

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



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

**File Number: ENV22355**

ENVIRONMENTAL FILING  
No. of Pages: 11  
Total Fees: \$0.00  
File Date: 08/22/2019  
Expires: 09/21/2019

**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; 70 N. 1st Street Campbell CA 95008
2. PROJECT TITLE: Parkview Mixed Use Development
3. APPLICANT NAME: Cresleigh Homes / Campbell Park Development LLC PHONE: 916-781-6020
4. APPLICANT ADDRESS: 3001 Douglas Blvd., Ste 110 Roseville, CA 95661
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)                                   | \$ 3,271.00 | \$ <u>0.00</u> |
| <input type="checkbox"/> 2. <u>NEGATIVE DECLARATION</u> (PUBLIC RESOURCES CODE §21080(C))                                       | \$ 2,354.75 | \$ <u>0.00</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>  | \$ 1,112.00 | \$ <u>0.00</u> |
| <input type="checkbox"/> 5. <u>COUNTY ADMINISTRATIVE FEE</u> (REQUIRED FOR a-1 THROUGH a-4 ABOVE)<br>Fish & Game Code §711.4(e) | \$ 50.00    | \$ <u>0.00</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 checked="" 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 checked="" type="checkbox"/> NOTICE OF INTENT | NO FEE | \$ <u>NO FEE</u> |
|--|--|--------|------------------|

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

9. TOTAL RECEIVED..... \$ 0.00

\*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 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)



**NOTICE OF INTENT  
INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION  
CITY OF CAMPBELL, CALIFORNIA**

Notice is hereby given of the intent of the City to adopt a Mitigated Negative Declaration pursuant to Public Resources Code Section 21092(b)(1) for the Parkview Mixed-Use Development ("Project"), which includes applications for a Subdivision Map, Zoning Map Amendment (from PD to C-PD), Condominium Planned Development (C-PD) Permit, Tree Removal Permit, CEQA review, and Affordable Housing Agreement. The subject property totals 1.2 acres and includes the following five parcels: 540 E. Campbell Avenue (APN 412-09-029); 566 E. Campbell Avenue (APN 412-09-031); 558 E. Campbell Avenue (APN 412-09-030); 24 Dillon Avenue (APN 412-09-028); and 34 Dillon Avenue (APN 412-09-027).

The L-shaped subject property is an assemblage of five parcels comprising approximately 1.63 (gross) acres, located between Downtown Campbell and the Pruneyard Shopping Center. Three of the parcels have frontage on East Campbell Avenue while the remaining two parcels are adjacent to Dillon Avenue. The subject property is currently developed with a vacant auto center, a music store, and two unoccupied residential structures. Abutting land uses include commercial uses to the north, Campbell Park to the east, residential homes to the southeast and commercial/industrial/office uses to the south and west.

The project consists of a five-story mixed use development with 59 for-sale condominium units and two commercial spaces totaling 6,512 square feet. The project, which includes a request for a 35% state density bonus and two (2) concessions, and will provide nine (9) low-income condominium ownership units in compliance with California's Density Bonus Law. The 59 units (including the low-income units) are comprised of nineteen (19) 1-bedroom units ranging from 722 to 1,158 square feet in area, and forty (40) 2-bedroom units ranging from 1,021 to 1,542 square feet in area. The applicant is providing 59 parking stalls for the residential uses and 49 parking stalls for the non-residential uses. The proposed residential parking exceeds the minimum parking required under California Density Bonus Law for projects located within one-half mile of a major transit stop. The project will also include improvements at the Paige Street intersection pursuant to a cost sharing agreement between the City of Campbell and the applicant.

The Initial Study prepared by the City was undertaken for the purpose of determining whether the project may have a significant effect on the environment. On the basis of the Initial Study, Community Development Department staff has determined that the project will not have a significant effect on the environment due to the incorporation of certain mitigation measures, and therefore, has prepared a draft Mitigated Negative Declaration for consideration by the Campbell Planning Commission and City Council.

