

# **ADDENDUM TO THE 4300 STEVENS CREEK BOULEVARD FINAL ENVIRONMENTAL IMPACT REPORT FOR THE 4300 STEVENS CREEK MIXED-USE PROJECT**

January 2024

## **Section 1.0 Purpose of the Addendum**

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The California Environmental Quality Act (CEQA) recognizes that between the date an environmental document is certified 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 certified environmental document.

In February 2019, the City of San José certified the 4300 Stevens Creek Boulevard Mixed-Use project's Final Environmental Impact Report (FEIR). The FEIR analyzed a Planned Development Rezoning and a Planned Development Permit (File Nos. PDC16-036 and PD17-014) for the demolition of all existing buildings on-site (comprised of a group of three two-story and one one-story office buildings, and a one-story commercial building), existing surface parking lots, ancillary structures, relocation of utilities and public street (Lopina Way), removal of all trees and other landscaping; and development of approximately 315,000 square feet of office/commercial space (including 15,000 to 22,000 square feet of ground-floor retail) and up to 582 residential units with a six-story office/commercial building (Building A) and two eight-story residential buildings (Building C and Building D), one with up to 15,000 square feet of ground floor retail, and a six-level parking garage (Building B).

In August 2022, the City of San José approved an Addendum to the FEIR (File Nos. PDC20-021 and PD20-012) which analyzed changes to the project, including a reduction of two residential units, removal of the office use and parking structure, the addition of a new 250-room hotel, a reduction in building height, and a reduction of on-site retail use from a maximum of 22,000 square feet to 10,846 square feet. In addition, the two existing one-story buildings would now be retained on-site.

### **1.1 Preparation of this Addendum**

The intent and purpose of the FEIR and subsequent Addendum was to provide project-level environmental review for the mixed-use project. This Addendum tiers from the certified FEIR and subsequent Addendum and provides analysis for the proposed changes to the project, including

phased project construction and installation of bollards restricting vehicular access across the existing Lopina way.

CEQA Guidelines Section 15162 states that when an Environmental Impact Report 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 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.

The Lead Agency shall prepare an initial study tiering from a previously certified FEIR if some changes or additions are necessary, but none of the conditions described in Section 15162 (see above) calling for preparation of a subsequent FEIR have occurred.

This Addendum analyzes the Stevens Creek Promenade Project under CEQA Guidelines Section 15162 to determine whether any of the proposed project changes would result in new or substantially more severe impacts than were previously disclosed in the certified FEIR and 2022 Addendum.

## Section 2.0      Summary of 4300 Stevens Creek Mixed Use Project FEIR and Addendum

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Section 2.1 below provides a summary of the 2019 approved project under File Nos. PDC16-036 and PD17-014, Section 2.2 provides a summary of the 2022 approved project under Files Nos. PDC20-021 and PD20-012, and Section 2.3 describes the proposed changes to the 2022 project, herein referred to as the modified project.

### 2.1      Summary of 4300 Stevens Creek Boulevard Mixed- Use Project

The 4300 Stevens Creek Blvd. Mixed-Use project (approved February 26, 2019, File Nos. PDC16-036 and PD17-014) allows for the demolition of all five existing buildings on-site (comprised of a group of three two-story and one one-story office buildings, and a one-story commercial building), existing surface parking lots, ancillary structures, relocation of utilities and public street (Lopina Way), removal of all trees and other landscaping; and development of approximately 315,000 square feet of office/commercial space (including 15,000 to 22,000 square feet of ground-floor retail) and up to 582 residential units with a six-story office/commercial building (Building A) and two eight-story residential buildings (Building C and Building D), one with up to 15,000 square feet of ground floor retail. A six-level parking garage (Building B) is also included as described below.

The 582 residential units would be located on the west side of the project site. The project site would have a density of 110 dwelling units per acre (du/ac). At least 15 percent of the proposed residential units would be affordable (i.e., below market rate). On the east side of the site, an approximately 233,000 to 300,000 square foot office building and a six-level parking garage was proposed.

Building A, located along Stevens Creek Boulevard at the northeast corner of the site, would have a maximum height of approximately 91 feet to the parapet and 100 feet to the top of the mechanical screening. Of the 233,000 to 300,000 square feet of office space, up to 7,000 square feet could be optional retail space.

