NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE GENERAL PLAN AMENDMENT AND PLANNED DEVELOPMENT REZONING FOR COLEMAN AND HEDDING COMMERCIAL DEVELOPMENT PROJECT

FILE NO:	GP18-012, PDC23-009, & ER22-056
PROJECT APPLICANT:	City of San José
APNs:	259-02-130; 259-02-131; 259-08-072; 259-08-101; 259-08-102; 230-38-076; and 230-38-092

Project Description: The project is a City-initiated General Plan Amendment (GP18-012) to change the Envision San José 2040 General Plan land use designation from Open Space, Parkland, and Habitat to Combined Industrial Commercial and a Planned Development Rezoning (PDC23-009) to change the Zoning Districts from OS Open Space, LI Light Industrial, and R-2 Two-Family Residence Zoning Districts to the OS(PD) Planned Development Zoning District with exceptions for maximum height, allowed uses, open space requirements, and other requirements in accordance with the Federal Aviation Association Inner Safety Zone regulations on four City-owned sites comprising seven parcels and two street vacations totaling approximately 11.37-gross acres.

Location: The approximately 11.37-gross acre project site consists of seven parcels and two street vacations located within Guadalupe Gardens along Coleman Avenue and West Hedding Street. The site is located in the OS Open Space, LI Light Industrial, and R-2 Two-Family Residence Zoning Districts.

As the Lead Agency, the City of San José will prepare an Environmental Impact Report (EIR) for the project summarized 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.

A **joint community and environmental public scoping meeting** for this project will be held:

When: Thursday, September 7, 2023 from 6:00 to 7:30 p.m.
Where: Via Zoom (see instructions below and 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 Tuesday, September 19, 2023**. 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: Nhu Nguyen, Environmental Project Manager
200 East Santa Clara Street, 3rd Floor Tower
San José, CA 95113-1905
E-mail: Nhu.Nguyen@sanjoseca.gov

Christopher Burton, Director
Planning, Building and Code Enforcement

Deputy

8/17/23
Date

Attachment: General Plan Amendment and Planned Development Rezoning for the Coleman and Heading Commercial Development Project Notice of Preparation, dated August 2023

NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE GENERAL PLAN AMENDMENT AND PLANNED DEVELOPMENT REZONING FOR COLEMAN AND HEDDING COMMERCIAL DEVELOPMENT PROJECT (File Nos. GP18-012/PDC23-009/ER23-056)

AUGUST 2023

1.0 INTRODUCTION

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the public of the environmental effects of a proposed project that an agency may 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 avoiding or reducing adverse impacts, and to consider alternatives to the project.

An EIR is prepared when it is determined by the discretionary authority that changes proposed in an approved project will require revisions to the previous EIR because of possible new impacts or an increase in severity of previously identified impacts. As the Lead Agency, the City of San José will prepare an EIR to address the environmental effects of a proposed General Plan Amendment and rezoning on seven Airport-owned parcels.

The EIR will be prepared and processed in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended, and the requirements of the City of San José. In accordance with the requirements of CEQA, the EIR will include the following:

- A project description including project objectives; and
- A description of the existing environmental setting, probable environmental impacts, and mitigation measures; and
- Alternatives to the project as proposed; and
- Environmental consequences, 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.

2.0 PROJECT LOCATION

As shown on Figures 1 through 3, the proposed project is located within the Guadalupe Gardens, a 120-acre area located immediately south of the San José Mineta International Airport (SJC). Bounded by I-880, the Guadalupe River, and Coleman Avenue, and once known as the “Coleman Loop” neighborhood, the Guadalupe Gardens is under the primary flight path for SJC.

3.0 PROJECT OVERVIEW

The project proposes to change the *Envision San José 2040 General Plan* land use designation on approximately 11.4 acres on seven City-owned parcels in the Guadalupe Gardens from Open Space Parks Habitat to Combined Industrial Commercial. The Project would also rezone the seven parcels to Planned Development. With the new General Plan Land Use Designation and rezoning in place, the City intends to market the seven parcels for development that is consistent with the underlying purpose of the parcels for aviation-related objectives. The City would retain ownership of the land and would lease the sites to developers. Revenues would be used to support aviation services at SJC.

4.0 BACKGROUND AND LAND USE RESTRICTIONS ON THE PROJECT SITE

The Guadalupe Gardens, of which the seven subject parcels are a part, was once a predominately residential neighborhood comprising more than 600 parcels and 800 dwelling units but was purchased and cleared at a cost of approximately $80 million between the late 1960s and early 1990s by the City in response to noise and safety impacts related to aircraft operations. Federal Aviation Administration (FAA) airport noise compatibility and approach protection grant funds and Airport revenues were utilized in this effort. According to the 1974 Environmental Impact Statement (EIS) prepared by the FAA and the City for that land acquisition project, the objectives were as follows:

> "The primary purpose of this project is to provide a clear and safe approach area to the south of SJC and to establish a land use within the approach area that is compatible with normal airport operations, including the takeoff and landing of aircraft. This land acquisition project, when completed, will increase the safety and efficiency of aircraft operations and establish compatible land use adjacent to SJC. The planned airport compatible land use within this approach area includes agriculture or open space.
>
> The importance of having an obstruction-free approach area with airport compatible land use has been heavily stressed by the FAA. During landing operations, aircraft operating over the approach area are trimmed for traveling at relatively slow speeds. Therefore, the maneuvering ability of the aircraft is limited, resulting in the critical need for an obstruction-free area. In addition, the impact of noise, especially from heavy commercial jet aircraft, has made it necessary to reduce noise sensitive land use adjacent to major public airports."

In the mid-1980's, as the Land Acquisition Program was in progress, the San José City Council directed the commencement of studies to create low-density public and aesthetic open space re-uses of the vacated property within the Coleman Loop. [Note: The eastern portion of the area became part of the Guadalupe River Flood Control and Park Project completed by the U.S. Army Corps of Engineers, Santa Clara Valley Water District, and

the City of San José.] In 1989, acting on the recommendation of a citizen task force involved in the re-use planning underway at the time, the City Council approved the designation of the Airport Approach Zone as the "Guadalupe Gardens" to reflect the evolving community interest in establishing re-uses that represent the agricultural/horticultural heritage of the Santa Clara Valley. Preparation of a formal master plan for the Guadalupe Gardens was initiated in 1992 and the final Guadalupe Gardens Master Plan (GGMP) was adopted in 2002 by the City and approved by the FAA. The GGMP identifies a set of low intensity, aesthetically pleasing, open space land uses (e.g., meadows, walking pathways, community/varietal gardens, history/agricultural exhibits, agricultural leaseholds, etc.) that are consistent with the primary function of the area as a safe approach zone for SJC.

