

Santa Clara County Clerk – Recorder's Office  
State of California

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



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



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Through: 11/06/2015  
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Fee Total: 2,260.00

REGINA ALCOMENDRAS, County Clerk – Recorder  
by Mike Louie, Clerk – Recorder Office Spe, *ML*

**CEQA DOCUMENT DECLARATION**

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: City of Campbell
2. PROJECT TITLE: Residences at Railway
3. APPLICANT NAME: St. Anton Communitis / Ardie Zahedani PHONE: (916) 444-9897
4. APPLICANT ADDRESS: 1801 I Street, Suite 200, Sacramento, CA 95811
5. PROJECT APPLICANT IS A:  Local Public Agency  School District  Other Special District  State Agency  Private Entity
6. NOTICE TO BE POSTED FOR 30 DAYS.

7. CLASSIFICATION OF ENVIRONMENTAL DOCUMENT

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

<input type="checkbox"/> 1. ENVIRONMENTAL IMPACT REPORT (PUBLIC RESOURCES CODE §21152)	\$ 3,069.75	\$ <u>0.00</u>
<input checked="" type="checkbox"/> 2. NEGATIVE DECLARATION (PUBLIC RESOURCES CODE §21080(C))	\$ 2,210.00	\$ <u>2,210.00</u>
<input type="checkbox"/> 3. APPLICATION FEE WATER DIVERSION (STATE WATER RESOURCES CONTROL BOARD ONLY)	\$ 850.00	\$ <u>0.00</u>
<input type="checkbox"/> 4. PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS	\$ 1,043.75	\$ <u>0.00</u>
<input checked="" type="checkbox"/> 5. COUNTY ADMINISTRATIVE FEE (REQUIRED FOR a-1 THROUGH a-4 ABOVE) Fish & Game Code §711.4(e)	\$ 50.00	\$ <u>50.00</u>

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

<input type="checkbox"/> 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED)	\$ 50.00	\$ <u>0.00</u>
<input type="checkbox"/> 2. A COMPLETED "CEQA FILING FEE NO EFFECT DETERMINATION FORM" FROM THE DEPARTMENT OF FISH & GAME, DOCUMENTING THE DFG'S DETERMINATION THAT THE PROJECT WILL HAVE NO EFFECT ON FISH, WILDLIFE AND HABITAT, OR AN OFFICIAL, DATED RECEIPT / PROOF OF PAYMENT SHOWING PREVIOUS PAYMENT OF THE DFG FILING FEE FOR THE *SAME PROJECT IS ATTACHED (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED)		
DOCUMENT TYPE: <input type="checkbox"/> ENVIRONMENTAL IMPACT REPORT <input type="checkbox"/> NEGATIVE DECLARATION	\$ 50.00	\$ <u>0.00</u>

c. NOTICES THAT ARE NOT SUBJECT TO DFG FEES OR COUNTY ADMINISTRATIVE FEES

<input type="checkbox"/> NOTICE OF PREPARATION	<input type="checkbox"/> NOTICE OF INTENT	NO FEE	\$ <u>NO FEE</u>
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8. OTHER: \_\_\_\_\_ FEE (IF APPLICABLE): \$ \_\_\_\_\_
9. TOTAL RECEIVED..... \$ 2,260.00

\*NOTE: "SAME PROJECT" MEANS NO CHANGES. IF THE DOCUMENT SUBMITTED IS NOT THE SAME (OTHER THAN DATES), A "NO EFFECT DETERMINATION" LETTER FROM THE DEPARTMENT OF FISH AND GAME FOR THE SUBSEQUENT FILING OR THE APPROPRIATE FEES ARE REQUIRED.

THIS FORM MUST BE COMPLETED AND ATTACHED TO THE FRONT OF ALL CEQA DOCUMENTS LISTED ABOVE (INCLUDING COPIES) SUBMITTED FOR FILING. WE WILL NEED AN ORIGINAL (WET SIGNATURE) AND THREE COPIES. (YOUR ORIGINAL WILL BE RETURNED TO YOU AT THE TIME OF FILING.)