Toxic sites: The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed toxic sites are present at the location. As provided on the [California State Water Resources Control Board website](#), soil, groundwater, and soil vapor contamination has been reported above screening criteria. The Santa Clara County Department of Environmental Health (DEH) is overseeing additional investigative activities, including assessing the need for mitigation measures necessary to protect human health, and satisfy the redevelopment and land use requirements. An application to participate in the County's Voluntary Cleanup Program has been approved. Following review and a decision on the project by the City of Campbell, the DEH will continue to work with the applicant to achieve the appropriate mitigation of site contamination.

The project proposes excavation of all contaminated soil (e.g., historic hydrocarbon, metal, and volatile organic compound affected soil and soil gas) on the project site and disposal of that soil at an approved off-site landfill disposal site, with regulatory oversight from the County of Santa Clara Department of Environmental Health, via a Voluntary Cleanup Agreement.

All interested parties are invited and encouraged to submit comments in writing regarding the draft Mitigated Negative Declaration and/or attend the below described public hearings. The 30-day public review period for the draft Mitigated Negative Declaration begins on **August 22, 2019** and ends on **September 20, 2019**. Any comments must be submitted in writing, including email, to the Community Development Department by 5:00 p.m. on **September 20, 2019**. The Initial Study and draft Mitigated Negative Declaration are available for review from 8:00 a.m. to 5:00 p.m. at the Community Development Department, City Hall, 70 North First Street, Campbell, CA or online at <http://www.cityofcampbell.com/501/Public-Notices> under 'Environmental Notices'.

The Campbell Planning Commission will consider the project and draft Mitigated Negative Declaration at a public hearing to be held on or after **September 24, 2019**. The meeting will be held at 7:30 p.m., or shortly thereafter, in the City Hall City Council Chambers, 70 North First Street, Campbell, CA. The Planning Commission will make a recommendation to the City Council, at a tentatively scheduled public hearing on **October 15, 2019**. The City Council is the decision making body for the Project.

Please be advised that if you challenge the decision on the Mitigated Negative Declaration and/or project in court, you may be limited to raising only those issues you or someone else raised at the future public hearings to be determine, or in written correspondence delivered to the City of Campbell prior to the public hearings. Questions and written comments may be addressed to Cindy McCormick, Senior Planner at (408) 871-5103 or by email at [cindym@cityofcampbell.com](mailto:cindym@cityofcampbell.com).

## DRAFT MITIGATED NEGATIVE DECLARATION

The Community Development Director has reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of the project completion. "Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

**Project Title:** Parkview Mixed Use Development

**Lead Agency<sup>1</sup>:** City of Campbell, Community Development Department  
70 N. First Street, Campbell, CA 95008

**Contact Person:** Cindy McCormick, Senior Planner  
(408) 871-5103 | [cindym@cityofcampbell.com](mailto:cindym@cityofcampbell.com)

**Date Posted:** August 22, 2019

**File Number(s):** PLN2016-378; PLN2016-380; PLN2016-381; PLN2016-382; PLN2016-383

**Project Location:** 540, 558 and 566 East Campbell Avenue and 24 And 34 Dillon Avenue

**Project Sponsor Name and Address:** Cresleigh Homes / Campbell Park Development LLC

**Existing Zoning:** Planned Development (PD)

**Proposed Zoning:** Condominium Planned Development (C-PD)

**Area Plans:** East Campbell Avenue Master Plan (ECAMP)

**Existing General Plan:** Central Commercial (Mixed Use encouraged per ECAMP)

**Proposed General Plan:** No change

**Project Entitlements:** The project requires a Subdivision Map, Zoning Map Amendment (from PD to C-PD), Condominium Planned Development (C-PD) Permit, Tree Removal Permit, CEQA review, and Affordable Housing Agreement.

**Other Responsible / Trustee Agencies that will receive a copy of this Initial Study:**

- **Responsible Agency:** Santa Clara County Department of Environmental Health (DEH)

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<sup>1</sup> Pursuant to CEQA Guidelines Section 15051, the Lead Agency shall be the public agency with the greatest responsibility for approving the project as a whole. The Lead Agency will normally be the agency with general governmental powers, such as the City of Campbell, rather than an agency with a single or limited purpose such as the Santa Clara County Department of Environmental Health.