The aviation-related restrictions on the City-owned lands within the Guadalupe Gardens are specified in the grant agreements between the FAA and the City, as well as the *California Airport Land Use Planning Handbook* and the Santa Clara County Airport Land Use Commission's *Comprehensive Land Use Plan for SJC*. The restrictions are summarized in the following sections.

4.1 FAA Grant Restrictions

As a condition of accepting the federal grant monies that were utilized for the purchase of the seven subject parcels, the City agreed 1) to clear the parcels of existing structures and 2) to not allow or permit the erection of any new structures therein unless except those required for aids to air navigation or those which may be specifically approved by the FAA. The City also agreed that any new structures will comply with the standards listed in Part 77 of the Federal Aviation Regulations, *Objects Affecting Navigable Airspace*. These grant restrictions were incorporated into the 2002 approved GGMP.

4.2 California Airport Land Use Planning Handbook and Comprehensive Land Use Plan for SJC Restrictions

The *California Airport Land Use Planning Handbook* (the "Land Use Handbook") was prepared by the California Department of Transportation, Division of Aeronautics, which administers the State Aeronautics Act (Public Utilities Code [PUC] §21001 et seq.). The State Aeronautics Act sets forth the policies of the State of California to "further and protect the public interest in aeronautics and aeronautical progress." (PUC §21002). The purpose of the Land Use Handbook is to provide guidance for undertaking airport land use compatibility planning as required by PUC §21670 – §21679.5. These sections of the PUC outline the statutory requirements for Airport Land Use Commissions including the preparation of an Airport Land Use Compatibility Plan.

The Santa Clara County Airport Land Use Commission (ALUC) prepared the *Comprehensive Land Use Plan (CLUP) for SJC*, which is described below, following the guidance contained in the Land Use Handbook.

As described in the Land Use Handbook, land use compatibility near airports typically focuses on two broad categories: noise and safety. With regard to noise associated with aircraft overflights, the goal of airport compatibility planning is to reduce annoyance and to minimize the number of people exposed to excessive levels of aircraft-generated noise. The subject of safety is more complex because it involves multiple issues that affect the safety of both aircraft (including aircraft occupants) and persons on the ground. These issues include 1) land use type and density, 2) heights of buildings and structures, and 3) light and glare.

Inherent in the development of land use policies designed to enhance safety near airports is the desire to minimize risk by identifying those locations where accidents occur. Based on data from the National Transportation Safety Board (NTSB), it is known that most aviation accidents occur on or near airports along the extended centerlines of runways. Given this fact, the Land Use Handbook includes guidelines for the establishment of safety zones near airports. The goal is to minimize danger to both aircraft occupants and persons on the ground by providing open areas with minimal or no obstructions and low numbers of persons, particularly along flight paths. Thus, if an aircraft has an emergency and needs to land short of a runway on arrival or beyond a runway on departure, the safety zone provides an opportunity to do so in a manner that minimizes risk.

The Santa Clara County ALUC adopted the CLUP for SJC in May 2011. As described in the previous section, the CLUP was prepared pursuant to the requirements of the State Aeronautics Act utilizing the guidelines published in the Land Use Handbook. As stated in Section 1.1 of the CLUP, its purpose is "to protect the public from the adverse effects of aircraft noise, to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and to ensure that no structures or activities adversely affect navigable airspace. The implementation of this CLUP is intended to prevent future incompatible development from encroaching on the Airport and allow for its development in accordance with the current airport master plan."

Safety Policies Regarding Land Use and Density

As published in the adopted CLUP, there are six safety zones surrounding SJC. The project site is located entirely within the designated Inner Safety Zone at the south end of SJC (see Figures 2 - 4). According to the CLUP, the Inner Safety Zone represents the approach and departure corridors that have the second highest level of exposure to potential aircraft accidents. Only the Runway Protection Zone has a greater risk for accidents. The Land Use Handbook classifies the risk level as "high" in the Inner Safety Zone. The Inner Safety Zone is centered on the runway centerline and extends from the outer edge of the Runway Protection Zone. The CLUP sets forth the following compatibility policies for the Inner Safety Zone:

- Land Use: No residential. Nonresidential uses should be activities that attract relatively few people. No shopping centers, restaurants, theaters, meeting halls, stadiums, multi-story office buildings, labor-intensive manufacturing plants,

educational facilities, day care facilities, hospitals, nursing homes or similar activities. No hazardous material facilities (gasoline stations, etc.).

- Maximum Population Density: Nonresidential, maximum 120 people per acre (includes open area and parking area required for the building's occupants and one-half of the adjacent street area).
- Open Space Requirements: 30 percent of gross area open. No structures or concentrations of people between or within 100 feet of the extended runway centerlines.

The above-listed policies are supplemented by the following safety policies in the CLUP:

- Policy S-2: Schools, hospitals, nursing homes, and other uses in which the majority of occupants are children, elderly, and/or disabled shall be prohibited within the Inner Safety Zones.
- Policy S-3: Amphitheaters, sports stadiums and other very high concentrations of people shall be prohibited within the Inner Safety Zones.
- Policy S-4: Above ground storage of fuel or other hazardous materials shall be prohibited in the Inner Safety Zones.
- Policy S-5: Open space requirements, for sites which can accommodate an open space component, shall be established at the general plan level for each safety zone where feasible as determined by the local jurisdiction, as individual parcels may be too small to accommodate the minimum-size open space requirement. To qualify as open space, an area must be free of buildings and have minimum dimensions of at least 75 feet wide by 300 feet long along the normal direction of flight. Streets and parks may function as such open spaces without limitations on vegetation or right of way improvements. The alignment of streets to runways, clustering of development and provision of contiguous landscaping and parking areas will be encouraged to increase the size of open space areas.

Safety Policies Regarding Heights of Structures

The CLUP contains the following policy regarding limitations on heights of structures, the objective of which is to avoid development of land uses, which, by posing hazards to flight, can increase the risk of an accident occurring:

- Policy H-1: Any structure or object that penetrates the Federal Aviation Regulations Part 77, Objects Affecting Navigable Airspace, (FAR Part 77) surfaces is presumed to be a hazard to air navigation and will be considered an incompatible land use, except in the following circumstance. If the structure or object is above the FAR Part 77 surface, the proponent may submit the project data to the FAA for evaluation and air navigation hazard determination, in which case the FAA's determination shall prevail.

[Note: Given the project's location within an Inner Safety Zone for SJC, the City has indicated that it would not approve any project where a structure penetrates the FAR Part 77 surface, regardless of any FAA air navigation hazard determination.]

