

- County Clerk-Recorder
County of Santa Clara
70 W. Hedding St., San Jose, CA, 95110
- Office of Planning and Research
State of California
P.O. Box 3044, Sacramento, CA, 95812

NOTICE OF DETERMINATION FOR AN ENVIRONMENTAL IMPACT REPORT (SCH # 2018082005)

San José Flea Market Southside Rezoning Project. A Planned Development Zoning (File No. PDC17-051) on a portion of the San José Flea Market site to allow up to 3,400,000 square feet of commercial development (including office, R&D, and an urban market) and up to 3,450 residential units to develop a mixed-use, Transit-Oriented Development.

Location: 61.5-gross acre project site located on the San José Flea Market property, south of Berryessa Road, east of Coyote Creek, west of the Berryessa Bay Area Rapid Transit (BART) Station and track alignment, and north of Mabury Road (APNs: 254-17-007, 254-17-052, 254-17-053, and 254-17-095). **Council District:** 4.

This is to advise that on **June 29, 2021**, the City Council of the City of San José approved the following actions related to the above-described project:

- a) Adoption of a resolution certifying the San José Flea Market Planned Development Rezoning Environmental Impact Report and make certain findings concerning significant impacts, mitigation measures, alternatives, and adopting a Statement of Overriding Considerations and a related Mitigation Monitoring and Reporting Program, all in accordance with the California Environmental Quality Act; and
- b) Approval of a Rezoning Ordinance on an approximately 61.5-gross acre site located at 1590 Berryessa Road (Assessor Parcel Numbers 254-17-052, -053, -007, -084, -095) from the A(PD) Planned Development Zoning District to CP(PD) Planned Development Zoning District to allow up to 3,450 residential units and up to 3.4 million square feet of commercial uses.

Furthermore, the City Council of the City of San José has made the following determinations regarding such project:

1. A Final Environmental Impact Report was prepared for this project and adopted on June 29, 2021 pursuant to the provisions of the California Environmental Quality Act (CEQA).

2. The project will have significant effects on the environment relating to air quality, biological resources, cultural resources (including historic resources and archeological resources); hazards and hazardous materials; and noise.
3. Mitigation measures were made a condition of approval of the project.
4. A Mitigation Monitoring and Reporting Program was adopted for this project.
5. A Statement of Overriding Considerations was adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

The EIR and record of project approval may be examined at the City of San José, Department of Planning, Building and Code Enforcement, 200 East Santa Clara Street, 3rd Floor Tower, San José CA 95113-1905. This notice is in compliance with Section 21108 and 21152 of the Public Resources Code.

The above-described project was approved and issued on June 29, 2021.

Date: 06/30/2021

Christopher Burton, Director
Planning, Building and Code Enforcement


Deputy