



INITIAL STUDY

*An environmental evaluation
prepared in compliance with the
California Environmental Quality Act*

Prepared by

Cindy McCormick, Senior Planner, AICP

Date Posted: August 22, 2019

Public Review Period: August 22 – September 30, 2019

I. PROJECT OVERVIEW

Project Title: Parkview Mixed Use Development

Lead Agency¹ Name and Address: City of Campbell

Contact Person and phone number: Cindy McCormick

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)
- **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)

¹ 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.

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.

See exhibits next page

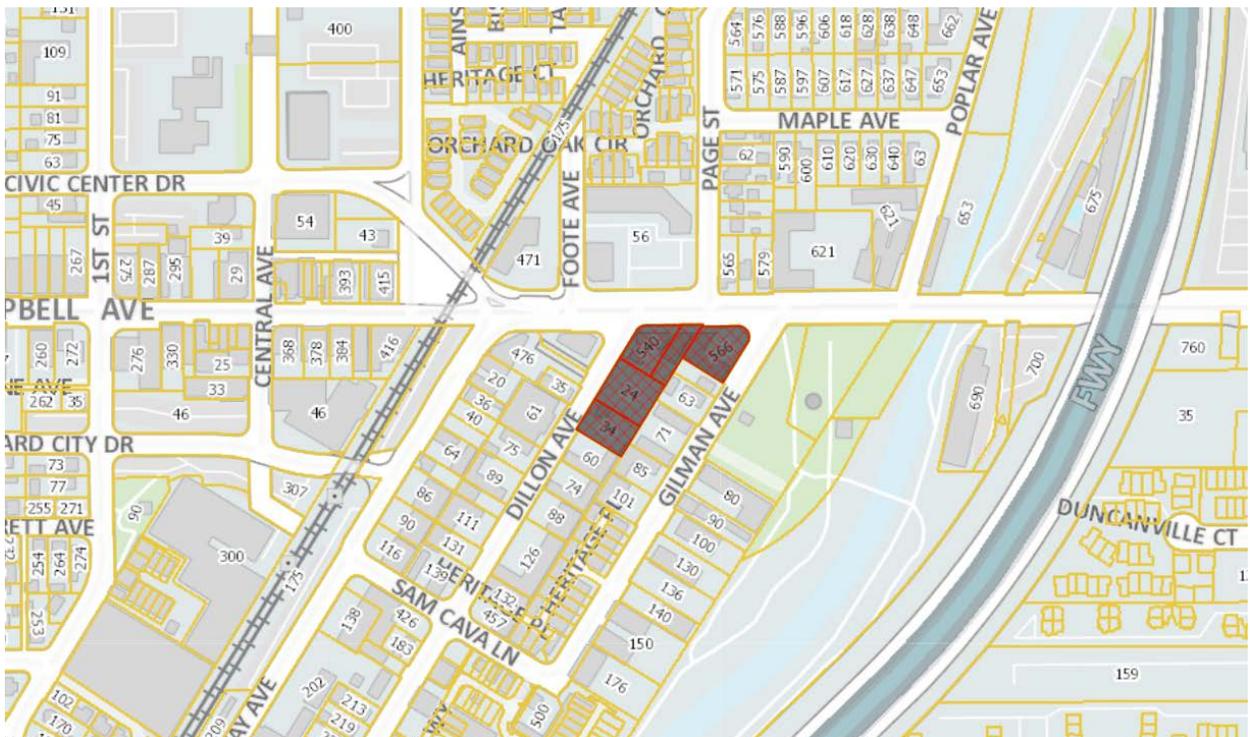
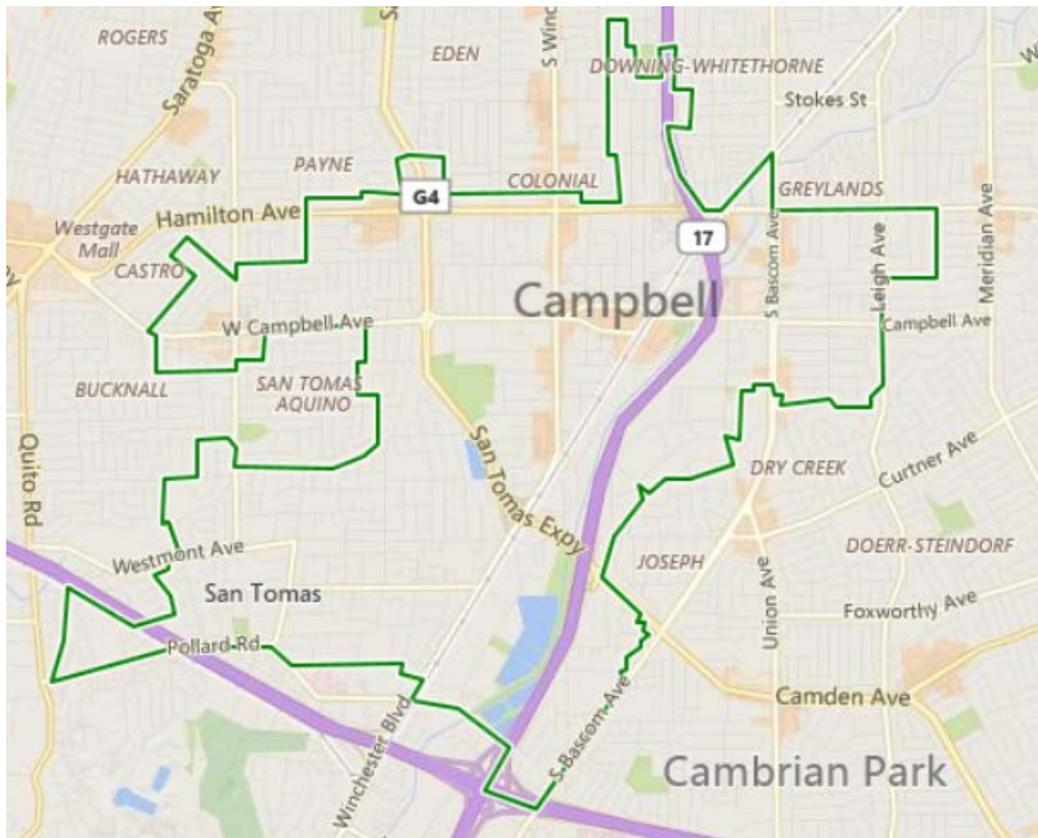
Proposed Landscape / Site Plan



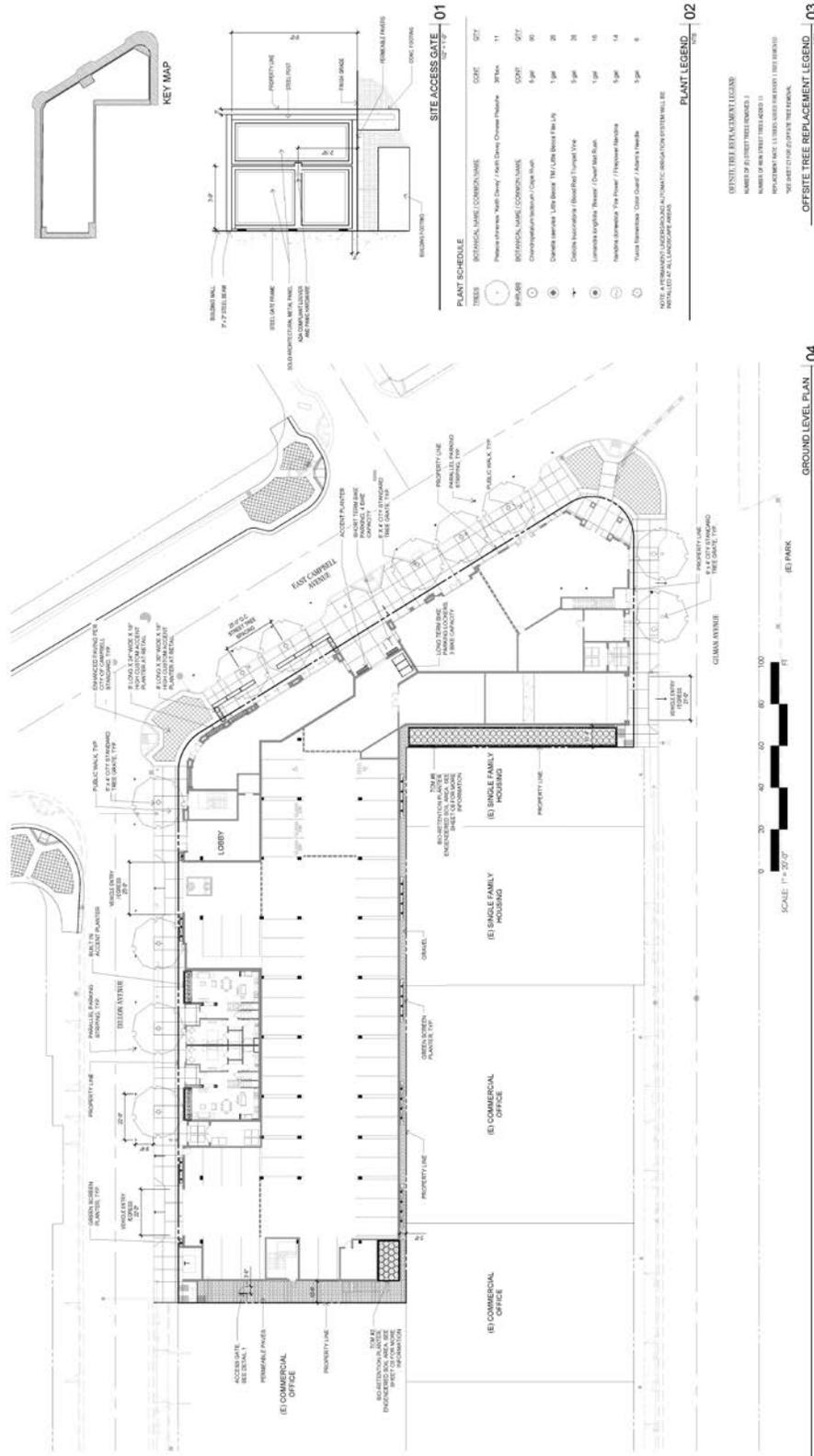
Proposed Façade



Regional Setting / project Location



Proposed Site Plan



LPFS

2440 Mission Park Drive, Suite 100, Sacramento, CA 95821
 916.433.8222 | landscape.com

CresleighHomes

GROUND LEVEL SITE PLAN & LANDSCAPE PLAN

East Campbell Avenue

Campana, Ca

II. ENVIRONMENTAL IMPACT EVALUATION:

The following evaluation has been prepared to determine if the proposed project may result in a “significant impact” on the environment. For the purposes of this study, a significant impact means a substantial or potentially substantial change in the physical environment. The following terms used in the evaluation are defined as specified below:

"Potentially Significant Impact" means that there is either substantial evidence that an impact may be significant or, due to lack of existing information, may have potential to be a significant effect.

"Less than Significant with Mitigation" means the incorporation of one or more mitigation measures can reduce the impact from potentially significant to a less than significant level.

"Less Than Significant Impact" means that there is sufficient evidence available to determine that the impact is less than significant and no mitigation is necessary to reduce the impact to a lesser level.

"No Impact" means that the listed criteria does not apply to the proposed project, or clearly will not impact nor be impacted by the project.

A description of the proposed mitigation measures and the factual data or evidence used to reach conclusions regarding impact significance is contained within each section. The environmental factors checked below would be potentially significantly impacted by the project without the recommended mitigation measures which reduce the potential impacts to "Less Than Significant with Mitigation" as indicated by the checklist on the following pages. The recommended mitigation measures are summarized in Section III (Summary of Mitigation Measures).

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

INTRODUCTION

The California Environmental Quality Act (CEQA) is a statute that requires state and local agencies to inform decision makers and the public about the potential environmental impacts of proposed projects, and to reduce those environmental impacts to the extent feasible. It is the policy of the State that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects.

The City of Campbell (“City”), acting as the Lead Agency, has determined the *ParkView Mixed-Use Development* (“project”) to be subject to CEQA, and has therefore prepared this Initial Study to determine whether the project may have a significant effect on the environment. The purpose of this Initial Study is to analyze the project’s potential environmental impacts and to use the analysis as the basis for deciding the appropriate CEQA document for the Project. The Initial Study also provides the City and the applicant with a means to modify the project to mitigate adverse impacts, thereby enabling the project to qualify for a Mitigated Negative Declaration (MND).

The City has authority to require feasible changes in any or all activities involved in the project in order to substantially lessen or avoid significant effects on the environment, consistent with applicable constitutional requirements such as the “nexus” and “rough proportionality” standards established by case law. If revisions in the project made by, or agreed to by, the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, then a MND shall be prepared. If there are potentially significant impacts that cannot be properly mitigated, an Environmental Impact Report (EIR) shall be prepared.

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I. AESTHETICS: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION:

(a) **No Impact** - The General Plan does not identify scenic views or scenic vistas within the City of Campbell.

b) **No Impact** - The General Plan does not identify scenic highways within the City of Campbell. A discussion of trees on the subject property is located in Section IV (Biological Resources) of this Initial Study. However, no significant impacts will occur as a result of the project.

c) **No Impact** - The General Plan identified the subject property as “blighted”². The property is currently occupied by dilapidated and underutilized buildings that have become a nuisance, including overgrown weeds and vandalism (broken windows and graffiti). The project would alter the existing visual character of the subject property through demolition of existing structures and development of a residential/commercial mixed-use building. Although the Campbell Community Park, which is adjacent to the subject property, is not identified as a scenic resource, its proximity to the proposed development is discussed in Section XV (Recreation) of this Initial Study. However, no significant impacts will occur as a result of the project.

