

# SUPPLEMENTAL



## Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Joseph Horwedel

**SUBJECT:** SEE BELOW

**DATE:** December 7, 2007

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Approved	<i>Kay Winer</i>	Date	<i>12/7/07</i>
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**COUNCIL DISTRICT:** 4  
**SNI AREA:** N/A

**SUBJECT: PDC07-091. Director Initiated Conforming Planned Development Re-zoning from the IP(PD) Planned Development Zoning District to the IP(PD Planned Development Zoning District to allow office/research and development uses and modifications to the development standards to change the height and setbacks to conform to the IP – Industrial Park Zoning District on a 16.35 gross acre site located at the northwest corner of Orchard Parkway and Atmel Way.**

### REASON FOR SUPPLEMENTAL MEMO

Based upon review of an Initial Study the Director of Planning has concluded that the environmental impacts of this project were addressed by a Final EIR entitled, "North San José Development Policies Update EIR," and findings were adopted by City Council Resolution No. 72768 on June 21, 2005.

An Addendum to the North San José Final Program EIR has been adopted on December 7, 2007 and is attached.

The Initial Study is available for review on the North San José Environmental Documents web page: <http://www.sanjoseca.gov/planning/nsj/environment.asp> and at the Department of Planning, Building and Code Enforcement: Planning Division 3<sup>rd</sup> floor of City Hall.

*for Akoni Danielsen*  
JOSEPH HORWEDEL, DIRECTOR  
Planning, Building and Code Enforcement



**ADDENDUM TO AN EIR  
USE OF A FINAL EIR PREPARED FOR A PREVIOUS PROJECT**

Pursuant to Section 15164 of the CEQA Guidelines, the City of San Jose has prepared an Addendum to an Environmental Impact Report (EIR) 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 DESCRIPTION AND LOCATION**

Planned Development Rezoning (File No. PDC07-091) from the IP(PD) - Planned Development Zoning District to the I(PD) - Planned Development Zoning District to allow office/research & development uses and modifications to the development standards to change the height and setbacks to conform to the IP - Industrial Park Zoning District, and Planned Development Permit (File No. PD07-081) to construct approximately 398,350 square feet of office/R&D uses in two 6-story buildings on a 16.35 acres site located at the northwest corner of Orchard Pakway and Atmel Way.

Council District 4

County Assessor's Parcel Numbers 101-02-010 ptn

The environmental impacts of this project were addressed by a Final EIR entitled, "North San Jose Development Policies Update EIR," and findings were adopted by City Council Resolution No. 72768 on June 21, 2005. Specifically, the following impacts were reviewed and found to be adequately considered by the EIR:

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|---|--|---|
| <input checked="" type="checkbox"/> Traffic and Circulation | <input checked="" type="checkbox"/> Soils and Geology      | <input checked="" type="checkbox"/> Noise                       |
| <input checked="" type="checkbox"/> Cultural Resources      | <input checked="" type="checkbox"/> Hazardous Materials    | <input checked="" type="checkbox"/> Land Use                    |
| <input checked="" type="checkbox"/> Urban Services          | <input checked="" type="checkbox"/> Biotics                | <input checked="" type="checkbox"/> Air Quality                 |
| <input checked="" type="checkbox"/> Aesthetics              | <input checked="" type="checkbox"/> Airport Considerations | <input checked="" type="checkbox"/> Microclimate                |
| <input checked="" type="checkbox"/> Energy                  | <input checked="" type="checkbox"/> Relocation Issues      | <input checked="" type="checkbox"/> Construction Period Impacts |
| <input checked="" type="checkbox"/> Transportation          | <input checked="" type="checkbox"/> Utilities              | <input checked="" type="checkbox"/> Facilities and Services     |
| <input checked="" type="checkbox"/> Water Quality           | <input type="checkbox"/> _____                             |   |

**ANALYSIS**

See Attached Initial Study, "Legacy 101 PD Zoning & Permit: File No. PDC07-091 & PD07-081" December 2007.

John W. Baty  
Project Manager

Joseph Horwedel, Director  
Planning, Building and Code Enforcement

12/7/07  
Date

Akemi Amundson  
Deputy