

County of Santa Clara
Office of the County Clerk-Recorder
Business Division

County Government Center
70 West Hedding Street, E. Wing, 1st Floor
San Jose, California 95110 (408) 299-5688



Santa Clara County Clerk – Recorder's Office
State of California



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REGINA ALCOMENDRAS, County Clerk – Recorder
by Mike Louie, Clerk – Recorder Office Spe, *ml*

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: City of Campbell
2. PROJECT TITLE: The Dillon Avenue Townhomes and Apartments Project (Revised) aka Madison Park
3. APPLICANT NAME: Madison Park of Campbell LLC PHONE: (408) 345-1767
4. APPLICANT ADDRESS: 2185 The Alameda, San Jose, CA 95126
5. PROJECT APPLICANT IS A: Local Public Agency School District Other Special District State Agency Private Entity
6. NOTICE TO BE POSTED FOR 30 DAYS.
7. CLASSIFICATION OF ENVIRONMENTAL DOCUMENT

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

<input type="checkbox"/> 1. <u>ENVIRONMENTAL IMPACT REPORT</u> (PUBLIC RESOURCES CODE §21152)	\$ 3,069.75	\$ <u>0.00</u>
<input checked="" type="checkbox"/> 2. <u>NEGATIVE DECLARATION</u> (PUBLIC RESOURCES CODE §21080(C))	\$ 2,210.00	\$ <u>2,210.00</u>
<input type="checkbox"/> 3. <u>APPLICATION FEE WATER DIVERSION</u> (STATE WATER RESOURCES CONTROL BOARD ONLY)	\$ 850.00	\$ <u>0.00</u>
<input type="checkbox"/> 4. <u>PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS</u>	\$ 1,043.75	\$ <u>0.00</u>
<input checked="" type="checkbox"/> 5. <u>COUNTY ADMINISTRATIVE FEE</u> (REQUIRED FOR a-1 THROUGH a-4 ABOVE) Fish & Game Code §711.4(e)	\$ 50.00	\$ <u>50.00</u>

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

<input type="checkbox"/> 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED)	\$ 50.00	\$ <u>0.00</u>
<input type="checkbox"/> 2. A COMPLETED "CEQA FILING FEE NO EFFECT DETERMINATION FORM" FROM THE DEPARTMENT OF FISH & GAME, DOCUMENTING THE DFG'S DETERMINATION THAT THE PROJECT WILL HAVE NO EFFECT ON FISH, WILDLIFE AND HABITAT, OR AN OFFICIAL, DATED RECEIPT / PROOF OF PAYMENT SHOWING PREVIOUS PAYMENT OF THE DFG FILING FEE FOR THE "SAME PROJECT IS ATTACHED" (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED)		
DOCUMENT TYPE: <input type="checkbox"/> ENVIRONMENTAL IMPACT REPORT <input type="checkbox"/> NEGATIVE DECLARATION	\$ 50.00	\$ <u>0.00</u>

c. NOTICES THAT ARE NOT SUBJECT TO DFG FEES OR COUNTY ADMINISTRATIVE FEES

<input type="checkbox"/> NOTICE OF PREPARATION <input type="checkbox"/> NOTICE OF INTENT	NO FEE	\$ <u>NO FEE</u>
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8. OTHER: _____ FEE (IF APPLICABLE): \$ _____

9. TOTAL RECEIVED..... \$ 2,260.00

*NOTE: "SAME PROJECT" MEANS **NO** CHANGES. IF THE DOCUMENT SUBMITTED IS NOT THE SAME (OTHER THAN DATES), A "NO EFFECT DETERMINATION" LETTER FROM THE DEPARTMENT OF FISH AND GAME FOR THE SUBSEQUENT FILING OR THE APPROPRIATE FEES ARE REQUIRED.

