

**NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
GLIDER RESIDENTIAL PROJECT**

FILE NO: H23-028 and ER23-230
PROJECT APPLICANT: The True Life Companies, LLC
APNs: 689-08-001

Project Description: The project proposes the demolition of the existing vacant school buildings and the development of 64 single-family detached homes and 16 single-family attached homes on the 9.51 acre site. The project also includes 2.09 acres of public right-of-way, and an approximately 0.68-acre park site.

Location: The project site is located at 511 Cozy Drive, at the intersection of Cozy Drive and Glider Drive.

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: Tuesday, October 15, 2024 from 6:00 to 7:00 p.m.

Where: Santa Teresa Library, 290 International Circle, San Jose, CA 95119 (see www.sanjoseca.gov/PlanningCommunitMtgs)

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 Monday, October 28, 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: Bethelhem Telahun, Environmental Project Manager
200 East Santa Clara Street, 3rd Floor Tower
San José, CA 95113-1905
E-mail: Bethelhem.Telahun@sanjoseca.gov

Christopher Burton, Director
Planning, Building and Code Enforcement


Deputy

Notice of Preparation of a Draft Environmental Impact Report for the Glider Residential Project

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 proposed project.

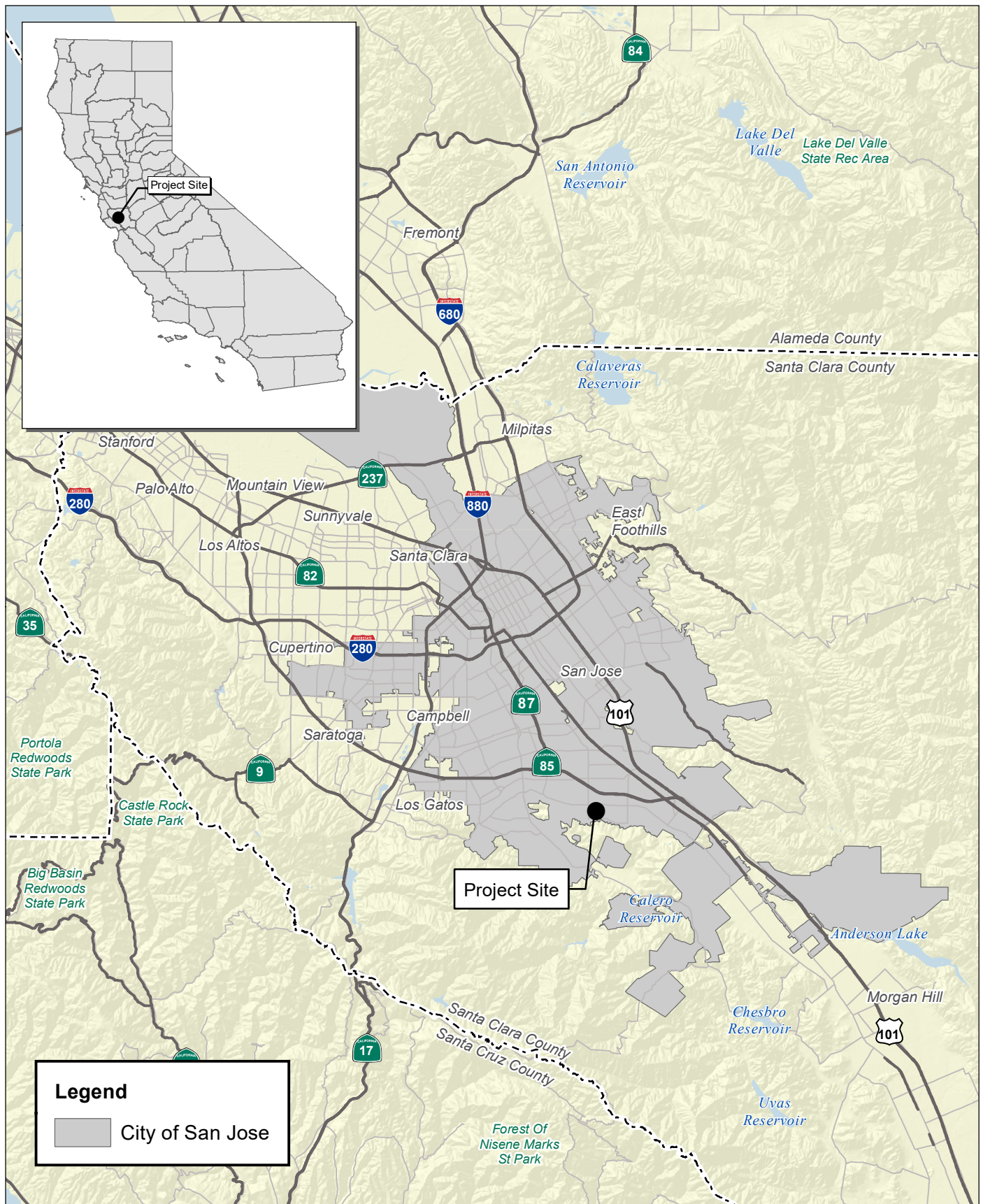
An EIR is prepared when it is determined by the discretionary authority that changes proposed in an approved project will require revisions to the previous EIR because of possible new impacts or an increase in severity of previously identified impacts. As the Lead Agency, the City of San José will prepare a Draft EIR to address the environmental effects of the Glider Residential Project.

