

**NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
0 SEELY AVENUE MIXED-USE PROJECT**

FILE NOS: PDC21-035/PD22-022/ER21-284
PROJECT APPLICANT: THE HANOVER COMPANY
(ATTN: SCOTT YOUDALL)
APNs: 097-15-033 & 097-15-034

Project Description: The proposed project includes development of 1,470 residential units and approximately 52,000 square-feet of retail space, and a public park on an approximately 22-acre site. The proposed project would also include the construction of a domestic water well and associated infrastructure and new private streets. The project site includes vacant and developed land. Existing development on the site includes two residences, a fruit stand, and agricultural land and supporting structures, which would be demolished as part of the project.

Location: The approximately 22-acre project site is comprised of two parcels (Assessor's Parcel Numbers [APNs] 097-15-033 & 097-15-034) generally located at 0 Seely Avenue. The site is surrounded by commercial/office uses and Epic Way to the north, the Coyote Creek Trail to the east, Montague Expressway to the south, and Seely Avenue to the west. The existing zoning and general plan designation of the site is Industrial Park and is located in the North San José Employment Area.

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. 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 environmental public Scoping Meeting information.

An online joint community and environmental public scoping meeting for this project will be held:

When: Monday, March 7th, 2022 from 6:00 to 7:00 p.m.

Where: Via Zoom (instructions to be provided on www.sanjoseca.gov/activeeirs)

The project description, location, and probable environmental effects to 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, and responses provided before the 30-day deadline are always welcome. The City will accept comments on the scope of the EIR until **5:00 p.m. on Friday, March 25, 2022**. If you have comments on this Notice of Preparation (NOP), please identify a contact person from your organization, and send your response via mail or email to:

City of San José, Department of Planning, Building and Code Enforcement
Attn: Shannon Hill, Environmental Project Manager
200 East Santa Clara Street, 3rd Floor Tower
San José, CA 95113-1905
E-mail: shannon.hill@sanjoseca.gov

Christopher Burton, Director
Planning, Building and Code Enforcement

Thai Le

 Digitally signed by Thai Le
Date: 2022.02.17 15:23:59 -08'00'

Deputy

02/17/2022

Date

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February 2022

Introduction

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the general public of the environmental effects 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.

An EIR is prepared when it is determined by the discretionary authority that a project may have a significant effect on the environment. As the Lead Agency, the City of San José will prepare an EIR to address the environmental effects of the proposed project. In accordance with the requirements Sections 15120 et. seq. of the CEQA Guidelines, the EIR will include the following:

- Summary of the project;
- Project description;
- Description of the existing environmental setting, environmental impacts, and mitigation measures for the project;
- Alternatives to the project; and
- Environmental consequences of the project, including (a) any significant environmental effects which cannot be avoided if the project is implemented; (b) any significant irreversible and irretrievable commitments of resources; (c) the growth inducing impacts of the proposed project; and (d) cumulative impacts.

Project Location

The proposed project would be located on an approximately 22-acre site comprised of two parcels (Assessor's Parcel Numbers [APNs] 097-15-033 & 097-15-034) generally located at 0 Seely Avenue in San José. The site is surrounded by commercial/office uses and Epic Way to the north, the Coyote Creek Trail to the east, Montague Expressway to the south, and Seely Avenue to the west. The existing zoning and general plan designation of the site is Industrial Park and is located in the North San José Employment Area with a Transit Employment Residential Overlay. Regional and vicinity maps of the project site are shown in Figures 1 (Location Map) and 2 (Vicinity Map), respectively.

