

**ADDENDUM TO THE VALLEY FAIR SHOPPING CENTER EXPANSION
PROJECT FINAL ENVIRONMENTAL IMPACT REPORT
(SCH # 2006052162/CITY COUNCIL RESOLUTION # 738909)**

Pursuant to Section 15162 of the CEQA Guidelines, the City of San José has determined that the project described below is pursuant to or in furtherance of the Valley Fair Shopping Center Expansion Project Final Environmental Impact Report (EIR) described below and does not involve new significant effects beyond those analyzed in this Final EIR (FEIR). Therefore, the City of San José can take action on the project as being within the scope of the certified FEIR.

FILE NUMBER, NAME, PROJECT DESCRIPTION AND LOCATION

File No. HA06-027-03. Valley Fair Shopping Center Expansion Project. Site Development Permit Amendment for the demolition of two existing bank buildings (Chase and Bank of America) within the City of San José and the construction of one new 6,000-square foot (approximate) commercial building with associated surface drive aisle, parking lot and landscape improvements, and the removal of 266 trees on approximately 3.0 gross acres of a 71-acre existing shopping center site (Valley Fair Shopping Center). **Location:** The project site is located at 2855 -2905 Stevens Creek Boulevard and is bounded by Stevens Creek Boulevard on the south, Forest Avenue on the north, Monroe Street on the east, and Winchester Boulevard on the west (Westfield Valley Fair Shopping Center). Approximately 18 acres of the southwestern portion of the project site is located in the City of Santa Clara, while the remaining approximately 53 acres of the site are located in the City of San José. The site where this project will occur is located on the northeasterly corner of West Stevens Creek Boulevard and South Baywood Avenue. **Council District 6. County Assessor's Parcel Numbers:** 274-43-079, 274-43-078, 274-43-075, 274-43-070, 274-43-041, 274-43-062.

The environmental impacts of this project were addressed by a FEIR entitled, "Valley Fair Shopping Center Expansion Project (SCH # 2006052162)" and findings were adopted by City Council under Resolution No. 73809 on June 5, 2007. Specifically, the following impacts were reviewed and found to be adequately considered by the EIR:

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| <input checked="" type="checkbox"/> Land Use | <input checked="" type="checkbox"/> Hazardous Materials | <input checked="" type="checkbox"/> Noise |
| <input checked="" type="checkbox"/> Soils and Geology | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Hydrology & Water Quality | <input checked="" type="checkbox"/> Traffic and Circulation | <input checked="" type="checkbox"/> Utilities and Service Systems |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Visual and Aesthetics |

ANALYSIS

The certified 2007 Valley Fair FEIR analyzed the overall development of 650,000 additional square feet of commercial space (and associated demolition of existing commercial space) along with 2,570 additional parking spaces for the 70-acre site of the Valley Fair mall. This project was approved under Site Development Permit File No. H06-027 and reauthorized under Site Development Permit Amendment File No. HA06-027-02. The project is being constructed in phases. The 2007 Valley Fair FEIR also analyzed the impacts of the removal of up to 601 trees, 46 of which are ordinance size per the City of San José regulations, as part of the project. None of the trees are native species or City of San José Heritage trees.

At the time of certification, it was estimated that two existing bank buildings, currently located within the City of San José, would be demolished and be reconstructed closer to Winchester Boulevard, within the City of Santa Clara (southwestern portion of the site). The current project considers the reconstruction of only one of the bank buildings within the City of San José. Despite this one minor modification, the final site condition of the shopping center expansion project will be consistent with the current land use entitlements issued by the City of San José.

The proposed relocation and construction of the bank within the City of San José is considered a minor change related to previously considered and approved development and would not increase the severity of the impacts identified in the Land Use, Transportation, Air Quality, Noise, Biological Resources, or Energy sections of the Valley Fair FEIR and would not result in any new impacts or mitigation measures beyond the scope of the Valley Fair FEIR.

