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

Notice is hereby given of the intent of the City to adopt a Mitigated Negative Declaration pursuant to Public Resources Code Section 21092(b)(1) for the Chick-Fil-A Campbell Project ("Project"), which includes applications for a Conditional Use Permit, Site and Architectural Review Permit, Tree Removal Permit, and CEQA review.

The 46,540 square foot project site is located on the corner of Bascom Avenue and Arroyo Seco Drive, south of East Campbell Avenue. Nearby uses include small shopping complexes to the north, south, and west as well as a large office complex to the west. Several other office and commercial businesses are located in the immediate vicinity along the Bascom Avenue corridor. The site also backs up to residential homes to the east. The Project Address is **2060 S. Bascom Avenue**.

The proposed project includes a new 4,998 square foot fast food restaurant (Chick-fil-A) and demolition of an existing ~5,358 square foot restaurant (Denny's). Chick-fil-A's typical operational hours are 6:00 a.m. to 11:00 p.m. Monday through Saturday (closed Sunday). The use, as currently proposed, would not include late night hours or alcohol service. A condition of approval would prohibit "late night" deliveries between 11:00 p.m. and 6:00 a.m. unless approved through the conditional use permit process. Most of Chick-fil-A's business is during lunch, with a large percentage of the business coming from drive-through service. During peak lunch hours (~11:00 a.m. to 2:00 p.m.), Chick-fil-A staff will provide "face-to-face" service to queuing drivers to expedite service. During off-peak hours, patrons order food through one of two menu boards that are located under a covered canopy. The proposed drive-through lane would accommodate up to 20 vehicles. Fifty-six (56) parking stalls are located to the sides and rear of the existing restaurant.

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

All interested parties are invited and encouraged to submit comments in writing regarding the draft Mitigated Negative Declaration and/or attend the below described public hearings. The 30-day public review period for the draft Mitigated Negative Declaration begins on **October 23, 2019** and ends on **November 11, 2019**. Any comments must be submitted in writing, including email, to the Community Development Department by 5:00 p.m. on **November 11, 2019**. The Initial Study and draft Mitigated Negative Declaration are available for review from 8:00 a.m. to 5:00 p.m. at the Community Development Department, City Hall, 70 North First Street, Campbell, CA or online at http://www.cityofcampbell.com/501/Public-Notices under ' Environmental Notices'.

The Campbell Planning Commission will consider the project and draft Mitigated Negative Declaration at a public hearing to be held on or after **November 12, 2019**. The meeting will be held at 7:30 p.m., or shortly thereafter, in the City Hall City Council Chambers, 70 North First Street, Campbell, CA.

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

INITIAL STUDY

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

Prepared by

Cindy McCormick, Senior Planner, AICP

Public Review Period

October 23, 2019 to November 11, 2019

I. PROJECT OVERVIEW

Project Title: Chick-Fil-A Campbell

File Number(s): PLN2018-206 (CUP, S&A, CEQA) and PLN2018-207 (TRP)

Project Address: 2060 S. Bascom Ave

Project Applicant: Chick-Fil-A

Zoning District: C-2 (General Commercial)

General Plan Designation: General Commercial

Lead Agency: City of Campbell

Contact Person: Cindy McCormick

Date Posted: October 22, 2019

Project Location and Surrounding Land Use: The 46,540 square foot project site is located on the corner of Bascom Avenue and Arroyo Seco Drive, south of East Campbell Avenue. Nearby uses include small shopping complexes to the north, south, and west as well as a large office complex to the west. Several other office and commercial businesses are located in the immediate vicinity along the Bascom Avenue corridor. The site also backs up to residential homes to the east.

Project Description: The proposed project includes a new 4,998 square foot fast food restaurant (Chick-fil-A) and demolition of an existing ~5,358 square foot restaurant (Denny's). Chick-fil-A's typical operational hours are 6:00 a.m. to 11:00 p.m. Monday through Saturday (closed Sunday). The use, as currently proposed, would not include late night hours or alcohol service. A condition of approval would prohibit "late night" deliveries between 11:00 p.m. and 6:00 a.m. unless approved through the conditional use permit process. Most of Chick-fil-A's business is during lunch, with a large percentage of the business coming from drive-through service. During peak lunch hours (~11:00 a.m. to 2:00 p.m.), Chick-fil-A staff will provide "face-to-face" service to queuing drivers to expedite service. During off-peak hours, patrons order food through one of two menu boards that are located under a covered canopy. The proposed drive-through lane would accommodate up to 20 vehicles. Fifty-six (56) parking stalls are located to the sides and rear of the existing restaurant.

Project Entitlements: The project requires a Conditional Use Permit, Site and Architectural Review Permit, Tree Removal Permit, and CEQA review.

Other public agencies whose approval is required: Valley Transportation Authority (VTA)

