

**ADDENDUM TO THE GREYLANDS BUSINESS PARK  
ENVIRONMENTAL IMPACT REPORT FOR THE  
EBAY SOUTH CAMPUS  
“MAIN STREET” MULTI-PURPOSE BUILDING PROJECT  
File Nos. PDC15-030, PD15-026  
September 2015**

Pursuant to Sections 15162 and 15164 of the CEQA Guidelines, the City of San Jose has prepared an Addendum to the Greylands Business Park Final Environmental Impact Report (Resolution No. 56883, City of San Jose File No. PDC83-034) 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.

**Project Description:** The project being considered is located on an approximately 24.6 gross acre site located north of East Hamilton Avenue and east of South Bascom Avenue (2055, 2085, 2105, 2125, and 2145 East Hamilton Avenue and 1550 South Bascom Avenue) in the A(PD) Zoning District (eBay, Inc., Owner). Council District 6.

1. File No. PDC15-030. Conforming Planned Development Rezoning of the subject approximately 24.6 gross acre site from A(PD) Planned Development Zoning District to IP(PD) Planned Development Zoning District and Planned Development Permit to allow the construction of an approximately 20,000-square foot assembly building for existing employees at an existing research and development campus (eBay Main Street).
2. File No. PD15-026. A Planned Development Permit request to effectuate Planned Development Zoning PDC15-030 and allow the construction of an approximately 20,000-square foot assembly building, an approximately 3,555-square foot metal space frame with canopy, the removal of seven ordinance-sized trees, and Saturday construction hours.

**Assessor's Parcel Numbers (APN)** 284-23-040, -047, -048.

## **I. 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.

On August 30, 1983, the City of San Jose certified the Final Environmental Impact Report for the Greylands Business Park project, and approved a Planned Development Zoning (PD Zoning) and a Planned Development Permit, allowing 478,000 square feet of office, research and development, light manufacturing, and supporting commercial. The development consists of eight buildings, two and three stories tall, and was constructed in two phases on either side of Greylands Drive. The

project also included the preservation of the 3,000 square foot Greylands Mansion, along with its mature frontyard garden, trees and landscaping. The above mentioned uses, and some additional uses were approved for reuse of the Greylands Mansion.

Since certification of the EIR and development of the Greylands Business Park, the project applicant has proposed additional development on the site (described in detail below). In addition, changes have occurred with respect to the circumstances under which the project will be undertaken, due to the approval of the Santa Clara Valley Habitat Plan. The purpose of this Addendum is to analyze the potential for new or greater impacts to result from the project due to changes in the project and regulatory environment and to ensure conformance of the currently proposed project with the previously adopted EIR.

The CEQA Guidelines Section 15162 state that when an Environmental Impact Report (EIR) has been certified or a Mitigated Negative Declaration (MND) adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, 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 MND 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 MND 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 MND;
  - 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 or adopted IS/MND 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.

On the basis of the analysis provided below, City of San Jose has determined that the proposed changes are minor and an Addendum is appropriate.

## **II. DESCRIPTION OF THE PROPOSED PROJECT**

**Project Approved in 1983:** The Greylands Business Park project was approved as a Planned Development Zoning and a Planned Development permit, allowing up to 478,000 square feet of office, research and development, light manufacturing, and supporting commercial uses. The project also included the preservation of the 3,000 square foot Greylands Mansion, along with its mature frontyard garden, trees and landscaping. The Greylands Mansion was approved for reuse with the above mentioned uses.

**Existing Site Conditions:** The site was developed in accordance with the PD zoning, and consists of eight buildings, two and three stories tall, totaling 478,000 square feet, and was constructed in two phases on either side of Greylands Drive. The Greylands Mansion is currently used for office space.

**Proposed Project:** The proposed project is a Planned Development Rezoning from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District to allow a 19,877 - square foot assembly building and 3,555-square foot outdoor atrium for existing employee use at an existing research and development campus on a 24.6 acre site. The applicant has also filed a PD Permit application to implement the proposed PD zoning.

The project includes minor exterior alterations to the former residential building known as the Greylands Mansion, the construction of a new multi-purpose building adjacent to the rear of the historic house, a new semi-hardscaped outdoor area, new landscape features, and a new open-frame structure around the Greylands Mansion. Relatively minimal alterations will occur to the historic house itself, and those are mostly relegated to non-historic features. The non-historic exterior stairs to the second floor door will be removed and the second floor door will be secured closed; the non-historic railing around the east basement lightwell will be replaced; the existing ADA ramp at the rear will be removed; and the historic basement hatch will be removed. Existing condensing units that are currently located on the rear east side of the house will be moved to the front west side and will be concealed by planting shrubs.

The project will increase impervious surfaces on the site by nearly 9,500 sq.ft., and replace 16,490 square feet of existing impervious surfaces with new impervious surfaces.

The multi-purpose building will be used exclusively by existing employees present on the site and would not generate any new trips to the site.

The project will upgrade two driveways on Hamilton Avenue to meet current ADA standards.

The Planned Development Permit request includes a request to conduct Saturday construction activities from 9:00 am. to 6:00 p.m.

Seven trees will be removed as part of the proposed PD Permit. Twenty-five non-ordinance sized trees have already been approved for removal under Permit Adjustment File No. AD 15-881.

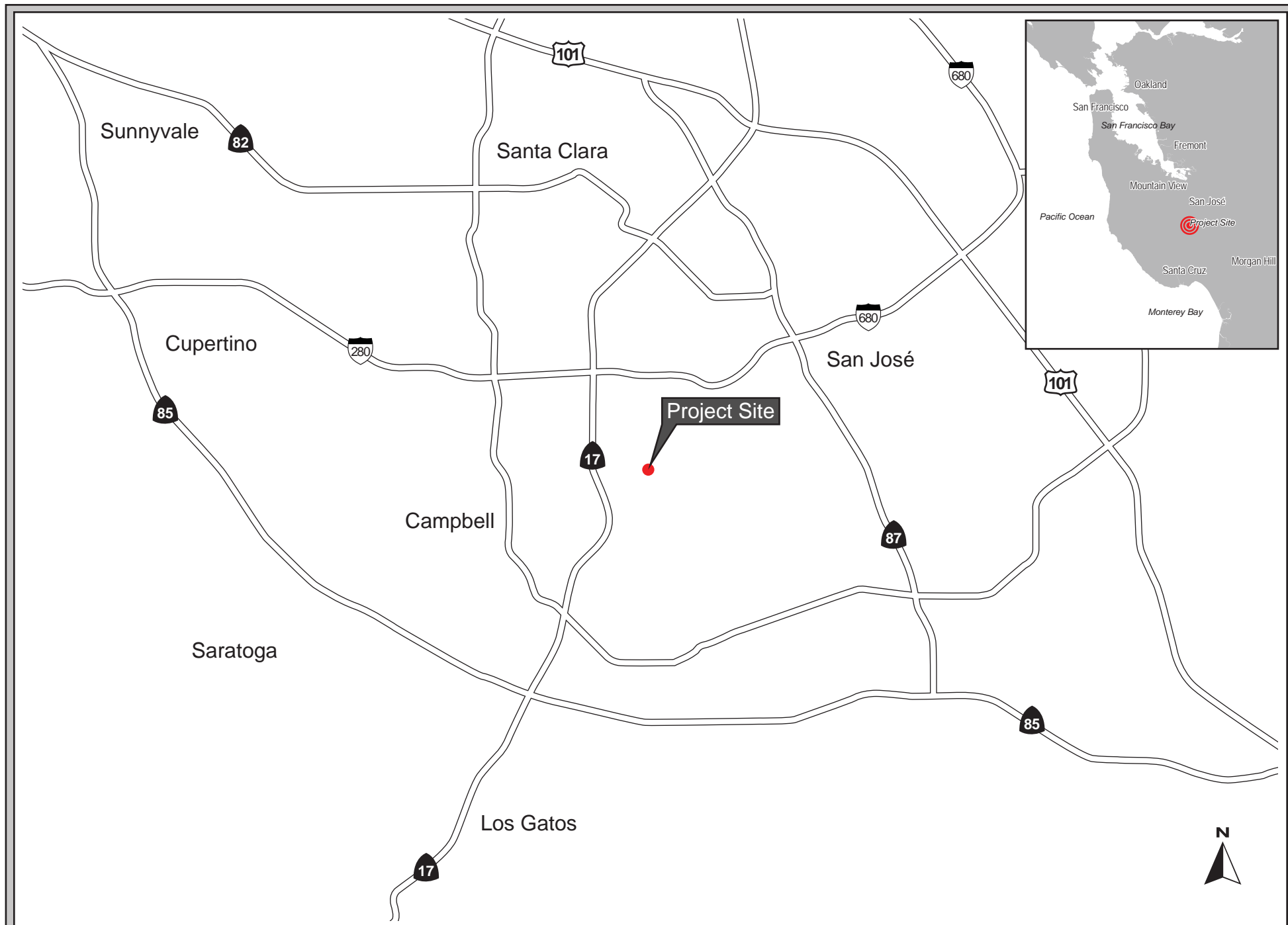
The project involves the construction of a 49'-11" tall multi-purpose or assembly "Main Street Building" that will be located behind (north) and to the east of the Greylands Mansion. The building consists of 19,877 square feet in two stories. The new building will occupy a space that is currently an outdoor plaza between Buildings 5 and 6 of the Ebay office park.

As discussed in detail in an historic report prepared by *Page & Turnbull*, the south façade will be primarily clad in glass curtain wall with back painted glass spandrel panels at the barrel eave, and the rear (north) façade will be clad in glass curtain wall with back painted glass spandrel panels and louvers at the barrel eave. The east and west facades of the building will be clad primarily in stucco with glass curtain wall toward the south and north ends of the building and a vertical band of glazing near the center. The southwest corner of the entry vestibule will be approximately 14 feet from the northeast corner of the historic house, and the southwest corner of the main body of the new building will be approximately 23 feet from the rear of the house.

