

MITIGATION MONITORING AND REPORTING PROGRAM

1957 Pruneridge Residential Project

CITY OF SANTA CLARA

January 2024

P R E F A C E

Section 21081 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring or Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the monitoring or reporting program is to ensure compliance with the mitigation measures during project implementation.

On _____, the City Council approved the Environmental Impact Report (EIR) for the 1957 Pruneridge Residential Project. The Initial Study/Mitigated Negative Declaration concluded that the implementation of the project could result in significant effects on the environment and mitigation measures were incorporated into the proposed project or are required as a condition of project approval. This Mitigation Monitoring or Reporting Program addresses those measures in terms of how and when they will be implemented.

This document does *not* discuss those subjects for which the EIR concluded that mitigation measures would not be required to reduce significant impacts.

MITIGATION MONITORING OR REPORTING PROGRAM 1957 PRUNERIDGE AVENUE RESIDENTIAL PROJECT				
Impacts	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
Air Quality				
IMPACT AIR-3.1: The proposed project would exceed the Cancer Risk Threshold of 10 cases per million during construction of the project.	MM-AIR 3.1-1: All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emission standards for PM (PM ₁₀ and PM _{2.5}). If Tier 4 equipment is not available, alternatively the project will use equipment that meets U.S. EPA emission standards for Tier 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve a 60 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment; alternatively (or in combination).	During Construction	Project Contractor	City of Santa Clara Building Department
	Alternatively, the applicant may develop a construction operations plan demonstrating that the construction equipment used on-site would achieve a reduction in construction diesel particulate matter emissions by 60 percent or greater. Elements of the plan could include a combination of the following measures: • Implementation Tier 4 engines or alternatively fueled equipment, • Installation of electric power lines during early construction phases to avoid use of diesel generators and compressors, • Use of electrically-powered equipment,	Prior to issuance of any demolition, grading, and/or building permits (whichever occurs earliest).	Project Applicant and air quality professional	Director of Community Development or Director's Designee

MITIGATION MONITORING OR REPORTING PROGRAM 1957 PRUNERIDGE AVENUE RESIDENTIAL PROJECT				
Impacts	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	• Forklifts and aerial lifts used for exterior and interior building construction shall be electric, • Change in construction build-out plans to lengthen phases, and • Implementation of different building techniques that result in less diesel equipment usage. • Such a construction operations plan would be subject to review by an air quality expert and approved by the City prior to construction. The project applicant shall submit a construction operations plan prepared by an air quality professional that outlines how the construction contractor will achieve the measures outlined above. The plan shall be submitted to the Director of Community Development for review and approval prior to issuance of any demolition, grading, and/or building permits (whichever occurs earliest).			

MITIGATION MONITORING OR REPORTING PROGRAM 1957 PRUNERIDGE AVENUE RESIDENTIAL PROJECT				
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Biology				
Impact BIO-1.1: Construction activities could disrupt nesting raptors, or other birds, resulting in abandonment of nests and loss of fertile eggs.	MM-BIO 1.1-1: Construction shall be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds, including most raptors, in the San Francisco Bay Area extends from February 1st through August 31st. If it is not possible to schedule construction and tree removal between September 1 and January 31, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests are disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of grading, tree removal, or other construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). During this survey, the ornithologist shall inspect trees and other possible nesting habitats within and immediately adjacent to the construction area for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the qualified ornithologist, in consultation with California Department of Fish and Wildlife (CDFW), shall determine the extent of a construction-free buffer zone to be established around the nest to ensure that raptor or migratory bird nests shall not be disturbed during project construction.	No more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August)	Project applicant and Qualified ornithologist	Director of Community Development or the Director's designee

