

Notice of Preparation and Comment Summary

Notice of Preparation

**NOTICE OF PREPARATION
OF AN
ENVIRONMENTAL IMPACT REPORT
FOR THE
MISSION POINT PROJECT**

Date of Distribution: April 18, 2022

PROJECT APPLICANT: Kylli, Inc.

FILE NOS: PLN2017-12924, PLN2018-13400, PLN21-15386, and PLN21-15387

SCH NO. 2018072068

In accordance with the California Environmental Quality Act (CEQA), the purpose of this Notice of Preparation (NOP) is to inform interested parties that the City of Santa Clara is preparing a Draft Environmental Impact Report (EIR) for the Mission Point Project (Project). Kylli, Inc. proposes the demolition of four existing office buildings and the construction of a new mixed-use neighborhood that provides a transit-oriented “live, work, socialize, and recreate” environment. Approval of the Project will require actions by the City of Santa Clara, including the preparation and certification of an EIR to support the environmental review of the proposed development plan.

As the Lead Agency, the City of Santa Clara will prepare an EIR for the above-referenced Project. We are requesting comments on the scope and content of the environmental information, which is germane to your agency’s statutory responsibilities in connection with the Project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the Project. The project description, location, and potential environmental effects are contained in the attached materials.

Please note that on July 27, 2018, the City previously issued a NOP for an earlier version of the redevelopment contemplated on the Project site, which had the comment period closing on August 28, 2018, and thereafter on October 1, 2018, a second NOP was issued for a revised project on the site, which had the comment period closing on October 28, 2018. Since the issuance of the second NOP, substantial changes to the Project have been made, and the Lead Agency is reissuing the NOP to provide the new Project details and solicit your input on the scope and content of the Draft EIR as relates to the Project as currently proposed.

According to State law, the deadline for your response to this reissued NOP is a 30-day comment period beginning **April 18, 2022** and ending **May 18, 2022**. Please send your response to:

**City of Santa Clara
Attn: Rebecca Bustos
1500 Warburton Avenue
Santa Clara, CA 95050
(408) 615-2464
rbustos@santaclaraca.gov**

In addition, a public scoping meeting will be held virtually on **May 4, 2022 at 6:00 p.m.** A presentation summarizing the project will be provided and questions from the public will be recorded. Please use the following Zoom link to access the meeting:

<https://santaclaraca.zoom.us/j/87046893391>

US: +1 669 900 6833 / Webinar ID: 870 4689 3391

Andrew Crabtree

Director of Community Development



Date: April 18, 2022

**Notice of Preparation for an Environmental Impact Report for the
Mission Point Project
City of Santa Clara**

April 2022

Introduction

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the general public of the environmental effects of a proposed project that an agency may implement or approve. The EIR process is intended to provide information sufficient to evaluate a project and its potential for significant impacts on the environment; to examine methods of reducing adverse impacts; and to consider alternatives to the project.

The EIR for the Project will be prepared and processed in accordance with the California Environmental Quality Act (CEQA) of 1970 and State CEQA Guidelines, as amended. In accordance with the requirements of CEQA, the EIR will include the following:

- A summary of the Project;
- A Project Description;
- A description of the existing environmental setting, environmental impacts (construction and operational), and mitigation measures for the project;
- Alternatives to the Project as proposed; and
- Environmental consequences, including (a) any significant environmental impacts that cannot be avoided if the Project is implemented; (b) any significant irreversible and irretrievable commitments of resources; (c) the growth-inducing impacts of the Project; and (d) cumulative impacts.

Project Location

The Project site is located on nine parcels (assessor's parcel numbers [APNs] 104-04-150, 104-04-142, 104-04-143, 104-04-151, 104-04-112, 104-04-113, 104-04-065, 104-04-111, 104-04-064) and a roadway right-of-way (ROW) (Democracy Way) totaling approximately 48.6 acres. The Project site is generally located along the Great America Parkway corridor in Santa Clara and is bounded by Tasman Drive to the north, Old Ironsides Drive to the east, the ROW associated with the Hetch Hetchy aqueduct to the south, and Patrick Henry Drive to the west. The Project site is located in a commercial district that was formerly used as office/R&D and is currently occupied by four vacant light industrial buildings on the northern portion of the site and a paved surface parking lot. **Figure 1** depicts the location of the Project site.

