



Planning, Building and Code Enforcement
ROSALYNN HUGHEY, DIRECTOR

**NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
3896 STEVENS CREEK COMMERCIAL PROJECT**

FILE NO: C19-020, CP19-031, T19-038
PROJECT APPLICANT: CYPRESS ACQUISITIONS, LLC
APN: 303-25-012, 303-25-013, 303-25-016, 303-25-022,
303-25-023

Project Description: Conforming Rezoning from Commercial Neighborhood & Commercial General Zoning District to Commercial Pedestrian Zoning District; a Conditional Use Permit to allow the demolition of 4 commercial buildings, late night use (4a.m. to midnight) for a fitness center, and to allow the construction of an approximately 270,000-square foot office building, 150,000-square foot fitness center, and 16,000-square foot of ground floor retail; and a Tentative map to combine 5 existing lots into 2 on an approximately 6.30-gross acre site on an approximately 4.84-gross acre 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.

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

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

Where: Cypress Senior Center at 403 Cypress Avenue, San Jose, CA 95117

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. 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: 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

Rosalynn Hughey, Director
Planning, Building and Code Enforcement


Deputy

12/04/19
Date

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12/04/19
Date

**NOTICE OF PREPARATION
OF AN ENVIRONMENTAL IMPACT REPORT
FOR THE 3896 STEVENS CREEK BOULEVARD PROJECT**

December 2019

Introduction

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the general public of the environmental impacts 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. 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) significant environmental effects that cannot be avoided if the project is implemented; (b) significant irreversible and irretrievable commitments of resources; (c) growth inducing impacts of the proposed project; and (d) cumulative impacts.