CHECKS FOR ALL FEES SHOULD BE MADE PAYABLE TO: SANTA CLARA COUNTY CLERK-RECORDER

PLEASE NOTE: FEES ARE ANNUALLY ADJUSTED (Fish & Game Code §711.4(b)); PLEASE CHECK WITH THIS OFFICE AND THE DEPARTMENT OF FISH AND GAME FOR THE LATEST FEE INFORMATION.

"... NO PROJECT SHALL BE OPERATIVE, VESTED, OR FINAL, NOR SHALL LOCAL GOVERNMENT PERMITS FOR THE PROJECT BE VALID, UNTIL THE FILING FEES REQUIRED PURSUANT TO THIS SECTION ARE PAID." Fish & Game Code §711.4(c)(3)

## NOTICE OF DETERMINATION

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To: \_\_\_\_\_ **Office of Planning & Research**  
1400 Tenth Street, Room 121  
Sacramento, CA 95812-3044

From: City of Campbell  
70 N. First Street  
Campbell, CA 95008

  X   **County Clerk's Office**  
Santa Clara County  
70 W. Hedding Street, East Wing  
San Jose, CA 95110

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Note: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

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**Project Title:** Residences at Railway

**Project Location:** 208 & 226-328 Railway Avenue, and a portion of 290 Dillon Avenue (City Corporation Yard), Campbell, CA, 95008

**Description of Project:** A residential infill project consisting of 157 units, comprised of 119 apartment, 32 townhomes, and six (6) duet units, incorporating applications for a Planned Development Permit, Vesting Tentative Subdivision Map, Tree Removal Permit, Sign Exception and Variance.

**Date of Project Approval:** October 6, 2015 (City Council adoption of approving Ordinance)

**Lead Agency:** City of Campbell

**Lead Agency Contact:** Stephen Rose, Associate Planner – Community Development Department  
(408) 866-2142 / stephenr@cityofcampbell.com

**Name of Applicant:** St. Anton Communities / Ardie Zahedani

**Determination:** This is to advise that the CITY OF CAMPBELL, LEAD AGENCY, approved the above-described project on October 6, 2015, and has made the following determination:

1. The project ( will  will not) have a significant effect on the environment.
2.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
 A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures ( were  were not) made a condition of approval of the project.
4. A statement of overriding considerations ( was  was not) adopted for this project.

This is to certify that the Mitigated Negative Declaration with comments and responses and the record of project approval is available to the general public at the Community Development Department, City of Campbell, 70 N. First Street, Campbell, CA 95008.

Signature: \_\_\_\_\_



Date: 10/7/2015

Title: Associate Planner

10/07/2015

File#: 19620

**RESOLUTION NO. 11883**

BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL ADOPTING A MITIGATED NEGATIVE DECLARATION (PLN2014-325) FOR A PLANNED DEVELOPMENT PERMIT (PLN2014-323), TENTATIVE VESTING SUBDIVISION MAP (PLN2014-324), TREE REMOVAL PERMIT (PLN2014-329), SIGN EXCEPTION (PLN2015-053) AND VARIANCE (PLN2015-167) TO ALLOW THE CONSTRUCTION OF 32 IN-FEE TOWNHOMES, SIX IN-FEE DUETS, AND 119 APARTMENT UNITS ON PROPERTIES LOCATED AT **208 & 226-328 RAILWAY AVENUE & A PORTION OF 290 DILLON AVENUE.**

After notification and public hearing, as specified by law, and after presentation by the Community Development Director, proponents and opponents, the City Council did determine that the adoption of a Mitigated Negative Declaration provides full and adequate environmental review for approval of a Planned Development Permit (PLN2014-323), Tentative Vesting Subdivision Map (PLN2014-324), Tree Removal Permit (PLN2014-329), Sign Exception (PLN2015-053) and Variance (PLN2015-167) to construct 32 in-fee townhomes, six in-fee duets, and 119 apartment units on properties located at **208 & 226-328 Railway Avenue & a portion of 290 Dillon Avenue.**

The City Council finds as follows with regard to adoption of a Mitigated Negative Declaration (PLN2014-325):

