



**NOTICE OF PREPARATION OF A
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT
FOR THE ALMADEN / CHYNOWETH RETAIL CENTER**

FILE NO: PDC10-006
PROJECT APPLICANT: The Arcadia Company
APN: 458-16-032 and 458-17-006, -017 and -018

As the Lead Agency, the City of San Jose will prepare a Supplemental Environmental Impact Report (SEIR) for the above-referenced project and would like your views regarding the scope and content of the environmental information, which is germane to your agency's statutory responsibilities in connection with the proposed project. This SEIR may be used by your agency when considering approvals for this project.

The Notice of Preparation (NOP) contains the project description, location, and probable environmental effects that will be analyzed in the EIR for the project. The NOP may be viewed on our web site at: <http://www.sanjoseca.gov/planning/eir/EIR.asp>

According to State law, the deadline for your response is 30 days after receipt of this notice; however, we would appreciate an earlier response, if possible. Please identify a contact person, and send your response to:

City of San Jose, Planning Division, Attn: Janis Moore
City Hall, 200 East Santa Clara Street, 3rd Floor, San José CA 95113-1905
Phone: (408) 535-7815, e-mail: janis.moore@sanjoseca.gov

The Department of Planning, Building and Code Enforcement of the City of San José will hold a Public Scoping Meeting for the SEIR to describe the proposed project and the environmental review process and to obtain your verbal input on the SEIR analysis for the proposal. This SEIR Public Scoping Meeting is **tentatively** scheduled for **Thursday, January 20, 2011**. A notice with the specific time, date and location is attached. You are welcome to attend and give us your input on the scope of the SEIR so that it addresses all relevant environmental issues.

Joseph Horwedel, Director
Planning, Building & Code Enforcement


Deputy

Date: 12/15/2010

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of a
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT
for the
ALMADEN / CHYNOWETH RETAIL CENTER

December 15, 2010

A. INTRODUCTION

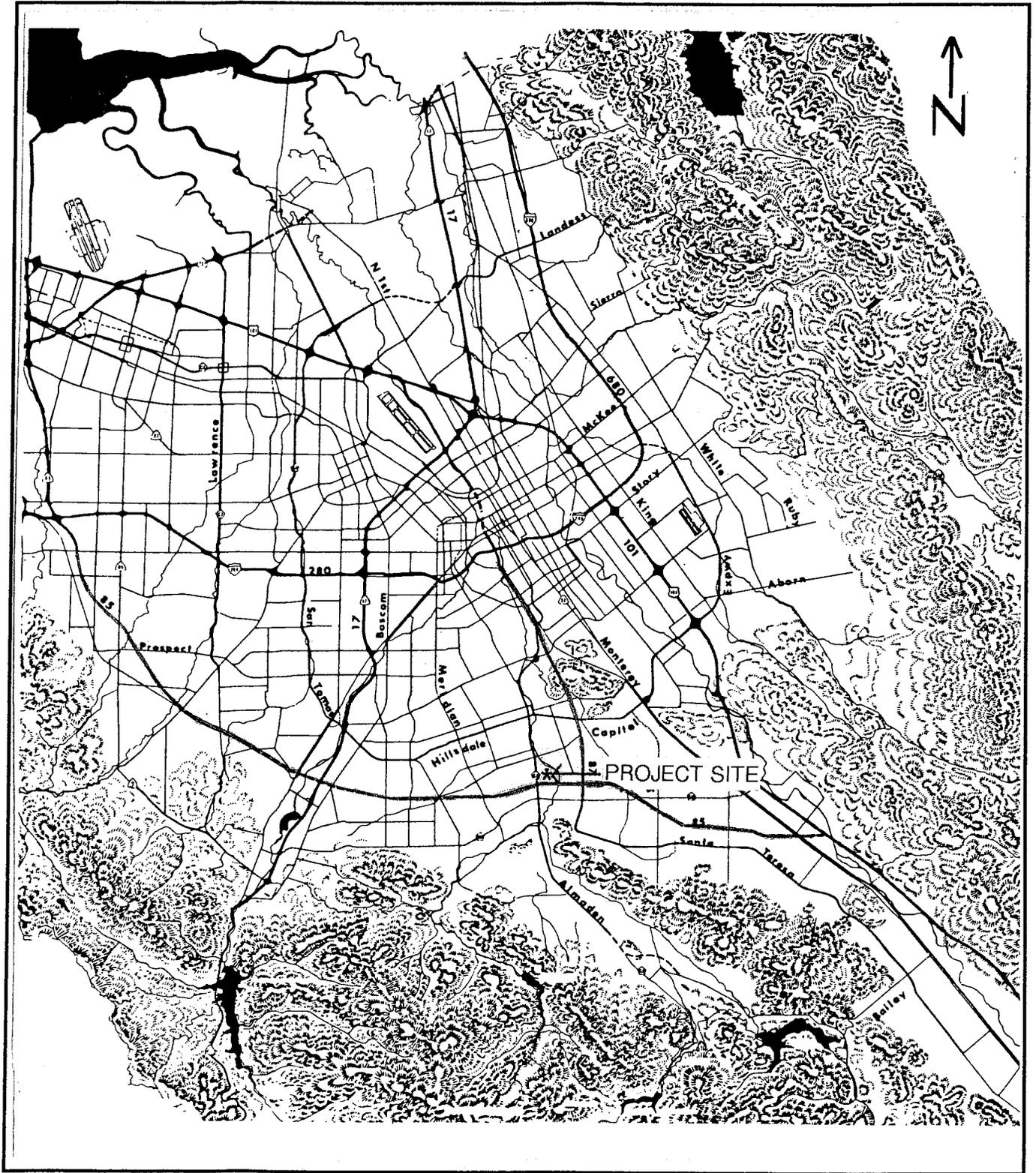
The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the general public of the environmental effects of a proposed project that an agency may implement or approve. The EIR process is intended to provide information sufficient to evaluate a project and its potential for significant impacts on the environment; to examine methods of reducing adverse impacts; and to consider alternatives to the project.

