

# Item 10.3

## **0 Seely Avenue Mixed-Use Project**

(File Nos. PDC21-035, PT22-003 & PD22-002)

August 13, 2024

Presenter: Christopher Burton, PBCE Director

# Project Description

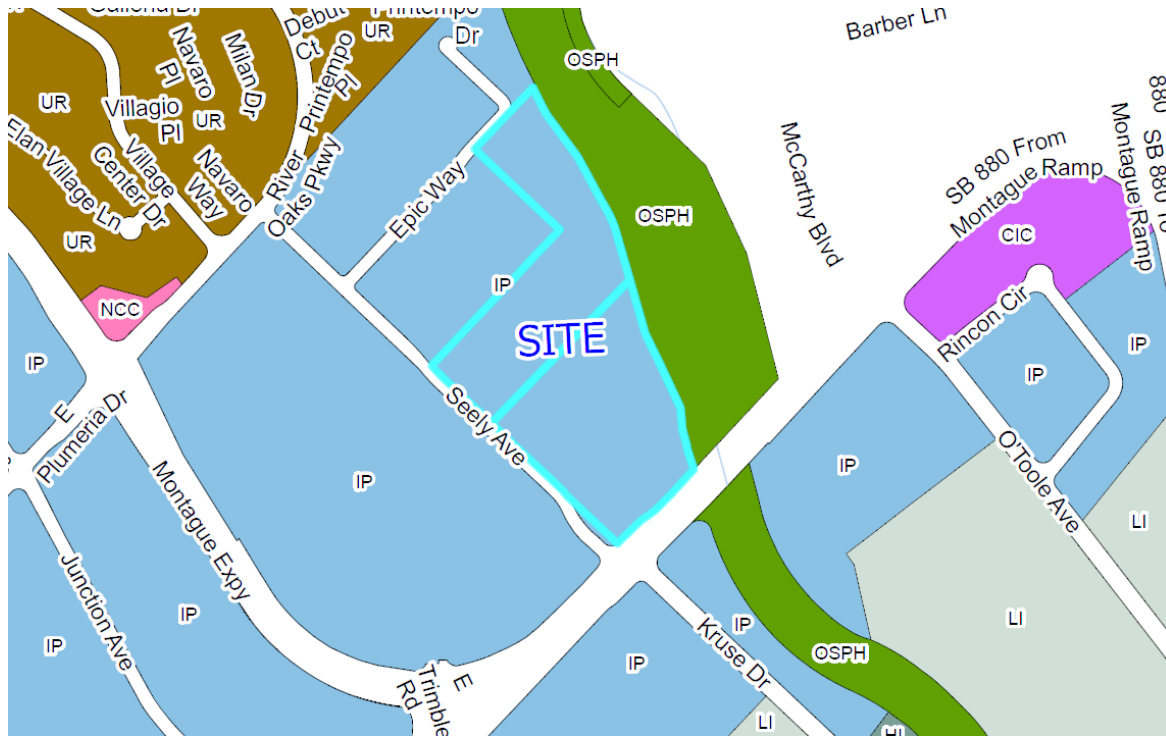
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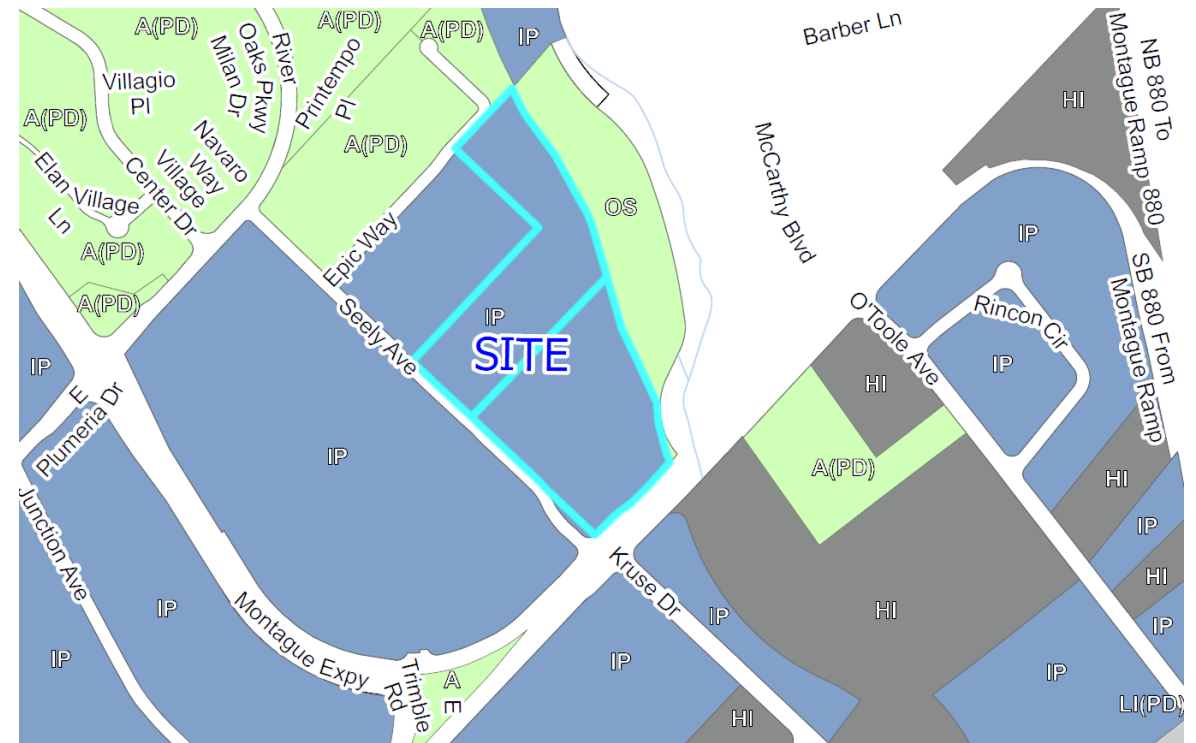