1. The proposed project ("project") is a planned residential development consisting of 157-units, comprised of 119 apartment units (rental) and 32 townhouse (for sale) and six duet (for sale) units, and associated on- and off-site improvements, as well as removal of existing on-site trees. The project includes applications for a Planned Development for the approval of site configuration and architectural design, Vesting Tentative Subdivision Map to create individual townhome, duplex and commonly owned lots, Tree Removal Permit to allow for the removal of protected trees, Sign Exception to allow for a large decorative sign element, and Variance to allow the placement of a new service pole in association with the project's undergrounding of overhead utilities.
2. The project site is an assemblage of thirteen parcels located on both sides of Railway Avenue and also includes a small portion of the City Corporation Yard, located at the end of Dillon Avenue, which all together totals 3.90 net acres (4.66 gross).
3. The project site is generally bordered by the Avalon Apartment Community to the south, the remaining City Corporation Yard to the east, the VTA light rail line to the west, and the Calvary Temple of Campbell (church) to the north.
4. To expedite CEQA (California Environmental Quality Act) review, the State of California adopted SB 226 (2011), allowing a "streamlined" review for qualifying infill projects, as codified in Public Resources Code Section 21094.5. An infill project may qualify for streamlined review where a project-level Environmental Impact Report (EIR) has been certified (such as for the General Plan or a specific plan) and the project satisfies applicable "performance measures" (such as proximity to a light-rail station).

5. A qualified infill project may be reviewed under CEQA by preparation of an Infill Environmental Checklist Form (CEQA Guidelines Sec. 15183.3), which incorporates a multidisciplinary environmental review that evaluates various potential environmental impacts, including traffic, air and water pollution, greenhouse gas emissions, noise, and various community impacts. An Environmental Checklist Form may rely on the environmental analysis of the project-level Environmental Impact Report (EIR), including previously adopted mitigation measures, and reference "uniform development policies," such as noise or lighting standards that would substantially mitigate potential impacts.
6. Based on the findings of the Infill Environmental Checklist Form, the lead agency may file a Notice of Exemption, a Negative Declaration, Mitigated Negative Declaration, or an Infill Environmental Impact Report (EIR).
7. The project qualifies as a residential infill project pursuant to CEQA Guidelines Sec. 15183.3 in that it is located in an urban area on a site that either has been previously developed or that adjoins existing qualified urban uses on at least seventy-five percent of the site's perimeter.
8. An Infill Environmental Checklist Form has been prepared for the project, which resulted in the preparation of a draft Mitigated Negative Declaration.
9. A draft Mitigation Monitoring and Reporting Program has been provided demonstrating the responsible party and phase of the project that each Mitigation Measure shall be carried out.
10. There are no responsible agencies or trustee agencies responsible for resources affected by the project.
11. The City of Campbell provided a Notice of Intent to adopt a Mitigated Negative Declaration to the public via the *Campbell Express*, the County Clerk, and on the City website.
12. The City of Campbell provided a 20-day public review period of the Mitigated Negative Declaration pursuant to the California Environmental Quality Act Guidelines. The 20-day public review period was from July 22, 2015 to August 11, 2015.
13. The mitigation measures identified in the Mitigated Negative Declaration are included as Conditions of Approval of the Planned Development Permit and/or Vesting Tentative Subdivision Map.

Based upon the foregoing findings of fact, the City Council further finds and concludes that:

1. On the basis of the Infill Environmental Checklist, and as supported by substantial evidence, the project will not have a significant effect on the environment due to mitigation measures adopted in a previous Environmental Impact Report (EIR), application of uniformly applicable development policies, and incorporation of project-specific mitigation measures agreed to by the project proponent, as specified by the draft Mitigated Negative Declaration.

2. No substantial evidence has been presented from which a reasonable argument could be made that shows that the project, as currently presented and subject to the required Conditions of Approval, will have a significant adverse impact on the environment.
3. The Mitigated Negative Declaration reflects the independent judgment and analysis of the City Council upon recommendation of the Planning Commission.
4. The Custodian of the Record for the Mitigated Negative Declaration and Infill Environmental Checklist Form is the Community Development Department of the City of Campbell, located at 70 North First Street, Campbell, California.

