NOTICE OF PREPARATION OF A DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE DIRIDON STATION AREA PLAN
File Number PP09-163

As the Lead Agency, the City of San José will prepare a Subsequent Program Environmental Impact Report (SPEIR) for the Diridon Station Area Plan. 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, the SPEIR may be used by your agency when considering subsequent approvals related to the project.

The project description, location, and a brief summary of the probable environmental effects that will be analyzed in the SPEIR for the project are attached. 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.

If you have any comments on this Notice of Preparation or general, non-EIR related questions or comments about the Diridon Station Area Plan, including anticipated scheduling of next steps in the review process, please identify a contact person and send your correspondence to:

- City of San Jose Department of Planning, Building, and Code Enforcement,
  Attn: John Davidson, Senior Planner
  200 East Santa Clara Street, 3rd Floor San Jose, CA 95113-1905
  Phone: (408) 535-7895, e-mail: john.davidson@sanjoseca.gov

The Draft SPEIR for the Diridon Station Area Plan is currently being prepared. A separate EIR Notice of Availability will be circulated when the Draft EIR becomes available for public review and comments.

The Planning Division will hold two EIR scoping meetings to describe the proposed project and the environmental review process, and to obtain your input on the SPEIR analysis for the proposal. These meetings have been scheduled to allow an opportunity for public agencies and the general public to attend. The scoping meetings will be held in Room 332 (City Hall Tower) on ***Tuesday, September 27, 2011 from 2:00 -3:00 PM*** and on ***Thursday, September 29, 2011 from 6:30 -7:30 PM***. Parking is available under City Hall through the 6th Street entrance.

Joe Horwedel, Director
City of San José Department of Building, Planning, and Code Enforcement

John Davidson
Deputy

Date: 9/8/2011

NOTICE OF PREPARATION OF A DRAFT SUBSEQUENT PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE DIRIDON STATION AREA PLAN

August 2011

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 Diridon Station Area Plan will be a Subsequent EIR to the previously certified *San José Downtown Strategy 2000 Project EIR (Strategy 2000 EIR)*. Most of the Diridon Station Area Plan area is within the boundaries of the approved Downtown Strategy 2000 Project, which serves as the action guide for development activities in the Greater Downtown. The proposed project includes substantial changes to the land uses contemplated in the Downtown Strategy and new, more specific information is available for the Diridon Station Area. Therefore, the Diridon Station Area Plan EIR will tier off the *Strategy 2000 EIR* to the extent possible.

A Program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related: 1) geographically; 2) as a chain of contemplated actions; 3) in connection with the issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program; or 4) as individual activities carried out under the same regulatory authority and having generally similar environmental effects. If the lead agency finds that pursuant to Section 15162 of the CEQA Guidelines, no new effects could occur and no new mitigation measures would be required, the agency can approve the activities as being within the scope of the project covered by the Program EIR and new environmental review would not be required. For the reasons described above, the EIR for the Diridon Station Area Plan is a Subsequent Program EIR (SPEIR).

The SPEIR for the proposed Diridon Station Area Plan 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 SPEIR will include the following:

- A summary of the project;
- 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 BACKGROUND

In July 2008, the City of San José was awarded a Station Area Planning Grant by the Metropolitan Transportation Commission (MTC) for the Diridon Station Area. As a result, the City, in coordination with the San José Redevelopment Agency, Santa Clara Valley Transportation Authority (VTA), and other local and regional transportation agencies, embarked on developing the Diridon Station Area Plan to provide a vision and framework for higher intensity/transit-oriented development in the Diridon area. This EIR evaluates the impacts of such a project according to the requirements of the City of San José and CEQA. The Diridon Station Area Plan is available for review at http://www.sanjoseca.gov/planning/diridon/Diridon_Station_Area_Plan.asp.

Development of the Diridon Station Area Plan

The Diridon Station Area Plan (DSAP) planning effort began with the San José City Council's action to accept the grant from MTC and approve consultant contracts for the preparation of the Plan and EIR. The City has made extensive efforts to engage members of the business and development community in the planning process, as well as residents within the immediate area and surrounding long-established neighborhoods. The Diridon Station Good Neighbor Committee was formed to provide a forum to work collaboratively in addressing the opportunities and constraints that arise from developments in the Diridon Area.