The "Main Street Building" will open to the south onto a plaza, which will be located directly east of the historic Greylands Mansion. Currently, this space is covered with landscaping: shrubs, small trees, lawn, and other groundcover. This plaza will feature a steel space frame covering 3,555 square feet, painted white, and a horizontal cable suspension grid. Fabric awning strips in a "pixel" pattern will be stretched onto the cable grid, forming some shading. The frame will be 59'-0" wide and 68'-0" long. The steel posts will begin 13'-5" east of the wall of the house's east sunroom, and 12'-0" from the southeast corner of the east sunroom to the southwest corner post of the structure. The perimeter of the frame will feature five parallel horizontal steel louvers at the top; the lowest louver will be 22'-0" from the ground and the top louver will be 31'-0" from the ground. Signage reading "ebay" will be placed at the north ends of the east and west sides of these bands, along the primary paths of travel behind and east of the house to the Main Street building. Signage is conceptual at this time, and is not included in the current PD Permit, and will be subject to further review in a subsequent sign permit application. Four entry columns will be placed behind the house, parallel with the rear façade along the walking path.

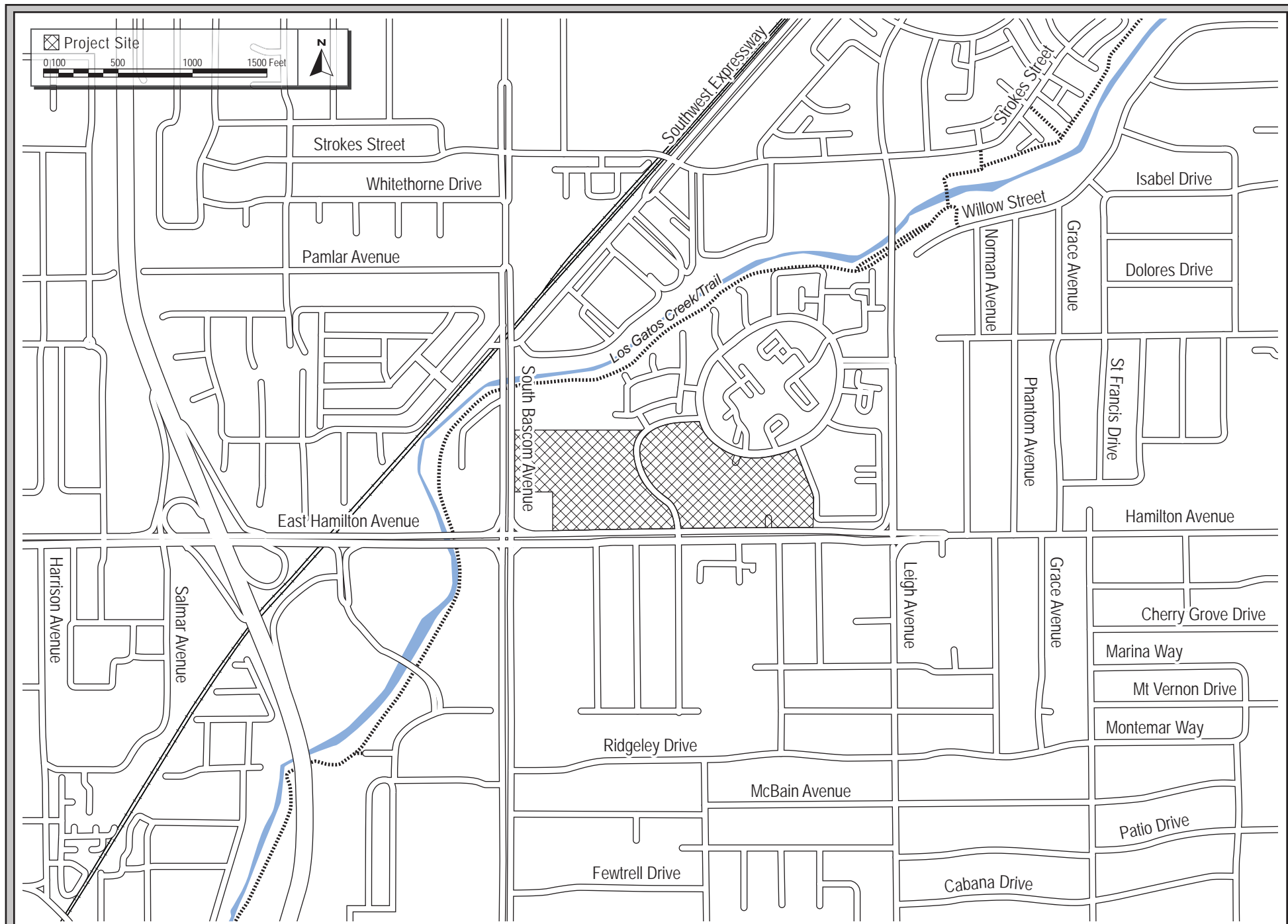
The landscape/hardscape plan includes minimal changes to the "front yard" of the Greylands Mansion, including retaining the existing turf and planting areas and the existing redwood trees to the west, south, and southeast. The non-historic brick paving that leads to the front porch will be extended to connect with the courtyard to the east. The courtyard under the space frame structure will be paved with permeable interlocking concrete pavers, and the eastern end will be enclosed with a concrete seat wall with a reclaimed wood face and a greenscreen with vine planting. Permeable interlocking concrete pavers will also extend behind the house. The hardscape behind the house will be regraded to meet the new multi-purpose building, and an approximately three-foot deep planting area filled with evergreen flowering shrubs will be placed around the house to mitigate the change in elevation. A short walkway of concrete pavers will extend from the rear porch out to the regraded

walkway behind. Landscaping around the Main Street Building will include decorative concrete paving, existing and new trees, existing groundcover, and new evergreen flowering shrubs.



