

Notice of Preparation

Notice of Preparation

To: Responsible and Interested Agencies From: Town of Los Gatos
_____ 110 East Main Street
_____ Los Gatos, CA, 95030
(Address) (Address)

Subject: Notice of Preparation of a Draft Environmental Impact Report

The Town of Los Gatos will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. An initial study has not been prepared for the proposed project by the Town of Los Gatos.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice, or no later than January 15, 2016. All written public and agency comments should be directed to Jennifer Savage, Senior Planner, at the address shown above. Alternatively, comments can be sent via e-mail to jsavage@losgatosca.gov. Please include the name of a contact person for your agency, if applicable.

A scoping meeting will also be held per Public Resources Code Section 21083.9 to solicit input from the public, local, and state agencies on the scope of the EIR. The date, time, and location for the meeting are shown below.

Project Title: 401-409 Alberto Way

Project Applicant, if any: LP Acquisitions, LLC

Scoping Meeting:

Date: January 12, 2016
Time: 7:00 PM
Location: Town of Los Gatos
Town Council Chambers
110 E. Main Street
Los Gatos, CA 95030

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

PROJECT DESCRIPTION

Project Location

The proposed project is located at 401 – 409 Alberto Way on the northwest corner of Los Gatos-Saratoga Road (State Route 9) and Alberto Way in the Town of Los Gatos. Direct access to the project site is provided by Alberto Way, via Los Gatos-Saratoga Road. Alberto Way is a two-lane roadway that parallels State Route 17 and also serves as the easternmost boundary of the project site. The westerly rear of the site backs up to a forested strip of land and the on-ramp to northbound State Route 17. [Figure 1, Project Location](#), displays the regional location of the project site.

Existing Conditions

The existing project site consists of a 2.15-acre parcel developed with three, three-story wood frame multi-tenant office buildings with on grade parking. The existing office building structures were constructed in the mid-1960s and comprise approximately 31,000 square feet. Parking is currently provided in surface lots. [Figure 2, Project Site](#), outlines the existing project site.

Project Description

The proposed project is the development of two new, steel frame, two-story buildings totaling 92,800 square feet over a two-level, below-grade parking garage, and will include an onsite employee amenity area, visitor parking, new landscaping and a variety of energy efficient and/or sustainable interior and exterior building elements. Development of the site is anticipated to fully comply with all applicable Town of Los Gatos 2020 General Plan goals and policies, as well as applicable standards and guidelines established by the Town Municipal Code. The proposed land coverage would be 49.6 percent of the site and the maximum height would be 35 feet, both of which are consistent with the General Plan Mixed-Use Commercial land use designation. Site development would require demolition of all existing site improvements. The majority of the project site would be excavated to an estimated depth of approximately 20 feet to accommodate the proposed subterranean parking garage. [Figure 3, Site Plan](#), displays the proposed project.

Site Layout and Building Design

The proposed project includes construction of two buildings on the project site. Building A would be located on the northern half of the project site with its entry facing east in the direction of Alberto Way. It would comprise approximately 47,800 square feet and would be slightly larger than Building B, which would comprise approximately 45,000 square feet. Building B would be located on the southern half of the project site with its entry facing north to the interior of the project site.

The exterior design would be composed of a combination of stone veneer and exterior plaster in a contemporary Mediterranean style. A clay tile mansard roof would top the buildings and would provide screening of roof top equipment. Building entries would be accentuated with two-story glass fronts and would be located on the podium level of the garage along with employee amenity spaces and visitor parking.