(d) **Less than Significant Impact** - New site lighting would include down-lit fixtures for both the residential and commercial components of the building. Light and glare associated with new site lighting would not be significant due to the City’s Outdoor Light and Glare standards (CMC Section 21.16.060) and Lighting Design Standards (CMC Sections 21.18.090), which requires lighting to be designed and installed so that light rays are not emitted across property lines, adjacent to other uses or private streets. This standard will be implemented through standard conditions of approval including consistency with the project’s photometric plan.

Street lighting that is required by the City for the purpose of pedestrian and vehicle way lighting to create a safe environment for nighttime gatherings, activities and pedestrian travel and to reduce the likelihood of crime is not subject to CEQA review.

Based on the above discussion, **no mitigation** is necessary or required in relation to *Aesthetics*.

² General Plan Housing Element; Appendix D: Inventory of Opportunity Sites. Page D9

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment project and the Forest Legacy Assessment project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

(a – e) **No Impact** - The subject property is not currently used for, nor zoned for, farmland or other agricultural or horticultural purpose. Neither the subject property nor surrounding properties contain farmland or support agricultural activity that could be impacted by the project.

Therefore, **no mitigation** is necessary or required in relation to *Agriculture and Forest Resources*.

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III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION: An *Air Quality Impact and Greenhouse Gas Analysis Report*³ for the project was prepared in May 2018 by Raney Planning and Management, Inc. for the applicant and reviewed by Senior Planner Cindy McCormick on behalf of the lead agency. The following discussion reflects that analysis. All of the background information on the Bay Area Air Quality Management District (BAAQMD) who regulates air quality in the San Francisco Bay Area, the San Francisco Bay Area Air Basin (SFBAAB) under which the project is located, the associated regulatory documents (e.g., 2010 Clean Air Plan), and the methodology used to determine compliance, can be found in that document.

a-c) **Less than Significant with Mitigation** - The proposed project would not conflict with or obstruct implementation of the adopted 2010 Clean Air Plan with implementation of **Mitigation Measure AQ-1**, which requires the project to implement all of the BAAQMD’s Basic Construction measures.

Construction: As shown in the table below, the project’s construction emissions would be below the applicable thresholds of significance for ozone precursors and PM emissions.

Maximum Unmitigated Construction Emissions (lbs/day)			
Pollutant	Proposed Project Emissions	Threshold of Significance	Exceeds Threshold?
ROG	4.66	54	NO
NO _x	31.62	54	NO
PM ₁₀ (exhaust)	0.92	82	NO
PM ₁₀ (fugitive)	7.94	None	N/A
PM _{2.5} (exhaust)	0.92	54	NO
PM _{2.5} (fugitive)	3.80	None	N/A
<i>Source: CalEEMod, May 2018 (see appendix).</i>			

³ The Greenhouse Gas section of the report is discussed in section VII.

Operations: Similarly, the project’s operational emissions would be below the applicable thresholds of significance for ozone precursors and PM emissions, as shown below.

Unmitigated Maximum Operational Emissions					
Pollutant	Proposed Project Emissions		Threshold of Significance		Exceeds Threshold?
	lbs/day	tons/yr	lbs/day	tons/yr	
ROG	3.62	0.61	54	10	NO
NO _x	4.03	0.69	54	10	NO
PM ₁₀ (exhaust)	0.06	0.01	82	15	NO
PM ₁₀ (fugitive)	1.76	0.29	None	None	N/A
PM _{2.5} (exhaust)	0.06	0.01	54	10	NO
PM _{2.5} (fugitive)	0.47	0.08	None	None	N/A

Source: CalEEMod, May 2018 (see appendix).

Cumulative Impacts: In developing thresholds of significance for air pollutants, BAAQMD also considered the emission levels for which a project’s individual emissions would be cumulatively considerable. However, because the proposed project would result in construction-related and operational emissions below the applicable thresholds of significance, the project would not be expected to result in a cumulatively considerable contribution to the region’s existing air quality conditions during the construction and operational phase of the proposed project.

d) **Less than Significant Impact with Mitigation** – Implementation of **Mitigation Measure AQ-2** would help ensure that the potential impacts related to exposure of sensitive receptors to substantial pollutant concentrations are reduced to a less-than-significant level.

Sensitive receptors are defined as facilities where children, the elderly, the acutely ill and the chronically ill are likely to be present. Accordingly, land uses that are typically considered to be sensitive receptors include residences, schools, playgrounds, childcare centers, retirement homes, convalescent homes, hospitals, and medical clinics. The proposed project would involve the development of new housing and, thus, would be considered a sensitive receptor. The nearest existing sensitive receptors would be the existing residential development located to adjacent to the subject property on Gilman Avenue.

Carbon Monoxide Emissions: The proposed Cresleigh Homes project is expected to generate a net of 815 daily vehicular trips in which 53 vehicle trips are generated during the a.m. peak hour and 53 vehicle trips are generated during the p.m. peak hour.⁴ An increase of 53 total peak hour trips would not be anticipated to increase hourly traffic volumes at nearby intersections beyond the hourly traffic volumes set forth in the BAAQMD’s localized Carbon Monoxide (CO) screening criteria.

⁴ The proposed commercial square footage is actually less than the existing commercial square footage, so does not contribute additional trips for the purpose of determining significance.

Toxic Air Contaminants: Although the proposed project would not be anticipated to generate Toxic Air Contaminants (TAC) emissions, the California Air Resources Board (CARB) recommends evaluation of potential sources of TACs within 1,000 feet of a project that includes siting of new sensitive receptors. Four existing permitted sources of TACs are located within 1,000-feet of the subject property. The sources of TACs include Etched Media Corporation, Benson's Cleaners, Orchard Valley Coffee, and a City of Campbell operated generator at the Campbell Public Library. Three of the four sources of TAC emissions are below the applicable threshold, and would not be considered to significantly increase the cancer risk of future residents of the proposed project. While the Library generator, if operated continuously, could trigger the threshold for an increased cancer risk, the generator only operates as needed for testing or in emergencies. Moreover, research conducted by the CARB indicates that diesel particulate matter (DPM) – The major TAC of concern for a generator – is highly dispersive in the atmosphere and is reduced by 70 percent at a distance of approximately 500 feet. The subject property is over 870 feet away from the library, and, thus, ample space for dispersion exists between the subject property and the generator. Thus, the Library generator, which has been permitted for use by BAAQMD, is not anticipated to trigger the significance threshold or generating a cancer risk.

While construction-related activities could result in the generation of TACs, construction is temporary, dispersed across the subject property, and occurs over a relatively short duration. Thus, sensitive receptors in the area would not be exposed to pollutants for a permanent or substantially extended period of time. Moreover, construction equipment and operation is regulated to help reduce TAC emissions, including DPM.

Asbestos-Containing Building Material and Lead Based Paint: It has been found that asbestos-containing building materials (e.g., lead based paints) were used in the construction of the existing structures. Therefore, demolition activities could create asbestos- or lead-containing dust, which could become airborne. Construction workers could become exposed to such airborne TACs, potentially impacting sensitive receptors. Therefore, the proposed project would result in a potentially significant impact related to the exposure of sensitive receptors to substantial concentrations of lead or asbestos.

Mitigation Measure **AQ-2** requires a work plan that demonstrates how the on-site asbestos-and/or lead-containing materials will be removed and disposed of in accordance with regulations.

e) **Less than Significant Impact** - Quantitative methodologies to determine the presence of a significant odor impact do not exist due to the subjective nature of odor impacts, the number of variables that can influence the potential for an odor impact, and the variety of odor sources. However, the project and its potential commercial / office uses would not create the type of objectionable odors that would affect a substantial number of people (e.g., wastewater treatment plants, landfills, and composting facilities). Although diesel fumes from construction equipment are often found to be objectionable, construction is temporary and construction equipment would operate intermittently during regulated construction hours. Therefore, construction of the proposed project would not be expected to create objectionable odors affecting a substantial number of people.

Regardless, any future application to occupy the commercial portion of the building would be reviewed for potential impacts, including but not limited to odors. Moreover, although not anticipated, BAAQMD regulates objectionable odors through Regulation 7, Odorous Substances, which become applicable if the agency receives odor complaints from ten or more complainants within a 90-day period. In the case of a complaint, the BAAQMD would ensure that such odors are addressed and any potential odor effects reduced to less than significant.

Therefore, no significant impact exists with respect to odors.

MITIGATION MEASURES

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.

Air Quality Mitigation Measure 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 friable⁵ 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.

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⁵ Friable asbestos is the term used for any asbestos containing material that can be crushed, crumbled, pulverized or turned to powder with the ordinary force of a human hand.

IV. BIOLOGICAL RESOURCES: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION: A *Biological and Wetland Resources Assessment Report* for the subject property was prepared in November 2016 by Salix Consulting, Inc for the applicant and reviewed by Senior Planner Cindy McCormick on behalf of the lead agency. All of the reference documents and resources (e.g., the California Natural Diversity Database) as well as a list of potentially-occurring special-status plants and special-status animals can be found in that that Report and/or its Appendices. An *Arborist Report and Tree Inventory Summary* for the subject property was prepared in April 2019 by Edwin E. Stirtz of Sierra Nevada Arborists for the applicant and reviewed by Senior Planner Cindy McCormick on behalf of the lead agency. The following discussion reflects the analysis of these two reports.

a-d) **Less than Significant Impact** – Implementation of **Uniformly Applicable Development Policies and Conditions of Approval** would help ensure that potential impacts related to protected biological species, habitat, and wetlands are less-than-significant. In particular the project will be conditioned as follows:

Pre-Construction Survey: 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.

None of the 41 potentially-occurring special-status plant species, or 37 potentially-occurring animal species in the area were determined to have potential for occurring onsite due to the absence of suitable habitat (e.g., vernal pools, marshes, swamps, woodlands, chaparral, or grassland. The subject property does not contain any streams, ponds, riparian habitat, or federally protected wetlands/waters (e.g., streams, wetland swales, seasonal marsh). The subject property does not provide suitable nesting habitat for common raptors. However, it may provide suitable nesting habitat for other birds protected by the Migratory Bird Treaty Act.

e) **Less than Significant** - Implementation of **Uniformly Applicable Development Policies**, including but not limited to the City's Tree Protection Ordinance, would help ensure that trees are preserved to the maximum extent possible.

The City's Tree Protection Regulations allow approval of a tree removal permit only after finding that each tree meets one of the following criteria: diseased or in danger of falling (with no reasonable means of preservation); has caused or may imminently cause significant damage to the existing main structure(s) (with no reasonable means of modifying the tree's structure); has interfered with utility services (cannot be remedied through other reasonable means); crowding other protected tree(s) to the extent that removal is necessary to ensure the long-term viability of adjacent tree(s); or where retention would restrict the economic enjoyment or create an unusual hardship for the property owner (in a manner not typically experienced by owners of similarly zoned and situated properties).

An Arborist Report was prepared for the property identified 13 trees on site, all of which would be removed, including three (3) protected street trees and four (4) protected on-site trees. The applicant will replace the seven (7) protected trees with eleven (11) 36" box trees or the applicant could be asked to pay an in-lieu fee if it makes more sense to plant the trees elsewhere in the City. Non-protected trees, illustrated in *italics* in the following table, do not require replacement.

Continued on the following page

Tree Inventory			
Tree Species (common name)	Trunk size⁶ (dbh)	Condition	Protected (Yes / No)
California Pepper	49	Poor to Fair (callusing wound)	Yes (>12")
California Pepper	14,16	Fair (above average deadwood)	Yes (>12")
<i>Tree of Heaven</i>	8,9	<i>Poor to Fair (out of balance)</i>	<i>No (<12")</i>
California Black Walnut	35	Poor to Fair (callusing wound / deadwood)	Yes (>12")
<i>Tree of Heaven</i>	6,8,8,9,9,10	<i>Poor to Fair (weak attachments)</i>	<i>No (<12")</i>
<i>Grapefruit</i>	14	<i>Fair (above average deadwood)</i>	<i>No (fruit tree)</i>
California Black Walnut	12	Fair (structural defects, cut at 4.5')	Yes (>12")
<i>Lemon</i>	8	<i>Fair</i>	<i>No (<12" / fruit tree)</i>
<i>Fruiting Pear</i>	6	<i>Poor to Fair (structural defects, minor decay)</i>	<i>No (<12" / fruit tree)</i>
<i>Box Elder</i>	11	<i>Poor to Fair (structural defects, topped)</i>	<i>No (<12")</i>
Chinese Pistache	7	Fair	Yes (street tree)
Chinese Pistache	4	Fair	Yes (street tree)
Chinese Pistache	11	Fair	Yes (street tree)

f) **No Impact** - No adopted Habitat Conservation Plan, Natural Community Conservation Plan or approved habitat conservation plans apply to the project or the subject property. The Santa Clara Valley Habitat Plan⁷ permit area includes Los Gatos Creek and Los Gatos Creek County Park, but excludes the remainder of the City, including the subject property.

Based on the above discussion, **no mitigation** is necessary or required in relation to *Biological Resources*.

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⁶ Multi-trunk trees include the DBH of each trunk. Only those individual trunks that are over 12" dbh are protected.