The planning team prepared an Existing Conditions Report to establish the constraints, opportunities, emerging themes, and specific goals for the project. Three project alternatives were developed and presented to the public for comment and feedback at community workshops. Based on comments and feedback received, a preferred alternative was developed and integrated into a Draft Plan. This Draft Plan was accepted by the City Council on April, 28, 2011. The specific goals of the Council-accepted Draft Plan are to:

- Create a high-intensity urban district with a mix of uses including commercial, office, entertainment, and residential development next to Diridon Station with taller buildings at the core.
- Establish and strengthen connections to surrounding districts and within the planning area for pedestrians, bicyclists, and motorists with emphasis on east-west connectivity across SR-87 and the rail corridor.
- Prioritize pedestrian circulation and transit and improve pedestrian and bicycle connection to the Guadalupe River.
- Ensure sensitive transitions in scale and design to surrounding residential neighborhoods.
- Provide a range of commercial and residential uses. Commercial uses would include entertainment venues, restaurants, hotels, and offices, as well as retail shops and services that would serve the surrounding residential neighborhoods.
- Enhance and expand recreational opportunities in the Plan area and establish an open space system integrated with Los Gatos Creek and the Guadalupe River Park.
- Activate the streets, parks, and Station with art that engages visitors and residents alike. Integrate art into infrastructure to humanize and enliven standard features.
- Disperse parking in different locations in the planning area and beyond and ensure easy walking access to destinations.

The proposed project assumes that a 32,000 seat baseball stadium will be constructed on a 15-acre parcel located within the DSAP boundary. An EIR has already been certified for the baseball stadium and the project has been approved. In addition, the California High Speed Rail Authority's

currently preferred alignment through the Diridon Station Area is along an elevated structure east of the existing surface Amtrak/Caltrain/ACE tracks north of the station, and above the surface tracks at the station itself. South of the station, the tracks would rise above the Interstate 280/State Route 87 alignments. Separate programmatic environmental review has been completed for this option. An underground option has also been considered and may be evaluated during the project-level environmental review process. Therefore, high speed rail (HSR) will only be evaluated in the SPEIR in relation to the proposed project.

3.0 PROJECT LOCATION

The Diridon Station Area Plan area encompasses approximately 250 acres in downtown San José, west of State Route 87. The boundaries of the area are shown on Figure 2 and are generally Lenzen Avenue and the UPRR tracks in the north, Interstate 280 in the south, the Guadalupe River and Delmas Avenue in the east, and Sunol Avenue and the Diridon Station tracks in the west.

4.0. DESCRIPTION OF THE PREFERRED DIRIDON STATION AREA PLAN

The proposed Diridon Station Area Preferred Plan includes a mix of land uses placed in three Identity Zones, as shown on Figure 3. Generally, the Northern Zone is north of The Alameda, the Central Zone is the core area centered on the Diridon Station, and the Southern Zone is roughly between Park Avenue and Interstate 280. Employment, retail, and entertainment uses are focused in the Central Zone near Diridon Station to support transit activity and establish the area as a region-wide destination with connections to HP Pavilion and the future baseball stadium. Residential and supportive commercial uses are located in the urban neighborhoods of the northern and southern zones and are within easy walking distance of the Station "Core". A high-intensity business district is planned north of HP Pavilion including innovative office, research and development, and incubator space for product and business development. Retail frontage is also proposed along main arterials in the Plan area including West San Carlos Street and The Alameda.

The maximum possible development proposed for the DSAP by zone is shown in the table below.