Residential parking would be provided on-site within parking garages in both Building C and Building D. The garages would be located within the centers of the buildings, wrapped by the residential units. Building C would have eight levels of above-grade parking and two levels of below-grade parking, with approximately 375 parking spaces for residences and 50 parking spaces for retail. Building D would have eight levels of above-grade parking and one level of below-grade parking, with approximately 382 residential parking spaces.

The parking structure, Building B, would serve the proposed office and retail uses, and would be located along Albany Drive at the southeast corner of the site. The parking structure would have five levels of above-grade parking and one level of below-grade parking. The structure would have a maximum height of 42 feet (60 feet to the top of the elevator enclosure) and approximately 858 parking stalls.

The existing driveways on Stevens Creek Boulevard would be removed and replaced with driveways at the northwest and northeast corners of the project site along Stevens Creek Boulevard. In addition, the approved project also proposed two new driveways along Albany Drive that would provide access to Building B (from Lopina Way) and Building D.

Building C, located along Stevens Creek Boulevard at the northwest corner of the site, would have up to 289 residential units and up to approximately 10,000 to 15,000 square feet of ground floor retail. Building C would be up to approximately 95 feet tall.

Building D, located along Albany Drive at the southwest corner of the site, would have up to 293 residential units. The building would be approximately 84 to 95 feet tall to the rooftop along the north façade, stepping down to between 21.5 and 52 feet tall along Albany Drive.

The project would vacate the existing Lopina Way and relocate it to the eastern property line. The existing Lopina Way area would be replaced with an approximately 1.4-acre landscaped promenade which would operate as privately owned, publicly accessible open space.

Construction activities would occur over 550 days.

## 2.2 Summary of the Revised Stevens Creek Promenade Mixed Use Project

The Stevens Creek Promenade Addendum was approved in August 2022 (File Nos. PDC20-021 and PD20-012). This project would demolish the three two-story office buildings, retain the one-story office building and one-story commercial building (4360 and 4400 Stevens Creek Boulevard), and develop three residential buildings with a total of 580 residential units and a 250-room hotel with 8,530 square feet of retail space. Two of the new residential buildings would provide 407 market rate units, and the third new residential building would provide 173 below market rate (BMR) units. Vehicle parking would be provided in a parking garage within each new building (described below), and 101 of existing surface parking spaces would remain adjacent to the buildings being retained. The project would provide an open space area of approximately 1.4-acres. The details of the buildings included in the project are described below:

- Building A
  - Five floors and one level of podium parking, 77 feet and six inches in height
  - 173-unit Affordable (Residential Building 155,845 square feet, podium 43,270 square feet)

- 87 parking spaces (nine EV stalls)
- 44 bike parking spaces
- Building B
  - Five floors and two levels of podium parking, 89 feet and six inches in height
  - 191-unit Market Rate (Residential Building 200,715 square feet, podium 95,827 square feet)
  - 191 parking spaces provided (19 EV stalls)
  - 48 bike parking spaces
- Building C
  - Five floors and two levels of podium parking, 89 feet and six inches in height
  - 216-unit Market Rate (Residential Building 216,925 square feet, podium 107,940 sf)
  - 216 parking spaces provided (22 EV stalls)

The construction timeframe would increase from approximately 550 to 664 days.