REGIONAL MAP

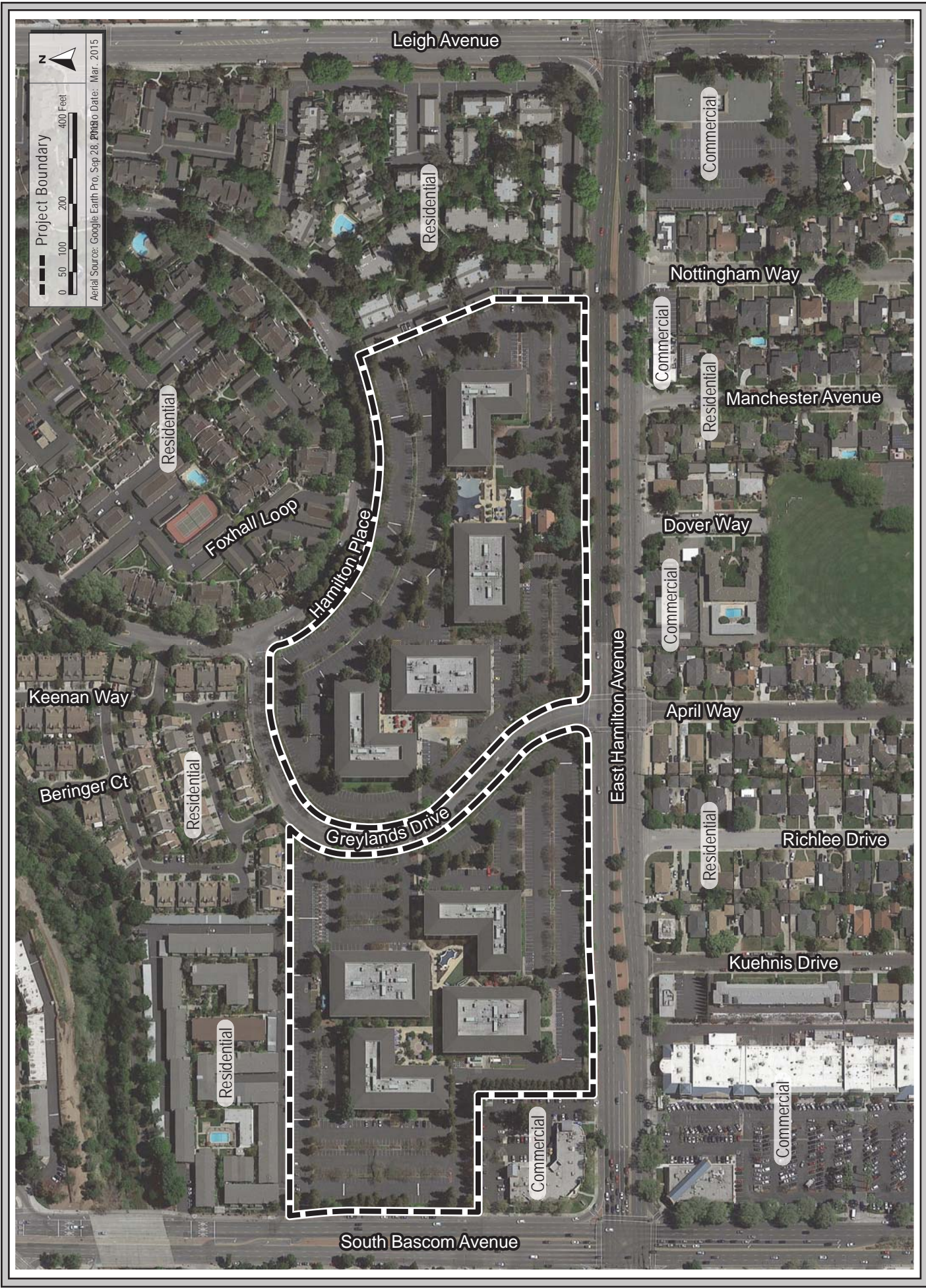
FIGURE 1



VICINITY MAP

FIGURE 2

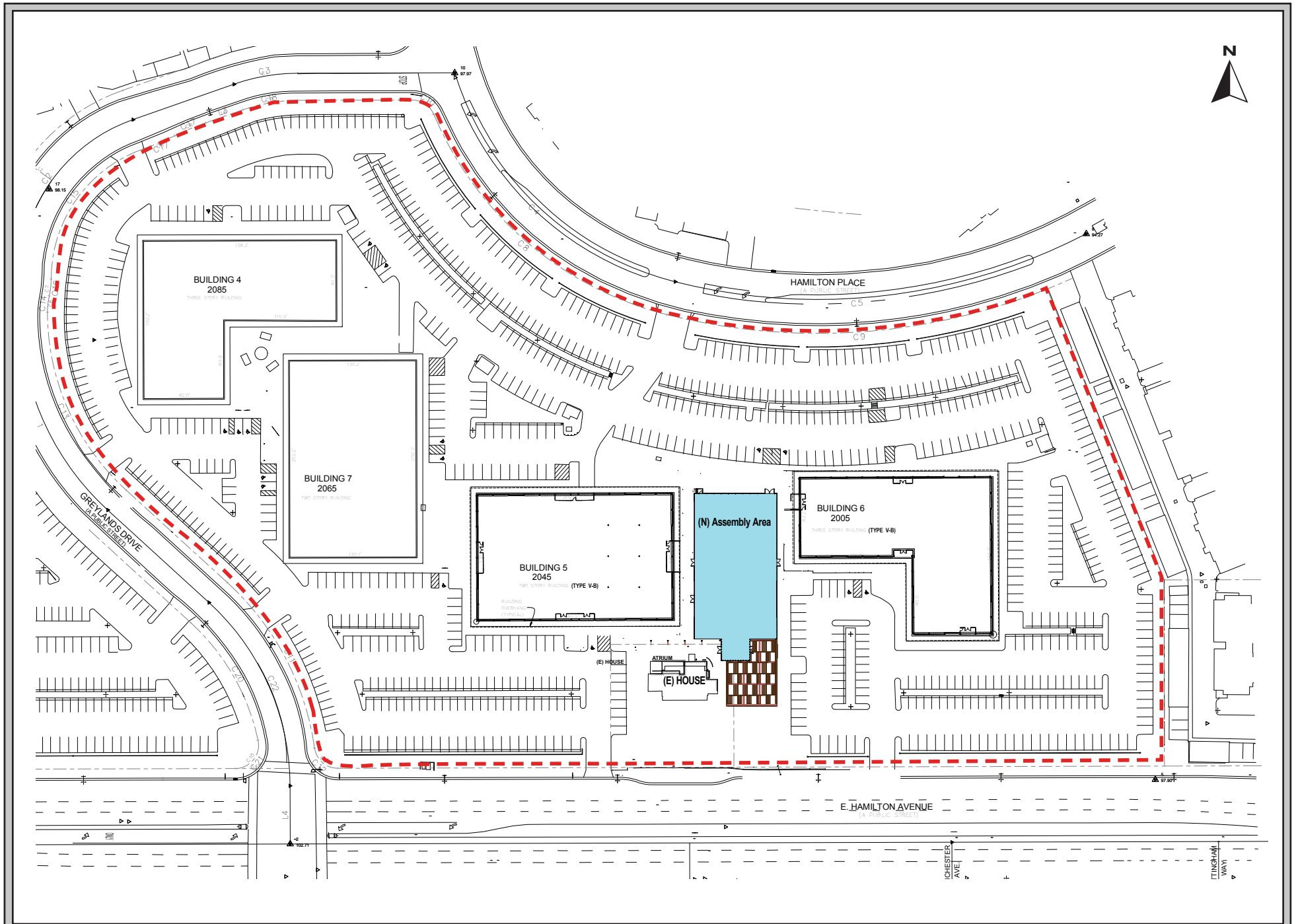




AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

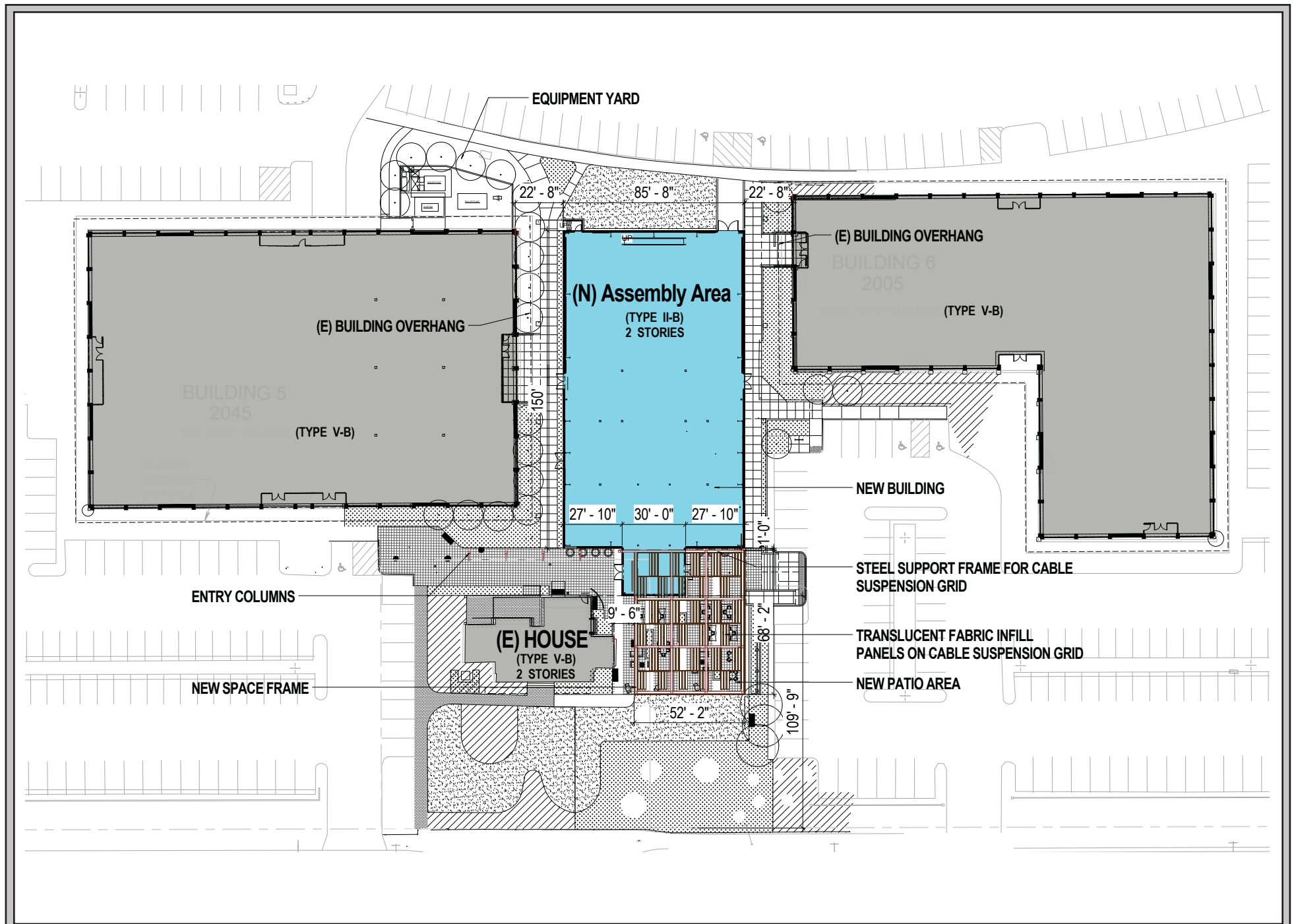
FIGURE 3












EBAY PROJECT SITE PLAN

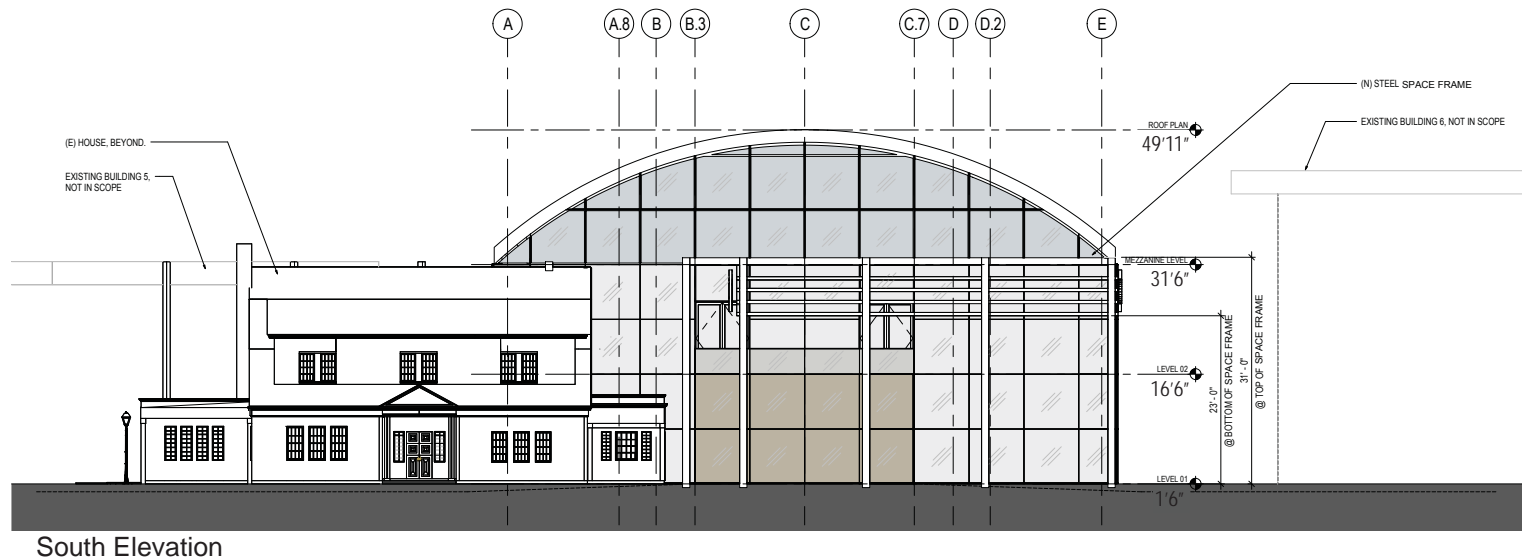
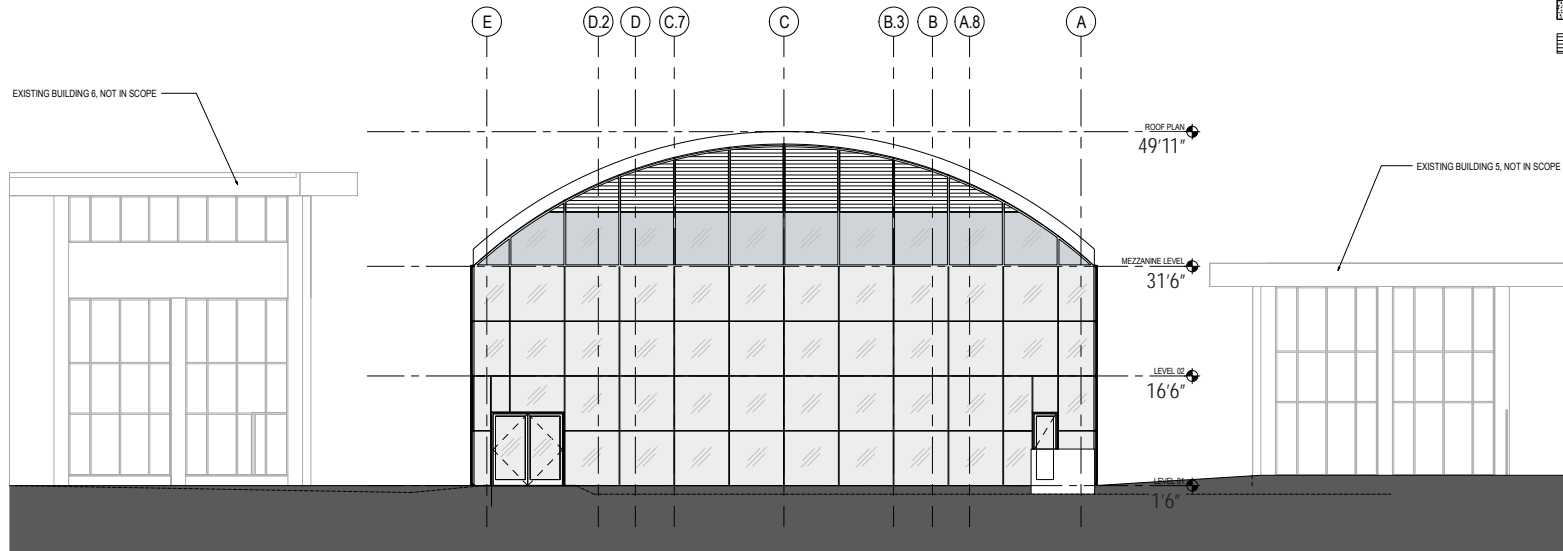
FIGURE 4



EBAY DETAILED SITE PLAN

FIGURE 5

-  LOW-IRON GLASS HANDRAIL
-  GLASS 1 (STARPHIRE + STARPHIRE, PPG)
-  CLEAR GLASS (SOLARBAN R100 STARPHIRE + STARPHIRE, PPG)
-  BACK PAINTED SPANDREL GLASS
-  STUCCO, COLOR 1
-  STUCCO, COLOR 2
-  LOUVERS







EBAY CONCEPTUAL EXTERIOR RENDERINGS

FIGURE 7

### III. ENVIRONMENTAL IMPACTS OF PROPOSED PROJECT

The discussion below describes the environmental impacts of the currently proposed project, as they compare with the impacts of the previously approved project analyzed in the *Greylands Business Park EIR*. In addition, any changes that have occurred in the environmental setting that will result in new impacts or impacts of greater severity than those identified in the previously adopted EIR are also noted.

#### A. *Aesthetics*

The project site is not located within a scenic viewshed or along a scenic highway. The project area is flat and no scenic views are visible from the project site. A group of large, mature evergreen trees screens the Greylands Mansion and office buildings from East Hamilton Avenue. The project involves the construction of a 49'-11" tall multi-purpose "Main Street Building" that will be located behind (north) and to the east of the Greylands Mansion. Given the proposed new building will be setback approximately 125 feet from East Hamilton Avenue, and will be screened from view by the existing Greylands Mansion and tall mature trees, the new construction will not be prominently visible from public vantage points. Views from East Hamilton Avenue will be limited to the roof and outdoor atrium in the background of the Greylands Mansion, which is itself is 32 feet tall at the roofline.

The seven trees proposed for removal from the site are situated behind other large, mature trees and/or the Greylands Mansion as viewed from East Hamilton Avenue. Hence the trees do not constitute significant visual resources as viewed from public vantage points, and their removal would not result in a significant visual impact. Pictures of the trees are available in the Arborist Report prepared for the project by *Deborah Ellis, Consulting Arborist*. The project will plant replacement trees to offset the loss of the removed trees in accordance with the City's standard replacement ratios, or pay in-lieu fees, as described in *Biological Resources* below.

Conclusion: The currently proposed project will not result in new significant impacts to aesthetic resources or impacts of greater severity than those previously identified in the adopted *Greylands Business Park EIR*.

#### B. *Agricultural Resources*

The site is developed as a business park and there are no agricultural uses in the vicinity of the project site. The proposed PD Zoning will have no impact on agricultural resources.

#### C. *Air Quality*

The previously certified EIR disclosed that construction activities and operation of the business park project would result in impacts to air quality. Temporary construction impacts to air quality were mitigated to a less than significant level through then-standard dust control measures that were



implemented during demolition and construction activities, including periodic watering of the site during the clearing and grading operations. The currently proposed project will be required to use modern day standard dust control measures in accordance with BAAQMD Best Management Practices.

**Standard Permit Condition:** The project would be developed in conformance with the following standard BAAQMD dust control measures during all phases of construction on the project site to reduce dustfall emissions:

- All active construction areas shall be watered twice daily or more often if necessary. Increased watering frequency shall be required whenever wind speeds exceed 15 miles-per-hour.
- Pave, apply water three times daily, or apply non-toxic soil stabilizers on all unpaved access roads and parking and staging areas at construction sites.