A Supplemental Environmental Impact Report (SEIR) is prepared when an EIR has previously been certified and changes are proposed to a project or new information becomes available, which was not known and could not have been known when the EIR was certified, *and* the changes to the project or new information will result in 1) new significant effects, and/or 2) a substantial increase in the severity of previously identified significant effects. The SEIR need contain only the information necessary to make the previous EIR adequate for the project as revised. In this case, the EIR being supplemented is the Almaden / Chynoweth Project EIR, which was certified by the San Jose Planning Commission on June 24, 1998. The SEIR 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 SEIR will include the following:

- A summary of the project;
- A project description;
- A description of the existing environmental setting, potential 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; (d) effects found not to be significant; and (e) cumulative impacts.

B. PROJECT LOCATION

The proposed modified project is located on the northeasterly quadrant of Almaden Expressway and State Route 85. Chynoweth Avenue forms a portion of the site's northwesterly boundary, and the Guadalupe River forms the northeasterly and easterly boundaries. The project site is currently fallow agricultural land; a complex of buildings in the southwesterly corner along Almaden Expressway is utilized for the production and seasonal sale of agricultural products. Existing land uses adjacent to the project site include: commercial and Guadalupe River to the north; Guadalupe River and Santa Clara Valley Water District percolation ponds to the east; State Route 85 to the south; and Almaden Expressway and commercial lands to the west.