The Draft 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 Draft EIR will include the following:

- A summary of the proposed project.
- A Project Description, including project objectives.
- A description of the existing environmental setting, environmental impacts, and mitigation measures.
- Alternatives to the project as proposed.
- 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.

Project Site and Location

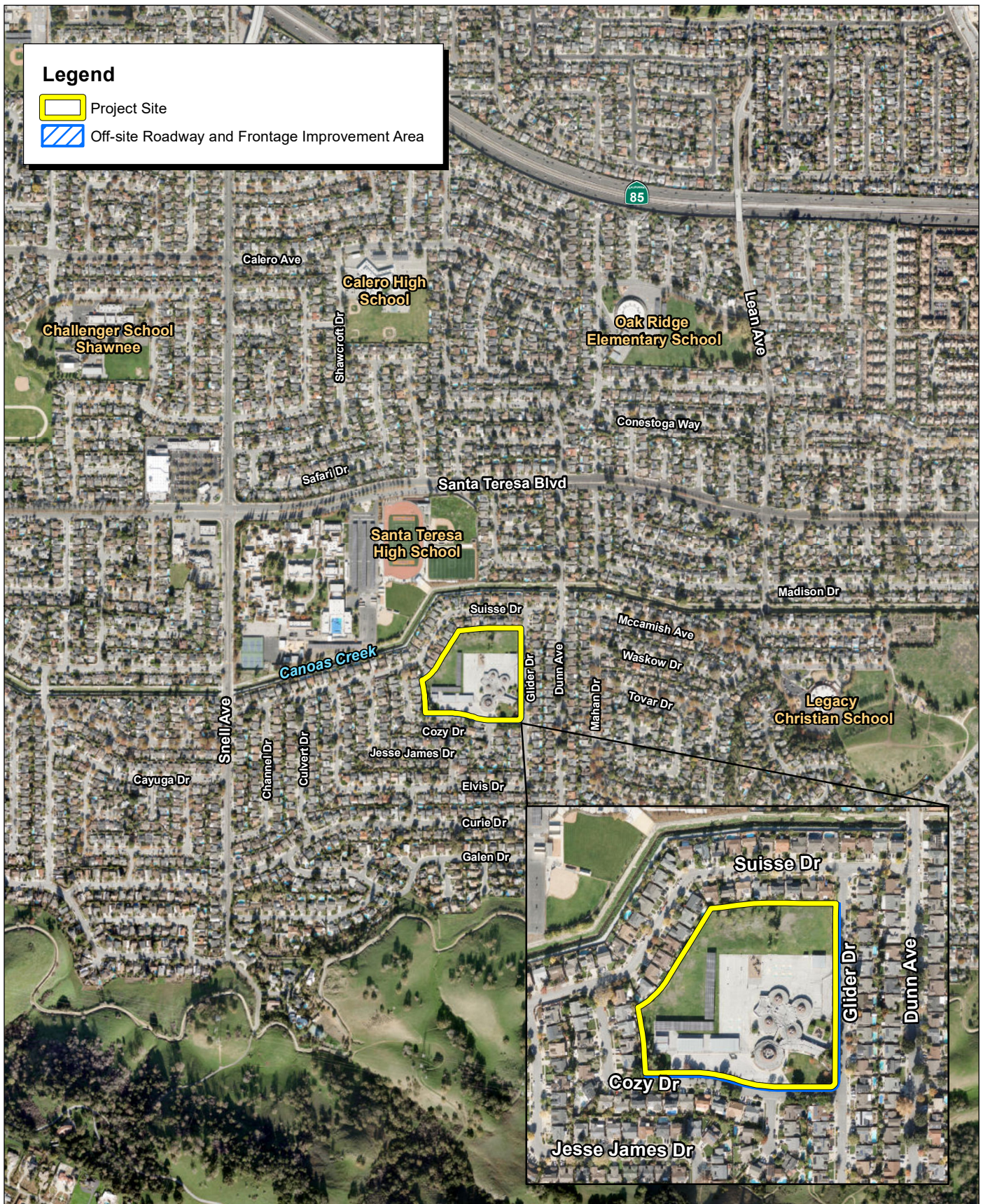
The project site is located at 511 Cozy Drive (Assessor's Parcel Number [APN] 689-08-001) in the City of San José (City), California. The project site encompasses approximately 9.51 acres and is currently developed with the former Glider Elementary School, part of the Oak Grove School District, which was closed and put up for sale in 2018. The project site is bordered by single-family residences on the north, south, east, and west. The project site is adjacent to Glider Drive on the east and Cozy Drive on the south. The project site location is shown on Figure 1 and Figure 2.



Source: Census 2000 Data, The California Spatial Information Library (CaSIL).



Figure 1
Regional Location Map



Source: Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

FIRSTCARBON
SOLUTIONS™



1,000 500 0 1,000
Feet

Figure 2
Local Vicinity Map

Existing Conditions

Glider Elementary School contains six vacant school buildings, surface parking, recreational fields, and cement/asphalt recreation areas for students. The site has been unoccupied since 2018.

