



Notice of Preparation of an Environmental Impact Report City of Cupertino

Date: JULY 11, 2019

To: State Clearinghouse
State Responsible Agencies
State Trustee Agencies
Other Public Agencies
Interested Organizations

From: Gian Martire, Associate Planner
City of Cupertino
Community Development Department
10300 Torre Avenue
Cupertino, CA 95014

Subject: **Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the Westport Mixed-Use Project**

Lead Agency: City of Cupertino Community Development Department

Project Title: Westport Mixed-Use Project

Project Applicant: Mark Tersini, KT Urban

Project Location: 21267 Stevens Creek Boulevard, Cupertino, California (see Figure 1)

Notice is hereby given that the City of Cupertino (City) will be the Lead Agency and will prepare a project-level EIR for the Westport Mixed-Use Project (proposed project) pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code sections 21000 et seq.) and the CEQA Guidelines (Title 14, section 15000 et seq. of the California Code of Regulations). This Notice of Preparation (NOP) has been prepared in compliance with CEQA Guidelines section 15082. The purpose of this NOP is to solicit comments from public agencies and the public on the scope and content of the EIR for the project.

The City has determined that a Draft EIR will be prepared for the Westport Mixed-Use Project. An EIR is a detailed statement prepared under CEQA describing and analyzing the significant environmental effects of a project. For any identified potentially significant environmental impacts, the EIR will identify mitigation measures to avoid or reduce those impacts, as feasible. The EIR also will discuss a reasonable range of alternatives to the project that could reasonably attain most of the basic objectives of the project and would avoid or substantially lessen any of the significant environmental effects of the project (CEQA Guidelines section 15126.6(a)).

The City is requesting comments on the scope and content of the EIR from public agencies and the public. The City would like to know the views of your agency as to the scope and content of the environmental information germane to your agency's statutory responsibilities in connection with the proposed project.

You are encouraged to email your comments to GianM@cupertino.org with "Westport Mixed-Use Project EIR" as the subject. As an alternative, you may submit written comments to the following address:

City of Cupertino, Community Development Department
Attention: Gian Martire, Associate Planner
10300 Torre Avenue
Cupertino, CA 95014

If you submit comments on the scope and content of the EIR, you will automatically be added to the City's distribution list for future notices and information about the environmental review process for the project. If you do not wish to submit comments on the scope of the EIR, but would like to receive updates on the project, please submit your mailing address to receive mailed notices.

A **Public EIR Scoping Meeting** will be held to receive comments regarding the scope and content of the EIR on **Thursday, July 18, 2019** from **6:30 to 8:30 p.m.** at the **Cupertino Community Hall** (10350 Torre Avenue). Due to the time limits mandated by

state law, your comments on the NOP are due no later than the close of the 30-day review period at 4:30 p.m. on **Friday, August 9, 2019**.

The proposed project, its location, and potential effects are described on the following pages.

Introduction

The purpose of an Environmental Impact Report (EIR) is to inform decision makers and the public of the significant environmental effects of a proposed project. The EIR process is intended to provide environmental information sufficient to evaluate a project and its potential for significant effects on the environment; discuss methods of reducing or avoiding adverse environmental impacts; and consider alternatives to the project. Prior to taking any action on the proposed Westport Mixed-Use Project, the City Council must, at a public hearing, certify that the EIR has been completed in compliance with CEQA, and reflects the independent judgment of the City.

Project Location

The 8.1-acre project site is the existing Oaks Shopping Center on Stevens Creek Boulevard. The project site includes several street addresses; therefore, the centrally located 21267 Stevens Creek Boulevard location is used to identify the site.¹ As shown on Figure 1, the project site is located in the central portion of Cupertino. Regional access to the project site is provided by Interstate 280 (I-280), State Route 85 (SR-85), Stevens Creek Boulevard, Santa Clara Valley Transportation Authority (VTA) bus service, and Caltrain via the Sunnyvale, Lawrence, and Santa Clara Caltrain Stations. The project site is bounded by Mary Avenue to the north and east, Stevens Creek Boulevard to the south, and a SR-85 on-ramp to the west as shown in Figure 2. The project site is surrounded by residential land uses to the north (Glenbrook Apartments), the Cupertino Senior Center and Cupertino Memorial Park to the east, De Anza College to the south, and residential and industrial land uses to the west beyond SR-85.

