

2019049077

Planning, Building and Code Enforcement

ROSALYNN HUGHEY, DIRECTOR

**NOTICE OF PREPARATION OF AN
ENVIRONMENTAL IMPACT REPORT FOR THE
BERRYESSA ROAD RESIDENTIAL AND OFFICE PROJECT**

FILE NOS: GP17-016 and PDC18-036

PROJECT APPLICANT: TERRACOMMERCIAL REAL ESTATE CORPORATION

APNS: 241-03-023, -024, -025

Project Description: The project includes a General Plan Amendment and Planned Development rezoning on the 13.02-acre site. Under the project, the site's existing Industrial Park land use designation would be changed to Urban Village, consistent with the City's planned Berryessa BART Urban Village Area Plan. Two development scenarios will be evaluated in this EIR: Option 1 includes up to 320 high-density dwelling units, 95 multi-family affordable dwelling units, and up to 200,000 square feet of commercial office use. Option 2 includes up to 910 dwelling units which may include affordable dwelling units, and up to 658,000 square feet of commercial office space.

Project Location: 1655 Berryessa Road

As the Lead Agency, the City of San José will prepare an Environmental Impact Report (EIR) for the project identified 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, the EIR may be used by your agency when considering subsequent approvals related to the project.

A Community and EIR Public Scoping Meeting will be held for this project:

When: Monday, April 29, 2019 from 6:30 p.m. to 8:00 p.m.

Where: Educational Park Branch Library

1772 Educational Park Drive, San José, CA 95133.

The project description, location and probable environmental impacts 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.

According to State law, the deadline for your response is 30 days after receipt of this notice. The City will accept comments on the Scope of the EIR until **5:00 p.m. on May 14, 2019**. If you have comments on this Notice of Preparation, please identify a contact person, and send your written response to:

City of San José, Department of Planning, Building and Code Enforcement

Attn: Reema Mahamood, Environmental Project Manager

200 East Santa Clara Street, 3rd Floor Tower, San José CA 95113-1905

Phone: (408) 535-6872, email: reema.mahamood@sanjoseca.gov

Rosalynn Hughey, Director, Planning, Building and Code Enforcement

Deputy

4/5/19

Date

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April 2019

A. 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 to have significant impacts on the environment; to examine methods of reducing significant 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:

- Summary of the EIR;
- Project Description;
- Description of the existing environmental setting, discussion of environmental impacts of the proposed project, and mitigation measures to reduce environmental impacts of 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 environmental changes caused by the project, and irretrievable commitments of resources if the project is implemented; (c) the growth inducing impacts of the proposed project; and (d) cumulative impacts.

B. PROJECT LOCATION

The project site is located at 1651-1655 Berryessa Road (Assessor's Parcel Numbers [APNs] 241-03-023, -024, and -025) and encompasses a total of 13.02 gross acres. The site is north of Berryessa Road, west of the Berryessa Bay Area Rapid Transit (BART) track alignment, and bounded on the north and west by residential uses. Commercial retail uses are under construction fronting Berryessa Road west of the site. Regional, vicinity, and aerial maps of the project site are attached as Figures 1, 2 and 3, respectively.

The site is within the boundaries of the 270-acre Berryessa BART Urban Village Area Plan, which is currently under preparation.

C. DESCRIPTION OF THE PROJECT

The project includes a General Plan Amendment (GPA) and Planned Development (PD) rezoning on the 13.02-acre site. Under the project, the site's existing *Industrial Park (IP)* land use designation would be changed to *Urban Village (UV)*, consistent with the City's planned Berryessa BART Urban Village Area Plan.

Two development scenarios will be evaluated in this EIR: Option 1 is the Applicant's proposed development project and Option 2 is the maximum development scenario. The proposed project (Option 1) includes up to 320 high-density dwelling units, 95 multi-family affordable dwelling units, and up to 200,000 square feet of commercial office use. The maximum development scenario includes up to 910 high-density dwelling units (which may include affordable dwelling units) and up to 658,000 square feet of commercial office space. See Table 1 below for the two development scenarios.