Figure 1: Regional Setting

Figure 2: Project Location

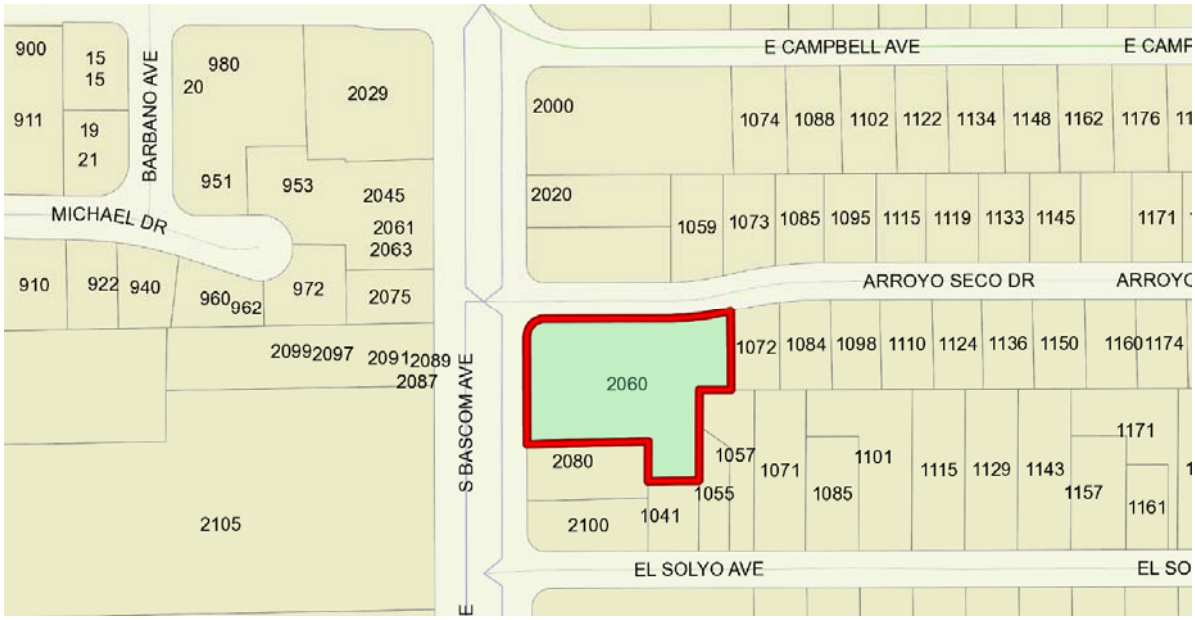


Figure 3: Existing Site Plan / Demolition Plan

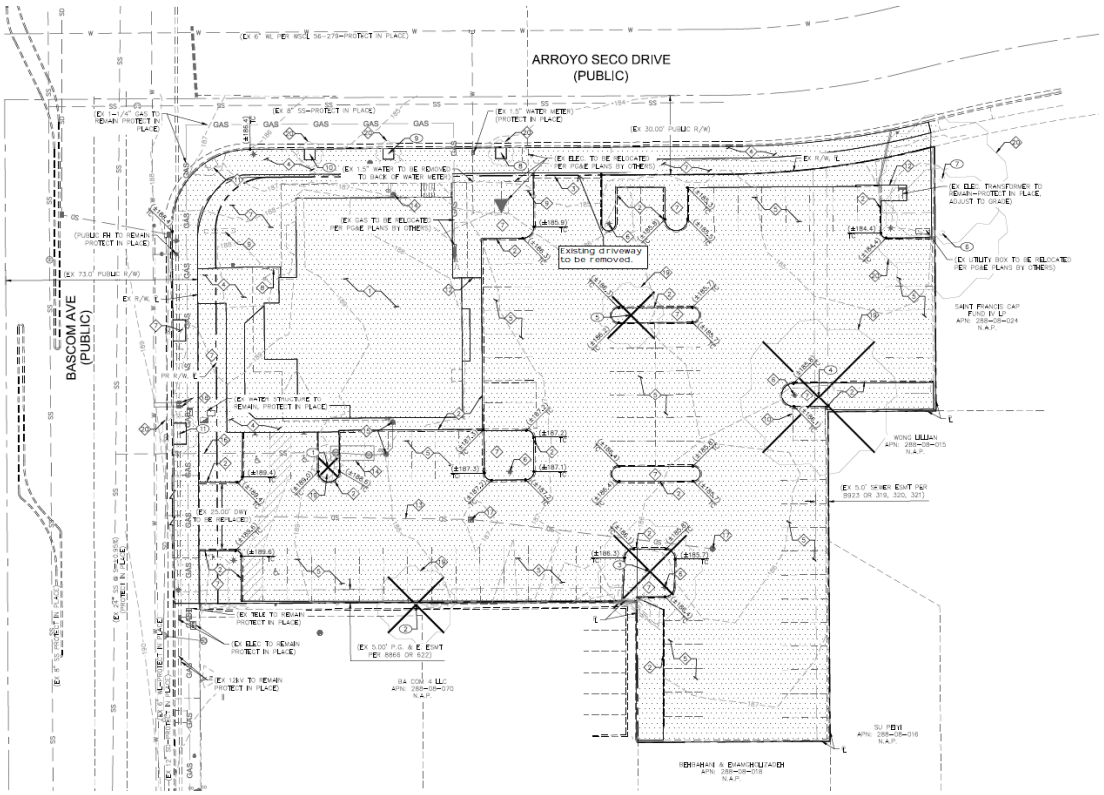


Figure 4: Proposed Site Plan

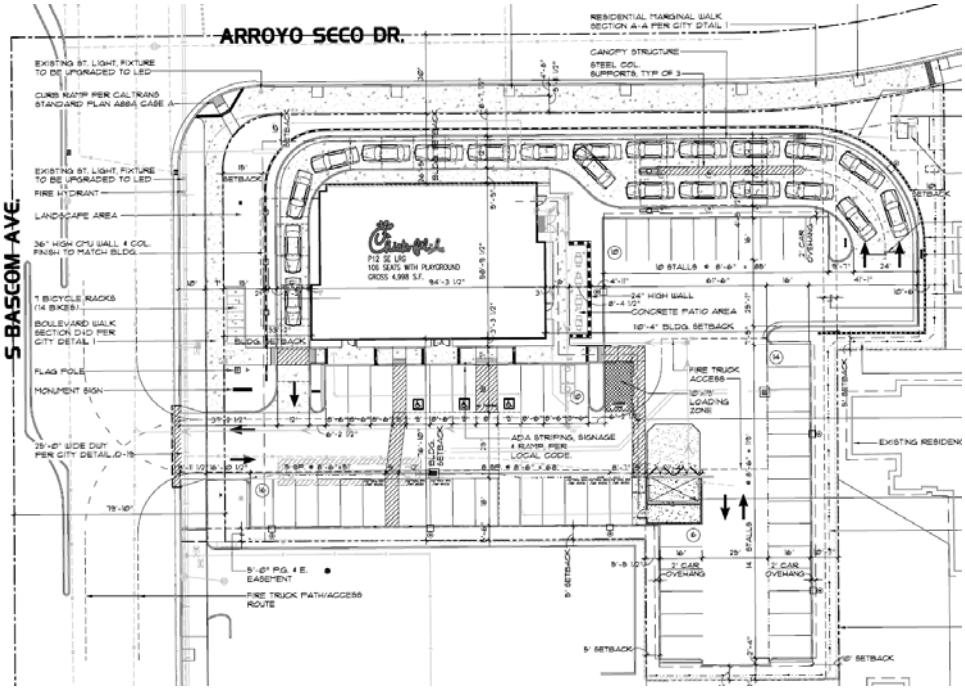


Figure 5: Proposed Landscape Plan

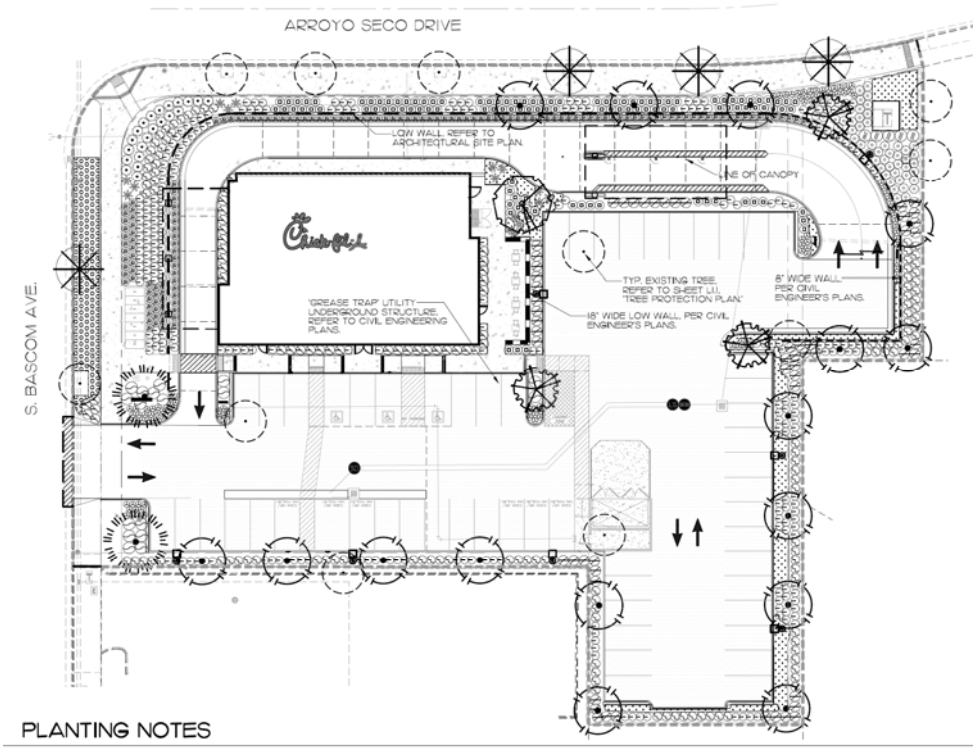
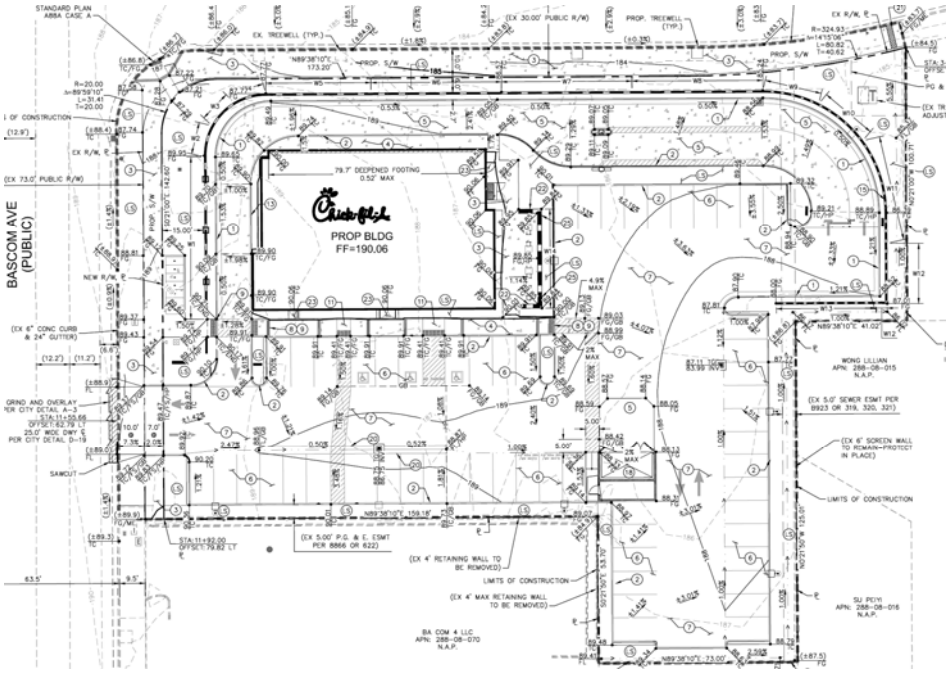


Figure 6: Proposed Grading and Drainage Plan



EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

a) Earlier Analysis Used. Identify and state where they are available for review.

b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:
a) the significance criteria or threshold, if any, used to evaluate each question; and
b) the mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project. Please see the checklist for additional information.

☐ Aesthetics	☐ Agricultural Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☒ Geology/Soils
☐ Greenhouse Gas Emissions	☒ Hazards/Hazardous Materials	☒ Hydrology/Water Quality
☐ Land Use/Planning	☐ Mineral/Energy Resources	☐ Noise
☐ Population/Housing	☐ Public Services	☐ Recreation
☒ Transportation/ Circulation	☒ Tribal Resources	☐ Utilities/Service Systems
☐ Mandatory Findings of Significance		

DETERMINATION: On the basis of this initial evaluation:

☐	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
X	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.
☐	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
☐	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.
☐	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.

Signature: **Date:**

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	☐	☐	**X**	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	☐	☐	**X**	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	**X**	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	**X**	☐

DISCUSSION:

(a-c) – Less than Significant Impact: The proposed project will alter the existing visual character of the project site through demolition of the existing restaurant and construction of the proposed restaurant and related site improvements. Similar to the existing building to be demolished, the proposed building would be, located near the corner of the property, with prime visibility from Bascom Avenue and Arroyo Seco. However, the City does not have design guidelines for the subject property or for Bascom Avenue. The project site is not identified as a recognized scenic vista or scenic resource in the City's General Plan or any other policy document. As a condition of approval, the applicant will be required to dedicate a portion of the right-of-way to accommodate the City's required Image Street improvements and submit all corresponding documents to the City Engineer for review and approval.

(d) – Less than Significant Impact: Redevelopment of the site with the proposed project will include installation of new lighting fixtures. All new lighting is subject to the City's Lighting Design Standards (CMC Sec. 21.18.090) which requires lighting to be designed and installed so that light rays are not emitted across property lines, to the extent possible. The proposed project plans include a photometric plan that indicates compliance with this standard. Furthermore, light emissions from vehicle headlights will be screened by a new 3.5-foot retaining wall around the drive-through lane and an existing wall, to remain, that is adjacent to the adjoining residential properties. 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*.

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?	☐	☐	☐	**X**
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	**X**
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))?	☐	☐	☐	**X**
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	**X**
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?	☐	☐	☐	**X**

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. The project site is currently developed with a restaurant which will be replaced by a new restaurant.

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?	☐	☐	**X**	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	**X**	☐
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)?	☐	☐	**X**	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	**X**	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	**X**	☐

DISCUSSION:

An Air Quality Technical Memorandum was prepared for the applicant on November 9, 2018 by *Michael Baker International*. Following completion of the City commissioned Traffic Impact Study (dated September 24th), an update to the Air Quality Technical Memorandum was prepared by *Michael Baker International* on September 27, 2019. Both documents were 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., *Final 2017 Clean Air Plan* and the *CEQA Air Quality Handbook*), and the methodology used to determine compliance, can be found in that document. If the BAAQMD thresholds are exceeded, a potentially significant impact could result.

Construction: As shown in the following table, the project's construction emissions would be below the applicable thresholds of significance for ROG, NOX, PM10, or PM2.5:

Short-Term Construction Emissions

Emissions Source	Pollutant (pounds/day)[1]			
	ROG	NO_X	PM_{10}	$PM_{2.5}$
2020				
Construction Emissions	16.23	51.04	3.16	2.38
BAAQMD Thresholds	***54***	***54***	***82***	***54***
Is Threshold Exceeded?	***No***	***No***	***No***	***No***
ROG = reactive organic gases; NO_X = nitrogen oxides; PM_{10} = particulate matter 10 microns in diameter or less; $PM_{2.5}$ = particulate matter 2.5 microns in diameter or less				
Notes: 1. Emissions were calculated using CalEEMod, version 2016.3.2.				
Refer to Appendix A, *Air Quality Emissions Data*, for assumptions used in this analysis.				

Mobile Source Emissions: Mobile sources include emissions from motor vehicles, including tailpipe and evaporative emissions. Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. ROG, NOX, SOX, PM10, and PM2.5 are all pollutants of regional concern while CO tends to be a localized pollutant, dispersing rapidly at the source. Carbon Monoxide (CO) emissions are a function of vehicle idling time, meteorological conditions, and traffic flow. Under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthful levels (i.e., adversely affecting residents, school children, hospital patients, the elderly, etc.). Based on the trip generation analysis prepared for this project, the proposed project would generate approximately 2,289 daily vehicle trips. As depicted in Long-Term Operational Air Emissions Table, mobile source air emissions generated by vehicle traffic associated with the project would not exceed established BAAQMD thresholds. Therefore, impacts from would be less than significant.

Carbon Monoxide: The BAAQMD does not have a numerical threshold for operational CO emissions. However, no exceedances of the California Ambient Air Quality Standards (CAAQS) or National Ambient Air Quality Standards (NAAQS) for CO have been recorded at nearby monitoring stations since 1991. As a result, the BAAQMD screening criteria notes that CO impacts may be determined to be less than significant if a project is consistent with the applicable congestion management plan (CMP) and would not increase traffic volumes at local intersections to more than 24,000 vehicles per hour for locations in heavily urban areas, where "urban canyons" formed by buildings tend to reduce air circulation. According to the trip generation analysis for the proposed project, the project would generate approximately 2,289 net daily trips. Thus, as the project would not generate a significant number of vehicle trips and idling emissions, the effects related to CO concentrations would be less than significant.

Drive-Through Idling Emissions: Idling emissions would be generated by on-site vehicles utilizing the project's two-lane drive-through. The idling air emissions for the project's drive-through idling vehicle trips were calculated using the idling air emission factors from the Environmental Protection Agency (EPA). Approximately 471 vehicles per day would utilize the project's drive-through window (refer to Appendix B). The project's drive through idling emissions would emit a maximum of 43.60 (pounds/day) of CO during the winter time. Therefore, the idling air emissions from the proposed project would not exceed the BAAQMD thresholds for ROG, NOX, PM10, and/or PM2.5, and would not exceed the thresholds when combined with other operational sources.

Cumulative Long-Term Operational Emissions: The BAAQMD has not established separate significance thresholds for cumulative operational emissions. However, the BAAQMD's operational thresholds of significance are based on the level above which a project's individual emissions would result in a cumulatively considerable contribution to the Basin's existing air quality conditions. Therefore, a project that exceeds the BAAQMD operational thresholds would also be a cumulatively considerable contributor to a significant cumulative impact. As depicted in the table below, the proposed project's operational emissions would not exceed BAAQMD thresholds. Therefore, operational emissions associated with the proposed project would not result in a cumulatively considerable contribution to significant cumulative air quality impacts.

Long-Term Operational Air Emissions

Emissions Source	Pollutant (pounds/day)[1]				
	ROG	NO_X	PM_{10}	$PM_{2.5}$	CO
Summer Emissions					
Area Source Emissions	0.13	0.00	0.00	0.00	0.01
Energy Emissions	0.03	0.26	0.02	0.02	0.24
Mobile Emissions	2.82	8.19	4.35	1.19	19.33
Vehicle Idling Emissions[2]	*1.06*	*0.56*	*0.02*	--	*14.60*
Total Emissions[3]	**4.04**	**9.01**	**4.39**	**1.21**	**34.18**
BAAQMD Threshold	*54*	*54*	*82*	*54*	--
Is Threshold Exceeded?	***No***	***No***	***No***	***No***	***No***
Winter Emissions					
Area Source Emissions	*0.13*	*0.00*	*0.00*	*0.00*	*0.01*
Energy Emissions	*0.03*	*0.26*	*0.02*	*0.02*	*0.24*
Mobile Emissions	*2.38*	*8.45*	*4.35*	*1.19*	*21.23*
Vehicle Idling Emisisons[2]	*1.35*	*0.65*	*0.02*	--	*21.80*
Total Emissions[3]	***3.89***	***9.36***	***4.39***	***1.21***	***43.28***
BAAQMD Threshold	***54***	***54***	***82***	***54***	--
Is Threshold Exceeded?	***No***	***No***	***No***	***No***	***No***

ROG = reactive organic gases; NO_X = nitrogen oxides; CO = carbon monoxide, SO_x = sulfur dioxide PM_{10} = particulate matter 10 microns in diameter or less; $PM_{2.5}$ = particulate matter 2.5 microns in diameter or less

Notes:
1. Emissions were calculated using CalEEMod. version 2016.3.2.
2. Idling vehicle emissions are based on a conservative drive-through volume of 471 vehicles per day with a 3-minute idling time per vehicle.
3. The numbers may be slightly off due to rounding.

Source: Refer to Appendix A, *Air Quality Emissions Data* and Appendix B, *Trip Generation Memorandum*, for assumptions used in this analysis.

Sensitive Receptors: Sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers. CARB has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis. The closest sensitive receptors are the existing residential uses immediately to the east of the project site.

Odors: According to the BAAQMD, land uses associated with odor complaints typically include wastewater treatment plants, landfills, confined animal facilities, composting stations, food manufacturing plants, refineries, and chemical plants. The project does not include any uses identified by the BAAQMD as being associated with odors. Construction activity associated with the project may generate detectable odors from heavy-duty equipment exhaust and asphalt off-gassing. However, these construction related odors would be short-term in nature and are considered less than significant given the project size. Therefore, impacts in this regard would be less than significant. Furthermore, while the project would not create objectionable odors affecting a substantial number of people, food odors from the project could pose a nuisance to some people in the project vicinity. **Mitigation Measure AQ-2** is intended to minimize odor impacts from food preparation during restaurant operation.

(a-e) Less than Significant with Mitigation – The project would not expose sensitive receptors to substantial pollutant concentrations or create objectionable odors affecting a substantial number of people. Construction and operational air quality emissions generated by the proposed project would not exceed the BAAQMD's applicable thresholds of significance for ROG, NOX, PM10, PM2.5, or CO. Therefore, the project would not be considered by the BAAQMD to be a substantial emitter of criteria air pollutants and would not contribute to any non-attainment areas in the Basin. The proposed project would not conflict with or obstruct implementation of the *Final 2017 Clean Air Plan (CAP)* or the *CEQA Air Quality Handbook*; or violate applicable air quality standards or contribute substantially to an existing or projected air quality violation; or result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment. However, **Mitigation Measure AQ-1** requires the project to implement all of the BAAQMD's Basic Construction measures, as a standard condition of approval, although construction related emissions do not exceed applicable significance thresholds. Furthermore, **Mitigation Measure AQ-2** is intended to minimize odor impacts from food preparation during restaurant operation.

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 mechanic and determined to be running in proper condition prior to operation.

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: To minimize odors from food preparation, the project applicant or project contractor shall install a CaptiveAire Pollution Control Unit (PCU). The installed PCU shall be optioned to include the odor control module and, at minimum, shall be rated to have an initial removal efficiency of over 70 percent. The project applicant and/or business owner shall replace filters per manufacturer recommendations. Prior to issuance of the Certificate of Occupancy, the City of Campbell shall verify, to its satisfaction, the proper installation of the PCU.