The project site is accessible from Stevens Creek Boulevard and Mary Avenue. The closest VTA bus stop (Line 81) is located at the Mary Avenue/Stevens Creek Boulevard intersection, approximately 200 feet east of the site. Bus stops are also located at De Anza College (approximately 1,900 feet to the east at the intersection of Stevens Creek Boulevard and South Stelling Road).

Background

The project site is identified as a Priority Housing Element Site in the City of Cupertino General Plan (Community Vision 2015-2040) to accommodate the Regional Housing Needs Allocation (RHNA) for the 2014 to 2022 planning period and meet Cupertino's fair-share housing obligation of 1,064 units. The City certified the Environmental Impact Report (EIR) for the General Plan Amendment, Housing Element Update, and associated Rezoning Project, which included an evaluation of the project site with a new mixed-use development including residential use that could have up to 235 net residential units. The EIR evaluated a maximum height of 75 feet with a retail component and a permitted residential density of up to 35 dwelling units per acre and a Zoning designation change to Planned Development with General Commercial, Residential (P(CG, Res)) to allow for future mixed-use development including residential uses.

Project Description

As shown on Figure 2, the project site is currently developed with five occupied buildings totaling 71,254 square feet (The Oaks Shopping Center). The shopping center includes 53,701 square feet of retail stores and restaurants, and 17,503 square feet of office uses. The project site also has 201,831 square feet of paved area, which includes parking associated with the shopping center, sidewalks, patios, and driveways, and 45,486 square feet of native and non-native landscaping.

The proposed project would involve the demolition of the existing buildings and the construction of 242 residential units and up to 20,000 square feet of commercial space. The project would consist of a total of 18 buildings: 16 buildings with multi-family dwelling units, one building with retail and senior and below market rate housing, and one building with retail and market rate dwelling units. Open space would consist of 37,601 square feet of common open space, 29,068 square feet of common landscape space, 11,371 square feet of common hardscape space, and 2,400 square feet of common retail

¹ Multiple street addresses on Stevens Creek Boulevard are associated with the project site, including 21255, 21265, 21267, 21269, and 21271.

outdoor space. The proposed project would include two new internally accessible roadways for emergency vehicles as well as for the new residential units, and minor changes to the existing internal on-site circulation system.

Following approval of the EIR by the City Council, the following discretionary permits and approvals from the City would be required for the proposed project: Development Permit, Architectural and Site Approval Permit, and a Tree Removal Permit. In addition, permits for demolition, grading, and building, in addition to a certificate of occupancy, would be required from the City.

Probable Environmental Effects of the Project

An Initial Study was prepared pursuant to CEQA and the CEQA Guidelines. The Initial Study is available for review at the City's website at (www.cupertino.org/westport) and at the Community Development Department counter.

As shown in the Initial Study, the potential environmental effects of the project in the environmental topic areas listed below will be analyzed in the EIR. For the remaining environmental topic areas, the Initial Study concluded that the impacts would be less than significant.