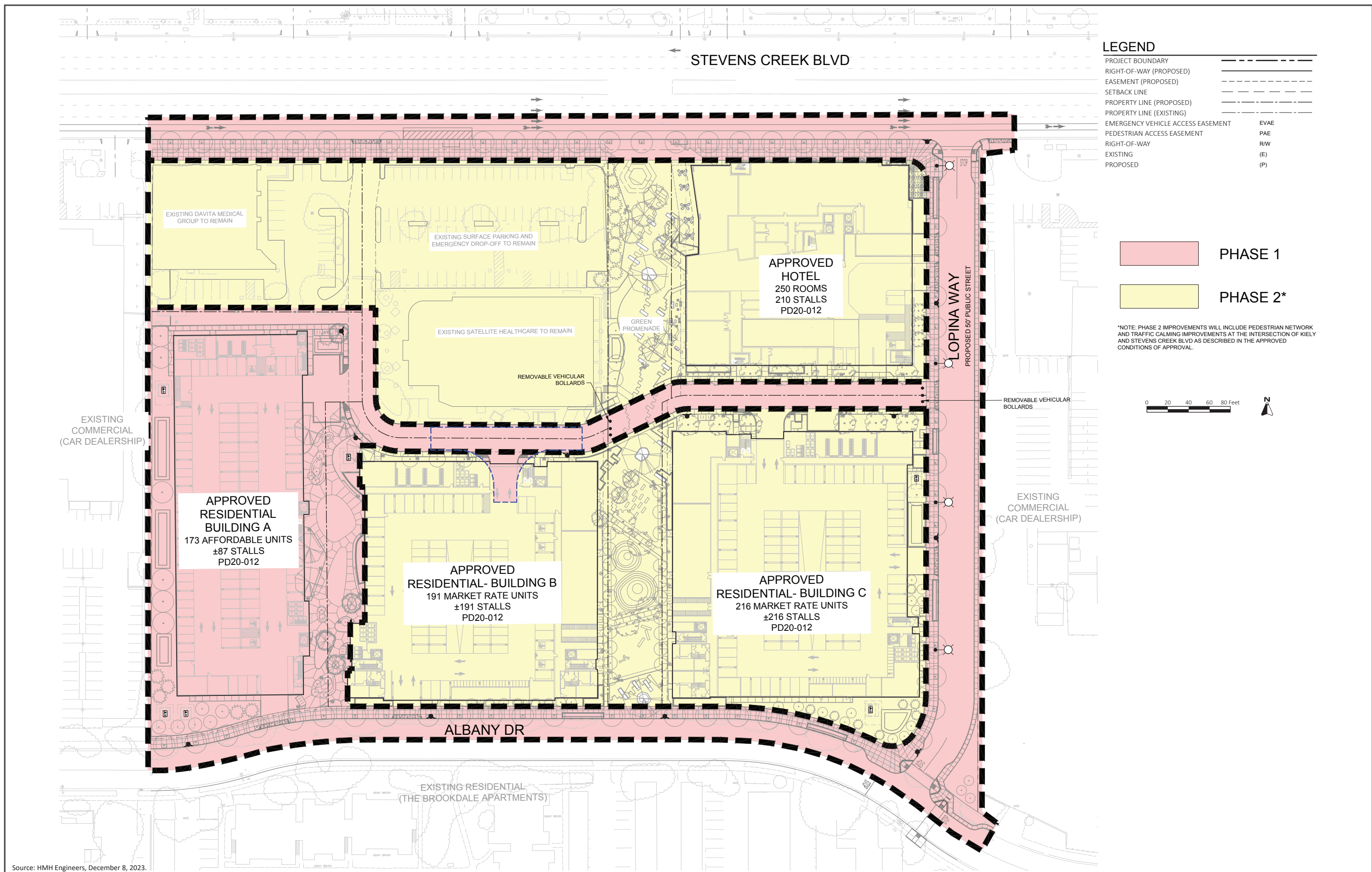
Documents related to the original project and the project addendum are located at this [link](#).

## 2.3 Proposed Modified Project

As approved, the project would be constructed in a single phase. The modified project would allow for phased project construction and the installation of temporary bollards restricting vehicular access across the existing Lopina way. No changes to the number of residential units, hotel rooms, or square footage of buildings from the previously approved project are proposed.

The first phase of the construction would include construction of Residential Building A on the west side of the project site, completion of site preparation improvements on the remainder of the site (except Lopina Way), construction of building pads for the remaining structures, and installation of vehicular bollards. The second phase of construction would include completing construction of Buildings B and C, relocation of Lopina Way, construction of the pedestrian promenade, and construction of the improvements at the intersection of Kiely Boulevard and Stevens Creek Boulevard. The second construction phase would start approximately one year after completion of Phase 1. The total timeframe of construction activities for both phases combined would remain approximately 664 days, not including the one-year construction break between phases. The phasing plan can be seen in Figure 2.3-1 below.





Source: HMM Engineers, December 8, 2023.

## Section 3.0 Environmental Impacts of the Proposed Changes to the Project

Compared to the approved project, the modified project would be exactly the same as the 2022 approved project but would construct the project in two phases as opposed to a single construction phase. This Addendum analyzes the impacts of the modified project and consistency with the FEIR and subsequent Addendum regarding the following environmental issues:

- Air Quality
- Noise and Vibration

### 3.1 Air Quality

The information in this section is based in part on the supplementary Air Quality Assessment completed for the modified project by Illingworth and Rodkin, Inc. on January 4, 2024. This Air Quality Assessment is included as Appendix A of this environmental document.

