City of Santa Clara

Meeting Agenda

Planning Commission

Wednesday, May 23, 2018 **7:00 PM** **City Hall Council Chambers**

Items for Council Action

18-446 - Public Hearing: 2018-2019 CIP Budget General Plan Conformance
18-252 - 575 Benton Street Mixed Use Project

PLEDGE OF ALLEGIANCE AND STATEMENT OF VALUES

ROLL CALL

DECLARATION OF COMMISSION PROCEDURES

CONTINUANCES/EXCEPTIONS

CONSENT CALENDAR

Consent Calendar items may be enacted, approved or adopted, based upon the findings prepared and provided in the written staff report, by one motion unless requested to be removed by anyone for discussion or explanation. If any member of the Planning Commission, staff, the applicant or a member of the public wishes to comment on a Consent Calendar item, or would like the item to be heard on the regular agenda, please notify Planning staff, or request this action at the Planning Commission meeting when the Chair calls for these requests during the Consent Calendar review. Items listed on the Consent Calendar with associated file numbers constitute Public Hearing items.

18-570 Planning Commission Minutes of May 9, 2018

18-543 Action on Use Permit for ABC License Type 47 for 3151 Mission College Boulevard

Recommendation: Adopt a Resolution approving a Use Permit for sales and consumption of beer, wine and distilled spirits (ABC License Type 47) in a new restaurant (BurgerIM) subject to conditions of approval.

PUBLIC HEARING

Items listed above under Items for Council Action will be scheduled for Council review following the conclusion of hearings and recommendations by the Planning Commission. Due to timing of notices for Council hearings and the preparation of Council agenda reports, these items will not necessarily be heard on the date the minutes from this meeting are forwarded to the Council. Please contact the Planning Division office for information on the schedule of hearings for these items.

18-446 Public Hearing: 2018-2019 CIP Budget General Plan Conformance

Recommendation: Adopt a Resolution making findings on the conformity of the Fiscal Year 2018-2019 Capital Improvement Program Budget with the 2010-2035 General Plan.

18-252 Public Hearing: Action on a Mixed Use Project located at 575 Benton Street

Recommendation: Alternatives 1, 2, 3, 4, and 5:
1. Adopt a resolution recommending to the City Council adoption of an Addendum#1 to the Mission Town Center Final Environmental Impact Report (FEIR).
2. Adopt a resolution recommending to the City Council approval of the General Plan Amendment (GPA) from Santa Clara Station High Density Residential to Santa Clara Station Very High Density Residential.
3. Adopt a resolution recommending to the City Council approval of the rezoning from Light Industrial (ML), Single-Family (R1-6L), Duplex (R2-7L) and Thoroughfare Commercial (CT) to Planned Development (PD) to allow the development of 355 apartment units, 24,000 to 27,000 square feet of retail space including retail in proximity at the northeast corner of The Alameda and Benton Street, and approximately 6,000 square feet of amenity and leasing space, and thereby increasing the amount of retail space from 19,985 square feet.
4. Adopt a resolution recommending to the City Council adoption of an Ordinance to approve the Development Agreement.
5. Adopt a resolution recommending to the City Council that the proposed vacation of portions of Fremont Street and Sherman Street would be consistent with the General Plan.

PUBLIC PRESENTATIONS

Members of the public may briefly address the Commission on any item not on the agenda.

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items

   Assistant City Attorney presentation of emails protocol use for Planning Commissioners.

2. Board or Committee Assignments

3. Architectural Committee

4. Commissioner Travel and Training Reports, Requests to attend Trainings

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

1. Planning Commission Budget Updates

2. Upcoming Agenda Items

3. City Council Actions

ADJOURNMENT:

The next regular scheduled meeting is on June 13, 2018 at 7:00 PM in the City Hall Council Chambers.

City of Santa Clara

Meeting Minutes - Draft

Planning Commission

05/09/2018 | **7:00 PM** | **City Hall Council Chambers**

Items for Council Action

18-323: Action on an Amendment of Zoning Code Chapter 18.74 - Parking Regulations

18-336: Catalina Townhouse Residential Development Project at 1375 El Camino Real

18-452: Moonlite Lanes Townhome Project at 2780 El Camino Real

PLEDGE OF ALLEGIANCE AND STATEMENT OF VALUES

Chair Ikezi initiated the Pledge of Allegiance and Commissioner O'Halloran read the Statement of Values.

ROLL CALL

Present - 6 Commissioner Chahal, Chair Yuki Ikezi, Commissioner Suds Jain, Commissioner Steve Kelly, Commissioner Michael O'Halloran, and Commissioner Lance Saleme.

Staff present were: Assistant City Attorney Alexander Abbe, Planning Manager Reena Brilliot, Development Review Officer Gloria Sciara, Principal Planner John Davidson, Associate Planner Rebecca Bustos, Associate Planner Debby Fernandez, and Office Specialist IV Rosa Avalos.

DECLARATION OF COMMISSION PROCEDURES

Chair Ikezi read the Declaration of Commission Procedures for those present.

CONTINUANCES/EXCEPTIONS

None

CONSENT CALENDAR

1. 18-423 Planning Commission Minutes of April 11, 2018

The Planning Commission Minutes of April 11, 2018 were approved (5-0-0-1, Chahal abstained).

PUBLIC HEARING

2. 18-323 Action on an Amendment of Zoning Code Chapter 18.74 - Parking Regulations

Recommendation: Adopt the proposed Zoning Code Amendment to add definitions and parking ratios for data centers and self-storage facilities to chapter 18.74, parking regulations.

A motion was made by Commissioner Chahal, seconded by Commissioner Kelly, to recommend that Council adopt the proposed Zoning Code Amendment to add definition and parking ratios for data centers and self-storage facilities to chapter 18.74, parking regulations, approved unanimously (6-0-0-0).

A motion was made by Commissioner Jain, seconded by Commissioner Chahal, to recommend that staff undertake a study of parking ratios for bicycles and electric vehicle charging for the Zoning Code Update and Climate Action Plan to be brought to a future meeting, approved unanimously (6-0-0-0).

3. 18-336 Action on Catalina Townhouse Residential Development Project at 1375 El Camino Real

Recommendation: 1. Recommend adoption of the Mitigated Negative Declaration and Adoption of the Mitigation Monitoring and Reporting Program for the Catalina Residential Development Project; and
2. Recommend approval of the rezoning from Thoroughfare Commercial (CT) to Planned Development (PD) to allow development of 52 townhouse units, including 8 live-work units, with an additional 1,475 square feet of amenity and open space and approve the Vesting Tentative Subdivision Map to subdivide one lot into 10 lots.

1. A Motion was made by Commissioner Kelly, seconded by Commissioner Jain, to recommend that the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Catalina Residential Development, approved unanimously (6-0-0-0).

A Motion was made by Commissioner Kelly, seconded by Commissioner Jain, to recommend that the City Council approve the Rezone from Thoroughfare Commercial (CT) to Planned Development (PD) with 53 units, one additional below market rate unit for a total of six affordable units, and increased common open space area to a total of approximately 3,000 square feet, approved (5-1-0-0, O'Halloran opposed) with the following additional recommendations:

• that the applicant provide overhead storage in each of the garages.
• that the applicant provide one of the guest parking spaces as a dedicated rideshare parking space equipped for vehicle charging.

• that a Planned Development Amendment be required for façade modifications to the live/work units.
• that signage be utilized for the parking spaces closest to the live/work units for business patrons.

3. A Motion was made by Commissioner Kelly, seconded by Commissioner Jain, to recommend that the City Council approve the Vesting Tentative Subdivision Map to subdivide one lot into 10 lots, approved unanimously (6-0-0-0).

4. 18-452 Action on the Moonlite Lanes Townhome Project at 2780 El Camino Real

Recommendation: Recommend that the City Council:

1) Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Moonlite Lanes Townhome Project;
2) Approve General Plan Amendment #85 from Regional Mixed Use to Medium Density Residential;
3) Approve the Rezone from Community Commercial (CC) to Planned Development (PD) to allow the construction of a 58 residential townhome development; and
4) Approve the Vesting Tentative Subdivision Map to create 58 for-sale residential lots and 13 common lots for use as a private street and utility corridors.

One member of the public, Josue Garcia from the Santa Clara County Residents for Responsible Development, spoke in favor of the project stating that the development will provide construction jobs and much needed housing.

1. A Motion was made Commissioner Jain, seconded by Commissioner Kelly, to recommend that the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, passed unanimously (6-0-0-0).

A Motion was made by Commissioner Jain, seconded by Commissioner Saleme, to recommend that the City Council approve the General Plan Amendment #85 from Regional Mixed Use to Medium Density Residential, passed unanimously (6-0-0-0).