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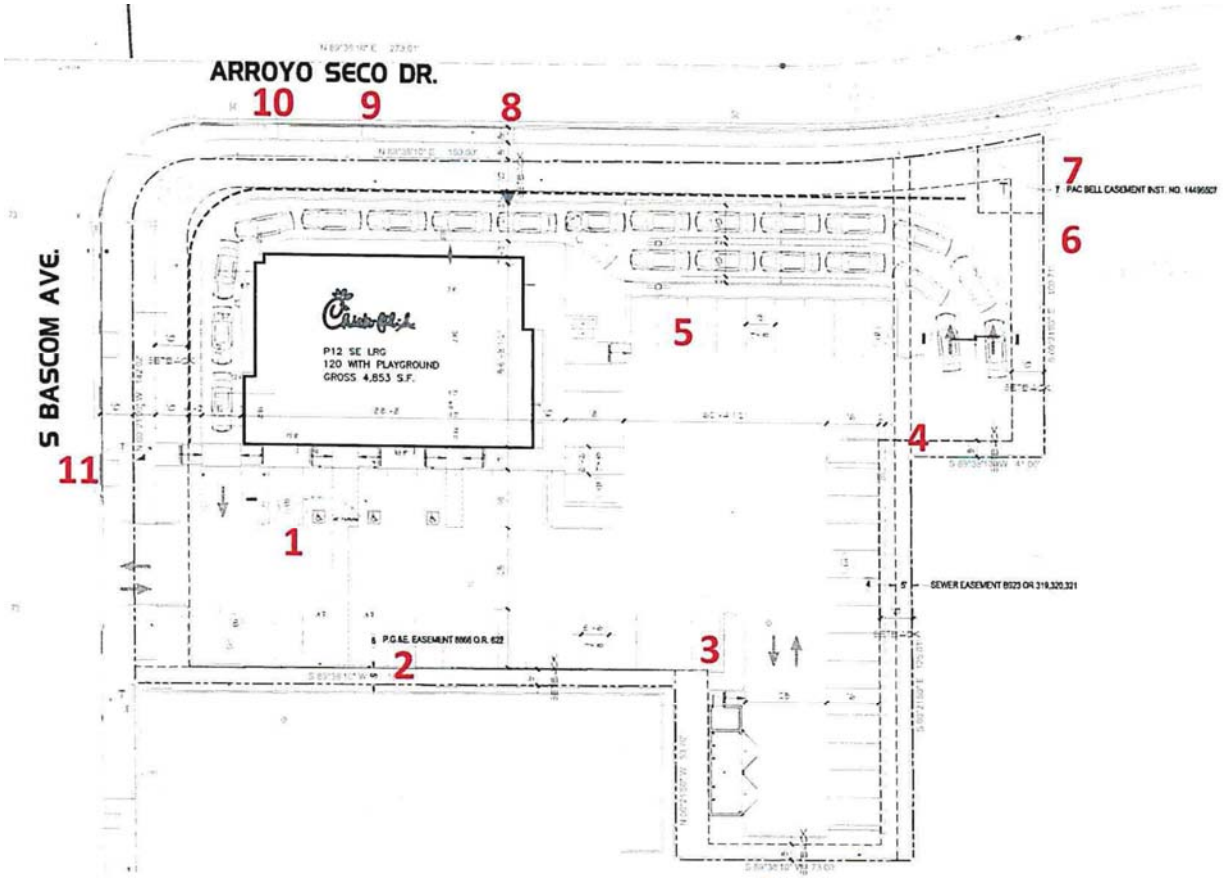
IV. BIOLOGICAL RESOURCES: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special 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?	☐	☐	**X**	☐
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?	☐	☐	**X**	☐
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?	☐	☐	**X**	☐
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?	☐	☐	**X**	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	**X**	☐	☐
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?	☐	☐	☐	**X**

DISCUSSION: The urban infill project site is currently developed with a restaurant and surface parking lot that would be demolished to accommodate the project. Trees on commercial properties that have at least one trunk measuring 12 inches or more in diameter (38 inches circumference) 4 feet above the adjacent grade are protected under City of Campbell Municipal Code Chapter 21.32.

An Arborist Report, prepared for the property on May 3, 2018, identified five (5) protected on-site trees, including one (1) 22” Mexican fan palm, one (1) 16” flowering pear, one (1) 18” jacaranda, one (1) 17” jacaranda, and one (1) 16” carrotwood, as shown in the table on the following page. The Arborist Report also identified two (2) 42” coast redwood trees on an adjacent property and four (4) street trees. The location of each tree is illustrated on the site plan on the following page. A brief description of each tree is included in the Arborist Report for the project and the tree inventory provided on the following page.

The proposed project includes an application for a Tree Removal Permit to allow removal of the five (5) protected on-site trees (tree numbers #1 through #5, as identified on the site plan on the following page. If approved for removal, a replanting plan will be made a requirement of the tree removal permit. The two (2) redwood trees located on the adjacent property are shown to be retained. Removal of street trees are not proposed.



ARBOR RESOURCES
professional consulting arborists and tree care

TREE INVENTORY TABLE

TREE/ TAG NO.	TREE NAME	SIZE: Trunk Diameter (in.)	SIZE: Height (ft.)	SIZE: Canopy Spread (ft.)	CONDITION: Health Condition (100%=Best, 0%=Worst)	CONDITION: Structural Integrity (100%=Best, 0%=Worst)	CONDITION: Overall Condition (Good/Fair/Poor/Dead)	Suitability for Preservation (High/Moderate/Low)	Protected Tree	Street Tree
1	Mexican fan palm (*Washingtonia robusta*)	22	75	15	60%	80%	Fair	Moderate	X	
	Comments: Thatch (dead fronds) ~10' below crown. Within 4' of manhole. Located in and beginning to outgrow narrow finger planter.									
2	Flowering pear (*Pyrus calleryana*)	16	35	35	60%	20%	Poor	Low	X	
	Comments: Within a raised and very narrow planter above parking lot. Topped years ago at 17' high. Broken and missing boards along vertical face, exposing large roots and resulting in soil erosion.									
3	Jacaranda (*Jacaranda mimosifolia*)	18	35	35	50%	20%	Poor	Low	X	
	Comments: Leans north, and buttress root opposite lean is raised, an indication of this tree having partially uprooted in past. Multi-leader structure and sinuous form. Topped or a large number of reduction cuts at ~23' high. Mostly dormant. Mounds or ripples in parking lot west of tree (from roots). Deadwood. Drought stressed.									
4	Jacaranda (*Jacaranda mimosifolia*)	17	40	40	50%	30%	Poor	Low	X	
	Comments: Multi-leader structure with sinuous form. Significant canopy decline due to drought stress. History of limb failure, and contains numerous decaying wounds. Trunk sweeps south. Mostly dormant. Deadwood.									
5	Carrotwood (*Cupaniopsis anacardioides*)	16	30	30	40%	30%	Poor	Low	X	
	Comments: Asymmetrical, irregular form with a low canopy. Leans NE. Has a partially buried root collar. History of limb failure and has decaying wounds throughout; a large old cut with decay at 5.5' high. Within a narrow, elongated planter. Dieback throughout crown, likely from drought stress.									

ARBOR RESOURCES
professional consulting arborists and tree care

TREE INVENTORY TABLE

TREE/ TAG NO.	TREE NAME	SIZE: Trunk Diameter (in.)	SIZE: Height (ft.)	SIZE: Canopy Spread (ft.)	CONDITION: Health Condition (100%=Best, 0%=Worst)	CONDITION: Structural Integrity (100%=Best, 0%=Worst)	CONDITION: Overall Condition (Good/Fair/Poor/Dead)	Suitability for Preservation (High/Moderate/Low)	Protected Tree	Street Tree
6	Coast redwood (*Sequoia sempervirens*)	~42	65	25	40%	40%	Poor	Moderate	X	
	Comments: On neighboring property. Wide bulge >1/2 way up trunk, likely from an internal crack or decay. Adjacent to #7's canopy. Has large dead branches occupying lower crown and 2/3 way up. Base is within 1' from shared wall. Declined condition likely from drought stress.									
7	Coast redwood (*Sequoia sempervirens*)	~42	85	25	60%	80%	Fair	High	X	
	Comments: On neighboring property. Thin top. Base is within 1' from shared wall.									
8	New Bradford flowering pear (*Pyrus c.* 'New Bradford')	3	10	6	70%	60%	Fair	Moderate		X
	Comments: Street tree within a square planter. Staked. Branching begins at 3.5' high. High rootball relative to adjacent curb and sidewalk.									
9	New Bradford flowering pear (*Pyrus c.* 'New Bradford')	2	8	3	80%	50%	Fair	Moderate		X
	Comments: Street tree within a square planter. Staked. Branching begins at 4' high. High canopy and poor trunk taper.									
10	New Bradford flowering pear (*Pyrus c.* 'New Bradford')	2	9	5	80%	70%	Good	Moderate		X
	Comments: Street tree within a square planter. Staked. Branching begins at 3.5' high. High rootball relative to adjacent curb and sidewalk.									
11	Australian willow (*Geijera parviflora*)	4	12	8	70%	40%	Fair	Moderate		X
	Comments: Street tree within a 8' x 5' rectangular planter. Leans towards street. Lower crown recently pruned/elevated. Multiple leaders originate at 4' high. Exposed root crown.									

(a-d) Less than Significant Impact - There are no known candidate, sensitive, or special status species on the site. Similarly, there is no riparian habitat, sensitive natural community, wildlife, or wetlands on or adjacent to the project site. Trees and other ornamental landscape vegetation could be used for incidental foraging by sensitive bird and bat species; however, incidental foraging use does not constitute habitation per the California Department of Fish and Wildlife (CDFW) definition of habitat[1].

(e) Less than Significant Impact with Mitigation - Although there is no suitable habitat for sensitive plant or animal species on the project site, trees and shrubs on-site could be used by nesting birds protected under California Fish and Game Code Sections 3503 *et seq*. Project development would involve removal of existing vegetation and trees, and thus could interfere with nesting, including destruction of active nests. However, implementation of **Mitigation Measure BIO-1** would reduce this impact to *less than significant*. Removal of protected trees is also subject to replacement in accordance with CMC Section 21.32.100 (Replacement trees), including the requirement for a replanting plan for a minimum of five (5) 24" box trees. The project exceeds this requirement by proposing 26 new 24" box trees, as illustrated on the Landscape Plan for the project.

(f) No Impact - The project site is not subject to a Habitat Conservation Plan or Natural Community Conservation Plan. Therefore, project development would not conflict with such a plan and there would be *no impact*.

MITIGATION MEASURES

Biological Resources Mitigation Measure BIO-1: Prior to site clearance, the project applicant shall retain a qualified biologist to conduct preconstruction nesting bird surveys as follows: If tree removal would occur during the nesting season (February 1 to August 31), preconstruction surveys shall be conducted no more than 14 days prior to the start of tree removal or construction. Preconstruction surveys shall be repeated at 14-day intervals until construction has been initiated in the area after which surveys can be stopped. Locations of active nests containing viable eggs or young birds of protected bird species shall be documented and protective measures implemented under the direction of the qualified biologist until the nests no longer contain eggs or young birds. Protective measures shall include establishment of clearly delineated exclusion zones (i.e., demarcated by identifiable fencing, such as orange construction fencing or equivalent) around each nest location as determined by a qualified biologist, taking into account the species of birds nesting, their tolerance for disturbance, and proximity to existing development. In general, exclusion zones shall be a minimum of 300 feet for raptors and 75 feet for passerines and other birds. The active nest within an exclusion zone shall be monitored on a weekly basis throughout the nesting season to identify signs of disturbance and confirm nesting status. The radius of an exclusion zone may be increased by the qualified biologist if project activities are determined to be adversely affecting the nesting birds. Exclusion zones may be reduced by the qualified biologist only in consultation with CDFW. The protection

[1] California Department of Fish and Wildlife, 2015, *State Wildlife Action Plan*: Chapter 11: Glossary, accessed September 25, 2018.

measures shall remain in effect until the young have left the nest and are foraging independently or the nest is no longer active.

No surveys are required before vegetation disturbance between September 1 and January 31, that is, outside of the nesting season.

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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?	☐	☐	☐	**X**
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	**X**	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	**X**	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	**X**	☐	☐

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 with Mitigation - No paleontological and archaeological resources are known to exist on the subject property. However, any such discovery would be less than significant through implementation of ***Mitigation Measure CUL-1***.

(d) Less than Significant Impact with Mitigation - 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, paleontological, or tribal 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?	☐	☐	**X**	☐
ii) Strong seismic ground shaking?	☐	☐	**X**	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	**X**	☐
iv) Landslides?	☐	☐	**X**	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	**X**	☐
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?	☐	**X**	☐	☐
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?	☐	**X**	☐	☐
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?	☐	☐	☐	**X**

DISCUSSION: A Geotechnical Engineering Exploration and Analysis report was prepared for the applicant on February 20, 2018 by *Giles Engineering Associates* and reviewed by Senior Planner Cindy McCormick on behalf of the lead agency. The following discussion reflects that analysis.

(a) Less than Significant Impact: The site is not located within an area where the California Geological Survey (CGS) has published an Alquist-Priolo Earthquake Fault Zone. The potential for fault rupture through the site is, therefore, considered to be low. The site may however be subject to strong groundshaking during seismic activity. Because construction practices in the State of California—pursuant to the California Building Code—take into account that earthquakes could potentially damage buildings, they are designed to withstand moderate ground-shaking, resulting in a less than significant impact. According to the Seismic Hazard Zone report for the San Jose West Quadrangle published by the CGS, the site is not located within a liquefaction hazard zone. The depth to historic high groundwater is reported to be greater than 50 feet below grade. Given this designation and the depth to groundwater, a liquefaction analysis is deemed not necessary. General types of ground failures that might occur as a consequence of severe ground shaking typically include landsliding, ground lurching and shallow ground rupture. The probability of occurrence of each type of ground failure depends on the severity of the earthquake, distance from faults, topography, subsoils and groundwater conditions, in addition to other factors. Based on the geotechnical consultant's subsurface exploration, laboratory testing

and the seismic designation for this site, all of the above effects of seismic activity are considered unlikely at the site. In the opinion of the geotechnical consultant, the proposed construction and grading will be safe against geotechnical hazards from landslides, settlement, or slippage and the proposed work will not adversely affect the geologic stability of the adjacent property provided grading and construction are performed in compliance with the city code and in accordance with the recommendations presented herein.