	Option 1 (Proposed Project)	Option 2 (Maximum Development)
Single-Family Residential	320 units	910 units
Affordable Residential	95 units	
Commercial	200,000 square feet	658,000 square feet

The EIR will evaluate both development scenarios throughout the EIR, providing the decision-makers and the public with a comparable evaluation of the two development scenarios.

In both development scenarios, the proposed commercial office building would be located on the 2.2-acre parcel at the site's southern boundary, adjacent to Berryessa Road. Up to 95 dwelling units of affordable housing are proposed for the 0.8-acre parcel north of the office building, adjacent to the embankment for the BART tracks. The affordable dwelling units would be located in one seven-story building. The project proposes to develop dwelling units on a 9.1-acre portion of the project site. Approximately 0.9 acre of private open space would be located along the site's eastern boundary.

D. ENVIRONMENTAL EFFECTS OF THE PROJECT

The EIR will address the following environmental issues: aesthetics, agricultural and forestry resources, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use, mineral resources, noise and vibration, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, wildfire, cumulative impacts, and alternatives to the project. A brief discussion of the potential environmental impacts is presented below.

1) *Aesthetics*

The EIR will describe the existing aesthetic resources in the vicinity of the project site and will evaluate the project's impacts to scenic resources and public views. The project's light and glare and shade and shadow impacts will also be assessed. Mitigation and/or avoidance measures will be identified for any significant aesthetics impacts.

2) *Air Quality*

The EIR will describe the existing air quality conditions in the Bay Area and will evaluate the air quality impacts of the project, based on a detailed air quality analysis prepared for the proposed project. Construction and operational air quality impacts will be evaluated. Mitigation and/or avoidance measures will be identified for any significant air quality impacts that are identified.

3) *Biological Resources*

A biological resources report will be prepared for the project describing the existing biological resources on and nearby the site, impacts of the project on the existing biological resources, and compliance with the Santa Clara Valley Habitat Plan. A tree survey will inventory trees present on the site. Mitigation and/or avoidance measures will be included in the EIR, as needed.

4) *Cultural Resources*

The EIR will address any known existing cultural resources on and adjacent to the site, based upon a records search and consultation with local Native American tribes. Mitigation and/or avoidance measures will be identified for significant cultural resource impacts. Buildings currently on the site that are proposed for demolition would be evaluated for historic value.

5) *Hazards and Hazardous Materials*

The site has a history of hazardous materials usage. Soil and groundwater quality investigations have been completed on the site. The EIR will address existing hazards or hazardous material conditions on and in the vicinity of the site, based upon an updated Environmental Site Assessment. Mitigation and/or avoidance measures will be identified to reduce significant hazardous materials impacts.

6) *Land Use*

The EIR will evaluate the project's compatibility with nearby land uses, including the existing and approved residential uses to the west, Upper Penitencia Creek to the south, and the future BART station to the south. Mitigation and/or avoidance measures will be identified for significant land use impacts.

7) *Noise*

A noise analysis will be prepared to determine the existing ambient noise levels on the project site and project noise impacts. The EIR will address the compatibility of the proposed uses with the project site's existing and future noise exposure, offsite impacts resulting from onsite noise sources, project-generated traffic noise impacts to sensitive receptors in the area, and the temporary noise

increase during project construction. Mitigation and/or avoidance measures will be identified to reduce significant noise impacts.

8) *Transportation and Traffic*

The EIR will evaluate proposed project impacts on the transportation system using the City's Transportation Analysis Policy (Council Policy 5-1). Mitigation measures will be identified to avoid or reduce significant transportation impacts. The transportation policy also requires a Local Transportation Analysis (LTA) to be completed which will evaluate the operational effects of implementing the proposed project. Peak hour intersection operation analysis will be completed as part of the LTA.

9) *Utilities and Service Systems*

The EIR will address the ability of existing and planned public facilities and service systems to meet the demands generated by the project. Physical impacts to the environment will be identified, such as the need to construct new utility facilities. The EIR will describe the existing water supply that serves the project site and will evaluate the impacts of the project, based upon a water supply assessment. Mitigation measures will be identified to reduce significant impacts to utilities and service systems.

