

**NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT
FOR THE ST. JAMES PARK CAPITAL VISION AND LEVITT PAVILION**

FILE NO: PP16-037
PROJECT APPLICANT: City of San Jose, Parks, Recreation &
Neighborhood Services
APNs: 467-21-014 and 467-21-001

Project Description: The project includes both physical and programmatic changes to St. James Park, a seven-acre urban park in downtown San José, which includes the development of an outdoor performing arts pavilion (Levitt Pavilion). Potential physical changes include, but are not limited to: construction of the Levitt Pavilion, removal or relocation of existing historical markers and fountains, removal and replacement of non-Heritage Trees, hardscape improvements, construction of structures for restrooms and commercial uses (i.e. cafes and vendors), and the temporary or permanent closure of N. 2nd Street to private vehicles. The proposed Levitt Pavilion is an approximately 7,000-spectator outdoor music and performance venue with lighting and sound amplification. The final physical park design will be determined through a design competition. Potential programmatic changes include music and performing arts events at the Levitt Pavilion, the introduction of commercial uses into the park (i.e. a café or vendors), street performers, festivals, and a farmers market, all in an urban park setting.

Location: St. James Park, bordered by East St. James Street to the north, East St. John Street to the south, North 1st Street to the west, and North 3rd Street to the east.

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 are attached.

Community/Scoping Meeting: A Community/EIR Scoping meeting will be held on **Wednesday, June 15, 2016** from 6:30 p.m. to 8:30 p.m. at the San Jose First United Methodist Church at 24 N 5th St, San Jose, CA 95112.

The Primary Project Manager for the environmental review is David Keyon, Planner III and the Assistant Project Manager is Krinjal Mathur, Planner I. All communications, responses, and comments should be sent to Krinjal Mathur per the information on the following page.

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 José
Department of Planning, Building, and Code Enforcement
Attn: Krinjal Mathur
200 East Santa Clara Street, 3rd Floor Tower
San José CA 95113-1905
Phone: (408) 535-7874, E-mail: krinjal.mathur@sanjoseca.gov

Harry Freitas, Director
Planning, Building and Code Enforcement

Meenaxi R. P.
Deputy

5/24/2016
Date

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May 2016

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.

It is expected that the EIR analysis will tier from the San José Downtown Strategy 2000 EIR (SCH # 2003042127) and the Envision San José 2040 EIR (SCH # 2009072096), to the extent possible.

The EIR for the proposed 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 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 approximately 6.8-acre project site is located in Downtown San José. It is bordered by East St. James Street to the north, East St. John Street to the south, North 1st Street to the west, and North 3rd Street to the east, as shown on Figure 2.

3.0 PROJECT BACKGROUND

Multiple Master Plans have been prepared for the park over the years, the most recent of which was the 1985 Master Plan and the 2002 Master Plan Update prepared for the San José Redevelopment Agency. The Master Plan Update provides a vision for the future development of the park, establishing an appropriate and attractive plan as well as programming to activate and promote its use, consistent with the Downtown Strategy 2000 and 2040 General Plan.

4.0. PROJECT DESCRIPTION

The proposed project is the renovation of St. James Park and the installation of a Levitt Pavilion within the park. Potential physical changes are expected to include, but are not limited to: construction of the Levitt Pavilion, removal or relocation of existing historical markers and fountains, removal and replacement of non-Heritage Trees, hardscape improvements, and construction of structures for restrooms and commercial uses (i.e. cafes and vendors). The EIR will evaluate the impacts of temporarily or permanently closing N. 2nd Street to private vehicles.

The final design of the park will be a result of a design competition sponsored by the City of San José's Department of Parks, Recreation and Neighborhood Services (PRNS). The winning final design could implement improvements identified in the existing 1985 St. James Master Plan and associated 2002 St. James Master Plan Update. The final design may depart from the Master Plan, but the primary components of park programming and improvements are expected to be consistent with these documents. Potential physical changes to the park may include, but are not limited to:

- construction of a Levitt Pavilion for outdoor performances;
- streetscape improvements, including new pedestrian and street lighting;
- a central plaza;
- construction of small commercial buildings built for the purposes of leasing to private entities for commercial purposes (i.e. cafés, vendors, or a beer garden);
- public restrooms (temporary portable and/or permanent);
- gateway monuments that include signage and lighting features;
- public art;
- improvements to the public transit stops;
- an outdoor fitness cluster;
- an interactive water feature;
- temporary loading zones for park events;
- designated vendor spaces and/or food truck parking;
- equipment for computer/internet use throughout the park;
- landscape amenities (i.e. movable furniture, bollards, benches, tree grates, etc.);
- removal and relocation of historic markers;
- removal and replacement of non-Heritage Trees;
- reunification of the park by connecting the two halves of park through the use of pedestrian paths and other complementary design elements, potentially including the temporary or permanent closure of N. 2nd Street to private vehicle traffic between E. St. James Street and E. St. John Street; and
- redevelopment and possible relocation of the children's playground and associated equipment.