MITIGATION MONITORING OR REPORTING PROGRAM 1957 PRUNERIDGE AVENUE RESIDENTIAL PROJECT				
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Impact BIO-5.1: The proposed project would not comply with the City's tree protection policy.	MM-BIO-5.1-1: The project applicant will coordinate with the supervising planner to identify locations off-site for replacement trees in addition to the trees proposed as part of the landscaping on-site in accordance with General Plan Policy 5.3.1- P10. This will require the planting of 21, 24-inch box trees off-site to fully offset the removal of trees on-site. The project applicant will provide the supervising planner with appropriate documentation to confirm that all on- and off-site replacement trees have been planted prior to issuance of occupancy permits.	Prior to issuance of occupancy permits.	The project applicant will provide the supervising planner with appropriate documentation to confirm that all on- and off-site replacement trees have been planted	Supervising Planner
Cultural Resources				
Impact CUL-1.1: The proposed project would require the demolition of the church building on-site which would result in a substantial adverse change to a locally eligible historical resource pursuant to CEQA Guidelines Section 15064.5.	MM CUL-1.1: Prior to issuance of any grading, demolition, or building permits the project applicant shall prepare and submit, for review and approval by the Director of Community Development or the Director's designee, a Historic Resources Mitigation Action Plan (Action Plan) demonstrating that the following steps, actions, and documents have been completed for the historic structure in accordance with the Action Plan timeline. The Action Plan shall include roles and responsibilities between the project applicant, City staff, and outside individuals, groups, firms, and consultants. Documentation (HABS): The structure and associated features on the project site shall be documented in accordance with the guidelines established for the Level III Historic American	Prior to grading of the project site	A qualified archaeological consultant and project applicant	Director of Community Development

MITIGATION MONITORING OR REPORTING PROGRAM 1957 PRUNERIDGE AVENUE RESIDENTIAL PROJECT				
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	Building Survey (HABS) consistent with the Secretary of the Interior's Standards for Architectural and Engineering Documentation and shall consist of the following components: Drawings – Prepare sketch floor plans of the buildings and site plan. Photographs – 35 mm digital photographs meeting the digital photography specifications. Written Data – a historical report with the history of the property, property description and historical significance. A qualified architectural historian meeting the Secretary of the Interior's Professional Qualification Standards shall oversee the preparation of the sketch plans, photographs, research and written data. The documentation shall be submitted to the Director of Community Development or the Director's designee and the City's Historic Preservation Officer for review and approval. After approval, the required documentation shall be filed with the Northwest Information Center at Sonoma State University, the repository for the California Historical Resources Information System. MM CUL-1.2: Documentation (Digital Scans): Prior to issuance of any grading, demolition, or building permits, the structure and associated features on the project site shall be	Prior to issuance of any grading,	Project applicant,	City's Director of Community Development or

MITIGATION MONITORING OR REPORTING PROGRAM 1957 PRUNERIDGE AVENUE RESIDENTIAL PROJECT				
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	documented by a qualified architectural historian through a series of digital scans and video production. The architectural historian shall meet the Secretary of the Interior's Professional Qualification Standards. A plan of the proposed procedures for the digital scans shall be submitted to the City's Director of Community Development or the Director's designee prior to commencement of preparing the digital scans for review and approval. The digital scans must be submitted to the City and filed with the Northwest Information Center at Sonoma State University, the repository for the California Historical Resources Information System prior to the issuance of occupancy permits. MM CUL-1.3: Relocation by the Project applicant and/or a Third Party: Prior to issuance of any demolition permits, the project applicant, or an interested third party, shall be required to advertise the availability of the church for relocation for a period of no less than 60 days. The advertisements must include notification in a newspaper of general circulation, on a website, and notice placed on the project site. The project applicant shall provide evidence (i.e., receipts, date and time stamped photographs, etc.) to the City's Director of Community Development or the Director's designee that this condition has been met prior to the issuance of demolition permits. If the project applicant or third party agrees to relocate the structure, the following measures must be followed:	demolition, or building permits Prior to issuance of any demolition permits	architectural historian The project applicant, or an interested third party	the Director's designee City's Director of Community Development or the Director's designee that this condition has been met prior to the issuance of demolition permits

MITIGATION MONITORING OR REPORTING PROGRAM 1957 PRUNERIDGE AVENUE RESIDENTIAL PROJECT				
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	The Director of Community Development or Director's designee must determine that the receiver site is feasible for the building based on the existing setting. Prior to relocation, the project applicant or third party shall hire a historic preservation architect and a structural engineer to undertake an existing condition study that establishes the baseline condition of the church prior to relocation. The documentation shall take the form of written descriptions and visual illustrations, including those character-defining physical features of the resource that convey its historic significance and must be protected and preserved. The documentation shall be reviewed and approved by the City's Director of Community Development or the Director's designee prior to the structure being moved. To protect the building during relocation, the project applicant shall engage a building mover who has experience moving similar historic structures. A structural engineer shall also be engaged to determine how the building needs to be reinforced/stabilized before the move. Once moved, the building shall be repaired and rehabilitated, as needed, by the project applicant or third party in conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. In particular, the character-defining	Upon completion of all field work, but before completion of the Findings Report During relocation After relocation of the structure	Project applicant The project applicant Project applicant or third party	Director of Community Development Structural Engineer Director of Community Development