(b) – Less than Significant Impact: Development of the project will require grading that could result in a temporary increase in erosion. However, site grading is anticipated to be minor due to the relatively level nature of the site. Additionally, the project is subject to the mandatory stormwater protection requirements ("best management practices") of the City's NPDES permit.

(c-d) Less than Significant Impact with Mitigation - According to the Seismic Hazard Zone report for the San Jose West Quadrangle published by the CGS, the site is not located within a liquefaction hazard zone. Based on the geotechnical consultant's subsurface exploration, laboratory testing and the seismic designation for this site, severe ground shaking typically include landsliding, ground lurching and shallow ground rupture are considered unlikely at the site. It is the opinion of the geotechnical consultant that the proposed construction and grading will be safe against geotechnical hazards from landslides, settlement, or slippage and the proposed work will not adversely affect the geologic stability of the adjacent property provided grading and construction are performed in compliance with the city code and in accordance with the recommendations presented in the Geotechnical report. To evaluate the expansive potential of the near surface soils encountered during the subsurface exploration, a composite sample collected from Test Boring B-1 and B-4 (1 to 5 feet) was subjected to Expansive Index (El) testing. The result of the expansion index (El) test indicates that the near surface sample has a very low expansion potential (El = 0). From a soils engineering point of view, the subject property is considered geotechnically suitable for the proposed new improvements provided the recommendations of the Geotechnical report are incorporated in the design and construction of the project. With incorporation of ***Mitigation Measure GEO-1***—requiring compliance with all measures identified by the geotechnical report—the project would not be located soil that is unstable, or that would become unstable as a result of the project.

(e) – No Impact: The project would not involve the use of septic tanks or alternative waste water disposal systems.

MITIGATION MEASURES

Geology and Soils Mitigation Measure GEO-1: The applicant shall comply with the recommendations in the Geotechnical Evaluation, dated February 20, 2018 by *Giles Engineering Associates.* Such recommendations shall be incorporated into the project's final engineering design as submitted to the Campbell Building Division for issuance of a building permit. The project shall use standard engineering techniques and conform to the requirements of the International Building Code to reduce the potential for seismic damage and risk to future occupants.

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?	☐	☐	**X**	☐
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases?	☐	☐	**X**	☐

DISCUSSION:

A Greenhouse Gas (GHG) Emissions Analysis was prepared for the applicant on June 13, 2018 by *Michael Baker International*. Following completion of the City commissioned Traffic Impact Study (dated September 24th), an update to the GHG Emissions Analysis was prepared by *Michael Baker International* on September 27, 2019. Both of these documents were reviewed by Senior Planner Cindy McCormick on behalf of the lead agency. and reviewed by Senior Planner Cindy McCormick on behalf of the lead agency. Background information on the federal, state and regional regulations regarding greenhouse gas emissions can be found in the GHG Emissions Analysis report and its appendices. The following discussion reflects that analysis, including CalEEMod outputs which are contained within Appendix A.

California's climate change goals are set forth in AB 32, the Global Warming Solutions Act of 2006. This legislation requires a reduction of California GHG emissions to 1990 levels by 2020. The AB 32 Scoping Plan recognizes the importance of development and implementation of Climate Action Plans by California cities and counties. While the City of Campbell does not yet have a Climate Action Plan (CAP), the City is in the process of drafting a CAP as part of the City's Envision Campbell General Plan update. Furthermore, the Santa Clara County CAP does not pertain to this project since the County CAP only applies to county operations, facilities, and employees. The Bay Area Air Quality Management District (BAAQMD's) approach to developing a threshold of significance for GHG emissions is to identify the emissions level for which a project would not be expected to substantially conflict with existing California legislation adopted to reduce statewide GHG emissions. The following table presents the project-level thresholds for GHG emissions. If the BAAQMD thresholds are exceeded, a potentially significant impact could result.

BAAQMD GHG Thresholds

Project Type	Construction-Related	Operational-Related
Projects other than Stationary Sources[1]	None	Compliance with Qualified Climate Action Plan OR 1,100 $MTCO_2eq/yr.$ OR 4.6 $MTCO_2eq/SP^2/yr.$
Stationary Sources[1]	None	10,000 $MTCO_2eq/yr.$
$MTCO_2eq/year$ = metric tons of carbon dioxide equivalent per year		
Notes: 1. According to the BAAQMD CEQA Guidelines, a stationary source project is one that includes land uses that would accommodate processes and equipment that emit GHG emissions and would require a BAAQMD permit to operate. Projects other than stationary sources are land use development projects including residential, commercial, industrial, and public uses that do not require a BAAQMD permit to operate. 2. SP = service population (residents + employees).		
Source: BAAQMD, *Options and Justification Report*, October 2009 and BAAQMD, *CEQA Air Quality Guidelines*, May 2017.		

(a) – Less than Significant Impact: The project would result in approximately 0.91 metric tons of carbon dioxide equivalent per year ($MTCO_2eq$/year), which is below the BAAQMD significance thresholds (4.6 MTCO2eq per service population per year). Therefore, the project's contribution of GHG emissions would be less than significant.

The proposed project would result in direct and indirect emissions of CO2, N2O, and CH4. Direct project-related GHG emissions include emissions from construction activities, area sources, and mobile sources, while indirect sources include emissions from electricity consumption, water demand, and solid waste generation. The total amount of project-related GHG emissions from direct and indirect sources combined would total 1,044.27 MTCO2eq/year. To conservatively estimate the service population (employees and customers), the number of potential project-related daily vehicle trips (derived from the traffic study) is divided by two to account for each service population member making one trip to and one trip from the project site (i.e., each project customer and employee would count for two trips). Based on the trip generation analysis prepared for this project, the proposed project would generate approximately 2,289 daily vehicle trips. The total number of daily trips is divided by two (1,144 trips per day) to derive the service population. Therefore, the project service population is 1,144. Dividing the total GHG emissions by the project's service population would result in approximately 0.91 $MTCO_2eq$ per service population per year, which is below the BAAQMD significance thresholds as discussed above.

(b) – Less than Significant Impact: The proposed project consists of a sustainable energy design feature that would exceed the Title 24 energy efficiency standards by 30 percent. The project would also be required to comply with the California Green Building Standards (CalGreen). As such, the proposed project would include a sustainable feature that would exceed California standards, and would help in reducing GHG emissions. The project would result in operational GHG emissions below the BAAQMD thresholds. Therefore, the proposed project would not conflict with an adopted plan, policy, or regulation pertaining to GHGs and a less than significant impact would occur in this regard.

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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?	☐	**X**	☐	☐
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?	☐	**X**	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	**X**
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?	☐	☐	**X**	☐
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?	☐	☐	☐	**X**
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?	☐	☐	☐	**X**
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	**X**
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?	☐	☐	☐	**X**

DISCUSSION: A Phase I Environmental Site Assessment (ESA) report was prepared for the applicant on March 21, 2018 by *Giles Engineering Associates*. The 2018 Phase 1 ESA also identified a previous Phase I ESA for the subject property, prepared by URS Corporation, dated May 23, 2006. A copy of the 2006 Phase I ESA report is enclosed in Appendix D of the 2018 Phase I ESA. The provided documents were reviewed by Senior Planner Cindy McCormick on behalf of the lead agency. The following discussion reflects that analysis.

Per the 2018 Phase I ESA, the subject property is not listed on the reviewed state or federal databases[2], no environmental concerns were noted during the on-site visit, and the current and former uses of the subject property do not constitute a recognized environmental condition. The 2018 Phase I ESA research also included an environmental lien search and chain-of-title for the subject property, finding no environmental liens or use limitations on record.

While the subject property is not associated with any known regulated hazardous materials or waste, the subject property is located within 150-feet of "Young's Cleaners", a dry cleaner facility located at 2050 S. Bascom Avenue. The property has been occupied by a dry cleaner

[2] Staff also checked the DTSC's Hazardous Waste and Substances Site List – Site Cleanup (Cortese List) and the State Water Resources Control Board GeoTracker website. The subject property was not listed on either of these regulatory sites.

from at least 1985 through the present-day. Both the 2006 and 2018 Phase I ESAs revealed evidence of a recognized environmental condition (REC) in connection with the Young's Cleaners property. Young's Cleaners has been identified as a small quantity generator of halogenated organic liquid waste associated with dry cleaning activities. Young's Cleaners is also listed as a drycleaning and laundry service facility on the Environmental Protection Agency's Resource Conservation and Recovery Act (RCRA) website under Handler ID CAL000445337 and Handler ID CAD981635048.

Both the 2006 and 2018 Phase I ESAs recommended a Phase II ESA to evaluate the potential for a vapor encroachment condition, given the 150-foot proximity of the dry cleaner to the subject property. Based on the applicant's geotechnical and environmental consultant's experience, a vapor encroachment critical distance for the subject property is estimated to be approximately 200 to 300 feet from a dry cleaner property[3]. While a Phase II ESA was not performed (or known to be performed), the 2006 Phase I ESA indicated that two soil borings were completed on the subject property and four soil samples were tested for volatile organic compounds (VOCs). None of the samples contained detectable concentrations of VOCs. Additionally, the 2018 Phase I ESA included a limited Tier 1 and Tier 2 Vapor Encroachment Screen (VES) to determine if a vapor encroachment condition (VEC) exists on the subject property. A VEC is defined as the presence or likely presence of chemical(s) of concern (COC) vapors in the subsurface of the subject property, caused by the release of vapors from contaminated soil or groundwater either on or in the vicinity of the subject property.

While the limited Tier 1 and Tier 2 VES did not reveal a vapor encroachment condition from the current and former uses of the subject property, the limited Tier 1 and Tier 2 VES was not intended to constitute a full Tier 1 or Tier 2 VES. Therefore, a Limited Phase II ESA was recommended to assess the potential impacts to the soil, groundwater, and soil gas of the subject property from the Young's Cleaners property. If soil, groundwater, and/or soil gas impacts exist, they will need to be investigated and delineated and possibly remediated.

(a-b) - Less than Significant Impact with Mitigation: The project has the potential to create significant environmental impacts related to lead or asbestos exposed during demolition and the use of hazardous materials such as cleansers, paints, fertilizers, and pesticides for cleaning and maintenance purposes during normal operations. Demolition of the existing on-site structure may create a significant hazard by exposing construction workers to lead or asbestos containing materials. However, implementation of ***Mitigation Measure HAZ-1*** would reduce this potential impact to less than significant.

The proposed restaurant is not associated with uses (e.g., manufacturing, industrial, medical / hospital, and other similar uses) that use, generate, store, or transport large quantities of hazardous materials. However, operation of the proposed restaurant would involve the use of small amounts of hazardous materials, such as cleansers, paints, fertilizers, and pesticides for

[3] No additional facilities that presented a vapor encroachment condition were identified within 300 feet of the subject property.

cleaning and maintenance purposes. Implementation of ***Mitigation Measure HAZ-2*** would reduce this potential impact to less than significant.

While the subject property is not associated with any known regulated hazardous materials or waste, the subject property is located within 150 feet of "Young's Dry Cleaners", a dry cleaner facility located at 2050 S. Bascom Avenue. Given this distance, there is a potential for vapor intrusion, a process by which chemicals in soil or groundwater, especially Volatile Organic Compounds (VOCs), migrate to indoor air above a contaminated site. Implementation of Mitigation Measures ***HAZ-2*** through ***HAZ-8*** would reduce potentially significant impacts related to potential vapor intrusion from Young's Dry Cleaners, to less than significant.

(c) – No Impact: The operation of the project will not include hazardous emission or handling of hazardous or acutely hazardous materials, substances. The nearest school (Grace Christian School, located at 2350 Leigh Avenue in San Jose) is approximately one (1) mile from the subject property. No new schools are currently proposed or expected to be proposed within ¼ mile of the subject property.

(d) – Less than Significant: The project site is not listed on the DTSC's Hazardous Waste and Substances Site List – Site Cleanup (Cortese List) compiled pursuant to Government Code Section 65962.5, or the State Water Resources Control Board GeoTracker website. Similarly, the dry cleaner facility discussed in sections (a) and (b) is not listed on either of these regulatory sites.

(e-f) – No Impact: The project site is not located within a Land Use plan, or within two miles of a public airport or public use airport, or within the vicinity of a private airstrip.

(g) – No Impact: The project would not interfere with emergency response or evacuation plans. Sufficient emergency access and emergency services staff would be provided for the project site in compliance with the State of California Building Code Standards and requirements of the Santa Clara County Fire and Health Departments.

(h) – No Impact: The project site is not located near any wildland areas and would not cause an increase in wildland fire hazard.

MITIGATION MEASURES

Mitigation Measure HAZ-1: Prior to issuance of a demolition permit, a qualified contractor shall assess the property for presence of lead-based paint (LBP) and asbestos containing building materials (ACBM), and if present, prepare a plan, to the satisfaction of the Building Official, to properly manage and dispose of such materials.

Mitigation Measure HAZ-2: The applicant shall comply with all applicable laws and regulations governing the use, storage, transportation, and disposal of clean soil, contaminated soil, hazardous waste/materials, or other regulated waste/materials to ensure that all potentially

hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts.

Mitigation Measure HAZ-3: Prior to issuance of a demolition or grading permit, the applicant shall obtain a Phase II Environmental Site Assessment (ESA) to determine if a vapor encroachment condition (VEC) exists on the subject property and shall submit it to the Community Development Director for review.

Mitigation Measure HAZ-4: If a vapor encroachment condition (VEC) exists on the subject property, the applicant shall contact the Santa Clara County Department of Environmental Health (DEH) to determine the appropriate actions necessary to mitigate potentially significant impacts to groundwater resources, human health, safety, and the environment. The applicant shall provide the DEH with sufficient data to adequately evaluate soil, groundwater, and soil vapor.

Mitigation Measure HAZ-5: Prior to issuance of a demolition or grading permit, the proposed mitigation actions shall be submitted to the Community Development Director for review and approval. The applicant shall work in collaboration with the City and the DEH to facilitate an efficient and effective site remediation plan.

Mitigation Measure HAZ-6: Prior to the issuance of building permits, the remediation plan shall be approved by the Santa Clara County Department of Environmental Health.

Mitigation Measure HAZ-7: 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.