- Cover stockpiles of debris, soil, sand, and any other materials that can be windblown. Trucks transporting these materials shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- Subsequent to clearing, grading, or excavating, exposed portions of the site shall be watered, landscaped, treated with soil stabilizers, or covered as soon as possible. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas and previously graded areas inactive for 10 days or more.
- Installation of sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Replanting of vegetation in disturbed areas as soon as possible after completion of construction.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes. Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the City of San José regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

There will be little or no increase in operational emissions since the proposed multi-purpose building is intended to serve existing site users, and will not attract additional vehicle trips to the site.

**Conclusion:** The project will not result in new air quality impacts or impacts of greater severity than those already identified in the certified *Greylands Business Park EIR*.

#### ***D. Biological Resources***

The previously certified EIR found that the project would not result in significant, unmitigated impacts to biological resources. The development of the Greylands Business Park project included removal of the large 20-acre orchard associated with the property, which consisted mainly of walnut and some prune and cherry trees. Most of the ornamental trees associated with the Greylands Mansion were retained and remain today. The business park project included the planting of hundreds of trees in the parking lot and along landscape areas across the 24.6 acre site. These trees have become mature since the business park was developed over 30 years ago.

##### Impacts to Trees

Title 13.32 (Tree Removal Controls) of the City of San Jose's Municipal Code defines 'Ordinance' size trees as trees over 56 inches in circumference, or approximately 18 inches in diameter at a height of 24 inches from natural grade. Ordinance trees are generally mature trees that not only help beautify the City but have other benefits to protect the environment. A Tree Removal Permit or a development permit is required prior to the removal of Ordinance size trees.

Seven trees greater than 18 inches in diameter will be removed as part of the PD Permit, as documented in the arborist report prepared for the site by *Deborah Ellis, Consulting Arborist*. The applicant has already received approval of a Permit Adjustment to remove 25 non-ordinance sized trees: five between 12 and 18 inches in diameter, and 20 less than 12 inches in diameter.

Consistent with the Envision San José 2040 General Plan, trees removed by the project will be replaced in accordance with all applicable laws, policies or guidelines, including:

- City of San José Municipal Code
  - Section 13.28 (Street Trees)
  - Section 13.32 (Tree Protection Controls)
- General Plan Policies MS-21.4, MS-21.5, and MS-21.6

The removed trees would be replaced according to tree replacement ratios required by the City, as provided in the table below. The removal of four non-native Ordinance size trees will require 16 replacement trees, and the removal of three native Ordinance trees will require 15 replacement trees. The project includes replanting twenty five 24-inch box trees on-site, and eight 15-gallon container trees. To satisfy the remaining project obligation, the applicant will pay an in-lieu fee to Our City Forest to compensate for the loss of trees through off-site planting. The species of trees to be planted shall be determined in consultation with the City Arborist and the Department of Planning, Building and Code Enforcement.

Tree Replacement Ratios				
Diameter of Tree to be Removed	Type of Tree to be Removed			Minimum Size of Each Replacement Tree
	Native	Non-Native	Orchard	
18 inches or more	5:1	4:1	3:1	24-inch box
12 - 18 inches	3:1	2:1	none	24-inch box
Less than 12 inches	1:1	1:1	none	15-gal. container
x:x = tree replacement to tree loss ratio <b>Note:</b> Trees greater than or equal to 18-inch circumference shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees.				