- **Responsible Agency:** Regional Water Quality Control Board (RWQCB)
- **Responsible Agency:** Santa Clara Valley Water District (Valley Water)
- **Trustee Agency:** California Highway Patrol (CHP)
- **Trustee Agency:** Department of Toxic Substances Control (DTSC)
- **Trustee Agency:** California Department of Transportation (Caltrans)

**Existing Setting and Surrounding Land Use:** The L-shaped subject property is an assemblage of five parcels comprising approximately 1.63 (gross) acres, located between Downtown Campbell and the Pruneyard Shopping Center. Three of the parcels have frontage on East Campbell Avenue while the remaining two parcels are adjacent to Dillon Avenue. The subject property is currently developed with a vacant auto center, a music store, and two unoccupied residential structures, all of which would be demolished to accommodate the project. Abutting land uses include commercial uses to the north, Campbell Park to the east, residential homes to the southeast and commercial/industrial/office uses to the south and west.

#### **Project Description:**

The subject property includes the following five parcels that will be merged together as part of the subdivision entitlement:

- 540 E. Campbell Avenue (APN 412-09-029);
- 566 E. Campbell Avenue (APN 412-09-031);
- 558 E. Campbell Avenue (APN 412-09-030);
- 24 Dillon Avenue (APN 412-09-028); and
- 34 Dillon Avenue (APN 412-09-027).

The project consists of a five-story mixed use development with 59 for-sale condominium units and two commercial spaces totaling 6,512 square feet. The project, which includes a request for a 35% state density bonus and two (2) concessions, will provide nine (9) low-income condominium ownership units in compliance with California's Density Bonus Law. The 59 units (including the low-income units) are comprised of nineteen (19) 1-bedroom units ranging from 722 to 1,158 square feet in area, and forty (40) 2-bedroom units ranging from 1,021 to 1,542 square feet in area. The applicant is providing 59 parking stalls for the residential uses and 49 parking stalls for the non-residential uses. The proposed residential parking exceeds the minimum parking required under California Density Bonus Law for projects located within one-half mile of a major transit stop.

The project includes excavation of all contaminated soil (e.g., historic hydrocarbon, metal, and volatile organic compound affected soil) exceeding regulatory thresholds on the project site and disposal of that soil at an approved off-site landfill disposal site, with regulatory oversight from the County of Santa Clara Department of Environmental Health, via a Voluntary Cleanup Agreement. The project will also include improvements at the Paige Street intersection pursuant to a cost sharing agreement between the City of Campbell and the applicant.

**PUBLIC REVIEW PERIOD**

The Initial Study and Mitigation Monitoring Program is available for review from 8:00 AM to 5:00 PM at the Campbell Community Development Department, City Hall, 70 North First Street, Campbell, CA and online at <http://www.cityofcampbell.com/501/Public-Notices> under 'Environmental Notices'.

Any person may file a written protest of the draft Mitigated Negative Declaration and/or Mitigation Monitoring Program during the public comment period running from **August 22, 2019** through **September 20, 2019** (closing at 5:00 PM). Such protest must be filed at the Community Development Department, City Hall, 70 North First Street, Campbell, California. The written protest should make a "fair argument" that the project will have one or more significant effects on the environment based on substantial evidence.

**SUMMARY OF MITIGATION MEASURES**

XIV. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**(a) – Less than Significant Impact with Mitigation:** Based on the findings of the Initial Study, construction and operation of the project, with mitigation, would not substantially degrade the quality the environment; reduce the habitat, population, or range of species; nor eliminate important examples of California history or prehistory.

**(b) – Less than Significant Impact:** Based on the findings of this Initial Study, the project would not have cumulative environmental impacts.

**(c) – Less than Significant Impact with Mitigation:** Based on the findings of the Initial Study, there is no evidence to demonstrate that the project, with the required mitigation, would cause a substantial adverse effect on human beings, either directly or indirectly.