⁷ The Santa Clara Valley Habitat Plan was approved and adopted in 2013 and is administered by the Santa Clara Valley Habitat Agency.

V. CULTURAL RESOURCES: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION:

(a) **No Impact** - The subject property does not contain known historical resources as defined in §15064.5 of the CEQA Guidelines nor have any structures on the subject property been identified as historically significant or potentially historical significantly by the Campbell Historic Resource Inventory (HRI).

(b-c) **Less than Significant Impact** - No paleontological and archaeological resources are known to exist on the subject property. However, any such discovery would be less than significant through s implementation of *Mitigation Measure CUL-1*.

(d) **Less than Significant Impact** - No human remains are known to exist on the subject property. However, any such discovery would be less than significant through implementation of *Mitigation Measure CUL-2*.

MITIGATION MEASURES

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.

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VI. GEOLOGY AND SOILS: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION: A Geotechnical Investigation Report, Supplemental Status Report, and Geotechnical Report Update (“geotechnical reports”) were prepared for the project on October 28, 2015, February 9, 2018, and April 12, 2019, respectively, by Romig Engineers for the applicant. A Site Management Plan, dated February 8, 2018, was prepared by Terraphase for the project applicant. These reports were reviewed by Senior Planner Cindy McCormick on behalf of the lead agency. The following discussion reflects that analysis.

The initial analysis assumed a full basement supported on a reinforced concrete mat foundation. The basement would have provided underground parking. Due to soil vapor intrusion concerns from the adjacent property (as discussed in section VIII of this Initial Study), the applicant changed the scope of the project by replacing the subterranean parking with a podium style parking garage for both the commercial units (level 1 parking) and residential units (level 2 parking). The Supplemental Status Report and the Geotechnical Report Update acknowledges this change in scope. From the consultant’s geotechnical view-point, the subject property is suitable for the currently proposed project, with or without the subterranean parking. As there is always potential that the City will require design changes including the type of foundation and/or the building height, size or footprint of the project, the City will require that Romig Engineers (the applicant’s geotechnical consultant) prepare an updated geotechnical report as part of the Building Division plan check submittal to address earthwork, foundation, slab construction, shoring, design waterproofing, etc., consistent with the project as approved by the City.

Subject to City approval, the project will be conditioned, as part of standard entitlement conditions of approval, to perform the following:

- 1) The foundation and slab construction shall be based on project conditions of approval, consistent with the City required environmental remediation, and specific detailed input from the project structural engineer;
- 2) Romig Engineers shall review the final grading and foundation plans and recommend changes as necessary to comply with project approval;
- 3) Romig Engineers shall prepare a "clean" geotechnical plan review letter for the project with recommendations for construction. This final "clean" geotechnical plan review letter shall be required with or without project changes;
- 4) Romig Engineers shall observe and test during earthwork and foundation construction to confirm that site conditions are as anticipated based on their previous site investigation and that construction is performed in accordance with the approved plans and their geotechnical conclusions and recommendations for the project. This would occur if and when planning approval is received from the City (including any other City required changes) and specific building details and foundation loads are confirmed by the project architect and structural engineer, subject to City approval or denial or request for modification.
- 5) As the geotechnical consultant's recommendations are based on a limited amount of subsurface exploration, the nature and extent of variation across the subject property may not become evident until construction begins. If variations are exposed during construction, Romig Engineers shall reevaluate the conclusion and recommendations and provide an updated "clean" geotechnical plan review letter.

In the event there are any 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 Romig Engineers 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.

In terms of this Initial Study, the significant impact thresholds are based on applicable criteria in the State CEQA Guidelines (CCR §§15000-15387), Appendix G. A significant geology and soils impact would occur if the project would: expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving an earthquake, strong

seismic ground shaking, seismic-related ground failure, including liquefaction, and landslides; result in substantial soil erosion or the loss of topsoil; be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; be located on expansive soil, creating substantial risks to life or property; or have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water. The following discussion reflects the CEQA guidelines for determining geology and soils impacts.

a) **Less than Significant with Uniformly Applicable Development Policies** - The geotechnical consultant reviewed the potential for geologic hazards that might impact the subject property and the proposed building, considering the geologic setting and soils. Subsurface exploration consisted of drilling, sampling, and logging three exploratory borings in the area of the proposed building. The results of the consultant's review are presented below with additional information contained within the geotechnical report.

Fault Rupture - The subject property is not located in a State of California earthquake fault zone or area where fault rupture is considered likely. Therefore, active faults are not believed to exist beneath the subject property and the potential for fault rupture at the subject property is considered low.

Ground Shaking - The subject property is located in an active seismic area. Moderate to large earthquakes are probable along several active faults in the greater Bay Area over a 30 to 50 year design life. Strong ground shaking should therefore be expected several times during the life of the building, as is typical for sites throughout the Bay Area. The building will be designed in accordance with current earthquake resistance standards.

Liquefaction - Liquefaction occurs when saturated sandy soils lose strength during earthquake shaking. Ground settlement often accompanies liquefaction. Soils most susceptible to liquefaction are saturated, loose, sandy silts, silty sands, and uniformly graded sands. Since saturated sands were not encountered in the borings and since the ground water level is expected to be relatively deep, the geotechnical consultant determined that the likelihood of liquefaction occurring in the soils encountered in their borings at the subject property is low. In addition, the subject property is not located within a State designated liquefaction hazard zone.

Dynamic Densification - To evaluate the potential for earthquake-induced dynamic densification of the medium dense clayey sands encountered at the subject property, the geotechnical consultant performed an analysis of the data from their borings following the methods presented by the US Army Corps of Engineers. Medium dense clayey gravel strata ranging from 5 to 8 feet thick were encountered at a similar depth below the bottom of the [then] assumed basement mat. Based on the results of their analysis, the geotechnical consultant estimated that total dynamic settlement up to about 1/2- to 3/4- inch may occur beneath the [then assumed] basement mat due to dynamic densification of the medium dense clayey gravel material when subjected to a peak ground acceleration. Dynamic densification occurs during moderate and large earthquakes when

soft or loose, natural or fill soils densify and settle, often unevenly across a site. However, the applicant has redesigned the project without subterranean parking.

Landslides – Landslides can occur in a variety of environments from mountain ranges to coastal cliffs where gravity and slope instability, triggered by a specific event (e.g., an earthquake, a slope cut, heavy rainfall), are the primary forces that might cause a landslide to occur. The scope of the project would not trigger a landslide and the subject property is not located within a landslide zone according to the Santa Clara County Geologic Hazard Zones Map.

b-d) Less than Significant with Mitigation - Implementation of *Mitigation Measures GS-1* (including G1.1 through G1.6) through **GS-2** will help reduce potentially significant impacts related to soils to less than significant.

Soils - The geotechnical consultant performed laboratory testing of selected soil samples to aid in soil classification and to help evaluate the engineering properties of the soils encountered at the subject property. The consultant also evaluated surface and subsurface data to develop earthwork guidelines and foundation design criteria for the proposed building. The geotechnical analysis indicates that the near surface soil has low plasticity and a low potential for expansion. Ground water was not encountered during drilling and sampling in any of the geotechnical consultant's exploratory borings. Moreover, information presented in Seismic Hazard Zone Report 058 for the San Jose West Quadrangle (California Geological Society, 2002) indicates the historic high ground water level in the area of the subject property is deeper than 50 feet below the ground surface. The subject property is generally underlain by about 10 to 15 feet of moderately compressible firm to stiff, sandy lean clay of low plasticity underlain by clayey gravel to a depth of 28 feet, the maximum depth of the exploration. The clayey gravel encountered in the borings was typically medium dense to a depth of about 16 to 20 feet below existing grade and dense to very dense below that depth. The primary geotechnical concerns for the proposed construction are the presence of this medium dense clayey gravel material, encountered at or just below the previously assumed basement elevation. However, the applicant has redesigned the project without subterranean parking.

Romig, applicant's consultant, has determined that a reinforced concrete mat slab is compatible with the proposed remedial grading and the applicant's preferred foundation system for the proposed building. The April 12, 2019 Geotechnical Report Update assumed a 24-inch thick mat foundation with the understanding that the actual thickness and details for the mat slab will be determined by the structural engineer based on building loads and soil subgrade information provided by Romig Engineers. In Romig's opinion, the recommendations in their October 28, 2015 Geotechnical Investigation Report are suitable for the currently proposed project except as modified in the Geotechnical Report Update. Romig Engineers will prepare a design-level geotechnical report for the project if and when the applicant receives planning-level approval from the City and after Romig receives structural loading information for the building from the structural engineer. Romig's design-level geotechnical report may contain minor modification of the recommendations summarized in the Geotechnical Report Update based on information developed during the project design phase.

e) **No Impact** - No septic tanks are proposed or needed for the project since the subject property has adequate sewer capacity.

MITIGATION MEASURES

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.

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.

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.

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.

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.

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.

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.

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VII. GREENHOUSE GAS EMISSIONS: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emission, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION: An *Air Quality Impact and Greenhouse Gas Analysis*⁸ was prepared for the project in May 2018 by Raney Planning and Management, Inc. for the applicant and reviewed by Senior Planner Cindy McCormick on behalf of the lead agency. The following discussion reflects that analysis.

a) **Less than Significant Impact** - Implementation of the proposed project would cumulatively contribute to increases of greenhouse gas (GHG) emissions. GHG emissions contribute to global climate change and are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Estimated GHG emissions attributable to future on-site development would be primarily associated with increases of carbon dioxide (CO₂) and, to a lesser extent, other GHG pollutants, such as methane (CH₄) and nitrous oxide (N₂O) associated with area sources, mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. However as discussed below, these GHG emissions would not be significant.

b) **Less than Significant Impact** - The proposed project is located within the jurisdictional boundaries of the Bay Area Air Quality Management District (BAAQMD). The BAAQMD threshold of significance for project-level operational GHG emissions is 1,100 MTCO_{2e}/yr or 4.6 MTCO_{2e}/yr per service population (population + employees)⁹. The project's GHG emissions were quantified using CalEEMod¹⁰ using the same assumptions as the Air Quality analysis. According to the CalEEMod results, the project would result in operational GHG emissions of 451.78 MTCO_{2e}/yr, which is well below the 1,100 MTCO_{2e}/yr threshold of significance. While neither the City nor BAAQMD has adopted a threshold of significance for construction-related GHG emissions, the project's estimated total construction emissions of 393.22 MTCO_{2e} would be well below BAAQMD's adopted annual threshold of 1,100 MTCO_{2e}/yr used for operational emissions. Furthermore, construction emissions would be divided among the approximately two years of construction, with a maximum annual emission of 196.61 MTCO_{2e}, which is well below BAAQMD's 1,100 MTCO_{2e}/yr threshold. Even if the project's annual construction emissions and operational emissions were combined, the project would still be well below the applicable threshold of significance.

Based on the above discussion, **no mitigation** is necessary or required in relation to *GHG emissions*.

⁸ The Air Quality section of the report is discussed in section III.

⁹ MTCO_{2e}/yr = metric tons of CO₂ equivalents per year

¹⁰ All CalEEMod results are included in the appendix of the reference Air Quality Impact and GHG Analysis

VIII. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION: The following documents (in descending order) were prepared for the project by Terraphase Engineering, on behalf of the applicant, and reviewed by Senior Planner Cindy McCormick on behalf of the City of Campbell and by Aaron Costa, Senior Hazardous Materials Specialist, from the Santa Clara County Department of Environmental Health (DEH):

TERRAPHASE ENGINEERING REPORTS AND MEMORANDUMS	
<u>Title</u>	<u>Date</u>
Modified Recommendation Regarding Remedial Alternative	07/01/19
Second Addendum to Risk Evaluation Associated with Potential Vapor Intrusion memo	03/25/19
Addendum to Risk Evaluation Associated with Potential Vapor Intrusion memo	02/08/19
Risk Evaluation Associated With Potential Vapor Intrusion memo	11/29/18
Response to Peer Review (superseded)	08/14/18
Updated Phase I Environmental Site Assessment	03/16/18
Site Management Plan	02/08/18
Vapor Intrusion Risk Evaluation Report, Campbell Village Properties	02/08/18
Cover Letter and Site Investigation Summary Report	09/06/17
Remedial Alternatives Cost Analysis Memorandum	08/10/17
Voluntary Cleanup Agreement Application	08/02/17
Phase II Investigative Report	12/17/15
Phase I Environmental Site Assessment	10/23/15

The following documents were prepared for the project by Aaron Costa, Senior Hazardous Materials Specialist, from the Santa Clara County Department of Environmental Health (DEH) Site Mitigation Program, also on behalf of the applicant. The DEH is overseeing the investigative activities and proposed mitigation measures necessary to protect human health. The DEH has reviewed the applicant’s proposed approach to environmental risk mitigation; however, the DEH has not approved the proposed remediation. Approval would only come after the final MND has been adopted and the final project design has been approved by the City of Campbell. These documents have been reviewed by Senior Planner Cindy McCormick on behalf of the City of Campbell.