The retained trees will be protected for the entire length of the project. The limit of physical disturbance is depicted on the project's Construction Staging and Logistics Plan. To ensure the project does not inadvertently damage trees to be retained, the project applicant shall prepare and implement a Tree Protection Plan during construction to reduce potential impacts to trees on-site to a less than significant level:

**Mitigation Measure BIO-1:** The applicant shall, prior to grading permit, prepare, and submit to the City, a Tree Protection Plan and implement the recommendations throughout construction. Tree protection zones shall be established and maintained throughout the entire length of the project. Fencing for the protection zones shall be 4 foot orange plastic fencing supported by metal stakes pounded into the ground, support stakes shall be spaced no more than 10 feet apart on center. The location for the protection fencing shall be as close to the dripline as possible still allowing room for construction to safely continue. Signs shall be placed on fencing signifying "Tree Protection Zone - Keep Out". No materials or equipment shall be stored or cleaned inside the tree protection zones. Areas outside the fencing but still beneath the dripline of protected trees, where foot traffic is expected to be heavy, shall be mulched with 4 to 6 inches of chipper chips.

Trenching for irrigation, electrical, drainage or any other reason should be hand dug when beneath the driplines of protected trees. Hand digging and carefully laying pipes below or beside protected roots will dramatically reduce root loss of desired trees thus reducing trauma to the entire tree. Trenches should be backfilled as soon as possible with native material and compacted to near its original level. Trenches that must be left exposed for a period of time should also be covered with layers of burlap or straw wattle and kept moist. Plywood over the top of the trench will also help protect exposed roots below.

Normal irrigation shall be maintained throughout the entire length of the project. The imported trees on this site will require irrigation during the warm season months. Some irrigation may be required during the winter months depending on the seasonal rainfall. During the summer months the trees on this site should receive heavy flood type irrigation two times a month. During the fall and winter one time a month

should suffice. Mulching the root zone of protected trees will help the soil retain moisture, thus reducing water consumption.

### Impacts to Nesting Raptors and Other Birds

The trees adjacent to the project area could provide nesting habitat for birds, including migratory birds and raptors. Nesting birds are among the species protected under provisions of the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5, and 2800.

Removal of trees and construction-related disturbance during the nesting season (typically February through August) that results in the incidental loss of fertile eggs, nesting raptors, or any activities resulting in nest abandonment would constitute an impact. Impacts to nesting raptors and other birds will be reduced through mitigation measures included in the project, including careful scheduling of construction activities which will avoid the nesting season or completion of a pre-construction survey for nesting raptors/migratory birds if construction will occur during the breeding season.

**Mitigation Measure BIO-2:** If feasible, all vegetation removal should be conducted during the nonbreeding season (i.e., September 1 – January 31) to avoid direct impacts to nesting birds. If such work is scheduled during the breeding season (i.e., February 1- August 31), the project applicant shall engage a qualified biologist to conduct a preconstruction survey to determine if any birds are nesting in the vegetation to be removed. The pre-construction survey shall be conducted no more than 15 days prior to the start of work from March through May (since there is higher potential for birds to initiate nesting during this period), and no more than 30 days prior to the start of work beginning June through July. If active nests are found during the survey, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the fledglings have successfully vacated the nest. The size of the nest buffer shall be determined by the biologist in consultation with the California Department of Fish and Wildlife, and would be based on the nesting species, its sensitivity to disturbance, and the expected types of disturbance. The construction manager shall implement the buffer recommended by the biologist. The project applicant shall ensure the survey is filed with the City of San Jose.

Implementation of mitigation measures to avoid impacts to nesting raptors including pre-construction surveys will ensure the project not result in any new biological resource impacts or impacts of substantially greater severity than previously disclosed in the 1983 certified EIR.

### **Santa Clara Valley Habitat Plan**

Since certification of the *Greylands Business Park EIR*, the City of San José has approved the Santa Clara Valley Habitat Plan. The project site is located within the Santa Clara Valley Habitat

Plan/Natural Communities Conservation Plan (SCVHP)<sup>1</sup> and has a designation of “Urban-Suburban” in the SCVHP and is not identified as requiring surveys for any covered species. The SCVHP was approved by the local partners and became effective on October 14, 2013. The project will not be subject to any land cover fee given the current developed nature of the site and its designation as Urban-Suburban land in the HCP.

#### *Nitrogen Deposition Impacts on Serpentine Habitat*

All development covered by the SCVHP is required to pay a nitrogen deposition fee as mitigation for cumulative impacts to serpentine plants in the SCVHP area. Nitrogen deposition is known to have damaging effects on many of the serpentine plants in the SCVHP area, as well as the host plants that support the Bay checkerspot butterfly. All major remaining populations of the butterfly and many of the sensitive serpentine plant populations occur in areas subject to air pollution from vehicle exhaust and other sources throughout the Bay Area including the project area. Because serpentine soils tend to be nutrient poor, and nitrogen deposition artificially fertilizes serpentine soils, nitrogen deposition facilitates the spread of invasive plant species. The displacement of these species, and subsequent decline of the several federally-listed species, including the butterfly and its larval host plants, has been documented on Coyote Ridge in central Santa Clara County. Nitrogen tends to be efficiently recycled by the plants and microbes in infertile soils such as those derived from serpentine, so that fertilization impacts could persist for years and result in cumulative habitat degradation. The impacts of nitrogen deposition upon serpentine habitat and the Bay checkerspot butterfly can be correlated to the amount of new vehicle trips that a project is expected to generate. The nitrogen deposition fees collected under the SCVHP for new vehicle trips will be used as mitigation to purchase and manage conservation land for the Bay checkerspot butterfly and other sensitive species. The nitrogen deposition fee applies to all Fee Zones and will be assessed as a fee per new daily vehicle trip over existing conditions. Through payment of the SCVHP fee for nitrogen deposition the project’s contribution to cumulative nitrogen deposition impacts will be rendered less than cumulatively considerable.

The proposed project will result in little or no increase in operational emissions since the proposed multi-purpose building is intended to serve existing site users, and not attract additional vehicle trips to the site. The currently proposed project will therefore not contribute to cumulative nitrogen deposition impacts.

Conclusion: The proposed project will not result in new biological resource impacts or impacts of greater severity than those previously identified in the certified *Greylands Business Park EIR*.

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<sup>1</sup> The Santa Clara Valley Habitat Plan/Natural Communities Conservation Plan (Santa Clara Valley Habitat Plan) was developed through a partnership between Santa Clara County, the Cities of San José, Morgan Hill, and Gilroy, Santa Clara Valley Water District (SCVWD), Santa Clara Valley Transportation Authority (VTA), U.S. Fish and Wildlife Service (USFWS), and California Department of Fish and Wildlife (CDFW). The HCP/NCCP is intended to promote the recovery of endangered species and enhance ecological diversity and function, while accommodating planned growth in approximately 500,000 acres of southern Santa Clara County.



## ***E. Cultural Resources***

### Archaeological Resources

The site is not considered archaeologically sensitive, and no resources were known to have been encountered when the business park was developed. Nonetheless, the possibility exists, however remote, that project construction could encounter buried archaeological resources, and the project will adhere to the City's standard permit conditions listed below to appropriately address any resources encountered during construction.

**Standard Permit Conditions:** Consistent with *Envision San José 2040 General Plan* policies ER-10.2 and ER-10.3, the following standard permit conditions are included in the project to reduce or avoid impacts to subsurface cultural resources.

- In the event that prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped, the Director of Planning, Building and Code Enforcement shall be notified, and the archaeologist will examine the find and make appropriate recommendations prior to issuance of building permits. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Director of Planning, Building and Code Enforcement.
- In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped. The Santa Clara County Coroner shall be notified and make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

### Historic Resources

The certified *Greylands Business Park EIR* found that incorporation of the historic Greylands Mansion into the proposed business park and adaptive reuse as an office space would mitigate impacts to the historic mansion to a less than significant level, despite the loss of the associated large orchard as the setting and context for the mansion.

To account for the passage of time since preparation of the original EIR, and that the project proposes structures that could alter the context of the historic building, the Greylands Mansion was evaluated for potential historic significance by qualified historic consultants *Page & Turnbull* in May 2015. The building was constructed in 1927 and was found to be historically significant for its

association with Dorothy Ainsley Lloyd, daughter of prominent canning pioneer John Ainsley, and her husband William N. Lloyd. The Ainsley family, the Ainsley Packing Co., and the Ainsley Corporation, which was led by William Lloyd for 40 years and headquartered in the building at 2055 Hamilton Ave. for some time, played a significant role in the development of the community of then unincorporated Campbell, prior to annexation of the area into San Jose.

The Greylands Mansion was also determined historically significant for its Dutch Colonial Revival architectural style. The design of the building possesses high artistic values and represents the Dutch Colonial Revival style, with many of the characteristic design elements of the style, including:

- Side gambrel roof with long shed dormers and flat roofs over the side wings;
- Double-hung multi-lite wood sash windows, some grouped in pairs and tripartite configurations;
- Centered entrance with sidelights, fanlight transom, and pediment; and
- Classical Revival/Colonial Revival elements including fluted pilasters, entablatures, and cornices.

Furthermore, the building was reportedly designed by prolific San Jose architect Ernest Curtis, who is considered a master architect in San Jose and the surrounding region. Curtis designed homes for members of the professional class in San Jose, especially in the 1930s. He used a variety of traditional styles, including Tudor Revival, Colonial Revival, and Spanish Colonial Revival. Thus, the design for 2055 E. Hamilton Avenue may have been an earlier example of his residential work.

The building's integrity was evaluated, and it was determined that despite a loss of integrity of setting and some loss of feeling and association, the building retains its integrity of location, design, materials, workmanship, feeling and association. In sum, the building retains its overall integrity, and is able to convey its historic significance. Therefore, the building appears individually eligible for listing in the California Register of Historical Resources under Criterion 2 (Persons) and Criterion 3 (Architecture). As such, according to California Environmental Quality Act (CEQA) guidelines, the property should be considered a historical resource for the purposes of CEQA review

Relatively minimal alterations are proposed to the house itself, and those are mostly relegated to non-historic features. For example, the non-historic exterior stairs to the second floor door will be removed and the second floor door will be secured closed; the non-historic railing around the east basement lightwell will be replaced; the existing ADA ramp at the rear will be removed; and the historic basement hatch will be removed. Existing condensing units that are currently located on the rear east side of the house will be moved to the front west side and will be concealed by planting shrubs.

