

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

File Number: ENV20780

ENVIRONMENTAL FILING
No. of Pages: 6
Total Fees: \$2266.25
File Date: 04/21/2017
Expires: 05/10/2017

REGINA ALCOMENDRAS, Clerk-Recorder
By: Mike Louie, Deputy Clerk-Recorder

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

- 1. LEAD AGENCY: City of Campbell
- 2. PROJECT TITLE: Dillon Avenue Townhomes and Apartments (aka "Madison")
- 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 20 DAYS.

7. CLASSIFICATION OF ENVIRONMENTAL DOCUMENT

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

- 1. **ENVIRONMENTAL IMPACT REPORT** (PUBLIC RESOURCES CODE §21152) \$ 3,078.25 \$ 0.00
- 2. **NEGATIVE DECLARATION** (PUBLIC RESOURCES CODE §21080(C)) \$ 2,216.25 \$ 2,216.25
- 3. **APPLICATION FEE WATER DIVERSION** (STATE WATER RESOURCES CONTROL BOARD ONLY) \$ 850.00 \$ 0.00
- 4. **PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS** \$ 1,046.50 \$ 0.00
- 5. **COUNTY ADMINISTRATIVE FEE** (REQUIRED FOR a-1 THROUGH a-4 ABOVE) \$ 50.00 \$ 50.00
Fish & Game Code §711.4(e)

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

- 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) \$ 50.00 \$ 0.00
 - 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: ENVIRONMENTAL IMPACT REPORT NEGATIVE DECLARATION \$ 50.00 \$ 0.00

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

- NOTICE OF PREPARATION NOTICE OF INTENT NO FEE \$ NO FEE

8. OTHER: _____ FEE (IF APPLICABLE): \$ _____

9. TOTAL RECEIVED..... \$ 2,266.25

*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 TWO (2) COPIES. IF THERE ARE ATTACHMENTS, PLEASE PROVIDE THREE (3) SETS OF ATTACHMENTS FOR SUBMISSION. (YOUR ORIGINAL WILL BE RETURNED TO YOU AT THE TIME OF FILING.)

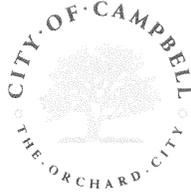
CHECKS FOR ALL FEES SHOULD BE MADE PAYABLE TO: SANTA CLARA COUNTY CLERK-RECORDER

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 01-01-2017)

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: Dillon Avenue Townhomes and Apartments (aka "Madison") / 500 Sam Cava Ave. (Bld. 19)

Project Location: 500 Sam Cava Ln. (Subject Parcel) | Lottie Lane (Overall Project)

Description of Project: Expansion proposal ("revised project") would incorporate one additional parcel into the approved project, allowing construction of an additional townhome row with six units, bringing the total unit count to 124 (96 townhomes and 28 apartment units).

Date of Project Approval: April 18, 2017 (City Council Approval)

Lead Agency: City of Campbell

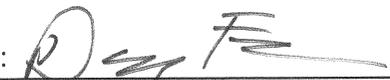
Lead Agency Contact: Daniel Fama, Senior Planner – Community Development Department
(408) 866-2193 / daniel.f@cityofcampbell.com

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 April 18, 2017 and has made the following environmental determination:

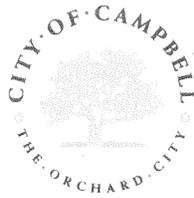
1. The Revised Project (will will not) have a significant effect on the environment.
2. An Environmental Impact Report was prepared for the Revised Project pursuant to the provisions of CEQA.
 A Second Addendum to a previously adopted Mitigated Negative Declaration was prepared for the Revised Project 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 Second Addendum, the First 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: 4/20/17

Title: Senior Planner



CITY OF CAMPBELL
Community Development Department

**SECOND ADDENDUM TO A MITIGATED NEGATIVE
DECLARATION AND INFILL ENVIRONMENTAL CHECKLIST**

**Dillon Avenue Townhomes and Apartments (aka "Madison")
500 Sam Cava Ave. (Bld. 19)**

Pursuant to Section 15164 of the CEQA Guidelines, the City of Campbell has prepared a Second 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 Title: Dillon Avenue Townhomes and Apartments (aka "Madison")
500 Sam Cava Ave. (Bld. 19)

File Number(s): PLN2016-233 (Planned Development Permit) | PLN2016-234
(Tentative Vesting Subdivision Map) | PLN2016-303 (Minor
Modification) | PLN2016-235 (Parking Modification Permit)

Project Address: 500 Sam Cava Ln. (Subject Parcel) | Lottie Lane (Overall Project)

PROJECT DESCRIPTION

The residential infill project was initially approved by the Campbell City Council on October 21, 2014 for 100 units, including 81 townhomes and 19 apartments ("original project"). At that meeting, the City Council adopted a Mitigated Negative Declaration (MND) based on preparation of an Infill Environmental Checklist Form prepared in compliance with CEQA Guidelines Sec. 15183.3. The project proponent subsequently secured additional property and submitted applications to expand the project scope. On November 17, 2015, the Campbell City Council approved the expanded project ("approved project") to now include 118 units, consisting of 90 townhomes and 28 apartments units. At that meeting, the City Council adopted an (first) Addendum to the previously adopted Mitigated Negative Declaration, pursuant to CEQA Guidelines Sec. 15164, as based on a supplemental environmental analysis of the expanded project.

The current expansion proposal ("revised project") would incorporate one additional parcel ("subject parcel") into the project, allowing construction of an additional townhome row with six units, bringing the total unit count to 124 (96 townhomes and 28 apartment units). The proposal would also modify the parking configuration along the private roadway around the existing site.

The revised project will require consideration of a Planned Development Permit (PLN2016-233) for the proposed six-unit townhome building; a Tentative Vesting Subdivision Map (PLN2016-234) for creation of six private lots, two common lots, reconfiguration of existing common area lots, and vacation of excess City right-of-way; a Parking Modification Permit (PLN2016-235) to allow consideration of private driveways as guest parking; and a Minor Modification (PLN2016-303) to a previously approved and modified Planned Development Permit (PLN2015-170/PLN2015-48/PLN2013-337) to allow reconfiguration of parking stalls within a common lot of the 'Madison' townhome project.

The adopted Infill Environmental Checklist/Mitigated Negative Declaration evaluated the environmental impacts that might reasonably be anticipated to result from the implementation of the project. This Second Addendum was prepared to evaluate the environmental impacts that may result from revised project as described above and confirm whether any new significant impacts or a substantial increase in the severity of previously identified impacts would result from the revised project. Specifically, the following impacts were reviewed and found to be adequately considered by the Infill Environmental Checklist/Mitigated Negative Declaration:

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

ANALYSIS

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.

The purpose of this Second Addendum is to evaluate the environmental impacts of the revised project, which would allow for the development of an additional six townhome units for a total 124 units (96 townhomes and 28 apartment units), and associated site work, including grading, landscaping, and private roadway improvements.

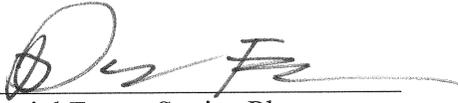
The CEQA Guidelines §15162 state that when a negative declaration has been adopted for a project, no subsequent EIR or negative declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

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, a Second addendum to the adopted Infill Environmental Checklist/Mitigated Negative Declaration for the revised Dillon Avenue Townhomes and Apartments Project (aka "Madison") 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 posted 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, Senior Planner
Community Development Department

March 10, 2017

Date