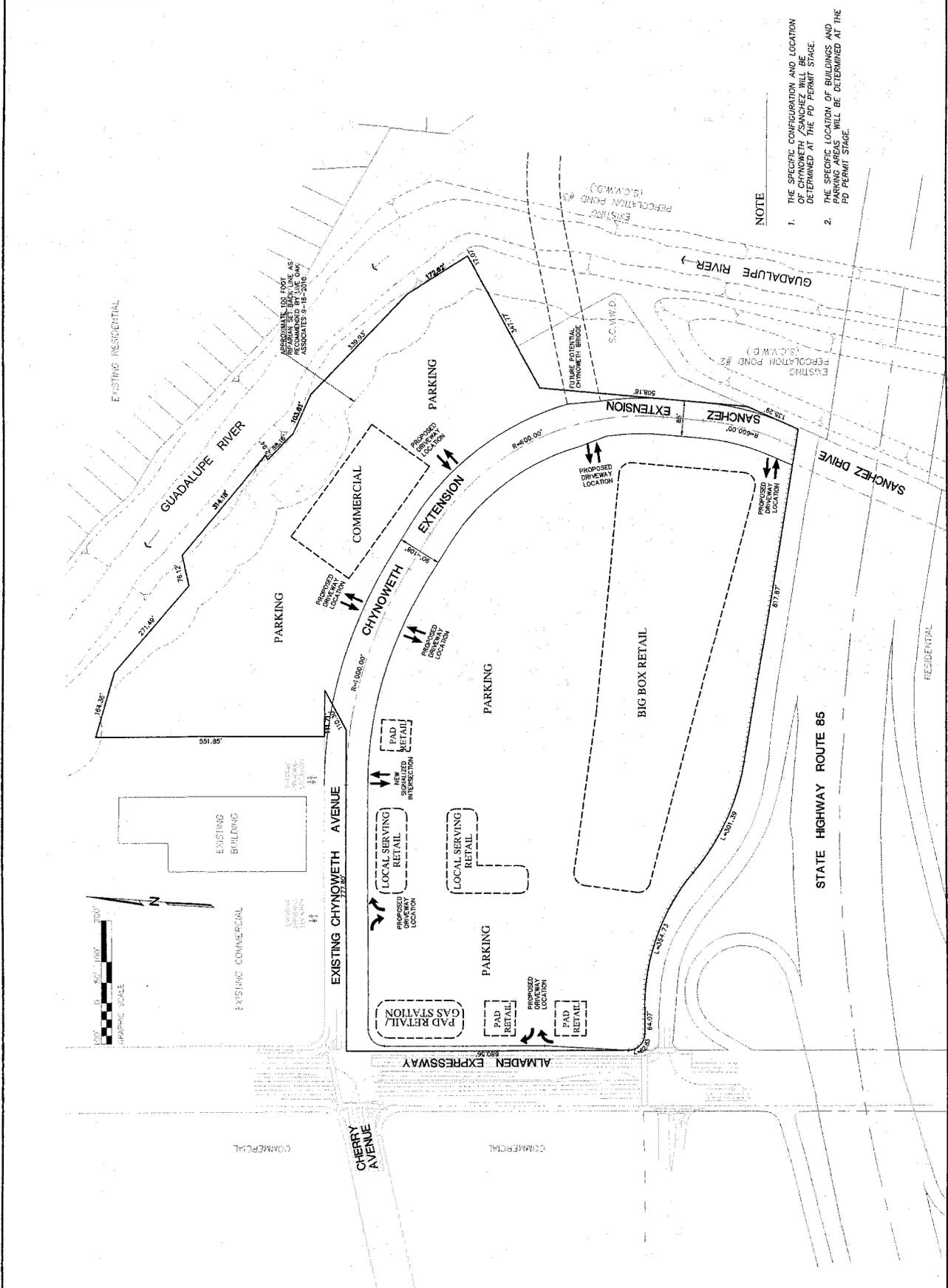


Santa Clara Valley Map



Aerial Photo of the Vicinity
August, 2008

GENERAL DEVELOPMENT PLAN EXHIBIT - C RUTH AND GOING, INC. Civil Engineering, Land Services 2015 THE ALAMEDA SANTA CLARA, CA 94505 TEL: (415) 252-4901 FAX: (415) 252-4115		ALMADEN/GHYNOWETH RETAIL CENTER CONCEPTUAL USE LAYOUT SAN JOSE CALIFORNIA	
09-2010 REVISION SUBMITTAL DESIGN DRAWN CHECKED REVISIONS		SHEET 3 OF 3 DATE: 05/21/2009 DRAWING: 2010-REVISION-009	