A Motion was made by Commissioner Kelly, seconded by Commissioner Jain, to recommend that the City Council approve the Rezone from Community Commercial (CC) to Planned Development (PD) to allow the construction of a 58 residential townhome development, approved unanimously (6-0-0-0) with the following additional recommendations:

• that the HOA provide transit passes for interested residents
• that condition E24 be eliminated as it is not applicable to this project
• that condition C25 be clarified to state that garages will be pre-wired at a Level 2 for EV charging
• that the applicant provide a centralized green space wherever feasible
• that one parking space be reserved for ride share parking, if possible
• that the applicant offer overhead storage in garages as an option for buyers

After discussion, Commissioner Jain rescinded the motion, seconded by Commissioner Chahal, and approved unanimously (6-0-0-0) to discuss and clarify the number of affordable units.

Commissioner Jain motioned to recommend that the City Council approve the Rezone from Community Commercial (CC) to Planned Development (PD) to allow the construction of a 58 residential townhome development, approved unanimously (6-0-0-0) with the following additional recommendations:

- that the HOA provide transit passes for interested residents
- that condition E24 be eliminated as it is not applicable to this project
- that condition C25 be clarified to state that garages will be pre-wired at a Level 2 for EV charging
- that the applicant provide a centralized green space wherever feasible
- that one parking space be reserved for ride share parking, if possible
- that the applicant offer overhead storage in garages as an option for buyers
- that the applicant offer six affordable units instead of five

4. A Motion was made by Commissioner Kelly, seconded by Commissioner Jain, to recommend that the City Council approve the Vesting Tentative Subdivision Map to create 58-for sale residential lots and 13 common lots for use as a private street and utility corridors, passed unanimously (6-0-0-0).

An additional Motion was made by Commissioner Jain, seconded by Commissioner Chahal, to request that the applicant provide clarification of the numbers from Table 1 of the Mitigated Negative Declaration regarding the traffic study before the Council hearing, approved unanimously (6-0-0-0).

PUBLIC PRESENTATIONS

None

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items

Commissioner Jain requested that the name of planners and the data tables be included on reports. Planning Manager Reena Brilliot explained that the new format for reports, per the Guidelines for standardization, does not allow the names to be included on the reports but that planner names will be added to the project data attachments.

2. Board or Committee Assignments

3. Architectural Committee

4. Commissioner Travel and Training Reports, Requests to attend Trainings

Commissioner Kelly discussed the APA conference that he attended in New Orleans and summarized what he learned.

Request for approval to reimburse Commissioners for the APA Conference in 2017.

Gloria Sciara explained that funds for Commissioner Chahal's reimbursement for the 2017 APA conference were not previously included in the budget report. Commissioner Kelly requested reimbursement for the 2017 conference, since he was only partially reimbursed. The Commission agreed that any funds remaining after current reimbursements can be used to pay for Commissioner's Kelly 2017 trip. The Commission also agreed to use any remaining funds to schedule training sessions.

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

1. Planning Commission Budget Updates

Discussion of request to consider allocating $1000 for Planning Commission trainings.

Commissioner Jain made recommendations about potential speakers, including Nathan Ho from the Silicon Valley Leadership Group who would present the Commission with affordable housing information at no cost. Commissioner Jain also suggested the Silicon Valley Bicycle Coalition, and Linda Glass from the Cultural Commission in Los Altos to discuss public art fees. Staff will arrange to have a traffic engineer from the Public Works Department present at a Planning Commission meeting to discuss traffic study data.

Discussion of request to consider allocating $1000 for Planning Commission trainings.

Commissioner Jain made recommendations about potential speakers, including Nathan Ho from the Silicon Valley Leadership Group who would present the Commission with affordable housing information at no cost. Commissioner Jain also suggested the Silicon Valley Bicycle Coalition, and Linda Glass from the Cultural Commission in Los Altos to discuss public art fees. Staff will arrange to have a traffic engineer from the Public Works Department present at a Planning Commission meeting to discuss traffic study data.

2. Upcoming Agenda Items

Update on the status of City emails for Planning Commissioners and upcoming training and study session.

Staff stated that a Brown Act study session will be presented at the next meeting to discuss issues as related to City emails.

3. City Council Actions

Development Review Officer Gloria Sciara stated that the appointment of a Planning Commissioner was continued to a future meeting.

ADJOURNMENT:

The meeting adjourned at 12:10 AM. The next regular scheduled meeting is on May 23, 2018 at 7:00 PM in the City Hall Council Chambers.

18-543 **Agenda Date: 5/23/2018**

REPORT TO PLANNING COMMISSION

SUBJECT
Action on Use Permit for ABC License Type 47 for 3151 Mission College Boulevard

BACKGROUND
The applicant is requesting a Use Permit to allow on-site sale and consumption of beer, wine and distilled spirits (ABC License Type 47) in a new BurgerIM restaurant, located on the north side of Mission College Boulevard. The BurgerIM restaurant is in progress of opening and will occupy a 2,341 square foot tenant interior space with a 426 square foot outdoor patio seating area which offers 72 seats in total. Proposed restaurant hours of operation, along with the sale and service of alcohol, are Monday -Thursday: 11:00 a.m. to 10:00 p.m., Friday-Saturday: 11:00 a.m. to 1:00 a.m. and Sunday: 11:00 a.m. to 10:00 p.m.

The retail building containing the subject restaurant was constructed in 1997 as part of the Mercado Shopping Center. In 2017, the building owner requested to downsize the existing Mexicali Grill restaurant creating another tenant space to accommodate the BurgerIM restaurant within the existing footprint. The tenant improvement plans are currently under review by the Building Department.

Surrounding Land Uses
The existing Mercado Shopping Center is bordered by Calabazas Creek to the west, Mission College to the north, an existing office campus with High Intensity Office (R&D) land use designation to the east, and U.S. Highway 101 and Mission College Boulevard to the south.]

DISCUSSION
The primary issues for the project are consistency with the City's General Plan and Zoning and parking.

Consistency with the General Plan
The subject property has a General Plan designation of Regional Commercial (RGCO). This classification is intended for retail and commercial uses that provide local and regional services. It is intended for commercial developments that serve both Santa Clara residents and the surrounding region. A broad range of retail uses are allowed, including regional shopping centers and restaurants. The project is also consistent with the following General Plan policies:

Commercial Land Use Policies:

- 5.3.3-P1 Provide a mix of retail and commercial uses to meet the needs of local customers and draw patrons from the greater region.
- 5.3.3 P5 Encourage public amenities and active uses in commercial centers and along commercial corridors.

Zoning Conformance
The Zoning designation is Planned Development (PD). Under the approved Planned Development for the existing shopping center, restaurant uses are allowed by right, while alcohol sales are considered conditional uses. Therefore, a Use Permit is required to establish and maintain the proposed alcohol sales activity.

Per Santa Clara City Code (SCCC) Chapter 18.110, Planning Commission cannot grant a Use Permit without first making specific findings related to the effect of the project on health, safety, peace, comfort, and general welfare, based upon substantial evidence in the record.

Use Permit Findings
The applicant is seeking a Use Permit to allow on-site sale and consumption of beer, wine and distilled spirits (ABC License Type 47) in a new burger restaurant. The applicant has provided a letter of justification to support the Use Permit request.

Circulation and Parking
A total of 1,675 vehicle parking spaces are provided for shared use by all of the shopping center tenants. Of the total parking spaces, 24 spaces are currently available for the BurgerIM restaurant, which meets the requirement of 1 space for each three seats per SCCC Chapter 18.74. One Class I bicycle locker and two Class II bicycle rack parking spaces would be provided as part of the project.

Conclusion
The proposal is consistent with the Planned Development approval for the existing Mercado Shopping Center. The proposed on-site sale and consumption of alcohol is an ancillary use which would provide convenience to restaurant guests, further enhance a quality commercial use, meet the needs of local customers, and draw patrons from the greater region.]

ENVIRONMENTAL REVIEW
The proposed is categorically exempt from the California Environmental Quality Act (CEQA) per Section 15301, Class I Existing Facilities, in that the proposed use will occur inside an existing building involving negligible or no expansion of an existing use.

FISCAL IMPACT
There is no cost to the City other than administrative staff time and expense for the typically covered by processing fees paid by the applicant.

COORDINATION
This report was coordinated with the City Attorney’s Office.

PUBLIC CONTACT
Public contact was made by posting the Council agenda on the City’s official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City’s website

RECOMMENDATION
Adopt a Resolution approving a Use Permit for sales and consumption of beer, wine and distilled spirits (ABC License Type 47) in a new restaurant (BurgerIM) subject to conditions of approval.