Landscaping

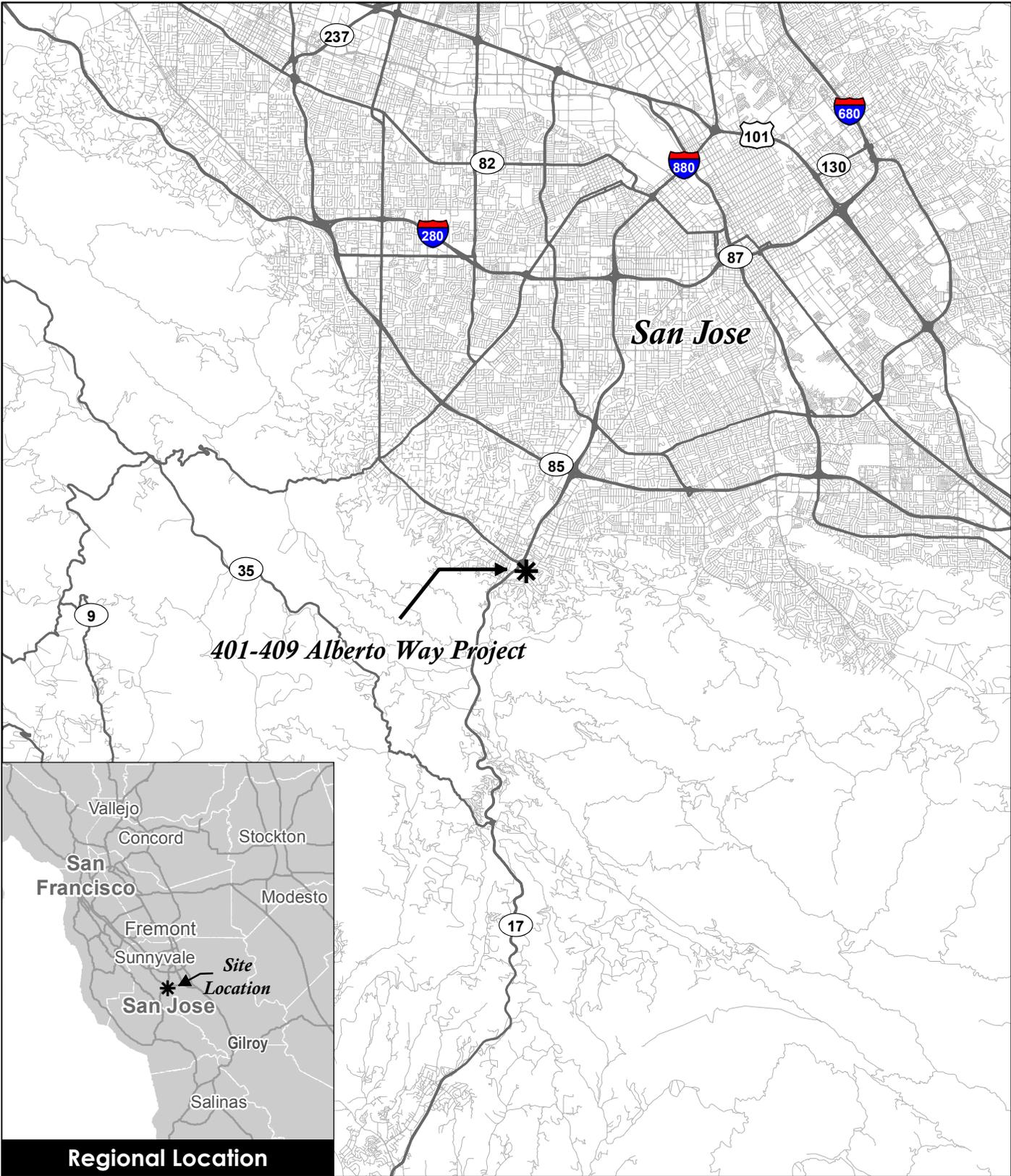
The proposed project includes the preservation of existing street frontage trees, upgraded with additional native shrubs and groundcover. A landscaping plan for the proposed project has been submitted to the Town.

Energy-Saving/Sustainability Features

The proposed project would be designed and constructed in conformance with Cal Green and the latest Title-24 Energy regulations. Additionally, the design would comply with LEED Silver standards for sustainability and energy conservation.