10) *Cumulative Impacts*

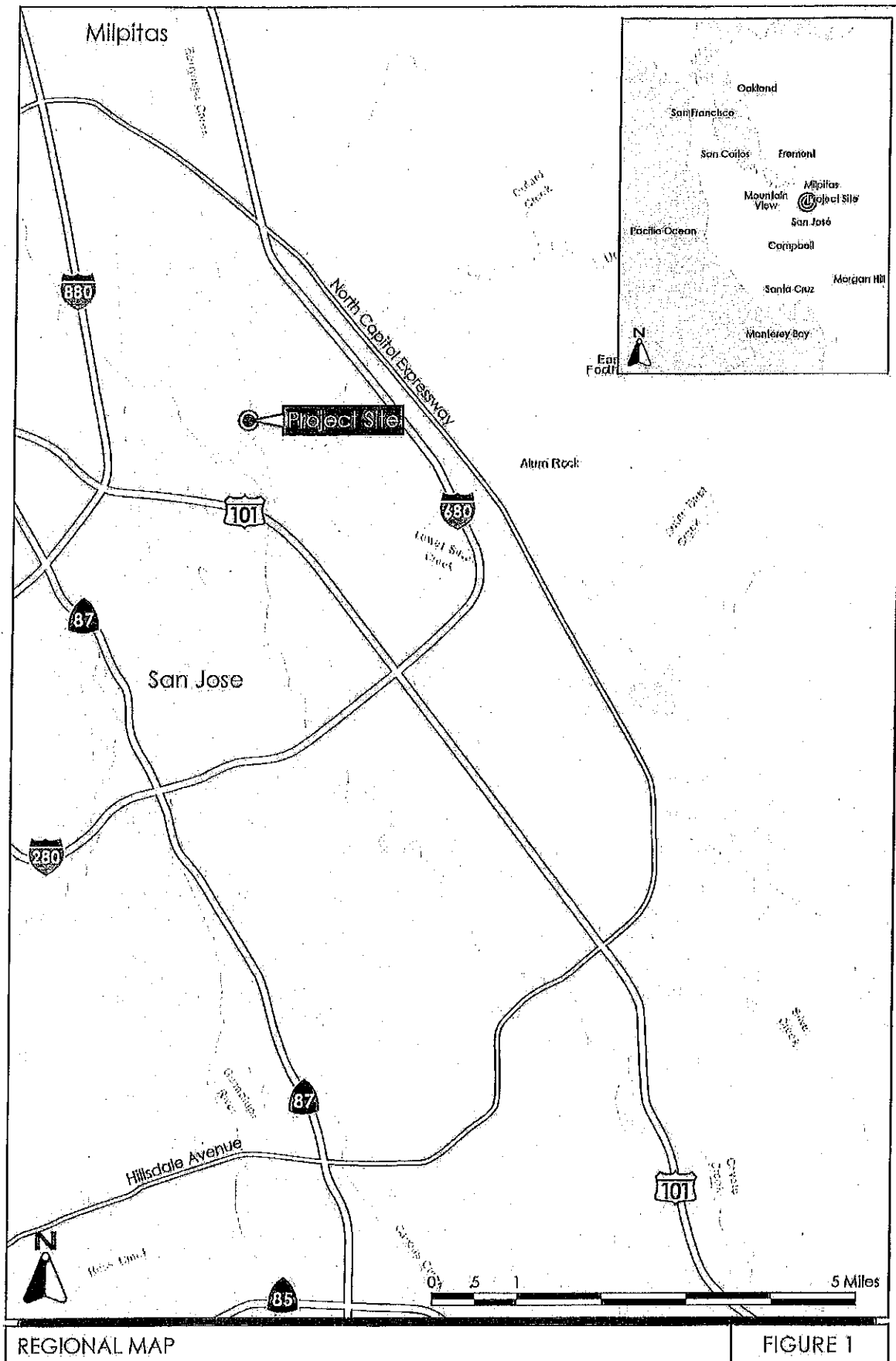
In conformance with CEQA, this section will address the impacts of implementing the project in combination with other past, present, and reasonably foreseeable future projects. Mitigation and avoidance measures will be identified to reduce significant cumulative impacts.

11) *Alternatives to the Project*

Alternatives to the proposed project will be evaluated, including a "No Project" alternative. Other alternatives analyzed will be selected based on their ability to avoid or lessen one or more significant impacts while still meeting most of the basic objectives of the proposed project.