ZONE	MAXIMUM DEVELOPMENT			
	Commercial/R&D/ Light Industrial (sq. ft.)	**Retail/ Restaurant (sq. ft.)**	**Residential (units)**	**Hotel (rooms)**
Northern	3,012,400	81,100	223	0
Central	805,000	203,000	2,365	650
Southern	1,146,000	140,000	0	250
TOTAL	**4,963,400**	**424,100**	**2,588**	**900**

The land use designations (consistent with the pending Envision San José 2040 General Plan) proposed for the Plan area include *Urban Residential* (30-95 dwelling units per acre), *Transit Residential* (65-250 dwelling units per acre), *Downtown*, *Commercial Downtown*, *Transit Employment Center*, *Combined Industrial/Commercial*, *Open Space*, *Parklands, and Habitat*, and *Public/Quasi-Public*. Building heights within the Plan area are consistent with, and in most cases lower than, the height limits established by the Federal Aviation Administration Part 77 for the area. The Plan includes design guidelines to facilitate development in a reasonable fashion that is financially viable and achieves the goals of current City policies. The project phasing shall be implemented as appropriate and necessary.

The proposed project also includes a conceptual expansion plan for Diridon Station to accommodate the future convergence of high speed rail, BART, and significant growth of the current intercity rail, commuter rail, light rail, and bus transit. Specific architectural and design plans have not yet been prepared; however, the historic depot building would remain for passenger rail functions and a new station building would be located near the corner of Cahill Street and West Santa Clara Street. The preferred station alternative arranges the station linearly east of Cahill Street between West Santa Clara Street and the PG&E substation south of West San Fernando Street. The DSAP assumes an elevated high speed rail alignment, although the layout could be modified to accommodate an underground option.

Other components of the DSAP include landscaping and open spaces such as community and wide linear parks ("green fingers"), a civic plaza, and neighborhood squares. Proposed transportation and circulation concepts include walking and bicycling improvements and connections, easy access to transit facilities, and roadway improvements within the Plan area. The project also includes infrastructure improvements (stormwater, sanitary sewer, water, etc.), affordable housing, and public art.

The parking ratios determined in the Plan are considered to be appropriate for a multi-modal environment and are consistent with the City's pending Envision 2040 General Plan goals and policies for Vehicle Miles Traveled (VMT) reductions and mode shift changes. Parking management and transportation demand management (TDM) are included in the project. Based on the proposed plan development, approximately 10,500 to 11,500 parking spaces would be provided within the planning area.

A first phase of development has been determined for the project. This Phase I includes development already approved in the Plan area including the baseball stadium, BART extension, and expansion of the Adobe Systems corporate campus onto the property south of Santa Clara Street between Los Gatos Creek and the Guadalupe River (formerly the San José Water Company property). Phase I also includes the proposed Diridon Station improvements and the development of approximately 1.2 million square feet of office uses and 140,000 square feet of retail uses in the Central Zone or "Core Area" of the Plan area. The SPEIR will include a discussion of Phase I.

5.0 ENVIRONMENTAL IMPACTS TO BE ANALYZED

The SPEIR will address the environmental impacts associated with the proposed Diridon Station Area Plan. The City anticipates that the SPEIR will focus on the following issues:

Land Use

The SPEIR will describe existing land uses in the Plan area and the project's consistency with plans and policies including the current General Plan Land Use/Transportation Diagram and San José Zoning Ordinance. The SPEIR will describe the changes in land uses proposed by the project and identify land use compatibility impacts, as necessary. Mitigation measures will be described for any significant land use impacts.

Transportation

The SPEIR will describe the existing traffic conditions in the Plan area and compare them to project traffic conditions, based on a Traffic Impact Analysis (TIA) to be completed according to the requirements of the City and VTA. The TIA will build on the analysis completed for the *Strategy 2000 EIR*. Traffic impacts resulting from the proposed project and feasible mitigation measures for significant impacts will be identified.

Noise and Vibration

The SPEIR will describe the existing noise environment and noise impacts to and from the proposed project, using the *Strategy 2000 EIR* to the extent possible. Noise impacts will be identified for: (1) proposed land use changes that will expose new sensitive receptors to noise or vibration levels exceeding those considered normally acceptable based on the City's policies; and (2) changes in the noise environment resulting from the DSAP project. Mitigation measures will be identified, as appropriate.

