

**NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
1000 SOUTH DE ANZA BOULEVARD RESIDENTIAL PROJECT**

FILE NOS: H23-029 & ER23-232
PROJECT APPLICANT: BORELLO ASSET MANAGEMENT, INC.
(ATTN: ERIK SCHOENNAUER)
APN: 372-26-018

Project Description: The project includes a Site Development Permit to allow the demolition of an existing commercial building and surface parking lot and the removal of 19 trees (including 13 ordinance-size trees) for the construction of a seven-story, 99-unit residential building. The project applicant would reserve 20 percent of the units to be provided at 80 percent of average median income. The building would consist of approximately 36 studios, 46 one-bedroom units, 17 two-bedroom units, 8,714 square feet of common open space, and a 112-stall parking area with mechanical lifts and eight outdoor guest parking spaces on an approximately 0.72-gross acre lot.

Location: The approximately 0.72-acre project site (APN 372-26-018) is located at 1000 South De Anza Boulevard in San José. The existing general plan designation of the site is Neighborhood/Community Commercial (NCC) and the site is located in the Commercial Pedestrian (CP) Zoning District.

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, May 13, 2024 from 6:30 p.m. to 7:30 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. City will accept comments on the scope of the EIR until **5:00 p.m. on Monday, June 3, 2024**. 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

4/29/24
Date

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May 2024

1.0 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.

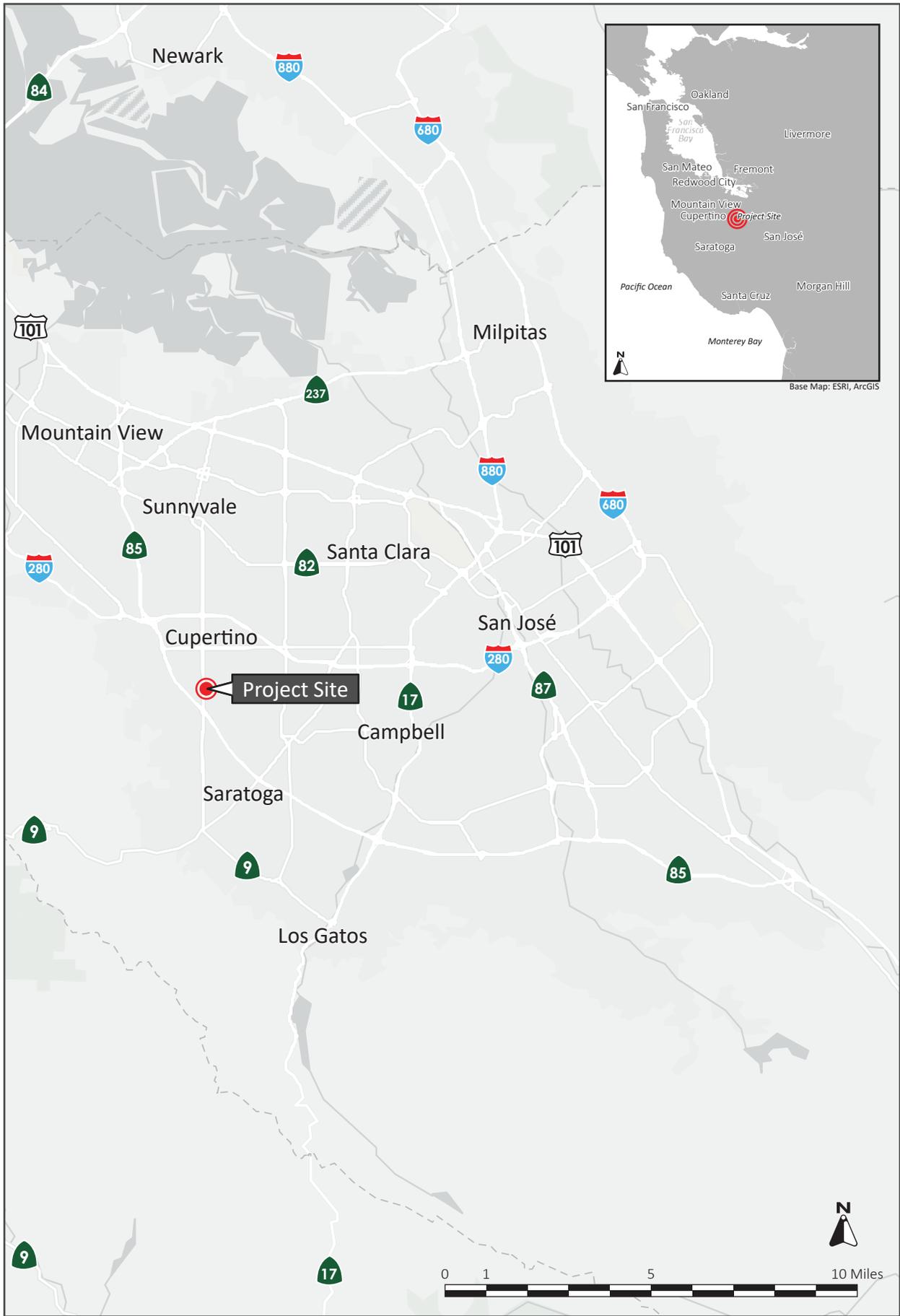
The EIR for the proposed project will be prepared and processed in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended. In accordance with the requirements of CEQA, the EIR will include the following:

- A project description;
- A description of the existing environmental setting, probable environmental impacts, and mitigation measures;
- 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

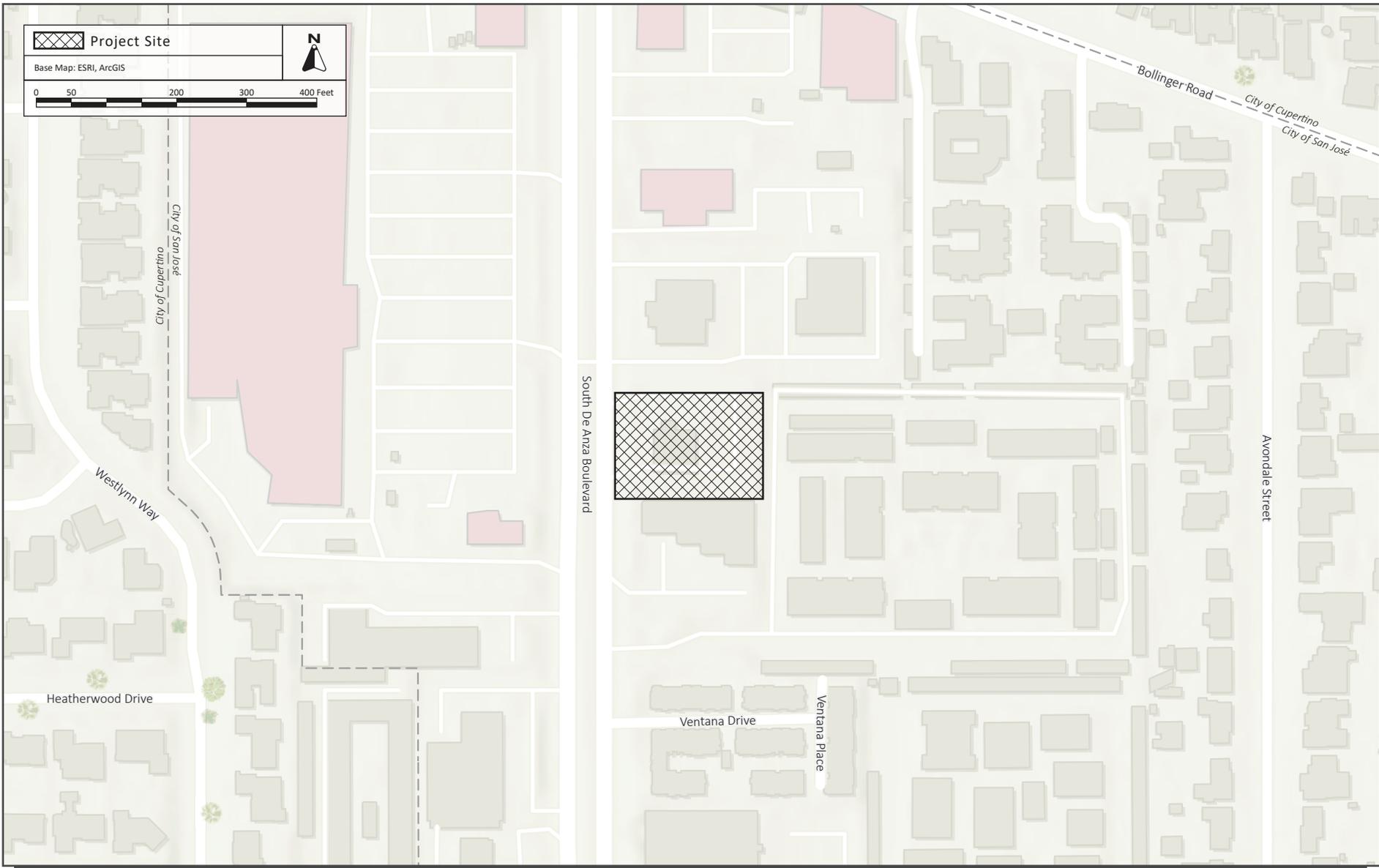
The project site is located at 1000 South De Anza Boulevard, in San José (Assessor Parcel Numbers [APNs] 372-26-018). The site is 0.72 acres and has the General Plan designation of Neighborhood/Community Commercial (NCC) and is located in the Commercial Pedestrian (CP) Zoning District. The NCC General Plan Designation supports a very broad range of commercial activity, including commercial uses that serve the communities in neighboring areas, such as neighborhood serving retail and services and commercial/professional office development. Neighborhood / Community Commercial uses typically have a strong connection to and provide services and amenities for the nearby community and should be designed to promote that connection with an appropriate urban form that supports walking, transit use and public interaction. General office uses, hospitals and private community gathering facilities are also allowed in this designation. This designation also supports one hundred percent (100%) deed restricted affordable housing developments that are consistent with General Plan Policy H-2.9 and Policy IP-5.12. The FAR for any development under the NCC designation would be allowed to have a FAR of up to 3.5 and could range from one to five stories tall. The site is currently developed with a restaurant building and a 32-space surface parking lot.

