

**ADDENDUM TO
THE SAN JOSÉ DOWNTOWN STRATEGY 2000 FINAL PROGRAM
ENVIRONMENTAL IMPACT REPORT (SCH #2003042127),
AND THE ENVISION SAN JOSÉ 2040 GENERAL PLAN FINAL PROGRAM
ENVIRONMENTAL IMPACT REPORT AS SUPPLEMENTED (SCH# 2009072096)**

Pursuant to Section 15164 of the CEQA Guidelines, the City of San José has prepared an Addendum to the San José Downtown Strategy 2000 Final Program Environmental Impact Report (Downtown Strategy 2000 FPEIR) and the Envision San José 2040 General Plan Final Program Environmental Impact Report (2040 GP FPEIR) and Supplemental Environmental Impact Report (2040 GP SEIR) because minor changes made to the project, as described below, do not raise important new issues about the significant impacts on the environment.

SP17-009 and T16-056 – SJSC Towers Mixed-Use Project. The existing car wash and hardscape would be demolished and a 298-foot-tall building with two towers constructed over four shared floors would be constructed. The ground floor would have up to 14,381 square feet of retail space along the East Santa Clara Street, North Fifth Street, and Fourth Street frontages. The first floor would have some limited parking and floors two through four would be utilized for parking. Parking would also be provided within a three-level below-grade garage. The two towers would have up to 610 residential units. Both towers would have designated lobby space on the shared first floor.

Location: The project is located at 39 North 5th Street, at the northwesterly corner of E. Santa Clara Street and North 5th Street.

Council District: 3.

Assessor's Parcel Numbers: 467-20-008, 467-20-009, 467-20-010, 467-20-013, 467-20-014, 467-20-082, 467-20-083, 467-20-086 and 467-20-087.

The environmental impacts of this project were addressed by the following Environmental Impact Reports: "The Downtown Strategy 2000 Final Program Environmental Impact Report," adopted by City Council Resolution No. 72767 on June 21, 2005; "Envision San José 2040 General Plan Final Program Environmental Impact Report," adopted by City Council Resolution No. 76041 on November 1, 2011; and "Supplemental Environmental Impact Report to the Envision San José 2040 General Plan Final Program Environmental Impact Report," adopted by City Council Resolution No. 77617 on December 15, 2015. The proposed project is eligible for an addendum pursuant to CEQA Guidelines §15164, which states that "A lead agency or 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 CEQA Guidelines §15162 calling for preparation of a subsequent EIR have occurred." Circumstances which would warrant a subsequent EIR include substantial changes in the project or new information of substantial importance which would require major revisions of the previous EIR due to the occurrence of new significant impacts and/or a substantial increase in the severity of previously identified significant effects.

The following impacts were reviewed and found to be adequately considered by the Downtown Strategy 2000 FPEIR and 2040 GP FPEIR as supplemented:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Agriculture Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology and Soils |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazardous Materials | <input checked="" type="checkbox"/> Hydrology & Water Quality |
| <input checked="" type="checkbox"/> Land Use | <input checked="" type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise |
| <input checked="" type="checkbox"/> Population and Housing | <input checked="" type="checkbox"/> Public Services | <input checked="" type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Transportation/Traffic | <input checked="" type="checkbox"/> Utilities & Service Systems | <input checked="" type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Growth Inducing | <input checked="" type="checkbox"/> Cumulative Impacts | |
| <input checked="" type="checkbox"/> Mandatory Findings of Significance | | |

ANALYSIS

The amount of residential and commercial development proposed for the site was included and analyzed in the Downtown Strategy 2000 FPEIR and the certified 2040 General Plan FPEIR as supplemented, at a program level.

The Downtown Strategy 2000 FPEIR, and Addenda thereto was a broad range, program-level environmental document, which analyzed the following level of development in the Greater Downtown Core Area during the planning horizon of Strategy 2000:

- 11.2 million square feet of office development;
- 8,500 residential dwelling units;
- 1.4 million square feet of retail development; and
- 3,600 hotel rooms.

