

ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE 3625 PETERSON WAY PROJECT

June 2022

1.0 PURPOSE OF ADDENDUM

The California Environmental Quality Act (CEQA) recognizes that between the date an environmental document is completed and the date the project is fully implemented, one or more of the following changes may occur: 1) the project may change; 2) the environmental setting in which the project is located may change; 3) laws, regulations, or policies may change in ways that impact the environment; and/or 4) previously unknown information can arise. Before proceeding with a project, CEQA requires the Lead Agency to evaluate these changes to determine whether or not they affect the conclusions in the environmental document.

In July 2020, the City of Santa Clara certified the Final Environmental Impact Report (FEIR) (SCH #2018-01050) for the *3625 Peterson Way Office Project*, and approved the project. The 14.5-acre project site is located at 3625 Peterson Way, on the northeast corner of Peterson Way and Tannery Way in the City of Santa Clara. The approved project allows for the construction of two eight-story, approximately 338,155 square foot office/research and development (R&D) buildings (totaling approximately 676,310 square feet). The project also includes a four-level, above-grade parking structure with an attached 13,370 square foot, one-story amenity building.

The existing entitlement is set to expire in July 2022.

Since certification of the 2020 FEIR, no changes to the approved project have been proposed. The purpose of this Addendum is to analyze the impacts which may result from extension of the existing entitlement. Specifically, whether or not changes to the existing conditions of the area surrounding the project or any changes in the regulatory setting would result in new or substantially greater impacts by allowing the project to be constructed at a future date not anticipated in the FEIR.

The CEQA Guidelines Section 15162 states that when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the Lead Agency determined, on the basis of substantial evidence in light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines Section 15164 states that the Lead Agency or a Responsible Agency shall prepare an Addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in 15162 (see above) calling for preparation of a subsequent EIR have occurred.

The entitled development analyzed in the 3625 Peterson Way Office Project FEIR has already been subject to comprehensive environmental review. Furthermore, the existing entitlements were accounted for in the analysis of the City of Santa Clara's 2010 General Plan¹, including the cumulative effects of the approved development. Therefore, as explained in detail in the following discussion, because the proposed project would not change, the standard for supplemental environmental review has not been met and an Addendum has been prepared consistent with CEQA Guidelines Section 15164.

2.0 SUMMARY OF APPROVED PROJECT

The project would demolish the existing building and parking lot, remove 182 trees, and construct two approximately 338,155 square foot office/R&D buildings, totaling 676,310 square feet. The project includes pedestrian walkways to be located between the two office buildings, on the third and seventh floors. The two office/R&D buildings would primarily be comprised of offices, data rooms, mechanical, and electric rooms. The buildings would be 129.5 feet tall (eight stories) to the parapet and 138.5 feet tall to the top of the roof screen. The project would result in a net increase of approximately 457,935 square feet of office/R&D space on the site.

In addition, the project includes a four-level, above-grade parking structure with an attached 13,370 square foot, one-story amenity building. The project would have approximately 370 surface parking spaces. The parking structure, in combination with surface parking, would provide 2,281 parking spaces.

¹ The *City of Santa Clara Draft 2010-2035 General Plan Final EIR* was certified in 2010.

Vehicles would enter/exit the site via one driveway on Lakeside Drive, two driveways on Peterson Way, and two driveways on Tannery Way.

2.1.1.1 Utilities

Stormwater runoff would flow to bio-filtration swales and would be collected via catch basins. Stormwater would be treated then directed to the City's stormwater system. New 12-inch storm drains would be installed at the site and would connect to the City's existing storm drains on Peterson Way and Lakeside Drive. New sanitary sewer and water lines at the site would connect to existing sewer and water lines on Tannery Way.

2.1.1.2 Landscaping

The project would have landscaping throughout the site, including trees and shrubs planted along the perimeter of the buildings and in the parking lot area. The development would also include recreational areas available to the tenants including a private patio with a barbeque area and seating, a bocce court, sport court and a beach/play area. The amenity space attached to the parking structure would include a barbeque area, landscaping and seating.

2.1.1.3 Green Building Measures

The project would comply with the California Green Building Standards code (CALGreen) and achieve a minimum of 50 points through the GreenPoint Rated certification system or a Leadership in Energy and Energy and Environmental Design (LEED) Gold certification.² The project includes the following green building measures:

- Access (within walking distance) to existing public transit;
- Constructing in conformance with the Title 24 and CALGreen to promote energy and water efficiency;
- Vegetation that requires low water usage;
- Recycling services on-site to reduce solid waste disposal;
- Planting trees to reduce the heat island effect;
- Buildings with low emitting interior building materials (e.g., flooring, ceilings); and
- Provide for use of electrical lawn and garden equipment.