The project also includes the development of a Levitt Pavilion with an amplified sound and lighting system (including large digital screens) for outdoor performances. Levitt Foundation is a non-profit organization that offers participating cities financial assistance and a support system to build and sustain a Levitt Pavilion music venue to reinvigorate public spaces. The pavilion and associated lawn seating area is anticipated to be located in the northeastern quadrant of the park.

Programmatic Changes to the Park

The project includes potential programmatic changes to the use of the park in keeping with the site's urban park setting. These changes may include, but are not limited to, new music and performing arts events at the Levitt Pavilion, the introduction of commercial uses into the park (such as a café or vendors), street performers, festivals, a farmers market, and support services for homeless individuals all in an urban park setting.

Events at the Levitt Pavilion are expected to include about 50 family-friendly music concerts per year which would be organized by the Levitt Foundation in partnership with the City. The pavilion could also be used for other City sponsored events and concerts throughout the year. The maintenance and operation of the pavilion would be the responsibility of the City.

5.0 ENVIRONMENTAL IMPACTS TO BE ANALYZED

The EIR will address the environmental impacts associated with the proposed St. James Park and Levitt Pavilion project. The City anticipates that the EIR will focus on the following issues:

Land Use

The EIR will describe existing land uses in the vicinity of the park and the project's consistency with plans and policies including the current Envision San José 2040 General Plan and General Plan Land Use/Transportation Diagram. The EIR 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 EIR will describe the existing traffic conditions in the vicinity of the park and Downtown, 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 Santa Clara Valley Transportation Authority (VTA). The TIA will build on the analysis completed for the Strategy 2000 and General Plan 2040 EIRs. The potential parking demand will be determined by factoring in geographical location and transit accessibility, and utilizing parking occupancy data for nearby City parking garages. An evaluation of the temporary or permanent closure of N. 2nd Street to private vehicles will be completed. Traffic impacts resulting from the proposed project and feasible mitigation measures for significant impacts will be identified.

Noise and Vibration

The EIR will describe the existing noise environment and noise impacts to and from the proposed project, using the analysis in the Strategy 2000 and General Plan EIRs to the extent possible. Noise impacts will be identified for: (1) proposed land use changes that will expose 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 project, including those related to traffic. Impacts from the proposed Levitt Pavilion will be quantitated and described, based on information obtained at other Levitt Pavilions or outdoor music venues. Mitigation measures will be identified, as appropriate.

Air Quality

The EIR 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 project on local emissions and regional air quality plans will be analyzed. Impacts due to construction, including toxic air contaminants and diesel particulate matter will also be analyzed for project-level development. Mitigation measures will be identified, as appropriate.

Biological Resources

The EIR 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 and General Plan EIRs. Impacts from the proposed project will be described and mitigation measures including the Santa Clara Valley Habitat Conservation Plan (the "Habitat Plan") will be identified, as appropriate. The existing tree survey for the park will be updated and impacts from potential tree removal will be described. Currently approximately 25 heritage trees are located at the site including, but not limited to, two oaks trees along 3rd Street and the palm trees along 1st Street. Lost trees will be replaced according to City of San José requirements.

Geology, Soils and Seismicity

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

Hydrology and Water Quality

The EIR 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 Downtown. Information from the Strategy 2000 and General Plan EIRs will be utilized to the extent possible. The EIR will identify mitigation measures, as appropriate.

Hazardous Materials and Hazards

The EIR will describe existing conditions and impacts resulting from hazardous materials contamination from current or former uses in the Downtown using information in the Strategy 2000 and General Plan EIRs 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 EIR based upon a qualitative estimate of demand for police, fire, and medical services. Likely impacts to the physical environment that could result from these increased demands will be identified. Mitigation measures, such as programs and funding mechanisms for new facilities will be identified, as appropriate.

Utilities and Service Systems

The EIR 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

St. James Park, which is located within the St. James Square City Landmark District and the St. James Square National Register Historic District, is considered a historic resource under CEQA. St. James Park is listed as a contributing site to both districts. The EIR will describe existing cultural resources in the District and vicinity of the park based upon available inventories of historic resources, including the Strategy 2000 and General Plan EIRs. The potential for cultural or historic resources to be affected by renovations to the park and the construction of a Levitt Pavilion and removal of the existing fountain will be assessed. Mitigation measures will be identified for significant cultural resource impacts, as appropriate.

Aesthetics and Visual Resources

The EIR will describe the existing visual character of the park vicinity. The EIR 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 EIR 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 EIR 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 and Greenhouse Gas Emissions

The EIR 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 EIR will also discuss impacts resulting from the effects of global climate change consistent with the City's Climate Reduction Strategy. Mitigation measures will be identified, as appropriate.

Cumulative Impacts

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

Alternatives

The EIR 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 objectives of the St. James Park renovations and Levitt Pavilion 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.

Other Sections

The EIR 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.