During the construction process, activities will occur at the northeast corner of the house, while the house itself will be used as the construction project manager's office and field office. The material laydown yard will be located farther east, adjacent and in the parking lot. Deliveries will also occur

in the parking lot. Fencing will block off the construction site, and will intersect with the house at the east side of the eastern sunroom and at approximately center of the rear (north) façade.

A picture of the Greylands Mansion and a rendering of the initial proposed design of the new construction project are presented below (discussion of the current proposed design follows).



***Greylands Mansion front façade and Initial Project Design. Source: Page & Turnbull, 2015***

#### Secretary of the Interior's Standards

CEQA establishes that “a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment” (Public Resources Code section §21084.1). “Substantial adverse change,” according to Public Resources Code §5020.1(q), “means demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired.” According to Section 15126.4(b)(1) of CEQA Guidelines, compliance with the Secretary of the Interior’s Standards for the *Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* (Standards) typically results in a project finding of less than significant impact with regard to historical resources.

The Standards provide guidance for reviewing proposed work on or adjacent to historic properties, with the stated goal of making possible “a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.” The Standards have also been adopted by local government bodies across the country for reviewing proposed rehabilitation work on historic properties under local preservation ordinances. The Standards are a useful analytic tool for understanding and describing the potential impacts of substantial changes to historic resources. Projects that comply with the Standards benefit from a regulatory presumption that they would have a less-than-significant adverse impact on a historic resource. Projects that do not comply with the Standards may cause either a substantial or less-than substantial adverse change in the significance of a historic resource.

#### Page & Turnbull’s Standards Review of Original Project Design

The following analysis by Page & Turnbull of the original project design applies each of the applicable Standards for Rehabilitation to the proposed project at 2055 Hamilton Avenue. This analysis was based upon the proposed designs by ESI Design, dated June 29, 2015.

**Rehabilitation Standard 1:** *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

**Discussion:** The proposed project does not change the current office use of the Greylands Mansion. It has been used as an office for the past 30 years, and though not the historic use, it will continue to be used in this capacity after the project is complete. Therefore, as planned, the proposed project adheres to Rehabilitation Standard 1.

**Rehabilitation Standard 2:** *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize the property will be avoided.*

**Discussion:** As proposed, the project will maintain the historic character of the property, as the scope only minimally alters the building itself. Namely, the character-defining features outlined on page 12 of the Page & Turnbull report will be retained and preserved, including the building's two story massing and rectangular footprint with one-story side wings; side gambrel roof with long shed dormers; wood shingle siding; double-hung multi-lite wood sash windows; centered entrance with sidelights, fanlight transom, and pediment; Classical Revival/Colonial Revival elements including fluted pilasters, entablatures, and cornices; main interior residential gathering spaces, with original design and fixtures; and residential landscaping at the front (street side) of the house, with a lawn, shrubs, and mature trees. Distinctive materials and features will not be altered.

Spaces and spatial relationships around the building will be altered with the construction of the new Main Street Building and the structural open frame structure next to and around the house. The new building and structure will be constructed quite close to the house; in particular, the southwest corner of the Main Street Building's entry vestibule will be approximately 14 feet from the northeast corner of the historic house, and the space frame structure will be about one foot east of the house's eastern one-story wing and seven feet from the western one-story wing. However, the integrity of the building's historic setting has already been compromised by the construction of the office park in the 1980s. While the setting will be further affected as a result of the proposed project, the historic character of the residence as viewed from the public right-of-way on E. Hamilton Avenue will remain much the same due to the retention of original features on both the house and the grounds in front of it. From the street, the space frame structure will be partially obscured by mature trees in the "front yard." Thus, while the placement of the open-frame structure would normally be too close to the historic resource, because of the already-compromised setting and the density of the redwood groves that serve to screen the existing and new development, the proposed project will not destroy the historic character of the house. Therefore, the proposed project adheres to Rehabilitation Standard 2.

**Rehabilitation Standard 3:** *Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historical properties, will not be undertaken.*

**Discussion:** The proposed project will include only minimal alterations to the rear of the house, including a new ramp to replace the existing non-historic ramp. The changes that will be made to the building's setting, including landscape/hardscape design and the structural frame that will run next to and behind the house, are clearly modern and differentiated from the historic building (see Standard 9 below for more information). No changes will be made that create a false sense of historical development or add conjectural features. Therefore, the proposed project adheres to Rehabilitation Standard 3.

**Rehabilitation Standard 4:** *Changes to a property that have acquired significance in their own right will be retained and preserved.*

**Discussion:** There are no changes to the Greylands Mansion that have acquired historic significance in their own right. Therefore, the proposed project adheres to Rehabilitation Standard 4.

**Rehabilitation Standard 5:** *Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

**Discussion:** As described in Standard 2, the project will retain all distinctive materials, features, finishes, and construction techniques or examples of craftsmanship on the Greylands Mansion except for the removal of the original basement hatch at the rear. This is a relatively small alteration to historic materials and features, and will not significantly affect the building's character. Therefore, the proposed project will adhere to Rehabilitation Standard 5.

**Rehabilitation Standard 6:** *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*

**Discussion:** As designed, the proposed project does not involve the repair or replacement of any deteriorated historic features. Therefore, the proposed project will be in compliance with Rehabilitation Standard 6.

**Rehabilitation Standard 7:** *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*



**Discussion:** As designed, the proposed project does not involve any chemical or physical treatments on historic materials. Therefore, the proposed project will adhere to Rehabilitation Standard 7.

**Rehabilitation Standard 8:** *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measure will be undertaken.*

**Discussion:** The proposed project will include excavation. Nevertheless, in the case of an encounter with archaeological materials, provided standard discovery procedures are followed (as per the Standard Condition identified above), the proposed project will adhere to Rehabilitation Standard 8.

**Rehabilitation Standard 9:** *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and environment.*

**Discussion:** The new Main Street Building, landscape/hardscape changes, and space frame structure will be differentiated from the historic residence at 2055 E. Hamilton Avenue. Their construction and the minor changes being made to the building itself will not destroy historic materials or features. The open structure will not cover the house, but will wrap around the back and east side of it. As discussed in Standard 2, the building's integrity of setting is already nearly lost; these alterations and additions will further alter the spatial relationships between it and office park-related development, as the new structures will be erected quite close to the house. The new work will also not be compatible with the historic materials, features, size, scale and proportion of the house, as both the Main Street Building and the space frame structure will be much larger, taller, and of modern materials. The size and scale of the Main Street building will be much larger than the house, though similar to the proportions of the other office buildings in the complex. While the space frame structure references the residence in its rectangular plan and gambrel roof shape, this frame gesture would be more appropriate if it matched the Main Street building, especially since it is related to this structure in scale, program, materiality, and era. The structure will also be placed very close to the house, particularly on the east side near the one-story wing.

**Therefore, the proposed project will not adhere to Rehabilitation Standard 9.**

**Rehabilitation Standard 10:** *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

**Discussion:** The proposed project would involve the construction of a large adjacent new building to the northeast, landscape and hardscape changes at the back and east, and a space frame structure that wraps around the back side of the house. These changes will be undertaken in such a manner that if they were removed in the future, the essential form and

integrity of the historic house and its front yard landscaping would be unimpaired. Therefore, the proposed project will adhere to Rehabilitation Standard 10.

Despite non-conformance with one of the Standards for Rehabilitation (Standard No.9), Page & Turnbull concluded that the proposed project appears to be a less than significant impact.

#### LSA Associates Peer Review Findings

The City commissioned a peer review by another qualified historic consultant to obtain an additional perspective on the project. This peer review was completed by LSA Associates, Inc. The peer review concurred with the Page & Turnbull analysis that the project met nine of the ten standards, and agreed that the initial project design did not adhere to Standard 9. LSA found the size, scale, and proportion of adjacent industrial buildings and the canopy framework, which includes prominent signage and surrounds the mansion on three sides, will further erode the historic spatial relationships that characterize the property and have a cumulative visual effect that will cause a substantial adverse change in the significance of the resource.

#### Page & Turnbull and LSA Reviews of Revised Project Design

In response to the findings by the two historic firms that the initial project design did not fully adhere to the Secretary of the Interior's Standards, the project applicant redesigned the project as shown below and on the following page and described in detail in **Section II Project Description** above.



Rendering of Revised Project Design looking north, Greylands Mansion on left



Rendering of Revised Project Design looking east, Greylands Mansion on right

Both Page & Turnbull and LSA Associates evaluated the redesigned project including the metal frame canopy structure and found that their prior conclusion, viz. the project design adhered to the other nine standards (1-8, 10), remained unchanged. Their respective conclusions concerning Standard #9 are presented below.

**Page & Turnbull Review of Standard #9:** The new Main Street Building, landscape/hardscape changes, and space frame structure will be differentiated from the historic Greylands Mansion. The open structure will be located to the east side of the house. The Main Street Building will be located behind the open structure. The construction of these structures and the minor changes being made to the building itself will not destroy historic materials or features. The building's integrity of setting is already nearly lost; these alterations and additions will further alter the spatial relationships between the historic building and office park related development. The new work will use modern materials, and the size and scale of the Main Street building will be much larger than the house, though set behind it and of similar proportions of the other office buildings in the complex. The space frame will be placed 13'-5" from the house with a landscape buffer in between. Though taller than the house, the design is simple and streamlined, marking the "outdoor room" of the courtyard with a relatively light touch. The "ebay" signage will be fairly minimal on the east and west sides of the structure and will not be visible from the public right-of-way on E. Hamilton Avenue. The entry columns to the north of the house will be set away from it and will be unobtrusive. The historic house, as viewed from the public right-of-way with its "front yard" intact, will retain its appearance as a Dutch Colonial Revival style house from the 1920s, though surrounded by modern development. Thus, the proposed project with space frame alternative appears sufficiently compatible to adhere to Rehabilitation Standard 9.