The project site is surrounded by single-family residences to the north, south, east, and west. Santa Teresa High School is located approximately 710 feet north of the project site, beyond single-family residences along Suisse Drive and the channelized Canoas Creek.

Land Use and Zoning Designations

The project site is designated Public/Quasi-Public (PQP) under the Envision San José 2040 General Plan (General Plan) and is zoned Single-Family Residential (R-1-8) (Figure 3 and Figure 4).

The PQP land use designation designates public land uses, including schools, colleges, corporation yards, homeless shelters, permanent supportive housing, libraries, fire stations, water treatment facilities, convention centers, museums, governmental offices, and airports. It also incorporates various private uses, such as private schools, daycare centers, hospitals, and public utilities. The appropriate intensity of development can vary considerably depending on potential impacts on surrounding uses and the particular use developed on the site. As such, the PQP designation does not prescribe a specific floor area ratio (FAR).

The R-1-8 zoning district allows residential development at a density of up to 8 dwelling units per acre (du/acre). The R-1-8 zoning district permits one-family dwellings, accessory dwelling units (ADUs), residential accessory buildings and structures, and various other uses. The minimum permitted lot area is 5,445 square feet, and the maximum allowed height is 35 feet.

Project Description

True Life Companies, LLC (applicant) proposes to demolish the existing vacant school buildings and develop 64 single-family detached homes and 16 single-family attached homes, for a total of 80 residential units (Figure 5a and Figure 5b). The resulting density would be 8.41 du/acre, with unit sizes ranging from 1,233 to 2,234 square feet, built in four different plans. The existing single parcel would be reconfigured into 72 residential lots, as well as a common lot (park parcel) totaling approximately 0.68 acre and 2.09 acres of public right-of-way. Each pair of single-family attached homes will occupy a single lot. The park parcel would be open to the public and improved with shade trees, picnic tables, open turf, benches, and a bicycle rack.

The proposed project would include 16 units (20 percent) that would be deed-restricted to lower-income households. In accordance with Government Code Section 65915, the proposed project qualifies for up to two incentives or concessions as at least 17 percent of the units are reserved for lower-income households. The proposed project is also allowed waivers for any development standards that would physically preclude construction of the proposed project and the “bonus” units.





Source: ESRI World Imagery. City of San Jose.





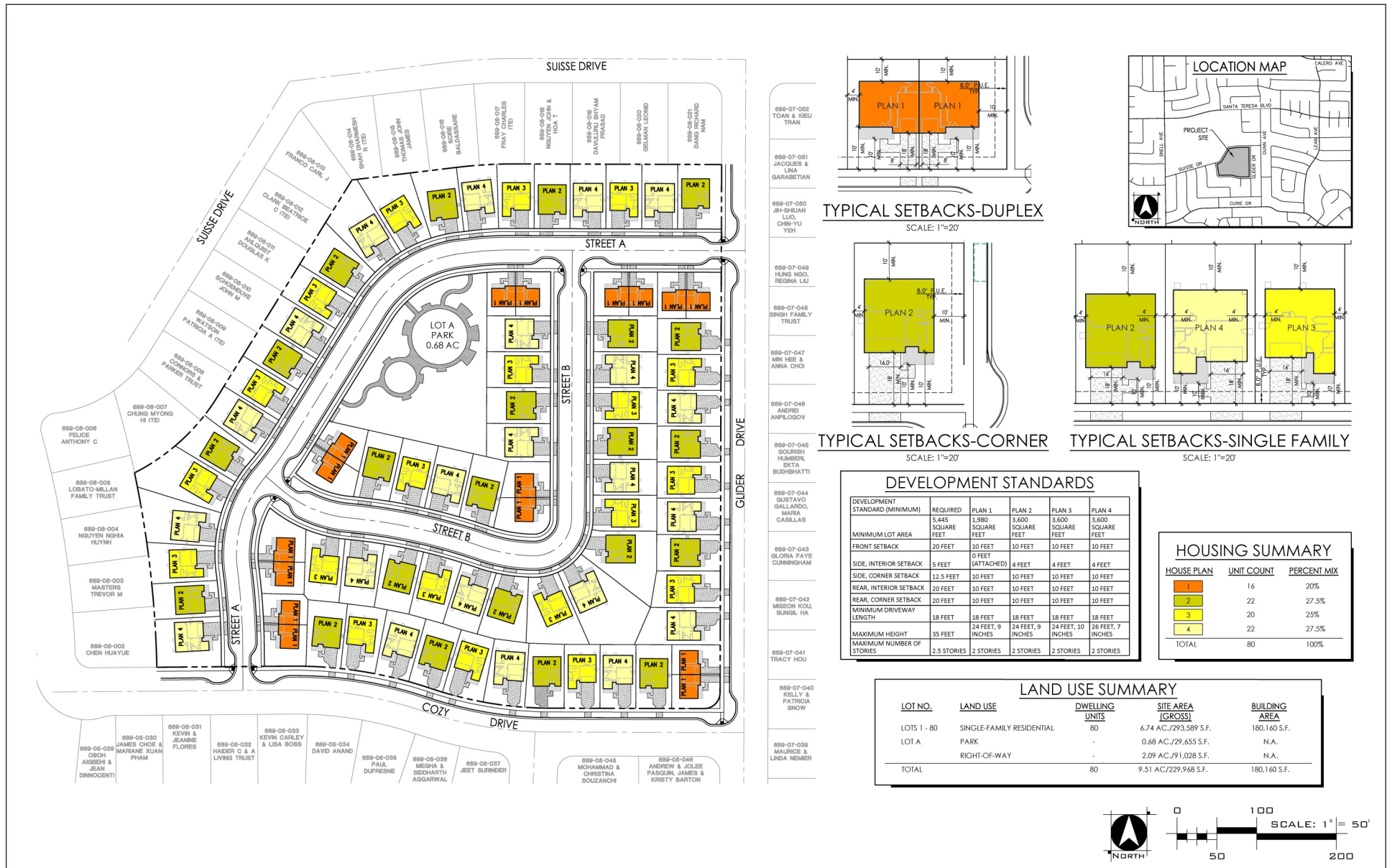
Source: TTL San Jose - Gilder, LLC. August 16, 2023.