Phasing

Project construction would occur in a single phase with construction commencing in early winter 2017. The construction timeframe is 14 months from the initiation of shell and core to the completion of site work.



Source: Esri Streetmap North America 2010

Figure 1

Project Location

401-409 Alberto Way EIR NOP



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 Project Site

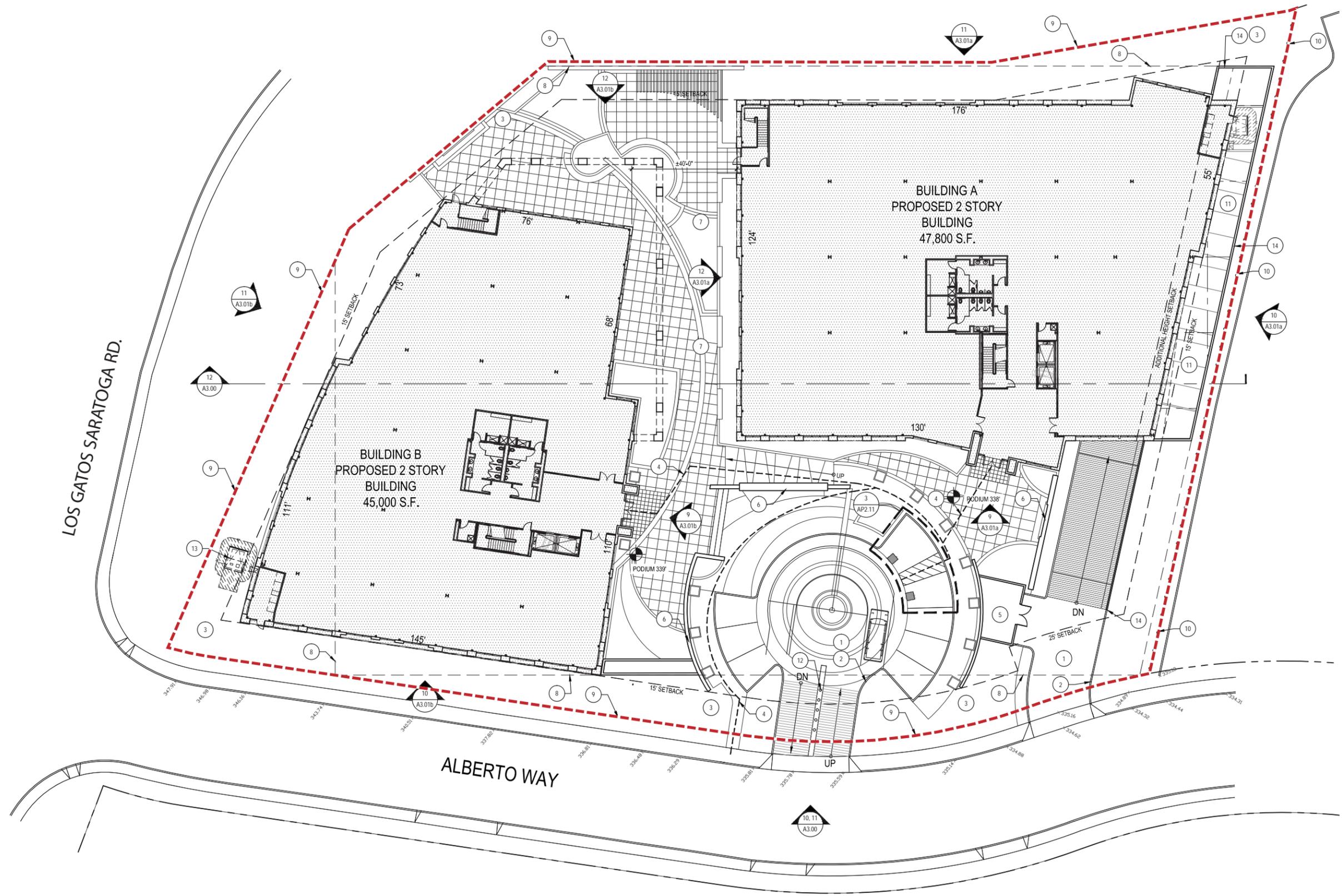
Source: Google Earth 2015

Figure 2
Project Site



401-409 Alberto Way EIR NOP

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Project Site

Source: Architectural Technologies 2015

E **M** **C**

Figure 3
Site Plan

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SCOPE OF ENVIRONMENTAL EFFECTS TO BE ANALYZED

The applicant has requested that an EIR be prepared to evaluate the direct and indirect physical impacts resulting from the proposed project. Therefore, the Town will have an EIR prepared. The type of probable environmental effects and scope of analysis associated with construction and implementation of the proposed project are summarized below.

Aesthetics

The Town of Los Gatos 2020 General Plan EIR concluded that buildout of the General Plan would result in less than significant aesthetic impacts (page 2-6), with implementation of the General Plan goals, policies, and actions. Redevelopment and reuse of the project site, including tree removal and landscaping plans, will be evaluated in the EIR.

Air Quality

The Town of Los Gatos 2020 General Plan EIR concluded that buildout of the General Plan would be inconsistent with applicable clean air planning efforts of the Bay Area Air Quality Management District (BAAQMD), as projected vehicle miles travelled (VMT) that could occur under the General Plan would increase at a greater rate than population growth. The General Plan includes extensive goals, policies and actions that aim to reduce vehicle reliance and VMT within the Town. However, the projected growth in vehicle travel could still lead to an increase in regional VMT beyond that anticipated in BAAQMD's clean air planning efforts. As a result, development in Los Gatos would contribute to the on-going air quality emissions that result in non-attainment of ozone ambient air quality standards in the air basin (page 2-6).

The proposed project is an infill (redevelopment) commercial development project and is close to a variety of alternative transportation choices. The EIR will include an analysis of the proposed project's consistency with applicable BAAQMD clean air plans and include an analysis of both the construction and operational air quality impacts.