**Determination:** On the basis of this initial study, and incorporation of the recommended mitigation measures into the project design:

1.	I find that the project <b>could not</b> have a significant effect on the environment, and a <b>NEGATIVE DECLARATION</b> will be prepared.	<input type="checkbox"/>
2.	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A <b>MITIGATED NEGATIVE DECLARATION</b> will be prepared.	<input checked="" type="checkbox"/>
3.	I find the proposed project <b>may have a significant effect</b> on the environment, and an <b>ENVIRONMENTAL IMPACT REPORT</b> is required.	<input type="checkbox"/>
4.	I find that the proposed project <b>may have a “potentially significant impact” or “potentially significant unless mitigated impact”</b> on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An <b>ENVIRONMENTAL IMPACT REPORT</b> is required, but it must analyze only the effects that remain to be addressed.	<input type="checkbox"/>
5.	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or Negative Declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	<input type="checkbox"/>

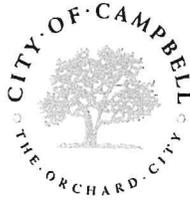
Cindy McCormick  
PROJECT PLANNER

Senior Planner  
TITLE

City of Campbell  
AGENCY

  
SIGNATURE

August 22, 2019  
DATE



**CITY OF CAMPBELL**  
Community Development Department

## MITIGATION MEASURES

1. **Aesthetics:** None Required
2. **Agricultural Resources:** None Required
3. **Air Quality:** The following mitigation measures are required:

**Air Quality Mitigation Measure AQ-1:** The project shall implement all of the BAAQMD's Basic Construction measures, as follows:

**AQ-1.1:** All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day, unless otherwise directed by the Site Management Plan.

**AQ-1.2:** All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

**AQ-1.3:** All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

**AQ-1.4:** All vehicle speeds on unpaved roads shall be limited to 15 mph.

**AQ-1.5:** All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

**AQ-1.6:** Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

**AQ-1.7:** All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

**AQ-1.8:** Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

**AQ-2:** Prior to issuance of a demolition permit for any on-site structures, the Developer shall consult with certified Asbestos and/or Lead Risk Assessors to complete and submit for review to the Community Development Director an asbestos and lead survey. It has already been determined that asbestos- and lead containing materials are present on the subject property. Therefore, the project applicant shall prepare a work plan, consistent with the requirements of the City. The work plan shall demonstrate how the on-site asbestos- and/or lead-containing materials will be removed in accordance with current California Occupational Health and Safety Administration (Cal-OSHA) regulations and disposed of in accordance with all California Environmental Protection Agency regulations, prior to the demolition and/or removal of the on-site structures. The plan shall include the requirement that work shall be conducted by a Cal-OSHA registered asbestos and lead abatement contractor in accordance with Title 8 CCR 1529 and Title 8 CCR 1532.1 regarding asbestos and lead training, engineering controls, and certifications. The applicant shall submit the work plan to the City for review and approval. Materials containing more than one percent asbestos that is friable are also subject to BAAQMD regulations. Removal of materials containing more than one percent friable asbestos shall be completed in accordance with BAAQMD Section 11-2-303.

#### 4. Cultural Resources:

**Cultural Resources Mitigation Measure CUL-1:** If archaeological or paleontological resources are encountered during excavation or construction, construction personnel shall be instructed to immediately suspend all activity in the immediate vicinity of the suspected resources and the City and a licensed archeologist or paleontologist shall be contacted to evaluate the situation. A licensed archeologist or paleontologist shall be retained to inspect the discovery and make any necessary recommendations to evaluate the find under current CEQA guidelines prior to the submittal of a resource mitigation plan and monitoring program to the City for review and approval prior to the continuation of any on-site construction activity.

**Cultural Resources Mitigation Measure CUL-2:** In the event a human burial or skeletal element is identified during excavation or construction, work in that location shall stop immediately until the find can be properly treated. The City and the Santa Clara County Coroner's office shall be notified. If deemed prehistoric, the Coroner's office would notify the Native American Heritage Commission who would identify a "Most Likely Descendant (MLD)." The archeological consultant and MLD, in conjunction with the project sponsor, shall formulate an appropriate treatment plan for the find, which might include, but not be limited to, respectful scientific recording and removal, being left in place, removal and reburial on site, or elsewhere. Associated grave goods are to be treated in the same manner.