Air Quality

The SPEIR will describe existing local and regional air quality and the air quality impacts of the proposed project in accordance with the Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines. The impact of the DSAP on local emissions and regional air quality plans will be analyzed. Impacts on the proposed land use scenarios from toxic air contaminants and diesel particulate matter will also be analyzed. Mitigation measures will be identified, as appropriate.

Biological Resources

The SPEIR will include a description of the existing biological setting and an analysis of impacts to biological resources such as habitats, special-status species, and biologically sensitive areas, based on the analysis included in the *Strategy 2000 EIR*. Impacts from the proposed project will be described and mitigation measures will be identified, as appropriate.

Geology, Soils and Seismicity

The SPEIR will identify geologic and seismic hazards based on the *Strategy 2000 EIR* to the extent possible. The SPEIR will describe any geologic constraints or risks resulting in impacts to development proposed and identify mitigation measures, as appropriate.

Hydrology and Water Quality

The SPEIR will describe existing hydrology and water quality and will evaluate flooding, drainage, and water quality impacts that would result from or impact development in the Plan area. Information from the *Strategy 2000 EIR* will be utilized to the extent possible. The SPEIR will identify mitigation measures, as appropriate.

Hazardous Materials and Hazards

The SPEIR will describe existing conditions and impacts resulting from hazardous materials contamination from current or former uses in the Plan area using information in the *Strategy 2000 EIR* to the extent possible. Hazards associated with aircraft operations of the Norman Y. Mineta San José International Airport will also be described. Mitigation measures will be identified for impacts resulting from or to development included in the project, as appropriate.

Public Services

Increases in demand for public services resulting from the project will be estimated in the SPEIR based upon a qualitative estimate of demand for school, police, fire, and medical services and estimates of per capita demand for parks and libraries. Likely impacts to the physical environment that could result from these increased demands will be identified. Mitigation measures, such as in-lieu fees, parkland or school site dedication, and other programs and funding mechanisms for new facilities will be identified, as appropriate.

Utilities and Service Systems

The SPEIR will describe the anticipated demand for utilities and services, including water, sanitary sewer, storm sewer, and solid waste resulting from the proposed project. Exceedance of the existing capacity of existing infrastructure, such as water, stormwater, and sanitary sewer pipelines will be identified. Mitigation measures for utility and service impacts will be identified, as appropriate.

Cultural Resources

The SPEIR will describe existing cultural resources in the City based upon available inventories of historic resources in the Plan area, including the *Strategy 2000 EIR*. The potential for cultural or historic resources to be affected by development will be assessed. Mitigation measures will be identified for significant cultural resource impacts, as appropriate.

Aesthetics and Visual Resources

The SPEIR will describe the existing visual character of the Diridon Station Area. The SPEIR will evaluate the aesthetic changes that will result from implementation of the proposed project. Mitigation measures for aesthetic and visual resource impacts will be identified, as appropriate.

Energy

In conformance with Appendix F of the CEQA Guidelines, the SPEIR will identify the potential for the project to result in significant energy impacts. Mitigation measures for energy impacts will be identified, as appropriate.

Population and Housing

The SPEIR will describe anticipated changes in projected population, jobs, and housing as a result of the proposed project. Population and housing impacts will be addressed and mitigation measures identified, as appropriate.

Global Climate Change

The SPEIR will describe the regulatory context surrounding the issue of global climate change and will evaluate the greenhouse gas emissions and contribution to global climate change resulting from the project. The SPEIR will also discuss impacts to the project area resulting from the effects of global climate change. Mitigation measures will be identified, as appropriate.