Project Description

If approved by City Council and regulatory agencies, the Project would involve demolition of the existing office buildings and establishment of a new mixed-use neighborhood that provides a diverse

and complementary mix of uses. The Project would include up to 4,915,800 gross square feet (gsf) of new development, including approximately 1.8 million gross square feet (gsf) of residential uses (1,800 units), approximately 3 million gsf of office space, approximately 100,000 gsf of neighborhood retail, approximately 10,000 gsf of childcare facilities, and community spaces. The Project would also provide affordable housing in compliance with the City's Inclusionary Housing Policy requirements. Parking would be provided in subsurface and above ground parking facilities. In addition, the Project would include up to 24 acres of publicly accessible open space and up to 13 acres of private open space/sustainability zones throughout the Project site, subject to final design. **Figure 2** shows the conceptual site plan and **Figure 3** shows the conceptual land use plan.

The Project would also provide new pedestrian and vehicular entrances and roadway networks, upgraded and expanded infrastructure, and a new electrical substation. Democracy Way would be relocated within the Project site and shifted to the south to bisect the site evenly, and it would be renamed New Democracy Way. New Democracy Way would be available to vehicles, bicyclists, and pedestrians. A new roadway, Mission Way, would also be constructed along the southern perimeter of the Project site, connecting Patrick Henry Drive and Old Ironside Drive. Mission Way would also be available to vehicles, bicyclists, and pedestrians. Additionally, a new multi-use trail would be constructed just south of Mission Way, the South Trail, which would be available to bicyclists and pedestrians. **Figure 4** shows the conceptual circulation plan.

All existing water, sewer, and storm drain utility lines located under Democracy Way would be removed and relocated to New Democracy Way. Existing electrical, natural gas, and communication utilities would also be removed from Democracy Way; however, relocation of these lines are pending input from utility companies. New public infrastructure would be limited to within New Democracy Way, the perimeter of the site, and where service connections are required to service the Project.

The podium buildings for office uses would have heights ranging from approximately 63 feet to 108 feet (5 to 8 stories), while the podium buildings for residential uses would be approximately 70 feet (7 stories). Towers for office uses are also proposed and would range in height from approximately 128 feet to 173 feet (9 to 12 stories). Towers for residential uses would range from approximately 140 feet to 210 feet (14 to 21 stories). Ground floor retail is proposed in buildings with both office and residential uses. The proposed towers would be located and designed to minimize shadows on streets, open spaces, and residential units, and to avoid the creation of surface winds near the base of the buildings.

Proposed multi-family residences would include a variety of dwelling unit sizes, ranging from studios to two-bedroom units. Office uses would include professional offices, research and development (offices and laboratory space), and medical offices, while retail uses would include neighborhood serving retail such as a range of restaurant types (sit-down, high turnover, fast food (non-drive through), and cafes), personal services (non-medical services such as nail salons, hair salons, banks), pharmacy, and entertainment. There would also be childcare facilities within the Project site. In addition, the Project proposes to implement the South Multi-Use Trail along the southern perimeter of the Project site, in conformance with the City's trail map and will incorporate landscaping, public bicycle and pedestrian paths, and connection points.

A new General Plan land use designation would be created to allow for the redevelopment of the Project site. The current General Plan land use designation for the Project site is High-Intensity Office/Research & Development. In order to accommodate high-intensity, urban-oriented development, a new General Plan land use designation allowing mixed-use development would be adopted.

For more information about the Project, please visit the City's website at <https://www.santaclaraca.gov/Home/Components/BusinessDirectory/BusinessDirectory/245/2495>.

Required Project Approvals

Project approvals by the City including, but not limited to, the following would be required to implement the Project addressed in the EIR:

- General Plan Amendment
- Rezoning to Planned Development and Development Plan(s)
- Tentative Subdivision Map(s) and/or Vesting Tentative Subdivision Map(s)
- Development Agreement
- Infrastructure Master Plan
- Architectural Review
- Tree Removal
- TDM Plan
- Affordable Housing Plan
- Issuance of grading, demolition, building, occupancy and other ministerial permits
- Relevant permits and approval for the relocation of Democracy Way and related public utilities and easements (including the potential for tunnels/utilities under and/or bridges/connections over New Democracy Way).