#### 5. Geology and Soils: The following mitigation measures are required:

**Geology and Soils Mitigation Measure GS-1:** An updated Geotechnical Investigation Report shall be prepared by a licensed Geotechnical Engineer specializing in soils mechanics, and shall include recommendations for construction (e.g., earthwork, foundation, slab construction, retaining wall design, etc.). The updated Geotechnical Investigation Report shall be in substantial compliance with the City Council approved entitlements, project conditions of approval, and City required mitigation measures to address potentially significant environmental impacts. The Geotechnical Investigation Report shall be submitted to the Community Development Director for review and approval prior to application for a building permit.

**Geology and Soils Mitigation Measure GS-1.1:** The City approved (updated as necessary and date stamped) Geotechnical Investigation Report recommendations shall be incorporated into the project's final engineering design and associated (date stamped) plans including but not limited to specific building details, grading, foundation, foundation loads, utility, demolition, etc.

**Geology and Soils Mitigation Measure GS-1.2:** The Geotechnical Engineer shall review the final engineering design and associated (date stamped) plans and shall provide a signed "clean" geotechnical plan review letter, stating that the (date stamped) plans are in substantial compliance with the City approved (updated as necessary and date stamped) Geotechnical Investigation Report. This final "clean" geotechnical plan review letter shall be required with or without project changes.

**Geology and Soils Mitigation Measure GS-1.3:** Prior to issuance of building permits to begin work, the plans and building permit applications shall be approved by the Community Development Director and shall be consistent with the City approved (updated as necessary and date stamped) Geotechnical Investigation Report and "clean" geotechnical plan review letter.

**Geology and Soils Mitigation Measure GS-1.4:** The plans submitted for a building permit shall include the following note which shall be adhered to: "Earthwork, slab subgrade and non-expansive fill preparation, foundation and slab construction, retaining wall drainage and backfilling, utility trench backfilling, tieback/soil nail installation and testing, shoring pier installation, pavement subgrade and aggregate base construction and site drainage shall be performed as recommended in the City approved (updated as necessary and date stamped) Geotechnical Investigation Report and "clean" geotechnical plan review letter.

**Geology and Soils Mitigation Measure GS-1.5:** Construction Observation and Testing: The earthwork, foundation, shoring, drainage, and slab construction phases of construction shall be observed and tested by the Geotechnical Consultant to 1) confirm that subsurface conditions are compatible with the City approved (updated as necessary and date stamped) Geotechnical Investigation Report and "clean" geotechnical plan review letter; 2) confirm compliance with the City approved Geotechnical Investigation Report and "clean" geotechnical plan review letter and plans including but not limited to concepts, specifications, and recommendations; and 3) allow design changes (upon City approval) in the event that site conditions differ from those anticipated.

**Geology and Soils Mitigation Measure GS-1.6:** In the event of changes in the nature, design, or location of the project as currently proposed, or if any future improvements are planned, the conclusions and recommendations presented in the geotechnical reports shall not be considered valid unless: 1) the project changes are reviewed by the licensed Geotechnical Engineer to confirm the accuracy and adequacy of the geotechnical reports including the conclusions and recommendations; and 2) the conclusions and recommendations presented in the geotechnical reports are verified in writing to still be satisfactory to the City of Campbell; or 3) the conclusions and recommendations have been amended as necessary to be satisfactory to the City of Campbell.

**Geology and Soils Mitigation Measure GS-2** The project shall conform to the requirements of all applicable Building Codes (as determined by the City of Campbell) to reduce the potential for seismic damage and risk to future occupants, and to minimize damage from seismic shaking, unsuitable fill, and other geological deficiencies.