Safety Policies Regarding Light and Glare

The CLUP contains the following policies regarding the potential light and glare emissions of projects, such policies which are designed to avoid interference with aircraft operations in the vicinity of SJC:

- Policy G-6: Any proposed uses that may cause a hazard to aircraft in flight are not permitted within the Airport Influence Area. Such uses include electrical interference, high intensity lighting, attraction of birds (certain agricultural uses, sanitary landfills), and activities that may produce smoke, dust, or glare.
- Policy G-7: All new exterior lighting within the Airport Influence Area shall be designed so as to create no interference with aircraft operations. Such lighting shall be constructed and located so that only the intended area is illuminated, and off-site glare is fully controlled. The lighting shall be arrayed in such a manner that it cannot be mistaken for airport approach or runway lights by pilots.
- Policy S-7: The following uses shall be prohibited in all Airport Safety Zones:
    - Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
    - Any use that would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.

Noise Compatibility Policies

The CLUP sets forth noise compatibility criteria using the Community Noise Equivalent Level (CNEL) descriptor for various land uses. These criteria are shown in Table 1.

CLUP noise policies that are relevant to the proposed project are as follows:

- Policy N-1: The Community Noise Equivalent Level (CNEL) method of representing noise levels shall be used to determine if a specific land use is consistent with the CLUP.
- Policy N-2: In addition to the other policies herein, the Noise Compatibility Policies presented in Table 1 shall be used to determine if a specific land use is consistent with this CLUP.

Table 1: Noise Compatibility Policies of the CLUP for SJC

	CNEL					
LAND USE CATEGORY	**55-60**	**60-65**	**65-70**	**70-75**	**75-80**	**80-85**
Residential – low density single-family, duplex, mobile homes	*	**	***	****	****	****
Residential – multi-family, condominiums, townhouses	*	**	***	****	****	****
Transient lodging – motels, hotels	*	*	**	****	****	****
Schools, libraries, indoor religious assembles, hospitals, nursing homes	*	***	****	****	****	****
Auditoriums, concert halls, amphitheaters	*	***	***	****	****	****
Sports arena, outdoor spectator sports, parking	*	*	*	**	***	****
Playgrounds, neighborhood parks	*	*	***	****	****	****
Golf courses, riding stables, water recreation, cemeteries	*	*	*	**	***	****
Office buildings, business commercial and professional, retail	*	*	**	***	****	****
Industrial, Manufacturing, utilities, agriculture	*	*	*	***	***	****

* Generally Acceptable	Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements. Mobile homes may not be acceptable in these areas. Some outdoor activities might be adversely affected.
** Conditionally Acceptable	New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Outdoor activities may be adversely affected. Residential: Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.
*** Generally Unacceptable	New construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design. Outdoor activities are likely to be adversely affected.
**** Unacceptable	New construction or development shall not be undertaken.

Source: Table 4-1 of the Comprehensive Land Use Plan for SJC

- Policy N-3: Noise impacts shall be evaluated according to the Aircraft Noise Contours presented on Figure 5 of the CLUP.[1]
- Policy N-6: Noise level compatibility standards for other types of land uses shall be applied in the same manner as the above residential noise level criteria. Table 1 presents acceptable noise levels for other land uses in the vicinity of the Airport.

5.0 DETAILED PROJECT DESCRIPTION

5.1 Proposed Land Uses

The project proposes a General Plan Amendment (GPA) and rezoning on approximately 11.4 acres on seven City-owned parcels located in the Guadalupe Gardens. The subject parcels are listed in Table 2 and are shown on Figures 2 and 3. On each of the seven parcels, the existing *Envision San José 2040 General Plan* Land Use Designation of Open Space Parks Habitat (OSPH) would be changed to Combined Industrial Commercial (CIC) and each parcel would be rezoned to Planned Development (PD).

With the new General Plan Land Use Designation and PD Zoning in place, the City intends to market the seven parcels for development. The City would retain ownership of the land and would lease the sites to developers. The City's role as landlord would help ensure compliance with restrictions related to land use, density, etc., all of which are described below. Revenues would be used to support aviation services at SJC.

The project includes the removal of the seven parcels from within the Guadalupe Gardens Master Plan.

A wide range of uses would be consistent with the CIC General Plan land use designation. However, as stated previously, the primary purpose of the subject parcels is airport approach protection and aircraft noise abatement. Any uses of these lands must comply with the grant agreements between the FAA and the City when the parcels were purchased, as well as the policies of the Land Use Handbook and the Santa Clara County Airport Land Use Commission's CLUP for SJC. These restrictions, which are described above in Section 4, limit the type, density, and height of land uses. Therefore, the land uses that would be allowed under the proposed PD zoning are a subset of those allowed under the CIC General Plan land use designation. That subset of proposed uses is listed in Table 3, all of which are contingent on complying with all of the restrictions that are set forth in the following paragraphs.

[1] Figure 5 of the CLUP, which depicts the year 2022 noise contours, is outdated. It has been superseded by the year 2037 noise contours, which are depicted on Figure 5 of this document.

Table 2: List of Proposed Changes to General Plan Land Use Designations and Zonings

Map ID	Assessor Parcel Number	Parcel Size[1] (acres)	Devel-opable Portion of Parcel[2] (acres)	Parcel Location	Exist-ing Land Use	General Plan Land Use Designation		Zoning	
						Existing	Proposed	Existing	Proposed
1	259-02-130	3.17	2.90	SE corner Coleman Avenue/ University Avenue	Vacant	Open Space, Parkland & Habitat (OSPH)	Combined Industrial Commercial (CIC)	Residential (R-2)	Planned Develop-ment (PD)
2	259-02-131	3.51	3.19	NE corner Coleman Avenue/ University Avenue	Vacant	Open Space, Parkland & Habitat (OSPH)	Combined Industrial Commercial (CIC)	Open Space (OS)	Planned Develop-ment (PD)
3	259-08-072	0.13	0.07	East side of Coleman Avenue, south of Asbury St.	Vacant	Open Space, Parkland & Habitat (OSPH)	Combined Industrial Commercial (CIC)	Open Space (OS)	Planned Develop-ment (PD)
4	259-08-101 (westerly Portion only)	0.24	0.18	East side of Coleman Avenue, south of Asbury St.	Vacant	Open Space, Parkland & Habitat (OSPH)	Combined Industrial Commercial (CIC)	Open Space (OS)	Planned Develop-ment (PD)
5	259-08-102	3.59	3.19	SE corner Emory Street/ Coleman Avenue	Vacant	Open Space, Parkland & Habitat (OSPH)[3]	Combined Industrial Commercial (CIC)	Light Industrial (LI)	Planned Develop-ment (PD)
6	230-38-076	0.36	0.36	NW corner Ruff Drive/ Hedding Street	Vacant	Open Space, Parkland & Habitat (OSPH)	Combined Industrial Commercial (CIC)	Open Space (OS)	Planned Develop-ment (PD)
7	230-38-092	0.37	0.37	NE corner Spring Street/ Hedding Street	Vacant	Open Space, Parkland & Habitat (OSPH)	Combined Industrial Commercial (CIC)	Commercial Pedestrian (CP)	Planned Develop-ment (PD)

[1]Acreage reflects the portion of the parcel that would be subject to the GPA and rezoning, taking into account the City's planned relinquishment of right-of-way from portions of University Avenue and Emory Street.