Reviewed by: Reena Brilliot, Planning Manager
Approved by: Andrew Crabtree, Director of Community Development

ATTACHMENTS

1. Resolution Approving the Use Permit
2. Conditions of Approval
3. Statement of Justification
4. Development Plans

RESOLUTION NO _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, APPROVING A USE PERMIT TO ALLOW ON-SITE SALE AND SERVICE OF BEER, WINE AND DISTILLED SPIRITS (ABC LICENSE TYPE 47) IN A NEW RESTAURANT, LOCATED AT 3151 MISSION COLLEGE BOULEVARD, SANTA CLARA, CA

PLN2018-13114 (Use Permit)

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, on February 21, 2018, Joseph Camacho, BurgerIM restaurant ("Applicant") applied for a Use Permit to allow on-site sale and service of beer, wine, and distilled spirits (ABC License Type 47) in a new 2,341 square foot restaurant with a 426 square foot outdoor patio seating area, located at 3151 Mission College Boulevard, on the north side of the road within the "Mercado" shopping center ("Site Location");

WHEREAS, the Site Location is currently zoned PD – Planned Development and has the General Plan land use designation of Regional Commercial (RGCO);

WHEREAS, in order to implement the proposed activity, the Site Location requires a Use Permit to allow beer, wine and distilled spirits sales in conjunction with food service within the 2,341 square foot restaurant with a 426 square foot outdoor patio seating area occupying a commercial tenant space in the existing Mercado Shopping Center, as shown on the Development Plans;

WHEREAS, the California Environmental Quality Act ("CEQA"), Public Resources Code § 21000 *et seq.*, requires a public agency to evaluate the environmental impacts of a proposed project. The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) per Section 15301, Class 1 existing facilities, in that the proposed use will occur at an existing location involving negligible or no expansion of an existing use;

WHEREAS, a total of 1,675 vehicle parking spaces are provided for shared use by all of the shopping center tenants. 24 spaces of the total parking spaces are currently available for the BurgerIM restaurant which meets the requirement of 1 space for each three seats per Chapter 18.74 of the Santa Clara City Code (SCCC);

WHEREAS, the Use Permit process enables a municipality to exercise control over the extent of certain uses, which, although desirable in limited numbers and specific locations, could have a detrimental effect on the community in specific instances;

WHEREAS, commercial uses including restaurants that serve alcoholic beverages are conditionally permitted in the PD zoning district for the Mercado Shopping Center by the Planning Commission with the approval of a Use Permit;

WHEREAS, pursuant to SCCC Section 18.110.040, the Planning Commission cannot grant a Use Permit without first making specific findings related to the effect of the project on health, safety, peace, comfort, and general welfare, based upon substantial evidence in the record;

WHEREAS, on May 11, 2018, the notice of public hearing for the May 23, 2018 meeting date for this item was posted in three conspicuous locations within 300 feet of the Site Location and mailed to all property owners located within 300 feet of the Site Location; and

WHEREAS, on May 23, 2018, the Planning Commission conducted a public hearing, at which all interested persons were given an opportunity to present evidence and give testimony, both in support of and in opposition to the proposed Use Permit.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.

2. That the Planning Commission hereby finds that approving a Use Permit to allow sale and service of beer, wine, and distilled spirits (ABC License Type 47) in a new 2,341 square foot

restaurant with a 426 square foot outdoor patio seating area is consistent with the commercial uses contemplated in the development of the existing Mercado Shopping Center.

3. That the Planning Commission hereby finds as follows:

A. The establishment or operation of the use or building applied for, under the circumstances of the particular case, are essential or desirable to the public convenience or welfare in that the proposal would serve to expand the options available to local and regional customers by providing a neighborhood restaurant use within an existing shopping center to meet the interests of local customers and residents from the greater region;

B. Said use will not be detrimental to any of the following:

1) The health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, in that the proposal provides a restaurant that serves beer, wine and distilled spirits in conjunction with food in a new commercial tenant space within an existing shopping center which meets all City of Santa Clara codes and regulations; the restaurant will be routinely manned and maintained, and will comply with any and all City and state laws regarding the sale of alcoholic beverages;

2) The property or improvements in the neighborhood of such proposed use, in that the proposed use will occur in an existing retail tenant space, and on-site parking is sufficient and available to service the proposed use and the existing businesses;

3) The general welfare of the City, in that the proposed use expands the options available to the local and regional population by providing a restaurant use to support businesses and residents in the vicinity of the project site;

C. That said use will not impair the integrity and character of the zoning district, in that the proposal is designed and conditioned in a manner to be compatible with adjacent commercial and residential development, on a developed parcel, with adequate parking, and properly designed ingress and egress points; and,

D. That said use is in keeping with the purposes and intent of the Zoning Code, in that a restaurant that serves beer, wine and distilled spirits in conjunction with food, may be conditionally permitted when the use would not be objectionable or detrimental to the adjacent properties in this Planned Development zoning district.

4. That the Planning Commission hereby approves Use Permit PLN2018-13114 to allow on-site sale and service of beer, wine and distilled spirits (ABC License Type 47) in a restaurant, located at 3151 Mission College Boulevard, subject to the Conditions of Approval, attached hereto and incorporated herein by this reference.

5. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 23RD DAY OF MAY, 2018, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference:
1. Development Plans
2. Conditions of Approval

I:\PLANNING\2018\Project Files Active\PLN2018-13114 3151 Mission College Blvd\PC Packet\1. Resolution Approving the Use Permit.doc

Conditions of Approval

GENERAL

G1. Developer agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed against the City by reason of its approval of developer's project.

G2. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.

COMMUNITY DEVELOPMENT

C1. Obtain required permits and inspections from the Building Official and comply with all building code requirements and conditions thereof.

C2. The project shall comply with all California Department of Alcoholic Beverage Control licensing requirements.

C3. The Director of Community Development may refer the Use Permit to the Planning Commission at any time to consider the initiation of revocation proceedings if the conditions of approval are violated or the operation is inconsistent with the approved project description. In addition, if complaints are received by the City with respect to this use, staff shall provide a review of the Use Permit to the Planning Commission within three months for consideration of revocation proceedings.

C4. Full menu food service shall be available during all hours that the restaurant is open and alcoholic beverages are served.

C5. The hours of operation shall be limited to the hours of Monday to Thursday: 11:00 a.m. to 10:00 p.m., Friday-Saturday: 11:00 a.m. to 1:00 p.m. and Sunday 11:00 a.m. to 10:00 p.m.

C6. On-site consumption of alcohol shall be limited to within the restaurant.

C7. No live entertainment or amplified music will be allowed, unless it is wholly incidental to the restaurant use.

C8. The Planning Commission shall review this Use Permit PLN2018-13114 twelve (12) months from the date that applicant obtains an active Alcoholic Beverage Control (ABC) License Type 47. After six months from obtaining the ABC license, the City shall conduct an administrative review of any ABC violations and police service calls, and shall report any significant occurrences to the Planning Commission.

C9. Applicant is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.

C10. The business shall undergo a 6 month and 1 year review by the City of Santa Clara, including a check for ABC violations and police service calls.

C11. The business operator shall strictly adhere to the business hours as stated in the use permit.

ENGINEERING

E1. Obtain site clearance through Engineering Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Engineering Department at (408) 615-3000 for further information.

E2. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a Single Encroachment Permit issued by the City Engineering Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.

E3. For current proposed restaurant use, the following minimum bicycle facilities shall be provided at the main entrance and/or high visible areas: 1 Class I Bike Locker spaces 2 Class II Bike Rack spaces.

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Statement of Justification
Operations Information

April 25, 2018

RE: CUP Application
Request for Full Service Restaurant to Hold "47" Alcohol License
Project Location: 3151 Mission College Blvd, Santa Clara 95054

Applicant: VRSV One Inc., dba BurgerIM

[redacted]

Dear City of Santa Clara and Planning Department Staff and Planning Commission:

VRSV One Inc., dba BurgerIM is in progress of opening and an operating a restaurant located at 3151 Mission College Blvd, Santa Clara 95054. The location was previously fully occupied by Mexicali Restaurant which has been split to accommodate the new adjacent restaurant. Interior TI plans are currently in review under separate permit. The location is in an existing safe well-lit shopping center and previously held a 47 license.

VRSV One Inc., dba BurgerIM is serving food that consists of a wide variety of items, full meals and sides etc (menu attached) for lunch and dinner. Normal operating hours for the restaurant are scheduled to be approx Mon- Thur 11:00 am – 10:00 pm, Fri – Sat 11:00 am to 1:00am, Sunday 11:00am to 10:00pm. Burger IM will provide in house dining with full meals. The existing exterior small enclosed patio dedicated to BurgerIM will have moveable patio furniture to include food and full spirit in a warm and friendly atmosphere. Location is approx 2341 sf interior which seats approx 58 persons and 426sf patio which seats approx 24 persons. We will have light recorded music for the enjoyment of our guest and never loud. located at 3151 Mission College Blvd, Santa Clara 95054.