THIS FORM MUST BE COMPLETED AND ATTACHED TO THE FRONT OF ALL CEQA DOCUMENTS LISTED ABOVE (INCLUDING COPIES) SUBMITTED FOR FILING. WE WILL NEED AN ORIGINAL (WET SIGNATURE) AND THREE COPIES. (YOUR ORIGINAL WILL BE RETURNED TO YOU AT THE TIME OF FILING.)

CHECKS FOR ALL FEES SHOULD BE MADE PAYABLE TO: SANTA CLARA COUNTY CLERK-RECORDER

PLEASE NOTE: FEES ARE ANNUALLY ADJUSTED (Fish & Game Code §711.4(b)); PLEASE CHECK WITH THIS OFFICE AND THE DEPARTMENT OF FISH AND GAME FOR THE LATEST FEE INFORMATION.

"... NO PROJECT SHALL BE OPERATIVE, VESTED, OR FINAL, NOR SHALL LOCAL GOVERNMENT PERMITS FOR THE PROJECT BE VALID, UNTIL THE FILING FEES REQUIRED PURSUANT TO THIS SECTION ARE PAID." Fish & Game Code §711.4(c)(3)

(Fees Effective 01-01-2015)

ORIGINAL



CITY OF CAMPBELL
Community Development Department

NOTICE OF DETERMINATION

To: _____ **Office of Planning & Research**
1400 Tenth Street, Room 121
Sacramento, CA 95812-3044

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

X _____ **County Clerk's Office**
Santa Clara County
70 W. Hedding Street, East Wing
San Jose, CA 95110

Note: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title: The Dillon Avenue Townhomes and Apartments Project (Revised) aka Madison Park

Project Location: Southeast corner of Dillon Ave. and Sam Cava Ln., at 180/86, 190, 230, 240, 260, 272, 280, 282, and 290 (portion) Dillon Ave.; 466, 472, 482, and 488 Sam Cava Ln.; and 186 Gilman Ave.

Description of Project: Expansion of an approved project ("Revised Project") to incorporate three additional properties, allowing the addition of nine townhomes and nine apartment units, increasing the total unit count from 100 to 118 units (90 townhomes and 28 apartment units).

Date of Project Approval: December 1, 2015 (City Council adoption of Ordinance No. 2195)

Lead Agency: City of Campbell

Lead Agency Contact: Daniel Fama, Associate Planner – Community Development Department
(408) 866-2193 / daniel.fama@cityofcampbell.com

Name of Applicant: Madison Park of Campbell LLC

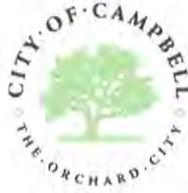
Determination: This is to advise that the CITY OF CAMPBELL, LEAD AGENCY, granted final approval of the above described Revised Project on December 1, 2015 and has made the following environmental determination:

1. The Revised Project (will will not) have a significant effect on the environment.
2. An Environmental Impact Report was prepared for the Revised Project pursuant to the provisions of CEQA.
 An Addendum to a previously adopted Mitigated Negative Declaration was prepared for the Revised Project pursuant to the provisions of Section 15164 of the CEQA Guidelines.
3. Mitigation measures (were were not) made a condition of approval of the Revised Project.
4. A statement of overriding considerations (was was not) adopted for the Revised Project.

This is to certify that the Addendum, the previously adopted Mitigated Negative Declaration, and the final Infill Environmental Checklist, with comments and responses and the record of project approval is available to the general public at the Community Development Department, City of Campbell, 70 N. First Street, Campbell, CA 95008.

Signature:  Date: 12/2/15

Title: Associate Planner



CITY OF CAMPBELL
Community Development Department

**ADDENDUM TO A MITIGATED NEGATIVE DECLARATION (MND)
AND INFILL ENVIRONMENTAL CHECKLIST**

**The Dillon Avenue Townhomes and Apartments Project (Revised)
280 Dillon Avenue et al.**

Pursuant to Section 15164 of the CEQA Guidelines, the City of Campbell has prepared an Addendum to an Infill Environmental Checklist/Mitigated Negative Declaration because minor changes made to the project that are described below do not raise important new issues about the significant impacts on the environment.