Biological Resources

The Town of Los Gatos 2020 General Plan EIR concluded that buildout of the General Plan would not result in significant impacts to biological resources (page 2-6), with implementation of the applicable goals, policies, and actions in the General Plan.

The project site is located within an urbanized area, although adjacent to a forested strip of land within the Caltrans right-of-way for State Route 17. The project site is located approximately 425 feet from Los Gatos Creek, however, it is separated from the creek by State Route 17. The EIR will include an evaluation of the project site potential as habitat for special-status plant and animal species and identify whether mitigation measures may be required prior to development.

Climate Change and Greenhouse Gas Emissions

The proposed project would generate mobile source (transportation), area source (on-site use of natural gas and fuel), energy source (electricity use), and other sources of greenhouse gas emissions (GHGs). The Bay Area Air Quality Management District (“air district”) has provided guidance for evaluating GHG impacts based on the statewide reduction goal of 29 percent below business as usual by 2020 as embodied in AB 32, the Global Warming Solutions Act. The air district’s guidance will be used to address project impacts for that target year.

The AB 32 GHG emissions reduction goals are now considered to be interim. In April 2015, Governor Brown signed Executive Order B-30-15. This new order sets a statewide goal of reducing GHG emissions to 40 percent below business as usual by 2030. The 40 percent below business as usual reduction will be considered the threshold of significance for that target year. The air district has yet to update its GHG impact analysis guidance to reflect this change. Consequently, a different methodology will be used for this purpose.

CalEEMod will be the fundamental tool used to produce an estimate of baseline GHG emissions from existing activities within the project site and to estimate project-generated GHG emissions volumes in 2020 and 2030 based on the development types and development capacity assumed for the project.

Cultural Resources

The Town of Los Gatos 2020 General Plan Final EIR concluded that buildout of the General Plan would not result in significant impacts associated with cultural resources with implementation of General Plan goals, policies, and actions.