SANTA CLARA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH REPORTS AND MEMORANDUMS	
<u>Title</u>	<u>Date</u>
Response to 11-29-18 Risk Evaluation Associated With Potential Vapor Intrusion memo	03/15/19
Notice Regarding Revised Environmental Screening Levels	02/12/19
DEH Email Regarding Above Grade Parking as it Relates to Vapor Intrusion	08/03/18
Site Management Plan Request	11/21/17
Opening Letter	11/02/17
Agreement to Enter Voluntary Cleanup Program	09/20/17
HSC 101480 Notice	09/07/17

The following documents were prepared for the project by Ramboll US Corporation (Ramboll) on behalf of the City of Campbell. These documents were reviewed by Senior Planner Cindy McCormick on behalf of the City of Campbell.

CITY OF CAMPBELL COMMISSIONED PEER REVIEW	
<u>Title</u>	<u>Date</u>
Updated Peer Review of Environmental Documents	05/01/19
Peer Review of Environmental Documents	03/08/18

The following discussion represents a brief summary of the potentially significant environmental impacts associated with the subject property and the proposed project. Please reference **Appendix A** to this Initial Study which provides a chronology of activities (e.g., meetings and documents) related to potentially significant impacts associated with hazardous materials.

Historic operations at the subject property included a gasoline service station, machine shop, automotive repair services and storage of automobiles on unpaved ground. As provided throughout this Hazardous Materials section of the Initial Study, contaminants of concern were identified at the subject property, including elevated concentrations of lead and TPH-d and TPH-mo in the soil. Tetrachloroethylene (PCE) and asbestos-containing building materials were also found on the subject property.

Phase I Environmental Site Assessment (ESA): A Phase I ESA was prepared in 2015 by Terraphase Engineering on behalf of the applicant. The purpose of the Phase I ESA was to evaluate the potential for environmental contamination on the subject property, and to evaluate if contamination could potentially occur in the future because of activities or conditions on or near the subject property. The Phase I ESA was updated in 2018 since the initial Phase I ESA, dated October/December 2015, was only good for 180-days. In contrast to the 2015 Phase I ESA, the Recognized Environmental Conditions (RECs) identified on the subject property were listed by type rather than location.

The *Phase I ESA* Reports identified the following:

Recognized Environmental Conditions (REC)¹¹:

- 1) potential petroleum hydrocarbons associated with five (5) underground storage tanks;
- 2) potential petroleum hydrocarbons, polychlorinated biphenyls (PCBs), volatile organic compounds (VOCs), and metals related to a potential oil/water separator (not observed), an in-ground hydraulic lift, and unknown piping that was observed in two of the buildings;
- 3) potential subsurface impacts from the past use of petroleum hydrocarbons, solvent, and metals during machine shop and automotive repair activities; and
- 4) potential petroleum hydrocarbons and metals associated with automobile and car parts storage and excavated stockpiled soil.

Controlled RECs¹²: Terraphase did not identify any controlled CRECs during the Phase I investigation.

Historical RECs¹³: Terraphase also identified the following HREC during their investigation: low concentrations of gasoline, diesel, oil and grease, benzene, toluene, ethylbenzene, and xylenes associated with the 1990 removal of five (5) underground storage tanks¹⁴.

¹¹ A REC is the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or the material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property.

¹² CRECs are RECs resulting from a past release of hazardous substances or petroleum products that have been addressed to the satisfaction of the applicable regulatory authority with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.

¹³ HRECs are defined as a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls.

¹⁴ A Santa Clara County Fire Department inspection report dated July 1990 stated that the inspector had witnessed the removal of the five USTs by SEMCO and that the soil was either hauled off site to the Department of Public Works yard or was deposited behind the building at 540 E. Campbell Avenue.

Asbestos-Containing Building Materials And Lead-Based Paint: The *Phase I ESA* also found the potential for lead-based paint and asbestos-containing building materials to be present at all structures on the subject property.

Soil Vapor: The *Phase I ESA* identified seven (7) nearby properties that have used or may have used volatile organic compounds that have the potential to migrate via soil gas. Soil vapor is one of the pathways of contamination to the subject property, along with groundwater, and soil. The soil-vapor contaminant pathway needs to be considered in evaluation of RECs or other environmental concerns.

Phase I and II investigations were also performed at the Antoun Trustees Property (Etched Media) located at 60 Dillon Avenue and 85 and 101 Gilman Avenue. While these reports were not provided to the City, the 2018 Phase I ESA indicated that the relatively high concentrations of VOCs in soil gas found at the Antoun Trustees Property and the increasing concentrations of some of the VOCs with depth suggest the possible presence of a deep VOC source either beneath the Antoun Trustees site or an unknown source located farther upgradient. [Etched Media Corp \(71003079\)](#) is also included on the [Department of Toxic Substances Control's EnviroStor website](#) list of hazardous material sites, although no "potential contaminants of concern" were identified as of 2002 when the regulatory profile was last updated¹⁵.

Phase II Investigative Report: A *Phase II Investigative Report* was also prepared in 2015 by Terraphase Engineering on behalf of the applicant. The purpose of the *Phase II Report* is to further investigate the RECs identified in the *Phase I ESA*. The *Phase II Report* also investigates whether a release of hazardous substances exists at the subject property from the former gas station; former machine shop, auto parts and supply, and auto repair shop; potential oil/water separator and existing in-ground hydraulic lift; former automobile and car parts storage; and excavated soil stockpiled when the underground storage tanks (USTs) were removed. The *Phase II Report* included a Hazardous Materials Survey of the commercial and residential structures at the subject property that identified the following:

Asbestos: Materials (e.g., roofing, siding, floor tiles, etc.) containing asbestos were identified at the subject property. The types of asbestos identified include chrysotile and amosite.

Lead-Based Paint (LBP) and Lead-Containing Paint (LCP): LBP and LCP were identified on the subject property (e.g., window wood, doors, walls, etc.).

PCB-Containing Materials: No PCB-containing materials were identified at the subject property.

Suspect Hazardous Materials-Containing Equipment: According to the Phase II Report, the following equipment is suspected to contain hazardous materials at the subject property: ballasts (PCBs), tubes (mercury), and exterior light (mercury).

¹⁵ <https://www.envirostor.dtsc.ca.gov/public/> accessed March 29, 2019

TPH-g, PCBs, VOCs, and metals: Concentrations of Total Petroleum Hydrocarbons (TPH) as Gasoline (TPH-g), PCBs, Volatile Organic Compounds (VOCs), and metals (except lead and arsenic), were not detected above their respective San Francisco Regional Water Quality Control Board (RWQCB) Environmental Screening Levels (ESLs) for residential site uses.

TPH-d and TPH-mo: TPH as diesel (TPH-d) and TPH as motor oil (TPH-mo) were detected at concentrations exceeding both the residential and commercial screening criteria. Arsenic was detected; however Terraphase's interpretation is that the arsenic concentration is representative of ambient concentrations in the soil. Lead was detected at concentrations over the evaluation criteria for California regulated hazardous waste and the federal hazardous waste leaching criterion. Soluble threshold limit concentration (STLC) and toxicity characteristic leaching procedure (TCLP) analysis show that based on lead leaching, portions of the soil if excavated and disposed of would be a California-regulated Non-RCRA hazardous waste.

Tetrachloroethylene (PCE): One out of 14 soil-gas samples (SV-5, adjacent to the hydraulic lift), detected chlorinated solvent PCE at a concentration which exceeded residential environmental screening levels. Soil gas data indicate that PCE is present at concentrations very close to the residential screening level at a shallow depth (approximately 5 feet below the ground surface). PCE was either not detected, or detected at much lower concentrations below 5 feet. The Phase II Report indicated that the PCE contaminated soil would likely be removed in accordance with the redevelopment plans.

Phase II Soil Management Approach: The *Phase II Report* acknowledged that reuse of the subject property as a residential parcel with a [then assumed] basement would require the lead and petroleum contaminated soil to be managed appropriately. Terraphase estimated that between 1,200 and 1,900 cubic yards of the soil contains elevated concentrations of lead exceeding the regulatory thresholds making it California-regulated non-RCRA hazardous waste if it is excavated. Terraphase also acknowledged that if excavated, this material would have to be disposed of an appropriate Class I facility or out of the State of California. Additionally, Terraphase estimated that there is another 900 to 1,900 cubic yards of contaminated soil that could not be used as clean fill on other sites because of petroleum constituents, and would likely have to be disposed of at a Class II landfill if excavated.

Voluntary Cleanup Agreement Application: In 2017, the applicant submitted a Voluntary Cleanup Agreement Application to Aaron Costa from the Santa Clara County Department of Environmental Health (DEH), requesting regulatory oversight through the County's Voluntary Cleanup Program for the required characterization, remediation, and/or mitigation associated with the contamination identified in the previously discussed documents. City staff also spoke Mr. Costa, informing him that the City of Campbell prefers that the contamination be completely disposed of off-site.

Site Investigation Summary Report: In 2017, the applicant submitted a *Site Investigation Summary Report* to the DEH as part of their Voluntary Cleanup Agreement Application. This report identified the following:

Lead and hydrocarbons: Metal (primarily lead) and hydrocarbon concentrations, found on the subject property in shallow soil, were above current Environmental Screening Levels (ESL)s for direct exposure at residential sites. The depth of lead and hydrocarbon impacted soil varied from as little as 1.5 feet below ground surface (bgs) over the majority of the subject property, to approximately six (6) feet bgs at several smaller areas. Similar concentrations of metals were also found in shallow soil at the Antoun Trustees Properties.

Tetrachloroethene (PCE): Soil gas data collected at the subject property indicate that PCEs was detected at concentrations very close to the residential ESL at a single shallow (approximately 5 ft bgs) depth. PCE was either not detected or detected below ESLs in the remaining samples except on the Antoun Trustees Property.

Carbon tetrachloride: Carbon tetrachloride was detected above the ESL at the subject property and Antoun Trustees Properties. The maximum sub-surface soil gas concentration for carbon tetrachloride was identified in the center of the Antoun Trustees Property. Soil gas samples showed that the concentration of carbon tetrachloride increased with depth, and the maximum concentration of deep carbon tetrachloride was detected outside the Antoun Trustees building at 85 Gilman Avenue and along the Antoun Trustees and subject property boundary. However, carbon tetrachloride was not detected above ESLs in the shallow 5 ft bgs soil gas samples on the subject property boundary. Terraphase therefore concluded that the source of the carbon tetrachloride is not on the subject property. Terraphase further concluded that this indicates that vapor intrusion is not a significant risk to future redevelopment of the subject property.

Volatile organic compounds (VOC): Relatively high concentrations of VOCs were detected in sub slab and deeper soil gas samples at the Antoun Trustees Property. Terraphase concluded that the increasing concentrations of some of the VOCs with depth suggest the possible presence of a deep VOC source either beneath the Antoun Trustees site or an unknown source located farther upgradient.

Site Investigation Summary Report Conclusion: Terraphase concluded that while vapor intrusion would likely require mitigation on the adjacent Antoun Trustees property, the soil gas testing results for the subject property do not suggest a need for vapor intrusion mitigation measures for a podium development with ground-level or subterranean ventilated parking. Terraphase also stated that in their opinion, “nothing was identified on the third property that would affect redevelopment of the [subject] Property”. Thus, Terraphase recommends that the shallow lead and hydrocarbon affected soils be relocated on-site to locations beneath building foundations and/or parking areas to prevent exposure to humans or the environment, following a Site Management Plan that will document the final location of the affected soils, and describe proper soil handling, dust control, and air monitoring procedures to be followed during construction.

Vapor Intrusion Risk Evaluation Report: In 2018, the applicant completed a *Vapor Intrusion Risk Evaluation Report*, as requested by the DEH as part of their Voluntary Cleanup Agreement, with further analysis of the soil-gas data and assessment of potential vapor intrusion risk. Based on a review of the soil-gas analytical results collected at depths of 5, 15, and 30 feet bgs, three (3) VOCs were detected above residential ESLs. These include carbon tetrachloride,

trichloroethene (TCE), and PCE. Additional VOCs were analyzed but were not detected above their respective ESLs. The vapor intrusion assessment therefore focuses on carbon tetrachloride, TCE, and PCE.

Subject Property Soil-Gas Results: Carbon tetrachloride was detected above the ESL with the concentration of carbon tetrachloride increasing with depth. TCE was not detected above laboratory reporting limits. PCE was detected above the ESL in the sample collected from inside the automobile repair garage alongside the hydraulic lift. Samples were collected to evaluate the lateral and vertical extent of PCE at one location where PCE was detected at a depth of 15 feet bgs with concentrations below the residential ESL. PCE was not detected above the reporting limit. PCE was non-detected above the ESL in the remainder of the subject property but was detected in low concentrations in the northern portion of the subject property and at trace concentrations in the southern corner of the subject property.

Antoun Trustees Property Soil-Gas Results: Carbon tetrachloride was detected above the residential ESL, with the concentrations increasing with depth. PCE and TCE exceeded the respective residential ESLs at two depths (15 feet bgs and 30 feet bgs). PCE was detected at 5 feet bgs and 15 feet bgs. PCE and TCE were both non-detectable in other samples collected at the Antoun Property. No other VOCs were detected above ESLs in the deep soil-gas results from the Antoun Trustees property.

Antoun Trustees Sub-Slab Soil-Gas Results: Carbon tetrachloride and Ethylbenzene was detected above the residential ESL. However, the extent of VOCs in sub-slab samples collected at the Antoun Trustees Property are not discussed because Terraphase states that migration of sub-slab vapor from the adjacent building are too shallow to pose a migration concern onto the subject property.