FIRSTCARBON
SOLUTIONS™

56400003 • 06/2024 | 5a_site_plan.cdr

Figure 5a
Illustrative Site Plan

CITY OF SAN JOSE
GLIDER RESIDENTIAL PROJECT
NOTICE OF PREPARATION



Source: Wood Rodgers, 01/26/2024.



Required Project Approvals

The City anticipates that the project addressed in this Draft EIR will require discretionary and non-discretionary City approvals that will include but not be limited to the following:

- Site Development Permit
- Vesting Tentative Map (VTM)/Tentative Map/Final Map
- Tree Removal permits
- Building and Demolition permits
- Public Works Department Clearances, including Grading permits
- Dedication of public right-of-way
- Major Encroachment Agreement(s) for utilities crossing public right-of-way

Potential Environmental Impacts of the Proposed Project

The Draft EIR will focus on potentially significant environmental impacts associated with the proposed project. Topics that are found to be less than significant will be addressed in the Effects Found not to be Significant section of the Draft EIR. The City will review all comments received during the NOP public comment period and will confirm the scope of the Draft EIR after considering any comments that indicate a potential for the proposed project to result in a significant impact.

Topical Sections to be Included in the Draft EIR

The Draft EIR will discuss the existing environmental conditions at the project site and evaluate whether the proposed project would potentially result in significant environmental impacts, as discussed in the relevant sections listed below.

1. Air Quality

The Draft EIR will discuss sensitive receptors (including adjacent residences), temporary construction impacts to air quality, and operational air quality impacts. An Air Quality, Greenhouse Gas (GHG) Emissions, and Energy Analysis Memorandum will be prepared and appended to the Draft EIR that evaluates the proposed project's potential effects.

2. Biological Resources

A Biological Resources Assessment Memorandum (BRA Memorandum) was prepared for the proposed project and will be appended to the Draft EIR. This memorandum summarizes potential impacts to biological resources for the proposed project. The BRA Memorandum determined that with implementation of mitigation measures and the City Standard Permit Conditions, project-related impacts to biological resources on-site would be less than significant. The findings of the BRA will be further discussed in the Draft EIR.

3. Cultural Resources and Tribal Cultural Resources

A Phase 1 Cultural Resources Assessment (Phase I CRA) will be prepared for the proposed project and used for the Cultural and Tribal Cultural Resources analysis. This section will examine potential adverse impacts the proposed project would have on historical resources (or eligible historical resources) and archaeological resources and will provide recommendations, if needed, to protect cultural resources within and surrounding the project site.

4. Greenhouse Gas Emissions

An Air Quality, GHG Emissions, and Energy Analysis Memorandum will be prepared and appended to the Draft EIR that evaluates and confirms the proposed project's potential effects. Potential GHG emissions impacts and the proposed project's compliance with the City's GHG Reduction Strategy (GHGRS) Project Compliance Checklist will be discussed in the Draft EIR.

5. Hazards and Hazardous Materials

A Phase I Environmental Site Assessment (Phase I ESA) was conducted by Cornerstone Earth Group in March 2022.¹ The report summarized the current conditions of the site, as well as the historic conditions of the site. The study recommends soil sampling and laboratory analyses to evaluate the potential for residual pesticide concentrations and naturally occurring asbestos. Furthermore, the study determined that based on the age of the existing buildings, asbestos and lead may be present. Testing and demolition procedures are required in accordance with the National Emissions Standards for Hazardous Pollutants (NESHAP) and Occupational Safety and Health Administration (OSHA) requirements. The findings of the Phase I ESA will be discussed further in the Draft EIR.

6. Land Use and Planning

The Draft EIR will summarize the existing land use and will determine the potential environmental effects of the proposed project related to land use and planning. The project site is designated PQP under the General Plan and is zoned Single-Family Residential (R-1-8).

7. Noise

The proposed project would be required to comply with all General Plan Policies as well as the City's Standard Permit Conditions. A Noise Memorandum will be prepared and appended to the Draft EIR that evaluates and confirms the proposed project's potential impacts regarding construction and operations. With adherence to the City's Standard Permit Conditions, project impacts related to construction noise are anticipated to be less than significant. The analysis and findings of the Noise Memorandum would be further discussed in the Draft EIR.

