



Regina Alcomendras
Santa Clara County
Clerk-Recorder
(408) 299-5688
<https://www.clerkrecorder.org>

Receipt: 21-79060

Product	Name	Extended
CEQA	ENVIRONMENTAL FILING	\$3,495.25
# Pages		3
Document #		ENV23202
Document Info:	CITY OF SN JOSE DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT (ATTN: THAI-CHAU LE)	
Filing Type		I
Total		\$3,495.25
Tender (Check)		\$3,495.25
Check #	001352	
Paid By	Cypress Acquisitions, LLC	

PLEASE KEEP FOR REFERENCE



State of California - Department of Fish and Wildlife
2021 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.Sa (REV. 01/01/21) Previously DFG 753.Sa

RECEIPT NUMBER:
 01 - ENV23202
 STATECLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF SN JOSE DEPARTMENT OF	LEAD AGENCY EMAIL	DATE 03/15/2021
COUNTY/STATE AGENCY OF FILING SANTA CLARA		DOCUMENT NUMBER

PROJECT TITLE
 3896 STEVENS CREEK COMMERCIAL PROJECT

PROJECT APPLICANT NAME CYPRESS EQUITIES, LLC (ATTN: STEPHEN R.)	PROJECT APPLICANT EMAIL	PHONE NUMBER (214) 561-8817
PROJECT APPLICANT ADDRESS 8343 DOUGLAS AVENUE	CITY DALLAS	STATE TX
		ZIP CODE 75225

PROJECT APPLICANT (Check appropriate box)

Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

<input checked="" type="checkbox"/> Environmental Impact Report (EIR)	\$3,445.25	\$ <u>3,445.25</u>
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,480.25	\$ _____
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,171.25	\$ _____
<input type="checkbox"/> Exempt from fee		
<input type="checkbox"/> Notice of Exemption (attach)		
<input type="checkbox"/> CDFW No Effect Determination (attach)		
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)		
<hr/>		
<input type="checkbox"/> Water Right Application or Petition Fee (StateWater Resources Control Board only)	\$850.00	\$ _____
<input checked="" type="checkbox"/> County documentary handling fee		\$ <u>50.00</u>
<input type="checkbox"/> Other		\$ _____

PAYMENT METHOD:

Cash Credit Check Other

TOTAL RECEIVED \$ 3,495.25

SIGNATURE 	AGENCY OFFILING PRINTED NAME AND TITLE Nina Khamphilath, Deputy County Clerk-Recorder
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County of Santa Clara
Office of the County Clerk-Recorder
Business Division



County Government Center
70 West Hedding Street, E. Wing, 1st Floor
San Jose, California 95110 (408) 299-5688

File Number: ENV23202

ENVIRONMENTAL FILING

No. of Pages: 3

Total Fees: \$3495.25

File Date: 03/15/2021

Expires: 04/14/2021

REGINA ALCOMENDRAS, Clerk-Recorder

By: Nina Khamphilath, Deputy Clerk-Recorder

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: City of San Jose Department of Planning, Building and Code Enforcement (Attn: Thai-Chau Le)

2. PROJECT TITLE: 3896 Stevens Creek Commercial Project

3. APPLICANT NAME: Cypress Equities, LLC (ATTN: Stephen R. Schmidt) PHONE: 214-561-8817

4. APPLICANT ADDRESS: 8343 Douglas Avenue, Dallas, Texas 75225

5. PROJECT APPLICANT IS A: Local Public Agency School District Other Special District State Agency Private Entity

6. NOTICE TO BE POSTED FOR 30 DAYS,

7. CLASSIFICATION OF ENVIRONMENTAL DOCUMENT

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

<input checked="" type="checkbox"/> 1. ENVIRONMENTAL IMPACT REPORT (PUBLIC RESOURCES CODE §21152)	\$ 3,445.25	\$ 3,445.25
<input type="checkbox"/> 2. NEGATIVE DECLARATION (PUBLIC RESOURCES CODE §21080(C))	\$ 2,480.25	\$ 0.00
<input type="checkbox"/> 3. APPLICATION FEE WATER DIVERSION (STATE WATER RESOURCES CONTROL BOARD ONLY)	\$ 860.00	\$ 0.00
<input type="checkbox"/> 4. PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS	\$ 1,171.25	\$ 0.00
<input checked="" type="checkbox"/> 5. COUNTY ADMINISTRATIVE FEE (REQUIRED FOR a-1 THROUGH a-4 ABOVE) Fish & Game Code §711.4(e)	\$ 50.00	\$ 50.00

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

<input type="checkbox"/> 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED)	\$ 50.00	\$ 0.00
<input type="checkbox"/> 2. A COMPLETED "CEQA FILING FEE NO EFFECT DETERMINATION FORM" FROM THE DEPARTMENT OF FISH & GAME, DOCUMENTING THE DFG'S DETERMINATION THAT THE PROJECT WILL HAVE NO EFFECT ON FISH, WILDLIFE AND HABITAT, OR AN OFFICIAL, DATED RECEIPT / PROOF OF PAYMENT SHOWING PREVIOUS PAYMENT OF THE DFG FILING FEE FOR THE *SAME PROJECT IS ATTACHED (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED)		
DOCUMENT TYPE: <input type="checkbox"/> ENVIRONMENTAL IMPACT REPORT <input type="checkbox"/> NEGATIVE DECLARATION	\$ 50.00	\$ 0.00

c. NOTICES THAT ARE NOT SUBJECT TO DFG FEES OR COUNTY ADMINISTRATIVE FEES

<input type="checkbox"/> NOTICE OF PREPARATION	<input type="checkbox"/> NOTICE OF INTENT	NO FEE	\$ NO FEE
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8. OTHER: _____ FEE (IF APPLICABLE): \$ _____

9. TOTAL RECEIVED: \$ 3,495.25

*NOTE: *SAME PROJECT MEANS NO CHANGES. IF THE DOCUMENT SUBMITTED IS NOT THE SAME (OTHER THAN DATES), A "NO EFFECT DETERMINATION" LETTER FROM THE DEPARTMENT OF FISH AND GAME FOR THE SUBSEQUENT FILING OR THE APPROPRIATE FEES ARE REQUIRED.

