



CITY OF CAMPBELL
Community Development Department

**ADDENDUM TO THE PRUNYARD SHOPPING CENTER AND
OFFICES EXPANSION PROJECT MITIGATED NEGATIVE
DECLARATION (2016)**

Pursuant to Sections 15162 and 15164 of the California Environmental Quality Act (CEQA) Guidelines, the City of Campbell has prepared an addendum to the Pruneyard Shopping Center and Offices Expansion Project Mitigated Negative Declaration because only minor changes, that do not raise important new issues about the significant impacts on the environment, has been made to the project. The changes have been described below.

REVISED PROJECT OVERVIEW

Project Address: 1875, 1887, 1901, 1919, 1995, & 1999 S. Bascom Avenue and 777 E. Campbell Avenue, Campbell, CA 95008

City File No.: PLN-2020-54

Entitlement(s): **Master Use Permit Amendment:** For (1) a revised phasing plan to allow the approved office building and a partial expansion of the existing parking structure to be constructed as Phase 3 ahead of the approved retail buildings (as new Phase 4), further expansion of the existing parking structure in Phase 4, and a four-year extension of the permit deadline for new Phase 4 from December 2022 to December 2026, (2) minor architectural changes, a nominal increase in building area, and elimination of the underground parking to the approved office building, and associated site/parking layout changes, (3) a revised design for the parking structure expansion to incorporate enhanced architectural treatment and associated site layout/circulation changes around the traffic circle to increase pedestrian connectivity, (4) a change to the land use program to allow medical service clinics as a permitted use within the office parcel, and (5) revise the parking management plan to allow exclusive use of approximately 60 parking stalls for the new office building tenant(s) during typical office hours, and (6) require implementation of the valet parking program only at the completion of Phase 3 (which is not required at the current phase) when certain occupancy thresholds are met.

Tentative Parcel Map: To allow creation of a fourth parcel created from the existing office parcel.

Zoning District : C-2-O (General Commercial / Overlay) Combining Zoning District

General Plan: *General Commercial*

Project Sponsor: Pruneyard Office Investors LLC
111 Sutter Street, #800
San Francisco, CA 94104

Lead Agency: City of Campbell
70 N. First Street, Campbell, CA 95008

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APPROVED PROJECT

In August 2016, the City of Campbell prepared an Initial Study and draft Mitigated Negative Declaration in accordance with CEQA for the Pruneyard Shopping Center and Offices Expansion Project (hereinafter the "Approved Project"), as described, below:

A Zoning Map Amendment (PLN2015-357) to amend the Campbell Zoning Map to rezone a portion of The Pruneyard from the C-2 (General Commercial) Zoning District to the C-2-O (General Commercial / Overlay) Combining Zoning District; a Master Use Permit (PLN2015-358) to allow the construction of a 100,000 square-foot (5-story) office building, four retail buildings constituting 18,600 square-feet, a 30,000 square-foot fitness facility or a 12,000 square-foot retail/office building, expansion of the existing parking structure (3 or 5 stories), various site improvements, alterations to existing buildings, establishment of a new land use program including specifying permitted and conditional uses, continued allowance of a shared parking program, and implementation of a transportation demand management program (TDM); a Tentative Vesting Parcel Map (PLN2015-77) to allow division of the property into three parcels; a Tree Removal Permit (PLN2015-335) to allow removal of on-site "protected" trees; a Master Sign Plan with a Freeway Oriented Sign (PLN2015-78) to allow a new comprehensive signage scheme including an increase in sign area, height, and number; and a Zoning Code Amendment (PLN2015-76) to revise various sections of the Campbell Zoning Code (Title 21 of the Campbell Municipal Code) to reference the land use program created by the Master Use Permit and to allow the signage proposed by the Master Sign Plan.