C. PROJECT BACKGROUND

In August, 1998, the San Jose City Council certified an EIR for the rezoning of the Almaden / Chynoweth Project. The Almaden / Chynoweth Project consisted of the development of a maximum of 350,000 square feet of commercial space or up to a maximum of 400 residential units, or any equivalent combination of commercial and residential uses that conformed to the City's Transportation Level of Service Policy (5-3). The Almaden / Chynoweth Project included the widening and construction of Chynoweth Avenue to a future

bridge across the Guadalupe River, that was required for full development of the site, and the construction of Sanchez Drive from its present northerly terminus to Chynoweth Avenue. The project included a proportional financial contribution for construction of the bridge by the City of San Jose.

D. PROJECT DESCRIPTION

The modified project is a Planned Development Rezoning application to A(PD) (Planned Development District) for the construction of up to a maximum of 400,000 square feet of commercial space on an approximately 43.0-gross-acre site. The Conceptual Use Layout for the modified project includes big box retail, a commercial pad, local-serving retail, and several small retail pads as well as a retail pad/gas station.

Key components of the modified project proposal that differ from the 1998 Almaden / Chynoweth Project proposal include:

- An increase from a maximum of 350,000 square feet of commercial development to a maximum of 400,000 square feet of commercial development.
- Removal of residential land uses as part of the development.
- Widening and construction of Chynoweth Avenue through the project site to connect with Sanchez Drive to the south.
- Elimination of the requirement for the future bridge across the Guadalupe River as part of the project, although provisions are made so that a connection from a future bridge (not included in the project) can be made.

E. ENVIRONMENTAL IMPACTS TO BE ANALYZED IN THE SEIR

The SEIR will describe the existing environmental conditions on the project site and will identify the significant environmental impacts anticipated to result from development of the modified project as proposed. Where potentially significant environmental impacts are identified, the SEIR will also discuss mitigation measures that may make it possible to avoid or reduce significant impacts, as appropriate. The analysis in the SEIR will include the following specific categories of environmental impacts and concerns related to the proposed project. Additional subjects may be added at a later date, as new information comes to light.

Based on preliminary analysis, the modified project does not propose substantial changes to the Almaden / Chynoweth Project; result in any new significant impacts or substantially increase the

severity of previously identified impacts; or decline to adopt feasible mitigation measures or alternatives that would reduce identified significant impacts. In addition, some existing conditions have not substantially changed since the Almaden / Chynoweth Project EIR was certified. Due to the length of time since the certified EIR was prepared as well as the size of the project, the change in the roadway network and traffic levels in the area, increased focus on riparian setbacks, requirements for the analysis of effects on global climate change, and neighborhood interest in the project, the City will prepare an SEIR.

1. Aesthetics / Visual

The SEIR will discuss the visual and aesthetic resources of the site and any impacts that would potentially occur as a result of the modified project.

2. Air Quality

The SEIR will update the existing air quality conditions in the Bay Area and will evaluate the modified project's potential air quality impacts. There will likely be no changes to the short-term air quality impacts associated with construction as addressed in the certified EIR.

3. Biological Resources

The SEIR will update the potential for the modified project to result in impacts to biological resources on the site, including mature trees, burrowing owls, and the riparian corridor along the Guadalupe River.

4. Cultural Resources

There are no changes to the cultural resources of the site and any impacts that would potentially occur as a result of the modified project are addressed in the certified EIR.

5. Energy

The SEIR will examine the potential for the project to result in excessive or inefficient use of energy and will discuss the energy conservation measures included in the project.

6. Geology and Soils

There are no changes to the existing geologic and soils conditions on the project site. Liquefaction potential was not addressed in the certified EIR. The SEIR will address any potential impacts of liquefaction to future development of the site.

7. Global Climate Change

Impacts on global climate change were not required to be addressed when the EIR was certified in 1998. The SEIR will examine the potential for the modified project to result in global climate change impacts due to greenhouse gases and will discuss the measures included in the modified project to minimize impacts and reduce greenhouse gas emissions.