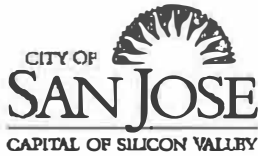
THIS FORM MUST BE COMPLETED AND ATTACHED TO THE FRONT OF ALL CEQA DOCUMENTS LISTED ABOVE (INCLUDING COPIES) SUBMITTED FOR FILING. WE WILL NEED AN ORIGINAL (WET SIGNATURE) AND TWO (2) COPIES. IF THERE ARE ATTACHMENTS, PLEASE PROVIDE THREE (3) SETS OF ATTACHMENTS FOR SUBMISSION. (YOUR ORIGINAL WILL BE RETURNED TO YOU AT THE TIME OF FILING.)

CHECKS FOR ALL FEES SHOULD BE MADE PAYABLE TO: SANTA CLARA COUNTY CLERK-RECORDER

PLEASE NOTE: FEES ARE ANNUALLY ADJUSTED (Fish & Game Code §711.4(b)); PLEASE CHECK WITH THIS OFFICE AND THE DEPARTMENT OF FISH AND GAME FOR THE LATEST FEE INFORMATION.

... NO PROJECT SHALL BE OPERATIVE, VESTED, OR FINAL, NOR SHALL LOCAL GOVERNMENT PERMITS FOR THE PROJECT BE VALID, UNTIL THE FILING FEES REQUIRED PURSUANT TO THIS SECTION ARE PAID. Fish & Game Code §711.4(c)(3)

(Fees Effective 01-01-2021)



Planning, Building and Code Enforcement

ROSALYNN HUGHEY, DIRECTOR
File Number: C19-020/CP19-031/T19-038/ER20-020

- County Clerk-Recorder
County of Santa Clara
70 W. Hedding St., San José, 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**

Lead Agency: City of San Jose Department of Planning, Building and Code Enforcement

Project Applicant: Cypress Equities, LLC (ATTN: Stephen R. Schmidt); 8343 Douglas Avenue, Dallas, Texas 75225; stephen.schmidt@cypressequities.com; 214-561-8817.

Project Title: 3896 Stevens Creek Commercial Project

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 and to allow the construction of an approximately 308,000-square foot office building, 151,300-square foot fitness center, and 15,000-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. The project also proposes late night use of the fitness facility

Location: The approximately 4.8-acre project site is located at the southeast corner of Saratoga Avenue and Stevens Creek Boulevard and includes five parcels (APNs 303-25-012 [350 Saratoga Avenue], -013 [3888 Stevens Creek Boulevard], -022 [3830 Stevens Creek Boulevard], -023 [3896 Stevens Creek Boulevard], -016 [3806 Stevens Creek Boulevard]) in the City of San José.

Assessor's Parcel No: 303-25-012, -013, -022 -023, -016.

Council District: 1

This is to advise that on March 9, 2021, the City Council of the City of San José approved the following actions related to the above-described project:

- a) Adopt a resolution certifying the 3896 Stevens Creek Commercial Project Environmental Impact Report, and making certain findings concerning significant impacts, mitigation measures, alternatives, and adopting a related Mitigation Monitoring and Reporting Plan, in accordance with the California Environmental Quality Act (CEQA).
- b) Approve an ordinance rezoning an approximately 4.84-gross acre site, located at the southeast corner of Stevens Creek Boulevard and Saratoga Avenue, from the CG Commercial General and CN Commercial Neighborhood Zoning Districts to the CP Commercial Pedestrian

Zoning District.

- c) Adopt a resolution approving, subject to conditions, a Vesting Tentative Map to resubdivide five parcels into two parcels on an approximately 4.84-gross acre site.
- d) Adopt a resolution approving, subject to conditions, a Conditional Use Permit and Site Development Permit to allow the demolition of all existing commercial buildings on site, totaling approximately 47,631 square feet, the removal of 65 trees (41 ordinance-size, 24 non-ordinance-size) and the construction of an approximately 791,000-square foot commercial mixed-use office building and an approximately 122,700-square foot health club with late-night use (4am to 12am) and an approximately 39 percent parking reduction on an approximately 4.84-gross acre site.

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

1. A Final Environmental Impact Report was prepared for this project and adopted on March 9, 2021 pursuant to the provisions of CEQA.
2. This project will have significant effects on the environment relating to air quality, biological resources, hazards and hazardous materials, noise, and transportation.
3. The City Council of the City of San Jose has independently reviewed and analyzed the Environmental Impact Report and other information in the record and has considered the information contained therein, prior to acting upon or approving the Project.
4. Mitigation measures were made a condition of approval of the project.
5. A Mitigation Monitoring and Reporting Program 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.

Rosalynn Hughey, Director
Planning, Building and Code Enforcement



Deputy

Date: 03/10/2021

Environmental Project Manager:
Thai-Chau Le