Potential/Probable Environmental Impacts of the Project

The EIR will identify the significant environmental effects anticipated to result from development of the Project as proposed. Mitigation measures will be identified for significant impacts identified for any of the environmental issues described below, if feasible and as warranted. The EIR will include the following specific environmental categories as related to the Project:

1. Air Quality

The EIR will address the regional air quality conditions in the Bay Area and discuss the Project's impacts to local and regional air quality according to the most recent Bay Area Air Quality Management District (BAAQMD) guidelines and thresholds. The air quality analysis will focus on the criteria pollutants of greatest concern in the San Francisco Bay Area Air Basin (SFBAAB) that will be generated by construction and operation of the Project and the potential adverse human health effects that could result: reactive organic gases (ROGs), oxides of nitrogen (NO_x), carbon monoxide (CO), and inhalable particulate matter (PM₁₀ and PM_{2.5}). Temporary construction related impacts such as construction vehicle exhaust and airborne particulates (i.e., dust) will also be discussed.

2. *Biological Resources*

The Project site is currently developed with four vacant light industrial buildings and a paved surface parking lot. Surveys will inform the Biological Resources section of the EIR to identify adjacent habitat types and onsite conditions. Although the Project site is highly developed, there are some grassy areas, trees, and vacant buildings that could support habitat. The EIR will provide a discussion of the removal of existing trees and buildings and will conduct analyses related to biological features and effects on biological resources.

3. *Cultural Resources and Tribal Cultural Resources*

Based on the age of the existing onsite buildings and structures in the immediate vicinity, no studies related to historic buildings will be performed. Consultation with the Native American Heritage Commission (NAHC) will be initiated to determine whether sacred lands are located in the Project vicinity, and a records search through the Northwest Information Center (NWIC) will be conducted to determine general and buried archaeological resource sensitivity of the Project site, including tribal cultural resources. Consultation pursuant to Assembly Bill 52 and Senate Bill 18 will also be conducted and summarized in the EIR.

4. *Energy*

The EIR will analyze if the Project could result in wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation or if it would conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Proposed design measures to reduce energy consumption will also be discussed.

5. *Geology and Soils*

The EIR will summarize the findings in the geotechnical report prepared for the Project, as well as publicly available maps and other reports, to characterize underlying geology and seismic conditions. In addition, the EIR will summarize geologic conditions potentially affecting the design of building foundations and review seismic hazard mapping to describe existing earthquake hazards on the Project site. The EIR will describe existing laws and regulations related to geology, soils, and seismicity. In addition, a discussion of potential impacts to paleontological resources will be included in accordance with standards set forth by the Society of Vertebrate Paleontology (SVP).

6. *Greenhouse Gas Emissions*

The EIR will address the Project's contribution to regional and global greenhouse gas emissions based on BAAQMD thresholds. The climate change analysis will focus on the greenhouse gases (GHGs) of greatest concern—carbon dioxide, (CO₂), methane (CH₄) and nitrous oxide (N₂O)—that will be generated by construction and operation of the Project. The EIR will also discuss the Project's consistency with the City's Climate Action Plan and other applicable plans and regulations. Proposed design measures to reduce energy consumption, which in turn would reduce greenhouse gas emissions, will also be discussed.

7. Hazards and Hazardous Materials

The EIR will summarize the findings of the Phase I Environmental Site Assessment for the Project site to describe the extent and magnitude of known or potential subsurface contamination on the Project site (if any). Potential hazardous building material concerns (e.g., asbestos) associated with demolition of the existing office buildings will be identified. The EIR will describe the regulatory framework for hazardous materials, including federal, state, and local agencies, laws, and regulations, and apply the applicable regulations. The EIR will also discuss potential aviation hazards. On much of the Project site, the maximum building height is regulated by Federal Aviation Administration (FAA) height limits. The EIR will also analyze implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

8. Hydrology and Water Quality

The EIR will analyze potential impacts related to hydrology and water quality, including groundwater, that may result from development of the Project. The primary hydrology and water quality issues that will be analyzed are impacts related to flooding and stormwater runoff (quality and rate/volume of discharge). The existing regulatory framework for stormwater management, including construction period and post-construction controls that are applicable to the Project, will be described.