We anticipate having 8 employees during operating hours with full table service and pay for meal upon completion. We will have full security cameras, alarm sensors located in the space with proper safety measures in place.

This is a unique restaurant to the area as we provide a wide variety of delicious dishes served during lunch and dinner, have a welcoming dining area, unique decorations. The restaurant in this location enhances the neighborhood as it is a desired service for local business, visitor and residential district, contributes to the vitality and diversity of the district. We have a full complete menu and anticipate alcohol spirits to compliment the meals for our customers. The service of alcohol beverages is anticipated to be approximately 15% - 30% max volume of sales.

VRSV One Inc., dba BurgerIM intends to operate a responsible business and follow the laws regarding serving alcohol in our dining establishment. We will to do all that is necessary to ensure that there will be no table surfing or handling of alcoholic beverages by minors. A few items include: as this is a majority sit down dining establishment table surfing is not anticipated, we will check ID's of all persons ordering alcoholic beverages, double check it to credit card if applicable, have different glasses for beverages that contain alcohol from the glasses that contain non-alcoholic beverages, consistently monitor tables and

persons at all times. We do not anticipate large amount of alcohol to be consumed as the guest consist of families, business professionals and local residents. We intend to monitor that all guests are limited to a safe amount and respect the surrounding areas. The business will be contained within the property lines and managed accordingly.

We look forward to providing a warm and friendly service for the neighbors and visitors to the area and enhance their service with beer and wine for guests. Thank you very much for your consideration.

Sincerely,

[redacted]

VRSV One Inc., dba BurgerIM

SHEET INDEX

A-0 COVER SHEET

A-0.1 PARKING ANALYSIS PREVIOUSLY APPROVED - REFERENCE ONLY

A-0.2 EXISTING FLOOR PLAN PREVIOUS RESTAURANT USE - FOR REFERENCE

A-1 SITE PLAN & VICINITY MAP

A-2 FLOOR PLAN

ATTACHED:

- APPLICATION
- STATEMENT OF JUSTIFICATION / OPERATIONS INFORMATION
- MENU

SCOPE OF WORK

CUP APPLICATION:

RESTAURANT USE IS CURRENTLY APPROVED AND ALLOWED

CUP IS A REQUEST FOR THE NEW FULL SERVICE RESTAURANT
TO HOLD "47" ALCOHOL LICENSE TO COMPLIMENT MEALS

TENANT IMPROVEMENT CONSTRUCTION PLANS CURRENTLY UNDER
REVIEW UNDER SEPERATE PERMIT #BLDG 2018-49652

PROJECT DATA

APN'S: 104-16-112

Owner/ Tenant: Applicant: VRSV One Inc., dba BurgerIM
6089 Sunstone Drive San Jose ca 95123
Attn: Sravya Pathi 408-766-9438
Vivek 925-899-5824 vivek3883@yahoo.com

CUP APP CONTACT: Acute Consulting, Inc.
29 Orinda Way #1267
Orinda, CA 94563
925-818-4132

Useable Area: 2341 SQ. FT. TENNANT SPACE INTERIOR
426 SQ. FT. EXTERIOR PATIO AREA
2,767 SQ. FT. TOTAL

Construction Type: TYPE V-B, 1 STORY

Fully Sprinklered: YES

Previous Use: MEXICALI GRILL

Proposed Use: RESTAURANT & BAR

Occupancy Classification: GROUP A-2

Occupancy Load: INTERIOR = 82 (# of seats = 58)
EXTERIOR PATIOS = 28 (# of seats = 24)

Total # of seats: 72 SEATS

FUNCTION	OCCUPANCY	AREA	LOAD FACTOR	LOAD
KITCHEN/ STORAGE	B	634	200	4
BAR/ SERVICE AREA	A-2	400	200	2
RESTROOMS/ HALLWAY	ACCESSARY	303	-	0
DINING/ BAR AREA	A-2	904	15	60
FIXED SEATING	N/A	100	-	16
TOTAL OCCUPANT LOAD INTERIOR		2341		82
TOTAL OCCUPANT LOAD PATIO		426		28
TOTAL OCCUPANT LOAD:		2,767		110

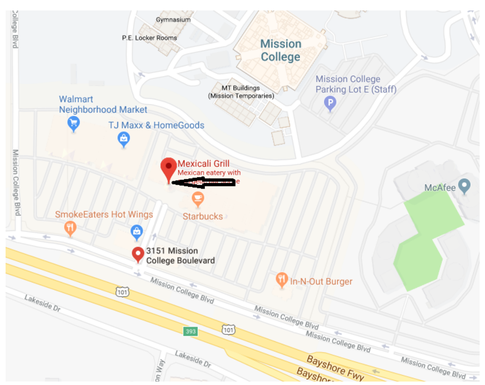
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NO. C 24621
2-28-19
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APPLICABLE CODES

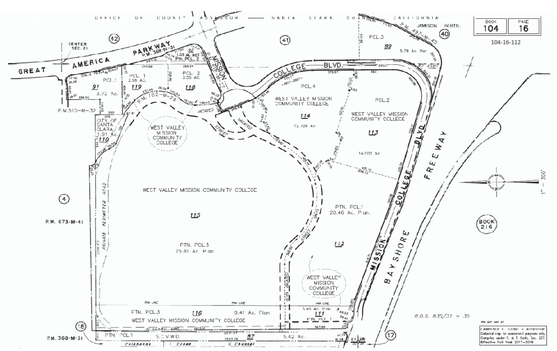
The following codes, as amended by State of California and local jurisdiction, are applicable to this project.

2016 CALIFORNIA BUILDING CODE (CBC)
2016 CALIFORNIA PLUMBING CODE (CPC)
2016 CALIFORNIA MECHANICAL CODE (CMC)
2016 CALIFORNIA FIRE CODE (CFC)
2016 CALIFORNIA ENERGY CODE AKA ENERGY EFFICIENCY STANDARDS (EES)
2016 CALIFORNIA ELECTRICAL CODE (CEC)
2016 CALIFORNIA UNIFORM RETAIL FOOD FACILITIES LAW (CURFFL)
2016 CALIFORNIA ACCESSIBILITY TITLE (TITLE-24)
2016 CALIFORNIA RESIDENTIAL CODE (CRC)
2016 CALIFORNIA GREEN BUILDING STANDARDS CODE (CGBSC)

VICINITY MAP



APN: 104-16-112



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Mercado Center Existing Parking Analysis