[2]For each of the five parcels located along Coleman Avenue, the acreage shown takes into account the City's planned widening of Coleman Avenue to six lanes, which will require a strip of additional right-of-way along the east side of Coleman Avenue approximately 50 feet in width.

[3]Due to a previous mapping error, two small portions of this parcel are shown with a Light Industrial (LI) General Plan Land Use Designation. The project proposes to change this designation to CIC.

Table 3: Listing of Potential Land Uses on the Project Sites

Land Use
Animal boarding
Animal grooming
Any use without a permanent fully enclosed building on-site
Auto dealer, wholesale, no on-site storage
Business support use
Car wash, detailing
Caterer
Certified farmers' market - small
Commercial kitchen
Drive-through in conjunction with any use
Dry cleaner
Financial institution
Health club, gymnasium
Instructional art studios
Laundromat
Miniwarehouse/ministorage
Neighborhood agriculture
Nursery, plant
Office, general business
Off-street parking establishment
Outdoor dining, incidental to a public eating establishment
Outdoor vending - fresh fruits and vegetables
Personal services
Public eating establishments
Recreation, commercial/outdoor
Retail art studio
Retail bakery
Retail sales, goods, and merchandise
Veterinary clinic
Winery, brewery, and distillery
Note: Based on the requirement to comply with ALUC, FAA, and City policies related to density, size, noise compatibility, etc., not all of these potential land uses would be viable on each of the seven project sites. As an example, because the noise level on Project Site #7 exceeds 70 dB CNEL, outdoor dining would not be viable at that location.

Restrictions on Building Sizes and Heights

The CIC General Plan land use designation allows for a floor-area-ratio (FAR) density of up to 12 with building heights of 1 to 24 stories. However, all seven parcels are located within the Inner Safety Zone for SJC, wherein multi-story buildings are not allowed and 30% of each site would be required to remain open. Therefore, the proposed PD Zoning will specify that all new buildings on each site will be limited to 1 story and the floor area ratio will not exceed 0.60. This would result in buildings not exceeding the sizes listed in Table 4.

Note that Table 4 shows no buildings on APN 230-38-076 since that parcel is directly under the extended centerline of Runway 12L/30R and the adopted CLUP prohibits new structures in the Inner Safety Zone within 100 feet of an extended runway centerline.

In addition to the 1-story restriction, the PD Zoning will specify that structure heights will not exceed the heights calculated under Part 77 of the Federal Aviation Regulations, *Objects Affecting Navigable Airspace*. Such heights are designed to prevent structures or objects (e.g., light poles, antennas, trees, etc.) from being a hazard to air navigation, which would be considered an incompatible land use. Table 4 lists the maximum heights of structures that would be allowed on the subject parcels under the proposed PD Zoning.

Table 4: Proposed Densities and Structure Heights

Map ID	Assessor's Parcel Number	Developable Portion of Parcel (acres)	Approximate Maximum Size of Buildings [b]	Maximum Height of Structures [a]	
				Above Mean Sea Level (MSL) [c]	Above Ground Level (AGL) [c]
1	259-02-130	2.90	75,750 ft^2	101 feet to 109 feet	31 feet to 39 feet
2	259-02-131	3.19	83,250 ft^2	91 feet to 100 feet	21 feet to 30 feet
3	259-08-072	0.07	1,860 ft^2	121 feet to 122 feet	50 feet to 51 feet
4	259-08-101 (west portion only)	0.18	4,800 ft^2	122 feet to 123 feet	51 feet to 52 feet
5	259-08-102	3.19	83,400 ft^2	111 feet to 119 feet	41 feet to 49 feet
6	230-38-076	0.36	n/a	87 feet to 90 feet	22 feet to 25 feet
7	230-38-092	0.37	9,660 ft^2	87 feet to 89 feet	22 feet to 24 feet
		Total:	**258,720 ft^2**		

[a] Calculated per Federal Aviation Regulations Part 77. "Structures" includes buildings, rooftop equipment, light poles, antenna, etc.

[b] Assumes a floor area ratio of 0.60, which complies with the CLUP's 30% open area requirement

[c] A range in heights is shown to account for the fact that Part 77 surfaces slope upwards as you depart the Airport. The heights are shown with the most restrictive heights at the northern end of the site and least restrictive heights at the southern end of the site.

Restrictions Based on Noise Compatibility

The PD zoning will specify that land uses proposed on any of the seven subject parcels will be required to comply with the noise compatibility policies listed in Section 4.

Restrictions on Density

The PD Zoning will specify that land uses proposed on any of the seven subject parcels will be required to comply with the population density and open space restrictions listed in Section 4. Specifically, the maximum population density specified in the CLUP for land uses in the Inner Safety Zone is as follows: "maximum 120 people per acre (includes open area and parking area required for the building's occupants and one-half of the adjacent street area)." Applying that criterion to the seven subject parcels, the maximum number of people allowed on each site would be as shown in Table 5.

Table 5: Maximum Population on the Project Sites

Map ID	Developable Portion of Site Acreage	Site Acreage Including ½ of Adjacent Street Area	Maximum Population Per Acre [a]	Maximum Population On the Site
1	2.90	3.17	120	380
2	3.19	3.57	120	428
3	0.07	0.11	120	13
4	0.18	0.22	120	26
5	3.19	3.52	120	423
6	0.36	0.49	120	59
7	0.37	0.51	120	61

[a] For land uses within the Inner Safety Zone of the CLUP.

6.0 PROJECT OBJECTIVES

The objectives of the project are as follows:

- Generate revenue on Airport lands to support aviation services at SJC.
- Development on the subject parcels should be compatible with the primary function of the land, which is airport approach protection and aircraft noise abatement.

7.0 POTENTIAL ENVIRONMENTAL IMPACTS OF THE PROJECT

The EIR will discuss the project's significant environmental impacts on the topic areas described below. Mitigation and/or avoidance measures will be identified for each topic, as appropriate.