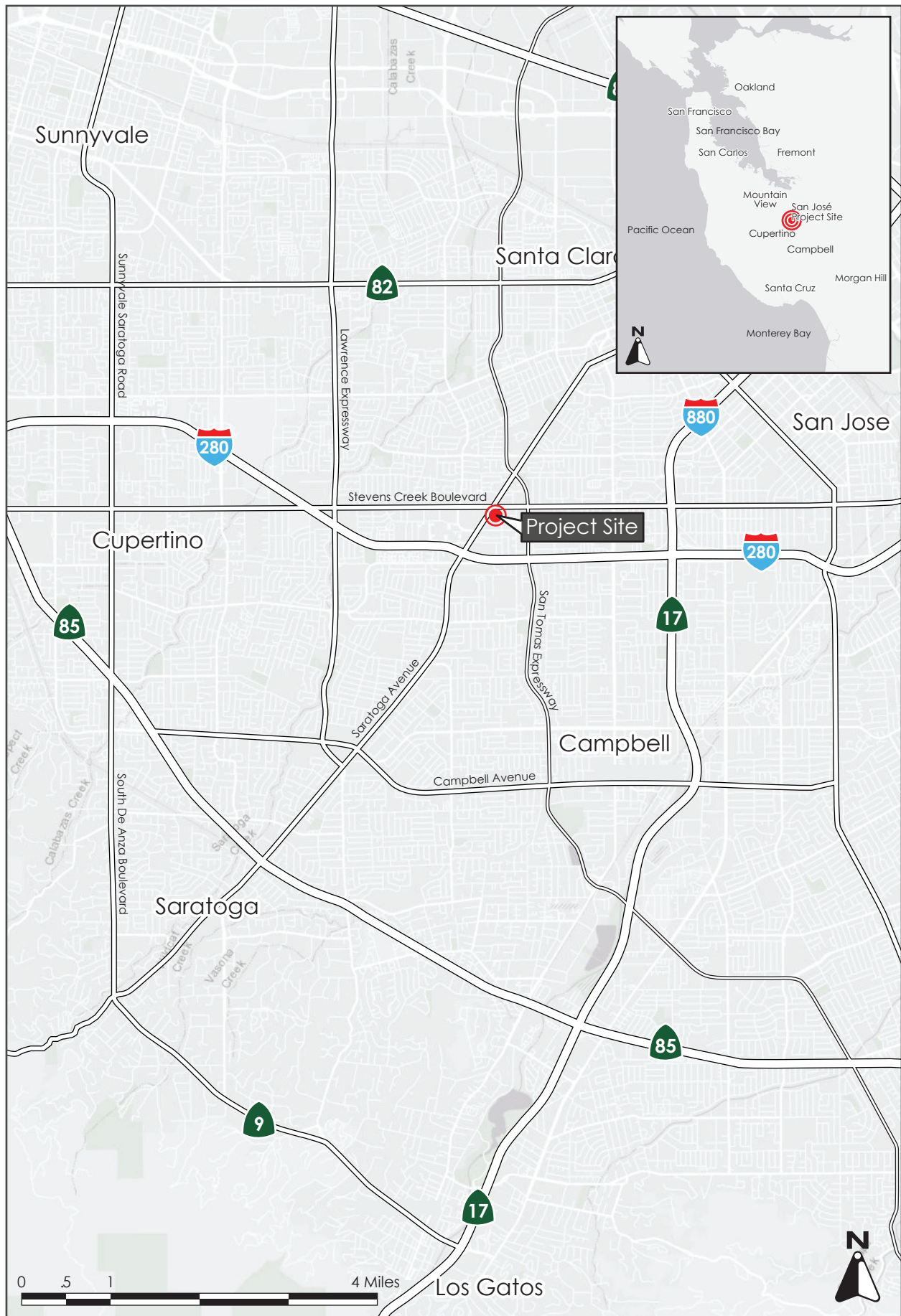
Project Location

The approximately 4.8-acre project site is located on the southeast corner of the Saratoga Avenue and Stevens Creek Boulevard intersection in the City of San José. (see Figure 1, Figure 2, and Figure 3)

Project Description

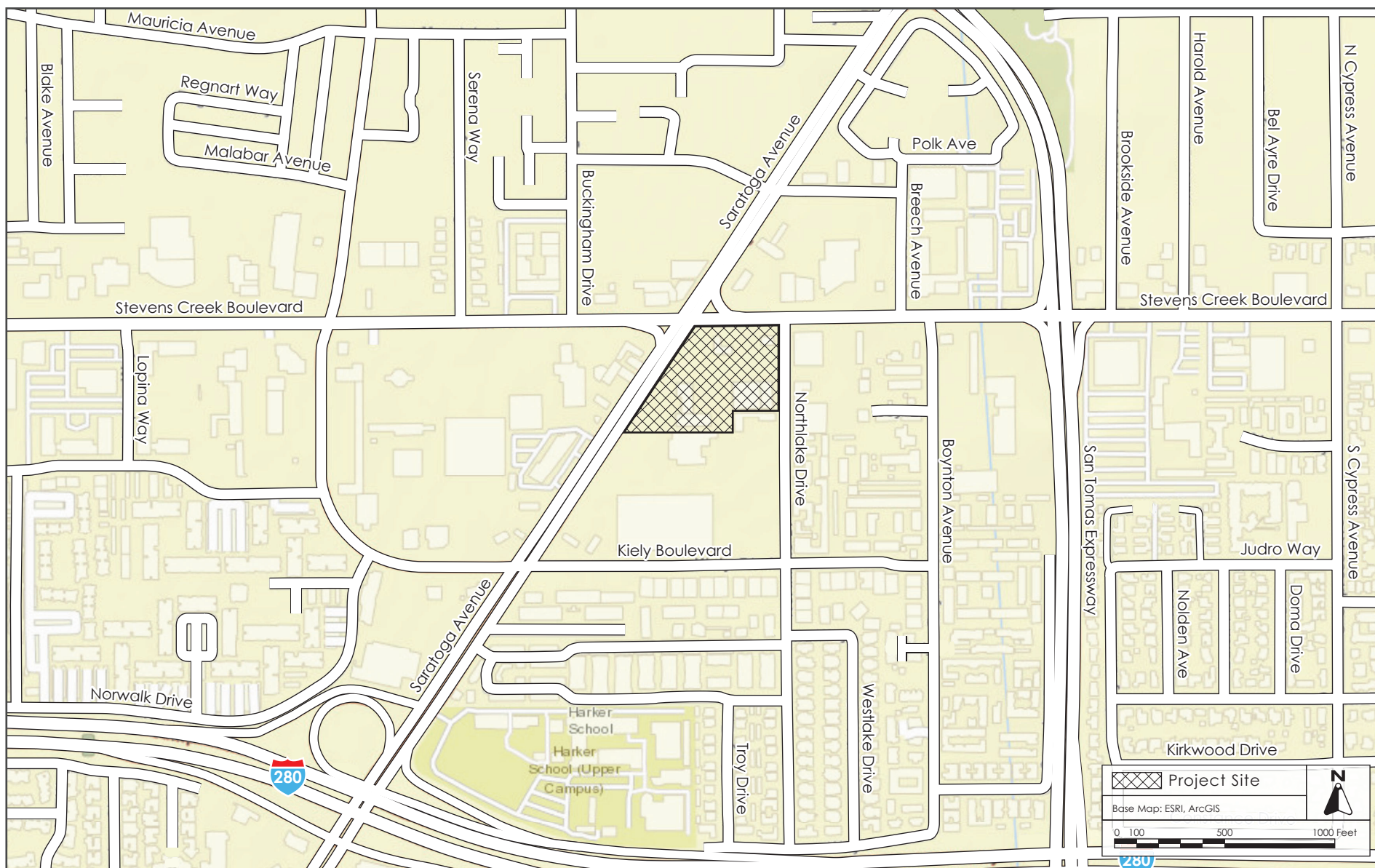
The project site is currently developed with four commercial buildings surrounded by surface parking lots. The proposed project would demolish the existing buildings and hardscape, remove trees and vegetation, and construct a commercial development project consisting of office, retail, and fitness uses, as well as associated structured parking (as shown in Figure 4). Outdoor rooftop use areas and open space areas are also proposed. The fitness facility would operate between the hours of 4:00 a.m. 12:00 a.m.