**6. Greenhouse Gas Emissions:** None Required

**7. Hazards and Hazardous Materials:** The following mitigation measures are required:

**Hazardous Materials Mitigation Measure HHM-1:** The applicant shall obtain all required permits, licenses, and/or other clearances, and shall comply with all orders, laws, regulations, and/or other requirements of all applicable regulatory and/or enforcement agencies, such as, but not limited to the Santa Clara County Department of Environmental Health, the California Highway Patrol, the California Department of Transportation, Water and Air Quality Control Boards, Valley Water, County Fire Department, the Department of Toxic Substances Control (if applicable), etc.

**Hazardous Materials Mitigation Measure HHM-2:** The applicant shall comply with all local, state, and federal requirements with regard to the transport of any clean soil, contaminated soil, hazardous waste/materials, or other regulated waste/materials.

**Hazardous Materials Mitigation Measure HHM-3:** The applicant shall prepare an updated *Site Remedial Plan* for the excavation and proper disposal of contaminated soil off-site at the appropriate Class I and Class II landfills. The quantity of soil to be removed (preliminarily estimated to be approximately 5,800 cubic yards) shall be calculated and submitted to the City of Campbell Planning Division for acceptance prior to excavation. The updated *Site Remedial Plan* shall be approved by the Santa Clara County Department of Environmental Health, prior to the issuance of building permits.

**Hazardous Materials Mitigation Measure HHM-4:** Prior to the construction of above grade structures, all contaminated soil, exceeding the regulatory thresholds, shall be excavated and disposed of off-site at the appropriate Class I and Class II landfills, in accordance with the *Site Remedial Plan* (as approved by the City and the Santa Clara County Department of Environmental Health).

**Hazardous Materials Mitigation Measure HHM-5:** Prior to issuance of the Certificate of Occupancy, the applicant shall obtain written confirmation via a Closure Letter from the DEH that certifies that the cleanup goals or mitigation measures have been accomplished and that no further action is required.

8. **Land Use and Planning:** None Required
9. **Mineral Resources:** None Required
10. **Noise:** The following mitigation measures are required:
  - Noise Mitigation Measure N-1:** All windows and glass doors shall be dual glazed with a minimum STC rating of 28 (or equivalent) in order to achieve an interior noise level standard of 45 dB CNEL.
  - Noise Mitigation Measure N-2:** Residential units shall include air conditioning units to allow residents to close windows and doors for acoustical isolation.
  - Noise Mitigation Measure N-3:** Construction activities shall comply with Campbell Municipal Code restrictions
  - Noise Mitigation Measure N-4:** Mechanical equipment associated with commercial uses and used for air conditioning shall be mounted inside a mechanical room or shielded from adjacent residences. Deliveries shall be confined to the daytime hours between 7:00 a.m. and 7:00 p.m.
  - Noise Mitigation Measure N-5:** The rooftop courtyard parapet shall be constructed of solid materials with a density of 2.5 lbs/square feet and a height of 5.5 feet, without gaps to allow flanking of the traffic noise.
  - Noise Mitigation Measure N-6:** Use of the rooftop courtyard shall be restricted to the hours of 7:00 a.m. to 10:00 p.m. with restrictions on the use of amplified music and other loud noises such as elevated voices. Any special event planned in the courtyard shall require approval from the manager and notification of any residences within 200-feet.
11. **Population and Housing:** None Required
12. **Public Services:** None Required
13. **Recreation:** None Required
14. **Transportation and Traffic:** None Required
15. **Utilities and Service Systems:** None Required
16. **Mandatory Findings of Significance:** No Additional Mitigation Required

## CONDITIONS OF APPROVAL

**Biological Resource Surveys:** If tree removal activities take place during the breeding/nesting season (February 1 through August 31), disturbance of nesting activities could occur. To avoid take of any active raptor nest or significant impacts to nesting birds, necessary tree removal should occur outside of the nesting season (February 1 through August 31). If tree removal must occur at any time during the typical nesting season, a pre-construction survey should be conducted by a qualified biologist no more than 15 days prior to initiation of proposed development activities. If active nests are found on or immediately adjacent to the subject property, the California Department of Fish and Wildlife should be contacted to determine appropriate avoidance measures. If no nesting is found to occur, necessary tree removal could then proceed.