**LSA Review of Standard #9:** The proposed project to construct the Main Street Building includes related construction of a canopy space frame and patio in the area immediately east of the Greylands Mansion. Upon careful consideration of the visual impact and cumulative effects of the proposed new construction, the reviewer concludes that the revised design allows the Greylands Mansion to convey its significance. The Standards recommend preserving important landscape features, including ongoing maintenance of historic plant material. Since the mature trees screen the related new construction from view, it is recommended that their preservation be formally incorporated as a mitigation measure. The revised design is differentiated from the old and compatible with the integrity of the property and its environment.

In summary, the three aspects of integrity most important to the significance of this 1927 representative example of Dutch Colonial Revival architectural style are integrity of materials, workmanship, and design. The proposed project will not impact those aspects of integrity. The Main Street Building, Space Frame, and the patio will further erode the integrity of the setting, feeling and association of the historical resource; however, by adopting the appropriate mitigation measure, the proposed project will adhere to the Standards and not cause a substantial adverse change in the significance of the resource.

#### Historic Resources Impacts Conclusion

As the above analyses by two historic consultants demonstrate, the project as currently designed appears to be in compliance with ten of ten of the Secretary of the Interior's Standards for Rehabilitation. According to Section 15126.4(b)(1) of the Public Resources Code (CEQA), if a project adheres to the Secretary of the Interior's Standards, the project's impact "will generally be considered mitigated below a level of significance and thus is not significant." Because the proposed project with revised space frame alternative at 2055 E. Hamilton Avenue complies with all of the Secretary of the Interior's Standards, it does not appear that it will cause an impact under CEQA.

As explained above, the setting of the Greylands Mansion has been compromised by the construction of the office park which replaced an orchard in the early 1980s. The proposed project contributes to furthering the loss of integrity of setting, feeling, and association, but not to the extent that the house can no longer convey its significance under Criterion 2 (persons) and Criterion 3 (architecture). Therefore, the project as proposed does not cause a significant historic resources impact. LSA Associates had recommended a mitigation measure to formally require preservation of the mature trees that screen the related new construction from view, which is presented below.

**Mitigation Measure MM CUL-1.** The Secretary of the Interior's Standards recommend preserving important landscape features, including ongoing maintenance of historic plant material. In addition, since the existing mature trees located to the south-east of the historic house screen the proposed multi-purpose building and the outdoor plaza from view from public right-of-way, their preservation is also integral to the project. The historic landscaping around the mansion, including the front yard

garden and the mature trees, shall be maintained in perpetuity. In addition, the mature trees (as identified in the project plan set sheet entitled *Tree Protection and Removal Plan – 18” Dia. or More*, dated September 28, 2105, by numbers 12 and 17 through 26,) shall be protected during construction in accordance with the arborist report prepared for the project, as required by mitigation measure MM Bio-1, and shall be maintained in perpetuity. Removal of any of these trees will require further historic analysis through a Planned Development Permit/Amendment.

Conclusion: With the implementation of standard conditions during construction for treatment of unknown buried archaeological resources and the preservation and ongoing maintenance of the mature trees and landscaping that surrounds the Greylands Mansion, the revised project design will not result in new cultural resources impacts, nor a substantial increase in the severity of the impacts previously disclosed in the certified Greylands Business Park EIR.

#### ***F. Geology and Soils***

The *Greylands Business Park EIR* found that the construction of the business park would require typical grading for parking lot and building pad construction, as well as trenching and excavation for building foundations and placement of utility lines. The site is subject to seismic hazards typical of much of the Santa Clara Valley, and is not located in a special geologic hazard zone, i.e. subject to fault rupture, landslides, lateral spreading, etc. Strong ground shaking is anticipated during an earthquake on one of the region’s major faults, but no conditions are present on the site that unduly constrain development, and the currently proposed project will not result in significant geology and soils impacts and no mitigation is required, other than following standard building measures.

**Standard Permit Condition:** To avoid or minimize potential damage from seismic shaking, the project would be built using standard engineering and seismic safety design techniques, and the following standard permit conditions are included in the project to reduce or avoid geologic impacts:

- Building design and construction at the site will be completed in conformance with the recommendations of a design-level geotechnical investigation, which will be included in a report to the City. The report shall be reviewed and approved of by the City of San José’s Building Division as part of the building permit review and issuance process.
- The building shall meet the requirements of applicable Building and Fire Codes, including the 2013 California Building Code Chapter 16, Section 1613, as adopted or updated by the City. The project shall be designed to withstand soil hazards identified on the site and the project shall be designed to reduce the risk to life or property to the extent feasible and in compliance with the Building Code.

Conclusion: The currently proposed project will not result in any new or more severe impacts related to geology and soils.



## ***G. Greenhouse Gas Emissions***

Greenhouse gas emissions for the full 24.6 acre campus site were not analyzed in the *Greylands Business Park EIR*, as climate change was not a commonly discussed topic in CEQA documents until the latter part of the past decade, and not a mandatory topic to be evaluated in CEQA documents until passage of SB 97 in 2010. Emissions from the existing 24.6 acre business park, approximately 478,000 square feet of building space and occupied and in use since the mid-1980s, have become part of the environment, i.e. baseline condition.

The proposed new multi-purpose building will generate GHG emissions during construction and long-term once in use for heating/cooling, lighting, solid waste, etc., but the size of the new construction is below the BAAQMD screening levels established to identify projects that may contribute significant emissions.

Conclusion: For these reasons, the proposed project would have less than significant GHG emission impacts and provide a less than cumulatively considerable contribution to cumulative global climate change.

## ***H. Hazards and Hazardous Materials***

The previously certified EIR found that the site was not subject to groundwater or soil contamination, and that hazardous materials may be utilized by some occupants within the business park. Due to the proximity to residential uses, the EIR included the following mitigation measure:

A network of state, federal and local regulations control the storage, handling and disposal of hazardous materials. The proposed project will conform to the City of San Jose Hazardous Chemical Storage ordinance. The proposed project itself prohibits tank farms, storage of large quantities, outside storage and below-ground storage of hazardous materials

The 1983 business park project itself prohibited tank farms, storage of large quantities, outside storage and below-ground storage of hazardous materials. As a result, the EIR concluded future site occupants and surrounding properties would not be exposed to significant hazards.

The currently proposed project will not use, store, or handle hazardous materials, will serve the existing site occupants, and will not introduce a new sensitive receptor population (e.g. housing, schools, hospitals, etc.). The 1983 EIR mitigation is not relevant to the current multi-purpose building since the use doesn't involve hazardous materials. Any future proposed use and storage of hazardous materials will require additional environmental review prior to the issuance of any Planned Development Permit that includes such a proposed use.

However, the proposed planned development rezoning allows uses of IP-Industrial Park zoning district on the site. Any future development or use on the site under this zoning will be subject to the 1983 EIR mitigation measure, as appropriate. The mitigation measure language from the 1983 EIR has been updated for this purpose.

Updated Mitigation Measure:

**Mitigation Measure Haz-1** - The storage, handling and disposal of hazardous materials regulated by Chapter 17.68 of the San José Municipal Code shall be in full compliance with the City's Hazardous Material Ordinance, and other local, state and federal regulations. Due to the proximity of this site to residential uses, any approval of facilities or areas on, within, or under the site to be used for the storage of hazardous, toxic, flammable, or combustible materials are subject to review under a separate Planned Development Permit.

Conclusion: For these reasons, the project will not result in any new hazardous materials impacts or impacts of greater severity than those already identified in the certified *Greylands Business Park EIR*.

## ***I. Hydrology and Water Quality***

The previously certified EIR found that redevelopment of the orchard property with the proposed business park would create substantial additional impervious surface area on the site, but that new on-site storm drains would connect with existing storm lines in adjacent streets to adequately convey site runoff. The site is not located within a 100-year flood zone.

Construction of the currently proposed project could result in significant short-term impacts to water quality. In order to reduce and avoid impacts to water quality, the project proponent is required to prepare a Storm Water Pollution Prevention Plan (SWPPP) and a Notice of Intent (NOI). The project will increase impervious surfaces on the site by nearly 9,500 sq.ft., and is subject to C.3 Provisions due to the replacement of 16,490square feet of impervious surfaces. The project will implement stormwater treatment control measures, including the standard permit conditions for construction listed below and Low Impact Development measures, as demonstrated in the Stormwater Management Plan prepared for the project.

**Standard Permit Conditions:** Consistent with the General Plan, standard permit conditions that shall be implemented to prevent stormwater pollution and minimize potential sedimentation during construction include, but are not limited to the following:

- All development projects in San José shall comply with the City's Grading Ordinance whether or not the projects are subject to the NPDES General Permit for Construction Activities.

- The City of San José Grading Ordinance requires the use of erosion and sediment controls to protect water quality while a site is under construction. Prior to issuance of a permit for grading activity occurring during the rainy season (October 15 to April 15), the applicant is required to submit an Erosion Control Plan to the Director of Public Works for review and approval.
- Utilize on-site sediment control BMPs to retain sediment on the project site;
- Utilize stabilized construction entrances and/or wash racks;
- Implement damp street sweeping;
- Provide temporary cover of disturbed surfaces to help control erosion during construction; and
- Provide permanent cover to stabilize the disturbed surfaces after construction has been completed.

The currently proposed project will have the same water quality impacts as identified for the previously approved project. The currently proposed project will implement Best Management Practices during construction and maintain on-site post-construction stormwater management plan features on an ongoing basis to reduce hydrology and water quality impacts to a less than significant level.

Conclusion: The proposed project will not result in any new hydrology and water quality impact or any impact of greater severity than those already identified in the *Greylands Business Park EIR*.

#### ***J. Land Use and Planning***

The previously certified EIR evaluated the land use impacts of introducing a business park with office/R&D uses to the project site. The EIR found the business park project could potentially result in land use compatibility impacts with adjacent residential uses, and the following mitigation measure was proposed:

The project will locate buildings and the principal industrial activities away from adjacent residential uses and provide a decorative, sound-tight fence and landscaped screening along the common boundary

The business park buildings and the principal industrial activities were located away from adjacent residential uses and a decorative, sound-tight fence and landscaped screening was built along the common boundary.