The project, as proposed, would construct a mixed-use 28-story building with up to 610 residential units, 14,381 square feet of ground floor retail space, and flex/office space of up to 24,693 square feet on the third floor. The type and intensity of development proposed is consistent with the intent of the Downtown Strategy 2000 and the findings of the Downtown Strategy 2000 FPEIR. The 2040 GP FPEIR included the project site in the evaluation for the Downtown land use designation. This designation allows for office, retail, service, residential, and entertainment uses in the Downtown at very high intensities. The project conforms to the Downtown General Plan land use designation in that it proposes high-density residential and commercial uses, consistent with the Envision San José 2040 General Plan and the 2040 General Plan FEIR.

The project will not result in a substantial increase in the magnitude of any significant environmental impact previously identified in the EIRs. For these reasons, a supplemental or subsequent EIR is not required, and an Addendum to the Downtown Strategy 2000 EIR and the Envision San José 2040 General Plan EIR as supplemented has been prepared for the proposed project.

As analyzed in the attached Initial Study Addendum, the project would comply with the Greenhouse Gas Reduction Strategy identified in the 2040 General Plan and would not result in greenhouse gas emission impacts beyond those identified in the 2040 General Plan FPEIR and SEIR. The attached Initial Study Addendum provides background on the project description, specific project impacts, and the relationship between previous mitigation measures and the revised project. The findings of the Initial Study Addendum are listed below.

The proposed project would not degrade the quality of the environment with the implementation of identified standard permit conditions and mitigation measures. As discussed in Section 4.4 Biological Resources of the Initial Study/Addendum, the project would not impact sensitive habitat or species. While

there are historic and potentially historic structures in the immediate project vicinity and a potential for buried archaeological resources on-site, implementation of the identified mitigation measures in Section 4.5 Cultural Resources of the Initial Study/Addendum would avoid or reduce impacts to cultural resources to a less than significant level. Identified mitigation measures in Section 4.8 Hazardous Materials would avoid or reduce possible effects of previous and current automobile-related businesses in the vicinity a less than significant level. In the event the project requires piles for project construction, the identified mitigation measure in Section 4.12 Noise would reduce the noise and vibration impacts to less than significant levels. The project would not result in new or more significant impacts than identified in the certified Downtown Strategy 2000 EIR and General Plan EIR.

With the implementation of the identified mitigation measures, best management practices, and standard permit conditions, the project would not impact, geology and soils, hydrology and water quality, and would not contribute to cumulative impacts to these resources. The project would not impact agricultural and forest resources or mineral resources. The project would not contribute to a significant cumulative impact on these resources.

The project's contribution to a cumulative impact on aesthetics, biological resources, land use, population and housing, public services, recreation, and transportation were analyzed in the certified Downtown Strategy 2000 EIR and General Plan EIR. The proposed project would not result in a more significant cumulative impact related to these issues than disclosed within these documents.

The project would contribute to the significant cumulative transportation impact that would occur under full build out of the Downtown Strategy 2000 and General Plan. The project would not, however, result in any new or more significant cumulative impacts than the approved projects. Mitigation measures were adopted where feasible and statements of overriding considerations have been adopted for both plans.


The proposed project would not result in a new or greater cumulatively considerable impact to those previously identified in the General Plan EIR or Downtown Strategy 2000 EIR.

The Initial Study Addendum concluded that the proposed project would not result in any new significant impacts not previously disclosed in the Downtown Strategy 2000 FPEIR and the 2040 General Plan FPEIR as supplemented.

This Initial Study Addendum will not be circulated for public review, but will be attached to the San José Downtown Strategy 2000 EIR and the Envision San José 2040 General Plan EIR as supplemented pursuant of CEQA Guidelines §15164(c).

Harry Freitas, Director
Planning, Building and Code Enforcement

3/6/17
Date


Deputy