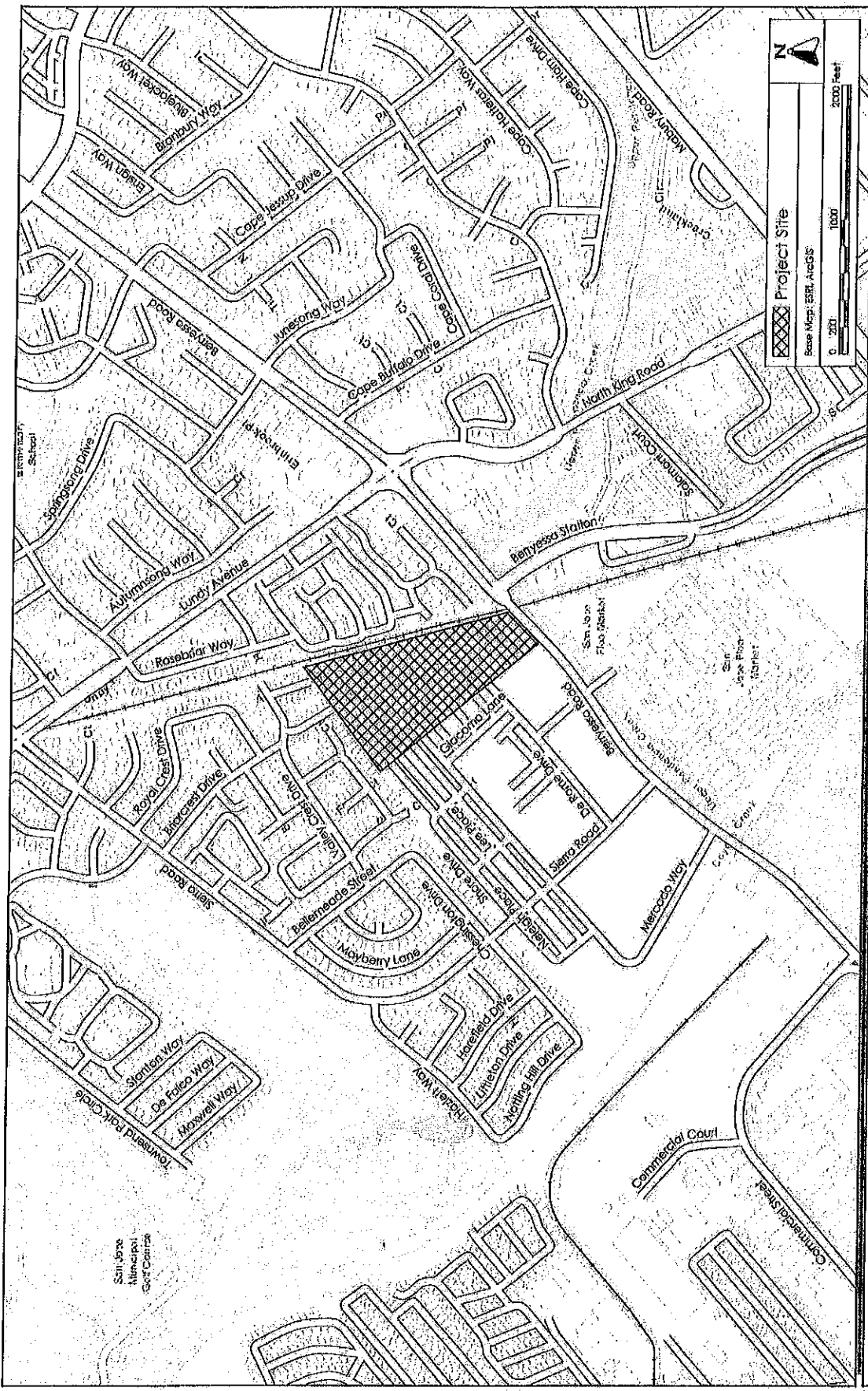
12) *Other CEQA Sections*


The EIR will include other sections required by CEQA, including Growth Inducing Impacts, Significant Irreversible Changes due to the proposed project, Significant Unavoidable Impacts, Authors and Consultants, References, and Technical Appendices.