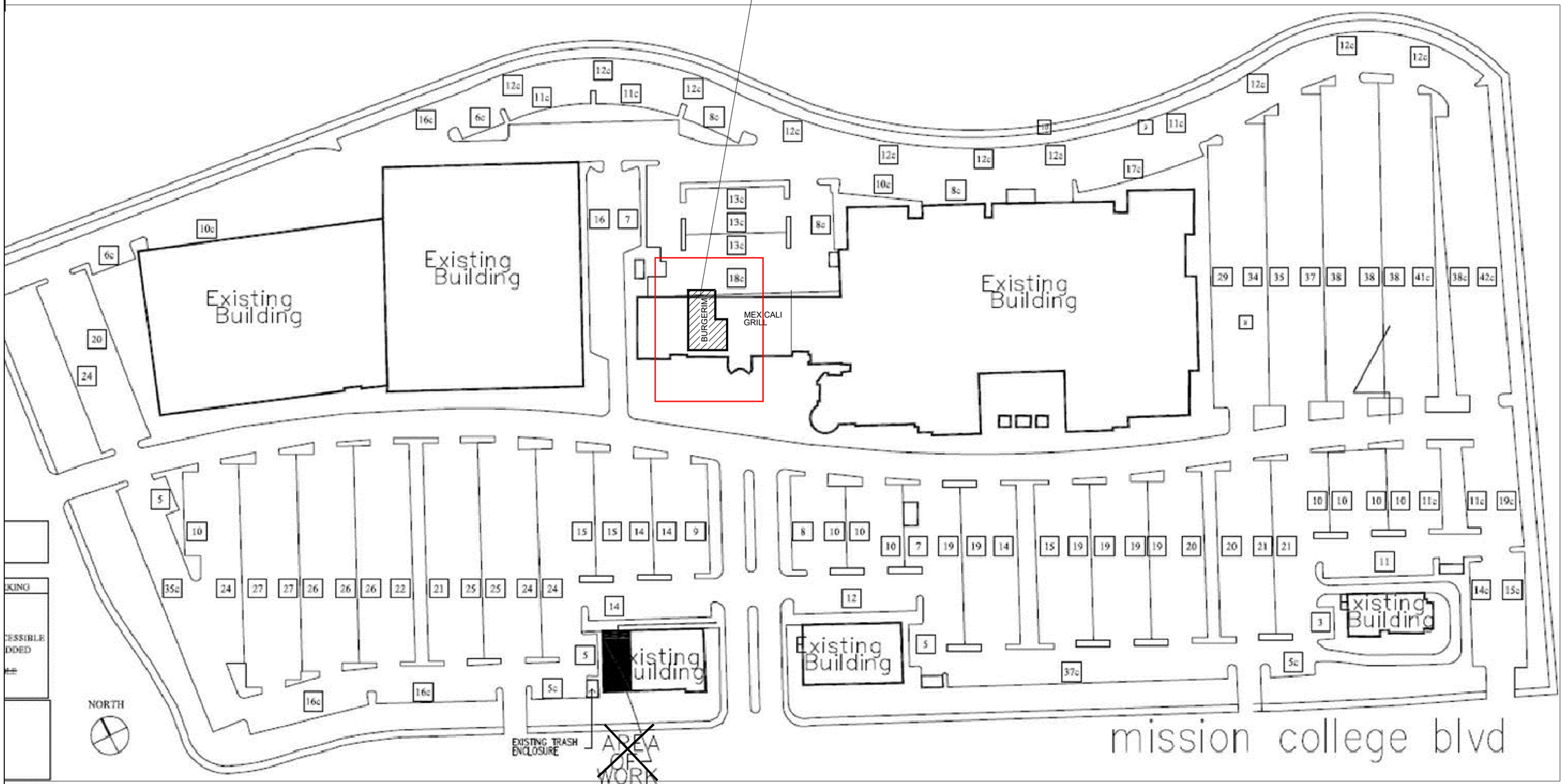
Unit	Name	Area (SF)	Area Ratio	Parking Req'd per Area	Seats	Seating Ratio	Parking Req'd per Seats	Parking Spaces Required (Rounded)
3001	In-N-Out Burgers	3,500	200	17.50	98	1:3	32.67	33
3111	AMC	-	-	-	3,246	1:4	811.50	812
3113	Starbucks	1,356	200	6.78	47	1:3	15.67	16
3119	Jamba Juice	1,294	200	6.47	20	1:3	6.67	7
3125	World Wrapps	1,326	200	6.63	52	1:3	17.33	17
3127	Tomatina	3,304	200	16.52	138	1:3	46.00	46
3133	Krispy Kreme	1,460	200	7.30	23	1:3	7.67	8
3139	Panda Express	1,980	200	9.90	36	1:3	12.00	12
3147	VACANT	3,584	200	17.92	-	-	-	18
3149 A	Mexicali	5146	200	25.73	218	1:3	72.6	73
3149 B	Burgerim	2,769	200	13.84	72	1:3	24	24
3155	Subway	1,240	200	6.20	26	1:3	8.67	9
3159	Silicon Valley Eye	2,238	300	7.46	-	-	-	7
3161	Kinko's	4,325	200	21.63	-	-	-	22
3175	Smoke Eaters	2,675	200	13.38	112	1:3	37.33	37
3201	TJMaxx	50,000	200	250.00	-	-	-	250
3255	Wal-Mart Stores	44,706	200	223.53	-	-	-	224
							Total Parking Spaces Required	1,615
							Total Parking Spaces Provided	1,675
							Parking Overage	60

No Added DINING IS PROPOSED

NOTE: MEXICALI GRILL INITIALLY HAD 290 SEATS, NOW HAS 218 SEATS DUE TO REMODEL.

REFERENCE ONLY
PARKING ANALYSIS PLAN
PREVIOUSLY APPROVED UNDER PERMIT #BLDG 2018-49652

TOTAL EXISTING PARKING AT COMMON SHOPPING CENTER PARKING
PARKING AVAILABLE: 1,675 SPACES PARKING REQUIRED: 1,615 SPACES ACCESSIBLE PARKING AVAILABLE: 35 SPACES ACCESSIBLE PARKING REQUIRED: 35 SPACES VAN ACCESSIBLE PARKING AVAILABLE: 5 SPACES VAN ACCESSIBLE PARKING REQUIRED: 5 SPACES



MERCADO CENTER EXISTING PARKING SPACES
NTS

REV. DATE	NO.
OWNER REVIEW 11/6/17	1
LL REVIEW 11/20/17	2
HEATH DEPT 12/28/17	3
PLANNING DEPT 1/11/18	4

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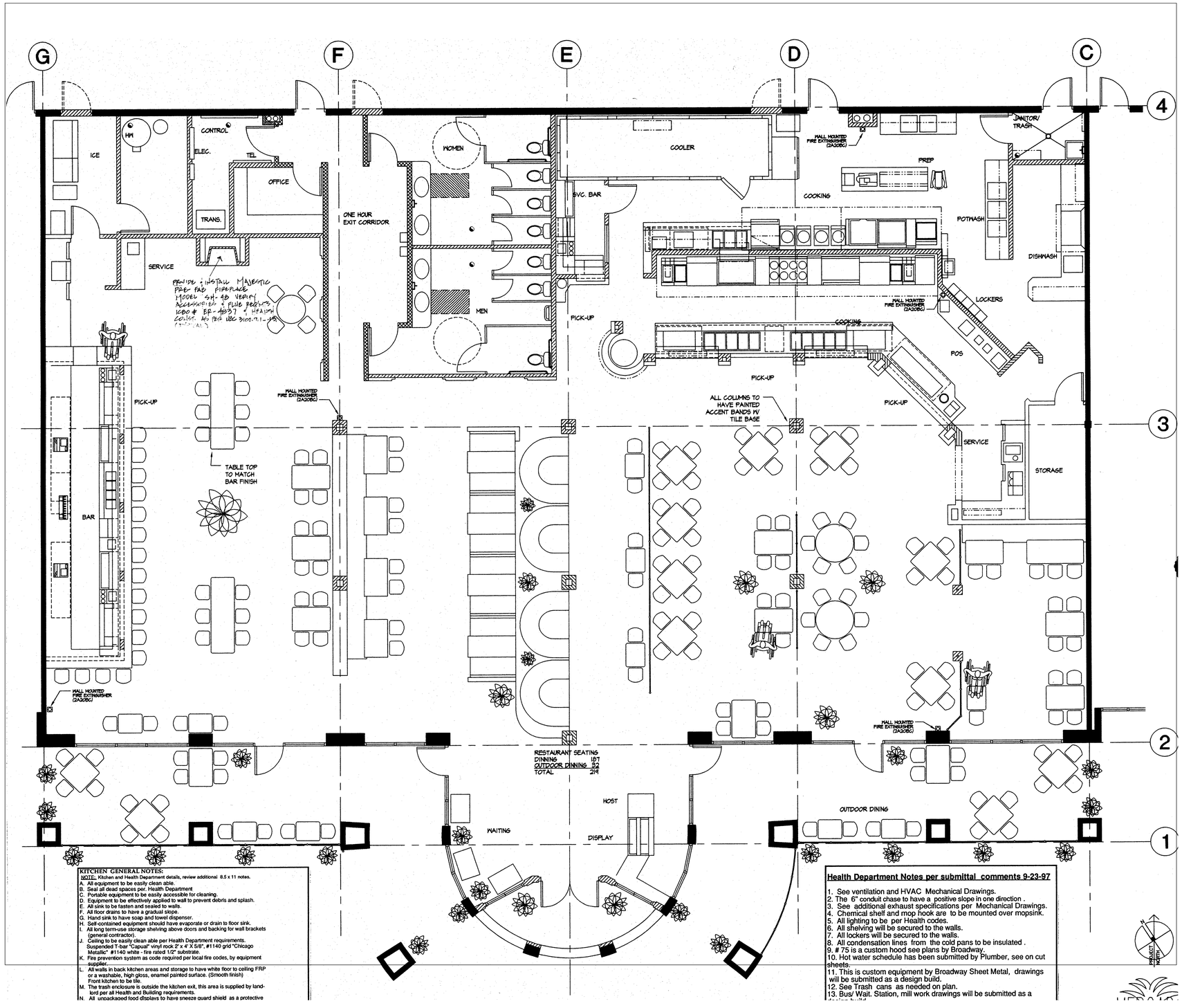
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SANTA CLARA, CA 95054

DWG DATE: 10/25/17
DRAWN BY: MSD

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REFERENCE ONLY - EXISTING FLOOR PLAN - TI UNDER PERMIT #BLDG 2018-49652



KITCHEN GENERAL NOTES:

NOTE: Kitchen and Health Department details, review additional 8.5 x 11 notes.