MITIGATION MONITORING OR REPORTING PROGRAM 1957 PRUNERIDGE AVENUE RESIDENTIAL PROJECT				
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	features shall be retained in a manner that preserves the integrity of the building for the long-term preservation and reuse. Upon completion of the repairs, a qualified architectural historian shall document and confirm that work to the structure was completed in conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties and character-defining features were preserved. The project applicant shall submit a memo report supplement to the Action Plan to the City's Director of Community Development or the Director's designee documenting the relocation, repair, and reuse prior to issuance of any occupancy permits for the proposed project. MM CUL-1.4: Salvage: If the project applicant and/or a third party cannot agree to relocate the structure within the specified time, the structure shall be made available for salvage to companies facilitating the reuse of historic building materials prior to the issuance of any demolition permits. The time frame available for salvage shall be established by the City's Director of Community Development or the Director's designee in accordance with the Action Plan. The project applicant must provide evidence to the City's Director of Community Development or the Director's designee and Director of Community Development, or Director's designee, that this	After Completion of repairs Prior to the issuance of any demolition permits.	The project applicant Project applicant	City's Director of Community Development or the Director's designee City's Director of Community Development or the Director's designee and Director of Community Development, or Director's designee

MITIGATION MONITORING OR REPORTING PROGRAM 1957 PRUNERIDGE AVENUE RESIDENTIAL PROJECT				
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	condition has been met prior to the issuance of any demolition permits.			
Impact CUL-2.1: Construction of the proposed project would result in excavation in an area which has moderate sensitivity for archeological resources, and could disturb unrecorded archaeological resources.	MM CUL-2.1: Prior to commencement of any ground-disturbing activity on-site, the project applicant shall retain a registered professional archaeologist to be present during all ground-disturbing activity associated with the project. For the purposes of these conditions, ground-disturbing activities shall be defined as any ground disturbance, including but not limited to, excavation, grading, grubbing, scarring, drilling, scraping, blading, trenching, vegetation removal, or demolition of the existing structure or site improvements within the development area shown on the project plans. A registered professional archaeologist shall be given five days' written notice prior to the start of any ground-disturbing activity. The project applicant shall document receipt of notification in writing.	In the event that human remains are discovered during excavation and/or grading of the site	Project Applicant and registered professional archaeologist	Santa Clara County Coroner, Native American Heritage Commission (NAHC)
	MM CUL-2.2: In the event that buried, or previously unrecognized archaeological deposits or materials of any kind are inadvertently exposed during any construction activity, work within 50 feet of the find shall cease until a qualified archaeologist can assess the find and provide recommendations for further treatment, if warranted. The archaeologist, in consultation with the project applicant, shall make the necessary plans for treatment of the find(s) if the resource is eligible for listing on the National Register of Historic Places (NRHP) or the California Register of Historical Resources	In the event that buried, or previously unrecognized archaeological deposits or materials of any kind are inadvertently exposed during	Registered professional archaeologist and project applicant	Santa Clara County Coroner, Native American Heritage Commission (NAHC)

MITIGATION MONITORING OR REPORTING PROGRAM 1957 PRUNERIDGE AVENUE RESIDENTIAL PROJECT				
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	(CRHR). Construction within a radius determined by the archaeologist shall not recommence until the assessment is complete. Any treatment other than preservation in place must be approved by the City of Santa Clara. Treatment for most resources would consist of (but would not be limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in resource. The culturally affiliated tribe(s) who consulted on the project, or if no consultation occurred the tribe identified by the Native American Heritage Commission (NAHC), shall determine the disposition of any Tribal Cultural Resources (TCR) artifacts discovered during on-site excavation or construction activities or TCR artifacts resulting from execution of a treatment plan. The disposition of TCR artifacts shall include, but not be limited to, reburying in close proximity of the finds without scientific study, allowing scientific study before reburying the materials either near the origin of the find or in another protected place, or temporary curation at a facility at an institution that meets the U.S. Secretary of the Interior's criteria for curation (36 CFR 79) prior to reburial. Disposition of any TCR artifacts shall be subject to approval by the culturally affiliated tribe. All curation fees and related expenses shall be paid by the project applicant.	any construction activity		