9. Land Use and Planning

The Project site is located in a developed urbanized area. The EIR will describe the existing land uses at and adjacent to the Project site. The EIR will evaluate any potential conflicts between the proposed and current land uses that would result in potential environmental impacts. These conflicts could include a use that would create a nuisance for adjacent properties or result in incompatibility with surrounding land uses, such as differences in the physical scale of development, noise levels, traffic levels, or hours of operation. The General Plan, Zoning Ordinance, and other applicable plans, such as the Comprehensive Land Use Plan for the Mineta San Jose International Airport, will be examined and the Project's consistency with applicable portions of these plans will be described.

10. Noise

The EIR will include a noise and vibration impact analysis that employs standard noise and vibration modeling techniques consistent with the requirements of the City of Santa Clara General Plan Noise Element and noise section of the City's municipal code. Construction noise and vibration will be evaluated using methods recommended by the U.S. Department of Transportation with construction data to be provided by the Project Sponsor. Traffic noise will be evaluated under the conditions analyzed in the Transportation section.

11. Population and Housing

This section of the EIR will examine the Project's effect on population and housing in the City and immediately surrounding areas, and, to a lesser extent, in the region. The analysis will focus

on the direct increase in population due to the proposed onsite housing and the associated housing needed to accommodate the increased employment that would result from the Project. The EIR will consider the addition of up to 1,800 residential units and employees generated by the approximately 3 million gsf of office space and approximately 100,000 gsf of neighborhood retail compared to regional population growth forecasts.

12. Public Services and Recreation

As discussed above, implementation of the Project would increase the population of the City, which would result in an increased demand on public services, including police and fire protection, schools, and recreational facilities. The EIR will address the availability of public services and recreational facilities and the potential for the Project to require the construction of new facilities.

13. Transportation

The EIR will examine the existing traffic conditions in the vicinity of the Project site. The analysis will identify any potential impacts to the transportation system and the planned long-range transportation network in order to analyze potential conflicts with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; conflict or be inconsistent with State CEQA Guidelines section 15064.3, subdivision (b) related to VMT; substantially increase hazards due to a geometric design feature or incompatible uses; or result in inadequate emergency access. The EIR will also evaluate potential traffic impacts from construction-related activities.

14. Utilities and Service Systems

Implementation of the Project would result in an increased demand on utilities and service systems compared to existing conditions. The EIR will examine the impacts of the Project on utilities and service systems, including, but not limited to, sanitary and storm drains, water supply, solid waste management, and electricity.

15. Alternatives

The EIR will examine alternatives to the Project including a “No Project” alternative and other alternative development scenarios depending on the impacts identified. Alternatives could include reduced development alternatives such as a reduced Project site alternative or a reduced development density alternative. Alternatives discussed will be chosen based on their ability to reduce or avoid identified significant impacts of the Project while achieving most of the identified Project objectives.

16. Significant Unavoidable Impacts

The EIR will identify those significant impacts, if any, that cannot be avoided if the Project is implemented as proposed.

17. Cumulative Impacts

The EIR will include a cumulative impacts discussion in each environmental resource section that will address the potentially significant cumulative impacts of the Project when considered with other past, present, and reasonably foreseeable future projects in the development area.

18. Other Required Analyses

In conformance with the State CEQA Guidelines, the EIR will also include the following sections:

- Consistency with local and regional plans and policies;
- Growth inducing impacts;
- Significant irreversible environmental changes;
- References and organizations/persons consulted; and
- EIR authors.