8. Hazards and Hazardous Materials

The SEIR will discuss the potential for soil contamination from existing and previous users of the project site as well as other hazardous materials users in the project area. The risk of exposure to future residential occupants has been eliminated.

9. Hydrology and Water Quality

There is no change to the existing drainage conditions in the project area and the potential for flooding on the project site. Water quality impacts and conformance with the Santa Clara Valley Urban Runoff Pollution Prevention Program as well as other Regional Water Quality Control Board requirements will be updated. The SEIR will add a discussion of the modified project's conformance with the City's Hydromodification Management Plan.

10. Land Use and Planning

The SEIR will update the land uses on and around the project site and evaluate potential land use constraints created by existing conditions in the project area, including the modified project's compatibility with existing and proposed land uses in the project area and consistency with the City policies and plans.

11. Noise and Vibration

There are no substantial changes to the noise environment of the site and any impacts that would potentially occur as a result of the modified project are addressed in the certified EIR.

12. Population, Jobs and Housing

The SEIR will update the existing and projected employment, population, and housing conditions in the City of San José, and evaluate the potential for the modified project to result in impacts due to increases in population.

13. Availability of Public Facilities and Services

The SEIR will update the availability of public services, and the potential for the modified project to require the construction of new facilities. This discussion will include a review of the effects on public school districts, parks, and the provision of fire, police and libraries services that would occur as a result of the modified project.

14. Transportation

The SEIR will include a traffic analysis for the modified project that will conform to the City of San José's and the Santa Clara County Congestion Management Agency's (CMA) methodologies. The traffic analysis prepared for the SEIR will update the existing roadway conditions, circulation patterns, and other elements (light rail, bus routes, bike lanes, etc.) of the transportation system in and around the site, including the local streets and intersections, regional facilities, and freeways. The construction of

Chynoweth Avenue to Sanchez Drive will be included, but a bridge connection to Chynoweth Avenue east of the Guadalupe River will not be included as part of the proposed roadway network improvements.

15. Utilities and Service Systems

The SEIR will update the ability of existing infrastructure in the project area, such as sanitary sewer, wastewater treatment, water supply, storm drainage, and solid waste, to serve the project site. The SEIR will also discuss the availability of these existing utilities and service systems to provide for the future development of the site.

16. Alternatives to the Project

The SEIR will update and evaluate project alternatives that might reasonably be assumed to reduce project impacts. Analysis of a “No Project” alternative is required by law. Other alternatives that may be discussed could include a reduced scale scenario (either reduced development intensities and/or a smaller project area), alternative land uses (development of the site with a land use other than the commercial land use that is presently proposed), and an alternative location.

The SEIR will identify the degree to which each alternative might reduce one or more of the modified project’s impacts, whether or not the alternative could result in other or increased impacts, the viability of the alternative, and the degree to which the alternative is consistent with the modified project’s goals and objectives.

17. Cumulative Impacts

The SEIR will include a discussion of the potentially significant cumulative impacts of the modified project when considered with other past, present, and reasonably foreseeable future projects in the area. The analysis will include a discussion of all pending projects for which applications have been filed. This section will cover all relevant subject areas discussed in the SEIR (e.g., traffic, air quality, and noise) and will specify which of the areas are anticipated to experience significant cumulative impacts. Cumulative impacts will be discussed qualitatively, unless specific quantitative information on other pending projects is available prior to publication of the Draft SEIR.

18. Other Required Sections

The SEIR will also update other information typically required for an EIR. These other sections include the following: 1) Growth Inducing Impacts; 2) Significant, Unavoidable Impacts; 3) Significant Irreversible Environmental Changes; 4) Persons and Organizations Consulted; 5) Sources and References; and 6) EIR Authors. Technical reports will be provided in a technical appendix.

NOTICE

PUBLIC SCOPING MEETING **for the** **Almaden/Chynoweth Retail Center** **Supplemental Environmental Impact Report**

The Department of Planning, Building and Code Enforcement of the City of San José will hold a Public Scoping Meeting for a Supplemental Environmental Impact Report (SEIR) to describe the proposed project and the environmental review process and to obtain your input on the SEIR analysis for the proposal. This SEIR Public Scoping Meeting will be held in compliance with the California Environmental Quality Act (CEQA), as amended.