There are several mature trees on the site. The project site is adjacent to a restaurant to the north, a preschool to the south and a two-story apartment to the east. Regional, vicinity, and aerial maps of the project site are provided in Figures 1-3.



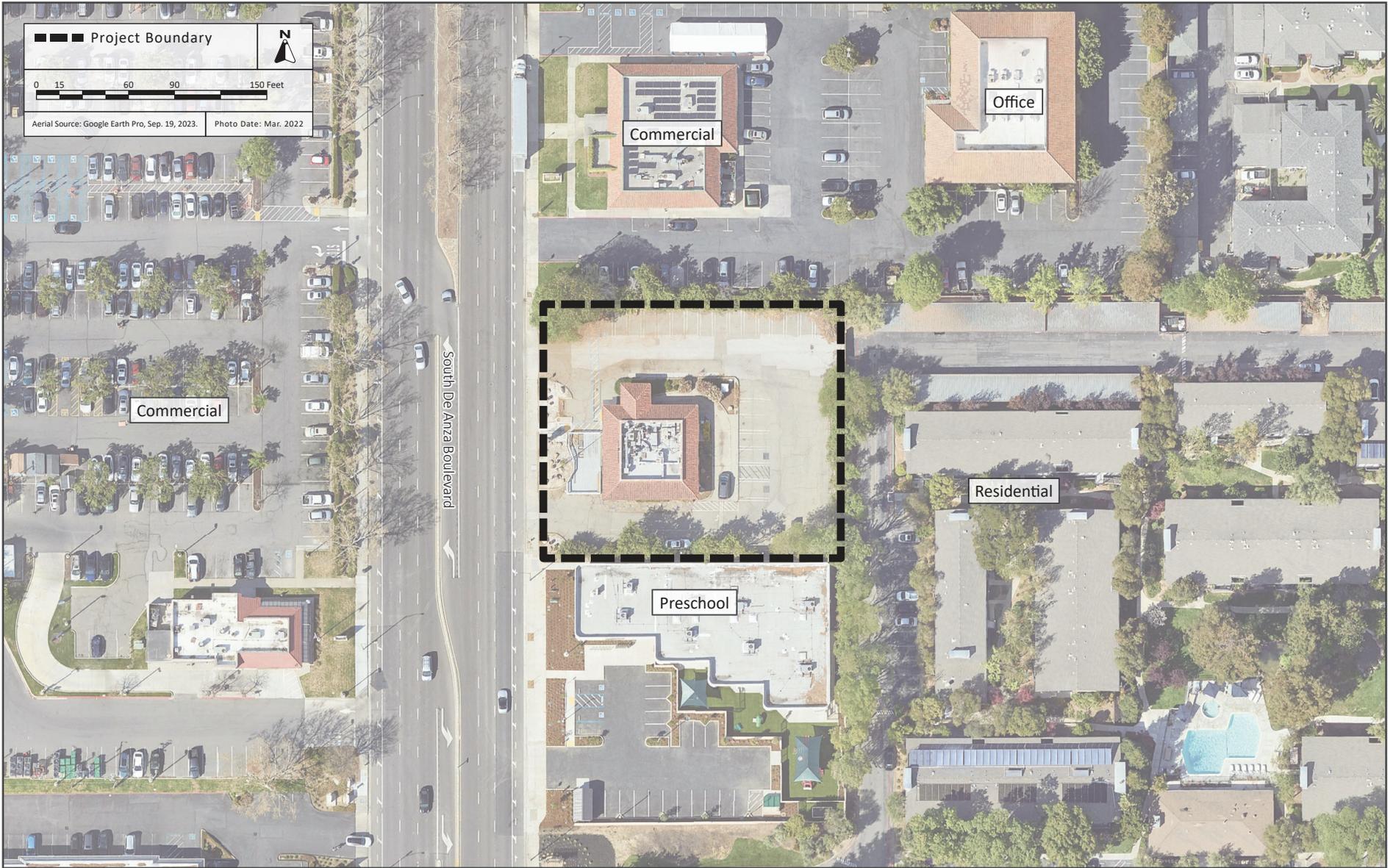
REGIONAL MAP

FIGURE 1



VICINITY MAP

FIGURE 2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 3

3.0. PROJECT DESCRIPTION

The proposed project would involve the demolition of the existing commercial building and surface parking lot located on a 0.72-acre lot at 1000 South De Anza Boulevard (APN 372-26-018) in the City of San José. The proposed project would utilize the Housing Accountability Act's Builders Remedy policy (Government Code Section 65589.5) to construct a 97-foot tall, seven story, 99-unit residential building. 20 percent of the units would be provided at 80 percent of average median income and the development would consist of approximately 36 studios, 46 one-bedroom units, and 17 two-bedroom units. The building would include 8,714 square feet of common open space and a 112-stall parking area with mechanical lifts and eight outdoor guest parking spaces. Access to the parking area is at grade and the stackers used for parking would store vehicles approximately 10 feet below the site grade.

The first floor of the residential building would include a fitness area and bike lockers in addition to parking for the site. Additionally, on the second floor, the building would feature a pool, barbecue area, and resident lounge along with the residential units. The remaining floors would feature residential units. On the roof of the structure, the project would feature a lounge and outdoor seating area adjacent to rooftop solar panels. The site plan and elevations of the proposed project are included below in Figures 4 and 5.

Construction Information

The proposed project would be constructed over 14 months. The construction would not require pile driving and would excavate approximately 10 feet below the ground surface. This excavation would remove approximately 468 cubic yards of soil. The proposed project would remove 19 on-site trees, 13 of which are ordinance sized.