Project Description

The project includes development of 1,470 residential units, approximately 52,000 square-feet of retail space, and a public park on an approximately 22-acre site. The residential development would consist of a mix of three-story townhomes and multi-story apartments and includes an affordable housing component. The proposed project also includes the construction of a domestic water well and on-site water pipes. Other proposed improvements include the creation of a 2.5-acre park, and offsite improvements including widening of Seely Avenue to accommodate multi-directional traffic, installation of a bike lane and sidewalks, and intersection improvements at Seely Avenue and Montague Expressway to better accommodate project-generated traffic. The project proposes 1,897

parking spaces for the residential component of the development and an additional 223 parking spaces for the retail component, for a total of 2,120 spaces. Parking for both the residential and retail components would be provided in a mix of three surface parking lots as well as multi-level parking in the residential buildings. The site contains approximately 584 orchard and other trees, all of which would be removed. All existing structures on the site would be demolished to accommodate the proposed project. Refer to Figure 3 for the proposed Conceptual Site Plan and Figure 4 for a Rendering of the proposed project.

Project Approvals Anticipated to be Required

1. Planned Development Zoning
2. Planned Development Permit
3. Vesting Tentative Subdivision Map
4. Public Works Clearances, including Grading Permit
5. Final Subdivision Map
6. Building and Demolition Permits

Potential Environmental Impacts of the Project

The EIR will describe the existing environmental conditions on the project site and will identify the significant environmental effects anticipated to result from development of the project as proposed. Mitigation measures will be identified for potentially significant environmental impacts, as warranted. The analysis in the EIR will include the following specific categories of environmental impacts and concerns related to the proposed project. Additional topics may be added in the EIR if new information becomes available.

The EIR will be prepared in accordance with the requirements of Sections 15120 et. seq. of the CEQA Guidelines, and will analyze the following topics:

1. *Aesthetics*. The EIR will describe the existing visual setting and character of the project site and surrounding area and the visual changes that are anticipated to occur as a result of the proposed project. The EIR will also discuss possible light and glare issues from the development.
2. *Air Quality*: The EIR will address the regional air quality conditions in the Bay Area and discuss project construction (including health risk from toxic air contaminants) and operational impacts to local and regional air quality in accordance with the 2017 Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines and thresholds.
3. *Biological Resources*: The EIR will address potential impacts to biological resources of the project during construction and operation, including any impacts to special status species, nesting and migratory birds, sensitive natural communities, and riparian habitat. Potential impacts to riparian habitat will be included due to the project's proximity to Coyote Creek. The EIR will also describe the loss of trees within and adjacent to the construction zones and the proposed project's compliance with the City's tree protection regulations and evaluate the project's consistency with the Santa Clara Valley Habitat Conservation Plan.
4. *Cultural and Tribal Cultural Resources*: The EIR will address impacts of the project on cultural and tribal cultural resources based on site-specific archaeological and historical documentation in accordance with CEQA Guidelines Appendix G. The EIR will also discuss the project's potential

for impacts to tribal cultural resources, including impacts to potential subsurface tribal cultural resources that could be encountered during project construction, and the project's compliance with Assembly Bill 52.