Mitigation Measure HAZ-8: Prior to issuance of the Certificate of Occupancy, the applicant shall obtain written confirmation via a Closure Letter from the Santa Clara County Department of Environmental Health that certifies that no further action is required.

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?	☐	**X**	☐	☐
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)?	☐	☐	**X**	☐
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?	☐	☐	**X**	☐
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?	☐	☐	**X**	☐
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?	☐	☐	**X**	☐
f) Otherwise substantially degrade water quality?	☐	**X**	☐	☐
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?	☐	☐	**X**	☐
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	**X**	☐
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?	☐	☐	**X**	☐
j) Inundation by seiche, tsunami, or mudflow	☐	☐	☐	**X**

DISCUSSION: Water quality degradation is regulated by the San Francisco Bay Regional Water Quality Control Board (RWQCB). Water quality in stormwater runoff is regulated locally by the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP), which includes C.3 provisions set by the RWQCB.

(a & f) – Less than Significant with Mitigation Measures: Urban runoff can carry a variety of pollutants, such as oil and grease, metals, sediment, fertilizers, herbicides, pesticides, and other pollutant residues from roadways, parking lots, rooftops, and landscaped areas, and deposit them into adjacent waterways via the storm drain system. Construction activities (e.g., grading, excavation, demolition, and construction) could result in the degradation of water quality, releasing sediment, oil and grease, and other chemicals into storm drains and/or nearby water bodies. Runoff from drive-thru restaurants typically contain oils, grease, fuel, antifreeze, and byproducts of combustion (such as lead, cadmium, nickel, and other metals).

To mitigate these potential impacts, the proposed project shall adhere to applicable water quality regulations and comply with the City of Campbell's regulatory requirements including preparation of a Stormwater Pollution Prevention Plan (SWPPP) and compliance with the City of Campbell's Municipal Code to ensure that water quality standards are not violated during construction. The project will include source control, site design and treatment measures to achieve compliance with Provision C.3. of the National Pollution Discharge Elimination System (NPDES) Permit. Measures may include, but are not limited to, minimization of impervious surface area, vegetated swales, infiltration areas, and treatment devices. Compliance with the NPDES 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. Implementation of ***Mitigation Measure HWQ-1*** would reduce this potential impact to less than significant. Subject to project specific conditions of approval, the project will not violate any water quality standards or substantially degrade surface or ground water quality.

(b) – Less than Significant: The project will be adequately served by existing water supplies and will be served by the local area water utility as confirmed in written correspondence ("will serve" letter) by the San Jose Water Company. Groundwater is used for municipal supply in the City of Campbell. San Jose Water supplies potable water for the proposed project. The Santa Clara Valley Water Conservation District was formed in 1929 in response to groundwater overdraft and significant land subsidence. The District utilizes conjunctive[4] use to supplement groundwater and to sustain reliability in dry years by maintaining a comprehensive managed recharge program. The program helps to maintain adequate groundwater storage, keep groundwater levels above subsidence thresholds, and maintain flow gradients.[5] These measures would ensure that the use of groundwater for the project site would not deplete groundwater supplies. 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 urban uses including commercial and/or office uses to the north, south, and west and residential homes to the east. Implementation of the proposed project would result in an increase of impervious surfaces; however, the project design would collect, treat, and detain runoff from all on-site impervious areas. Due to the incorporation of stormwater control measures, the proposed project would not substantially alter the existing drainage pattern

[4] Conjunctive use means the coordinated use of surface water and groundwater.
[5] Santa Clara Valley Water District, 2016, Groundwater Management Plan, http://savepaloaltosgroundwater.org/files/2016_Groundwater-Management-Plan.pdf, accessed August 9, 2018.

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 X[6], 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 City of Campbell sits in the path of Lenihan Dam, which holds back the Lexington Reservoir south of the Town of Los Gatos in the Santa Cruz Mountains. In a worst case scenario in which the dam completely fails, the water rushing down Los Gatos Creek and Highway 17 will be narrow, deep, and swift. However, as floodwaters on Highway 17 reach Highway 85 they will spread out dramatically, slow down, and disperse. Campbell would face flooding and damage from a catastrophic failure of the Lenihan Dam. The City of Campbell would also sustain flooding if there were failures of the Vasona Dam and the Rinconada Water Treatment Dam but to a lesser extent than a failure of the Lenihan Dam. 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.

j) **No Impact** - The subject property is not located near a water body that is susceptible to seiche[7] hazard and the land around the proposed project is flat, making mudflows unlikely. Furthermore, the proposed project would not be subject to tsunami hazards.

MITIGATION MEASURES

Mitigation Measure HWQ-1: Prior to issuance of any grading or building permits, the applicant shall comply with all requirements of the City of Campbell Public Works Department, including but not limited to the National Pollution Discharge Elimination System (NPDES) permit requirements, Santa Clara Valley Water District requirements, and the Campbell Municipal Code.

[6] FEMA Flood Insurance Rate Map number 06085C0237H,
[7] 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?	☐	☐	☐	**X**
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?	☐	☐	**X**	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	**X**

DISCUSSION:

(a) No Impact - The subject property is located on an infill property surrounded by urban uses including commercial, office, and residential buildings. The proposal to construct a new restaurant in the general location of the existing restaurant to be removed, would not physically divide the property or isolate it from the community.

(b) Less than Significant – There are no design guidelines or area plan applicable to the subject property; however the project is consistent with the City's General Plan (e.g., maintain a variety of convenient commercial services) and will comply with the City's municipal code (e.g., floor area and parking).

(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*.

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?	☐	☐	☐	**X**
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?	☐	☐	☐	**X**

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?	☐	☐	**X**	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	**X**	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	**X**	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	**X**	☐
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?	☐	☐	☐	**X**
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?	☐	☐	☐	**X**

DISCUSSION:

A Noise Technical Memorandum was prepared for the applicant on June 13, 2018 by *Michael Baker International.* Following completion of the City commissioned Traffic Impact Study (dated September 24th), an update to the Noise Technical Memorandum was prepared by *Michael Baker International* on September 27, 2019. Both documents were reviewed by Senior Planner Cindy McCormick on behalf of the lead agency. and reviewed by Senior Planner Cindy McCormick on behalf of the lead agency. The following discussion reflects that analysis. All of the background information and the methodology used to determine compliance, can be found in that document.

(a-d) – Less than Significant Impact: The project would not create excessive groundborne vibration noise or generate noise that exceeds city standards or significantly increase ambient noise levels in the project vicinity. Noise (i.e. sound) intensity is quantified by a logarithmic scale, known as the decibel scale (dB). Noise can be generated by a number of sources, including mobile sources such as automobiles, trucks, and airplanes, and stationary sources such as construction sites, machinery, and industrial operations. There are several metrics used to characterize community noise exposure, including the Day-Night Sound Level (Ldn) or Community Noise Equivalent Level (CNEL) which measures 24-hour noise levels and the Equivalent Sound Level (Leq) which in a stated period of time would contains the same noise energy as the time-varying noise during the same time period.

Construction Noise Impacts: Temporary increases in ambient noise levels as a result of the project would predominately be associated with construction activities. Operating cycles for construction equipment typically involves a limited duration of full power to lower power

operation settings. Noise generated from construction activities would only occur during the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday, and between the hours of 9:00 a.m. and 4:00 p.m. Saturday, in compliance with Section 18.04.052 of the Municipal Code. Construction activities are prohibited outside of those hours. Construction activities undertaken during daytime hours are a typical part of living in an urban environment and would not cause a significant disruption and are therefore exempt from the City's noise standards.

Project construction can also generate varying degrees of groundborne vibration, depending on the construction procedure and the construction equipment used. The effect of equipment generates vibrations on nearby buildings varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). The Federal Transit Administration (FTA) has published standard vibration velocities for construction equipment operations. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Ground-borne vibration decreases rapidly with distance. Construction activities experienced at the nearest sensitive receptors (10 feet to the east) would be below the 0.20 inch-per-second PPV significance threshold. Thus, a less than significant impact would occur in this regard.

Long-Term Operational Noise Impacts: Operational noise sources include off-site and on-site mobile sources, mechanical equipment, truck deliveries, and parking lot / outdoor seating activities.

Offsite Mobile Noise: The proposed project would result in additional traffic on adjacent roadways, thereby potentially increasing vehicular noise in the vicinity. The most prominent source of mobile traffic noise in the project vicinity is along South Bascom Avenue. According to the California Department of Transportation, doubling of traffic on a roadway would result in an increase of 3 dBA. Based on the traffic analysis prepared for this project, the proposed project would not exceed this threshold and therefore would not result in a significant increase traffic noise levels. A less than significant impact would occur in this regard.

On-Site Mobile Noise: The proposed project site is located in a mostly developed commercial and residential area with an existing Denny's restaurant that operates 24 hours a day, 7 days a week. The proposed Chick-fil-A restaurant operational hours would be limited to the hours of 6:00 a.m. and 11:00 a.m. Mondays to Saturdays and closed on Sundays. The project site is located within the traffic noise levels contour of 70 dBA CNEL that currently exist along Bascom Avenue. Therefore, on-site traffic noise would not generate substantial noise levels in exceedance of the Municipal Code 21.16.070 noise standards for traffic, and a less than significant impact would occur.

Stationary Noise Impacts: Stationary noise impacts are typically associated with mechanical equipment, delivery trucks, parking lot activities, and drive-through operations. Mechanical Equipment, such as heating, ventilation, and air conditioning units (HVAC) systems would either be located on a roof or inside the building. HVAC equipment typically results in noise levels that average between 40 and 50 dBA Leq at 50 feet from the HVAC equipment. The closest sensitive receptors to the roof mounted HVAC systems would be 150 feet to the east. At this distance, the

potential noise levels would be 40 dBA Leq, which would be below the stationary noise threshold of 65 dBA Leq found in Municipal Code 21.16.070 and thus impacts resulting from mechanical equipment would be less than significant. Truck deliveries to the project site would generally consist of small trucks (e.g., medium 2-axle) or vans and would not generate excessive noise levels over an extended time period. Therefore, impacts resulting from truck delivery activities would be less than significant.

Traffic associated with parking lots is typically not of sufficient volume to exceed community noise standards. However, the instantaneous maximum sound levels generated by people talking in the parking lot, a car door slamming, engine starting up, and car pass-bys may be an annoyance to adjacent noise-sensitive receptors. Estimates of the maximum noise levels associated with some parking lot activities are presented in the following table. Sound levels of speech typically range from 33 dBA at 48 feet for normal speech to 50 dBA at 50 feet for very loud speech. It should be noted that parking lot noise are instantaneous noise levels compared to noise standards in the CNEL scale, which are averaged over time. As a result, actual noise levels over time resulting from parking lot activities would be far lower than what is identified in the following table.

Maximum Noise Levels Generated by Parking Lots

Noise Source	Maximum Noise Levels at 50 Feet from Source
Car door slamming	63 dBA L_{eq}
Car starting	60 dBA L_{eq}
Car idling	61 dBA L_{eq}

Parking lot noise would be consistent with the existing noise on-site and would be partially masked by background noise from traffic along South Bascom Avenue and Arroyo Seco Drive. Additionally, the proposed operational hours are less than the 24-hour operational hours of the existing Denny's restaurant use. The proposed project would only be open during the hours of 6:00 am and 11:00 am Mondays to Saturdays and closed on Sundays, which would be a reduction in time that the parking lot is in operation compared to existing uses. Thus, noise associated with parking lot activities for the proposed project is not anticipated to exceed stationary noise standards found in Municipal Code 21.16.070 during operation. Therefore, noise impacts from parking lots would be less than significant.

Drive-through operations consist of a 2-lane drive through that could support a stack of 22 cars, between the hours of 6:00 a.m. and 11:00 p.m. Mondays to Saturdays. The typical noise level associated with active drive-through operations is 68.2 dBA Leq at a distance of 40 feet;

however noise emitting from the drive through speakerphone (at a distance of 120 feet to the closest sensitive receptors) would be reduced to 58.7 dBA Leq. In addition, the drive through speakerphone noise would be masked by traffic noise levels (70 dBA Leq) that currently exist along Bascom Avenue. Noise impacts from the drive through operations would be less than significant in this regard.

(e-f) – No Impact: The project site is not located within an airport land use plan or within two miles of a public or private airport. Therefore, no impact related to airport land use compatibility would occur.

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

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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)?	☐	☐	**X**	☐
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	**X**
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	**X**

DISCUSSION:

(a) – Less than Significant Impact: The proposed project would not induce substantial population growth as the project does not include the creation of housing units or the installation of infrastructure in preparation of additional housing units. Although the project would create new employment opportunities that may nominally increase the market demand for new housing, the City is committed to the continued creation of new housing within the community, as evinced by its certified General Plan Housing Element.

(b-c) – No Impact: The project site is an existing developed commercial property with no residential land uses. The proposed project, therefore, would not displace existing housing or an existing residential population.

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?	☐	☐	☐	**X**
Police protection?	☐	☐	☐	**X**
Schools?	☐	☐	☐	**X**
Parks?	☐	☐	☐	**X**
Other public facilities?	☐	☐	☐	**X**

DISCUSSION:

(a) No Impact - The proposed project site includes demolition of an existing restaurant and construction of a new restaurant. The project will require public services such as fire, police services, schools, open space, and street maintenance; however, these services are currently provided to existing developments in the area and will be available for the proposed use. 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?	☐	☐	☐	**X**
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?	☐	☐	☐	**X**

DISCUSSION:

(a-b) – No Impact: Commercial and office uses, unlike residential land uses, do not typically generate the need to provide greater parkland improvements. Therefore, the proposed project would not significantly increase the use of existing park facilities or require the construction or expansion of recreational facilities.

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

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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?	☐	☐	☐	☐
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?	☐	☐	☐	☐
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?	☐	☐	☐	☐
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☐
e) Result in inadequate emergency access?	☐	☐	☐	☐
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?	☐	☐	☐	☐

DISCUSSION: A Traffic Impact Study, commissioned by the City, was prepared for the project on September 24, 2019 by *W-Trans* for the applicant and reviewed by Senior Planner Cindy McCormick on behalf of the lead agency. The following discussion reflects that analysis.