8. Transportation

A Transportation Impact Analysis (TIA) will be prepared to analyze the proposed project's impacts on the circulation system, including all modes of transit, Vehicle Miles Traveled (VMT), roadway safety hazards, and emergency access. The proposed project is expected to exceed the City's threshold for

¹ Cornerstone Earth Group. 2022. Phase I Environmental Site Assessment. March 4.

VMT and thus would result in a significant and unavoidable impact related to VMT. This topic will be discussed in the Draft EIR and the TIA will be appended.

9. Alternatives

The Draft EIR will examine alternatives to the proposed project, including a “No Project” alternative and one or more alternative development scenarios. Other alternatives that may be discussed could include reduced development alternatives (e.g., a smaller project), alternative land uses, 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 basic objectives of the proposed project.

10. Cumulative Impacts

The Draft EIR will include a discussion of Cumulative Impacts in each topical section that will address the proposed project’s potential to substantially contribute to a cumulative impact when considered with other past, present, and reasonably foreseeable future projects in the City. Mitigation measures will be identified to reduce and/or avoid significant impacts, as appropriate.

11. Other CEQA Topics

In conformance with the CEQA Guidelines, the Draft EIR will also discuss all other sections required by the Public Resources Code and the State CEQA Guidelines, including: (1) consistency with local and regional plans and policies, (2) growth inducing impacts, (3) significant irreversible environmental changes, (4) references and organizations/persons consulted, and (5) EIR authors. Relevant technical reports will be provided as appendices to the Draft EIR.

Topics to be Scoped Out of the Draft EIR

The following resource sections are not anticipated to result in significant impacts and would be scoped out in the Draft EIR. Unless specific comments are received during the NOP public comment period that indicated a potential for the proposed project to result in significant impacts, these issues will be addressed in the Effects Found not to be Significant section of the Draft EIR.

1. Aesthetics, Light, and Glare

The General Plan identifies significant visual resources throughout the planning area that are key to the City’s visual character. The key scenic resources described in the General Plan include the broad sweep of the Santa Clara Valley, the hills and mountains which frame the Valley floor, the Baylands, and the urban skyline itself, particularly high-rise development. The City also has a number of Gateway locations, including Coleman Avenue at Interstate 880 (I-880), 13th Street at U.S. Highway 101 (US-101), and US-101 in the vicinity of the State Route (SR) 85 Interchange. Urban Corridors designated in the General Plan are all State and Interstate Highways within the City’s Sphere of Influence (SOI). Together, Gateways and Urban Corridors contribute greatly to the overall image of San José and the image of its individual communities.¹ The project site is not located in vicinity of any of the General Plan-designated scenic resources or any scenic vistas. Furthermore, due to intervening trees and development, these resources are not visible from the project site. Lastly, the proposed project would result in new lighting associated with interior and exterior lighting and

landscaping light fixtures as well as headlights from vehicles. All proposed lighting would comply with Council Policy 4-3, Outdoor Lighting, by shielding outdoor lighting to reflect away from nearby residential uses and with Chapter 18.120 of the Municipal Code, which includes performance standards to prevent glare. In addition, the proposed project will follow General Plan Policies to ensure impacts to scenic resources are less than significant. This topic will be addressed in the Effects Found not to be Significant section of the Draft EIR.

2. Agriculture and Forestry Resources

According to the California Department of Conservation, the project site does not contain and is not adjacent to lands classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.² The project site is located within an urban environment and no existing agriculture or forestry land use activities occur within the project site boundaries. The project site is designated PQP under the General Plan and is zoned Single-Family Residential (R-1-8). Additionally, the site has not historically been used for agricultural purposes. The R-1-8 zoning district allows for residential uses. As such, the proposed project would not result in significant effects related to agriculture and forestry resources. This topic will be addressed in the Effects Found not to be Significant section of the Draft EIR.

3. Energy

An Air Quality, GHG Emissions, and Energy Analysis Memorandum will be prepared and appended to the Draft EIR that evaluates and confirms the proposed project's potential effects. Implementation of the proposed project could result in increased energy demand in the area. However, such growth is anticipated under the General Plan. Compliance with General Plan objectives and policies would ensure that effects related to this energy demand increase would be less than significant. This topic will be addressed in the Effects Found not to be Significant section of the Draft EIR.

General Plan Policies

- | | |
|----------------------|--|
| Goal MS-2 | Energy Conservation and Renewable Energy Use Maximize the use of green building practices in new and existing development to maximize energy efficiency and conservation and to maximize the use of renewable energy sources. |
| Policy MS-2.2 | Encourage maximized use of on-site generation of renewable energy for all new and existing buildings. |
| Policy MS-2.4 | Promote energy efficient construction industry practices. |
| Policy MS-2.6 | Promote roofing design and surface treatments that reduce the heat island effect of new and existing development and support reduced energy use, reduced air pollution, and a healthy urban forest. Connect businesses and residents with cool roof rebate programs through City outreach efforts. |

² California Department Conservation. 2022. California Important Farmland Finder. Website: <https://maps.conservation.ca.gov/dlrp/ciff/>. Accessed February 21, 2024.