# Existing General Plan and Zoning



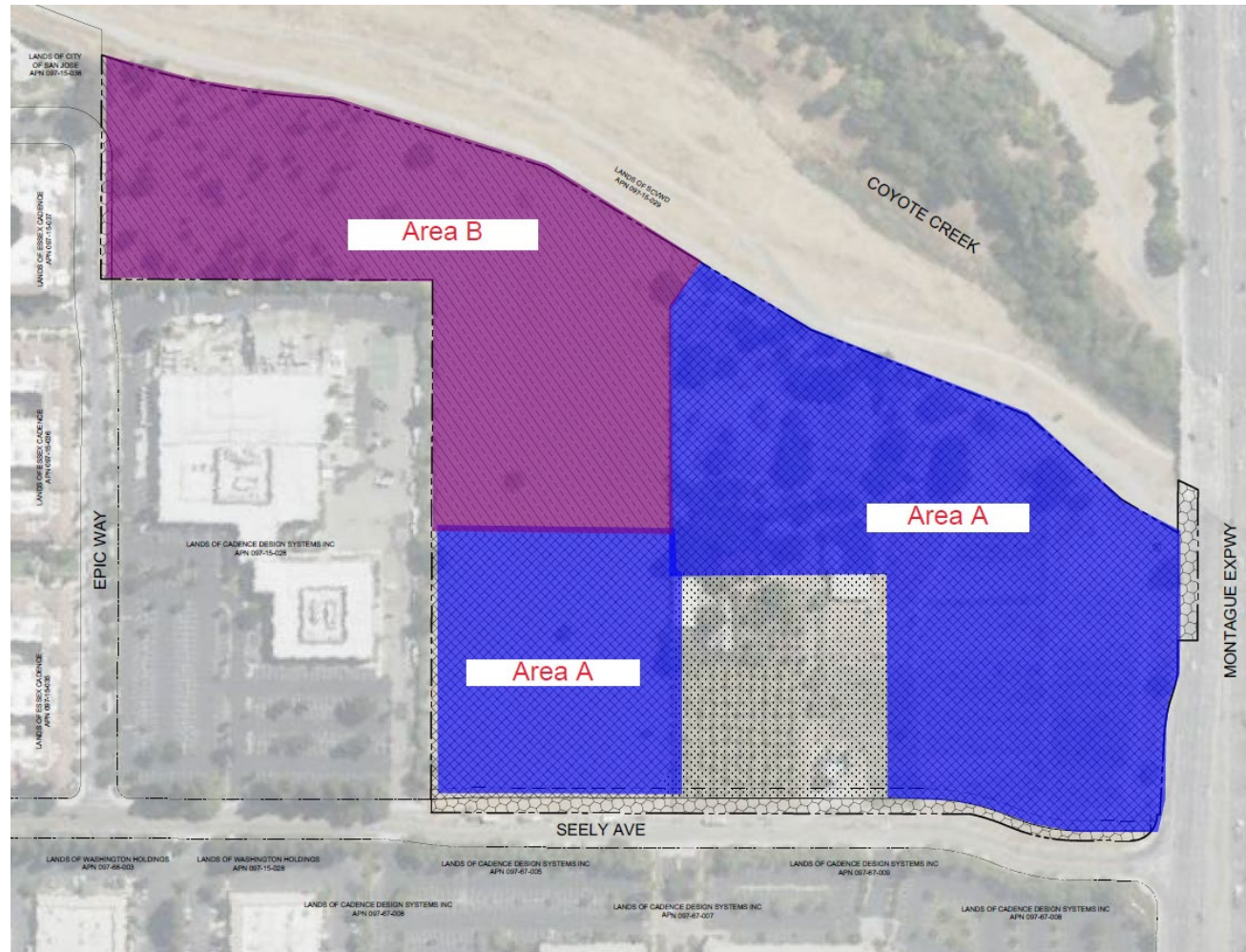
General Plan: Industrial Park (Transit Employment Residential Overlay)