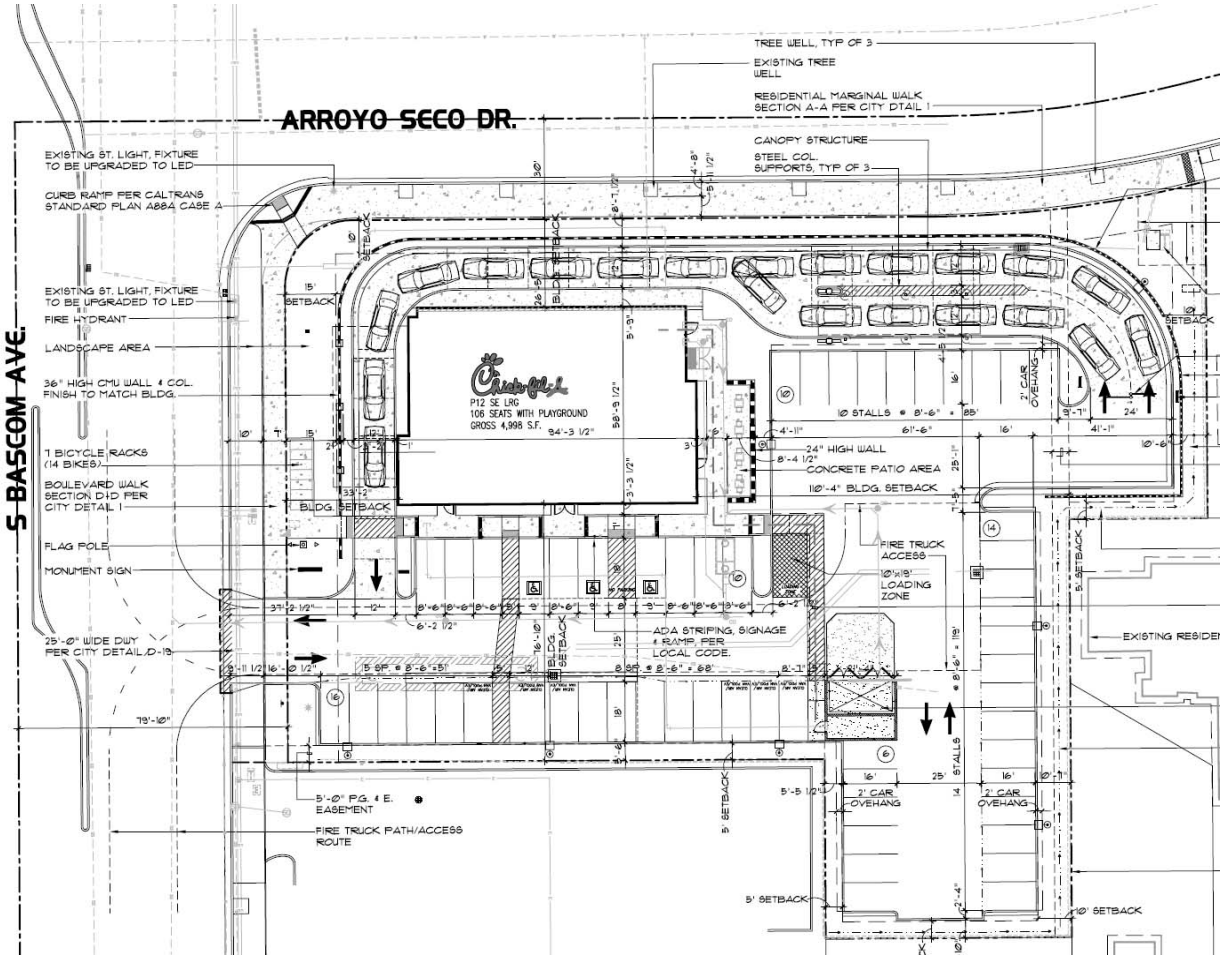
The purpose of the Traffic Impact Study is to identify potentially significant impacts of the proposed project to the transportation system. The Traffic Impact Study was prepared in accordance with the requirements and methodologies set forth by the City of Campbell, the Valley Transportation Authority (VTA), and the Santa Clara County Congestion Management Agency (CMA). The Traffic Impact Study 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.

Pedestrian, Bicycle and Transit Impacts: Pedestrian, bicycle, and transit facilities are adequate to serve the project as proposed.

Access and Circulation: The Traffic Impact Study analyzed site access, sight distance, and site circulation. On-site circulation was evaluated to determine if the layout would provide adequate circulation and room for interactions between pedestrians walking and vehicles maneuvering through the parking lot. Pedestrian access between Arroyo Seco Drive and the building would be provided via the sidewalk on South Bascom Avenue. With regard to vehicle access, the proposed project would remove the driveway on Arroyo Seco Drive and replace it with sidewalk, reducing the total number of vehicle access points from two to one. Sight lines at the existing driveway on

South Bascom Avenue (which will not be altered) is adequate for the approach speeds. Based on a review of the site plan, the internal drive aisles are expected to provide acceptable circulation for motorized vehicles and clearly marked paths for all pedestrians (including those with disabilities) between the building entrances, all areas of the parking lot and sidewalks along South Bascom Avenue. On-site vehicle and pedestrian access between the parking lot, the building, and surrounding amenities is also adequate.

The entrance to the drive-through lanes is proposed near the northeastern edge of the site requiring all vehicles to traverse the full length of the parking lot between the site access on South Bascom Avenue and the drive-through lane entrance. The drive-through lanes are positioned along the northern edge of the site between Arroyo Seco Drive and the main restaurant building, with the exit for the drive-through lane located near the South Bascom Avenue driveway. A turning template analysis confirmed that the drive-through lane is designed with sufficient geometric clearance, and a typical passenger vehicle would be able to use each lane of the drive-through without striking any permanent fixtures.



Project Trip Generation: To evaluate the unique trip and parking generation rates for the proposed Chick-fil-A restaurant, a series of surveys was conducted at existing Chick-fil-A restaurant locations within 100 miles of Campbell. The study locations were chosen because they would provide region-specific vehicle trip and parking generation profiles. The analysis assumes that a new location in Campbell would experience similar trip and parking behavior to the studied location, as opposed to basing the analysis on standard Institute of Transportation Engineers (ITE) rates for typical drive-through restaurants. The following table (extracted from the traffic impact study) lists the study locations and provides the trip generation rates for the project. As shown in the table, the proposed project would generate an average of 2,289 net-new daily trips, including 27 new trips during the a.m. peak hour and 150 new trips during the p.m. peak hour, after deducting trips associated with existing uses to be eliminated as well as pass-by trips. Also illustrated is the ITE calculated rate (not used), which was calculated before applying the 25% pass-by reduction or the existing (Denny's) restaurant credit. After applying these credits, the ITE rates would be lower than the survey rates. Thus, the survey approach provides more conservative rates than the ITE calculated rate.

Table 9 – Chick-fil-A Restaurant Traffic Survey and Trip Rate Calculation

ID	Survey Location	Size[1] (ksf)	Daily		AM Peak Hour				PM Peak Hour			
			Rate (Calc'd)	Trips[2]	Rate (Calc'd)	Trips[2]	In	Out	Rate (Calc'd)	Trips[2]	In	Out
A.	550 W. El Camino Real	4.45	658.65	2,931	12.81	57	34	23	42.70	190	100	90
B.	550 W. El Camino Real	4.45	673.93	2,999	12.81	57	28	29	39.55	176	87	89
C.	2280 Monterey Rd	4.54	1,131.94	5,139	35.46	161	80	81	90.09	409	213	196
D.	5539 Auto Mall Pkwy	4.54	702.86	3,191	27.09	123	61	62	40.75	185	90	95
E.	5539 Auto Mall Pkwy	4.54	579.74	2,632	17.40	79	40	39	31.28	142	68	74
F.	5245 Mowry Ave	4.93	1,077.69	5,313	31.24	154	78	76	88.24	435	225	210
G.	1452 Mendocino Ave	4.50[3]	579.33	2,607	14.22	64	35	29	46.22	208	125	83
H.	**Survey Average[4]**	**4.56**	**772.02**	**3,545**	**21.58**	**99.3**	**50.9**	**48.4**	**54.12**	**249.3**	**129.7**	**119.6**
I.	*2060 S. Bascom Ave (Proposed)*	*5.00*	*772.02*	*3,860*	*21.58*	*108*	*55*	*53*	*54.12*	*271*	*141*	*130*
J.	*Pass-by (-25%)*			*-965*		*-27*	*-14*	*-13*		*-68*	*-35*	*-33*
K.	*Existing Denny's Restaurant (ITE LU #932)*	*5.40*	*-112.18*	*-606*	*-9.94*	*-54*	*-30*	*-24*	*-9.77*	*-53*	*-33*	*-20*
L.	**Total Net-New Trips[5]**			**2,289**		**27**	**11**	**16**		**150**	**73**	**77**
Reference Purposes Only (No Trip Credits Applied)												
M.	*Fast-Food Restaurant w/ Drive-Through Window (ITE LU #934)*	*5.00*	*470.95*	*2,355*	*40.19*	*201*	*102*	*99*	*32.67*	*163*	*85*	*78*

Notes:
1) ksf = 1,000 square feet
2) Number of Trips is calculated by multiplying the size with the rate (e.g., 5.00 x 772.02 = 3,860).
3) Square foot estimated by aerial photograph
4) Survey Average (H = (A+B+C+D+E+F+G)/7)
5) Total Net-New Trips (L = H-J-K)

Neighborhood Impacts: The following nearby residential streets were evaluated for potential impacts: 1. Campbell Avenue (between South Bascom Avenue and Midway Street); 2. Arroyo Seco Drive (between South Bascom Avenue and Midway Street); and 3. El Solyo Avenue (between South Bascom Avenue and Midway Street). The proposed project would result in a less-than-significant impact in terms of traffic intrusion on Campbell Avenue, Arroyo Seco Drive and El Solyo Avenue.

Study Intersections: The Traffic Impact Study analyzed potential impacts at six study intersections during the a.m. and p.m. peak hour. Operating conditions during the a.m. and p.m. peak hours were evaluated to capture the highest potential impacts for the proposed project as well as the highest volumes on the local transportation network. The morning peak hour occurs between 7:00 and 9:00 a.m. and reflects conditions during the home to work or school commute, while the p.m. peak hour occurs between 4:00 and 6:00 p.m. and typically reflects the highest level of congestion during the homeward bound commute. Where available, traffic counts from the Santa Clara County Congestion Management Program were used for the p.m. peak hour analysis.

The following intersections[8] were evaluated: 1. Hamilton Avenue/Salmar Avenue-Highway 17 South Off-ramp (CMP); 2. Hamilton Avenue/Creekside Way (CMP); 3. South Bascom Avenue/Hamilton Avenue (CMP); 4. South Bascom Avenue/Campbell Avenue (CMP); 5. South Bascom Avenue/Arroyo Seco Drive; and 6. South Bascom Avenue/Apricot Avenue. Intersection counts are included in Appendix B of the Traffic Impact Study. With or without the project, all study intersections are expected to continue operating acceptably under all conditions, except that under Cumulative (Year 2040) volumes the intersection of Hamilton Avenue/Salmar Avenue-SR 17 southbound off-ramp (#1) would operate at LOS F during the p.m. peak hour, and the intersection of South Bascom Avenue/Hamilton Avenue (#3) would also operate at LOS F during the a.m. peak hour.

To reduce the impact at the intersection of Hamilton Avenue/Salmar Avenue-SR 17 Southbound off-ramp (#1) to a less-than-significant level, the recommended mitigation measure is to widen the southbound approach at the intersection of Hamilton Avenue/Salmar Avenue-SR 17 southbound off-ramp (#1) from two left-turn lanes, one shared through/left-turn lane and one right-turn lane to include three left-turn lanes, one through lane and one right-turn lane. Since this intersection is included in the VTA Congestion Management Program (CMP) and identified in the Santa Clara County's VTP 2040 list of planned projects, the City and/or VTA may negotiate a financial contribution from the project sponsor per VTA's Voluntary Contributions to Transportation Improvements program. Pursuant to Caltrans' method for calculating equitable mitigation measures, the project sponsor would be responsible for an equitable share contribution equal to a percentage of the final construction cost of the aforementioned ramp widening project.

[8] "CMP" indicates which study intersections that are included in the Santa Clara County Congestion Management Program (CMP) network.

Implementation of **Mitigation Measures TT-1 and TT-2** would reduce this impact to *less than significant* and would reduce the equitable share contribution rate from 1.79 percent to 1.67 percent of the estimated project cost.

Queuing Analysis: Vehicle queuing analyses were conducted to determine whether the existing vehicle storage capacity is adequate for the expected demand during the a.m. and p.m. peak hours. An existing raised concrete median separates the northbound and southbound travel ways along South Bascom Avenue in the immediate vicinity of the project site. A dedicated southbound left-turn lane opening is provided within the median which serves both the main project driveway and U-turn movements for vehicles heading to Arroyo Seco Drive from southbound South Bascom Avenue. The project would result in a significant impact at the southbound Bascom Avenue left-turn lane at the project driveway under the Background plus Project Conditions. The vehicle queuing is anticipated to be 150 feet during the p.m. peak hour. This is 20 feet longer than the 130 feet currently available.

The following strategies were identified as potential mitigation measures addressing the potential for vehicle spillover of the southbound left-turn lane at the project entrance on Bascom Avenue:

1) Reduce the size of the proposed project by 300 square feet (from 4,998 to 4,698 square feet). This would reduce the number of anticipated vehicle trips using the southbound left-turn lane to a degree where the resulting queue length would be adequately accommodated within the storage length available.

2) To inform motorists to use Apricot Avenue as an alternative route if the South Bascom Avenue southbound left-turn lane is full, the project applicant should fund the design and installation of a regulatory sign within the median at the northern end of the left-turn lane which reads “DO NOT BLOCK THRU LANE - USE NEXT SIGNAL” or a similar message. The sign must comply with standards described in the latest edition of the California Manual on Uniform Traffic Control Devices (CA-MUTCD) and also be approved by the City Department of Public Works, prior to installation. An example of a regulatory sign placement within a median is provided in Appendix F of the Traffic Impact Study.