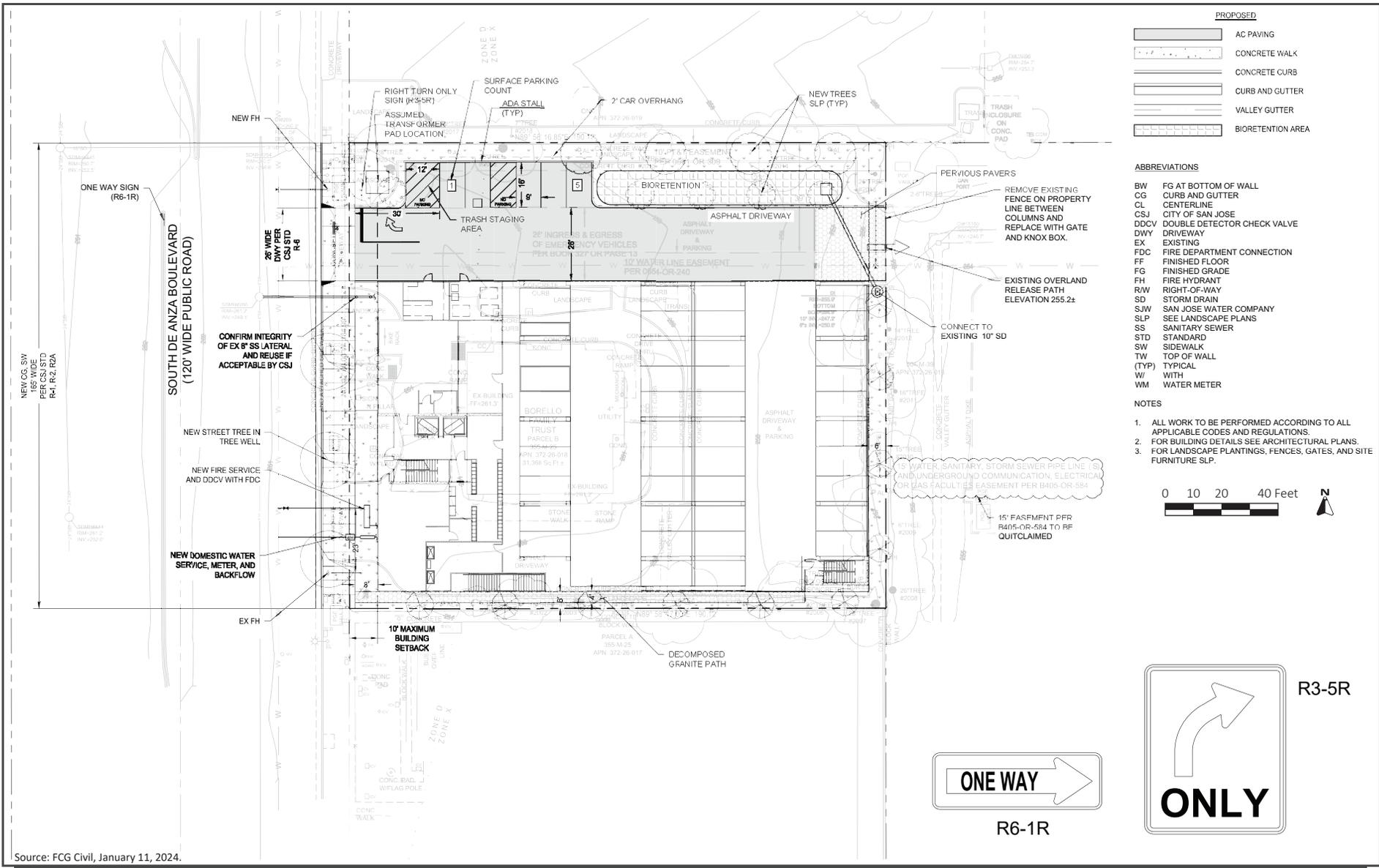
Green Building Features

The proposed project includes all electric appliances and would implement all REACH codes and green energy standards required by the City of San José. The western side of the project rooftop would have four areas ready for solar which would be able to provide approximately 46,000 Kw of energy production.

4.0 POTENTIAL ENVIRONMENTAL IMPACTS OF THE PROJECT

The EIR will address the environmental impacts associated with the proposed project. The City anticipates that the EIR will focus on the following issues:

- **Aesthetics** – The proposed development would demolish the restaurant building on-site and construct a seven-story residential building. 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.



PROJECT SITE PLAN

FIGURE 4



Source: LPMD Architects.