Zoning: IP Industrial Park



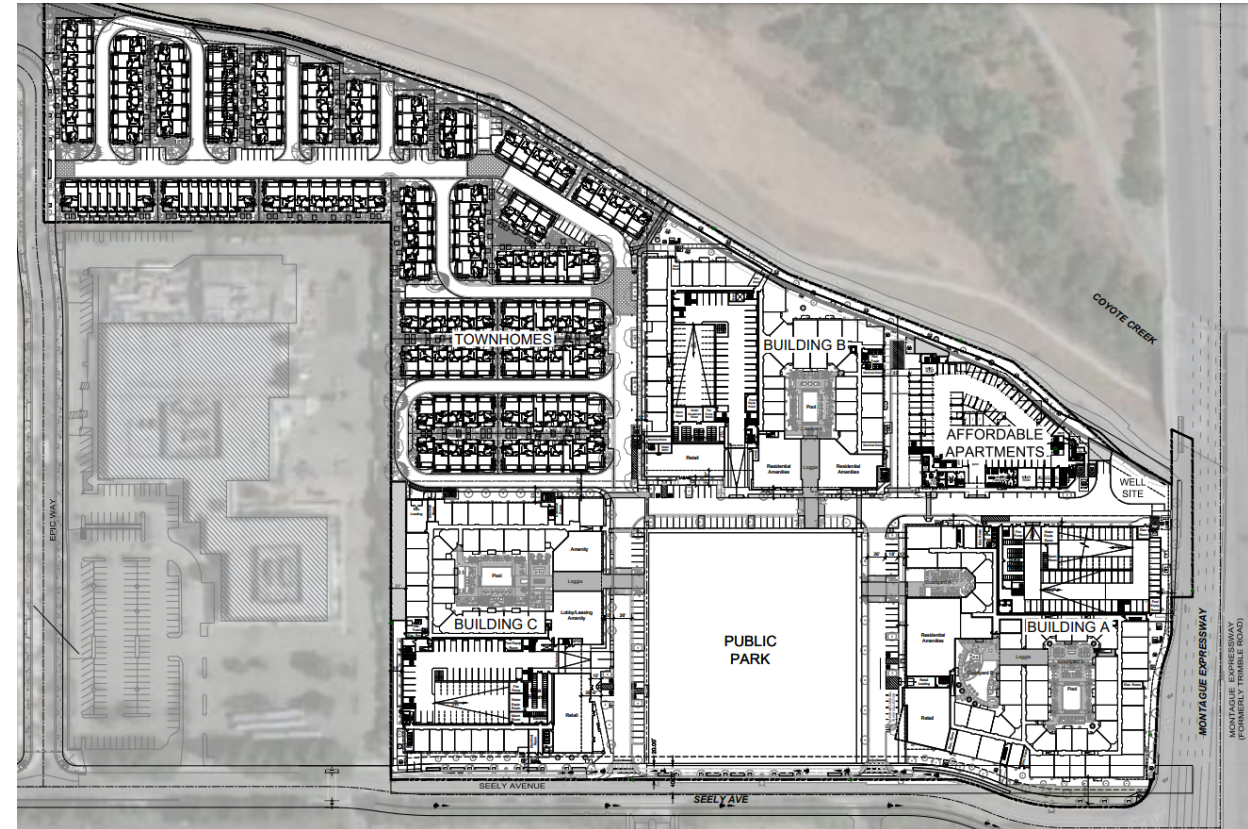
# Proposed Zoning



IP(PD) Planned Development Zoning

# Project Components

- Demolition of two residences, fruit stand, and associated structures at an existing orchard
- Removal of 584 trees (261 ordinance-size, 323 non-ordinance-size, 1,085 replacement)
- Construction of a mixed-use project including:
  - 1,472 multifamily residential units
  - 18,965 square feet of ground-floor commercial space
  - 2.5-acre public park
  - Saturday construction hours from 8:00 am to 5:00 pm
- Subdivision of three lots into 48 lots with up to 154 residential condominiums and six commercial condominiums



# Environmental Review - Overview

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- Notice of Preparation: February 23, 2022 to April 5, 2022
- Environmental Scoping Meeting: March 7, 2022
- Draft Environmental Impact Report Circulation
  - January 16, 2024 to March 11, 2024
  - March 19, 2024 to May 3, 2024 (restarted)
- Final Environmental Impact Report: June 14, 2024

# Environmental Impacts

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- Impacts that can be mitigated to below significance thresholds with implementation of mitigation measures
  - Air quality, nesting birds and roosting bats, archaeological resources, hazardous materials from past uses on site, construction-related noise, and vehicle miles travelled (VMT)
- The following impact will exceed the significance threshold even with the application of mitigation measures
  - The project would result in a significant and unavoidable impact to Cultural Resources due to the demolition of the Sakauye House and other structures and site features that collectively and individually eligible for listing under the California Register of Historical Resources and the San Jose Historic Resources Inventory as a City Landmark



# Project Alternatives

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The EIR evaluated the following alternatives:

1. No Project – No Development Alternative
2. No Project – Redevelopment Alternative
3. Historic Resources Avoidance Alternative
4. On-Site Relocation of Historical Resources Alternative
5. On-Site Relocation of Individual Historical Resources Alternative (Sakauye House Only)

The Historic Resources Avoidance Alternative would be the environmentally superior alternative because it would avoid the significant unavoidable impact of the project.

# Draft EIR Comments

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- The City received 19 written comment letters during the public circulation period. The main concerns raised included:
  - Installation of a traffic signal at Seely Avenue and Montague Expressway
  - Increased traffic and vehicle miles travelled
  - Questions on baselines conditions for analysis
  - Impacts to Coyote Creek and water quality due to the proposed well
  - Impacts to special status species
  - Impacts to City historical resources
  - Construction noise impacts
- All comments were addressed in the Final EIR. None of these comments raised new significant issues.
- Recirculation of the EIR is not required.