Cumulative Impacts

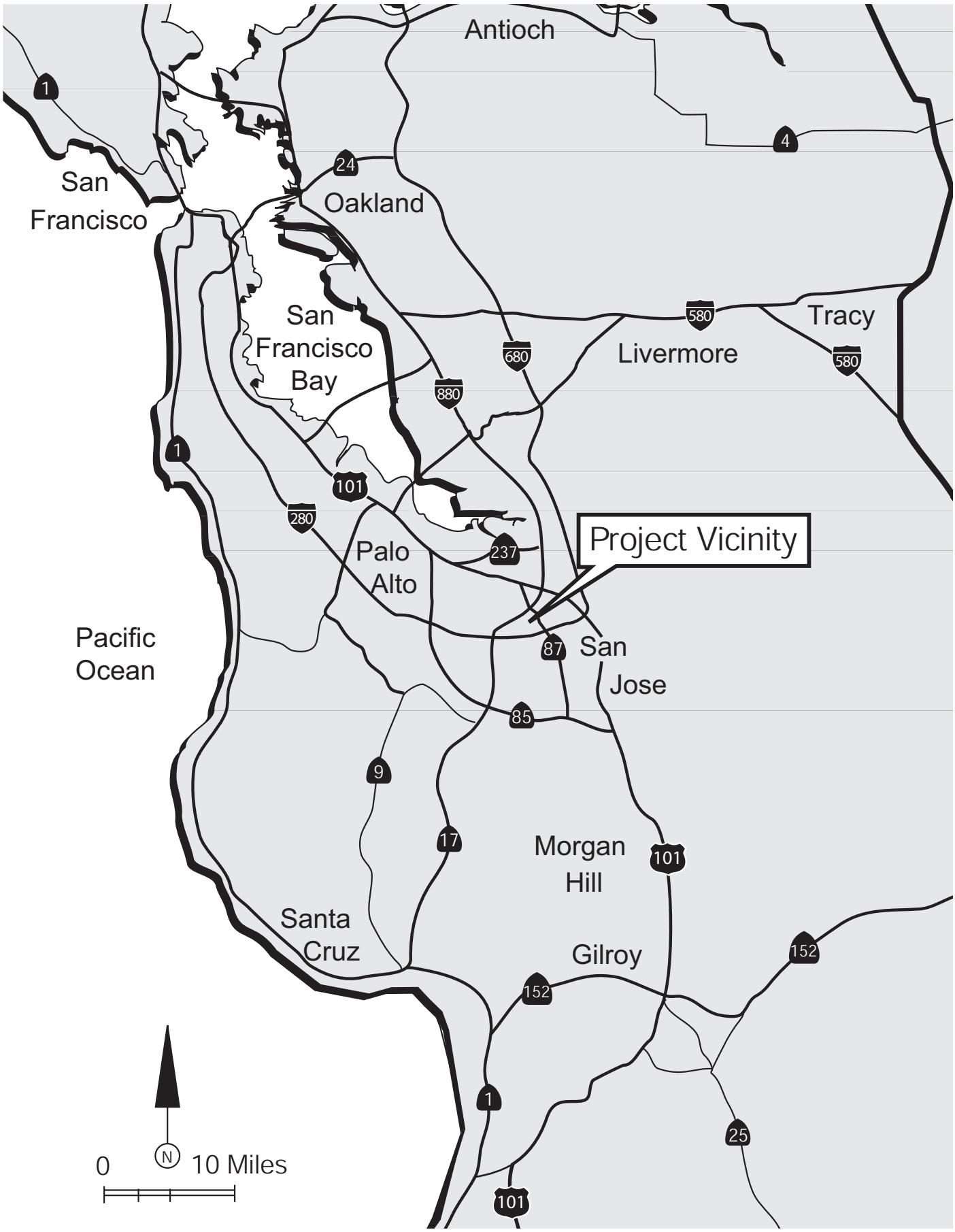
The SPEIR will discuss the cumulative impacts of the project in combination with other past, present or reasonably foreseeable programmatic projects. Mitigation measures will be identified to reduce and/or avoid significant impacts, as appropriate.

Alternatives

The SPEIR will evaluate possible alternatives to the project, based on the results of the environmental analysis. The alternatives discussion will focus on those alternatives that could feasibly accomplish most of the basic purposes of the Diridon Station Area Plan and could avoid or substantially lessen one or more of the significant environmental effects (CEQA Guidelines Section 15126.6). The environmentally superior alternative(s) will be identified based on the number and degree of associated environmental impacts.