- **Air Quality** – The EIR will describe the existing air quality conditions in the Bay Area and will evaluate the air quality impacts of the project, based on a detailed air quality analysis prepared for the proposed project. Construction and operational air quality impacts will be evaluated. Mitigation and/or avoidance measures will be identified for significant air quality impacts, as appropriate.
- **Biological Resources** – The project site is currently developed with a restaurant building and a surface parking lot. Habitats in the project area are low in species diversity and include predominately urban adapted birds and animals. The EIR will include a description of the existing biological setting and an analysis of impacts to biological resources including trees on the project site. The analysis will also discuss the project’s consistency with the Santa Clara County Habitat Conservation Plan. The EIR will provide mitigation measures necessary to reduce potentially significant impacts to less than significant levels under CEQA.
- **Cultural Resources** – Because of the early occupation by Native American tribes and development in the project vicinity, there is the potential for subsurface resources associated with this early development to be located on-site. In addition, the building on-site is less than 50 years old and would not be historically significant. The potential for cultural resources, including archeological and historic resources, to be affected by the project will be evaluated based on a records search at the Northwest Information Center of the California Historical Resources Information System (CHRIS). Mitigation measures will be identified for significant cultural resource impacts, as appropriate.
- **Energy** – Implementation of the proposed project would result in an increased demand for energy on-site. The EIR will address the increase in energy usage on-site and proposed design measures to reduce energy consumption.
- **Geology and Soils** – The project site is located near a liquefaction zone. The EIR will discuss the possible geological impacts associated with seismic activity and the existing soil conditions on the project site.
- **Greenhouse Gas Emissions** – The EIR will address the project’s contribution to regional and global greenhouse gas (GHG) emissions, as well as the project’s consistency with state and local plans to reduce GHG emissions. Proposed design measures to reduce energy consumption, which in turn would reduce GHG emissions, will be discussed.
- **Hazards and Hazardous Materials** – There is potential for soil and/or groundwater contamination in the project area from previous agricultural land uses in the project site and surrounding areas. The EIR will address the potential for hazardous materials contamination on the project site based on a Phase I Environmental Site Assessment report to be prepared for the site. Mitigation measures will be identified to minimize significant hazardous material impacts, as appropriate.
- **Hydrology and Water Quality** – Based on the Federal Emergency Management Agency (FEMA) flood insurance rate maps the project site is Zone D, an area of undetermined but possible flood hazard, and Zone X, an area with a flood probability of less than the 100-year storm. The EIR will describe the extent to which the project would create or replace impervious surfaces on the site that would contribute urban runoff and address the effectiveness of the storm drainage system and the project’s effect on storm water quality consistent with the requirements of the Regional Water Quality Control Board (RWQCB).

- **Land Use** – The project site is located within a developed urbanized area of San José surrounded by residential and commercial land uses. The EIR will describe the existing land uses adjacent to and within the project area.
- **Noise and Vibration** – Because the project site is located in an urbanized area of San José and is within close proximity of sensitive receptors, a noise and vibration analysis will be prepared for the project. The analysis will describe the existing noise environment and address potential noise and vibration impacts related to the construction and operation phases of the project. Mitigation measures will be identified to reduce noise and vibration impacts to a less than significant level, as necessary.
- **Public Services** – Implementation of the proposed project would increase the population of the City; and would result in an increased demand on public services, including police and fire protection. The EIR will address the availability of public facilities and services.
- **Transportation** – The project site is located within a commercial and residential area of San José. A Local Transportation Analysis (LTA) will be completed to evaluate the proposed site access/circulation and intersection operations in the project area to identify any necessary improvements. The technical study will also provide evaluation of the project's conformance with Policy 5-1 and the VMT thresholds, and identify mitigation measures for any impacts identified.
- **Tribal Cultural Resources** – The EIR will discuss the project's potential for impacts to tribal cultural resources under Assembly Bill 52, including the results of any consultation requested by Native American tribes.
- **Utilities and Service Systems** – Implementation of the proposed project would result in an increased demand for utilities and public facilities compared to existing conditions. The EIR will examine the impacts of the project on public services, including utilities such as sanitary sewer and storm drains, water supply/demand, and solid waste management.
- **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. Mitigation measures will be identified to reduce and/or avoid significant impacts, as appropriate.
- **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 shall also 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.

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.