

File Numbers: PDC19-049,
PD20-006

- 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 (EI PASEO & 1777 SARATOGA
AVENUE MIXED-USE PROJECT, SCH # 2020090521)**

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

Project Applicant: El Paseo Property Owner, LLC. (Attn: Allison Koo)

Project Title: El Paseo & 1777 Saratoga Avenue Mixed-Use Village Project

Project Description: The project includes a Planned Development Zoning for both sites (1312 El Paseo de Saratoga and 1777 Saratoga Avenue) from the Commercial General CG Zoning District and Commercial Pedestrian CP Zoning District to the CG(PD) Planned Development Zoning District, a subdivision, a Planned Development Permit, a Development Agreement, and tree removal permits to allow the demolition of existing on-site buildings (totaling approximately 126,345 square feet), removal of 120 trees, and the development of four mixed-use buildings consisting of 994 residential units and 165,949 square feet of commercial space, extended construction hours (15-hour concrete pours between 6:00 am to 9:00 pm daily over a 15-day period), and a Conditional Use Permit and Determination of Public Convenience or Necessity to allow off-sale alcohol (Type 21 ABC License) at a future grocery store in an approximately 56,603-square-foot tenant space. The project is proposed on two sites totaling approximately 10.7-gross acres.

Location: East of the intersection of Saratoga Avenue and Quito Road (1312 El Paseo de Saratoga) and north of the intersection of Saratoga Avenue and Lawrence Expressway (1777 Saratoga Avenue)

Assessor's Parcel Nos: 403-33-014 & 386-10-033, -036, -044, -045, -046

Council District: 1

The City prepared an Environmental Impact Report (EIR) for this project in compliance with the California Environmental Quality Act (CEQA) and CEQA Guidelines. The EIR evaluated the nature and extent of any adverse effects on the environment that could occur if the project is approved and implemented. The evaluation determined that the project would not have a significant and unavoidable impact with the implementation of mitigation measures. Significant impacts were identified for construction air quality, biological resources, hazards and hazardous materials, construction noise and vibration, and transportation all of which could be mitigated to less than significant levels of impact.

This is to advise that on June 21, 2022, 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 El Paseo and 1777 Saratoga Avenue Mixed-Use Village Project Environmental Impact Report, and making certain findings concerning significant impacts, mitigation measures, and a related Mitigation Monitoring and Reporting Plan for the El Paseo and 1777 Saratoga Avenue Mixed-Use Project, all in accordance with the CEQA, as amended; and
- (b) Approved an Ordinance rezoning an approximately 10.76-gross acre site from the CG and CP Zoning Districts to a CG(PD) Planned Development Zoning District; and
- (c) Adoption of a resolution approving a Planned Development Permit to allow the demolition of approximately 126,345 square feet of existing commercial buildings, the removal of 120 trees (20 ordinance-size, 100 non-ordinance-size) for the construction of four mixed-use buildings consisting of 994 residential units and 165,949 square feet of commercial space, extended construction hours (15-hour concrete pours between 6:00 am to 9:00 pm daily over a 15-day period), and a Conditional Use Permit and Determination of Public Convenience or Necessity to allow off-sale alcohol (Type 21 ABC License) at a future grocery store in an approximately 40,000-square foot tenant space on an approximately 10.76-gross acre site.

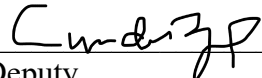
Furthermore, the City Council of the City of San José has made the following determinations regarding such project:

1. An Environmental Impact Report was prepared and certified for this project pursuant to and in compliance with the provisions of CEQA.
2. The City Council has independently reviewed and analyzed the EIR and other information in the record and has considered the information contained therein, prior to acting upon or approving the project.
3. The EIR represents the independent judgment and analysis of the City of San José as the lead agency for 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.
7. No statement of overriding considerations were adopted for the project as no significant, unavoidable impacts were identified.

The EIR, Mitigation Monitoring and Reporting Program (MMRP), 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.

Christopher Burton, Director
Planning, Building and Code Enforcement

Date: 6-23-2022


Deputy

Environmental Project Manager: Maira Blanco