The change to the approved project relevant to air quality is the change in the phasing of the project construction. As mentioned in Section 2.3, the extent of development would not change; therefore, operational impacts would be the same as the approved project and this analysis only addresses construction air quality impacts.

#### 3.1.1 Findings of the Approved Project

##### 3.1.1.1 Construction Period Emissions – Criteria Pollutants

As shown in Table 3.1-1 below, the construction period criteria pollutant emissions associated with the approved project would not exceed the Bay Area Air Quality Management District (BAAQMD) significance thresholds for any criteria pollutants during any construction year.

**Table 3.1-1: Construction Emissions for the Project**

Description	ROG	NO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
2023 Project Construction Emissions (tons/year)	0.47	3.34	0.17	0.13
2024 Project Construction Emissions (tons/year)	5.34	2.62	0.14	0.10
2025 Project Construction Emissions (tons/year)	0.30	0.96	0.06	0.04
<b>BAAQMD Thresholds (tons/year)</b>	<b>10</b>	<b>10</b>	<b>15</b>	<b>10</b>
Threshold Exceeded?	No	No	No	No
2023 Project Construction Emissions (pounds/day)	3.64	25.68	1.34	1.03
2024 Project Construction Emissions (pounds/day)	40.76	19.99	1.08	0.80
2025 Project Construction Emissions (pounds/day)	4.28	13.47	0.79	0.51

BAAQMD Thresholds (pounds/year)	54	54	82	54
Threshold Exceeded?	No	No	No	No

The approved project would implement required Standard Permit Conditions established by the City of San José to control particulate matter on-site through best management practices.

During any construction period ground disturbance, the applicant shall ensure that the project contractor implements measures to control dust and exhaust. Implementation of the measures recommended by BAAQMD (noted below) and consistent with the approved project would reduce the air quality impacts associated with grading and new construction to a less than significant level.

#### Standard Permit Conditions

1. Water active construction areas at least twice daily or as often as needed to control dust and emissions.
2. All trucks hauling soil, sand, and other loose materials shall be covered and all trucks shall maintain at least two feet of freeboard.
3. Remove visible mud or dirt track-out onto adjacent public roads using wet power vacuum street sweepers at least once per day. The use of dry power sweepers is prohibited.
4. Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.)
5. Pave new or improved roadways, driveways, and sidewalks as soon as possible.
6. Lay building pads as soon as possible after grading unless seeding or soil binders are used.
7. Replant vegetation in disturbed areas as quickly as possible.
8. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
9. Minimize idling times either by shutting off equipment when not in use, or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of the California Code of Regulations). Provide clear signage for construction workers at all access points.
10. Maintain and properly tune construction equipment in accordance with the manufacturer's specifications. Check all equipment by a certified mechanic and record a determination of running in proper condition prior to operation.
11. Post a publicly visible sign with the telephone number and a person to contact at the lead agency regarding dust complaints.

With the implementation of the City's Standard Permit Conditions and compliance with BAAQMD's measures included above, the approved project was found to result in a less than significant criteria pollutant impact during construction.

#### 3.1.1.2 *Community Risk from Project Construction*

Project construction would require the use of heavy-duty diesel trucks which are known sources of toxic air contaminants (TACs). Construction emissions may pose a health risk for sensitive receptors near the project site including surrounding residents. Primary community risk impacts are cancer



risk and exposure to Particulate Matter (PM<sub>2.5</sub>). The community risk impacts of the approved project are summarized in Table 3.1-2 below.

**Table 3.1-2 Construction Risk Impacts at the Off-Site Project Receptors**

Source	Cancer Risk (per million)	Annual PM <sub>2.5</sub> (ug/m <sup>3</sup> )	Hazard Index
Project Construction (Unmitigated)	<b>18.63</b>	0.28	0.01
<b>BAAQMD Single-Source Threshold</b>	<b>10</b>	<b>0.3</b>	<b>1.0</b>
Exceed Threshold?	Yes	No	No

The approved project was found to exceed BAAQMD single source thresholds without mitigation, and the following mitigation measure was provided to reduce TAC risks to a less than significant level.

**MM AIR-1.1:**

Prior to the issuance of any demolition, grading and/or building permits (whichever occurs earliest), the project applicant shall prepare and submit a construction operations plan that includes specifications of the equipment to be used during construction to the Director of Planning, Building and Code Enforcement or the Director's designee. The plan shall be accompanied by a letter signed by a qualified air quality specialist, verifying that the equipment included in the plan meets the standards set forth below.