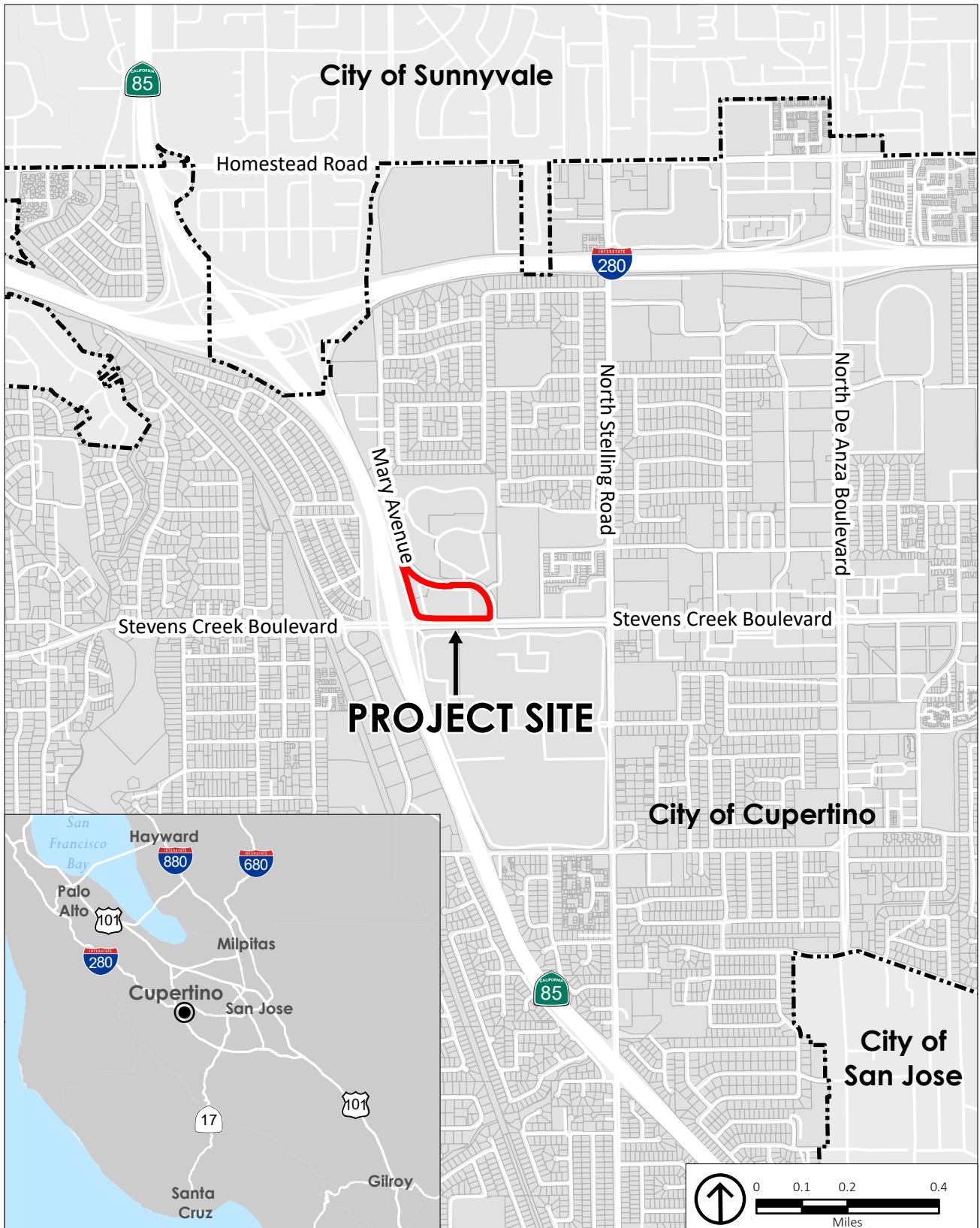
- **Air Quality.** The EIR will describe the regional air quality conditions of the San Francisco Bay Area and will evaluate air quality impacts to and from the project, in conformance with the criteria identified by the Bay Area Air Quality Management District. The project's consistency with 2017 Bay Area Clean Air Plan will also be discussed.
- **Biological Resources.** Given the urban and developed nature of the project site, the primary biological resources on-site are existing trees. The EIR will evaluate the project's impact on biological resources, such as removal of trees and impacts on nesting birds that may be present.
- **Cultural Resources.** Archeological resources could be present on the project site. The EIR will evaluate the potential for the project to impact historic resources that could be unearthed during project construction.
- **Geology and Soils.** Paleontological resources could be present on the project site. The EIR will evaluate the potential for the project to impact pre-historic resources that could be unearthed during project construction.
- **Greenhouse Gas Emissions.** The EIR will discuss the project's consistency and conformance with applicable plans, policies, and/or regulations adopted for the purpose of reducing greenhouse gas emissions, including the City's Climate Action Plan, and assess whether the project's greenhouse gas emission would have a significant impact on the environment.
- **Hazards and Hazardous Materials.** The EIR will evaluate the impacts to nearby sensitive receptors with respect to hazardous materials.
- **Noise.** The principal noise sources in the project area are traffic noise from I-280. The EIR will describe the existing noise conditions in the project area and will address noise and vibration impacts from the project, including those generated from project traffic and project demolition and construction activities.
- **Transportation.** The EIR will describe the existing transportation network serving the project site and will evaluate the transportation impacts resulting from the proposed project.
- **Tribal Cultural Resources.** No known tribal cultural resources are located on the project site; however, the potential to unearth unknown remains during ground disturbing activities associated with the construction of the project could occur. The EIR will evaluate the potential for the project to impact sites, features, places, or cultural landscaped with cultural value to a California Native American Tribe.
- **Utilities and Service Systems.** Impact related to wastewater treatment capacity may be potentially significant. The EIR will describe the existing conditions related to wastewater treatment and address the ability and capacity of the existing utilities to serve the project and will describe any utility improvements proposed by the project.