- **Aesthetics –** The proposed project would construct commercial/industrial uses on parcels that are presently vacant. The EIR will describe the existing visual setting of the project 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, especially as pertains to aircraft safety.

- **Air Quality** – The EIR will describe the existing air quality conditions in the Bay Area and will evaluate the project's construction and operational impacts to local and regional air quality in accordance with the Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines and thresholds. Temporary construction-related impacts such as construction vehicle exhaust and airborne particulates (i.e., dust) will be discussed. Operational impacts to be addressed will include emissions from traffic generated by the project. The EIR will identify existing sources of toxic air contaminants (TACs) and fine particulate matter ($PM_{2.5}$) and their concentrations.

- **Biological Resources** – The project sites were formerly part of a residential neighborhood and are currently undeveloped. Based on recent biological surveys, habitats in the project area consist of grassland, dominated by non-native species. Stands of ornamental trees are also present in disjunct patches. The EIR will include a description of the existing biological setting and an analysis of impacts to biological resources including the loss of trees on-site. Compliance with the Santa Clara Valley Habitat Plan will also be discussed.

- **Cultural Resources** – There are no buildings, historic or otherwise, located on the project sites. The EIR will include the preparation of a cultural resources technical report. The report, which will be summarized in the EIR, will include a review of archaeological and historical databases, as well as a field survey to determine any potential impacts to cultural resources.

- **Tribal Cultural Resources -** The EIR will discuss the project's potential for impacts to tribal cultural resources under Assembly Bill 52. The results of consultation with the Native American Heritage Commission and representatives of local Native American tribes will be reported. If it is determined that the project would affect tribal cultural resources, the EIR will describe such impacts and the measures to be implemented to mitigate the effects resulting from formal consultation, as applicable.

- **Energy** – Implementation of the proposed project will result in an increased demand for energy on-site. The EIR will address the increase in energy usage on-site, as well as any proposed design measures to reduce energy consumption.

- **Geology and Soils** –According to the City's Public GIS Viewer, the project area is subject to liquefaction.[2] The EIR will discuss the existing soil conditions on the project sites and possible geological impacts associated with seismic activity.

- **Greenhouse Gas Emissions** – The EIR will address the project's contribution to regional and global greenhouse gas (GHG) emissions. The EIR will include a discussion of the project's consistency with the City's 2030 Greenhouse Gas Reduction Strategy through the Compliance Checklist. Proposed design measures to reduce energy consumption, which in turn would reduce GHG emissions, will be discussed.

- **Hazards and Hazardous Materials** – The seven project sites are surrounded by commercial businesses, offices, and residential land uses. Former uses of the sites include agriculture and residential uses. Based on this information, there is a possibility that hazardous substances may be present in on-site soils. Therefore, a Phase 1 Environmental Site Assessment (ESA) will be prepared, the results of which will be summarized in the EIR. If it is determined that the project may result in hazardous materials impacts, avoidance and minimization measures will be disclosed and implemented.

  As described above in Section 4, the seven parcels that comprise the project are located on Airport-owned lands that are subject to numerous safety and noise restrictions. The EIR will describe the proposed development on these parcels and will analyze whether the project will result in any inconsistencies with those restrictions.

- **Hydrology and Water Quality** – Based on the Federal Emergency Management Agency (FEMA) flood insurance rate maps, portions of the project site are located within a 100-Year Floodplain. The EIR will describe the effects of the proposed development on the extent and degree of flooding. The EIR will also address the effectiveness of the storm drainage system and the project's effect on stormwater quality consistent with the requirements of the Regional Water Quality Control Board (RWQCB).

- **Land Use Planning/Compatibility** – In addition to the ALUC's CLUP, the *Envision San José 2040 General Plan* contains many policies that pertain to the location, size, type, and design of new land uses. The policies that are relevant to the proposed project will be described in the EIR along with the project's consistency or inconsistency with those policies.

[2] Source: https://csj.maps.arcgis.com/apps/webappviewer/index.html?id=3c5516412b594e79bd25c49f10fc672f.

- **Noise and Vibration** – The existing noise environment on the seven parcels that comprise the project is dominated by aircraft noise as they are located under SJC's approach/departure flight paths. Noise from traffic on Hedding Street and Coleman Avenue also contributes to existing noise levels. A technical noise assessment will be prepared for the purpose of quantifying noise impacts and determining whether applicable thresholds of significance will be exceeded. The results of the assessment will be summarized in the EIR. If warranted, mitigation measures will also be described.

- **Public Services** – Implementation of the proposed project would increase the daytime employee population of the City, which could result in an increased demand on public services, including police and fire protection. The EIR will address the availability of public facilities and service systems.

- **Transportation** – The transportation effects of the project will be quantified in accordance with the City's transportation policy (Council Policy 5-1). Under this policy, transportation impacts under CEQA will be assessed based on the metric of vehicle miles traveled (VMT). The project's consistency with programs, plans, ordinances, and policies addressing the circulations system (including transit, roadway, bicycle, and pedestrian facilities) will also be discussed in the EIR.