- For all construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total, use equipment that meet U.S. Environmental Protection Agency (EPA) Tier 4 emission standards for NOx and PM (PM<sub>10</sub> and PM<sub>2.5</sub>).
- If Tier 4 equipment is not available, all construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA emission standards for Tier 2 or 3 engines and include particulate matter emissions control equivalent to CARB verifiable diesel emission control devices that altogether achieve a 50 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment.
- Use of alternatively fueled or electric equipment may be used in combination with or in place of diesel- powered equipment to achieve the same percentage reduction in particulate matter exhaust.
- Use of electrical or non-diesel equipment with lower NOx emissions that meet the NOx and PM reduction requirements above.

Alternatively, the project applicant could develop a plan that reduces on- and near-site construction diesel particulate matter emissions by a minimum of 50 percent or greater. The plan shall be reviewed and approved by the Director of Planning or Director's designee of the City of San José

Department of Planning, Building and Code Enforcement prior to the issuance of any demolition, grading, or building permits (whichever occurs earliest).

Prior to the issuance of any demolition, grading, and/or building permits (whichever occurs earliest), the project applicant shall submit the construction operations plan and confirmation letter from the qualified air quality specialist to the Director of Planning, Building and Code Enforcement or Director's designee, for review and approval.

With implementation of the mitigation measure, the cancer risk would be reduced to 2.51 cases per million which is below BAAQMD's single-source threshold. Therefore, the approved project was found to have a less than significant community health risk impact with mitigation incorporated.

## 3.1.2 Impacts of the Modified Project

### 3.1.2.1 *Construction Criteria Air Quality Impacts*

Construction phasing of the proposed project would not change the amount of construction equipment on-site, but would adjust the timing of construction on different parts of the project site.

Even with the proposed phased development, the total construction emissions would be equivalent to the approved project. The extended construction period would disperse the expected emissions of the proposed project over a longer period of time and over two phases, which would reduce the intensity of criteria air pollutant exposure on sensitive receptors. Additionally, while project construction would not exceed BAAQMD criteria pollutant thresholds, the Standard Permit Conditions included in the approved project to control exhaust and particulate matter would further reduce the impacts of construction criteria pollutants on sensitive receptors. Therefore, the modified project would not result in a significant increase in criteria pollutants, and the change in phasing of the project would not result in new or more significant impacts.

### 3.1.2.2 *Community Risk from Project Construction*

The project construction phasing would change the timing of TAC emissions. However, similar to construction criteria pollutant emissions, total TAC emissions levels would be comparable to the total TAC emissions levels analyzed for the approved project. While the overall construction schedule would be extended over two phases with the one-year construction stoppage between Phases 1 and 2, the exposure of sensitive receptors to TACs would be equal or less than the approved project because the daily emissions from construction activities would still occur over approximately 644 days. Further, the mitigation measure MM AIR-1.1 is required to be implemented and would ensure impacts from TAC exposure would be less than significant. Therefore, the modified project would not result in new or more significant health risk impacts.

### 3.1.2.3 *Non-CEQA Effects*

Due to the phased construction, one building on-site (Building A) would be constructed and occupied prior to the completion of the rest of the project. This would create new on-site sensitive receptors which would not be present under the approved project. The new sensitive receptors would be located approximately 40 to 60 feet from the nearest construction occurring during Phase 2. Additionally, based on prevailing winds, the new receptors within Building A would be located predominately upwind from construction. The identified off-site maximally exposure individual (MEI) for the approved project is located approximately 80 feet downwind of the project site. Receptors which are downwind of the source of construction would be exposed to greater emissions during project construction than those receptors upwind.

The measures proposed to mitigate construction impacts at the off-site MEI receptor would also be implemented and sufficient to reduce construction emissions below the BAAQMD thresholds for the new sensitive receptors within Building A. This is because the Building A receptors would only be exposed to the second phase of construction, which would primarily include construction of the remaining buildings.

