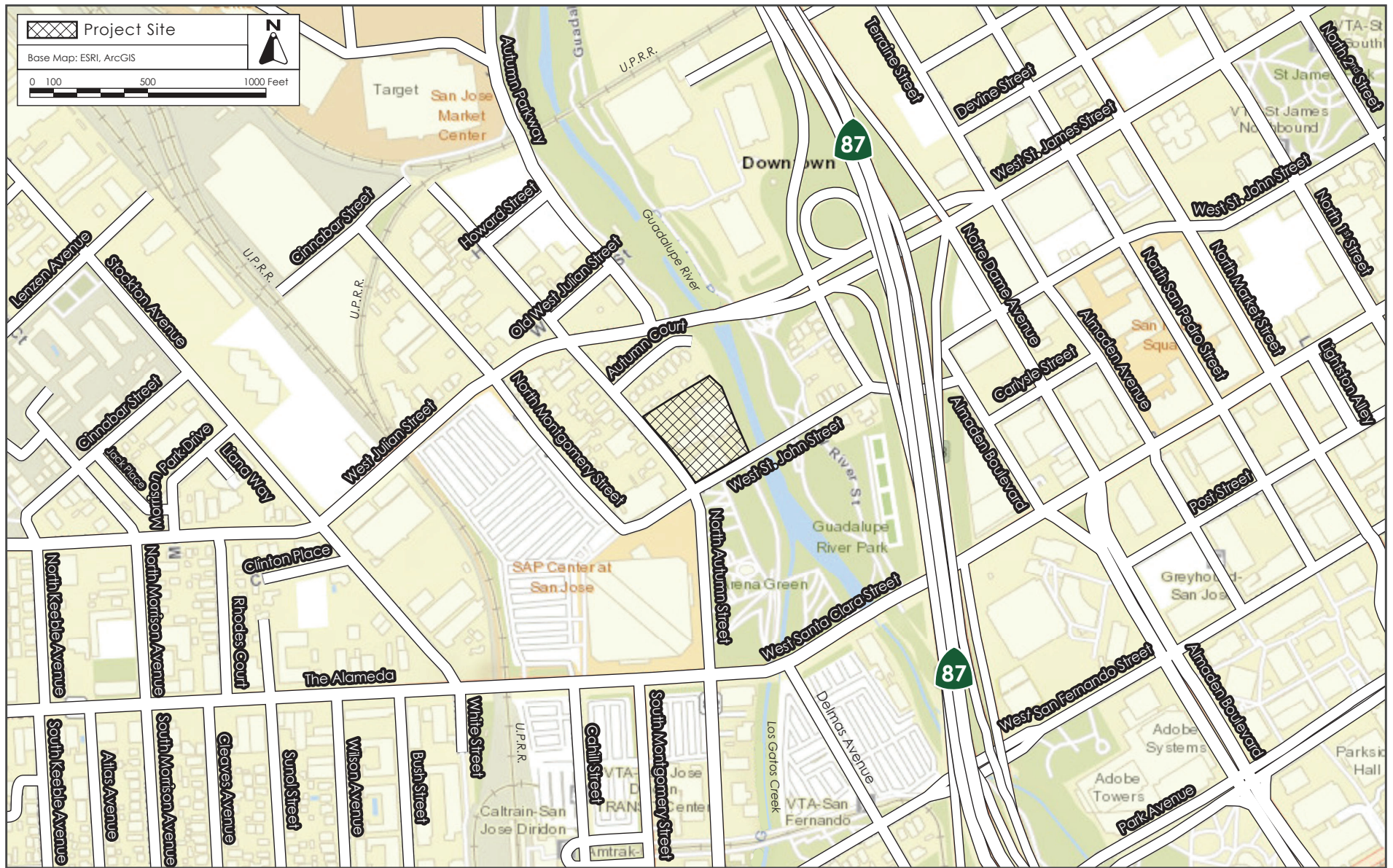
Alternatives

Pursuant to CEQA Guidelines Section 15126.6, the EIR will evaluate a range of reasonable alternatives to the project, based on the results of the environmental analysis. A No Project Alternative shall also be evaluated along with its impacts. The alternatives discussion will focus on those alternatives that could feasibly accomplish most of the basic objectives of the proposed project and could avoid or substantially lessen one or more of the significant environmental effects identified in the SEIR (CEQA Guidelines Section 15126.6). The environmentally superior alternative(s) will be identified based on the number and degree of associated environmental impacts.