5. *Energy*: Implementation of the proposed project would result in an increased demand for energy on-site. The EIR will discuss the increase in energy usage on-site and proposed design measures to reduce energy consumption.
6. *Geology and Soils*: The EIR will describe the existing geologic and soil conditions and discuss the possible geological impacts associated primarily with seismic activity and existing on-site soil conditions.
7. *Greenhouse Gas Emissions*: The City has adopted the 2030 Greenhouse Gas Reduction Strategy (GHGRS). GHG reductions are identified through a combination of City initiatives. The EIR will address the project's compliance with the City's GHGRS Project Compliance Checklist.
8. *Hazards and Hazardous Materials*: The EIR will summarize the findings of a Phase I Environmental Site Assessment for the site. This section will discuss the property history, results of the site inspection and regulatory database search, and identification of any hazardous materials conditions on the site, in addition for the potential to encounter hazardous materials during demolition of the existing buildings and orchard.
9. *Hydrology/Water Quality*: The EIR will evaluate hydrology and water quality effects of the project. The EIR will also describe the proposed storm water management system and identify the potential drainage and water quality impacts from the project.
10. *Land Use/Planning*: The project site's zoning district and general plan land use designation is *Industrial Park*. The site is also within the North San Jose Employment Area with a "Transit Employment Residential Overlay" (TERO). The EIR will describe the existing land uses adjacent to and within the project area. Land use impacts that would occur as a result of the proposed project will be analyzed, including the consistency of the project with land use plans, policies, and regulations.
11. *Noise/Vibration*: The EIR will discuss noise and vibration that would result from the construction and operation of the proposed project (including noise from project-generated traffic) and its impact on nearby sensitive receptors. Noise levels will be evaluated for consistency with applicable noise standards and guidelines. Additionally, the EIR will evaluate the effects of vibration during project construction on nearby and adjacent buildings, including vibration impacts to historic structures, as applicable.
12. *Population and Housing*: The project would construct up to 1,470 residential units and 52,000 square feet of retail space. The EIR will discuss the existing population and housing conditions and if the project would induce substantial unplanned population growth and displacement of the existing residents.
13. *Public Services*: The EIR will evaluate the ability of existing public services to serve the proposed project, including police and fire protection, schools, and library services. The project would generate new demand on public services, including schools, due to the construction of new residential units on the site.

14. *Recreation*: Implementation of the project would increase the resident population of the City, which could result in an increased demand on recreational facilities. The EIR will address the availability of recreational facilities and the project's potential to result in adverse physical impacts to these facilities, in addition to impacts associated with construction of the new approximately 2.5-acre park.
15. *Transportation*: This section will summarize the results of a transportation analysis prepared for the proposed project. The EIR will evaluate the project's effects on transportation pursuant to Senate Bill 743 and the City's Transportation Analysis Policy (Council Policy 5-1). The project's consistency with programs, plans, ordinances, and policies addressing the circulations system (including transit, roadway, bicycle, and pedestrian facilities) will be addressed in the EIR.
16. *Utilities*: The EIR will evaluate the ability of existing and proposed utilities to serve the proposed project, including the provision of water, wastewater treatment, and solid waste disposal. This section of the EIR will include a summary of the findings of a Water Supply Assessment (WSA) prepared for the project. The EIR will contain an analysis of the project's impact on existing and proposed utilities based on the findings of the WSA and other background documentation.
17. *Other CEQA Sections*: In addition to the above, the EIR will address the project's impacts on agricultural and forestry resources mineral resources and impacts related to wildfire consistent with the CEQA Guidelines checklist.
18. *Alternatives*: The EIR will examine alternatives to the proposed project including a "No Project" alternative, as required by CEQA. Other analyzed alternatives could include a reduced development alternative, alternative project land use, alternative project design, and/or alternative locations. Alternatives discussed will be chosen based on their ability to reduce or avoid identified significant impacts of the proposed project while achieving most of the identified objectives of the project.
19. *Significant Unavoidable Impacts*: The EIR will identify those significant impacts that cannot be reduced to a less than significant after incorporation of feasible mitigation measures.
20. *Cumulative Impacts*: Section 15130 of the CEQA Guidelines requires an EIR to discuss the cumulative impacts resulting from the project when combined with other past, present, and reasonably foreseeable development in the project vicinity.

In conformance with the CEQA Guidelines, the EIR will also include the following sections: 1) consistency with local and regional plans and policies, 2) growth inducing impacts, 3) significant irreversible environmental changes, 4) areas of known controversy, 5) references, 6) organizations/persons consulted, 7) EIR author and consultants, and 8) appendices.