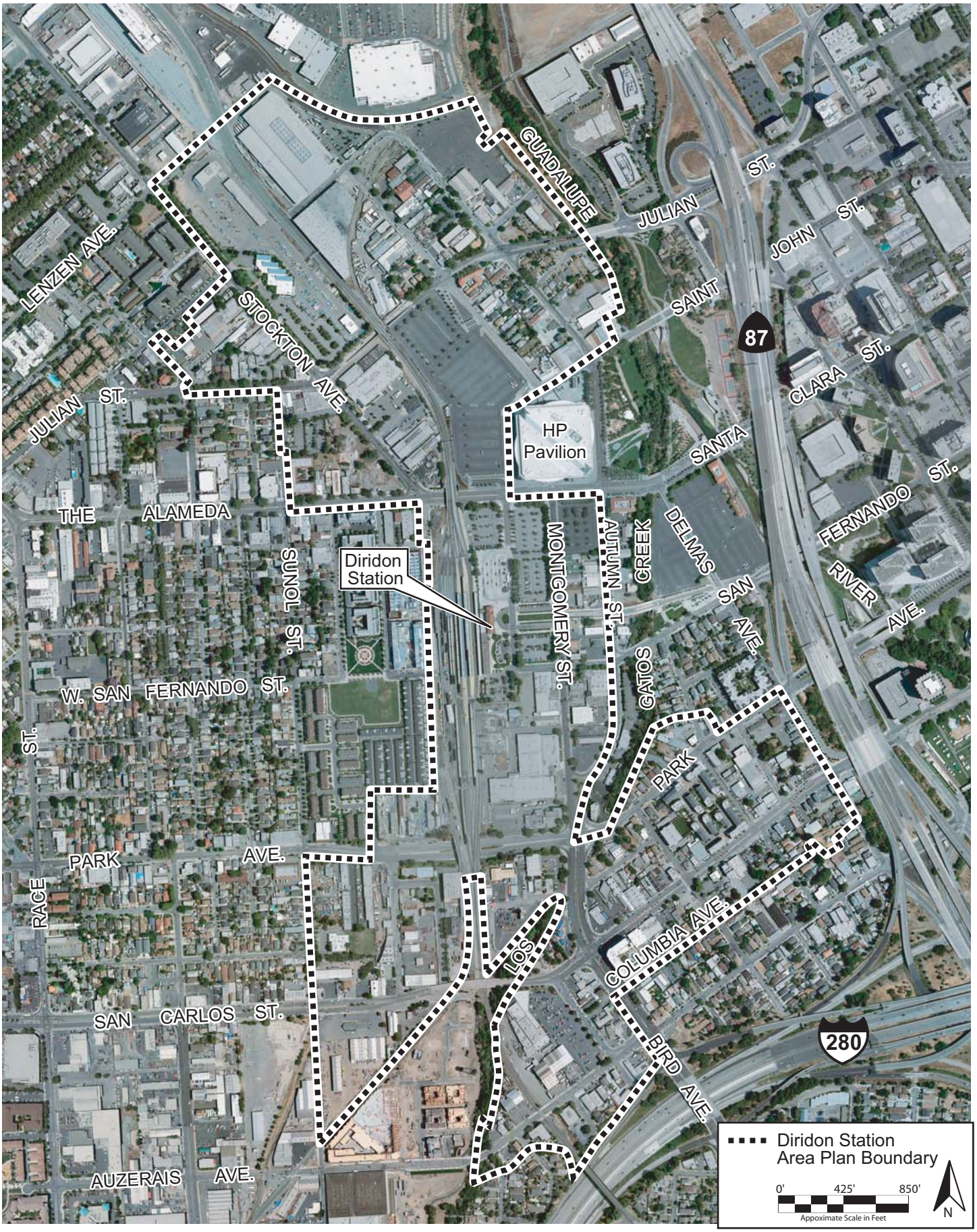
Other Sections

The SPEIR will also include all other sections required under the CEQA Guidelines, including: 1) Growth Inducing Impacts; 2) Significant Unavoidable Impacts; 3) Significant Irreversible Environmental Changes; 4) Consistency with Plans and Policies; 5) References; and 6) EIR Authors. Relevant technical reports will be provided as appendices.