MITIGATION MONITORING OR REPORTING PROGRAM 1957 PRUNERIDGE AVENUE RESIDENTIAL PROJECT				
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	To ensure adequate space and protection are provided for reburial of any TCRs discovered on the project site, the Permittee shall designate a cultural easement area. The easement area shall be in a location that will not be subject to future disturbance and that will not require the relocation of buildings or other physical improvements on the site. The registered professional archaeologist shall file State of California Department of Parks and Recreation (DPR) Series 523 forms for the cultural easement/TCR reburial location (if used) with the California Historical Resources Information System (CHRIS) Center in accordance with the guidelines established by the California Office of Historic Preservation. The DPR Series 523 forms shall establish a permanent record of the cultural easement location and any TCRs discovered on the project site for future site identification and protection. The registered professional archeologist shall also file a Sacred Lands File record with the NAHC on behalf of the culturally affiliated tribe.			
Impact CUL-3.1: The proposed project could result in the disturbance of human remains during excavation of the project site.	MM CUL-3.1: In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner shall notify the Native American	In the event that human remains are discovered during excavation and/or grading of the site	Project applicant	Santa Clara County Coroner and the Native American Heritage Commission

MITIGATION MONITORING OR REPORTING PROGRAM 1957 PRUNERIDGE AVENUE RESIDENTIAL PROJECT				
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	Heritage Commission (NAHC) immediately. Once NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.			
Impact CUL - 4.1: The proposed project would result in the demolition of the church building on-site which would cause a substantial adverse cumulative change in a historical resource pursuant to CEQA Guidelines Section 15064.5.	The proposed project would implement Mitigation Measures MM CUL-1.1 through MM CUL-1.5 which would reduce impacts to the historical resources on-site.			
Geology and Soils				
Impact GEO-1.1: Buildings constructed on-site could experience settlement in the event of strong ground shaking as a result of an earthquake	MM GEO 1-1: Consistent with General Plan Policy 5.10.5-P6 and General Plan Policy 5.10.5-P7, the project would be built using standard engineering and seismic safety design techniques. Building design and construction at the site shall be completed in conformance with the recommendations of a design-level geotechnical investigation, which will be included in a geotechnical report to the City. The report shall be	As part of the building permit review and issuance process	Project applicant and contractors	City of Santa Clara's Building Division

MITIGATION MONITORING OR REPORTING PROGRAM 1957 PRUNERIDGE AVENUE RESIDENTIAL PROJECT				
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or other geologic events.	reviewed and approved by the City of Santa Clara's Building Division as part of the building permit review and issuance process. The building shall meet the requirements of applicable Building and Fire Codes, including the current California Building Code, as adopted or updated by the City. The project shall be designed to withstand potential geologic hazards identified on the site, including liquefaction and shrink swell capacity of soils, and the project shall be designed to reduce the risk to life or property in compliance with the Building Code.			

In addition to mitigation measures listed above, there are also other conditions of approval the project shall implement, including the following:

CONDITIONS OF APPROVAL 1957 PRUNERIDGE RESIDENTIAL PROJECT	
Construction Dust Emissions Best Management Practices	
• During any construction period ground disturbance, the applicant shall ensure that the project contractor implements measures to control dust and exhaust. Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality impacts associated with grading and new construction to a less than significant level. Additional measures are identified to reduce construction equipment exhaust emissions. The contractor would implement the following best management practices (BMPs) that are required of all projects: ○ All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) would be watered two times per day. ○ All haul trucks transporting soil, sand, or other loose material off-site would be covered. ○ All visible mud or dirt track-out onto adjacent public roads would be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. ○ All vehicle speeds on unpaved roads would be limited to 15 miles per hour (mph). ○ All roadways, driveways, and sidewalks to be paved would be completed as soon as possible. Building pads would be laid as soon as possible after grading unless seeding or soil binders are used. ○ Idling times would be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage would be provided for construction workers at all access points. ○ All construction equipment would be maintained and properly tuned in accordance with manufacturer's specifications. All equipment would be checked by a certified mechanic and determined to be running in proper condition prior to operation. ○ Post a publicly visible sign with the telephone number project construction superintendent regarding dust complaints. This person would respond and take corrective action within 48 hours. The Air District's phone number would be visible to ensure compliance with applicable regulations.	
Paleontological Resources	
• If vertebrate fossils are discovered during construction, all work on the site shall stop immediately, the Director of Community Development or the Director's designee shall be notified, and a qualified professional paleontologist shall assess the nature and importance of the find and recommend appropriate treatment. Treatment may include, but is not limited to, preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the	