The proposed project would not introduce a new land use, rather it would provide a multi-purpose assembly space to support the existing site uses, and would be located about 300 feet from the nearest residences,. As noted in ***Biological Resources***, the project will be subject to the Santa Clara Valley Habitat Conservation Plan adopted in 2013.

However, any future development or use on the site under this zoning will be subject to the 1983 EIR mitigation measure, as appropriate. The mitigation measure language from the 1983 EIR has been updated for this purpose.

**Mitigation Measure LU-1:** Buildings and the principal industrial activities shall be located away from adjacent residential uses. The decorative, sound-tight fence and landscaped screening located along the common boundary shall be maintained in perpetuity.

Conclusion: The project will not result in any new land use impact or any increase in the severity of the land use impacts already identified in the *Greylands Business Park EIR*.

#### ***K. Mineral Resources***

The currently proposed project site is located within the same boundaries as the approved PD Zoning. The site is in a developed urban area that has no known existing mineral resources and, therefore, will result in no impacts to mineral resources, as described in the *Greylands Business Park EIR*.

#### ***L. Noise and Vibration***

The previously certified EIR found that noise levels on the site from surrounding streets could be addressed through standard building techniques, and that increased traffic from project vehicles on surrounding roadways would not substantially increase ambient noise levels. The following mitigation measure had been identified:

Construction noise can be reduced by using construction equipment with properly maintained mufflers and by scheduling construction activities during normal working hours, as well as installation of the sound- tight perimeter fence during the early phases of construction. A program to mitigate construction impacts will be included with the PD Permit. Traffic noise intrusion from Bascom and Hamilton Avenues will be attenuated by the steel frame masonry buildings.

The proposed multi-purpose building is not itself a noise-sensitive use, and would not generate additional vehicle trips to the site once constructed and in use. There would be a minor, temporary increase in traffic and associated roadway noise from construction vehicles.

Construction noise impacts primarily occur when construction activities occur during noise-sensitive times of the day (early morning, evening, or nighttime hours), in areas immediately adjoining noise sensitive land uses, or when construction occurs over extended periods of time. Significant noise impacts do not normally occur when standard construction noise control measures are enforced at the project site and when the duration of the noise generating construction period at a particular sensitive receptor is limited to one construction season (typically one year) or less. Reasonable regulation of the hours of construction, the arrival and operation of heavy equipment, and the delivery of construction materials, can all reduce construction-related noise impacts.

The 1983 EIR concluded that significant noise would be generated by project construction activities, and for mitigation, that construction noise would be reduced by using construction equipment with properly maintained mufflers and by scheduling construction activities during normal working hours, as well as installation of the sound- tight perimeter fence during the early phases of construction. The EIR also found that the incorporation of standard construction noise control measures will ensure construction noise impacts of the project upon surrounding uses will be less than significant.

The current project also entails construction that could generate substantial noise and the certified EIR's construction noise mitigation remains relevant, and will be updated with the City's current standard permit conditions to satisfactorily reduce construction noise impacts on surrounding uses, including residences approximately 300 feet from the proposed construction.

**Standard Permit Conditions:** The City's Municipal Code limits construction hours near residential land uses, and Policy EC-1.7 in the Envision San José 2040 General Plan addresses the types of construction equipment that are sources of significant noise. The following measures would be implemented to reduce construction noise levels consistent with the City of San José policy:

- Construction hours within 500 feet of residential uses will be limited to the hours of 7:00 a.m. and 7:00 p.m. weekdays, 9:00 a.m. to 6:00 p.m. on Saturdays, with no construction on Sundays or holidays.
- Utilize 'quiet' models of air compressors and other stationary noise sources where technology exists.
- Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment;
- Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent land uses;
- Locate staging areas and construction material areas as far away as possible from adjacent land uses;
- Prohibit all unnecessary idling of internal combustion engines;
- The contractor will prepare a detailed construction plan identifying a schedule of major noise generating construction activities. This plan shall identify a noise control 'disturbance coordinator' and procedure for coordination with the adjacent noise sensitive facilities so that construction activities can be scheduled to minimize noise disturbance. This plan shall be made publicly available for interested community members.
- The disturbance coordinator will be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the case of the noise complaint (e.g. starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented. The telephone number for the disturbance coordinator at the construction site will be

posted and included in the notice sent to neighbors regarding the construction schedule.

**Mitigation Measure Noise-1:** Adhering to standard permit conditions related to construction-related noise attenuation will mitigate construction noise impacts. Traffic noise intrusion from Bascom and Hamilton Avenues will be attenuated by adhering to the building code.

#### Ground-borne Vibration Impacts to Historic Structures during Construction

Construction and excavation for the proposed project could result in ground-borne vibration that may damage the historic Greylands Mansion building near the project site. Adhering to General Plan Policy EC-2.3 (described below) and Mitigation Measures Noise would result in a less-than-significant impact from construction generated ground-borne vibration.

General Plan Policy EC-2.3: Require new development to minimize vibration impacts to adjacent uses during demolition and construction. For sensitive historic structures, a vibration limit of 0.08 in/sec PPV (peak particle velocity) will be used to minimize the potential for cosmetic damage to a building. A vibration limit of 0.20 in/sec PPV will be used to minimize the potential for cosmetic damage at buildings of normal conventional construction.

**Mitigation Measure Noise-2:** Construction shall meet General Plan Policy EC-2.3. A Construction Vibration Monitoring Plan shall be implemented to document conditions prior to, during, and after vibration-generating construction activities. All Plan tasks shall be undertaken under the direction of a licensed Professional Structural Engineer in the State of California and be in accordance with industry accepted standard methods. The Construction Vibration Monitoring Plan shall include the following tasks:

1. Identification of the sensitivity of the Greylands Mansion to groundborne vibration.
2. Performance of a photo survey, elevation survey, and crack monitoring survey for the Greylands Mansion. Surveys shall be performed prior to any construction activity, in regular interval during construction and after project completion and shall include internal and external crack monitoring in structures, settlement, and distress and shall document the condition of foundations, walls, and other structural elements in the interior and exterior of said structures.
3. Development of a vibration monitoring and construction contingency plan to identify where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies would be identified for when vibration levels approach the limits.
4. If vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the structure.
5. Conduct post-construction survey of the Greylands Mansion. Make appropriate repairs or compensation where damage has occurred as a result of construction

activities. Such repair, if necessary, shall be subject to additional and appropriate permits from the City.

6. Submit a Report to the Director of Planning, Building and Code Enforcement describing the results of vibration monitoring.

Conclusion: The proposed project construction will implement all standards measures and will not result in any new noise impact or any impact of greater severity than those already identified in the *Greylands Business Park EIR*.

#### ***M. Population and Housing***

The proposed multi-purpose building will not induce substantial population growth in the City, nor will it displace substantial numbers of existing housing or people. There will be little or no increase in employment on site since the proposed multi-purpose building is intended to serve existing site users. The proposed project will not result in new or greater population and housing impact than those already identified in the *Greylands Business Park EIR*.

#### ***N. Public Services***

There will be little or no increase in demand for public services since the proposed multi-purpose building is intended to serve existing site users, and not facilitate additional employment on the site, and, therefore, will not result in any new or greater public service impact than those already identified in the *Greylands Business Park EIR*.

#### ***O. Transportation/Traffic***

The certified EIR disclosed that project generated traffic would contribute to significant level of service impacts at the Hamilton/Leigh Avenues intersection during the a.m. peak traffic hour, and to the Hamilton/Bascom Avenues intersection in the p.m. peak hour. The EIR identified there was no feasible mitigation that would add capacity to reduce the impact to a less than significant level, and therefore, this impact was determined to be significant and unavoidable, and the City Council adopted a statement of overriding considerations in approving the project despite these significant impacts. These impacts occurred in the 1980s, and project traffic has been present daily on the surrounding roadways the past 30 years and now is considered part of the baseline/environmental setting for the area. As part of the currently proposed entitlements, there will be little or no increase in vehicle trips to the site since the proposed multi-purpose building is intended to serve existing site users, and not attract additional persons to the site. There would be a minor, temporary increase in traffic from construction vehicles.

The project proposes to replace two driveways on East Hamilton Avenue to meet current ADA standards.

Conclusion: The proposed project will not result in any transportation or traffic impacts of greater severity than those previously identified in the *Greylands Business Park EIR*.



***P. Utilities and Service Systems***

The proposed PD Zoning will not result in any significant impacts related to the provision of, or increased demands upon, utilities and service systems in that there will be little or no increase in employment on the site since the proposed multi-purpose building is intended to serve existing site users.

Conclusion: The project will not have any new or greater utilities and service systems impact than those already identified in the *Greylands Business Park EIR*.

The following table summarizes the significant impacts identified in the Greylands EIR, the original mitigation identified to address the impact, the status of the mitigation, i.e. if it has been implemented or remains applicable, and any updated or new mitigation language included in this Addendum to address current conditions and the currently proposed project.

**IV. CONCLUSION**

Based on the above analysis and discussion, no substantive revisions are needed to the 1983 *Greylands Business Park EIR*, because no new significant impacts or impacts of greater severity will result from the proposed development of a multi-purpose building and atrium on the existing Greylands Business Park. Proposed exterior alterations to the historic Greylands Mansion will adhere to the Secretary of the Interior's Standards for Rehabilitation.

No changes in circumstances in the project area will result in new significant environmental impacts. The changes in circumstances under which the proposed project will be undertaken (related to the adopted Habitat Plan) do not result in any new significant impacts or impacts of substantially greater severity than previously identified in the adopted EIR.

Therefore, no further evaluation is required, and no Supplemental or Subsequent EIR is needed pursuant to State CEQA Guidelines Section 15162, and an Addendum has been appropriately prepared, pursuant to Section 15164. Pursuant to CEQA Guidelines 15164, this addendum will not be circulated for public review, but will be included in the public record file for the project on the Greylands Business Park.