# Staff Recommendation

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1. Adopt a resolution certifying the 0 Seely Avenue Mixed-Use Project Environmental Impact Report, and making certain findings concerning significant impacts, mitigation measures, alternatives, and adopting a statement of overriding considerations and a related mitigation monitoring and reporting plan, in accordance with the California Environmental Quality Act, as amended; and
2. Approve an Ordinance rezoning an approximately 22.88-gross-acre site from the IP Industrial Park Zoning District to an IP(PD) Planned Development Zoning District.
3. Adopt a Resolution, approving, subject to conditions, a Vesting Tentative Map to subdivide three lots into 48 lots (32 buildable lots, 16 common lots) and to allow up to 154 residential condominium units and up to six commercial condominium units on an approximately 22.88-gross-acre site.
4. Adopt a Resolution approving, subject to conditions, a Planned Development Permit to allow the demolition of two residences, a fruit stand, and ancillary structures totaling approximately 19,820 square feet and the removal of 584 trees (261 ordinance-size, and 323 non-ordinance-size, 1,085 replacement trees) for the construction of mixed-use development consisting of 1,472 multifamily residential units, approximately 18,965 square feet of commercial space, a 2.5-acre public park, up to six commercial condominium units, and Saturday construction hour from 8:00 am to 5:00 pm on an approximately 22.88-gross-acre site.



# Extra Slides

# Project Alternatives

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The EIR evaluated the five (5) following alternatives:

- No Project – No Development Alternative
- No Project – Development Consistent with Existing Land Use and Zoning Alternative
- Historical Resource Avoidance Alternative
- On-Site Relocation of Historical Resources Alternative
- On-Site Relocation of Individual Historical Resources Alternative.

The No Development, Historical Resource Avoidance and On-Site Relocation of Historical Resources would be the environmentally superior alternatives because they would preserve the existing historical structures in place or relocate them off site.

# Fire – August 8, 2024



Structures on site (Contributing structures are highlighted)

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| 1. ca. 1880 "Seely house"                      | 10. ca. 1930 shed                          |
| 2. ca. 1920 cottage                            | 11. ca. 1930 pump house                    |
| 3. ca. 1890 barn                               | 12. ca. 1930 barn/wagon house              |
| 4. ca. 1930 pump house                         | 13. ca. 1955 barn                          |
| 5. ca. 2005 steel "container" shed             | 14. ca. 1985 cold storage shed (ice house) |
| 6. ca. 1920 "Sakauye house"                    | 15. ca. 1975 barn                          |
| 7. ca. 1930 doghouse                           | 16. 2002 garage/storage building           |
| 8. ca. 1910 barn with ca. 1930/1940s additions | 17. ca. 1995 doghouse                      |
| 9. 2004 storage building                       | 18. 2010 greenhouse                        |
|  | 19. ca. 1970 fruitstand                    |





# Staff Site Visit – August 12, 2024

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#2 Cottage c. 1920



#4 Pump House c. 1930



# Staff Site Visit – August 12, 2024

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#6 Sakauye House c. 1920



# Staff Site Visit – August 12, 2024

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#8 Barn c. 1910



# Staff Site Visit – August 12, 2024

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#10 Shed c. 1930



#11 Pump House c. 1930



# Staff Site Visit – August 12, 2024

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#12/13 Barn c. 1930



# Staff Site Visit – August 12, 2024

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#12/13 Barn c. 1930



# Project Review

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Project Reviewed for conformance with:

- Envision San Jose 2040 General Plan
- San Jose Municipal Code
  - Tree Removals (Title 13)
  - Subdivision Code (Title 19)
  - Zoning Code (Title 20)
- Riparian Corridor Policies
- City Council Policy 6-30: Public Outreach
- North San Jose Design Guidelines & Citywide Design Standards and Guidelines
- California Environmental Quality Act (CEQA)

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