4. Geology and Soils

A preliminary geotechnical investigation was conducted for the project site by Cornerstone Earth Group in March 2022. The study found that the proposed residential development can be construction as planned, provided that the conclusions and recommendations contained in the geotechnical investigation are followed.³ Compliance with the recommendations contained in the geotechnical investigation, as well as relevant General Plan Policies and adherence to the City's Standard Permit Conditions, would ensure that the proposed project's impacts related to geology and soils (including earthquake faults, seismic ground shaking, seismic ground failure, landslides, erosion, geologic instability, and expansive soils) would be less than significant. Furthermore, implementation of the City's Standard Permit Conditions would ensure less than significant impacts to paleontological resources. This topic will be addressed in the Effects Found not to be Significant section of the Draft EIR.

General Plan Policies

Policy EC-3.2 Within seismic hazard zones identified under the Alquist-Priolo Fault Zoning Act, California Seismic Hazards Mapping Act, and/or by the City of San José, complete geotechnical and geological investigations and approve development proposals only when the severity of seismic hazards have been evaluated and appropriate mitigation measures are provided as reviewed and approved by the City of San José Geologist. State guidelines for evaluating and mitigating seismic hazards and the City-adopted California Building Standards Code will be followed.

Action EC-3.10 Require that a Certificate of Geologic Hazard Clearance be issued by the Director of Public Works prior to issuance of grading and building permits within defined geologic hazard zones related to seismic hazards.

Policy EC-4.3 Locate new public improvements and utilities outside of areas with identified soils and/or geologic hazards (e.g., deep seated landslides in the Special Geologic Hazard Study Area and former landfills) to avoid extraordinary maintenance and operating expenses. Where the location of public improvements and utilities in such areas cannot be avoided, effective mitigation measures will be implemented.

Policy EC-4.4 Require all new development to conform to the City of San José's Geologic Hazard Ordinance.

Policy EC-4.5 Ensure that any development activity that requires grading does not impact adjacent properties, local creeks, and storm drainage systems by designing and building the site to drain properly and minimize erosion. An Erosion Control Plan is required for all private development projects that have a soil disturbance of one acre or more, adjacent to a creek/river, and/or are located in hillside areas. Erosion control plans are also required for any grading occurring between October 1 and April 30.

³ Cornerstone Earth Group. 2022. Geotechnical Preliminary Investigation. March 18.

- Action EC-4.10** Require a Certificate of Geologic Hazard Clearance to be issued by the Director of Public Works prior to issuance of grading and building permits within defined geologic hazard zones.
- Policy EC-4.11** Require the preparation of geotechnical and geological investigation reports for projects within areas subject to soils and geologic hazards, and require review and implementation of mitigation measures as part of the project approval process.
- Action EC-4.12** Require review and approval of grading plans and erosion control plans (if applicable) prior to issuance of grading permits by the Director of Public Works.
- Action ER-10.4** The City will maintain a file of archaeological and paleontological survey reports by location to make such information retrievable for research purposes over time.

City Standard Permit Conditions

Seismic Hazards

- a) A Geotechnical Report shall be submitted, reviewed, and approved by the City Geologist. The Geotechnical Report shall determine the site-specific soil conditions and identify the appropriate design and construction techniques to minimize risks to people and structures, including but not limited to: foundation, earthwork, utility trenching, retaining, and drainage recommendations. The investigation should be consistent with State of California guidelines for the preparation of seismic hazard evaluation reports (CGS Special Publication 117A, 2008, and the Southern California Earthquake Center report, SCEC, 1999). A recommended minimum depth of 50 feet should be explored and evaluated in the investigation. The City Geologist will review the Geotechnical Report and issue a Geologic Clearance.
- b) All excavation and grading work shall be scheduled in dry weather months or construction sites shall be weatherized.
- c) Stockpiles and excavated soils shall be covered with secured tarps or plastic sheeting.
- d) Ditches shall be installed to divert runoff around excavations and graded areas if necessary.
- e) The project shall be constructed in accordance with the standard engineering practices in the California Building Code, as adopted by the City of San José. A grading permit from the San José Department of Public Works shall be obtained prior to the issuance of a Public Works clearance. These standard practices would ensure that the future building on the site is designed to properly account for soils-related hazards on the site.
- f) If dewatering is needed, the design-level geotechnical investigations to be prepared for individual future development projects shall evaluate the underlying sediments and determine the potential for settlements to occur. If it is determined that unacceptable settlements may occur, then alternative groundwater control systems shall be required.

Paleontological Resources

If vertebrate fossils are discovered during construction, all work on the site shall stop immediately. The Director of the Planning, Board, and Code Enforcement (PBCE) Department or the Director's designee shall be notified, and a qualified professional Paleontologist shall assess the nature and

importance of the find and recommend appropriate treatment. Treatment may include, but is not limited to, preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds. The permittee shall be responsible for implementing the recommendations of the qualified Paleontologist. A report of all findings shall be submitted to the Director of PBCE or the Director's designee. This topic will be addressed in the Effects Found not to be Significant section of the Draft EIR.