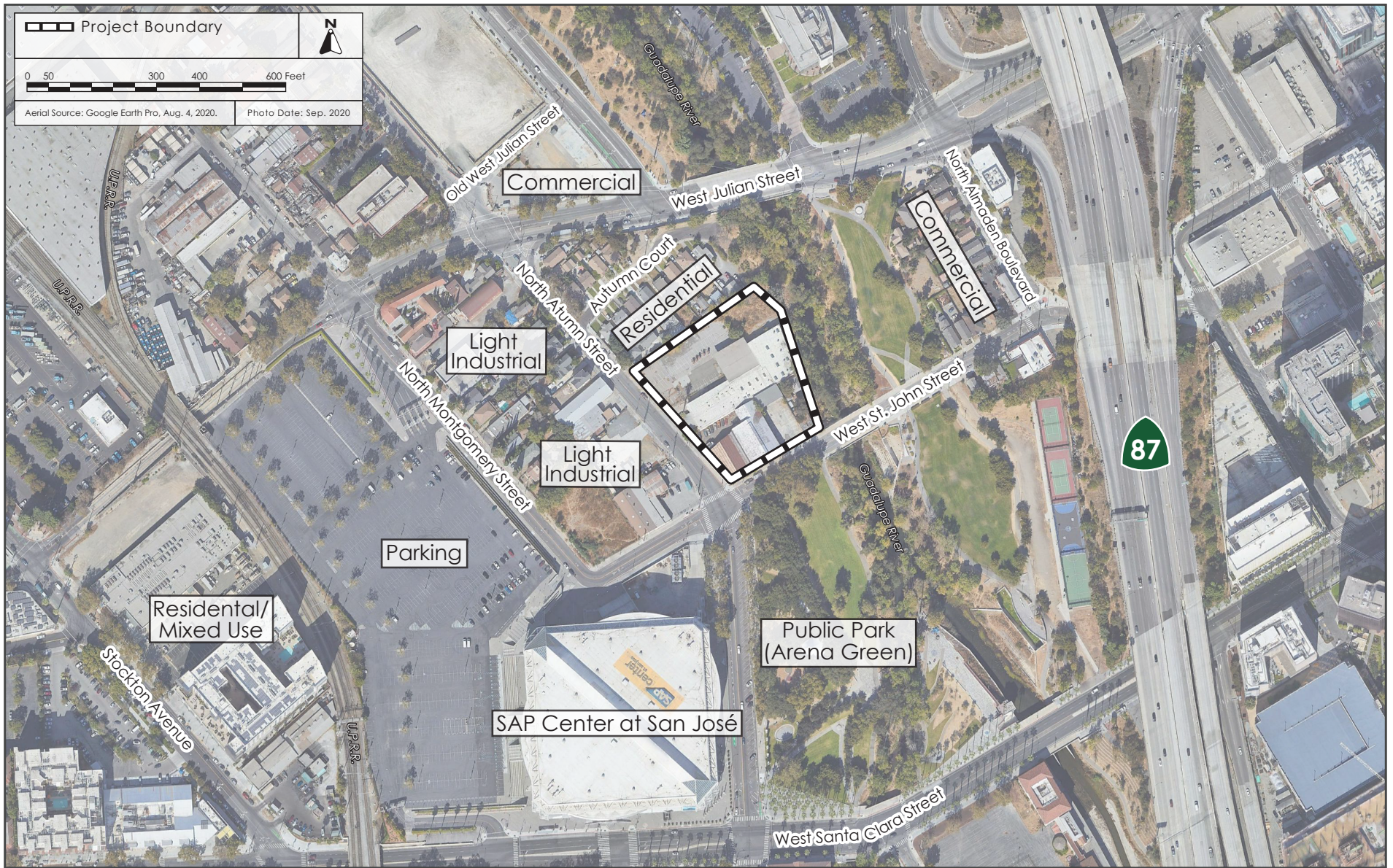
REGIONAL MAP

FIGURE 1



VICINITY MAP

FIGURE 2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 3



Source: Kimley-Horn, April 8, 2020.

CONCEPTUAL SITE PLAN

FIGURE 4