The project site is designated Urban Village under the City's General Plan. The project site has two zoning designations. The majority of the site is zoned CN – Neighborhood Commercial and a small portion of the northern side of the site is zoned CG – Commercial General.



REGIONAL MAP

FIGURE 1



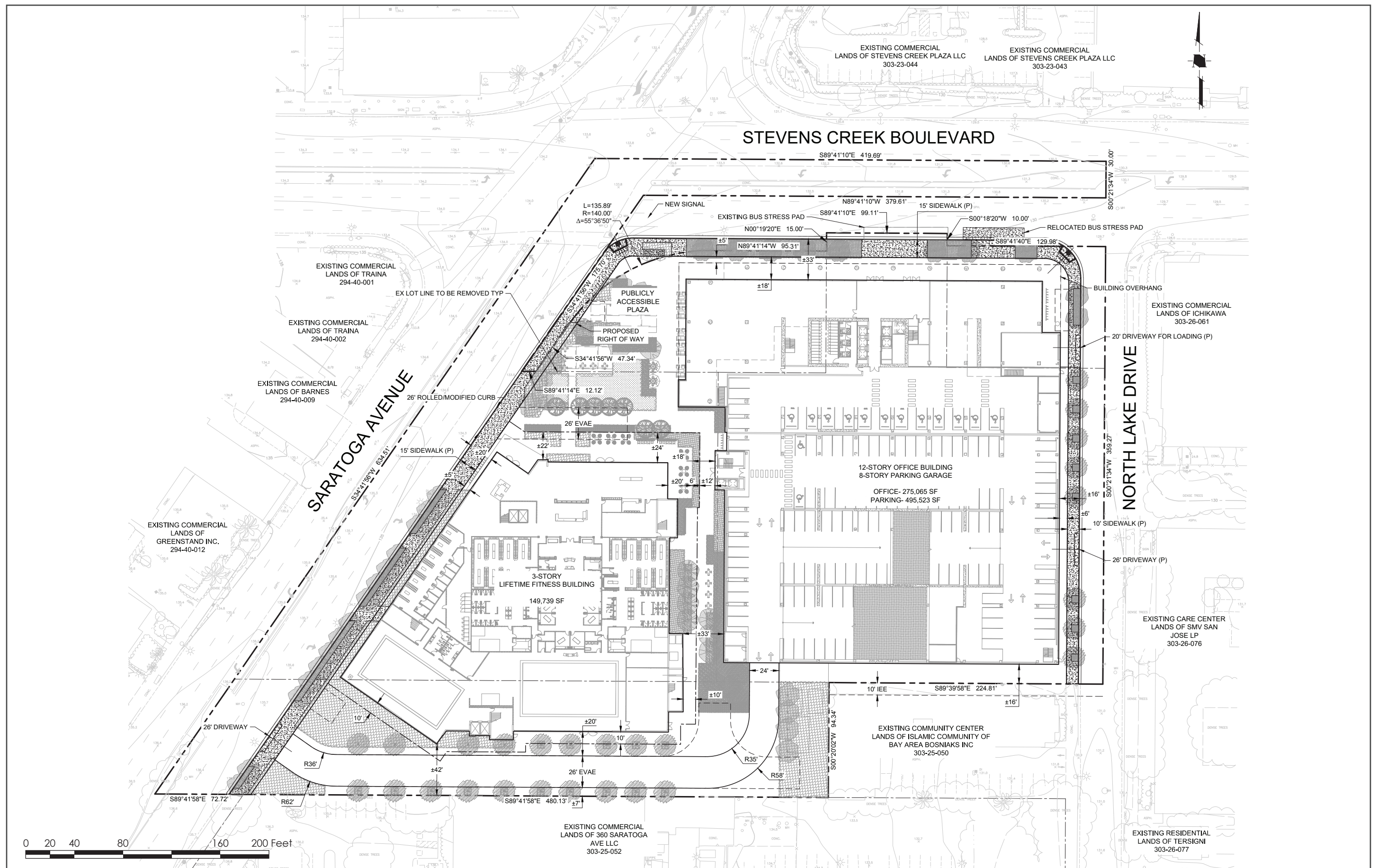
VICINITY MAP

FIGURE 2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 3



SITE PLAN

FIGURE 4

The proposed project would include the following components (shown in Table 1 below).