THEREFORE, BE IT RESOLVED that the City Council adopts a Mitigated Negative Declaration (PLN2014-325) (attached Exhibit "A") for a Planned Development Permit (PLN2014-323), Tentative Vesting Subdivision Map (PLN2014-324), Tree Removal Permit (PLN2014-329), Sign Exception (PLN20115-053), and Variance (PLN2015-167) to allow the construction of 32 in-fee townhomes, six in-fee duets, and 119 apartment units on properties located at **208 & 226-328 Railway Avenue & a portion of 290 Dillon Avenue.**

PASSED AND ADOPTED this 15<sup>th</sup> day of September 2015, by the following roll call vote:

AYES: COUNCILMEMBERS: Resnikoff, Kotowski, Baker, Cristina  
NOES: COUNCILMEMBERS: Gibbons  
ABSENT: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: None

APPROVED: \_\_\_\_\_  
Jeffrey R. Cristina, Mayor

ATTEST: Wendy Wood  
Wendy Wood, City Clerk

THE FOREGOING INSTRUMENT IS A TRUE  
AND CORRECT COPY OF THE ORIGINAL  
ON FILE IN THIS OFFICE.

ATTEST: WENDY WOOD, CITY CLERK  
CITY OF CAMPBELL, CA

BY Andrea Sanchez Deputy City Clerk

DATED 9/29/15



**CITY OF CAMPBELL**  
Community Development Department

## MITIGATED NEGATIVE DECLARATION

The Community Development Department has prepared an Infill Environmental Checklist in compliance with State CEQA Guideline Sec. 15183.3 for the purposes of determining whether the proposed infill project described below may have a significant effect on the environment not addressed in a previous Environmental Impact Report (EIR), not substantially mitigated by uniformly applicable development policies, or mitigated through project-specific measures. "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:** Residences at Railway

**File Number(s):** Planned Development Permit (PLN2014-323) | Vesting Tentative Subdivision Map (PLN2014-324) | CEQA Review (PLN2014-325) | Tree Removal Permit (PLN2014-329) | Sign Exception (PLN2015-053) | Variance (PLN2015-167)

**Project Address:** 208 & 226-328 Railway Avenue, & a portion of 290 Dillon Avenue (City Corporation Yard)

**Project Sponsor:** St. Anton Communities / Ardie Zahedani  
1801 I Street, Suite 200  
Sacramento, CA 95811  
(916) 444-9897

**Zoning District:** P-D (Planned Development)

**General Plan** *Commercial/Med.-High Density Residential (14-27 units/gr. acre) and High Density Residential (21-27 units/gr. acre)*

**Lead Agency:** City of Campbell, Community Development Department  
70 N. First Street, Campbell, CA 95008

**Contact Person:** Stephen Rose, Associate Planner  
(408) 866-2142 | [stephenr@cityofcampbell.com](mailto:stephenr@cityofcampbell.com)

**Date Posted:** July 22, 2015

**Surrounding Land Uses / General Plan / Zoning:**

North: Church & Historic Building / Commercial/Med.-High Residential / P-D (Planned Development)  
South: Avalon Apartments / High-Density Residential / P-D (Planned Development)

East: Maintenance Yard / High-Density Residential / P-D (Planned Development)  
West: VTA Light Rail

**Prior Environmental Document(s):** On November 6, 2001, the City of Campbell adopted the Campbell General Plan and certified the Final Environmental Impact Report (EIR) (State Clearing House # 2001042063) for the project. The adopting City Council Resolution (CC Resolution No. 9940) for the EIR, summarized the potentially significant environmental impacts that would be mitigated to a level less than significant with the identified mitigation measures as well as those environmental impacts determined to be significant and unavoidable.

**Location of Prior Environmental Document(s):** City of Campbell City Hall, Community Development Department, 70 N. First Street, Campbell, CA 95008.

**Project Description:** The proposed project is an infill residential development consisting of 157-units, comprised of 119 apartment units (rental) and 32 townhouse (for sale) and six duet (for sale) units. The project is intended to be a walkable, transit oriented, infill development, benefiting from its proximity to the Vasona Light Rail Corridor, Los Gatos Creek Trail, Downtown Campbell businesses, and major regional freeways.

**Finding:** On the basis of the Infill Environmental Checklist, Community Development Department staff has determined that, based upon substantial evidence, the project will not have a significant effect on the environment due to mitigation measures adopted in a previous Environmental Impact Report (EIR), application of uniformly applicable development policies, and incorporation of the following project-specific mitigation measures agreed to by the project proponent.