Site Investigation Summary Report Conclusions: While PCE and carbon tetrachloride were detected above conservative residential ESL in one location of the site (255 $\mu\text{g}/\text{m}^3$ versus the ESL of 240 $\mu\text{g}/\text{m}^3$), Terraphase has concluded that no significant risk exists at the subject property from vapor intrusion under the planned podium-style construction with fully ventilated ground-level parking. In the southern portion of the site, carbon tetrachloride concentrations increased with depth, indicating the presence of a source of carbon tetrachloride at depth to the south of the site. The Report also notes that future sampling events could show slightly higher concentrations in shallow samples, given how soil-gas data can exhibit variations over time in response to seasonal conditions. The construction of the new parking garage could also result in capping effects that may result in slightly higher concentrations underneath it in the future.

Site Management Plan: In 2018, the applicant completed a *Site Management Plan* as requested by the DEH as part of their Voluntary Cleanup Agreement. The purpose of the Site Management Plan (SMP) is to describe proper soil handling, dust control, worker health and safety, and air monitoring procedures to be followed under the applicant's preference to relocate the lead- and petroleum hydrocarbon-affected soils beneath the building foundations and/or parking areas. The SMP also includes post-construction soil handling procedures in the event of future subsurface work that requires disturbing the impacted soils under the capped area. The SMP also describes

the safe handling procedures for soils encountered during ground-disturbing activities at the subject property and how the subject property can be developed to eliminate exposure pathways for subject property users. The SMP includes the following:

- Site preparation requirements;
- Training requirements to ensure employees are properly trained for handling soils generated during intrusive activities in site soil;
- Proper soil stockpiling and handling procedures;
- Procedures for waste characterization for disposal at an appropriate off-site disposal facility in the event affected soil must be disposed off-site;
- Procedures for controlling fugitive emissions (i.e., dust); and
- Measures to mitigate direct exposure of soil to future subject property users by capping the site.

The SMP provides additional guidelines for: site management (site preparation, a health and safety plan, employee training, pre-field notifications, waste characterization, and site set-up); excavation activities including excavation volume and limits; dust control measures (construction traffic, excavation activities material stockpiles, cleanup and grading, and wind); soil stockpiling and handling; soil confirmation sampling plan; off-site soil disposal; backfill materials and methods; and long-term cover requirements. The SMP provides guidelines for dust monitoring action levels, air monitoring plan, air monitoring equipment, meteorological monitoring, air monitoring station locations, background air monitoring, and monitoring schedule. The SMP also addresses recordkeeping and reporting.

Risk Evaluation Associated with Potential Vapor Intrusion Report: In 2018, ToxStrategies, Inc., on behalf of Terraphase Engineering and the applicant completed a *Risk Evaluation Associated with Potential Vapor Intrusion Report*. This report presents the results of a risk evaluation of potential human health risks associated with the presence of volatile chemicals in soil gas, and vapor intrusion into the planned mixed commercial/residential building. The risk evaluation was divided into two parts: (1) a screening risk evaluation entailing comparison of maximum detected concentrations to generic screening levels; and (2) a site-specific risk evaluation entailing site-specific vapor intrusion modeling for chemicals of potential concern (COPC)s identified by the screening evaluation. The purpose of the report is to present the results of their evaluation of potential human health risks associated with the presence of volatile organic compounds (VOCs) in soil gas samples collected since 2015 at the subject property. This evaluation was limited to inhalation of vapors in indoor air as a result of vapor intrusion. The Report discusses the proposed foundation with perimeter footing, moisture barrier, subsurface utility penetrations, load-bearing column footings overlain by a concrete slab under occupied spaces, and either concrete or asphalt concrete over the parking garage, elevator, and parking garage ventilation.

Screening Human Health Risk Evaluation Methods: The potential human health risks associated with inhalation of vapors in indoor air by future subject property occupants were evaluated in general accordance with the approach described in the RWQCB's User's Guide for deriving and applying environmental screening levels (ESLs). All chemicals detected in one or more samples were included in this screening level evaluation. Noncancer hazard quotients (HQs) and incremental lifetime cancer risks (ILCRs) are estimated using the maximum detected concentration for each detected chemical and a regulatory human health risk-based screening level. ToxStrategies states that screening levels based on residential land use are conservative for this evaluation, because the proposed ground floor of the proposed building is primarily a garage and commercial space, with the exception of two residences. Above the ground-level floor, there is an additional parking floor, and then three floors of residential units. ToxStrategies also states that while it is possible that vapors intruding into the ground floor could infiltrate into the residential space above, the concentrations in the residential space would be substantially lower than those on the ground floor, if not eliminated, because: (1) the parking garage will be actively ventilated to prevent the buildup of carbon monoxide concentrations from vehicle exhaust; and (2) it has been shown that vapor concentrations attenuate between floors of multi-story buildings, with the concentrations on the floor above being on the order of 2% to 3% of the concentrations on the floor below. Therefore, as long as the indoor air concentrations predicted on the ground floor are below residential screening levels, the indoor air concentrations on the floors above will be well below residential screening levels.

Screening Evaluation Results: Based on the results of this screening evaluation, five chemicals (benzene, 1,3-butadiene, carbon tetrachloride, chloroform, and tetrachloroethene) were identified as COPCs, because each had maximum ILCRs based on generic screening levels. The maximum concentrations of all COPCs were not found at the same location. In addition, the maximum concentration of tetrachloroethene was shallow (5 feet bgs), while the maximum concentrations of the remaining COPCs were much deeper (28 to 30 feet bgs). Carbon tetrachloride contributed most significantly to the total ILCR. The concentration of chloroform used in the screening evaluation was based on an elevated detection limit. The maximum detected concentration was 10 times lower, which indicates that chloroform at the maximum detected concentration would not contribute significantly to ILCR. However, to be conservative, chloroform was retained for the site-specific risk evaluation using one-half the maximum detection limit.

Risk Evaluation Report Summary: The Report findings indicate that potential exposure of future subject property occupants via inhalation of vapors in indoor air would not result in a public health risk under the conditions evaluated. The predicted risks at all locations of the project were less than the *de minimis* level. Moreover, the only location with a predicted risk slightly greater than the *de minimis* level was on the adjacent property. The estimated total screening hazard index (HI) and site-specific ILCRs by location are below generally accepted levels under the conditions evaluated. Therefore, according to the applicant's consultant, no vapor mitigation measures should be required with regard to chemicals present in soil gas for construction of the planned building at the property. The applicant further concluded that these results are considered protective of human health, because they do not consider the ventilation in the ground-floor garage, which will prevent buildup of car exhaust, and the ventilation in the residential portion of the building, which will maintain positive pressure.

In 2019, ToxStrategies, Inc. prepared an addendum to their report to further support their vapor intrusion evaluation. ToxStrategies, Inc. compared concentrations of the five key chemicals (benzene, 1,3-butadiene, carbon tetrachloride, chloroform, and tetrachloroethene.²) predicted to be present in indoor air from soil vapor to ambient air measurements collected by the Bay Area Air Quality Management District (BAAQMD) at the San Jose monitoring station. As provided in the ToxStrategies, Inc. memo, the predicted risks associated with site-specific ambient and BAAQMD measurements were consistently higher than those associated with the predicted indoor air concentrations. Therefore, ToxStrategies, Inc. concluded that it would not be possible to evaluate potential vapor intrusion using indoor air measurements for the five key chemicals detected in soil vapor, because the contribution from ambient air would be greater than the levels predicted for indoor air and there would be no way to definitively measure the contribution from vapor intrusion by measuring indoor air.

Peer Review: The City received an updated Peer Review Report, prepared by Ramboll U.S. Corporation, the City's Peer Review consultant in May 2019. Based on their findings and analysis of the applicable environmental reports, Ramboll recommended the following:

1. All contaminated soil should be removed and disposed off-site. Reburial and capping of contaminated soil onsite (under Remedial Alternatives 2 or 3), although feasible, may require implementation of a Deed Restriction and Soil Management Plan to protect subject property occupants and workers, and also would likely require double-handling (at a minimum) of contaminated material during construction. Even though the contaminated soil would be capped and the potential risk of exposure very low, the risks are mitigated but not eliminated (which removal would accomplish). With contaminated material left in place (even below the foundation), there is always a possibility of future exposure to subject property occupants or construction workers in the event the deed restriction and soil management plan are not implemented properly and/or effectively enforced by the City (the agency responsible for issuing grading/building permits). For these reasons, Ramboll recommends that all contaminated soil be disposed of off-site.
2. If contaminated soil is left onsite, the City should require implementation of a Deed Restriction and Soil Management Plan to protect future subject property occupants and workers.
3. Implementation of an alternative that includes subterranean parking likely results in a greater reduction in risk to future subject property occupants from exposure to soil contamination compared to ground-level parking alternatives assuming that all contaminated soil is removed and disposed of off-site¹⁶.
4. The applicant should obtain written confirmation of no further action from the County with regards to vapor intrusion risk

¹⁶ City of Campbell clarification: Regardless of the construction type proposed by the applicant, the City will require removal and proper disposal of contaminated soil in a manner that minimizes exposure to site occupants, to the greatest extent possible.

Remediation Plan: On June 13, 2019, the City of Campbell hosted a meeting with Paul Kermoyan (Community Development Director), Cindy McCormick (Project Planner), Aaron Costa from the County DEH, the applicant (Cresleigh Homes representatives), Terraphase (Applicant's Project Engineer), ToxStrategies (Applicant's environmental consultant), and Ramboll (the City's peer review consultant). The purpose of this meeting was to discuss the environmental remediation of the subject property. During this meeting, it was acknowledged by the applicant that they would remove the contaminated soil and dispose of it at the appropriate Class I and Class II facilities.

On July 1, 2019, Terraphase, on behalf of the applicant, submitted a letter regarding the proposed change in scope for remediation of on-site contaminants. In the letter, Terraphase recommended complete removal of soil contamination, including the deeper PCE, to the satisfaction of DEH. Terraphase also recommended off-haul of contaminated soil necessary to obtain a *No Further Action* approval from DEH. The letter acknowledged that while it would be more costly to implement the revised recommendation, it "is not so cost prohibitive as to be infeasible". The letter also acknowledged that elimination of below-grade parking avoids "unnecessary off-haul of a significant amount of clean soil", and "avoids placing the building foundation close enough to the deeper soil gas plume as to trigger the need for a vapor mitigation system and its associated deed restriction and Site Management and Monitoring Plan". The letter further acknowledged that "installation of a vapor mitigation system and associated deed restriction would nonetheless be required if the building foundation is deepened and therefore located closer to the deep soil gas plume present in the southern portion of the Site".

Conclusions: The proposed project could encounter contamination from past releases of hazardous wastes within the subject property. Areas impacted by former releases could expose construction workers or future residents to hazardous materials or hazardous wastes. Given the potential for accidental release of hazardous materials into the environment, the City will require the applicant to excavate and dispose of all contaminated materials/waste that exceed regulatory thresholds at the appropriate Class I and Class II facilities.

Although the subject property is not included on the [Department of Toxic Substances Control's EnviroStor website](#)¹⁷, the proposed project ([Campbell Village T10000011061](#)) is included on the [State Water Resources Control Board's geotracker website](#)¹⁸ since the applicant requested regulatory oversight through the County of Santa Clara Department of Environmental Health (DEH)'s Voluntary Cleanup Program. The DEH is overseeing the investigative activities and mitigation necessary to protect human health. Aaron Costa from the DEH has reviewed the applicant's proposed approach to environmental risk mitigation; however, the DEH has only "accepted" (not approved) the applicant's proposed remediation plan based on an above-grade, podium-style construction. Furthermore, Mr. Costa indicated that DEH approval would only come after the final CEQA document has been adopted and the Proposed Project entitlements have received approval by the City of Campbell, given that the City may not approve the project

¹⁷ <https://www.envirostor.dtsc.ca.gov/public/> accessed March 29, 2019

¹⁸ <http://geotracker.waterboards.ca.gov/> accessed March 29, 2019

as proposed, or may impose conditions of approval that require further analysis to ensure that the environmental risk is adequately addressed and mitigated.

Based on the above discussion, and as further summarized in **Appendix A**, the City will implement the following mitigation measures related to potentially significant impacts associated with hazardous materials.

a-b) **Less than Significant with Mitigation** – Based on the above discussion, and as further summarized in **Appendix A**, implementation of *Mitigation Measures HMM-1, HMM-2, HMM-3, HMM-4, and HMM-5* will help reduce potentially significant impacts related to the routine transport, use, or disposal of hazardous material to less than significant, and will reduce potentially significant impacts related to a reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, to less than significant.

c) **No Impact** – The subject property is not located within one-quarter mile of an existing or proposed school. The nearest school (St. Lucy School) is approximately ½ mile from the subject property.

d) **Less than Significant with Mitigation** – Based on the above discussion, and as further summarized in **Appendix A**, implementation of *Mitigation Measures HMM-1, HMM-2, HMM-3, HMM-4, and HMM-5* will help reduce potentially significant impacts, related to being included on a list of hazardous materials sites that could create a significant hazard to the public or the environment, to less than significant.

(e-f) **No Impact** - The subject property is not located within the vicinity of a public or private airstrip. <http://www.airnav.com/airports/us/CA>, accessed 3-29-19

(g) **No Impact** - The project would not interfere with emergency response or evacuation plans.

(h) **No Impact** - The project subject property is not located near any wildland areas.

MITIGATION MEASURES

Hazardous Materials Mitigation Measure HMM-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 HMM-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.

