

***ENVIRONMENTAL DECLARATION**

(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

LEAD AGENCY NAME AND ADDRESS

Wayne Morris
City of Fremont
39550 Liberty St.
Fremont Ca 94537

FOR COUNTY CLERK USE ONLY

ENDORSED
FILED
ALAMEDA COUNTY

OCT 18 2017

STEVE MANNING, County Clerk
By [Signature] Deputy

FILE NO:

17-337

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:

(PLEASE MARK ONLY ONE CLASSIFICATION)

1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION

A - STATUTORILY OR CATEGORICALLY EXEMPT

\$ 50.00 - COUNTY CLERK HANDLING FEE

2. NOTICE OF DETERMINATION (NOD)

A - NEGATIVE DECLARATION (OR MITIGATED NEG. DEC.)

\$ 2,216.25 - STATE FILING FEE

\$ 50.00 - COUNTY CLERK HANDLING FEE

B - ENVIRONMENTAL IMPACT REPORT (EIR) [Addendum to SCH 8721715 & 96052016]

\$ 3,078.25 - STATE FILING FEE

\$ 50.00 - COUNTY CLERK HANDLING FEE

*A COPY OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH EACH COPY OF AN ENVIRONMENTAL DECLARATION BEING FILED WITH THE ALAMEDA COUNTY CLERK.

FOUR (4) COPIES OF ALL NECESSARY DOCUMENTS ARE REQUIRED FOR FILINGS SUBMITTED BY MAIL. FIVE (5) COPIES ARE REQUIRED FOR IN-OFFICE FILINGS.

ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING.

FEES ARE EFFECTIVE JANUARY 1, 2017

MAKE CHECKS PAYABLE TO: ALAMEDA COUNTY CLERK

NOTICE OF DETERMINATION

TO: Office of Planning and Research
P.O. Box 3044,
Sacramento, CA 95812-3044

County Clerk-Recorder
County of Alameda
1106 Madison Street
Oakland, CA 94607

ENDORSED
FILED
ALAMEDA COUNTY

OCT 18 2017

STEVE MANNING, County Clerk
By  Deputy

SUBJECT: Filing of Notice of Determination (PRC §21108 or §21152)

PROJECT TITLE: Fremont Technology Business Center (PLN2014-00114)

STATE CLEARINGHOUSE NUMBER (if submitted to Clearinghouse): 8721715 & 96052016

PROJECT LOCATION: South of Bunche Drive and West of Christy Street, on the east and west of Cushing Parkway, north and east of the Don Edwards National Wildlife Refuge; APN 525-1326-035, -036; -048, -049, and -050

PROJECT DESCRIPTION:

This environmental analysis has been prepared for the proposed project to develop the southerly 153 industrial acres of Pacific Commons with eleven industrial buildings totaling approximately 2.53 million square feet and two auto dealer sites of 100,000 total square feet, for a combined 2.63 million square feet on vacant land that has been prepared and maintained for development since its mass grading in 2003 in accordance with project approvals issued in 2000. In order to accomplish the project, a General Plan Amendment is required in order to redesignate 10 acres from Tech Industrial to Regional Commercial for use as auto dealer sites. In addition, a Planned District P-2000-214 Major Amendment is required in order to modify the development plan and site layout for this portion of Pacific Commons and to establish the project's development standards. In order to divide the property into individual saleable lots, dedicate right-of-way for an extension of Pacific Commons Boulevard, and modify easements, Vesting Tentative Tract Map No. 8348 is proposed. A Grading Permit with a Preliminary Grading Plan is required because the quantity of grading necessary to create buildable pads exceeds the 10,000 CY trigger for a Preliminary Grading Plan. Development Agreements are proposed for the east and west parcels, respectively, principally to create predictability in the timing of development review in exchange for certain public benefits.

The City has previously certified supplemental environmental impact reports for the Pacific Commons PD in 1996, as amended in 2000. The 1996 SEIR approved largely industrial uses that included retail and campus-style R&D uses on 877 acres, and in 2000, the development envelope was decreased to 305 acres, generally increasing the density of the previously considered uses (retail/hotel and office/R&D, including warehousing and campus-style R&D) and orienting some taller buildings and common areas along the Pacific Commons Boulevard overlay. In 2001, a portion of the property was leased to Cisco with an option to purchase, dividing the overall Pacific Commons Planned District (PD) into two areas: 153 acres controlled by Cisco and the remainder controlled by Catellus Development Corporation.