Environmental Effects Not Likely to Require Further Analysis

The Project is not anticipated to result in significant environmental effects in the following areas:

- *Agriculture and Forestry Resources* – The Project site is developed and is in an urbanized area and does not contain agriculture or forestry resources.
- *Mineral Resources* – The Project site was previously developed as a commercial district and is surrounded by urban development. No mineral resources are known to exist at the Project site.
- *Aesthetics* - The Project is a mixed-use residential project that is also classified as an employment center pursuant to Senate Bill (SB) 743, as codified in Public Resources Code section 21099. The Project site is within a Transit Priority Area due to its proximity to transit options. As a result of these factors, in accordance with SB 743, the Project's aesthetics impacts are not considered significant impacts on the environment. As such, this topic will not be evaluated in the EIR. Regardless, visual renderings and/or other graphics will be included in the Project Description in order to inform the public of the planned development of the site.
- *Wildfire* – The Project is not located in or near State Responsibility Areas or lands classified as Very High Fire Hazard Severity Zones.

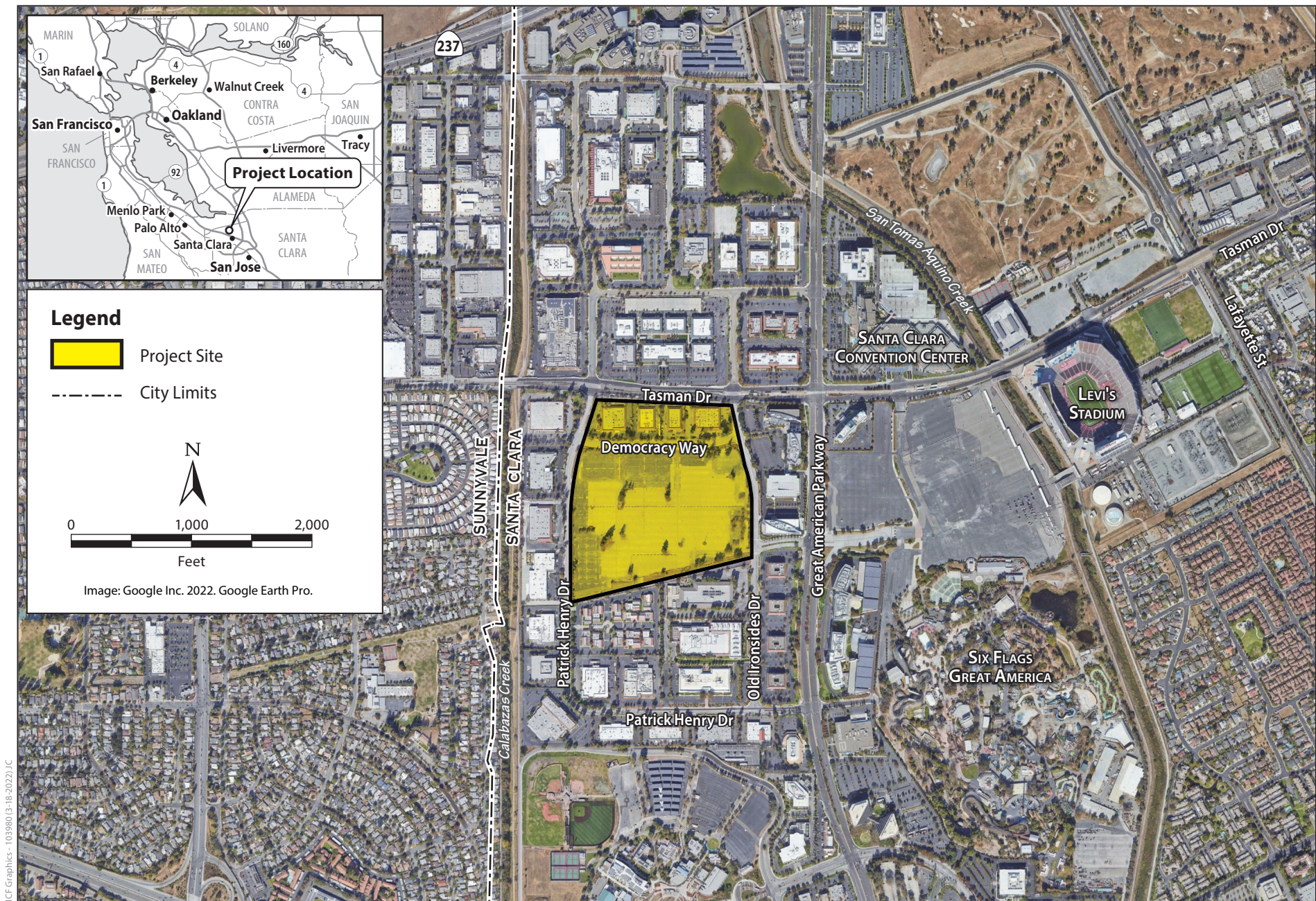


Figure 1
Project Location
Mission Point Project