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IX. HYDROLOGY AND WATER QUALITY: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION: A Hydrology and Water Quality Analysis Report was prepared for the project in May 2018 by Raney Planning and Management, Inc. for the applicant and reviewed by Senior Planner Cindy McCormick on behalf of the lead agency. The following discussion reflects that analysis.

a and f) **Less than Significant Impact** - Water quality degradation and stormwater control is regulated by the Regional Water Quality Control Board (RWQCB) and the federal National Pollutant Discharge Elimination System (NPDES) Program. Compliance with NPDES General Construction Permit requirements and RWQCB's C.3 Stormwater Handbook requirements would ensure that the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality during construction and operations and would ensure that post-development flows would be comparable to pre-development flows.

Construction would involve grading, excavation, trenching, and other construction-related activities that could cause soil erosion during storm events. However, impacts from construction-related activities would generally be short-term and of limited duration. The proposed project would also create over 20,000 square feet of new impervious area and would therefore be subject to RWQCB's C.3 Standards and Municipal Regional Stormwater NPDES Permit order No. R2-2015-0049. In accordance with the C.3 Standards, the proposed project would include LID measures, including a media filter and biotreatment basins, to remove pollutants from, and slow the rate of, stormwater runoff associated with the subject property. The current design would be capable of exceeding the minimum runoff treatment requirements per the C.3 Standards.

b) **Less than Significant Impact** - The subject property is covered by existing impervious surface. The additional impervious surface area would not have a major impact on the subject property's ability to recharge groundwater, considering that the proposed project would include LID-based stormwater control measures that would allow natural percolation of stormwater runoff through the underlying soil, which would continue to contribute to groundwater supplies. Thus, the proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that a net deficit in aquifer volume or a lowering of the local groundwater table level would occur.

c, d, and e) **Less than Significant Impact** - The proposed project site consists of previously developed land and is surrounded by existing commercial development to the north, east, and south. Implementation of the proposed project would result in an increase of impervious surfaces; however, as discussed above, the project design would collect, treat, and detain runoff from all on-site impervious areas, helping to reduce flooding and sewer overflows, as well as decrease base flows to streams. Due to the incorporation of stormwater control measures, the proposed project would not substantially alter the existing drainage pattern of the subject property or result in substantial erosion, siltation, or flooding on- or off-site, or create runoff water that would exceed the capacity of existing or planned stormwater drainage systems.

g and h) **Less than Significant Impact** - The subject property is located within Zone X¹⁹, which is located between the limits of the 100-year floodplain and the 500-year floodplain (i.e., 0.2 percent annual chance flood hazard). As such, the proposed project would not place housing or structures within the 100-year flood hazard area and impacts related to such would be considered less than significant.

i) **Less than Significant Impact** - The State Office of Emergency Services dam failure inundation hazard maps for Campbell shows that the subject property is within the dam failure inundation hazard zone for both the Austrian Dam (Lake Elzman) and the Lenihan Dam (Lexington Reservoir)²⁰. However, Santa Clara County dams are closely monitored and maintained, making dam failure unlikely. Therefore, the proposed project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

¹⁹ FEMA Flood Insurance Rate Map number 06085C0237H,

²⁰ These two dams are located approximately 10.55 miles south and 6.58 miles south of the project site, respectively

j) **No Impact** - The subject property is not located near a water body that is susceptible to seiche²¹ hazard and the land around the proposed project is flat, making mudflows unlikely. Furthermore, the proposed project would not be subject to tsunami hazards, according to the State of California Tsunami Inundation Map for Emergency Planning, due to the 9.5-mile distance between the subject property and the nearest coastline.

Based on the above discussion, **no mitigation** is necessary or required in relation to *Hydrology and Water Quality*.

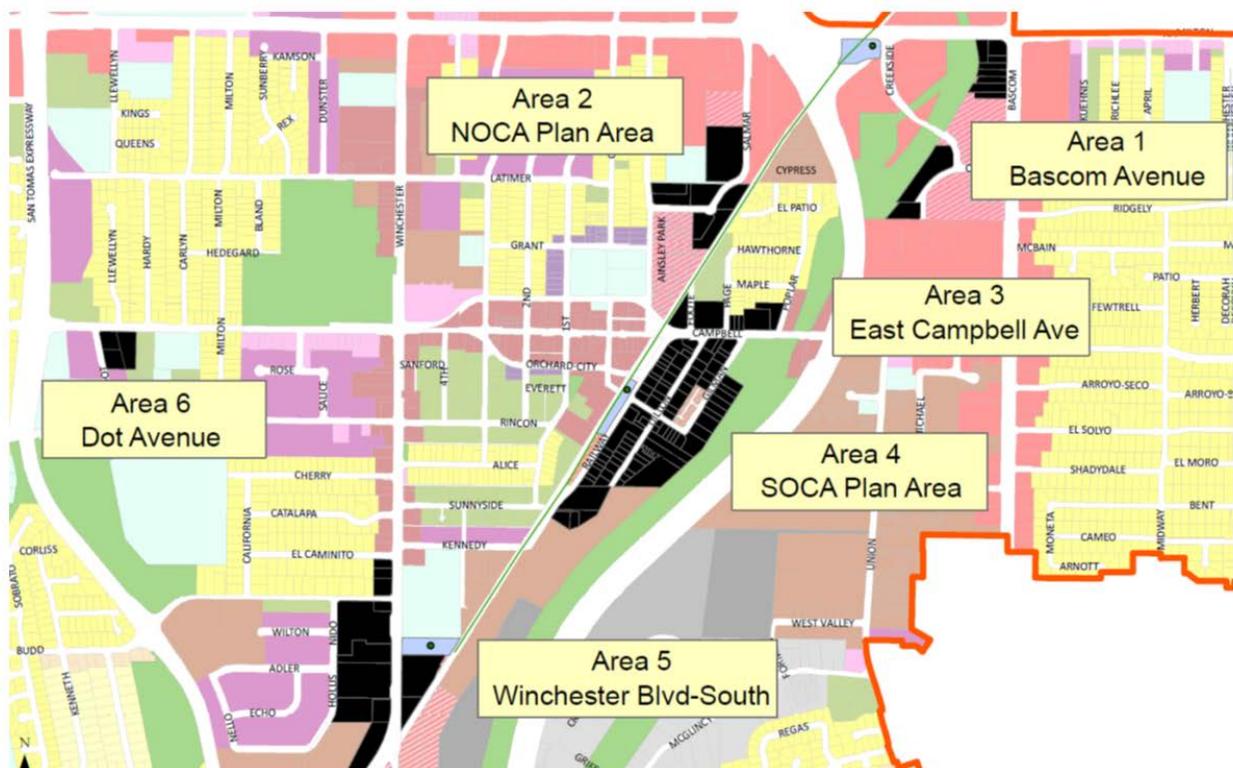
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²¹ A seiche is defined as a wave generated by rapid displacement of water within a reservoir or lake, due to an earthquake that triggers land movement within the water body or land sliding into or beneath the water body.

X. LAND USE AND PLANNING: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION: The subject property is comprised of five (5) parcels that will be merged to accommodate the project. All five parcels have a zoning designation of Planned Development and a General Plan Land Use designation of Central Commercial. All five parcels are also located within the East Campbell Avenue Master Plan (ECAMP). The ECAMP establishes guidelines and policies for public improvements and private development with the intent to create a more connected, attractive, and functional corridor between Downtown Campbell and the Pruneyard office and shopping center. The General Plan and the ECAMP allows for residential densities up to 27 dwelling units per acre within a mixed-use development. The subject property has also been identified as an "opportunity site" (see graphic below) for meeting the City of Campbell's Regional Housing Need Allocation (RHNA) requirements, including both market rate (above moderate) and affordable (moderate or lower-income) housing units.

Map of Opportunity Site Areas



The base density for the project is 43 dwelling units²²; however as discussed below, the applicant is eligible for a 35% density bonus through the City's Density Bonus Ordinance, which permits an additional 16 bonus units²³ or a total of 59 units. The applicant is proposing 59 for-sale condominium dwelling units, including 50 above moderate income units and nine (9) low-income units²⁴.

(a) No Impact - The subject property is located on an infill property surrounded by urban uses including commercial and residential buildings. The subject property is bordered by three public roadways: a Class II arterial (East Campbell Avenue) and two local streets (Dillon Avenue and Gilman Avenue). The applicant will be required to improve the sidewalk along East Campbell Avenue and at the corners of East Campbell Avenue/Dillon Avenue and East Campbell Avenue/Gilman Avenue. The City will also require the applicant to contribute their fair share to street improvements along East Campbell Avenue. However, none of these improvements would physically divide the property or isolate it from the community.

(b) Less than Significant - The project currently has a P-D (Planned Development) zoning designation which allows for flexibility in development standards so as to allow developments that are more consistent with site characteristics while creating an optimum quantity and use of open space and good design. The property would be rezoned to C-PD (Condominium Planned Development) to allow construction of the proposed residential condominiums. While the PD zone does not have development standards, the C-PD zone has an open space requirement for condominiums. Under the C-PD zoning, the City requires a minimum of 500 square feet of recreation/open space (active or passive) for each residential condominium unit, including at least 300 square feet for common use (50% of which shall be located in one area of the subject property). The ECAMP has development standards related to height (45-foot maximum), setbacks²⁵ (minimum 10-foot rear), and FAR (1.5 FAR for the commercial component only²⁶). The residential parking standard is governed by the Density Bonus Ordinance, while the commercial parking standards are governed by the City's Parking Ordinance (CMC 21.28.050).

However, the project is eligible for modifications of the City development standards (waiver, incentives, or concession) through the City's Density Bonus Ordinance. The proposed project is eligible for two concessions in exchange for restricting 20% of the base units as low-income. The applicant is seeking concessions for an increase in height and reduced open space; however the applicant may not need the concession for open space since the City's mixed-use development standards allow for a reduction in open space²⁷. Notwithstanding the previously discussed and

²² [Residential Density \(base units\) Rounding Rules](#): The fractional/decimal results of calculations of the number of housing units allowed within a zoning district shall be rounded down to the next whole number.

²³ [Density Bonus Rounding Rules](#): When calculating the number of permitted density bonus units, any calculations resulting in fractional units shall be rounded up to the next larger whole number.

²⁴ [Density Bonus Rounding Rules](#): When calculating the required number of target units, any calculations resulting in fractional units shall be rounded up to the next larger whole number.

²⁵ The ECAMP requires a "zero" foot setback for the front and side property lines

²⁶ The ECAMP excludes the residential portion of the project from the FAR limitation.

²⁷ [Open Space](#): The decision-making body may approve a reduction in the required open space for the residential component of mixed-use developments when it finds that all reasonable attempts to fulfill such requirement have

permitted development concessions, the project would be consistent with the City's Zoning Ordinance and the ECAMP Plan. Furthermore, the project is consistent with the following the General Plan objectives:

Land Use Element:

- Strategy LUT-1.5a: Transit-Oriented Development: Encourage transit-oriented development including employment centers such as office and research and development facilities and the city's highest density residential projects by coordinating the location, intensity, and mix of land uses with transportation resources, such as Light Rail.
- Strategy LUT-2.1c: Bicycle Facilities: Require adequate and secure bicycle facilities at employment centers, activity centers, and residential projects.
- Policy LUT-2.4: Jobs and Housing Balance: Maintain Campbell's balance of jobs and housing units to encourage residents to work in Campbell, and to limit the impact on the regional transportation system.
- Strategy LUT-2.4a: Full Range of Land Uses: Provide for a full range of land uses within the City, and for mixed-uses within specific development projects.
- Goal LUT-3: [Provide] options in ownership and rental housing in terms of style, size, and density that contribute positively to the surrounding neighborhood.
- Strategy LUT-3.1a: Consistency with Housing Element: Ensure consistency with the City's Housing Element including ensuring that there is adequate land designated to meet Housing goals.
- Strategy LUT-3.1c: High Density Residential: Allow higher residential densities in the NOCA, SOCA, and areas near the Light Rail stations as an incentive to redevelop older, less intensive uses.
- Policy LUT-5.1: Neighborhood Integrity: Recognize that the City is composed of residential, industrial and commercial neighborhoods, each with its own individual character; and allow change consistent with reinforcing positive neighborhood values, while protecting the integrity of the city's neighborhoods.
- Policy LUT-5.3: Variety of Commercial and Office Uses: Maintain a variety of attractive and convenient commercial and office uses that provide needed goods, services and entertainment.
- Strategy LUT-5.3b: Minimal Setbacks: Design commercial and office buildings city-wide to have minimal setbacks from the sidewalk except to allow for pedestrian oriented features such as plazas, recessed entryways, and wider sidewalks for outdoor

been exhausted and the open space is not able to be accommodated due to the urban infill characteristic of the development site.

cafes. Discourage parking areas between the public right-of-way and the front façade of the building.

Strategy LUT-5.3f: Redevelopment: Facilitate redevelopment opportunities that further revitalization efforts in the Downtown commercial area.

Strategy LUT-6.1b: Landmark Gateway Buildings: Anchor gateway intersections with landmark buildings that incorporate distinctive architectural character. Orient landmark buildings to face and frame the corners of intersections.

Policy LUT-9.3: Design and Planning Compatibility: Promote high quality, creative design and site planning that is compatible with surrounding development, public spaces and natural resources.

Strategy LUT-13.1: Variety of Uses: Attract and maintain a variety of uses that create an economic balance within the City while maintaining a balance with other community land use needs, such as housing and open space, and while providing high quality services to the community.