The majority of the demolition and earthmoving activities for the project, which are the activities that generate the most dust and include the most heavy-equipment usage, would occur in Phase 1, during construction of Building A and prior to its occupancy. Because the on-site receptors which would be upwind of the construction and exposed to a shorter construction period and less heavy equipment usage compared to the off-site MEI receptor, which would be exposed to emissions from both Phases 1 and 2, the on-site residents exposure risk would be below the BAAQMD threshold with inclusion of the previously identified mitigation. Therefore, the effects of phased construction would not result in negative health risk effects to new on-site residents.

## 3.2 Noise

The information in this section is based in part on the supplemental Noise and Vibration Assessment completed for the modified project by Illingworth and Rodkin, Inc. on January 4, 2024. This is included as Appendix B of this environmental document.

The change to the approved project relevant to noise and vibration is the change in the phasing of the project construction. As mentioned in Section 2.3, the extent of development would not change; therefore, operational impacts would be consistent with the approved project and this analysis only addresses construction noise and vibration impacts.

### 3.2.1 Findings of the Approved Project

#### 3.2.1.1 *Construction Noise Impacts on Off-site Receptors*

Construction noise from the approved project was calculated, and hourly average noise levels generated by construction would be approximately 65 to 88 dBA Leq, measured at a distance of 50 feet from the center of the construction site. Based on the ambient noise conditions, construction of the approved project was determined to exceed the ambient noise levels by five dBA at the land use east of the site during the trenching and foundation phase of construction. Through compliance with City of San José General Plan Policy EC-1.7, the approved project is required to prepare a construction noise plan. In addition, the approved project is subject to the City's standard permit condition (listed below) to reduce construction noise. As a result, noise impacts of the project would be reduced to a less than significant level.

#### Standard Permit Condition:

1. Pursuant to General Plan Policy EC-1.7, project construction operations shall use best available noise suppression devices and techniques including, but not limited to the following:
  - Pile Driving is prohibited.
  - Limit construction to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday for any on-site or off-site work within 500 feet of any residential unit. Construction outside of these hours may be approved through a development permit based on a site-specific "construction noise mitigation plan" and a finding by the Director of Planning, Building and Code Enforcement that the construction noise mitigation plan is adequate to prevent noise disturbance of affected residential use.
  - Construct solid plywood fences around ground level construction sites adjacent to operational business, residences, or other noise-sensitive land uses.
  - Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.

- Prohibit unnecessary idling of internal combustion engines.
- Locate stationary noise-generating equipment such as air compressors or portable power generators as far as possible from sensitive receptors. Construct temporary noise barriers to screen stationary noise-generating equipment when located near adjoining sensitive land uses.
- Utilize “quiet” air compressors and other stationary noise sources where technology exists.
- Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the project site.
- Notify all adjacent business, residences, and other noise-sensitive land uses of the construction schedule, in writing, and provide a written schedule of “noisy” construction activities to adjacent land uses and nearby residences.
- If complaints are received or excessive noise levels cannot be reduced using the measures above, erect a temporary noise control blanket barrier along surrounding building facades that face the construction sites.
- Designate a “disturbance coordinator” who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

### 3.2.1.2 *Construction Vibratory Impacts on Off-site Receptors*

The approved project was analyzed for vibratory impacts associated with construction activity. Vibration impacts associated with construction would result in exceedances of vibratory thresholds at the western commercial buildings and the on-site medical buildings. Mitigation measures MM NOI-1.1 and MM NOI-1.2 are included in the approved project to reduce these vibratory impacts.

- MM NOI-1.1:** A Construction Vibration Monitoring Plan shall be implemented to document conditions prior to, during, and after vibration generating construction activities. The plan shall be submitted to the Supervising Environmental Planner of City of San José Department of Planning, Building, and Code Enforcement for review and approval. The Plan shall address vibration impacts to adjacent structures. The plan shall include, but is not limited to:
- A list of all heavy construction equipment to be used for this project and the anticipated time duration of using equipment that has been known to produce high vibration levels (tracked vehicles, vibratory compaction, jackhammers, hoe rams, etc.)
  - Avoidance methodology to avoid and/or reduce impact to the adjacent property.

**MM NOI-1.2:**

The project applicant shall include the following measures as part of the approved construction plans prior to the issuance of any demolition or grading permits:

- Construction crews shall avoid dropping heavy objects or equipment within 30 feet of any adjacent structure.
- The project applicant shall ensure that all contractors follow the prescribed vibration mitigation measures.
- The project applicant shall designate a specific person responsible for registering and investigating claims of excessive vibration. The contact information shall be clearly posted on the construction site so as to be seen from all street frontages.
- If cosmetic or structure structural damage to the adjacent buildings is determined to be caused directly or indirectly by project construction, the project applicant shall make the necessary repairs and provide adequate documentation of the repairs to the Director of Planning, Building and Code Enforcement prior to issuance of any occupancy permits.

