

From: [Hill, Shannon](#)
To: [Downtown West Project](#)
Subject: FW: DANG Meeting - Thursday, August 27, 7-8:30 PM
Date: Tuesday, October 13, 2020 11:39:36 PM
Attachments: [DSAP Amendment CEQA Status Report 7.27.2020.pdf](#)

From: Ruano, Jose
Sent: Monday, August 24, 2020 4:33 PM
To: Keyon, David <david.keyon@sanjoseca.gov>; Hill, Shannon <Shannon.Hill@sanjoseca.gov>
Cc: Manford, Robert <Robert.Manford@sanjoseca.gov>
Subject: DANG Meeting - Thursday, August 27, 7-8:30 PM

Hi David and Shannon,

I hope you are both well and keeping safe. D6 has coordinated a "working group" meeting for this Thursday, August 27, 7-8:30 PM. There are two (2) topics on the agenda.

- Environmental Clearance for the DSAP Amendments
- Refresh on the Downtown Design Guidelines and Standards

Tim will be leading the Downtown Design Guidelines and Standards presentation. Who on the environmental team will be leading the environmental clearance for the DSAP Amendments? Will you be using the attached document while presenting or do you have PowerPoint slides that you'd like me to incorporate into the PowerPoint presentation I'm working on?

Thanks!

Jose

Jose Ruano, Planner II

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Diridon Station Area Plan (DSAP) Amendment Environmental Analysis Status

PBCE, Planning Division, July 2020

The City of San Jose is committed to fully comply with California Environmental Quality Act (CEQA) and its implementing guidelines for the DSAP Amendment. The City hired an environmental consultant, Circlepoint, through a competitive process. The CEQA compliance document for the DSAP Amendment is a planning document, which does not environmentally clear any specific or particular project. The Amended DSAP is a long-term plan that would be implemented over time; this policy document will guide future development activities in the plan area. This is in contrast to the CEQA document (i.e., Environmental Impact Report or EIR) prepared for the Downtown West project, which specifically analyzes the environmental impacts of a development proposal within the DSAP area, which is subject to development review by the City.

In December 2018, the City Council certified the 2040 Downtown Strategy EIR, which addressed total development capacities within the City's downtown for the next 20 years. As shown on the map in Figure 1, the DSAP boundaries are almost entirely within the geographic boundaries of the Downtown Strategy 2040 area. In addition, there are several technical and environmental studies currently taking place in the DSAP area, including the Downtown West EIR, High Speed Rail EIR, and initial studies evaluating specific development projects such as several proposed developments along W. San Carlos Street, which are within the geographic boundaries of the DSAP. Most importantly, the cumulative impact analysis of the Downtown West EIR includes a thorough analysis of environmental impacts of development within the entire DSAP area, including a half-mile radius beyond the current boundaries of the DSAP area.

Given this context and the current and recent environmental studies in the area, the City's CEQA approach to the DSAP amendment is appropriate for a planning document. Further, as technical and environmental studies are being prepared should there be any evidence through the planning and public outreach process necessitating the preparation of an EIR, the City will initiate an EIR.

General Timeline

August-September 2019: City sent a Request for Proposals (RFP) for the DSAP Amendment to environmental consultants currently under contract by the City. The RFP included a high-level description of potential changes in the DSAP Amendment, with the caveat that the DSAP Amendment description will be finalized in the coming months.

October-November 2019: City selected Circlepoint to prepare the CEQA document for the DSAP Amendment. Circlepoint will prepare an expanded Initial Study evaluating the DSAP Amendment changes in relation to analysis in the Downtown Strategy 2040 EIR certified by City Council in December 2018. The Downtown Strategy 2040 EIR is the most recent planning-level EIR to evaluate development within 90% of the DSAP. This Initial Study includes an analysis of air quality, noise, historic resources, greenhouse gas emissions, and transportation, in addition to all other required analysis under CEQA.

January-February 2020: City developed high-level DSAP Amendment project description based on a capacity study conducted by SOM (on behalf of the City) dated January 24, 2020, which evaluated

potential increases in development capacity in the DSAP resulting from the lifting of OEI height restrictions. For CEQA purposes, City decided to analyze the maximum office and residential capacities, with the caveat that actual development capacities may be less after the DSAP Amendment is finalized through the public outreach.

March-June 2020: Circlepoint began preparation of an Initial Study and supporting technical reports based on high-level DSAP Amendment description. Results of the analysis for the Initial Study will determine the appropriate CEQA document. If the analysis determines one of the following, then a Supplemental EIR to the Downtown Strategy 2040 EIR will be required (CEQA Guidelines Section 15162):

- The DSAP Amendment will result in substantial changes that will result in new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts in the Downtown Strategy 2040 EIR.
- New information since adoption of the Downtown Strategy 2040 EIR shows that the DSAP Amendment will have:
 - One or more significant impacts not discussed in the Downtown Strategy 2040 EIR;
 - Significant effects previously examined in the Downtown Strategy 2040 EIR will be substantially more severe;
 - Mitigation measures or alternatives in the Downtown Strategy 2040 EIR to reduce significant impacts that were found to be infeasible are found to be feasible.

If none of the above conditions exist, then the DSAP Amendment may qualify for an Addendum to the Downtown Strategy 2040 EIR (CEQA Guidelines Section 15164).

Next Steps: Based on the analysis prepared by Circlepoint, the City will determine the appropriate level of environmental review for the DSAP. This decision is anticipated in August 2020.

- If a Supplemental EIR is required, the City will start the Notice of Preparation and Scoping process in late Summer/Fall 2020 and the project will be circulated for public review and comment for 45-days as required by CEQA. The City will respond to public comments, and the comments and responses will be given to the Planning Commission and City Council prior to their consideration of the project.
- If an Addendum is appropriate, then the Initial Study and supporting technical reports will be posted to the City's Internet and although not required by CEQA, will be available for public comments for at least 30-days. Like an EIR, the City will respond to public comments, and the comments and responses will be given to the Planning Commission and City Council prior to their consideration of the project.

Figure 1: DSAP in Context of Downtown Strategy 2040 and Downtown West Project

DRAFT - 07.27.20 - for illustrative purposes only