Per the Traffic Impact Study, choosing one of these mitigation measures would reduce the impact to less than significant. However, understanding that some drivers will ignore the traffic sign, the City of Campbell will require a 300 square foot reduction in the building size to better ensure that drivers who ignore the sign will not create a significant impact in the left-hand turn lane. As discussed under the parking subsection of this section of the Initial Study, reducing the building size by 300 square feet would also reduce the parking lot demand such that 56 parking spaces would be adequate. Furthermore, if the building size is reduced by 300 square feet, the associated reduction in project-generated trips would in turn also reduce the equitable share contribution estimate from 1.79 to 1.67 percent. This 300 square foot building reduction is required under **Mitigation Measure TT-1**.

Drive-Through Lane Operations: Based on surveys of other nearby Chick-fil-A restaurant locations, an average peak storage capacity of 21.3 vehicles would be required to accommodate

anticipated demand during the Saturday midday peak hour. Therefore, the drive-through queue is expected to exceed the storage capacity of 20 vehicles by approximately two vehicles during the Saturday midday peak hour. The overflow of two vehicles would stack up in the parking lot aisle and potentially restrict access to approximately four parking spaces. The site can store 12 additional passenger cars in the aisle of the parking lot before the queue would extend onto the driveway apron and block either the sidewalk or a travel lane on South Bascom Avenue. Given that parking lots are a low-speed environment, the temporary blockage of the aisle and adjacent parking spaces is not expected to result in a circulation deficiency as it is consistent with typical driver behavior and expectations within a parking lot. While, the temporary blockage of approximately four spaces would not result in a significant impact for the purposes of CEQA, the City of Campbell may want to consider conditions of approval to address this issue.

Parking: In addition to using surveys to calculate trip generation rates, surveys were conducted to estimate the unique parking demand for the proposed Chick-fil-A restaurant. The results of those surveys, which were conducted during weekdays (Tuesday, Wednesday, or Thursday) and on Saturday, are provided in the tables below.

Table 19 – Weekday Chick-fil-A Restaurant Parking Occupancy Survey and Rate Calculation

Survey Location	Size (ksf)	No. of Spaces	AM Peak Hour			PM Peak Hour		
			Rate (Calc'd)	Max. Occupied	% Occupied	Rate (Calc'd)	Max. Occupied	% Occupied
550 W. El Camino Real	4.45	58	2.25	10	17.2%	11.24	50	86.2%
2280 Monterey Rd	4.54	64	3.96	18	28.1%	10.13	46	71.9%
5539 Auto Mall Pkwy	4.54	52	8.81	40	76.9%	8.37	38	73.1%
5245 Mowry Ave	4.93	44	1.83	9	20.5%	7.71	38	86.4%
Survey Average	**4.62**	**54.5**	**4.21**	**19.3**	**35.7%**	**9.36**	**43.0**	**79.4%**

Notes: ksf = 1,000 square feet; Percent (%) Occupied = Max. Occupied divided by No. of Spaces Available; Rate = Max. Occupied divided by Size in ksf. (e.g., 10 / 4.45 = 2.25)

Table 20 – Saturday Chick-fil-A Restaurant Parking Occupancy Survey and Rate Calculation

Survey Location	Size (ksf)	No. of Spaces	Saturday Mid-Day Peak Hour		
			Rate (Calc'd)	Max. Occupied	% Occupied
550 W. El Camino Real	4.45	58	11.46	51	87.9%
2280 Monterey Rd	4.54	64	13.66	62	96.9%
5539 Auto Mall Pkwy	4.54	52	11.23	51	98.1%
5245 Mowry Ave	4.93	44	8.92	44	100.0%
Survey Average	**4.62**	**54.5**	**11.32**	**52.0**	**95.7%**

Notes: ksf = 1,000 square feet; Percent (%) Occupied = Max. Occupied divided by No. of Spaces Available; Rate = Max. Occupied divided by Size in ksf. (e.g., 51 / 4.45 = 11.46)

According to the surveys conducted at the nearby Chick-fil-A restaurants, the estimated peak parking demand for the proposed project would be 57 parking spaces. This is higher than the City Municipal Code requirement of 56 spaces and lower than the estimated demand using ITE rates of 69 spaces. However, since, the observed parking demand rates are specific to Chick-fil-A restaurants, their customer base and local conditions, these rates were used to calculate the expected parking demand potential for the project, rather than the ITE parking rate.

Although the proposed 56 parking spaces would satisfy the City's parking requirements, it would not satisfy the anticipated parking demand of 57 parking spaces, creating a deficiency of one (1) parking space. However, reducing the proposed building size by 50 square feet would reduce the calculated parking demand from 57 to 56 spaces, which is consistent with the number of spaces proposed. Implementation of **Mitigation Measure TT-2** would reduce this impact to *less than significant*.

(a, b, f) Less than Significant with Mitigation – As provided in the introduction to this section of the Initial Study, the Traffic Impact Study considered City, State (e.g., Caltrans), and regional (e.g., the Valley Transportation Authority and the Santa Clara County Congestion Management Agency) measures of effectiveness for the performance of the circulation system including public transit, bicycle, and pedestrian facilities. The Traffic Impact Study analyzed the level of significance of traffic impacts at signalized intersections, in accordance with VTA Congestion Management Program (CMP) standards for designated CMP intersections. In the case of non-CMP signalized study intersections, the Traffic Impact Study 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 Traffic Impact Study also analyzed potential impacts related to parking and intersection operations.

Implementation of **Mitigation Measure TT-1** would reduce the impact related to parking to a less-than-significant level. Implementation of **Mitigation Measure TT-2** would reduce the impact at the intersection of Hamilton Avenue/Salmar Avenue-SR 17 Southbound off-ramp (#1) to a less-than-significant level.

(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 from South Bascom Avenue. The proposed drive-aisles have a minimum width of 25 feet which is adequate for emergency vehicle access and circulation. Furthermore, the drive-through queue is not anticipated to interfere with emergency vehicle access as the queue would not overlap with the swept vehicle paths illustrated by the turning template analysis provided in Appendix G.

MITIGATION MEASURES

Transportation/Traffic Mitigation Measure TT-1: The project applicant shall reduce the size of the proposed project by 300 square feet (from 4,998 to 4,698 square feet) in order to reduce the number of anticipated vehicle trips using the southbound left-turn lane to a degree where the resulting queue length would be adequately accommodated within the storage length available.

Transportation/Traffic Mitigation Measure TT-2: The project applicant shall provide a financial contribution toward the widening of the southbound approach at the intersection of Hamilton Avenue/Salmar Avenue-SR 17 southbound off-ramp to include three left-turn lanes, one through lane and one right-turn lane. The contribution shall be established by using the method for calculating equitable mitigation measures as outlined in the *Guide for the Preparation of Traffic Impact Studies* published by Caltrans (December 2002). The project to widen the southbound approach has been previously identified as a local capital improvement project (CIP), regardless of the proposed project, and is also currently listed on Santa Clara County's Measure B list of potential projects. Since it is estimated that the proposed project (after a 300 square-foot reduction in building size) would contribute 1.67 percent to the cost to implement this improvement based on the method for calculating equitable mitigation measures (as outlined in the Guide for the Preparation of Traffic Impact Studies published by Caltrans in December 2002), the project applicant shall provide a financial contribution equal to 1.67 percent of the final construction cost of the aforementioned ramp widening project. The most recent estimate anticipates a project cost of $1,800,000.00, resulting in a financial contribution from the proposed project of approximately $30,060. Payment will be due at the time of local and regional project approvals for the ramp widening project, under the terms of a mitigation measure agreement between the property owner and the City, which shall be secured with a cash deposit in the amount of the current financial contribution estimate ($30,060). The mitigation measure agreement shall be prepared at the applicant's cost and executed prior to issuance of building, grading, or demolition permits.

Condition of Approval (Traffic Sign): To inform motorists to use Apricot Avenue as an alternative route if the South Bascom Avenue southbound left-turn lane is full, the project applicant shall fund the design and installation of a regulatory sign within the median at the northern end of the left-turn lane which reads "*DO NOT BLOCK THRU LANE - USE NEXT SIGNAL*" or a similar message. The sign shall comply with standards described in the latest edition of the California Manual on Uniform Traffic Control Devices (CA-MUTCD) and also be approved by the City Department of Public Works, prior to installation.

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)	☐	**X**	☐	☐
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.	☐	**X**	☐	☐

DISCUSSION: 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 with Mitigation - Neither the subject property, nor its existing improvements, 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. Furthermore, prior grading and development on the subject property suggests a low possibility of unearthing cultural artifacts. However, in the event that a tribal cultural resource is discovered during construction, implementation of ***Mitigation Measures CUL-1 and CUL-2*** will require the discontinuation of all work in the immediate vicinity until the find can be properly evaluated and treated, as discussed in Section V (Cultural Resources) of this Initial Study.

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XVIII. UTILITIES AND SERVICE SYSTEMS: Would the project:	Potentially Significant Impact	Less Than Significant with COAs	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	**X**	☐	☐
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?	☐	**X**	☐	☐
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?	☐	**X**	☐	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	**X**	☐
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?	☐	**X**	☐	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	**X**	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	**X**	☐

DISCUSSION:

(a, b & e) – Less than Significant Impact with Conditions of Approval: The proposed project would not generate significant amounts of wastewater or exceed wastewater treatment requirements for the Regional Water Quality Control Board. The project will include a condition of approval to replace the existing 4-inch diameter sewer lateral with a 6-inch diameter sewer lateral, in compliance with the West Valley Sanitation District's "will serve" letter.

(c) – Less than Significant Impact with Conditions of Approval: As a condition of approval, and prior to issuance of any grading or building permits, the applicant shall comply with the National Pollution Discharge Elimination System (NPDES) permit requirements, Santa Clara Valley Water District requirements, and the Campbell Municipal Code regarding stormwater pollution prevention. Specifically the project must include source control, site design and treatment measures to achieve compliance with Provision C.3. of the NPDES Permit. Measures may include, but are not limited to, minimization of impervious surface area, vegetated swales, infiltration areas, and treatment devices.

(d) – Less than Significant Impact: The project will be adequately served by San Jose Water Company, the local water utility, as confirmed in written correspondence ("will serve" letter).

Continued next page

(f-g) – Less than Significant Impact: 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.

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

CONDITIONS OF APPROVAL

Condition of Approval (Sewer Lateral): The minimum sewer lateral size for the proposed restaurant shall be 6-inches.

Condition of Approval (Trash Enclosure Requirements): No pollutants or water containing pollutants shall be discharged into the City's storm drain system. The applicant shall illustrate how the new trash enclosure will prevent discharge pollutants into the storm drain system. West Valley Sanitation District (WVSD), the local sanitary sewer agency, will require a roof on the enclosure if the trash enclosure drain connects to their sanitary sewer system.

Condition of Approval (Stormwater Pollution Prevention Measures): Prior to issuance of any grading or building permits, the applicant shall comply with the National Pollution Discharge Elimination System (NPDES) permit requirements, Santa Clara Valley Water District requirements, and the Campbell Municipal Code regarding stonhwater pollution prevention. Specifically, the project shall include source control, site design and treatment measures to achieve compliance with Provision C.3. of the NPDES Permit. Measures may include, but are not limited to, minimization of impervious surface area, vegetated swales, infiltration areas, and treatment devices.

XVIV. 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?	☐	☐	**X**	☐
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)?	☐	☐	**X**	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	**X**	☐

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 mechanic and determined to be running in proper condition prior to operation.

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: To minimize odors from food preparation, the project applicant or project contractor shall install a CaptiveAire Pollution Control Unit (PCU). The installed PCU shall be optioned to include the odor control module and, at minimum, shall be rated to have an initial removal efficiency of over 70 percent. The project applicant and/or business owner shall replace filters per manufacturer recommendations. Prior to issuance of the Certificate of Occupancy, the City of Campbell shall verify, to its satisfaction, the proper installation of the PCU.

4. **Biological Resources**: The following Mitigation Measures are required:

Biological Resources Mitigation Measure BIO-1: Prior to site clearance, the project applicant shall retain a qualified biologist to conduct preconstruction nesting bird surveys as follows: If tree removal would occur during the nesting season (February 1 to August 31), preconstruction surveys shall be conducted no more than 14 days prior to the start of tree removal or construction. Preconstruction surveys shall be repeated at 14-day intervals until construction has been initiated in the area after which surveys can be stopped. Locations of active nests containing viable eggs or young birds of protected bird species shall be documented and protective measures implemented under the direction of the qualified biologist until the nests no longer contain eggs or young birds. Protective measures shall include establishment of clearly delineated exclusion zones (i.e., demarcated by identifiable fencing, such as orange construction fencing or equivalent) around each nest location as determined by a qualified biologist, taking into account the species of birds nesting, their tolerance for disturbance, and proximity to existing development. In general, exclusion zones shall be a minimum of 300 feet for raptors and 75 feet for passerines and other birds. The active nest within an exclusion zone shall be monitored on a weekly basis throughout the nesting season to identify signs of disturbance and confirm nesting status. The radius of an exclusion zone may be increased by the qualified biologist if project activities are determined to be adversely affecting the nesting birds. Exclusion zones may be reduced by the qualified biologist only in consultation with CDFW. The protection measures shall remain in effect until the young have left the nest and are foraging independently or the nest is no longer active.

No surveys are required before vegetation disturbance between September 1 and January 31, that is, outside of the nesting season.

5. **Cultural Resources**: The following Mitigation Measures are required:

Cultural Resources Mitigation Measure CUL-1: If archaeological, paleontological, or tribal 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.

6. **Geology and Soils**: The following Mitigation Measures are required:

Geology and Soils Mitigation Measure GEO-1: The applicant shall comply with the recommendations in the Geotechnical Evaluation, dated February 20, 2018 by *Giles Engineering Associates.* Such recommendations shall be incorporated into the project's final engineering design as submitted to the Campbell Building Division for issuance of a building permit. The project shall use standard engineering techniques and conform to the requirements of the International Building Code to reduce the potential for seismic damage and risk to future occupants.