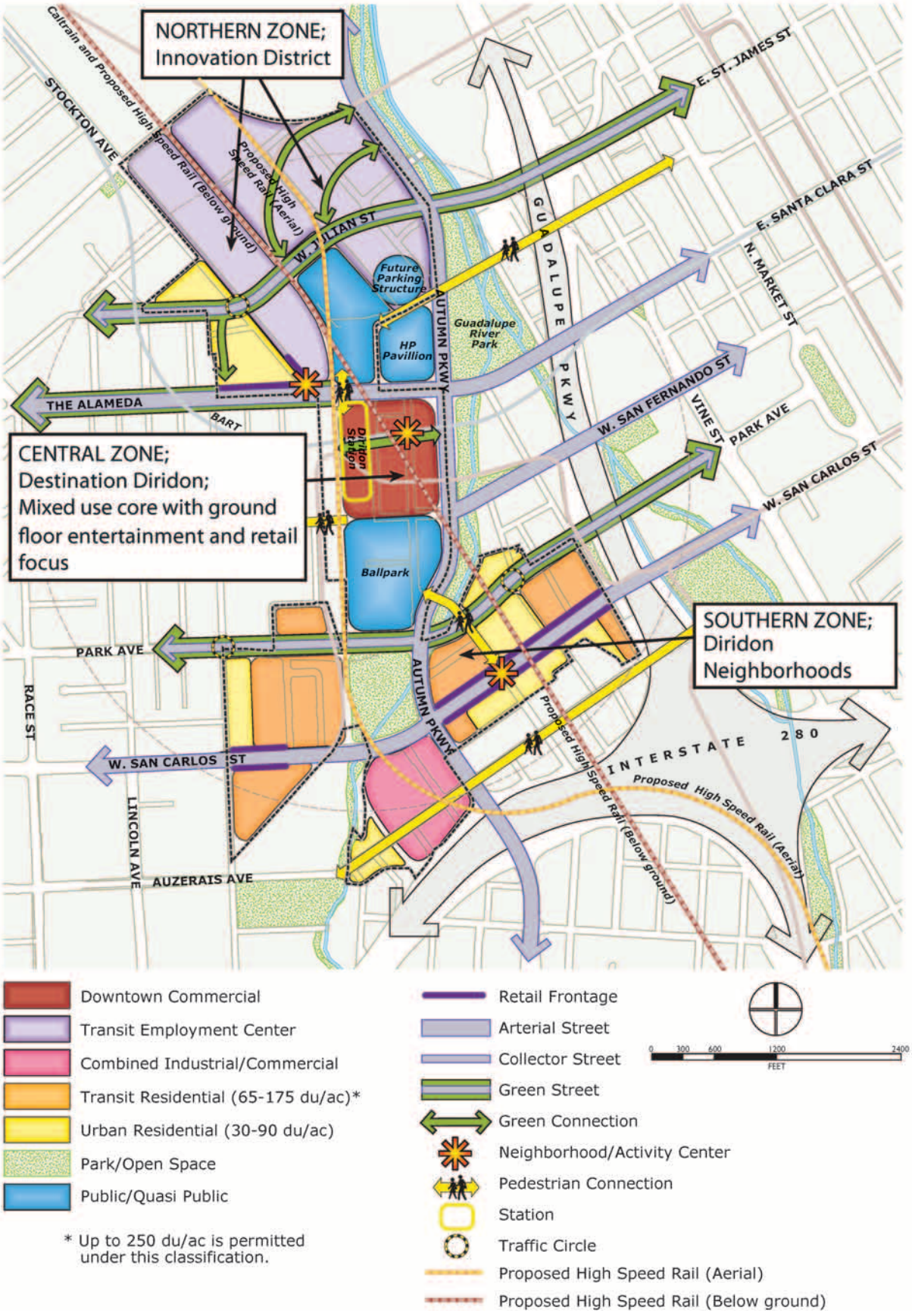
REGIONAL MAP

FIGURE 1



VICINITY MAP

FIGURE 2



LAND USE PLAN

FIGURE 3