Location Map

0 Seely Avenue Mixed-Use
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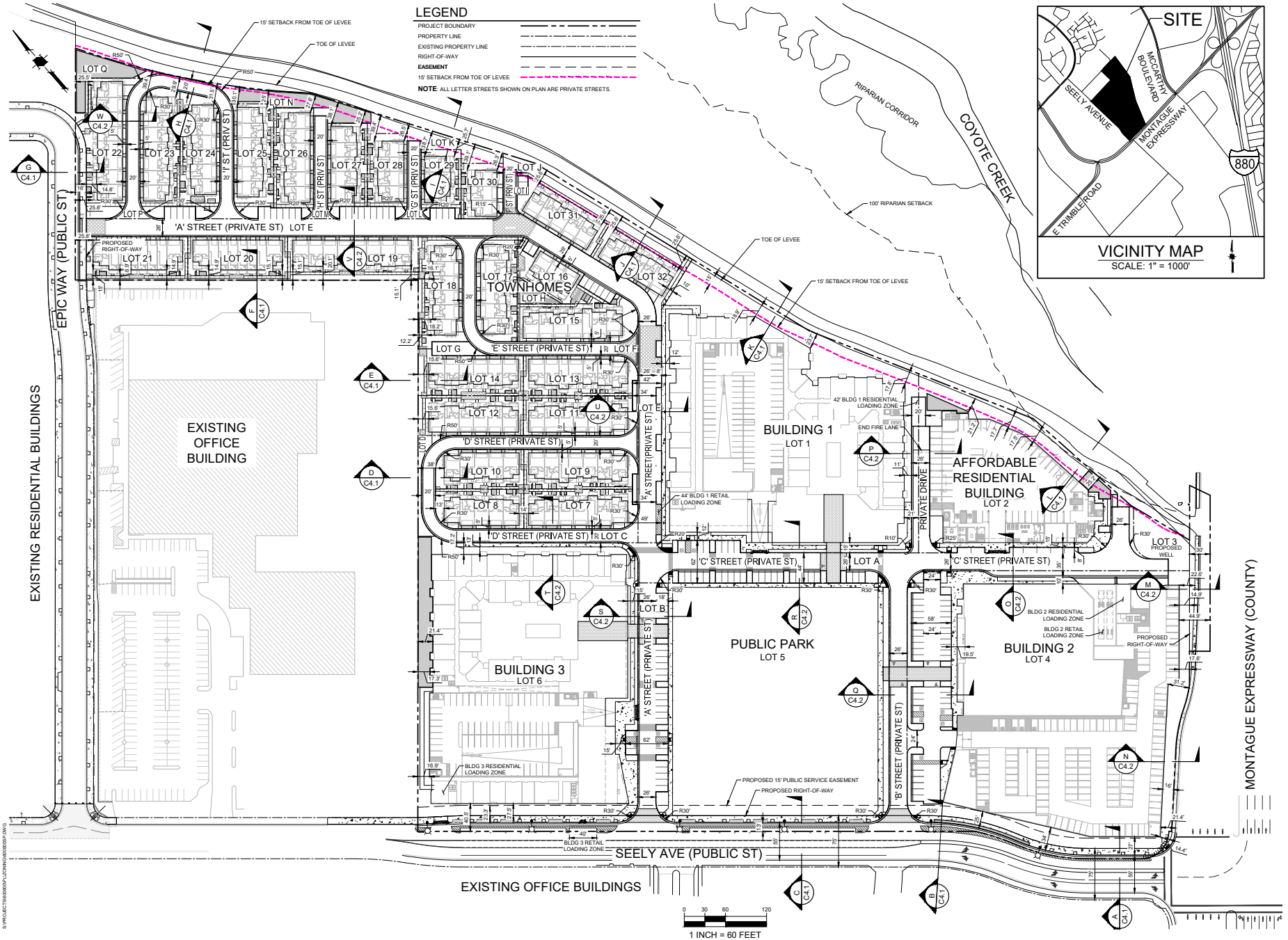
Figure
1



Vicinity Map

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Figure
2



Conceptual Site Plan

Source: KTG Architecture, January 2022

Figure
3

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Source: KTG Architecture, January 2022

Rendering

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Figure
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