Strategy LUT-16.1: Land Use: Allow commercial, industrial and/or residential land use uses in the accordance with adopted plan for each [SOCA] sub-area.

Policy LUT-16.2: Building Orientation: Orient buildings to a public street.

Strategy LUT-16.2b: Non-Residential Entries: Ensure that all nonresidential developments are required to orient identifiable entryways toward public streets and provide street-level windows and glass front display bays for all street-level office and retail.

Housing Element:

Policy H-3.1: Inclusionary Housing: Support the development of additional affordable housing by nonprofit and for-profit developers through financial assistance and/or regulatory incentives. Ensure that new residential development in Campbell integrates units affordable to lower- and moderate-income households, or contributes funds to support affordable housing activities (when funding is available). Create additional levels of affordability within the Inclusionary Housing Ordinance in a way that does not create a governmental constraint to housing production.

Policy H-4.1: Residential Sites: Assist developers in identifying sites suitable for residential and mixed-use development, and facilitate development through the provision of financial and regulatory incentives, as appropriate.

Policy H-4.2: Mixed-Use Development: Promote mixed-use development where housing is located near jobs, services, shopping, schools, and public transportation.

Policy H-4.3: Planned For Densities: To encourage the efficient and sustainable use of land, the City encourages residential development that is proposed near existing light rail stations (within 1/4 mile radius) and/or within the boundaries of the Winchester

Boulevard Plan and East Campbell Avenue plan areas, to achieve at least 75 percent of the maximum General Plan Land Use category densities.

- Policy H-5.2: Regulatory Incentives: Provide regulatory and/or financial incentives where appropriate to offset or reduce the costs of affordable housing development, including density bonuses and flexibility in site development standards.
- Program H-5.2b: Parking Standard Modifications: In addition to parking reductions available to affordable and senior housing projects under the City's density bonus ordinance, Campbell's Planning Commission has the authority to determine that certain circumstances warrant an adjustment to a project's parking requirements. Such circumstances include, but are not limited to, the proximity of a project to light rail stations, transit corridors, or major employment centers. The Commission may also allow for shared parking for mixed-use projects.
- Program H-5.2b: Parking Standard Modifications: In addition to parking reductions available to affordable and senior housing projects under the City's density bonus ordinance, Campbell's Planning Commission has the authority to determine that certain circumstances warrant an adjustment to a project's parking requirements. Such circumstances include, but are not limited to, the proximity of a project to light rail stations, transit corridors, or major employment centers. The Commission may also allow for shared parking for mixed-use projects.
- Strategy CPT-1.1d: Pedestrian connections shall be enhanced between the downtown and the Community Center on the west and the Los Gatos Creek Trail / Pruneyard Shopping Center on the east. Prior to the ECAMP being adopted, the subject property fell within the Downtown Development Plan (DPP)²⁸, which provides goals and policies for expanding the Downtown, eastward. The ECAMP is rooted in the DPP.
- DDP Policy LU-5.1: Mixed Use projects: Encourage property owners and developers to consider residential mixed use projects where appropriate, particularly east of the light rail tracks, to facilitate housing adjacent to mass transit and to help create a "24 hour" Downtown community.
- DDP Policy LU-6.1: Expansion of Downtown: Facilitate and encourage the evolution of the Downtown beyond the loop streets, eastward to the Hwy 17 overpass and westward to the Community Center, through public improvements, urban design and land use patterns that connect, both visually and physically this stretch of Campbell Avenue.
- DDP Strategy LU-6.1a: Expansion of Downtown: Expand the Downtown boundaries while maintaining a scale that is in keeping with the "small town" image identifiable in the community and create a comfortable experience for the pedestrian.

²⁸ In 1995 and again in 2006, the City's Downtown Development Plan (DDP) was amended with a goal to expand the Downtown's boundaries. In September 2006, the City Council initiated a community process to develop the East Campbell Avenue Master Plan.

(c) No Impact - No habitat conservation plan or natural community conservation plans are applicable to the subject property.

Based on the above discussion, **no mitigation** is necessary or required in relation to *Land Use and Planning*.

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XI. MINERAL RESOURCES: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

a-b) No Impact - No known mineral resources are present at the subject property.

Therefore, **no mitigation** is necessary or required in relation to *mineral resources*.

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XII. NOISE: Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION: A Noise Analysis was prepared for the project in May 2018 by j.c. brennan & associates, Inc. for the applicant and reviewed by Senior Planner Cindy McCormick on behalf of the lead agency. The following discussion reflects that analysis.

(a-d) Less than Significant with Mitigation – – Implementation of *Mitigation Measure N-1 through N-6* will help reduce potentially significant impacts related to noise to less than significant.

Residential developments are classified as sensitive receptors of noise. Incompatible land uses may occur where residential homes are adjacent to non-residential uses or significantly higher density residential uses. Land uses typically incompatible with residential uses include, automobile and truck repair shops, late night and early morning uses, and entertainment establishments such as nightclubs and bars. The subject property is located within the East Campbell Avenue Area Plan (ECAMP) area. The General Plan supports revitalization of the area into a commercial/residential mixed-use area that supports and complements Downtown Campbell with prime access to the Los Gatos Creek Trail, the Light Rail station, and other services.

The effects of noise on people can generally be placed in three categories: 1) subjective effects of annoyance, nuisance, and dissatisfaction; 2) interference with activities such as speech and sleep; and 3) physiological effects such as hearing loss. Environmental noise typically produces effects in the first two categories, while workers in industrial plants can experience noise in the last category. A wide variation in individual tolerances to noise exists, however one way to analyze potential noise impacts is to look at the existing environment to which one has adapted; the so-called ambient noise level. In general, the more a new noise exceeds the previously existing

ambient noise level, the less acceptable the new noise will be judged by those hearing it. In general, a change of 1 dBA cannot be perceived while a 3 dBA change is considered a just-perceivable difference. A change in level of at least 5 dBA is required before any noticeable change in human response would be expected, while a 10 dBA change is subjectively heard as approximately a doubling in loudness, and can cause an adverse response.

Noise sources occur in two forms: point sources such as stationary mechanical equipment, water recycling plant, or individual motor vehicles; and line sources such as roadways with large numbers of point sources (motor vehicles). The potential noise sources that may affect the project include traffic on East Campbell Avenue to the north, State Route 17 to the east, and the railroad line to the west. Noise sources associated with the project which could impact residences include truck deliveries, mechanical equipment, the roof-top terrace, and construction activities. The State Building Code, Title 24, Part 2 of the State of California Code of Regulations mandates that interior noise levels attributable to exterior sources shall not exceed 45 dB Ldn or CNEL in any habitable room while the City of Campbell Noise Element establishes noise level standards for new developments as follows.

Noise from Stationary Sources: New residential development shall conform to Campbell Municipal Code Section 21.16.070 (Noise) which provides a stationary source noise exposure standard of 65 dBA for exterior noise levels and 45 dBA for interior noise levels. Where existing stationary noise sources exceed the City's noise standards, mitigation measures shall be implemented to reduce noise exposure to or below the allowable levels of the Noise Ordinance

Traffic Related Noise: New residential development shall conform to shall conform to Campbell Municipal Code Section 21.16.070 (Noise) which provides a traffic-related noise exposure standard of 60 dBA CNEL for outdoor noise in noise-sensitive outdoor activity areas and 45 dBA CNEL for indoor noise. New development which does not and cannot be made to conform to this standard shall not be permitted.

Ambient noise level measurements were conducted over a 24-hour period on the subject property on September 28 and 29, 2016 to determine typical background average (L_{eq}), median (L_{50}) and maximum (L_{max}) noise levels, and to determine the effective day/night distribution of roadway traffic. The following tables show the results of the existing ambient noise levels and the short-term noise measurements. Appendix B of the Noise Study also provides graphical results of the short-term noise measurements.

SUMMARY OF MEASURED AMBIENT NOISE LEVELS							
SEPTEMBER 28 TH – 29 TH , 2016							
Site	Measured CNEL	Average Hourly Daytime & Evening (7:00am - 10:00pm)			Average Hourly Nighttime (10:00pm – 7:00am)		
		Leq	L50	Lmax	Leq	L50	Lmax
A	59 dBA	60 dBA	55 dBA	69 dBA	49 dBA	45 dBA	65 dBA
Source: j.c. brennan & associates, Inc. - 2016							

SUMMARY OF SHORT TERM NOISE LEVEL MEASUREMENTS						
SEPTEMBER 21, 2016						
Site	Location	Time ¹	Measured Sound Level			Notes
			Leq	L50	Lmax	
1	55-feet from Campbell Avenue Centerline	2:40 pm	66 dBA	64 dBA	80 dBA	Campbell Avenue is the primary noise source
2	Near Gilman Avenue	1:15 pm	60 dBA	58 dBA	72 dBA	Campbell Avenue and S.R. 17 are the audible noise sources.

1 - All Community Noise Measurement Sites have a test duration of 10:00 minutes.
 Source - j.c. brennan & associates, Inc. 2016.

Future Exterior Traffic Noise Levels: The future traffic noise levels predicted at the subject property were determined using the Federal Highway Administration (FHWA) Traffic Noise Prediction Model. The analysis found that the future East Campbell Avenue and State Route 17 traffic noise levels will exceed the 60 dB CNEL exterior noise level standard at the nearest residential building facades and the roof-top courtyard area. The following table shows the results of the predicted noise levels.

PREDICTED FUTURE TRAFFIC NOISE LEVELS			
Roadway	Traffic Noise Level, CNEL	Distance to Noise Contours	
		60 dB Ldn	65 dB Ldn
S.R. 17	63 dBA CNEL @ 800-feet	1,386-feet	643-feet
Campbell Avenue	64 dBA CNEL @ 75-feet	144-feet	67-feet

Sources: j.c. brennan & associates, Inc., and FHWA RD-77-108 - 2018

Roof-top Courtyard Noise Impacts: Noise levels associated with the roof-top Courtyard area would also result from groups of individuals talking in various voice levels. Generally, groups of 10 to 15 adults carrying on conversations at normal and raised voice levels range between 50 dB L_{eq} and 60 dB L_{eq} , at a distance of 50-feet. Noise levels at adjacent residences are not expected to exceed the 65 dB stationary noise source standard. However, some on-site residences will be closer than 50-feet, and may exceed the exterior stationary noise source standard of 65 dB.

REQUIRED BARRIE HEIGHT TO REDUCE TRAFFIC NOISE LEVELS			
Roadway	Predicted Traffic Noise Level	Required Barrier Height	Mitigated Traffic Noise Level
S.R. 17	63 dB CNEL	5-1/2 feet	58 dB CNEL
Cambell Avenue	64 dB CNEL	5-1/2 feet	53 dB CNEL
Cumulative Traffic Noise Level			59 dB CNEL

Source: j.c. brennan & associates, Inc. - 2018

As illustrated in the previous table, a barrier analysis was conducted to determine the required barrier height (including the proposed parapet) to reduce traffic noise levels to less than 60 CNEL at the roof-top courtyard. The analysis factored in the relative roadway elevations and the predicted traffic noise levels. The analysis recommended increasing the barrier height from 3.5 feet to 5.5 feet, which the applicant did following publication of this Noise Study. The increased height provides additional shielding of noise levels due to roadway traffic. Restricting the use of amplified music or voices at the courtyard will assist in further reducing noise from the roof-top courtyard to within acceptable levels. Any special event planned in the courtyard should require approval from the manager and notification of any residences within 200-feet with restriction on the use of the roof-top courtyard to the hours of 7:00 a.m. to 10:00 p.m.

Future Interior Traffic Noise Levels: To determine the ability of the project to achieve the interior noise level criterion of 45 dBA CNEL, interior noise level calculations were conducted. Appendix D of the Noise Study provides the calculation inputs for a typical bedroom or living room. The following table shows the results of the interior noise calculations for the units nearest to the traffic source and which have a noise exposure to two wall facades. The project shall be designed with glazing (e.g., windows and glass doors) that will achieve the interior noise level standard of 45 dB CNEL.

Calculated Interior Noise Levels			
Room	Exterior Noise Levels		Interior Noise Levels
	Parallel Wall Exterior	Perpendicular Wall Exterior	Cumulative Interior
Living / Bedroom with Typical Dual Glazed Windows and Sliding Glass Doors	65 dBA CNEL	65 dBA CNEL	45 dBA CNEL
Source: j.c. brennan & associates, Inc., 2016			

Commercial Noise Source Impacts: It is difficult to apply the residential standards of 65 dBA at exterior spaces and 45 dBA for interior spaces at the property line since this is a mixed use development. However, since the primary commercial noise sources are delivery trucks and mechanical air handling equipment, it is recommended that deliveries be confined to the daytime hours between 7:00 a.m. and 7:00 p.m. and that commercial use mechanical equipment be mounted inside a mechanical room or shielded from residences.

Railroad Noise Levels: Noise level measurements of VTA light rail operations were conducted west of the subject property. The average SEL due to the train passbys was 85 dBA at a distance of 50-feet, while the CNEL/Ldn at 50-feet is 61 dBA. The subject property is approximately 550-feet from the light rail line with the predicted CNEL/Ldn at the subject property being 45 dBA.