Although a survey reconnaissance by an archaeologist would likely not uncover any evidence of buried resources (because the site is completely developed); the project site is only about 425 feet from Los Gatos Creek, therefore, it’s likely in an archaeologically sensitive area. Therefore, the EIR will address potential impacts to archaeological resources with the potential to be located on the project site.

Regarding historic buildings, the existing on-site buildings appear to be more than 45 years old (the project description states that they were constructed in the mid 1960's.) However, the Town only considers structures built before 1941 to be historic and potentially significant, so the EIR will not include an evaluation of the existing structures.

Geology and Soils

The Town of Los Gatos 2020 General Plan Final EIR concluded that buildout of the General Plan would not result in significant impacts associated with geology, soils, and seismicity. The applicant has prepared a geotechnical exploration report. This document will be utilized for this section of the EIR, supplemented by additional research as necessary.

Hazardous Materials and Safety

The Town of Los Gatos 2020 General Plan Final EIR concluded that buildout of the General Plan would not result in significant impacts associated with hazardous materials and safety. A Phase I Environmental Site Assessment has been prepared for the project site by the applicant. This document will be utilized for this section of the EIR, supplemented by additional research as necessary.

Hydrology and Water Quality

The Town of Los Gatos 2020 General Plan Final EIR concluded that buildout of the General Plan would not result in significant impacts associated with hydrology and water quality. The project site is located within the 500-year flood zone (Draft EIR Figure 4.8-1) and is located within the Lenihan Dam inundation area (Draft EIR Figure 4.8-2). The EIR will address groundwater and surface water issues.

Noise

The Town of Los Gatos 2020 General Plan EIR concluded that buildout of the General Plan would not result in significant impacts associated with noise (page 2-8). However, as presented in Figure 4.10-3 of the Draft EIR, future noise levels at the project site are projected to be in the 60 to 65 CNEL range. A noise study will be conducted to address the proposed project's impacts on the existing noise environment, as well as the noise environment's effect on the proposed project. The EIR analysis will be based upon this noise study.

Public Services

This section of the EIR will address potential impacts to police and fire protection facilities.

Transportation and Circulation

The Town of Los Gatos 2020 General Plan EIR concluded that buildout of the General Plan would result in significant and unavoidable impacts associated with transportation and circulation, because mechanisms are not currently in place to fund the required improvements (page 2-9).

The applicant prepared a traffic report in July 2015, which was peer-reviewed by the Town in October 2015. The traffic report is currently being revised to address the peer review comments. The traffic report evaluated the proposed project's impacts at the following intersection and freeway segments:

Study Intersections

1. N. Santa Cruz Avenue & Los Gatos-Saratoga Road (SR 9) *
2. University Avenue & Los Gatos-Saratoga Road (SR 9) *
3. Alberto Way & Los Gatos-Saratoga Road (SR 9)
4. Los Gatos Boulevard & Los Gatos-Saratoga Road (SR 9)
5. Los Gatos Boulevard & Caldwell Avenue/Kennedy Road

* Denotes CMP Intersections

Study Freeway Segments

1. SR 17, between Bear Creek Road and SR 9
2. SR 17, between SR 9 and Lark Avenue

Study Scenarios

The following six study scenarios were evaluated:

Scenario 1: Existing Conditions. Existing traffic volumes were based on new traffic counts conducted in the year 2015, while schools were in session, the 2014 CMP count data, and previous studies.

Scenario 2: Background Conditions. Background traffic volumes were estimated by adding to existing peak hour volumes the projected volumes from approved but not yet completed developments. The added traffic from approved but not yet completed developments was provided by the Town of Los Gatos. Background conditions assume the project site is operating at full occupancy.

Scenario 3: Background plus Project Conditions. Background traffic volumes with the project were estimated by adding to background traffic volumes the traffic generated by the proposed project less the trips generated by the project site at full occupancy. Background plus project conditions were evaluated relative to background conditions in order to determine potential project impacts.