A. All equipment to be easily clean able.
B. Seal all dead spaces per. Health Department
C. Portable equipment to be easily accessible for cleaning.
D. Equipment to be effectively applied to wall to prevent debris and splash.
E. All sink to be fasten and sealed to walls.
F. All floor drains to have a gradual slope.
G. Hand sink to have soap and towel dispenser.
H. Self-contained equipment should have evaporate or drain to floor sink.
I. All long term-use storage shelving above doors and backing for wall brackets (general contractor).
J. Ceiling to be easily clean able per Health Department requirements. Suspended T-bar "Capual" vinyl rock 2' x 4' X 5/8", #1140 grid "Chicago Metallic" #1140 white - fire rated 1/2" substrate.
K. Fire prevention system as code required per local fire codes, by equipment supplier.
L. All walls in back kitchen areas and storage to have white floor to ceiling FRP or a washable, high gloss, enamel painted surface. (Smooth finish) Front kitchen to be tile.
M. The trash enclosure is outside the kitchen exit, this area is supplied by land-lord per all Health and Building requirements.
N. All unpackaged food displays to have sneeze guard shield as a protective

Health Department Notes per submittal comments 9-23-97

1. See ventilation and HVAC Mechanical Drawings.
2. The 6" conduit chase to have a positive slope in one direction .
3. See additional exhaust specifications per Mechanical Drawings.
4. Chemical shelf and mop hook are to be mounted over mopsink.
5. All lighting to be per Health codes.
6. All shelving will be secured to the walls.
7. All lockers will be secured to the walls.
8. All condensation lines from the cold pans to be insulated .
9. # 75 is a custom hood see plans by Broadway.
10. Hot water schedule has been submitted by Plumber, see on cut sheets.
11. This is custom equipment by Broadway Sheet Metal, drawings will be submitted as a design build.
12. See Trash cans as needed on plan.
13. Bus/ Wait. Station, mill work drawings will be submitted as a

ORIGINAL MEXICALI GRILL FLOOR PLAN

SCALE: 3/8" = 1'-0"

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LL REVIEW 11/20/17	2
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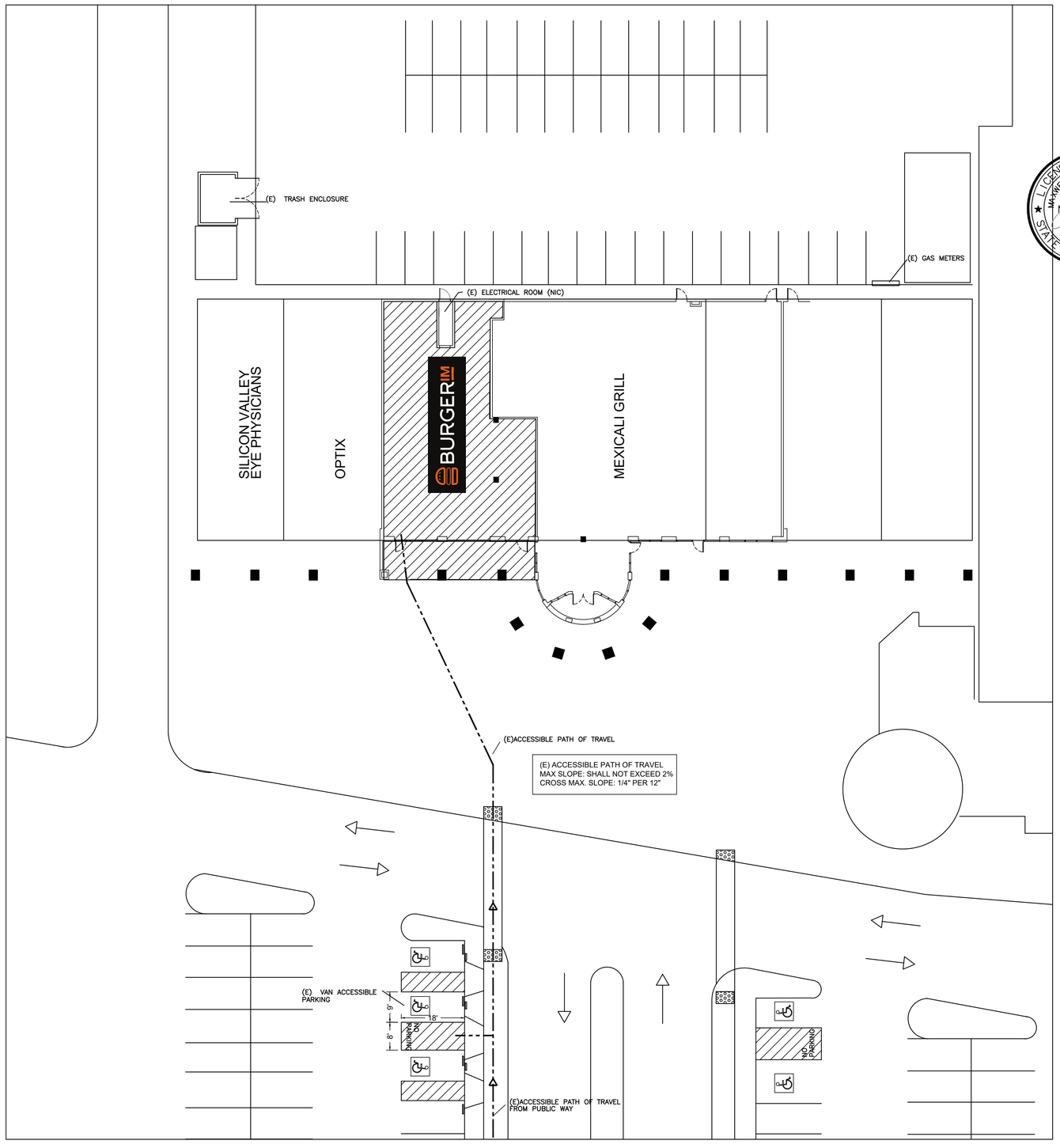
DWG DATE: 10/25/17

DRAWN BY: MSD

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VICINITY MAP

NOTE: REFER TO COVER SHEET FOR PARKING ANALYSIS



SITE PLAN

SCALE: 1 / 16" = 1'-0"

ALL ACCESSIBLE REQUIREMENTS ARE IN COMPLIANCE
SITE PLAN SHOWN FOR REFERENCE ONLY.

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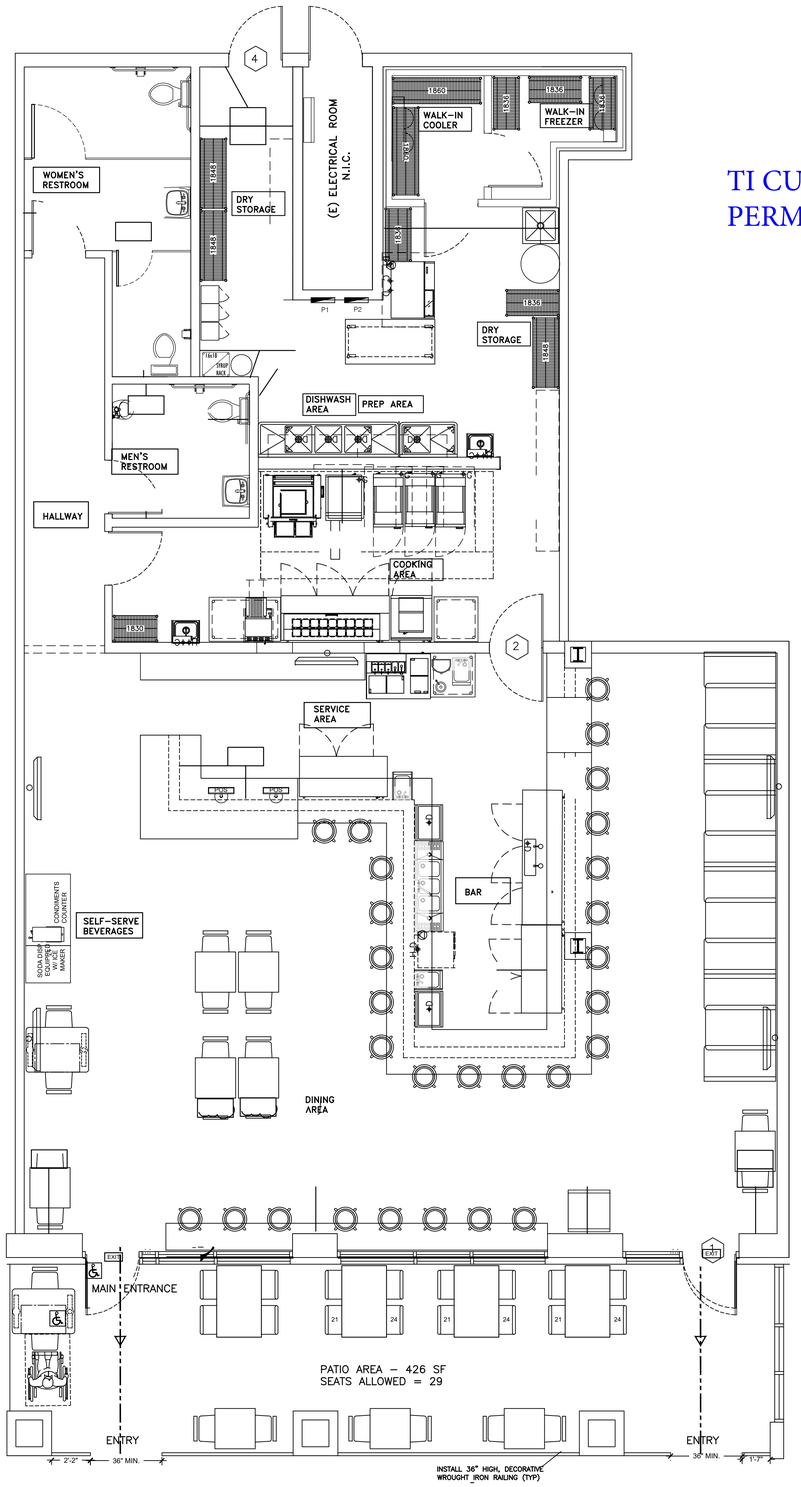
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TI CURRENTLY UNDER REVIEW
PERMIT #BLDG 2018-49652

FLOOR PLAN

SCALE: 1/4" = 1'-0"

REV. DATE NO.