Future Construction Noise Levels: Construction of the proposed project would temporarily increase noise levels during construction. However, these activities would be temporary in nature and are anticipated to occur during normal daytime working hours. The Campbell Municipal Code regulates the hours of construction for both homeowners (Monday through Saturday, 6 am to 7 pm; Sundays and Holidays, 8 am to 6 pm) and non-homeowners (Monday through Friday, 8 am to 5 pm, Saturdays, 9 am to 4 pm and no construction Sundays and Holidays). Activities

involved in construction would generate maximum noise levels, ranging from 76 to 85 dB at a distance of 50 feet, as indicated in the table below.

Construction Equipment Noise						
Type of Equipment	Predicted Noise Levels, L _{max} dB				Distances to Noise Contours (feet)	
	Noise Level at 50'	Noise Level at 100'	Noise Level at 200'	Noise Level at 400'	70 dB L _{max} contour	65 dB L _{max} contour
Backhoe	78	72	66	60	126	223
Compactor	83	77	71	65	223	397
Compressor (air)	78	72	66	60	126	223
Dozer	82	76	70	64	199	354
Dump Truck	76	70	64	58	100	177
Excavator	81	75	69	63	177	315
Generator	81	75	69	63	177	315
Pneumatic Tools	85	79	73	67	281	500

Source: *Roadway Construction Noise Model User's Guide*. Federal Highway Administration. FHWA-HEP-05-054. January 2006.

(e-f) No Impact - The project is not located within the vicinity of an airport land use plan or within two miles of an airport. The project is not located within the vicinity of a private airstrip.

MITIGATION MEASURES

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.

XIII. POPULATION AND HOUSING: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

(a) No Impact - The development of 59 residential units is consistent with the state density bonus allowance over planned residential densities of the General Plan (e.g., Housing Element), and therefore does not represent substantial growth inducing impacts. The associated infrastructure and improvements to the right-of-way and project frontage would not induce substantial population growth.

(b-c) No Impact - The project will require the demolition of the existing commercial and residential buildings. The residential buildings have been vacated, and therefore will not result in the displacement of any people or housing units, which would necessitate the construction of replacement housing elsewhere.

Based on the above discussion, **no mitigation** is necessary or required in relation to *Population and Housing*.

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XIV. PUBLIC SERVICES:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

a) No Impact - The project will require public services such as fire, police services, schools, open space, and street maintenance; however, these services are currently provided to all other developments in the area. The project will not result in any significant changes to existing services or substantial adverse impacts to public services.

Therefore, **no mitigation** is necessary or required in relation to *public services*.

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XV. RECREATION:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION: The City’s Subdivision Ordinance (CMC Sec. 20.24) requires the dedication of land or the payment of an in-lieu fee as a condition of approval for the Tentative Subdivision Map. Furthermore, the City’s Standard is three acres of open space, parkland and recreational facilities and one acre of school open space and recreational facilities for every 1,000 residents. The Open Space Element prioritizes the acquisition and development of open space sites in neighborhoods which are deficient in open space and park acreage. The City’s access standard is to provide open space, parks, or recreation facilities within one-half mile radii of all City residents.

(a-b) No Impact - The subject property is located within one half-mile of the Los Gatos Creek Trail and the Campbell Community Park²⁹. Therefore, the residents of the proposed project are anticipated to use the existing facilities and the dedication of on-site parkland will not be required. However, the project sponsor will be required to pay a Park Impact Fee for the development of the project and this fee will be used for the acquisition, improvement and/or expansion of parks and recreational facilities within the City. While the project would result in an increase in the use of existing parks and recreational facilities, the increased demand would not be significant and would be consistent with the General Plan’s anticipated development of the subject property.

Based on the above discussion, **no mitigation** is necessary or required in relation to *Recreation*.

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²⁹ Campbell Park is 4.9 gross acres including 1.44 acres owned by Santa Clara County but developed as part of the Park

XVI. TRANSPORTATION/TRAFFIC: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION: A Transportation Impact Analysis (TIA) Report was prepared for the project on May 3 2019 by TJKM³⁰ for the applicant and reviewed by Senior Planner Cindy McCormick on behalf of the lead agency. The following discussion reflects that analysis.

a, b, f) **Less than Significant** - The purpose of the TIA is to identify potentially significant impacts of the proposed project to the transportation system. The TIA was prepared in accordance with the requirements and methodologies set forth by the City of Campbell, the Valley Transportation Authority (VTA), and the Santa Clara County Congestion Management Agency (CMA). The TIA also analyzed the level of significance of traffic impacts at signalized intersections, in accordance with the VTA Congestion Management Program (CMP) standards for designated CMP intersections. In the case of non-CMP signalized study intersections, the TIA analyzed the project in conformance with the City of Campbell’s significance criteria which are based on CMP guidelines. The analysis concluded that the project would not conflict with the plans, ordinances, or policies of the City of Campbell, the VTA, or the CMA.

The TIA evaluated impacts on the roadway system in the project vicinity (e.g., neighborhood traffic and the East Campbell Avenue corridor); queuing at the driveway and at the study intersections; the adequacy of site access, on-site circulation, and parking; and adjacent pedestrian, bicycle, and transit facilities; the surrounding transit network.

To evaluate the impacts on the transportation infrastructure (e.g., traffic volumes, lane geometry and traffic controls), eight study intersections were evaluated for typical weekdays, morning commute, and evening commute periods under six scenarios: with and without the project;

³⁰ TJKM was founded by Richard Tammen, Arnold Johnson, Chris Kinzel, and Robert Mimiaga

potential trips from approved but not yet built developments in the project area with and without the project; and cumulative conditions with and without the project. The eight study intersections (associated traffic controls in parentheses) included: 1) E. Campbell Avenue/Railway Avenue (Signalized); 2) E. Campbell Avenue/Page Street (One Way Stop Control); 3) East Campbell Avenue/Gilman Avenue (Signalized); 4) East Campbell Avenue/Union Avenue (Signalized); 5) Orchard City Drive / Railway Avenue (Signalized); 6) Civic Center Drive/Harrison Avenue (Signalized); 7) East Campbell Avenue/Dillon Avenue (Two Way Stop Control); and 8) East Campbell Avenue / Greylands Medical Offices Driveway (One Way Stop Control).

Under existing conditions (no project), all intersections operate at acceptable levels of service for both the a.m. and p.m. peak-hours, based on City of Campbell standards. Under background and cumulative (year 2035) conditions, the one-way stop-controlled intersection of East Campbell Avenue/Page Street would degrade to unacceptable LOS E during the p.m. peak hour. However, these are the existing conditions without the project and therefore are not a significant impact caused by the project. All other intersections would continue to operate at an acceptable level of service. With the addition of project trips, including deductions for proximity to light rail and commercial uses, no intersections experience significant impacts under City of Campbell Standards. Therefore, the proposed project is expected to have a less-than-significant impact at all study intersections under all scenarios. The proposed project is also expected to have a less-than-significant impact on the East Campbell Avenue Corridor under cumulative plus project conditions.

Project Trip Generation: The proposed project is expected to generate a net of 815 daily vehicular trips in which 53 vehicle trips are generated during the a.m. peak hour and 53 vehicle trips are generated during the p.m. peak hour.

Queuing Analysis: The proposed project does not add any significant queues on the expected left-turn or right-turn queues at the study intersections. The project driveways are expected to operate at an acceptable LOS. Queuing at the outbound approach of project driveway is expected to be minimal (95th percentile).

Pedestrian, Bicycle and Transit Impacts: The proposed project does not conflict with existing and planned pedestrian or bicycle facilities. The transit service within the immediate vicinity of the subject property operates below capacity, and additional trips generated by the proposed project could be accommodated by existing bus and light rail services. Therefore the impacts, to pedestrian, bicycle and transit facilities is less-than-significant.

There are two bus stops in the immediate vicinity of the project site. Both bus stops are located on E. Campbell Avenue and are accessible to and from the project site via existing sidewalks and crosswalks along E. Campbell Avenue. One of the two existing bus stops would need to be relocated or rebuilt in conjunction with project construction. Providing transit stop amenities, such as shelters and benches, is consistent with goals outlined in the City of Campbell General Plan to encourage transit use and improve passenger comfort and convenience at transit stops. TJKM recommends that the project applicant coordinate with the jurisdictional staff to determine the appropriate transit amenities to be added along the project frontage and at other nearby stops.

On-Site Circulation: Based on a preliminary review of the project site plan dated November 28, 2018, the project driveways are well spaced and provide adequate distance from public intersections. The design will disperse project traffic to multiple access points and avoid creating heavy turning movements into the subject property. TJKM finds that the proposed circulation is adequate.

Neighborhood Impacts: Based on the project assignment of 20 percent of the traffic to the neighborhood streets, it is unlikely that the project would add traffic to the study streets at levels that would be noticeable to residents of those streets.

Parking: Based on the City of Campbell Municipal Code and density bonus requirements the total parking required for the project is 99 parking spaces, including 50 spaces for the residential component and 49 spaces for the commercial component. The proposed project would provide 108 parking spaces. The separate parking areas for commercial and residential uses would each supply sufficient spaces for the respective uses. Based on ITE rates, the peak parking demand for the project would be 104 spaces while the proposed project is providing 108 parking spaces. Therefore, the number of proposed parking spaces for the project is adequate.

Conditions of Approval: The May 2019 Transportation Impact Analysis (TIA) Report recommended the following, which will be included as project Conditions of Approval:

- 1) The project applicant shall implement the East Campbell Avenue Master Plan, with simultaneous side street phasing at Page Street and Gilman Avenue.
- 2) The project applicant shall install stop control at all the project driveways with appropriate pavement delineation and signing to enhance traffic safety and operations at the driveways.
- 3) The project applicant shall coordinate with the Public Works Department to determine the appropriate transit amenities to be added along the project frontage and at other nearby stops.
- 4) The project applicant shall remove on-street parking on the west side of the project frontage on Gilman Avenue (north of the driveway) between the project driveway and E. Campbell Avenue/Gilman Avenue intersection and 20 feet on the south of the driveway, unless otherwise directed by the Public Works Department.
- 5) The project applicant shall remove on-street parking on the east side of the project frontage on Dillon Avenue between the project driveway and E. Campbell Avenue/Dillon Avenue intersection and 20 feet beyond.

c) **Less than Significant** - The project would not result in a change in air traffic patterns.

d) **Less than Significant** - The project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses.

e) **Less than Significant** - Emergency vehicles and Service vehicles will have access to the proposed development on Dillon Avenue and Gilman Avenue. All the proposed drive-aisles have

minimum width of 25 feet, which are adequate for emergency vehicle access and circulation. A truck turning analysis was conducted to confirm that a SU-30 Single Unit Truck and a County Fire Truck can be accommodated at the southwest corner of this intersection. This analysis indicates that these types of trucks can safely make right turns at this corner.

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XVII. TRIBAL CULTURAL RESOURCES: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION: The City has not received a request for consultation by any California Native American tribe; however, in accordance with correspondence with Gayle Totton, Associate Governmental Program Analyst with the Native American Heritage Commission (NAHC), City staff will provide the NAHC with a copy of this Initial Study for review and comment.

(a-b) **Less than Significant** - Neither the subject property, nor its existing improvements (e.g. trees, structures), are listed on the California Register of Historical Resources or the City of Campbell’s Historic Resource Inventory. The subject property does not contain a known tribal cultural resource, as defined in Public Resources Code section 21074. While prior grading and development on the subject property suggests a low possibility of unearthing cultural artifacts, extensive grading required to remediate contaminated soil on the site could unearth significant tribal cultural resources during excavation. In the event that a tribal cultural resource is discovered during construction, project conditions of approval will require the discontinuation of all work in the immediate vicinity until the find can be properly evaluated and treated.

Similarly, Section V (Cultural Resources) of this Initial Study evaluated potential impacts to human remains and paleontological and archaeological resources and found a Less than Significant Impact since none are known to exist on the subject property. Furthermore, project conditions of approval will require the discontinuation of all work in the immediate vicinity until any such find can be properly evaluated and treated.

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XVIII. UTILITIES AND SERVICE SYSTEMS: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

(a - g) No Impact - The utilities for the proposed project, including sewage disposal, would require the construction of a private sanitary system that would connect to the existing waste water treatment system, which currently has sufficient capacity to receive the additional waste water generated from the proposed project. Therefore, the project would not impact the ability of the waste water treatment provider to meet its current commitments for service. The project would not generate significant amounts of wastewater, and would therefore not exceed wastewater treatment requirements for the Regional Water Quality Control Board. The West Valley Sanitation District has provided a "will serve" letter which indicates that the District will provide clearance for the proposed subdivision once fees are paid. The project will be adequately served by the existing water supplies, as confirmed in the "will serve" letter provided by San Jose Water Company, the local area water utility. Existing capacity at local landfills can accommodate the amount of waste generated as a result of project operation. The project would comply with Federal, State and local statutes and regulations related to solid waste. The project stormwater runoff generated by the subject property would be collected and treated on-site in compliance with Provision C.3 of the National Pollution Discharge Elimination System (NPDES) requirements as discussed in the Hydrology and Water Quality Section of this Initial Study.

Based on the above discussion, **no mitigation** is necessary or required in relation to *Utilities and Service Systems*.

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.

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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 could not have a significant effect on the environment, and a NEGATIVE DECLARATION 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 MITIGATED NEGATIVE DECLARATION will be prepared.	<input checked="" type="checkbox"/>
3.	I find the proposed project may have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	<input type="checkbox"/>
4.	I find that the proposed project may have a “potentially significant impact” or “potentially significant unless mitigated impact” 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 ENVIRONMENTAL IMPACT REPORT 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

III. SUMMARY OF 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.

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