Scenario 4: Existing Plus Project Conditions. Existing traffic volumes with the project were estimated by adding to existing traffic volumes the traffic generated by the proposed project less the trips generated by the existing uses. Existing plus Project conditions were evaluated relative to existing conditions in order to determine the effects the project would have on the existing roadway network.

Scenario 5: Cumulative Conditions. Cumulative conditions include traffic growth projected to occur due to the approved development projects and other proposed but not yet approved (pending) development projects. The added traffic from pending development projects was provided by the Town of Los Gatos. Cumulative conditions assume the project site is operating at full occupancy.

Scenario 6: Cumulative plus Project Conditions. Cumulative plus project traffic volumes were estimated by adding to cumulative traffic volumes the trips associated with the proposed project less the trips generated by the project site at full occupancy. Cumulative plus project conditions were evaluated relative to cumulative conditions in order to determine potential project impacts.

This report and peer review will be used in preparation of this section of the EIR.

Water Service

The Town of Los Gatos 2020 General Plan EIR concluded that buildout of the General Plan would not result in significant impacts associated with water supply (page 2-9), with implementation of applicable General Plan goals, policies, and actions. This section of the EIR will estimate the proposed project's water use and include a determination if the water supplier can adequately serve the project. The EIR will briefly discuss the sources of water supplied to the proposed project and will also address the current water conservation efforts both locally and statewide.

Wastewater Service

The Town of Los Gatos 2020 General Plan EIR concluded that buildout of the General Plan would not result in significant impacts associated with wastewater (page 2-9), with implementation of applicable General Plan goals, policies, and actions. This section of the EIR will address the volume of wastewater expected to be generated by the proposed project, the capacity of the existing and/or proposed lines, and the capacity of the wastewater treatment plant and its ability to adequately serve the project.

Storm Drainage

The Town of Los Gatos 2020 General Plan EIR concluded that buildout of the General Plan would not result in significant impacts associated with storm drainage (page 2-9), with implementation of applicable General Plan goals, policies, and actions. Storm water and project site soils permeability was addressed in the geotechnical exploration prepared for the project. This report will be used in preparation of this section of the EIR. This section of the EIR will also address the environmental impacts associated with the proposed project's storm drainage infrastructure.

Energy

The proposed project will create new demand for energy during its construction and operational phases. The primary demand will be fuel for vehicles and electricity and gas consumed on site. A general profile of the project energy demand will be provided along with discussion of regulatory requirements for addressing energy demand and of any energy conservation measures that the applicant is proposing to incorporate into the project.

Other Issues

Other issues not anticipated to potentially result in significant impacts will be briefly discussed in this section of the EIR.

Cumulative Impacts

As allowed by CEQA Guidelines section 15130 (b)(1)(B), the EIR will include a summary of projections contained in the Town of Los Gatos 2020 General Plan to form the cumulative projects scenario; i.e. buildout of the general plan. A summary of the impacts discussed in the general plan EIR will also be presented and will be supplemented by new data, as appropriate. The EIR will include an evaluation and determination as to whether the proposed project's impacts are cumulatively considerable.

Growth-Inducement

CEQA Guidelines section 15126.2(d) requires an EIR to include a discussion of the growth-inducing impacts of a project. The EIR will address the proposed project's potential for growth-inducing impacts.

Irreversible Environmental Changes

CEQA Guidelines section 15126.2(c) requires an EIR to include a discussion of the significant irreversible environmental change which would be caused by a proposed project. This section of the EIR will address this issue.

Significant and Unavoidable Effects

Any impacts determined to be significant and unavoidable, as discussed in other sections of the EIR, will be summarized in this section of the EIR.

Alternatives

In accordance with CEQA Guidelines section 15126.6, the EIR will include analysis of a reasonable range of alternatives to the proposed project, or to the location of the project, which could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. An evaluation of the comparative merits of the alternatives will be presented.

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