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DATE
2-11-18

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18-446 **Agenda Date: 5/23/2018**

REPORT TO PLANNING COMMISSION

SUBJECT
Public Hearing: 2018-2019 CIP Budget General Plan Conformance

EXECUTIVE SUMMARY
In accordance with State law and City procedures, the Planning Commission is charged with reviewing the proposed Capital Improvement Plan (CIP) Budget (pursuant to Government Code Section 65401) to determine its consistency with the adopted General Plan. The City Council reviews the Planning Commission's findings prior to taking action on the budget. The Council will have held CIP budget study sessions on May 8, 2018. The budget is slated for adoption on June 12 and June 26, 2018. Although the draft CIP Budget may change somewhat before the City Council's study session and public hearings, those changes are expected to be relatively minor and generally in line with what is currently contained in this draft document. If necessary, any significant additions can be subsequently brought before the Commission.

BACKGROUND
The projects included in the proposed CIP budget are the result of a formal process of review by the City Manager, Department Heads and staff for consistency with the City's Mission Statement and City Council's overarching goals.

The Mission Statement that was adopted by the Council on July 25, 1989 is:

> *The mission of the City of Santa Clara is to promote a living and working environment that allows for the best quality of life by serving the community with resourceful, efficient, progressive and professional leadership.*

In June 2001, the Council adopted the following vision statement for the City of Santa Clara:

> *Santa Clara - Superb, affordable services in a caring community that values our rich history and nurtures technologies that builds the future.*

On January 19, 2018, the City Council was presented with the Budget Principles for 2018-2019, that are meant to guide budget decision-making.

Budget Principles for 2018-19
(As proposed to the City Council on January 19, 2018)

- Make decisions within the context of the City's Code of Ethics and Values, especially being Fiscally Responsible, Communicative, and Service-Oriented.
- Consider budget decisions with long-term implications taken into account using data from the Ten Year Financial Plan.
- Maximize service delivery within existing resources by balancing ongoing expenditure needs with ongoing revenues to avoid negative impacts on future budgets and maintain the City's

high standards of fiscal integrity and financial management.
- Focus on projects and services that benefit the community as a whole.
- Pursue economic development objectives and strategies to foster new public and private investment within Santa Clara, and to create employment opportunities.
- Balance between compensation adjustments to retain and attract employees and funding for positions.
- Use one-time unrestricted revenues (e.g., annual General Fund surplus) for one-time uses such as increasing reserves, funding capital or Information Technology projects, paying off debt, and/or paying off unfunded pension or other post-employment benefits liabilities.
- In accordance with Council policy, continue to maintain the General Fund Budget Stabilization.
- Reserve balance at or above the policy level of 25% of adopted budget expenditures for the long-term fiscal health of the City.
- Inform and communicate clearly and broadly to residents, businesses and employees of the City's fiscal position and budget schedule/hearings to actively participate in the City Council's budget deliberations.
- With limited exceptions, establish fees based on full cost recovery where individuals/businesses rather than the community at-large are benefiting from City services. This preserves limited unrestricted resources for providing services that benefit the community as a whole.
- Focus on business process redesign in order to improve employee productivity and the quality, flexibility, and cost-effectiveness of service delivery (e.g., streamlining, simplifying, reorganizing functions, and reallocating resources).
- Explore expanding existing revenue sources and/or adding new revenue sources.
- Engage employees to contribute new and innovative ideas during the department budget development process.
- Use the General Plan as a primary long-term fiscal planning tool and link ability to provide City services to development policy decisions.

2010-2035 General Plan

On November 16, 2010, the City Council adopted the 2010-2035 General Plan and certified the associated Final Environmental Impact Report. There are seven Major Strategies that represent the overarching principles in the City's General Plan. The Strategies provide the foundation for the Plan's goals and policies, as well as implementing actions. Each Strategy listed below defines a distinct priority, such as economic vitality or sustainability.

1. Enhance the City's High Quality of Life
2. Preserve and Cultivate Neighborhoods
3. Promote Sustainability
4. Enhance the City Identity
5. Support Focus Areas and Community Vitality
6. Maintain the City's Fiscal Health and Quality of Services
7. Maximize Health and Safety Benefits

The General Plan is a "Progressive General Plan" which provides a multi-horizon sequence for development as a mechanism to facilitate responsible growth. The City's General Plan policies are designed to guide this development. Collectively, these policies comprise the Plan's implementation program. Policies provide direction for public improvements, define appropriate land uses, identify

standards for new development and detail measures to protect the City's environmental quality.

Implementation of the General Plan involves the City Council, the Planning Commission, other City review bodies, City Staff, and the community. Community Development Department staff has primary responsibility for implementing the Plan.

DISCUSSION

This report focuses on projects that are new to the CIP budget, and have not yet been analyzed for General Plan conformance. The list of new Capital Improvement projects is shown in Attachment 2. The CIP projects table has been sorted so that new CIP projects are presented at the top of the list. Several of these projects would implement General Plan Major Strategy No. 6, maintaining the City's Quality of Services, including:

- Citywide installation of pedestrian crosswalk radar sensors, to extend the crossing time for slower users.
- Maintenance and upgrades to the electric utility, including projects to ensure compliance with air quality regulations; and
- Library upgrades, including the conversion of back-of-house spaces to publicly accessible areas and additional meeting rooms.

Projects that improve the transportation network for all modes of travel, such as the installation of bicycle and pedestrian facilities, including the citywide installation of curb ramps, development of the City's first pedestrian master plan, and an updating of the City's travel demand model are consistent with General Plan Mobility and Transportation policies, including:

> *Bicycle and Pedestrian Network Policy 5.8.4-P2: Provide a system of pedestrian and bicycle friendly facilities that support the use of alternative travel modes and connect to activity centers as well as residential, office and mixed-use developments.*

Projects that improve existing facilities, such as the Facility Condition Assessment Project, support General Plan policies to provide a diverse range of public facilities to meet the varying needs of the community and to promote economic vitality, as described in Policy 5.9.2-P1.

The CIP also includes the following projects related to energy, water and solid waste reduction, as well as projects addressing global climate change:

- Storm water improvements for the City's Corporation Yard;
- Rehabilitation of various city parking lots, including the Convention Center garage; and
- Replacement of the City's standby generators to newer, cleaner models.

These projects are consistent with the 2010-2035 General Plan in that they support policies directed toward conservation, air quality and safety, such as Policy 5.10.4-P2 (expand water conservation and reuse efforts) and Policy 5.10.5-P21 (require adequate storm drain infrastructure). In addition to physical improvements, the CIP includes existing CIP budget projects funding the Creek Trails Master Plan, and the update of the City's bicycle plan.

The CIP also includes a new project to develop a Downtown Focus Area Plan, which implements Major Strategy Number 5, to support Focus Areas and Community Vitality. This project supports the

Housing Element in Appendix 8.12, as well as other General Plan policies, including:

> *Future Focus Area Policies 5.4.7-P1: Require the adoption of the comprehensive plan prior to any rezoning within that designated Future Focus Area.*

Each of the projects in the proposed CIP was similarly compared to relevant General Plan policies. Based on this analysis, staff has concluded that the proposed 2018-2019 CIP Budget is consistent with the 2010-2035 General Plan.

Findings

Staff recommends that the Planning Commission make the following findings. The proposed CIP is consistent with the City of Santa Clara adopted General Plan 2010-2035 in that:

The projects listed in the Proposed FY 2018-2019 CIP Budget conform with the Santa Clara 2010-2035 General Plan; and

The Fiscal Year 2018-2019 Proposed Capital Improvement Project Budget takes into consideration the 2018-2019 Budget Principles.