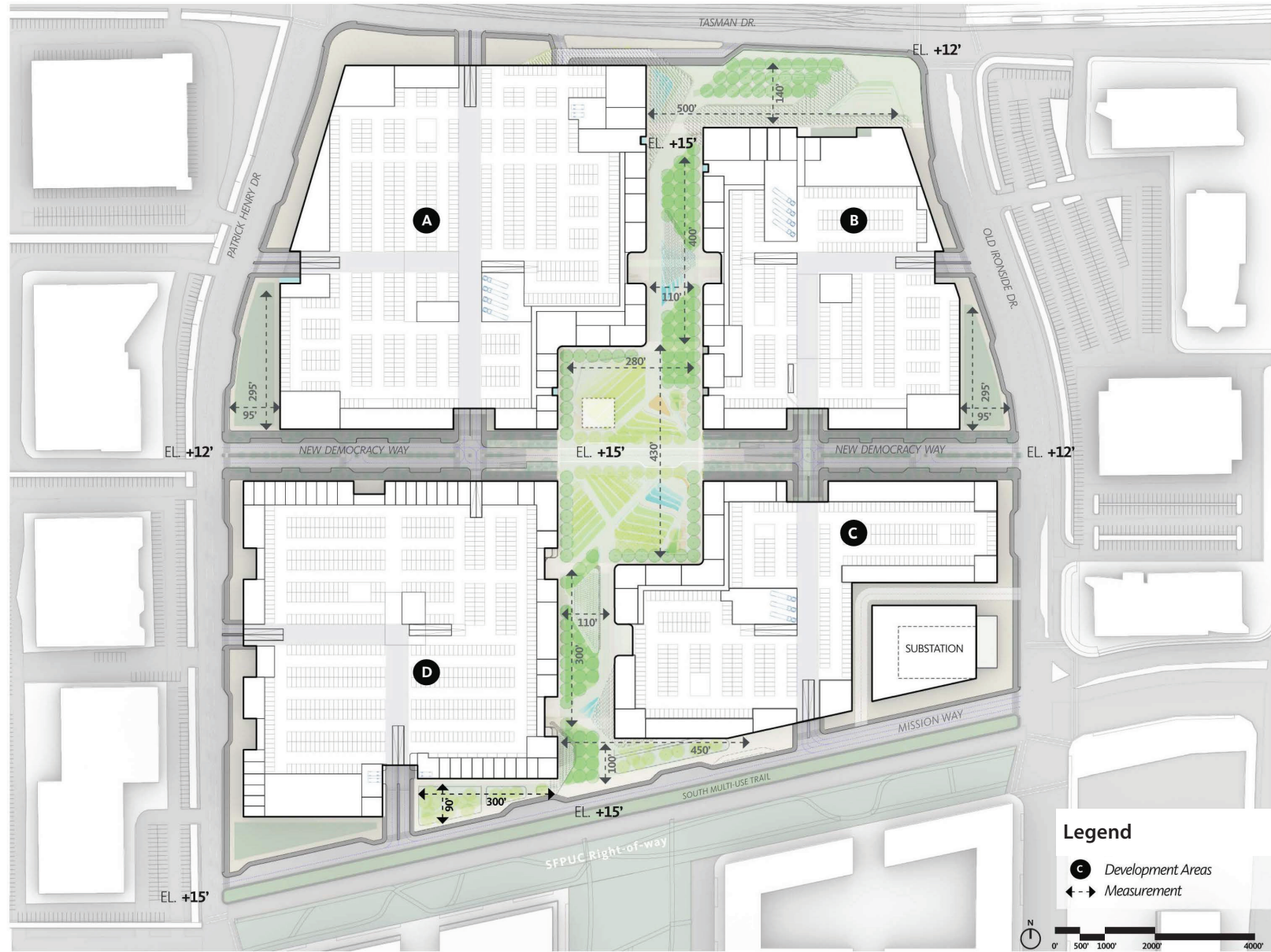


Figure 2
Conceptual Site Plan
 Mission Point Project



Figure 3
Conceptual Land Use Plan
Mission Point Project

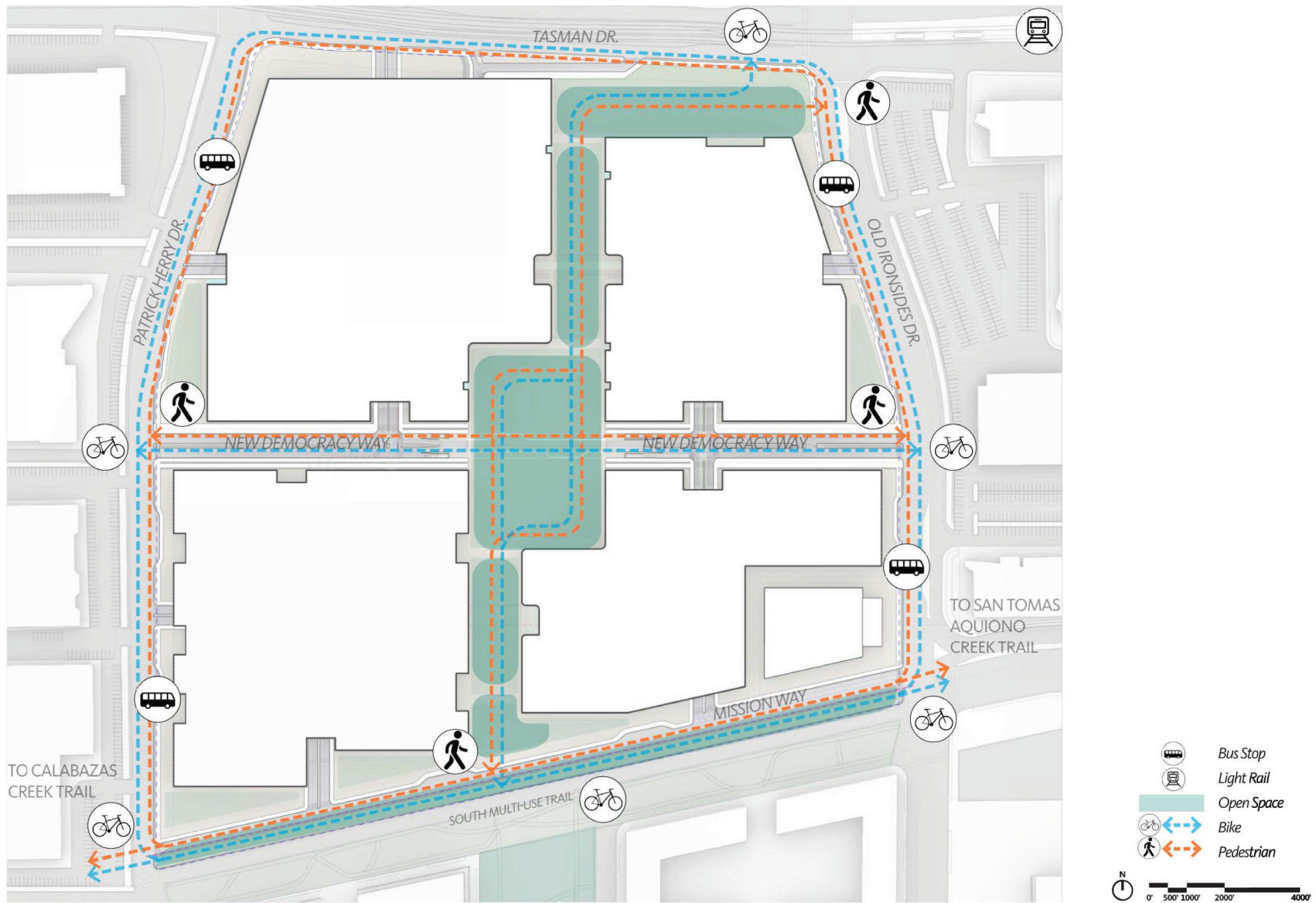


Figure 4
Conceptual Circulation Plan
 Mission Point Project

Comment Summary

Mission Point Project EIR - NOP Comment Summary

April 18 - May 18, 2022

#	Date	Commentor Name	Commenting Entity	Topics	Specific Issues
_P	5/4/2022	Public Hearing	Public Hearing	Population/Housing	Affordable housing, Adobe Wells mobile homes
				Biological Resources	Impacts on Calabazas Creek
				Transportation	Traffic on Tasman especially during game days
				Project Design	Height of buildings, parking count and ratio, sustainable/green development, public/private open spaces
				Hazards	FAA building height
				Public Services	Fire fighting equipment for tall buildings
				Utilities	water and sewer system
				General	Schedule, 49ers using site for parking, further public outreach, support for project
1	5/20/2022	County Roads and Airports	County Roads and Airports	Transportation	Local transportation analysis should include intersection LOS analysis and VMT analysis
					List of requested intersections to study
					Queuing analysis at County intersections for left/right turn lanes where project trips are added, as well as the Hwy 101 NB/SB on and off-ramps
					Review the TDM Plan scope of work