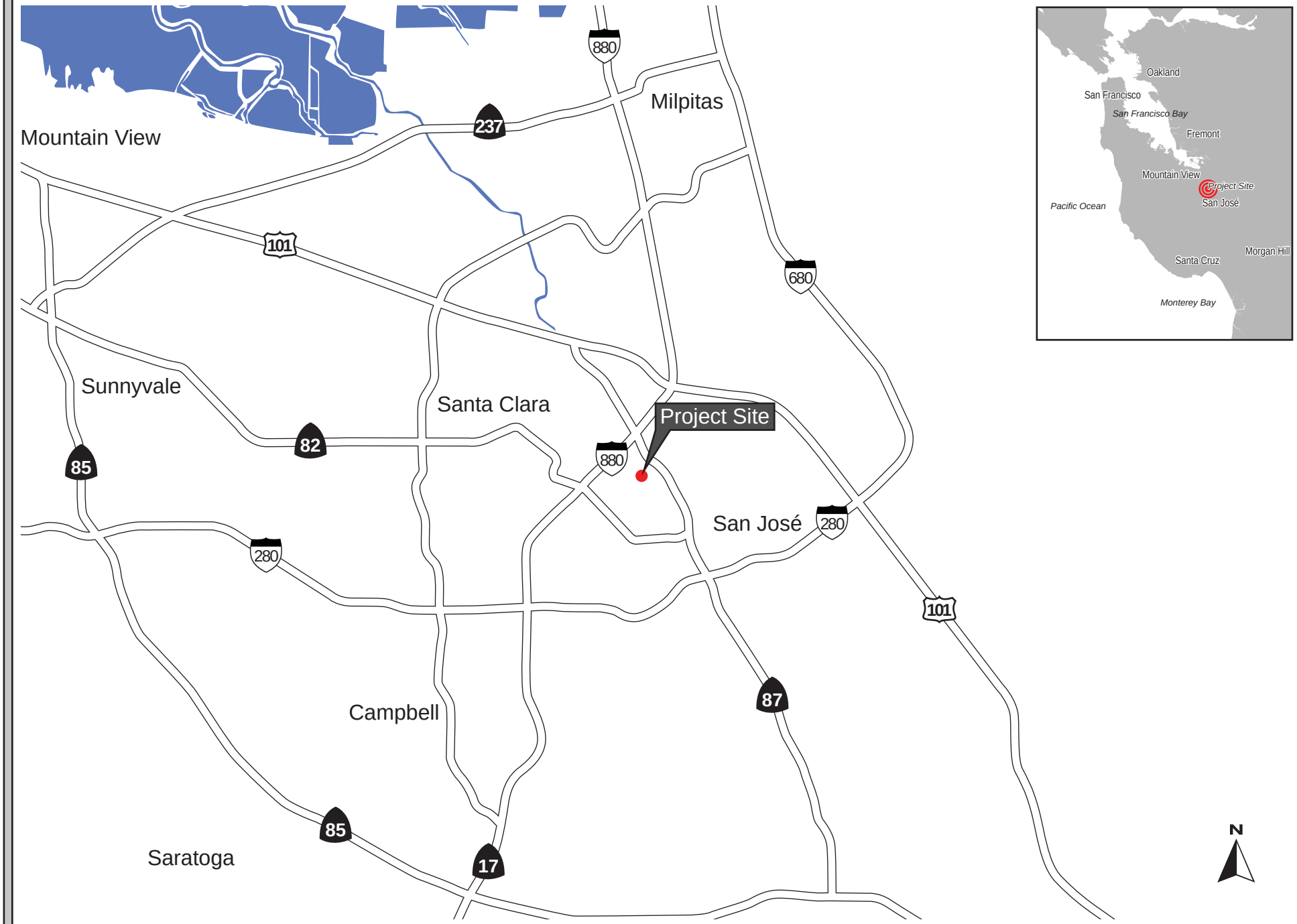
- **Utilities and Service Systems** – Implementation of the proposed project could result in an increased demand on utilities and public facilities compared to existing conditions. The EIR will examine the impacts of the project on public utilities such as sanitary sewer and storm drains, water supply/demand, and solid waste management. A Water Supply Assessment will be completed to determine if the proposed project will result in impacts to the existing and future water supply.

- **Cumulative Impacts** – Pursuant to CEQA Guidelines Section 15130, the EIR will discuss the cumulative impacts of the project in combination with other past, present or reasonably foreseeable projects.

- **Alternatives to the Project** – Pursuant to CEQA Guidelines Section 15126.6, the EIR will evaluate a range of reasonable alternatives to the project, based on the results of the environmental analysis. A No Project Alternative will be evaluated along with its impacts. The alternatives discussion will focus on those alternatives that could feasibly accomplish most of the basic objectives of the proposed project and could avoid or substantially lessen one or more of the significant environmental effects identified in the EIR (CEQA Guidelines Section 15126.6). The environmentally superior alternative(s) will be identified based on the number and degree of associated environmental impacts.

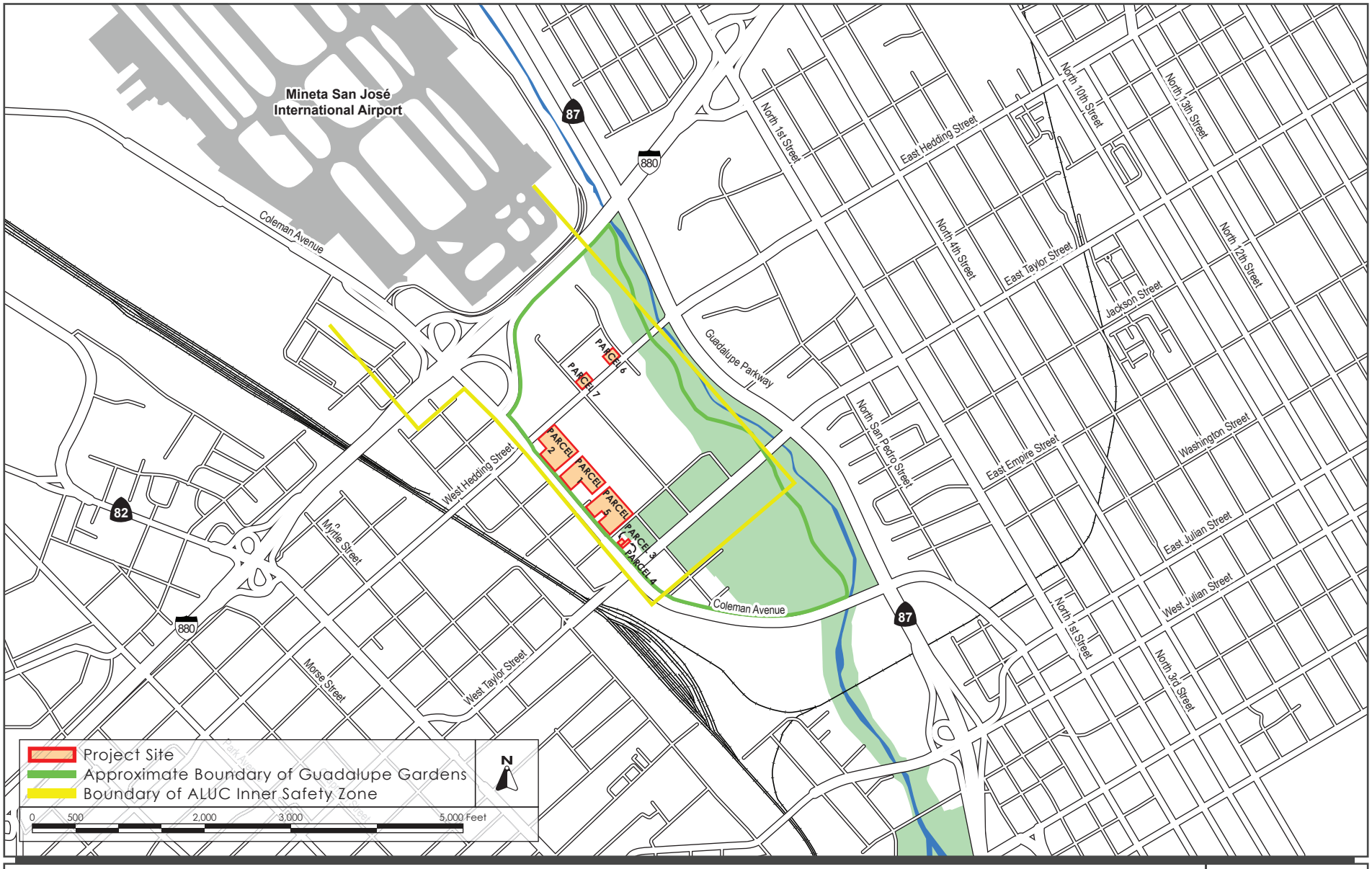
- **Other Required Sections –** In addition, the EIR will address the project's impacts on agricultural resources, population and housing, mineral resources, recreation,