The proposed tree removals fall within the scope of the Valley Fair FEIR. Trees removed on the property shall be mitigated in accordance to the mitigation requirements of the Valley Fair FEIR and as conditioned in the Site Development Permit Amendment (file number HA06-027-03). Specifically, replacement trees shall be planted on the site in accordance to the following table:

TABLE 4.6-2 TREE REPLACEMENT REQUIREMENTS				
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 greater	5:1	4:1	4:1	24-inch box
12 - 17 inches	3:1	2:1	none	24-inch box
less than 12 inches	1:1	1:1	none	15-gallon container
x:x = tree replacement to tree removal ratio Note: Trees greater than 18 inches in diameter shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees.				

In the event the project site does not have sufficient area to accommodate the required tree mitigation, one or more of the following alternative mitigation measures will be implemented, to the satisfaction of the City's Environmental Senior Planner (or equivalent), at the development permit stage:

- The size of a 15-gallon replacement tree can be increased to 24-inch box and count as two replacement trees.
- An alternative site(s) will be identified for additional tree planting. Alternative sites may include local parks and schools or installation of trees on adjacent properties for screening purposes. Contact PRNS Landscape Maintenance Manager for specific park locations in need of trees.
- If an alternate site is not feasible, a donation of \$300 per required mitigation tree can be made to Our City Forest for in-lieu off-site tree planting in the community. These funds will be used for tree planting and maintenance of planted trees for approximately three years. Contact Our City Forest, at (408) 998-7337 to make a donation. A donation receipt for off-site tree planting shall be provided to the Planning Project Manager prior to issuance of a development permit.

To mitigate potential damage to retained trees, trees shall be safeguarded during construction through implementation of the following measures:

- Prior to the issuance of any approval or permit, all trees on the site shall be inventoried by a certified arborist as to size, species and location on the lot and the inventory shall be submitted on a topographical map to the Director;
- Damage to any tree during construction shall be reported to the City's Environmental Senior Planner (or equivalent), and the contractor or owner shall treat the tree for damage in the manner specified by the City's Environmental Senior Planner (or equivalent).
- No construction equipment, vehicles or materials shall be stored, parked or standing within the tree dripline; and
- Drains shall be installed according to city specifications so as to avoid harm to trees due to excess watering; and
- Wires, signs and other similar items shall not be attached to trees; and
- Cutting and filling around the base of trees shall be done only after consultation with the city arborist and then only to the extent authorized by the city arborist; and
- No paint thinner, paint, plaster or other liquid or solid excess or waste construction materials or wastewater shall be dumped on the ground or into any grate between the dripline and the base of the tree or uphill from any tree where certain substances might reach the roots through a leaching process; and
- Barricades shall be constructed around the trunks of trees as specified by a qualified arborist so as to prevent injury to trees making them susceptible to disease causing organisms; and
- Wherever cuts are made in the ground near the roots of trees, appropriate measures shall be taken to prevent exposed soil from drying out and causing damage to tree roots.

Given the proposed project description and knowledge of the project site based on the proposed project, site-specific environmental review, and environmental review prepared for the 2007 Valley Fair Shopping Center Expansion FEIR, the City of San José has concluded that the proposed project would not result any new significant effects beyond those analyzed in the Final EIR. Additionally, the project will not include any new impacts not previously disclosed in the 2007 Valley Fair Shopping Center Expansion Project FEIR; nor would it result in a substantial increase in the magnitude of any significant environmental impact previously identified in the FEIR. For these reasons, a supplemental or subsequent FEIR is not required and an addendum to the 2007 Valley Fair Shopping Center Expansion Project FEIR has been prepared for the proposed project.

This addendum will not be circulated for public review, but will be attached to the 2007 Valley Fair Shopping Center Expansion Project FEIR. The addendum will also be provided to the City of Santa Clara and the California Department of Transportation, responsible agencies for the project.

Harry Freitas, Director
Planning, Building and Code Enforcement

Deputy

6-1-2015

Date