5. Hydrology and Water Quality

For the proposed units along Cozy Drive and Glider Drive (Lots 25-45), stormwater would be captured at the on-site impervious areas at each lot and directed to individual on-lot bioretention areas via a proposed underground storm drain system. The remainder of the lots would direct stormwater to a larger drainage management area (DMA) within the proposed park. Once stormwater reaches the DMA, it would be directed to the bioretention basin located in another portion of the park area via a low flow pump. Drainage from the bioretention areas would be collected in subdrains and conveyed to an existing storm drainpipe in Cozy Drive. These project features would protect water quality, prevent erosion and siltation, prevent surface runoff, and control flooding. As the project site is already developed, development of the site would not impact groundwater recharge. This topic will be addressed in the Effects Found not to be Significant section of the Draft EIR.

General Plan Policies

- | | |
|-----------------------|--|
| Policy IN-3.7 | Design new projects to minimize potential damage due to stormwater and flooding to the site and other properties. |
| Policy IN-3.10 | Incorporate appropriate stormwater treatment measures in development projects to achieve stormwater quality and quantity standards and objectives in compliance with the City's NPDES permit. |
| Policy MS-3.4 | Promote the use of green roofs (i.e., roofs with vegetated cover), landscape-based treatment measures, pervious materials for hardscape, and other stormwater management practices to reduce water pollution. |
| Policy ER-8.1 | Manage stormwater runoff in compliance with the City's Post-Construction Urban Runoff (6-29) and Hydromodification Management (8-14) Policies. |
| Policy ER-8.3 | Ensure that private development in San José includes adequate measures to treat stormwater runoff. |
| Policy EC-4.1 | Design and build all new or remodeled habitable structures in accordance with the most recent California Building Code and Municipal Code requirements as amended and adopted by the City of San José, including provisions for expansive soil, and grading and stormwater controls. |

Policy EC-5.7 Allow new urban development only when mitigation measures are incorporated into the project design to ensure that new urban runoff does not increase flood risks elsewhere.

City Standard Permit Conditions

Construction-related Water Quality.

- i. Burlap bags filled with drain rock shall be installed around storm drains to route sediment and other debris away from the drains.
- ii. Earthmoving or other dust-producing activities shall be suspended during periods of high winds.
- iii. All exposed or disturbed soil surfaces shall be watered at least twice daily to control dust as necessary.
- iv. Stockpiles of soil or other materials that can be blown by the wind shall be watered or covered.
- v. All trucks hauling soil, sand, and other loose materials shall be covered and all trucks shall maintain at least two feet of freeboard.
- vi. All paved access roads, parking areas, staging areas and residential streets adjacent to the construction sites shall be swept daily (with water sweepers).
- vii. Vegetation in disturbed areas shall be replanted as quickly as possible.
- viii. All unpaved entrances to the site shall be filled with rock to remove mud from tires prior to entering City streets. A tire wash system shall be installed if requested by the City.
- ix. The project applicant shall comply with the City of San José Grading Ordinance, including implementing erosion and dust control during site preparation and with the City of San José Zoning Ordinance requirements for keeping adjacent streets free of dirt and mud during construction.

6. Mineral Resources

The General Plan identifies Communications Hill as the only known area in the City to contain mineral deposits which are of regional significance as a source of construction aggregate materials; this area is approximately 5 miles north of the project site. No activities related to mineral resources occur within the project site and no portion of the project site is designated as relevant for mineral resources by the City or the State.⁴ As such, the proposed project would not result in impacts related to mineral resources. This topic will be addressed in the Effects Found not to be Significant section of the Draft EIR.

7. Population and Housing

The project site is currently developed with the former Glider Elementary School, which has been closed and is no longer in use. The project site does not contain residential units. The proposed

⁴ California Department of Conservation. 2022. California Geological Survey. Website: <https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc>. Accessed May 1, 2024

project would develop 80 residential units. According to the Department of Finance, the average household size in the City is 2.86 people.⁵ As such, the proposed project could increase population by approximately 229 people. According to the California Department of Finance, the estimated population in the City for 2023 is approximately 959,256. The 2023–2031 Housing Element predicts that the population of San José projects will grow by about 15 percent (or about 230,404 people) to 1,189,660 in 2030, by the end of the Sixth Cycle Housing Element.⁶ Therefore, the proposed project would not induce substantial population growth within the City beyond current projections, nor would it displace existing housing. As such, the proposed project would not result in significant effects related to population and housing. This topic will be addressed in the Effects Found not to be Significant section of the Draft EIR.

8. Public Services

The proposed project would be served by existing public services throughout the San José area. The estimated 229 person increase in population resulting from the proposed project would result in an incremental increase in demand for public services such as fire protection, police protection, schools, libraries, parks, and other public facilities. However, as described above, the proposed project would not induce population growth beyond what was already anticipated in the General Plan. As such, the proposed project would not trigger the need for additional public services and public service facilities. Per Chapter 4.80 of the City's Municipal Code, residential projects are required to pay an impact fee per square foot which helps fund public services. Affordable housing projects are to use the Affordable Housing Impact Fee Fund. As such, the proposed project would not result in significant effects related to public services. This topic will be addressed in the Effects Found not to be Significant section of the Draft EIR.