The SEIR Public Scoping Meeting will be held:

When: Thursday, January 20, 2011
6:30 p.m.

Where: San Jose City Hall, Wing W-120 Meeting Room
200 E. Santa Clara Street, San Jose
(on the southeast corner of 4th Street and E. Santa Clara Street)

You are welcome to attend and give us your input on the scope of the SEIR so that it addresses all relevant environmental issues. The project for which the SEIR is being prepared is:

Planned Development Rezoning to A(PD) Planned Development Zoning District to allow the development up to a maximum of 400,000 square feet of commercial development on an approximately 43 gross acre site, with construction of Chynoweth Avenue through the site to connect with Sanchez Drive to the south. Council District: 9.

The Notice of Preparation is available for review online at the City of San Jose's web site:

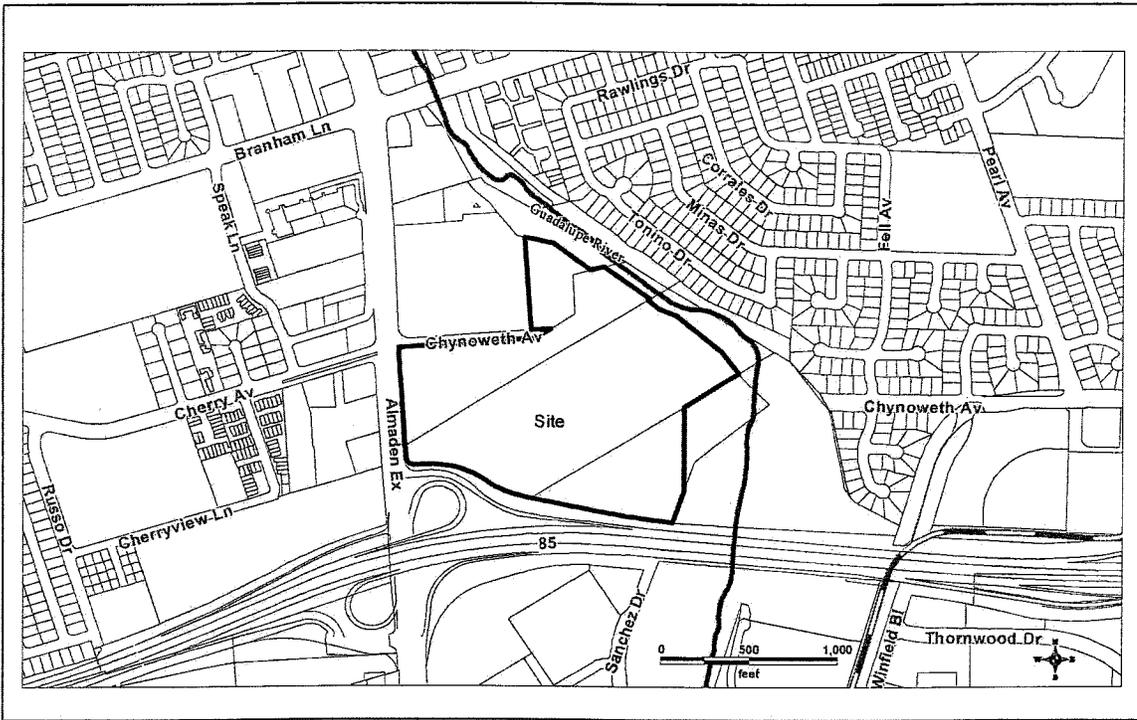
<http://www.sanjoseca.gov/planning/eir/EIR.asp>. Comments and questions regarding the EIR should be referred to Janis Moore of the Department of Planning, Building and Code Enforcement (408) 535-3555.

Joseph Horwedel, Director
Planning, Building & Code Enforcement


Deputy

Date: 12/15/2010

PROJECT LOCATION MAP



SCOPING LOCATION MAP

