

**NOTICE OF AVAILABILITY (NOA) OF
A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE
BERRYESSA MIXED USE DEVELOPMENT PROJECT AND PUBLIC
COMMENT PERIOD**

Project Description: Planned Development Permit to allow the demolition of three existing industrial buildings and ancillary structures and parking lot, and the removal of 47 ordinance-size trees and 56 non-ordinance trees, the construction of up to 850 residential units and up to 480,000 square feet of commercial, and to create an approximately 0.9-acre open space area, on an approximate 13-acre site. The project would include a total of 80 loading docks split between the four buildings. A Vesting Tentative Map to merge three parcels into one; and re-subdivide the merged parcel into 35 lots; and create up to 590 condominium units and new streets is also included in the project. The project site currently has a Light Industrial Zoning District. The project is a Planned Development Rezoning to the PD Zoning District to align the site's Zoning District with the land uses identified in the BBUV Land Use Designations

Location: The 13-acre project site is located at 1655 Berryessa Road and is within the boundaries of the 270-acre Berryessa BART Urban Village (BBUV) Plan area. The site is surrounded by the BART/Union Pacific Railroad (UPRR) tracks to the east, Berryessa Road, the San José Flea Market, and surface parking lot to the south, and residential uses to the west and north. The Assessor's Parcel Numbers are 241-03-023, 241-03-024, and 241-03-025.

Council District: 4

File Nos.: PDC18-036, ER20-260, and T21-040

The proposed project will have potentially significant environmental effects on air quality, biological resources, cultural resources, hazards and hazardous materials, noise and vibration, and tribal cultural resource areas. The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed toxic sites are present at the project location. The project site is listed on the State Water Resources Control Board Geotracker database pursuant Government Code Section 65962.5 as a closed LUST case.

The public review period for this Public Review Draft EIR begins on **August 11, 2022 and ends on September 26, 2022**. Written comments must be received at the Planning Department by **5:00 p.m. on Monday, September 26, 2022** to be addressed as part of the formal EIR review process. Written comments and questions should be referred to Tina Garg in the Department of Planning, Building and Code Enforcement via e-mail: Tina.Garg@sanjose.ca.gov, or by regular mail at the mailing address listed for the Department of Planning, Building, and Code Enforcement, above (send to the attention of Tina Garg).

The Draft EIR and documents referenced in the Draft EIR are available for review online at the City of San José's "Active EIRs" website at www.sanjoseca.gov/activeeirs and are also available at the following locations:



Planning, Building and Code Enforcement
CHRISTOPHER BURTON, DIRECTOR

Department of Planning, Building,
and Code Enforcement
200 East Santa Clara St., 3rd Floor
San José, CA 95113
(408) 535-3555
(by appointment only)

Dr. MLK Jr. Main Library
150 E. San Fernando St.,
San José, CA 95112
(408) 277-4822

Educational Park Branch Library
1772 Educational Park Dr, San Jose, CA
San José, CA 95112
(408) 808-3073

For the official record, please your written comment letter and reference **PDC18-036, ER20-260, and/or T21-040.**

Following the close of the public review period, the Director of Planning, Building, and Code Enforcement will prepare a Final Environmental Impact Report that will include responses to comments received during the review period. At least ten days prior to the public hearing on the EIR, the City's responses to comments received during the public review period will be available for review and will be sent to those who have commented in writing on the EIR during the public review period.

Christopher Burton, Director
Planning, Building and Code Enforcement

Date

Deputy

08/04/22

Circulation Period: August 11, 2022 - September 26, 2022