2	4/26/2022	NAHC	NAHC	Cultural Resources	Process and summary for SB 52 and SB 18 consultation
3	5/18/2022	George Schoeder	City of Sunnyvale	Outreach	Provide outreach to Sunnyvale residents within 2,000 feet of project
				Project Design	Height of buildings and request to move tallest buildings
				Shadow	Request for a shading analysis
				Noise	Request that construction be restricted to weekdays between 7 a.m. and 6 p.m., Saturdays between 8 a.m. and 5 p.m., and that no construction activity occur on Sunday or federal holidays
					Pile driving
				Visual/Aesthetics	Contextual aesthetic and visual information
				Land Use	Compatibility of stadium use to residential use
				Transportation	Evaluate LOS and intersections in Sunnyvale
					Corridor analysis should include Tasman Drive, Lawrence Expressway and Fair Oaks Avenue
					Include relevant approved projects within Sunnyvale and other neighboring jurisdictions in the background traffic volumes and apply annual growth rate for cumulative traffic volume
					Game day analysis
					Replacement stadium parking during game day and update to current Levi's Stadium parking plan
					Evaluation of the alternative modes of transportation
					Identify the individual and cumulative project operational impacts on Sunnyvale facilities and associated feasible improvements
					Clarify construction schedule of regional transportation improvements relative to the schedule of the project
					TDM measures
					Request to review Draft TIA report
					Request to extend the new multi-use trail south of Mission Way to connect to Calabaza Creek Trail
					Request to implement improvements as described in the Tasman Corridor Streets study
					Impacts and improvements to County of Santa Clara facilities
4	5/18/2022	Melissa R. Cerezo	VTA	Transportation	Identify and accommodate improvements from Tasman Complete Streets Study
					Components of TIA
					Transit travel times along Tasman Corridor and modifications/signal operational changes along Tasman Corridor, plus offsetting measures
					Transit demand and capacity in the project vicinity
					Multimodal analysis (pedestrian, bicycle, transit)
					VMT analysis and mitigation measures
					Pedestrian and bicycle network in project vicinity and internally
					Analysis of all freeway segments that may be impacted
					Trip reductions
					Temporary road closures and detours during construction
					Review by the CPUC if project would modify existing crossings of light rail tracks
5	5/23/2022	Kevin Thai	Valley Water	Utilities	WSA is required and requests review of WSA
				Hydrology and Water Quality	Implement specific measures from the Model Water Efficiency New Development Ordinance
					Dewatering and impacts to groundwater
					8 active wells on the project site must be protected or removed
					FEMA Zone AO and reduction of impervious area and runoff