Attachments:

Figure 1 Regional and Vicinity Map

Figure 2 Aerial Photograph of the Project Site

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Source: ESRI, 2017; PlaceWorks, 2019.



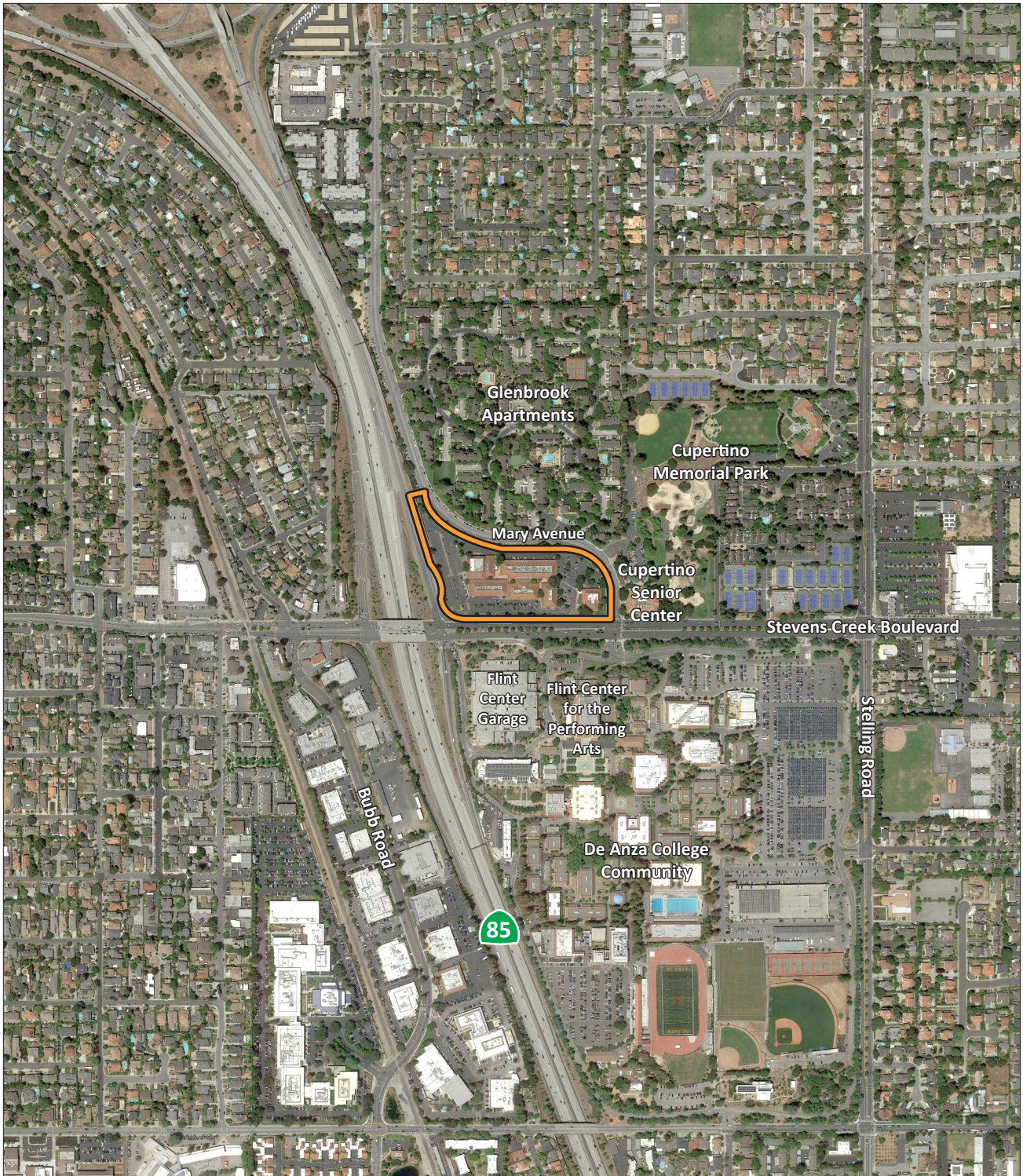
-  Project Site
-  Cupertino City Limit

Figure 1
Regional and Vicinity Map

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Source: Google Earth Professional, 2018; PlaceWorks, 2018.



Figure 2
Aerial View of Project Site

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