2.1.1.5 Transportation Demand Management Plan

In compliance with the City's Climate Action Plan, the project would achieve a 25 percent vehicle miles traveled (VMT) reduction, of which 10 percent would be achieved with implementation of the project's transportation demand management (TDM) measures and the remaining 15 percent from the project's design and location. The project includes:

- Carpool and vanpool programs;

² The GreenPoint Rated system was established by the U.S. Green Building Council.

- Clean air and electric vehicle parking and charging stations;
- Bicycle parking facilities;
- Incentives for alternative modes for transportation (e.g., pre-tax clipper card benefit for transit);
- Emergency ride home program;
- Program monitoring and reporting to determine the success of the TDM program (e.g., annual count of vehicles entering the site and annual reporting to the City); and
- Provide Transportation Coordinator, for the proposed office buildings, who will be responsible for implementing and managing the TDM Plan. The Transportation Coordinator will be a point of contact and will be responsible for ensuring that the employees are aware of transportation options. The Transportation Coordinator will provide the following services:
 - Provide information to employees about the emergency ride home program;
 - Manage the annual employee survey and driveway counts; and
 - Provide trip planning assistance and/or ride-matching assistance to employees who are considering an alternative mode of transportation.

2.1.1.6 Construction and Demolition

Demolition and construction of the project would take approximately 24 months in one phase. The project would remove approximately 19,000 cubic yards of soil from the site.

2.2 PROPOSED CHANGES TO THE APPROVED PROJECT

No changes are proposed to the total square footage of office, R&D, or amenity space on-site, the size, massing, or location of entitled buildings and parking structures, site access, or project phasing as detailed above and in the *3625 Peterson Way Office Project FEIR* (2020).

2.2.1 Extension of the Approved Entitlement

Under the 2020 approved project, the terms of the entitlements include a termination date of July 2022 for the variance and September 2022 for the architectural review. For good cause shown, the Planning Commission is authorized by the City Code to grant an extension of the entitlements for up to two years past the original expiration date (to July 2024 for the variance, and to September 2024 for the architectural review).

2.2.2 Changes to Existing Conditions and Regulatory Requirements

The area surrounding the project site has not changed substantially since the original project was approved in 2020. All buildings around the site remain in their existing state and no new construction has occurred that would contribute to new impacts. The hotel that was proposed at the time of analysis at 2970 Lakeside Drive and parking structure at 3535 Garrett Drive (as was accounted for in the cumulative analysis) is now complete and no construction is currently occurring in the project area. The street network and physical environment remain the same and no adjustments have been made to the utility systems on-site.

3.0 ENVIRONMENTAL IMPACTS OF THE PROPOSED CHANGES TO THE APPROVED PROJECT

The discussion below describes the environmental impacts of the 2020 approved project, changes that have occurred in the environmental setting, and any resulting new impacts or impacts of greater severity than those identified in the previously certified FEIR. This Addendum only addresses those resource areas that would be affected by the proposed changes to the approved project (i.e., extension of the entitlement).

The conditions in the area around the project site remained relatively unchanged. As a result, new or more severe impacts on air quality and the noise environment would not be created by construction or operation of the project, because the scope of the project remains the same as the approved project. Additionally, since the project design is unchanged, new or more severe impacts on biological resources, cultural resources, and hydrology/water quality would not occur, because the project would not affect more natural habitat or disturb more land area.

The location and intensity of development would remain unchanged, therefore, the impacts associated with aesthetics, agriculture, hazards and hazardous materials, land use, mineral resources, public services, tribal cultural resources, utilities, or wildfire would remain the same as those in the approved FEIR. These impacts would be comparable to the approved project because they are primarily related to the project site, design, and uses which remain unchanged.

Lastly, all mitigation measures, regulatory requirements, and conditions of approval identified in the FEIR are still required to be implemented and are incorporated here by reference. Therefore, as stated above, the impacts to the following resource areas would not change from the approved FEIR:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Public Services
- Recreation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

3.1 TRANSPORTATION

The transportation analysis for the approved project was completed prior to the City of Santa Clara's adoption of a vehicle miles traveled (VMT) policy in July of 2020. The analysis provided in the FEIR is based on level of service (LOS) thresholds. The analysis did include a discussion of compliance with the State VMT policy but did not look at compliance with local VMT policies. While the metric by which transportation impacts are assessed has changed, the transportation system around the project site is the same as the existing conditions established in the FEIR.

3.1.1 Findings of the Previously Certified FEIR

The proposed project was determined to have a significant and unavoidable impact on LOS based on delays and volume to capacity ratios. The project implemented multiple transportation demand management measures and improvement-based mitigation measures; however, these did not reduce the impact to a less than significant level and a statement of overriding considerations was prepared for the project. Mitigation included the following measures, measures which are skipped were determined infeasible in the approved SEIR:

MM TRN-1a: The project shall modify the eastbound/westbound approaches of the Lakeside Drive and Augustine Drive intersection to include one shared left and- through lane and one right-turn lane in the westbound approach, and one shared left-and-through and one shared right-and-through lane in the eastbound approach. These improvements would require changing the signal phasing from protected to split phasing in the eastbound/westbound direction.