Table 1: Proposed Project Summary	
Proposed Land Use	Maximum Proposed
Office	270,000 square feet
Fitness	150,000 square feet
Retail/Restaurant	16,000 square feet
Parking	1,300 parking stalls

The proposed project would be housed within two separate structures. The proposed office building structure would have a maximum height of 150 feet (169 to the top of the mechanical screen). The fitness use building would have a maximum height of 63 feet (78 to the top of the parapet). Retail uses would be housed within the ground floor of the office building. Parking would be located within a parking garage structure that is wrapped by and partially within the office building.

Required Discretionary Approvals

1. Rezoning
2. Conditional Use Permit
3. Site Development Permit

Potential Environmental Impacts of the Project

The EIR will identify the significant environmental impacts anticipated to result from the proposed project. Mitigation measures will be identified for significant impacts, as warranted. The EIR will discuss the following environmental resource areas as related to the proposed project:

1. Aesthetics

The EIR will describe the existing visual setting of the project area and will discuss aesthetics impacts consistent with Senate Bill 743. The EIR will also discuss possible light and glare impacts from the development.

2. Air Quality

The EIR will address the regional air quality conditions in the Bay Area and discuss the proposed project's impacts to local and regional air quality according to 2017 Bay Area Air Quality Management District (BAAQMD) guidelines and thresholds.

3. Biological Resources

The project site is within a developed urbanized area. The site is developed with commercial buildings surrounded by surface parking lots. The EIR will discuss the overall loss of existing urban habitat and/or trees, and the project's consistency with the Santa Clara Valley Habitat Plan.

4. *Cultural Resources*

Previous analyses in the project vicinity have not yielded any information regarding subsurface artifacts; however, at least three of the existing buildings on-site were constructed before 1965, making them more than 50 years old. A historic evaluation will be prepared for the proposed project to determine if any of the buildings have historical significance. The EIR will address the potential for any undocumented subsurface resources to be located on-site.

5. *Energy*

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

6. *Geology*

The project site is located in a seismically active region. The EIR will discuss the project's potential to exacerbate impacts due to seismic hazards and soil conditions on the project site.

14. *Greenhouse Gas Emissions*

The EIR will address the proposed project's contribution to regional and global greenhouse gas emissions based on BAAQMD thresholds. Proposed design measures to reduce energy consumption, which in turn would reduce greenhouse gas emissions, will be discussed.

7. *Hazards and Hazardous Materials*

The project site is surrounded by commercial businesses and residential land uses. The project site was historically used as agricultural land and may contain residual pesticides. The EIR will summarize known hazardous materials conditions on and adjacent to the project site and will address the potential for hazardous materials impacts.

8. *Hydrology and Water Quality*

The EIR will address the possible flooding issues of the site as well as the effectiveness of the storm drainage system and the project's effect on storm water quality consistent with the requirements of the Regional Water Quality Control Board. The EIR will also include the percentage of pervious and impervious surfaces on-site (under existing and project conditions), and a list of proposed stormwater control measures that meet Low Impact Development Requirements.

9. *Land Use*

The project site is located in a developed urbanized area (Stevens Creek Boulevard Urban Village Plan area) and is surrounded by general commercial, office, and residential land uses. The EIR will describe the existing land uses adjacent to and within the project area. Environmental impacts due to conflicts with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect will be discussed.

10. Transportation and Circulation

The EIR will examine the existing traffic conditions in the immediate vicinity of the project site. The EIR will include a vehicle miles traveled analysis, pursuant to the City's transportation analysis policy (Council Policy 5-1).

11. Noise

The project site is located adjacent to Stevens Creek Boulevard and Saratoga Avenue, both major roadways with high traffic volumes. The EIR will also discuss the increase in traffic noise that would result from implementation of the proposed project, temporary construction noise, and future operational noise. Consistency with applicable standards and guidelines will be discussed.

12. Public Services and Recreation

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

13. Tribal Cultural Resources

The EIR will discuss the project's potential for impacts to tribal cultural resources under Assembly Bill 52.

14. Utilities

Implementation of the proposed project will result in an increased demand on utilities and public facilities compared to existing conditions. The EIR will examine the effect of the project on public services and any potential environmental impacts from necessary new facilities, including sanitary sewer lines, storm drains, water lines, and solid waste management.

15. 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. Alternatives discussed will be chosen based on their ability to reduce or avoid identified significant impacts of the proposed project, while still achieving most of the identified project objectives.

16. Significant Unavoidable Impacts

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

17. Cumulative Impacts

The EIR will include a Cumulative Impacts analysis addressing the impacts of the project when considered with past, present, and reasonably foreseeable future projects in the area.

18. Other Required Sections

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