General Plan Policies

Policy ES-3.1 Provide rapid and timely Level of Service response time to all emergencies:

1. For police protection, use as a goal a response time of six minutes or less for 60 percent of all Priority 1 calls, and of 11 minutes or less for 60 percent of all Priority 2 calls.
2. For fire protection, use as a goal a total response time (reflex) of eight minutes and a total travel time of four minutes for 80 percent of emergency incidents.
3. Enhance service delivery through the adoption and effective use of innovative, emerging techniques, technologies and operating models.
4. Measure service delivery to identify the degree to which services are meeting the needs of San José's community.
5. Ensure that development of police and fire service facilities and delivery of services keeps pace with development and growth in the City.

⁵ California Department of Finance. 2023. E-5 Population and Housing Estimates for Cities, Counties, and the State, January 2020–2024. Website: <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2024/>. Accessed May 1, 2024

⁶ San José Housing Element Update-Appendix A: Housing Needs Data. Website: <https://www.sanjoseca.gov/home/showpublisheddocument/107428/638370206470200000>. Accessed May 1, 2024

- Policy ES-3.3** Locate police and fire service facilities so that essential services can most efficiently be provided and level of service goals met. Ensure that the development of police and fire facilities and delivery of services keeps pace with development and growth of the City.
- Policy ES-3.6** Work with local, State, and federal public safety agencies to promote regional cooperation in the delivery of services. Maintain mutual aid agreements with surrounding jurisdictions for emergency response.
- Policy ES-3.10** Incorporate universal design measures in new construction, and retrofit existing development to include design measures and equipment that support public safety for people with diverse abilities and needs. Work in partnership with appropriate agencies to incorporate technology in public and private development to increase public and personal safety.
- Policy ES-3.11** Ensure that adequate water supplies are available for fire suppression throughout the City. Require development to construct and include all fire suppression infrastructure and equipment needed for their projects.
- Policy PR-1.3** Provide 500 square feet per 1,000 population of community center space.
- Policy PR-2.4** To ensure that residents of a new project and existing residents in the area benefit from new amenities, spend Park Dedication Ordinance (PDO) and Park Impact Ordinance (PIO) fees for neighborhood serving elements (such as playgrounds/tot-lots, basketball courts, etc.) within a 3/4 mile radius of the project site that generates the funds.
- Policy IP-15.1** Require new development to construct and dedicate to the City all public improvements directly attributable to the site. This includes neighborhood or community parks and recreation facilities, sewer extensions, sewer laterals, transportation network improvements, sidewalks, street lighting, fire hydrants and the like. In the implementation of the City Council Transportation Analysis Policy 5-1 for transportation, and level of service policies for sanitary sewers, and neighborhood and community parks, development is required to finance improvements to nearby intersections or downstream sewer mains in which capacity would be exceeded, and dedicate land, pay an in lieu fee or finance improvements for parks and recreation needs which would result from the development.

9. Recreation

The proposed project would be expected to increase demand for recreation areas in the planning vicinity.

The proposed 0.68-acre common area within the proposed project may be eligible for credit as a Privately Owned Public Open Space. The applicant would be required to pay in-lieu fees to cover the

remainder of the parkland requirement. Since this growth is projected under the General Plan, compliance with General Plan Policies, including the parkland-to-resident ratio described below will ensure there would be no significant impact on recreation. This topic will be addressed in the Effects Found not to be Significant section of the Draft EIR.

- Policy PR-1.1** Provide 3.5 acres per 1,000 population of neighborhood/community serving parkland through a combination of 1.5 acres of public park and 2.0 acres of recreational school grounds open to the public per 1,000 San José residents.
- Policy PR-1.2** Provide 7.5 acres per 1,000 population of citywide/regional park and open space lands through a combination of facilities provided by the City of San José and other public land agencies.
- Policy PR-1.4** Provide access to high-quality recreation programs/services through a three tiered multi-service hub, satellite, and neighborhood community center concept.

10. Utilities and Service Systems

The proposed project site would be served by existing utility infrastructure from the surrounding urban areas. Water would be provided by the San José Water Company, while Sanitary Sewer and Storm Drain being provided by the City of San José. The proposed project includes a bioretention system for the collection of stormwater with metered outflow to the City's existing storm drain system, in compliance with C.3 requirements. Additionally, electricity would be provided by Pacific Gas and Electric Company (PG&E) and telephone services would be provided by AT&T. Solid waste and recycling collection would be provided by California Waste Solutions. No new utility lines would need to be built; as such, the proposed project would not result in significant effects related to Utilities and Service Systems. This topic will be addressed in the Effects Found not to be Significant section of the Draft EIR.

11. Wildfire

The project site is not located in a Fire Hazard Severity Zone (FHSZ) and is designated as a Local Responsibility area (LRA).⁷ The project site is located north of land identified as a High FHSZ within a State Responsibility Area (SRA). The nearest Very High FHSZ is located approximately 4.65 miles to the west in Los Gatos. The project site is mostly surrounded by urbanized uses and currently has infrastructure on it; therefore, vegetation is cleared out and would not provide vegetation fuel for a fire. As such, the proposed project would not result in significant effects related to wildfire. This topic will be addressed in the Effects Found not to be Significant section of the Draft EIR.

⁷ California Department of Forestry and Fire Protection (CAL FIRE). 2024. Fire Hazard Severity Zone Viewer. Website: <https://experience.arcgis.com/experience/03beab8511814e79a0e4eabf0d3e7247/>. Accessed May 1, 2024