and wildfire. The EIR will also include all other sections required under the CEQA Guidelines (e.g., Significant Irreversible Environmental Changes, References, and EIR Authors). Relevant technical reports will be provided as appendices.



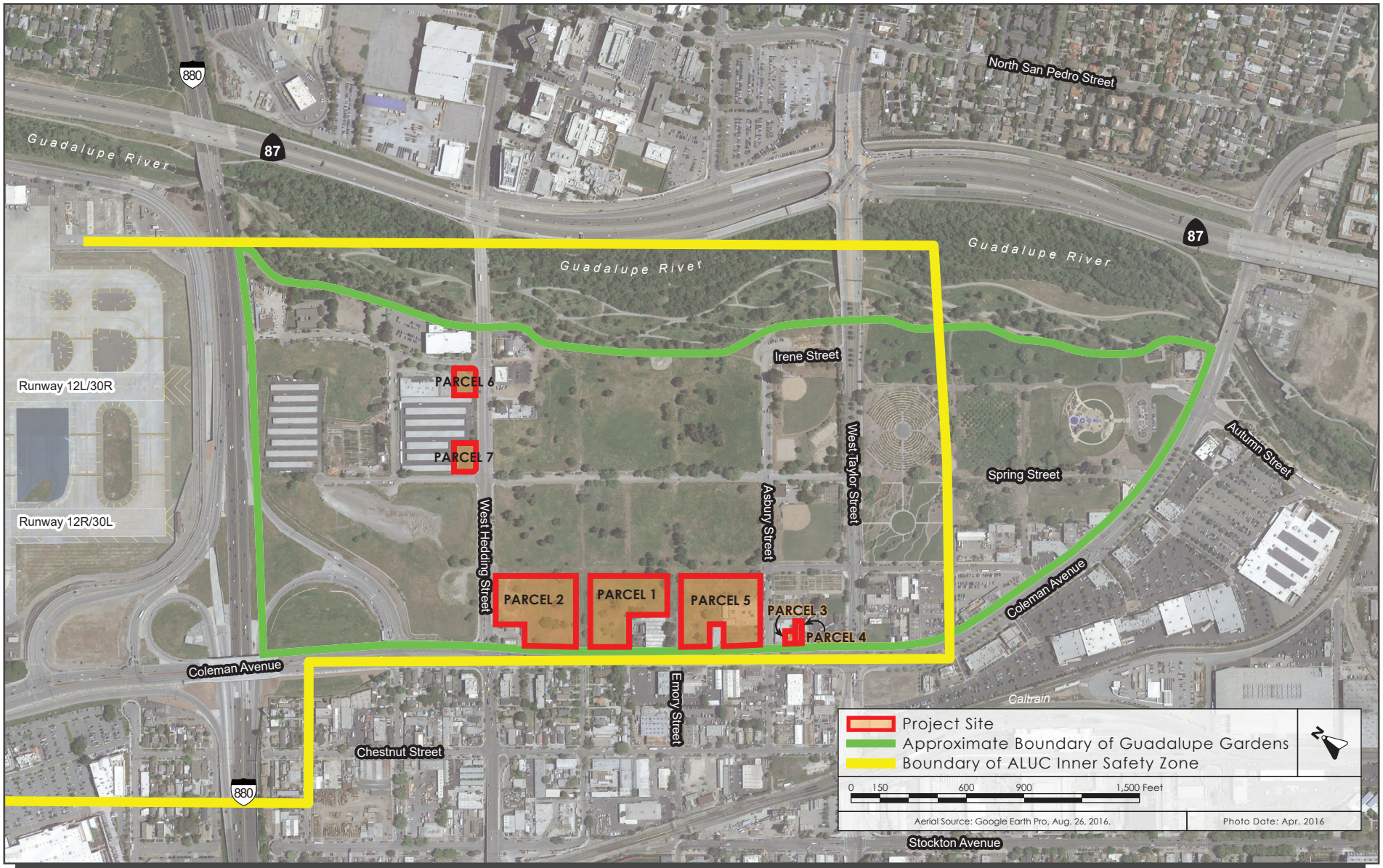
REGIONAL MAP

FIGURE 1



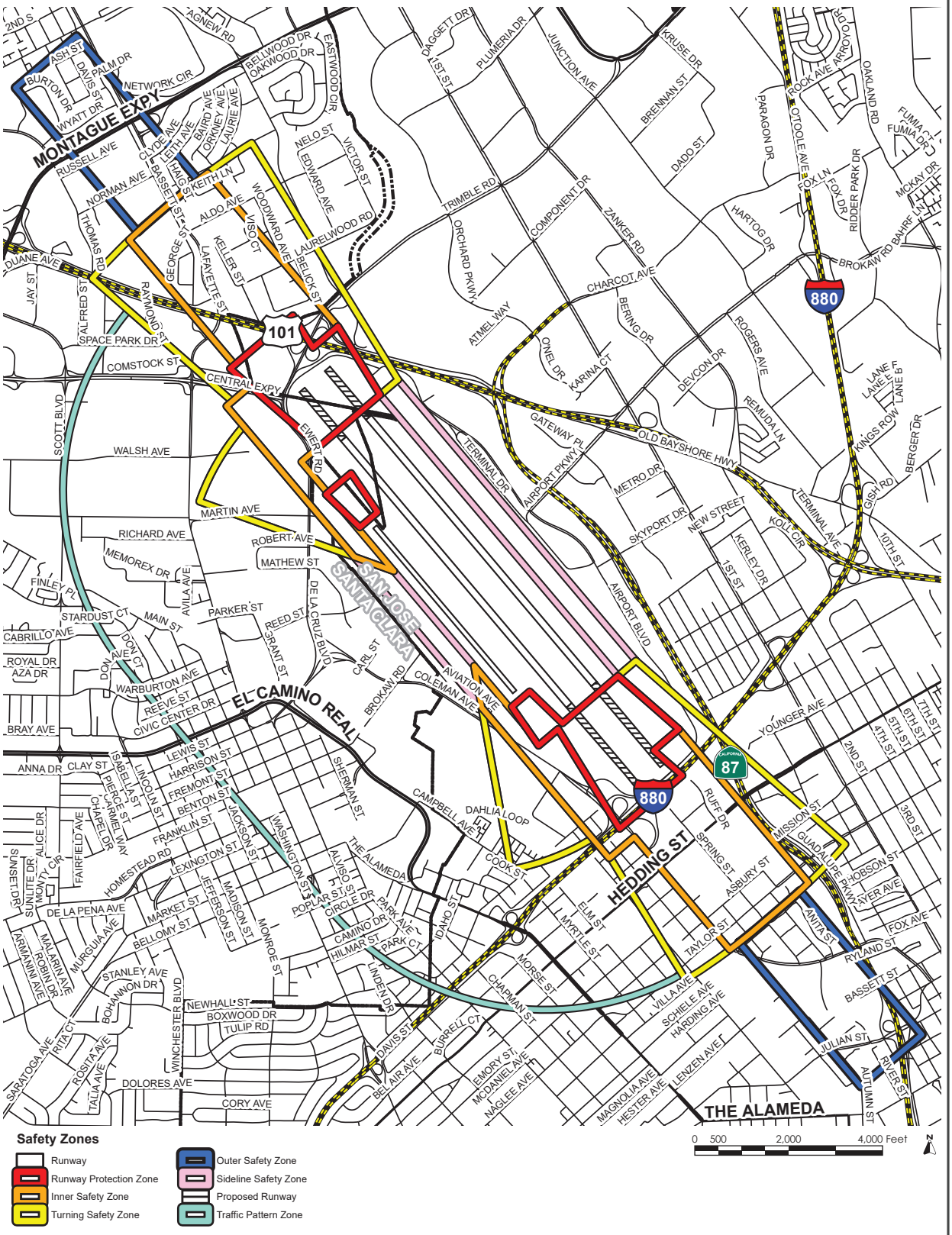
VICINITY MAP

FIGURE 2



AERIAL OF PROJECT AREA