REGIONAL MAP

FIGURE 1





Project Site

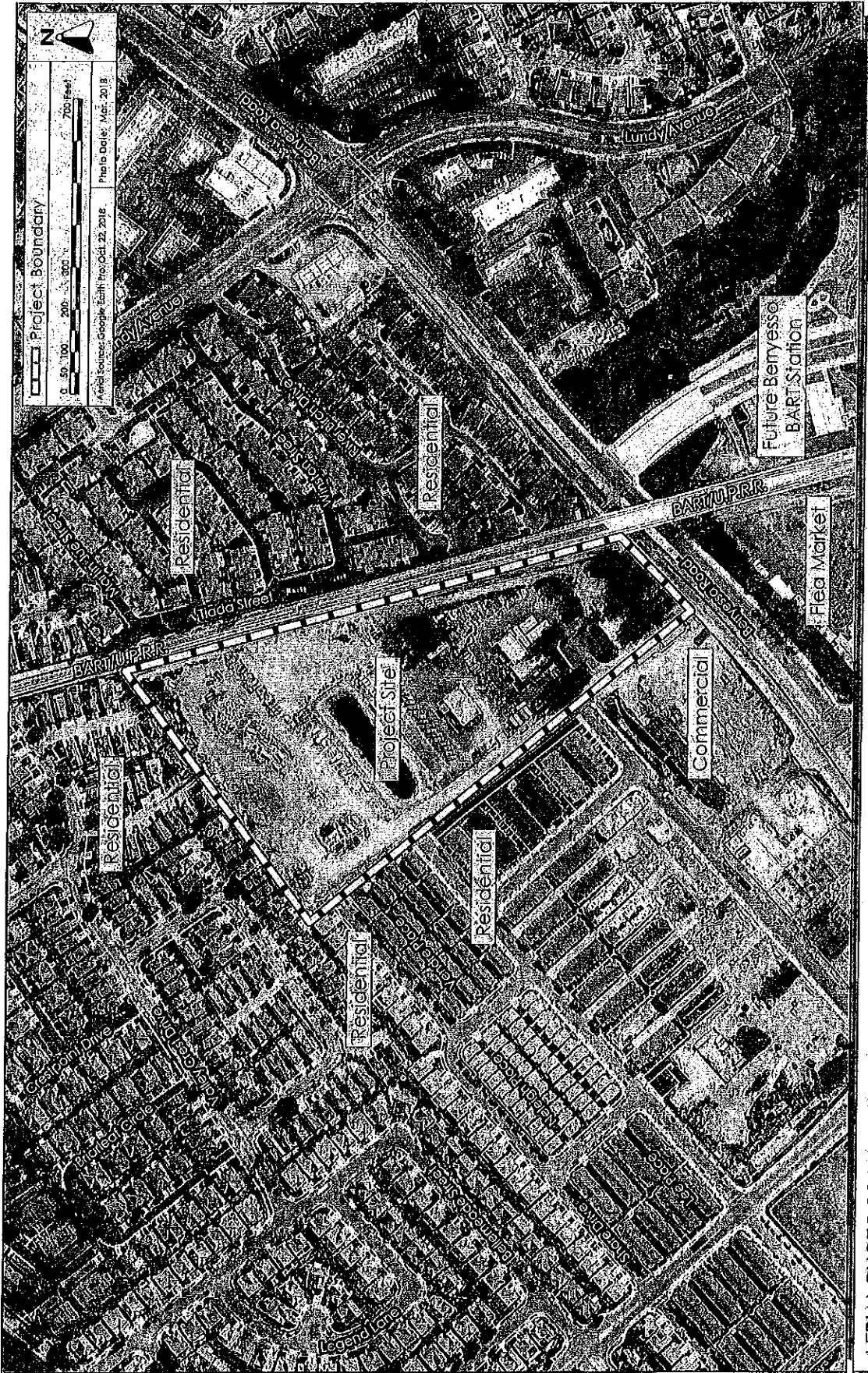
 Base Map: ESRI, ArcGIS

 C 2001

 2000 Feet

FIGURE 2

VICINITY MAP



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 3