CONDITIONS OF APPROVAL 1957 PRUNERIDGE RESIDENTIAL PROJECT	
finds. The project applicant shall be responsible for implementing the recommendations of the qualified paleontologist. A report of all findings shall be submitted to the Director of Community Development or the Director's designee.	
Traffic Parking Controls	
• A 25-foot long red painted curb will be painted on both sides of the site access driveway along Pruneridge Avenue to prohibit street parking and allow for adequate site distance for cars exiting the site.	
Lead and Asbestos	
• In conformance with state and local laws, a visual inspection/pre-demolition survey, and possible sampling, shall be conducted prior to the demolition of on-site building(s) to determine the presence of ACSMs and/or LBP. • During demolition activities, all building materials containing LBP shall be removed in accordance with Cal/OSHA Lead in Title 8, California Code of Regulations (CCR), Section 1532.1, including employee training, employee air monitoring, and dust control. Any debris or soil containing LBP or coatings shall be disposed of at landfills that meet acceptance criteria for the type of lead being disposed. • All potentially friable ACMs shall be removed in accordance with NESHAP guidelines prior to demolition or renovation activities that may disturb ACMs. All demolition activities shall be undertaken in accordance with Cal/OSHA standards contained in Title 8, CCR, Section 1529, to protect workers from asbestos exposure. • A registered asbestos abatement contractor shall be retained to remove and dispose of ACMs identified in the asbestos survey performed for the site in accordance with the standards stated above. • Materials containing more than one-percent asbestos are also subject to BAAQMD regulations. Removal of materials containing more than one-percent asbestos shall be completed in accordance with BAAQMD requirements and notifications.	
Construction Water Quality Best Management Practices	
• Burlap bags filled with drain rock shall be installed around storm drains to route sediment and other debris away from the drains; • Earthmoving or other dust-producing activities would be suspended during period of high winds; • All exposed or disturbed soil surfaces would be watered at least twice daily to control dust as necessary; • Stockpiles of soil or other materials that can be blown by the wind would be watered or covered; • All trucks hauling soil, sand, and other loose materials shall be covered; • All paved access roads, parking areas, staging areas and residential streets adjacent to the construction sites would be swept daily (with water sweepers); and	

CONDITIONS OF APPROVAL
1957 PRUNERIDGE RESIDENTIAL PROJECT

- Vegetation in disturbed areas would be replanted as quickly as possible.

Construction Noise Control Plan

- Develop a construction noise control plan, including, but not limited to, the following available controls:
 - Ensure that excavating, grading and filling activities, and other construction activities (including the loading and unloading of materials and truck movements) within 300 feet of residentially zoned property, including hotel properties, are limited to the hours of 7:00 a.m. to 6:00 p.m. on weekdays and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays. No construction is permitted on Sundays or holidays.
 - Construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment. Temporary noise barrier fences would provide a 5 dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receptor and if the barrier is constructed in a manner that eliminates any cracks or gaps.
 - Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
 - Unnecessary idling of internal combustion engines should be strictly prohibited.
 - Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.
 - Utilize "quiet" air compressors and other stationary noise sources where technology exists.
 - Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
 - Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors.
 - Route construction-related traffic along major roadways and as far as feasible from sensitive receptors.
 - Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
 - The contractor shall prepare a detailed construction schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.

CONDITIONS OF APPROVAL
1957 PRUNERIDGE RESIDENTIAL PROJECT

- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

Interior Noise Building Design Measures

- The following noise insulation features shall be incorporated into the proposed project to reduce interior noise levels to 45 dBA CNEL or less at residential interiors:
 - Provide a suitable form of forced-air mechanical ventilation, as determined by the local building official, so that windows can be kept closed at the occupant's discretion to control interior noise and achieve the interior noise standards. Preliminary calculations indicate that worst-case units along Pruneridge Avenue would require windows and doors having a minimum rating of 26 STC in order to achieve the interior noise threshold of 45 dBA CNEL.
 - A qualified acoustical specialist shall prepare a detailed analysis of interior residential noise levels resulting from all exterior sources during the design phase pursuant to requirements set forth in the Santa Clara General Plan. The study will review the final site plan, building elevations, and floor plans prior to construction and recommend building treatments to reduce residential interior noise levels to 45 dBA CNEL or lower. Treatments would include, but are not limited to, sound-rated windows and doors, sound-rated wall and window constructions, acoustical caulking, protected ventilation openings, etc. The specific determination of what noise insulation treatments are necessary shall be conducted on a unit-by-unit basis during final design of the project. Results of the analysis, including the description of the necessary noise control treatments, shall be submitted to the City, along with the building plans and approved design, prior to issuance of a building permit.

Sources: City of Santa Clara. *Draft EIR for the 1957 Pruneridge Residential Project*. September 2023.