On October 18, 2016, in conjunction with granting entitlement approval, the City of Campbell City Council adopted Resolution No. 12067 approving a Mitigated Negative Declaration for the Approved Project. The Mitigated Negative Declaration and Initial Study (and supporting technical studies) are herein incorporated by reference with this addendum and may be viewed online at: <https://www.ci.campbell.ca.us/DocumentCenter/View/17653/Pruneyard-MND-and-Initial-Study-2016>

PROPOSED CHANGES

On June 1, 2020, the project sponsor submitted applications (PLN-2020-54) for an Amendment to the Pruneyard Master Use Permit and a Tentative Parcel Map, as more specifically described on Page 1 (hereinafter the "Revised Project"). The changes proposed by the Revised Project are largely intended to allow for an extended and revised construction phasing plan in response to the economic challenges brought upon by the COVID-19 pandemic by allowing construction of the approved office building ahead of the approved retail buildings and splitting expansion of the shared parking structure into two phases (and minor architectural and site improvement changes associated with the phased parking structure construction). To facilitate the construction of the office building, the project sponsor is also proposing creation of an additional parcel created from the existing office parcel and elimination of the underground parking (to reduce construction cost). The remaining changes proposed by the Revised Project relate to nominal revision to the Master Use Permit's parking management, valet parking, and land use programs.

APPLICABILITY

The California Environmental Quality Act (CEQA) recognizes that between the date a Mitigated Negative Declaration (MND) is adopted and the date the project is fully implemented, one or more of the following changes may occur:

1. The scope of the project may change;
2. The environmental setting in which the project is located may change;
3. Certain environmental laws, regulations, or policies may change; and/or
4. Previously unknown information may arise.

CEQA requires a Lead Agency to evaluate these changes and determine whether they are significant or otherwise substantially affect the conclusions in a previously adopted environmental document.

Specifically, CEQA requires lead agencies to conduct an evaluation of proposed changes to a project in order to determine whether further environmental analysis is required. Pursuant to Public Resources Code §21166, when a previous environmental review for a project has been prepared and approved, no subsequent or supplemental environmental review shall be required unless:

- (a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report.
- (b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.
- (c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

CEQA Guidelines Section 15162 further clarifies that:

- (a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR [or negative declaration] shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the 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 or negative declaration would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
- (b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.
- (c) Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subdivision (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation no other responsible agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.

If none of the conditions set forth in CEQA Guidelines Section 15162 requiring a lead agency to prepare a subsequent negative declaration are met, Section 15164 authorizes the lead agency to prepare an addendum to the previously approved negative declaration. In relevant part, Section 15164 states:

- (b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

Therefore, as described, below, an addendum to the adopted Mitigated Negative Declaration is the appropriate level of environmental review for the Revised Project. It is also noted that the Revised Project does include creation of an additional (fourth) parcel beyond the original three parcels allowed by the Approved Project. Since the approved parcelization has been finalized, the creation of one additional parcel is itself exempt from formal environmental pursuant to the minor land division exemption specified by CEQA Guidelines Section 15315, since the division is in conformance with the General Plan and Zoning Code, no variances or exceptions are required, all services and access to the proposed parcel to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent.

ENVIRONMENTAL DETERMINATION

The area of ground disturbance, amount of soil excavation, new vehicular trips, creation of new sources of lighting and noise, and construction of new building square-footage of the Revised Project would be substantially the same or less as disclosed and analyzed in the adopted Mitigated Negative Declaration for the Approved Project. Moreover, neither the revisions to the Approved Project's construction phasing plan nor to its parking management, valet parking, or land use programs would have any discernable or identifiable environmental impact beyond that already considered by the environmental review of the Approved Project. As such, the Revised Project would have the same impacts concerning the following environmental issues that were mitigated to a less than significant level through implementation of the previously adopted mitigation measures:

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| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards/Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral/Energy Resources | <input checked="" type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Circulation | <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

As such, the Revised Project would not result in any new significant impacts not previously disclosed in the adopted Mitigated Negative Declaration nor would it result in a substantial increase in the magnitude of any previously identified significant environmental impacts such that the adopted Mitigated Negative Declaration would continue to provide a full and adequate environmental review required by CEQA. Therefore, none of the conditions described in CEQA Guidelines Section 15162 that would require preparation of a new Mitigated Negative Declaration apply. An addendum, therefore, may be appropriately prepared pursuant to Section 15164.

This addendum will not be circulated for public review but will be attached to the adopted Mitigated Negative Declaration for the Approved Project, pursuant to CEQA Guidelines section 15164(c) and posted to the City's website. All documents referenced in this addendum are available for public review online on the City's 'Environmental Notices' webpage at <http://www.cityofcampbell.com/Archive.aspx?AMID=49>



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February 1, 2021

Date