**Mitigation Measures Included in the Project to Reduce Potentially Significant Environmental Effects to a Less Than Significant Level:**

*Mitigation Measure AIR-1:* The project applicant shall ensure that construction plans include the BAAQMD Best Management Practices for fugitive dust control. The following will be required for all construction activities within the project area. These measures will reduce fugitive dust emissions primarily during soil movement, grading and demolition activities, but also during vehicle and equipment movement on unpaved project sites:

- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- c. 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.
- d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- e. All streets, 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.
- f. 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

toxic control measure Title 13, Section 2485 of CCR). Clear signage shall be provided for construction workers at all access points.

- g. 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.
- h. A publicly visible sign shall be posted 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. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

*Mitigation Measure AIR-2:* The project applicant shall ensure that construction contract specifications include a requirement that all off-road diesel-powered construction equipment used for project improvements be equipped with a Level 3 Verified Diesel Emissions Control (VDEC).

*Mitigation Measure AIR-3:* The project applicant shall ensure that architectural coatings (e.g. paints and solvents) with a VOC content of 100 grams per liter or less shall be used for interior and 150 grams per liter or less for exterior surfaces shall be required.

*Mitigation Measure AIR-4: Hearths.* Fireplaces, if proposed for installation in project residential units, shall use natural gas only.

*Mitigation Measure AIR-5: Implement Enhanced Exhaust Emissions Reduction Measures.* The construction contractor shall implement the following measures during construction to further reduce construction-related exhaust emissions:

- a. All off-road equipment greater than 25 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:
  - i. Where access to alternative sources of power are available, portable diesel engines shall be prohibited; and
  - ii. All off-road equipment shall have:
    - 1. Engines that meet or exceed either USEPA or CARB Tier 2 off-road emission standards, and
    - 2. Engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions
      - a. Control Strategy (VDECS). Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such are available.

*Mitigation Measure BIO-1:* Project-related activities that occur during the breeding season could be constrained in the vicinity of any active nests. If tree removal or ground disturbance activities are scheduled to commence during the breeding season (February 1st through August 31st), pre-construction nesting bird surveys should be conducted by a qualified biologist to identify possible nesting activity within 15 days prior to such activities. A construction-free buffer of suitable dimensions must be established around any active raptor

and migratory bird nest (up to 250 feet, depending on the location and species) for the duration of the project, or until it has been determined that the chicks have fledged and are foraging independently from their parents.

*Mitigation Measure LUP-1:* Apartments (For Rent Units): The applicant and/or property management shall provide annual VTA eco-passes to all apartment tenants at time of move-in and every year after for the length of tenancy. The cost of the VTA eco-passes shall be equally borne by the applicant and tenant. Residents who qualify as very-low income shall be provided an eco-pass at no cost at time of move-in and every year after for the length of tenancy. The applicant and/or property management shall not include the cost of a VTA eco-pass in the overall rent for very-low income apartment units. The requirement to provide no-cost eco-passes shall continue for the life of the project.

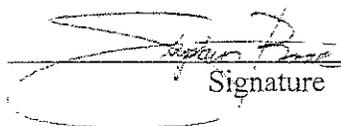
Townhouses/Duplexes (For Sale Units): The applicant and/or established Home Owners Association shall include the cost of an annual VTA eco-pass in the unit dues for the life of the project.

*Mitigation Measure NOI-1:* Air conditioning shall be included in all residences constructed in the Residences at Railway Development to allow occupants to close doors and windows as desired to achieve additional acoustic isolation.

*Mitigation Measure NOI-2:* A noise barrier shall be constructed along the light rail to provide adequate shielding for the backyards of the duplexes.

**PUBLIC REVIEW PERIOD**

Any person may file a written protest of the draft Mitigated Negative Declaration before 5:00 p.m. on **August 11, 2015**. 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. However, please note that certain determinations made pursuant to CEQA Guidelines Sec. 15183.3 are questions of fact to be resolved by the lead agency.