MM TRN-1c: The project shall add a separate southbound right-turn lane at the Great America Parkway and Old Mountain View-Alviso Road intersection. The southbound approach at this intersection currently consists of one left-turn lane, three through lanes, and an eight-foot wide bicycle lane/right-turn lane. Implementation of the separate southbound right-turn lane improvement would require the widening of the west side of Great America Parkway (north of Old Mountain View/Alviso Road) by approximately eight feet to provide one six-foot bicycle lane and one 10-foot right-turn lane for a distance of approximately 150 feet.

MM TRN-1e: The project applicant shall make a fair-share contribution towards the addition of a second southbound left-turn lane at Bowers Avenue and Scott Boulevard (identified as mitigation for the approved City Place development). This improvement would require reducing the width of the three southbound through-lanes from 12 feet to 10 feet and partial removal of the raised center median to provide a second 10- to 12-foot left-turn lane without affecting the adjacent sidewalks and bicycle lane. A separate northbound right-turn lane shall also be added to this intersection. The northbound approach at this intersection currently consists of one left- turn lane, two through lanes, one shared through- and right-turn lane, and a six-foot wide bicycle lane. Implementation of the separate northbound right-turn lane would require the widening of the east side of Bowers Avenue (south of Scott Boulevard) by a minimum of 10 feet to provide one six-foot bicycle lane and one 10-foot right-turn lane. These improvements would require partial removal of the landscaping and removal of two trees to accommodate a five-foot sidewalk along the east side of Bowers Avenue.

MM TRN-1f: The project applicant shall make a fair-share contribution toward planned improvements at the San Tomas Expressway and Scott Boulevard intersection. Planned improvements include the addition of a second

westbound right-turn lane at this intersection (identified as a Tier 1C priority improvement in the Comprehensive County Expressway Planning Study 2008 Update and is included in the City of Santa Clara Traffic Mitigation Program). The addition of an interchange is also a planned improvement (Tier 2 priority improvement in the Comprehensive County Expressway Planning Study 2008 Update) at this intersection.

MM TRN-1g: The project applicant shall pay a fair share contribution toward the addition of a second northbound left-turn lane (identified in the approved City Place FEIR).

MM TRN-1h: The project shall make a fair share contribution to the addition of a second eastbound left-turn lane at the Oakmead Parkway/Corvin Drive and Central Expressway intersection.

The approved project was found to generate an estimated VMT of 12,546,631 per year and would be consistent with the CEQA Guidelines Section 15064.3, Subdivision (b)(1) regarding VMT at the time of adoption. This determination was made because the land uses of the approved project were similar to the surrounding area which consists of mostly office uses. Therefore, the approved project was determined to result in a less than significant increase in VMT in the area.

Additionally, the approved project would not introduce new uses incompatible with the existing roadway networks or create hazards through new geometric design on-site and would not result in inadequate emergency access to the site or areas around the site.

3.1.2 Impacts from Extension of the Entitlement

Extension of the approved entitlement, by itself, would have no impact on transportation as the design of the previously approved project, including the parking and site access, has not changed.

The City of Santa Clara adopted a VMT policy for the City in July 2020 after the project was circulated and approved. The policy stated that projects that are currently approved, or that were scheduled for adoption prior to July 1, 2020 (and actually adopted by that date), will not require any supplemental VMT environmental review unless the "Project" requires supplemental environmental review not covered by an addendum. Therefore, the extension of this entitlement would not require further VMT analysis and would not result in new or more significant impacts related to transportation impacts.

The approved project was found to result in significant unavoidable impacts to roadway operations near the project site. The project would be required to implement all previously identified mitigation measures (see Section 3.1.1 above) and transportation demand management measures (see Section 2.1.1.5 above). The re-entitlement process would not reduce or modify the impacts on LOS or the volume to capacity ratio of roadways around the project. Therefore, the project would not result in new or more severe traffic impacts.

4.0

CONCLUSION

Based on the above analysis and discussion, no substantive revisions are needed to the approved 2020 FEIR, because no new significant impacts or impacts of greater severity would result from the currently proposed project. Additionally, there have been no changes in circumstance in the project area that would result in new significant environmental impacts or more severe impacts; and no new information has come to light that would indicate the potential for new significant impacts or more severe impacts than were discussed in the approved FEIR. Therefore, no further evaluation is required, no Subsequent EIR is needed pursuant to State CEQA Guidelines Section 15162, and an EIR Addendum has therefore appropriately been prepared, pursuant to Section 15164.

Pursuant to CEQA Guidelines Section 15164(c), this Addendum need not be circulated for public review, but will be included in the public record file for the *3625 Peterson Way Final EIR*.

BY:

Andrew Crabtree
Director of Community Development

Signature

Date