FIGURE 3



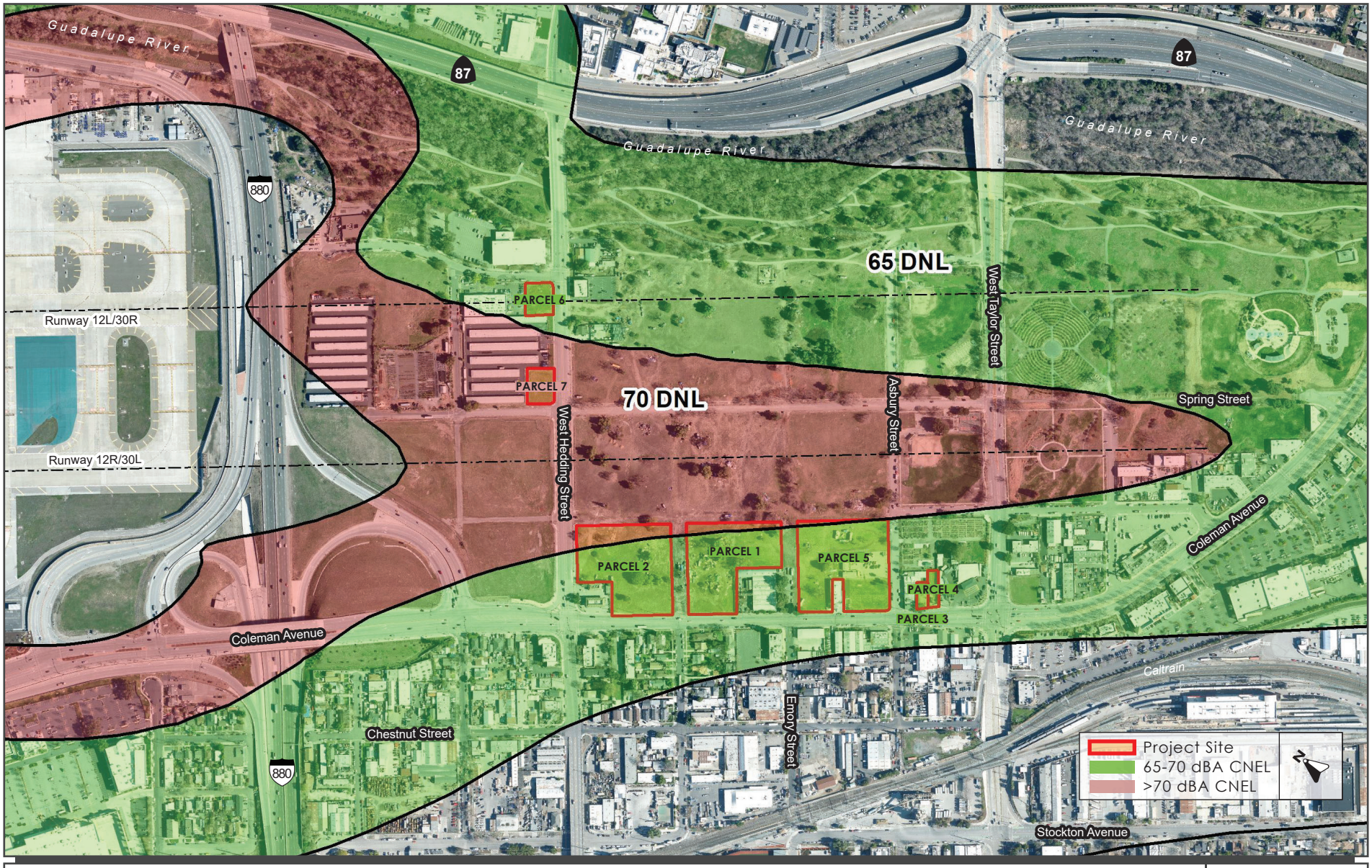
Safety Zones

- Runway
- Runway Protection Zone
- Inner Safety Zone
- Turning Safety Zone
- Outer Safety Zone
- Sideline Safety Zone
- Proposed Runway
- Traffic Pattern Zone

0 500 2,000 4,000 Feet

Source: Santa Clara County ALUC's CLUP for SJC, 2011.

EXISTING SJC SAFETY ZONES | FIGURE 4



YEAR 2037 CNEL CONTOURS

FIGURE 5