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

8. **Hazards and Hazardous Materials**: The following Mitigation Measures are required:

Mitigation Measure HAZ-1: Prior to issuance of a demolition permit, a qualified contractor shall assess the property for presence of lead-based paint (LBP) and asbestos containing building materials (ACBM), and if present, prepare a plan, to the satisfaction of the Building Official, to properly manage and dispose of such materials.

Mitigation Measure HAZ-2: The applicant shall comply with all applicable laws and regulations governing the use, storage, transportation, and disposal of clean soil, contaminated soil, hazardous waste/materials, or other regulated waste/materials to ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts.

Mitigation Measure HAZ-3: Prior to issuance of a demolition or grading permit, the applicant shall obtain a Phase II Environmental Site Assessment (ESA) to determine if a vapor encroachment condition (VEC) exists on the subject property and shall submit it to the Community Development Director for review.

Mitigation Measure HAZ-4: If a vapor encroachment condition (VEC) exists on the subject property, the applicant shall contact the Santa Clara County Department of Environmental Health (DEH) to determine the appropriate actions necessary to mitigate potentially significant impacts to groundwater resources, human health, safety, and the environment. The applicant shall provide the DEH with sufficient data to adequately evaluate soil, groundwater, and soil vapor.

Mitigation Measure HAZ-5: Prior to issuance of a demolition or grading permit, the proposed mitigation actions shall be submitted to the Community Development Director for review and approval. The applicant shall work in collaboration with the City and the DEH to facilitate an efficient and effective site remediation plan.

Mitigation Measure HAZ-6: Prior to the issuance of building permits, the remediation plan shall be approved by the Santa Clara County Department of Environmental Health.

Mitigation Measure HAZ-7: 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.

Mitigation Measure HAZ-8: Prior to issuance of the Certificate of Occupancy, the applicant shall obtain written confirmation via a Closure Letter from the Santa Clara County Department of Environmental Health that certifies that no further action is required.

9. **Hydrology and Water Quality**: The following Mitigation Measures are required:

Mitigation Measure HWQ-1: Prior to issuance of any grading or building permits, the applicant shall comply with all requirements of the City of Campbell Public Works Department, including but not limited to the National Pollution Discharge Elimination System (NPDES) permit requirements, Santa Clara Valley Water District requirements, and the Campbell Municipal Code.

10. **Land Use and Planning**: None Required

11. **Mineral Resources**: None Required

12. **Noise**: None Required

13. Population and Housing: None Required

14. Public Services: None Required

15. Recreation: None Required

16. Transportation and Traffic: The following Mitigation Measures are required:

Transportation/Traffic Mitigation Measure TT-1: The project applicant shall reduce the size of the proposed project by 300 square feet (from 4,998 to 4,698 square feet) in order to reduce the number of anticipated vehicle trips using the southbound left-turn lane to a degree where the resulting queue length would be adequately accommodated within the storage length available.

Transportation/Traffic Mitigation Measure TT-2: The project applicant shall provide a financial contribution toward the widening of the southbound approach at the intersection of Hamilton Avenue/Salmar Avenue-SR 17 southbound off-ramp to include three left-turn lanes, one through lane and one right-turn lane. The contribution shall be established by using the method for calculating equitable mitigation measures as outlined in the *Guide for the Preparation of Traffic Impact Studies* published by Caltrans (December 2002). The project to widen the southbound approach has been previously identified as a local capital improvement project (CIP), regardless of the proposed project, and is also currently listed on Santa Clara County's Measure B list of potential projects. Since it is estimated that the proposed project (after a 300 square-foot reduction in building size) would contribute 1.67 percent to the cost to implement this improvement based on the method for calculating equitable mitigation measures (as outlined in the Guide for the Preparation of Traffic Impact Studies published by Caltrans in December 2002), the project applicant shall provide a financial contribution equal to 1.67 percent of the final construction cost of the aforementioned ramp widening project. The most recent estimate anticipates a project cost of $1,800,000.00, resulting in a financial contribution from the proposed project of approximately $30,060. Payment will be due at the time of local and regional project approvals for the ramp widening project, under the terms of a mitigation measure agreement between the property owner and the City, which shall be secured with a cash deposit in the amount of the current financial contribution estimate ($30,060). The mitigation measure agreement shall be prepared at the applicant's cost and executed prior to issuance of building, grading, or demolition permits.

17. Utilities and Service Systems: None Required

18. Mandatory Findings of Significance: None Required

DRAFT MITIGATED NEGATIVE DECLARATION

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

Project Title: Chick-Fil-A Campbell

File Number(s): PLN2018-206 (CUP, S&A, CEQA) and PLN2018-207 (TRP)

Project Address: 2060 S. Bascom Ave

Project Applicant: Chick-Fil-A

Zoning District: C-2 (General Commercial)

General Plan Designation: General Commercial

Lead Agency: City of Campbell

Contact Person: Cindy McCormick

Date Posted: October 22, 2019

Project Location and Surrounding Land Use: The 46,540 square foot project site is located on the corner of Bascom Avenue and Arroyo Seco Drive, south of East Campbell Avenue. Nearby uses include small shopping complexes to the north, south, and west as well as a large office complex to the west. Several other office and commercial businesses are located in the immediate vicinity along the Bascom Avenue corridor. The site also backs up to residential homes to the east.

Project Description: The proposed project includes a new 4,998 square foot fast food restaurant (Chick-fil-A) and demolition of an existing ~5,358 square foot restaurant (Denny's). Chick-fil-A's typical operational hours are 6:00 a.m. to 11:00 p.m. Monday through Saturday (closed Sunday). The use, as currently proposed, would not include late night hours or alcohol service. A condition of approval would prohibit "late night" deliveries between 11:00 p.m. and 6:00 a.m. unless approved through the conditional use permit process. Most of Chick-fil-A's business is during lunch, with a large percentage of the business coming from drive-through service. During peak lunch hours (~11:00 a.m. to 2:00 p.m.), Chick-fil-A staff will provide "face-to-face" service to queuing drivers to expedite service. During off-peak hours, patrons order food through one of two menu boards that are located under a covered canopy. The proposed drive-through lane

would accommodate up to 20 vehicles. Fifty-six (56) parking stalls are located to the sides and rear of the existing restaurant.

Project Entitlements: The project requires a Conditional Use Permit, Site and Architectural Review Permit, Tree Removal Permit, and CEQA review.

Other public agencies whose approval is required: Valley Transportation Authority (VTA)

PUBLIC REVIEW PERIOD

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

Any person may file a written protest of the draft Mitigated Negative Declaration and/or Mitigation Monitoring Program during the public comment period running from **October 23, 2019** through **November 11, 2019** (closing at 5:00 PM). Such protest must be filed at the Community Development Department, City Hall, 70 North First Street, Campbell, California. The written protest should make a "fair argument" that the project will have one or more significant effects on the environment based on substantial evidence.

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.	☐
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.	☒
3.	I find the proposed project **may have a significant effect** on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.	☐
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.	☐
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.	☐

Cindy McCormick
PROJECT PLANNER

Senior Planner
TITLE

City of Campbell
AGENCY

_____
SIGNATURE

October 22, 2019
DATE

CITY OF CAMPBELL
Community Development Department

MITIGATION MEASURES

XVIV. 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?	☐	☐	X	☐
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)?	☐	☐	X	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	X	☐

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 mechanic and determined to be running in proper condition prior to operation.

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: To minimize odors from food preparation, the project applicant or project contractor shall install a CaptiveAire Pollution Control Unit (PCU). The installed PCU shall be optioned to include the odor control module and, at minimum, shall be rated to have an initial removal efficiency of over 70 percent. The project applicant and/or business owner shall replace filters per manufacturer recommendations. Prior to issuance of the Certificate of Occupancy, the City of Campbell shall verify, to its satisfaction, the proper installation of the PCU.

4. **Biological Resources**: The following Mitigation Measures are required:

Biological Resources Mitigation Measure BIO-1: Prior to site clearance, the project applicant shall retain a qualified biologist to conduct preconstruction nesting bird surveys as follows: If tree removal would occur during the nesting season (February 1 to August 31), preconstruction surveys shall be conducted no more than 14 days prior to the start of tree removal or construction. Preconstruction surveys shall be repeated at 14-day intervals until construction has been initiated in the area after which surveys can be stopped. Locations of active nests containing viable eggs or young birds of protected bird species shall be documented and protective measures implemented under the direction of the qualified biologist until the nests no longer contain eggs or young birds. Protective measures shall include establishment of clearly delineated exclusion zones (i.e., demarcated by identifiable fencing, such as orange construction fencing or equivalent) around each nest location as determined by a qualified biologist, taking into account the species of birds nesting, their tolerance for disturbance, and proximity to existing development. In general, exclusion zones shall be a minimum of 300 feet for raptors and 75 feet for passerines and other birds. The active nest within an exclusion zone shall be monitored on a weekly basis throughout the nesting season to identify signs of disturbance and confirm nesting status. The radius of an exclusion zone may be increased by the qualified biologist if project activities are determined to be adversely affecting the nesting birds. Exclusion zones may be reduced by the qualified biologist only in consultation with CDFW. The protection measures shall remain in effect until the young have left the nest and are foraging independently or the nest is no longer active.

No surveys are required before vegetation disturbance between September 1 and January 31, that is, outside of the nesting season.

5. **Cultural Resources**: The following Mitigation Measures are required:

Cultural Resources Mitigation Measure CUL-1: If archaeological, paleontological, or tribal 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.

6. **Geology and Soils**: The following Mitigation Measures are required:

Geology and Soils Mitigation Measure GEO-1: The applicant shall comply with the recommendations in the Geotechnical Evaluation, dated February 20, 2018 by *Giles Engineering Associates.* Such recommendations shall be incorporated into the project's final engineering design as submitted to the Campbell Building Division for issuance of a building permit. The project shall use standard engineering techniques and conform to the requirements of the International Building Code to reduce the potential for seismic damage and risk to future occupants.

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

8. **Hazards and Hazardous Materials**: The following Mitigation Measures are required:

Mitigation Measure HAZ-1: Prior to issuance of a demolition permit, a qualified contractor shall assess the property for presence of lead-based paint (LBP) and asbestos containing building materials (ACBM), and if present, prepare a plan, to the satisfaction of the Building Official, to properly manage and dispose of such materials.

Mitigation Measure HAZ-2: The applicant shall comply with all applicable laws and regulations governing the use, storage, transportation, and disposal of clean soil, contaminated soil, hazardous waste/materials, or other regulated waste/materials to ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts.

Mitigation Measure HAZ-3: Prior to issuance of a demolition or grading permit, the applicant shall obtain a Phase II Environmental Site Assessment (ESA) to determine if a vapor encroachment condition (VEC) exists on the subject property and shall submit it to the Community Development Director for review.

Mitigation Measure HAZ-4: If a vapor encroachment condition (VEC) exists on the subject property, the applicant shall contact the Santa Clara County Department of Environmental Health (DEH) to determine the appropriate actions necessary to mitigate potentially significant impacts to groundwater resources, human health, safety, and the environment. The applicant shall provide the DEH with sufficient data to adequately evaluate soil, groundwater, and soil vapor.

Mitigation Measure HAZ-5: Prior to issuance of a demolition or grading permit, the proposed mitigation actions shall be submitted to the Community Development Director for review and approval. The applicant shall work in collaboration with the City and the DEH to facilitate an efficient and effective site remediation plan.

Mitigation Measure HAZ-6: Prior to the issuance of building permits, the remediation plan shall be approved by the Santa Clara County Department of Environmental Health.

Mitigation Measure HAZ-7: 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.

Mitigation Measure HAZ-8: Prior to issuance of the Certificate of Occupancy, the applicant shall obtain written confirmation via a Closure Letter from the Santa Clara County Department of Environmental Health that certifies that no further action is required.

9. **Hydrology and Water Quality**: The following Mitigation Measures are required:

Mitigation Measure HWQ-1: Prior to issuance of any grading or building permits, the applicant shall comply with all requirements of the City of Campbell Public Works Department, including but not limited to the National Pollution Discharge Elimination System (NPDES) permit requirements, Santa Clara Valley Water District requirements, and the Campbell Municipal Code.

10. **Land Use and Planning**: None Required

11. **Mineral Resources**: None Required

12. **Noise**: None Required
13. **Population and Housing**: None Required

14. **Public Services**: None Required

15. **Recreation**: None Required

16. **Transportation and Traffic**: The following Mitigation Measures are required:

Transportation/Traffic Mitigation Measure TT-1: The project applicant shall reduce the size of the proposed project by 300 square feet (from 4,998 to 4,698 square feet) in order to reduce the number of anticipated vehicle trips using the southbound left-turn lane to a degree where the resulting queue length would be adequately accommodated within the storage length available.

Transportation/Traffic Mitigation Measure TT-2: The project applicant shall provide a financial contribution toward the widening of the southbound approach at the intersection of Hamilton Avenue/Salmar Avenue-SR 17 southbound off-ramp to include three left-turn lanes, one through lane and one right-turn lane. The contribution shall be established by using the method for calculating

equitable mitigation measures as outlined in the *Guide for the Preparation of Traffic Impact Studies* published by Caltrans (December 2002). The project to widen the southbound approach has been previously identified as a local capital improvement project (CIP), regardless of the proposed project, and is also currently listed on Santa Clara County's Measure B list of potential projects. Since it is estimated that the proposed project (after a 300 square-foot reduction in building size) would contribute 1.67 percent to the cost to implement this improvement based on the method for calculating equitable mitigation measures (as outlined in the Guide for the Preparation of Traffic Impact Studies published by Caltrans in December 2002), the project applicant shall provide a financial contribution equal to 1.67 percent of the final construction cost of the aforementioned ramp widening project. The most recent estimate anticipates a project cost of $1,800,000.00, resulting in a financial contribution from the proposed project of approximately $30,060. Payment will be due at the time of local and regional project approvals for the ramp widening project, under the terms of a mitigation measure agreement between the property owner and the City, which shall be secured with a cash deposit in the amount of the current financial contribution estimate ($30,060). The mitigation measure agreement shall be prepared at the applicant's cost and executed prior to issuance of building, grading, or demolition permits.

17. Utilities and Service Systems: None Required

18. Mandatory Findings of Significance: None Required