Implementation of the above mitigation measures will avoid or reduce the construction vibration impacts to a less than significant level.

### 3.2.1 Impacts of the Modified Project

#### 3.2.1.1 *Construction Noise and Vibration Impacts on Off-site Receptors*

Construction over two phases would extend the overall construction schedule by approximately one year, although the actual active construction time would be the same as that assumed in the approved project (664 days). The first phase of construction would include full construction of Building A and the site improvements including grading of most of the site, bollard installation, construction of building foundations and sidewalk improvements. These improvements would include activities nearest to the noise-sensitive residential land uses south of the project site. Building A would not be occupied until the first phase is completed. Assuming the use of similar construction activities and equipment to the approved project, there would be no other changes to the project that would result in higher noise levels than estimated in the approved project. Therefore, with the implementation of the Standard Permit Conditions addressing temporary construction noise, the impact related to project construction activities, even if phased, would be reduced to a less than significant level.

Vibratory impacts would be similarly attenuated, and the construction equipment expected to be used during construction would not change. Therefore, the vibratory impacts on sensitive receptors would be the same as those under the approved project. Further, the mitigation measures MM NOI-1.1 and MM NOI-1.2 would provide methods for reducing vibratory impacts on nearby uses to a less



than significant level. Therefore, the modified project would not result in new or more significant noise or vibratory impacts due to the phasing of the project.

### 3.2.1.2 *Non-CEQA Effects*

#### Noise Effect on On-site Receptors

Completion of the first phase of construction would result in sitewide improvements and the occupation of Building A prior to the construction of the remaining structures in the second phase. This would result in noise being experienced by the new on-site residents. These residents would be located approximately 40 to 60 feet from the nearest construction activity, which is a similar distance from construction activities as the off-site receptors studied for the approved project (80 feet). Therefore, the Standard Permit Conditions controlling construction noise would be required to be implemented and would similarly reduce noise effects for the on-site residents. Based on this information, the modified project would not result in adverse effects to on-site residents during construction of the second project phase.

#### Vibration Effect on On-site Receptors

As stated above, completion of the first phase of construction would result in sitewide improvements and the occupation of Building A prior to the construction of the remaining structures. This would result in vibration from construction activities being experienced by the new on-site residents. These residents would be located at approximately 40 to 60 feet from the nearest construction activity, which is a similar distance from construction activities as the off-site receptors studied for the approved project (80 feet). Additionally, a majority of the construction activities would occur at distances greater than this due to the size of the site, and most heavy, vibration causing machinery would be utilized in Phase 1 of construction. For these reasons, the Standard Permit Conditions and mitigation measures previously identified to reduce construction vibration would be required and would similarly reduce these effects for on-site residents. Therefore, the modified project would not result in adverse effects to on-site residents during construction of the second project phase.

## Section 4.0      References

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The analysis in this Addendum is based on the professional judgement and expertise of the environmental specialists preparing this document, a review of the site, surrounding conditions, and site plans, and the following references:

David J. Powers & Associates Inc. 4300 Stevens Creek Blvd. Mixed-Use Project Final Environmental Impact Report. August 2018.

David J. Powers & Associates Inc. Stevens Creek Promenade Project Addendum. August 2022.

Illingworth and Rodkin Inc. Stevens Creek Promenade Update, San José, CA – Update to the Air Quality Impact Analysis. January 4, 2024.

Illingworth and Rodkin Inc. Stevens Creek Promenade, San José, CA – Update to the Noise and Vibration Assessment. January 4, 2024.

## Section 5.0      Lead Agency and Consultants

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### 5.1      Lead Agency

**City of San José**

Department of Planning, Building and Code Enforcement

Christopher Burton - Director of Planning, Building and Code Enforcement

David Keyon – Principal Planner

Cort Hitchens – Environmental Project Manager

### 5.2      Consultants

**David J. Powers & Associates, Inc.**

Environmental Consultants and Planners

Shannon George – Principal Project Manager

Patrick Kallas – Project Manager

**Illingworth and Rodkin, Inc.**

Air Quality and Noise Analysis

Casey Divine

Michael Thill