Since 2000, Catellus has revised the Pacific Commons PD on its acreage by converting its half of the Pacific Commons PD to retail use (reducing its square footage from the entitled amount) and eliminating the Pacific Commons Boulevard overlay through a series of Pacific Commons PD amendment considered under Addenda in 2002, 2003, an SEIR in 2010 and a Notice of Determination in 2014. In all cases, the impacts were considered less than the impacts analyzed in the 1996 SEIR, as amended by the 2000 SEIR (together, the "SEIR"). The Developer, which is the successor to Cisco, now proposes to modify the Pacific Commons PD on its planning areas by also eliminating the Pacific Commons Boulevard multi-story building overlay on its acreage, dedicating a portion of the site to automall retail, developing a tech campus style development with industrial warehouse/manufacturing with associated office space on the remainder of the site, and reducing the overall square footage from approximately 3.4 million square feet to 2.6 million square feet.

The Pacific Commons development was originally contemplated in the 1987 Santa Fe Pacific Realty Project General Plan Amendment Environmental Impact Report and 1988 SEIR (SCH #8721715), but in a radically different configuration which included a significant residential component. The entitlements which currently govern the Pacific Commons PD were approved in the 1996 SEIR as amended in the 2000 SEIR (SCH # 8721715 & 96052016). The 1996 SEIR analyzed approximately 877 net developable acres, including the Project site, for development of approximately 8.3 million square feet in a mix of largely industrial uses that included retail and campus-style R&D. The 2000 SEIR, among other amendments, reserved significant acreage as mitigation lands and open space/stormwater detention basin and reduced the developable area to approximately 305 acres for construction of approximately 7.1 million square feet of the previously considered retail and office/R&D uses, including a denser alignment of multi-story buildings and common areas along the Pacific Commons Boulevard overlay (1.2 million square feet of Auto Mall uses were developed between 1996 and 2000).

The 1996 SEIR concluded that the majority of potentially significant impacts related to development of the Pacific Commons Planned District would be less than significant with mitigation. However, significant and unavoidable impacts

were identified with regard to traffic, air quality, and geology. The 2000 SEIR concluded that the project changes resulting from the reduced project footprint were previously adequately analyzed in the 1996 SEIR and relied on the 1996 SEIR for most findings, but performed new analyses focused on traffic, aesthetics, fire, police and emergency services, and recreation, concluding only that traffic impacts were significant and unavoidable.

The developers submitted an application to modify the project from that which was previously described and analyzed in the 1996 and 2000 SEIRs. As noted above, the Pacific Commons Planned District analyzed in the Pacific Commons SEIRs included development of the Project site as 3.4 million square feet of office/R&D, industrial, and retail uses with buildings ranging from two to twelve stories and interconnected commons along the Pacific Commons Boulevard overlay, and lower warehousing uses (up to three story buildings) around the property edges. The Developer proposes to reduce the development of the Project site from that described above to construction of 2.53 million square feet of industrial uses in eleven warehouse and general industrial/advanced manufacturing buildings spread across the project site, each with associated office uses, and 100,000 square feet of Auto Mall use along Bunche Drive adjacent to existing auto dealers northward along Cushing, and between the majority of the Auto Mall and the newer Carmax dealer to the west along Christy. Consistent with City approvals of the Catellus planning areas, the remainder of the Pacific Commons Boulevard overlay would be eliminated and the open space would include a perimeter trail along the wildlife refuge, dedicated open space between buildings eight and nine, pocket parks, and stormwater facilities providing additional open space relief.

Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15163, the City has determined that: (1) there is substantial evidence that none of the conditions requiring preparation of a subsequent or supplemental EIR or subsequent Negative Declaration exist; and (2) the City will rely on the previous environmental document, which adequately addresses this project. The proposed project would not introduce additional impacts or increase the severity of impacts beyond those already analyzed in the EIR Addendum.

PROJECT APPLICANT CONTACT: Fremont Technology Business Center, LLC, 9550 West Higgins Road, 200, Rosemont, IL 60018; Pacific Commons Owner, LP, 19300 S Hamilton Avenue, 200, Gardena, CA 90248

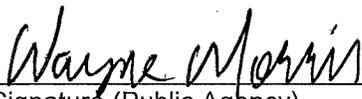
CITY CONTACT PERSON: Joel Pullen, Senior Planner, Community Development – Planning Division. (510) 494-4436.

This is to advise that the City of Fremont City Council (as the Lead Agency) has approved the above described project on October 17, 2017, and has determined the project would be consistent with the previously approved project and within the scope of analysis previously completed in the EIR Addendum. Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15163:

1. No substantial changes are proposed, which would require major revisions to the previous EIR or Addendum due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
2. No substantial changes would occur with respect to the circumstances under which the project is being undertaken, which would require substantial revisions to the previous EIR or Addendum due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
3. No 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) 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 would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

This is to certify that the Environmental Impact Reports, Supplemental Environmental Impact Reports, with comments and responses, Addendum, and the record of project approval is available to the General Public at:

City of Fremont, Community Development Department, 39950 Liberty Street, Fremont, CA 94537. Tel: (510) 494-4436.


Signature (Public Agency).

Assistant Planning Manager
Title

October 18, 2017
Date