PROJECT NAME, APPLICATION FILE NUMBERS, AND LOCATION

Project Name: The Dillon Avenue Townhomes and Apartments Project

File Nos.: Modification (PLN2015-170) to a previously approved and modified Planned Development Permit (PLN2013-337 / PLN2015-48); Modification (PLN2015-171) to a previously approved and modified Tentative Vesting Subdivision Map (PLN2013-339 / PLN2015-49); Parking Modification Permit (PLN2015-172); and Tree Removal Permit (PLN2015-173)

Location: The approximate five acre, multi-parcel project site is generally located at the southeast corner of Dillon Avenue and Sam Cava Lane at 180, 186, 190, 230, 240, 260, 272, 280, 282, and 290 (portion) Dillon Avenue; 466, 472, 482, and 488 Sam Cava Lane; and 186 Gilman Avenue

PROJECT DESCRIPTION

On October 21, 2014, the City of Campbell adopted a Mitigated Negative Declaration by City Council Resolution No. 11735 for which an Infill Environmental Checklist was prepared for the Dillon Avenue Townhomes and Apartments Project (referred to herein as "approved project") in accordance with the California Environmental Quality Act (CEQA). The approved project analyzed in the Infill Environmental Checklist/Mitigated Negative Declaration consisted of 81 townhome units (fee title ownership), 19 apartment (rental) units, and associate site work, including grading, landscaping, and private roadway improvements. The approved project included approval of a Planned Development Permit (PLN2013-337), a Vesting Tentative Subdivision Map (PLN2013-339), and a Tree Removal Permit (PLN2014-191).

Following the City's approval, the applicant acquired additional property for purposes of expanding the scope of the project. As not to incur delay, the applicant submitted applications to separate the approved project into two phases, allowing construction of one portion to begin while the expansion proposal is reviewed. The phasing plan was approved by the City Council in July 21, 2015, with a determination that since the phasing plan did not change the nature or scope of the approved project as understood in the previously adopted environmental documents, no additional environmental review was required.

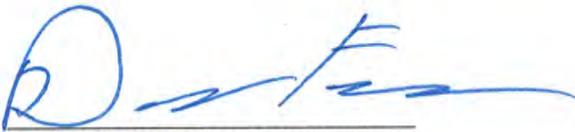
The CEQA Guidelines §15162 state that when a negative declaration has been adopted for a project, no subsequent EIR or negative declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or negative declaration would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines §15164(b) state that an addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in §15162 calling for the preparation of a subsequent Environmental Impact Report or negative declaration have occurred.

Based on the proposed revised project description, the environmental review prepared for the Infill Environmental Checklist/Mitigated Negative Declaration, and the attached supplemental analysis, the City has concluded that the proposed revised project would not result in any new significant impacts not previously disclosed in the adopted Infill Environmental Checklist/Mitigated Negative Declaration nor would it result in a substantial increase in the magnitude of any significant environmental impact previously identified in the Infill Environmental Checklist/Mitigated Negative Declaration.

For these reasons, an addendum to the adopted Infill Environmental Checklist/Mitigated Negative Declaration for the revised Dillon Avenue Townhomes and Apartments Project has been prepared and a supplemental or subsequent Environmental Impact Report or Infill Environmental Checklist/Mitigated Negative Declaration is not required for the proposed revised project. This addendum will not be circulated for public review, but will be attached to the final Infill Environmental Checklist/Mitigated Negative Declaration for the Dillon Avenue Townhomes and Apartments Project, pursuant to CEQA Guidelines §15164(c) and postponed on the City's website. All documents referenced in this Addendum are available for public review in the Campbell Community Development Department at Campbell City Hall, 70 N. First Street, during normal business hours and online on the City's 'Environmental Notices' webpage (<http://www.cityofcampbell.com/Archive.aspx?AMID=49>).



Daniel Fama, Associate Planner
Community Development Department

October 9, 2015

Date