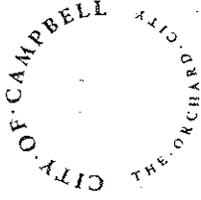
  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Stephen Rose, Associate Planner  
Printed Name

\_\_\_\_\_  
July 22, 2015  
Date

\_\_\_\_\_  
City of Campbell  
Agency

Encl: Infill Environmental Checklist Form  
Mitigation Monitoring and Reporting Program



**CITY OF CAMPBELL**

Community Development Department

**DRAFT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
					Initials	Date
<b>Air Quality - AIR</b>						
<i>Mitigation Measure AIR-1:</i> The project applicant shall ensure that construction plans include the BAAQMD Best Management Practices for fugitive dust control. The following will be required for all construction activities within the project area. These measures will reduce fugitive dust emissions primarily during soil movement, grading and demolition activities, but also during vehicle and equipment movement on unpaved project sites (reference MND for specific measures).	Site Preparation and Construction	City of Campbell	Public Works Department and Building Division	Periodic Compliance Report		
<i>Mitigation Measure AIR-2:</i> The project applicant shall ensure that construction contract specifications include a requirement that all off-road diesel-powered construction equipment used for project improvements be equipped with a Level 3 Verified Diesel Emissions Control (VDEC).	Prior to Construction	City of Campbell	Planning Division and Building Division	Vehicle specifications provided as part of building permit plans.		
<i>Mitigation Measure AIR-3:</i> The project applicant shall ensure that architectural coatings (e.g. paints and solvents) with a VOC content of 100 grams per liter or less shall be used for interior and 150 grams per liter or less for exterior surfaces shall be required.	Prior to Construction	City of Campbell	Planning Division and Building Division	Architectural coating specifications provided as part of building permit plans.		

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
					Initials	Date
Mitigation Measure AIR-4: Hearths. Fireplaces, if proposed for installation in project residential units, shall use natural gas only.	Prior to Construction	City of Campbell	Planning Division and Building Division	Fire place specifications provided as part of building permit plans.		
Mitigation Measure AIR-5: The construction contractor shall implement enhanced exhaust emissions reduction measures to further reduce construction-related exhaust emissions (reference MND for specific measures).	Prior to Construction	City of Campbell	Planning Division and Construction Contractor	Equipment and vehicle specifications provided as part of building permit plans.		
<b>Biological Resources - BIO</b>						
Mitigation Measure BIO-1: Project-related activities that occur during the breeding season could be constrained in the vicinity of any active nests. If tree removal or ground disturbance activities are scheduled to commence during the breeding season (February 1st through August 31st), pre-construction nesting bird surveys should be conducted by a qualified biologist to identify possible nesting activity within 15 days prior to such activities. A construction-free buffer of suitable dimensions must be established around any active raptor and migratory bird nest (up to 250 feet, depending on the location and species) for the duration of the project, or until it has been determined that the chicks have fledged and are foraging independently from their parents.	Prior to Demolition or Tree removal	City of Campbell	Planning Division	Prior to Demolition Permit Issuance		
<b>Land Use and Planning - LUP</b>						
Mitigation Measure LUP-1: Apartments (For Rent Units): The applicant and/or property management shall provide annual VTA eco-passes to all apartment tenants at time of move-in and every year after for the length of tenancy. The cost of the VTA eco-passes shall be equally borne by the applicant and tenant. Residents who qualify as very-low income shall be provided an eco-pass at no cost	Prior to Final Map Approval	City of Campbell	Planning Division	Inclusion of requirement in project CC&R's and HOA Agreements		

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
					Initials	Date
<p>at time of move-in and every year after for the length of tenancy. The applicant and/or property management shall not include the cost of a VTA eco-pass in the overall rent for very-low income apartment units. The requirement to provide no-cost eco-passes shall continue for the life of the project. The requirement to provide eco-passes shall continue for the life of the project.</p> <p>Townhouses/Duplexes (For Sale Units): The applicant and/or established Home Owners Association shall include the cost of an annual VTA eco-pass in the unit dues for the life of the project.</p>						
<b>Noise - NOI</b>						
<p><i>Mitigation Measure NOI-1:</i> Air conditioning shall be included in all residences constructed in the Residences at Railway Development to allow occupants to close doors and windows as desired to achieve additional acoustic isolation.</p>	Prior to Construction	City of Campbell	Planning Division and Construction Contractor	HVAC specifications provided as part of building permit plans.		
<p><i>Mitigation Measure NOI-2:</i> A noise barrier shall be constructed along the light rail to provide adequate shielding for the backyards of the duplexes.</p>	Prior to Construction	City of Campbell	Planning Division and Construction Contractor	Noise barrier specifications provided as part of building permit plans.		