FISCAL IMPACT

As an action, the determination of General Plan Consistency for CIP projects has no fiscal impact outside of the requirement to hold a public hearing on the subject.

ENVIRONMENTAL REVIEW

Environmental Review determinations are provided as a part of the table entitled, Fiscal Year 2018-2019 CIP Budget Determinations, which is included as Attachment 2.

COORDINATION

This report was prepared in coordination with the City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website.

RECOMMENDATION

Adopt a Resolution making findings on the conformity of the Fiscal Year 2018-2019 Capital Improvement Program Budget with the 2010-2035 General Plan.

Reviewed by: Reena Brilliot, Planning Manager
Approved by: Andrew Crabtree, Director of Community Development

ATTACHMENTS

1. Environmental Determinations for New CIP Projects (Existing CIP project environmental determinations available on-line)
2. Resolution for FY 2017-2018 CIP Budget General Plan Conformity Findings

Fiscal Year 2018-2019 CIP budget CEQA determinations

Division	Contact	Project Number	Title	Project Status	Description	Justification	Status	CEQA Determinations
Parks & Recreation - Parks	Parks & Recreation/James Teixeira	Auto - 1426	Facility Condition Assessment Project	New	The City engaged Kitchell/CEM in April 2017 to conduct a facility inventory and condition assessment of all Parks & Recreation assets and amenities in parks, park buildings, pools, and other recreational facilities. The Project was completed in December 2017. The information from the report has been incorporated into the City's Enterprise Asset Management System (GIS) and the Work Order Management System (Lucity). The Report provides updated information for all assets including its location, condition, and current value; the Report provides the timing of, and the immediate and cumulative costs to budget for, repairs and replacements of each asset over a five year Capital Improvement Project (CIP) Budget and an asset 20 year life cycle forecast. The Report provided updated information to help define and/or prioritize capital improvement project scopes to fix, replace, renovate or upgrade park and recreation facilities. Construction estimates include a 5% cost escalation rate. The report addresses in-kind replacement of deficiencies; a 35% contingency has been added to the deficiency cost, as the assessment does not consider facility expansion to serve additional population, or conversion of a facility to serve new and/or different needs. The Parks & Recreation Facility Condition Assessment (Kitchell-2017) Executive Summary is attached.	Council Goal: Enhance sports & recreational assets. This project addresses facility deficiencies identified as needing to be addressed in the first 5 years of the report (FY 1819- FY 2324) based on observed issues at park sites.	Projects are identified, but unfunded.	Categorically exempt under CEQA Section 15306 - Consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded.
Public Works - Engineering-Design	Public Works/Falguni Amin	AUTO - 1058	Santa Clara Various Streets and Roads Preservation (OBAG 2)	New	Pavement rehabilitation for portions of Homestead Rd (Lincoln St. to Kiely Blvd), Scott Blvd (Harrison St to Saratoga Ave), and Newhall St (Saratoga Ave to N. Winchester Blvd). The project is partially funded by the One Bay Area Grant program (OBAG 2) using Federal Surface Transportation Block Program (STBGP) funding.	Pavement rehabilitation will extend the streets' useful life and enhance ride quality.	Design anticipated to begin in 2018 and construction anticipated to begin in 2020.	Categorically exempt under CEQA Section 15301(c) - Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety).
Public Works - Engineering-Design	Public Works/Falguni Amin	Auto - 1063	Annual Curb Ramp Installation	New	Construct Americans with Disabilities Act (ADA) compliant street curb ramps and accessibility improvements.	Improve access to and use of the public right-of-way in compliance with the ADA.	Update curb ramps on a continuous basis. Program on hold pending funding availability.	Categorically exempt under CEQA Section 15301(c) - Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety).
Public Works - Engineering-Traffic	Public Works/Dennis Ng	Auto - 1139	Adaptive Signal System	New	Project will install a state-of-the-art real-time traffic signal system that will adjust signal timing and adapt to current traffic conditions. (Previously Future 521-001)	Automated real-time management of traffic signal system will reduce traffic congestion, fuel consumption, emissions, and associated traffic delays. This project supports the City Council goal of delivering and enhancing high quality efficient services and infrastructure.	Study to start Summer 2018.	Categorically exempt under CEQA Section 15301(c) - Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety).
Public Works - Engineering-Traffic	Public Works/Dennis Ng	Auto - 1164	Traffic Signal Interconnect Upgrade	New	Project will convert the current interconnect over copper wires along the corridors to fiber optic	The current bandwidth through copper wires is not sufficient to carry the high definition traffic monitoring video from the intersections along Tasman Dr. and Great America Pkwy. back to City Hall.	New project.	Categorically exempt under CEQA Section 15301(c) - Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety).
Public Works - Engineering-Traffic	Public Works/Dennis Ng	Auto - 1166	Pedestrian Master Plan	New	Development of City's first Pedestrian Master Plan	The development of the plan will identify opportunities and constraints to build out the City's pedestrian infrastructure. Successful implementation of the plan will improve connectivity and access to transit and schools. This plan will also provide City access to grant funds managed by MTC.	Scope and RFP in Summer 2018. Consultant selected; study underway.	Categorically exempt under CEQA Section 15306 - Consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded.
Public Works - Engineering-Traffic	Public Works/Dennis Ng	Auto - 1167	Travel Demand Model Update	New	Maintain and update the City's travel demand model.	The City currently has a travel demand model. A travel demand model needs to be updated on a regular basis to accurately reflect General Plan land uses changes and the transportation system network. This model is used in the development of traffic impact fees. In addition starting in Year 2020, the model will also be used to calculate a project's vehicle miles traveled which is a new required metric from the Governor's Office of Planning and Research (OPR) for evaluating a project's transportation impact.	New project.	Categorically exempt under CEQA Section 15306 - Consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded.
Public Works - Engineering-Traffic	Public Works/Dennis Ng	AUTO - 1423	Pedestrian Crosswalk Sensors	New	City-wide installation of pedestrian crosswalk radar sensors to extend pedestrian crossing interval for slower users. Installation @ 20 signals each year.	Improves safety for pedestrians and allows for more efficient signal operations.	Future	Categorically exempt under CEQA Section 15301(c) - Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety).

Fiscal Year 2018-2019 CIP budget CEQA determinations

Division	Contact	Project Number	Title	Project Status	Description	Justification	Status	CEQA Determinations
Public Works - Engineering-Design	Public Works/Falguni Amin	Auto - 1068	Westside Retention Basin Pump Station Pump Replacement Project	New	The project will replace existing deteriorated pumps, motors, and associated piping and wiring.	During construction of the Westside Retention Basin Desilting Project, a condition assessment of the existing pumps was performed and revealed that the existing pumps are at their end of life and need to be replaced.	Design and Construction anticipated 2018.	Categorically exempt under CEQA Section 15302(c) - Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.
Fire - Protection	Fire/John Madden	AUTO - 1126	Diesel Exhaust Removal Systems	New	This project will fund the purchase and installation of a direct source capture diesel exhaust removal system that mounts directly to the vehicle's exhaust and automatically eliminate toxic diesel exhaust while the engine is running. Formerly Future 536-005 project.	The Bay Area Air Quality Management District (BAAQMD) reports that diesel exhaust includes over 40 substances that are toxic air contaminants, with fifteen of these substances listed by the International Agency for Research on Cancer. On an emergency scene, firefighters and patients are exposed to diesel exhaust from the apparatus running in high idle. Fire stations currently utilize diesel exhaust removal systems to remove airborne diesel particulates from apparatus bays and provide clean environments for firefighters in which to work. Currently, a variety of fixed diesel exhaust removal systems in use in existing fire stations are proving costly to repair, and the lack of vendor support renders systems inoperable several times per year. Outfitting each apparatus with a replacement direct source, diesel-capture system will significantly reduce the various airborne contaminants, as well as eliminate the need for expensive repairs for those systems currently in use. This meets the Council goal of delivering and enhancing high quality efficient services by protecting emergency responders and the public.	A 10% federal grant match is requested in FY 18/19 to provide diesel exhaust removal systems on all front-line fire apparatus.	Categorically exempt under CEQA Section 15308, Actions by Regulatory Agencies for Protection of the Environment - consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.
Library Admin	Library/Hilary Keith	Auto - 1108	Public Spaces	New	Convert under utilized back-of-house Library staff space to publicly accessible space and meeting rooms.	The Library's current meeting space is inadequate to meet the demand. The Library has two large community meeting rooms, three study rooms and two board rooms that are in constant demand by the public, City staff, and partnering organizations. This project supports the City Council goal of delivering and enhancing high quality efficient services and infrastructure.	New Project	Categorically exempt under CEQA Section 15301(a) - Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.
Public Works - Engineering-Design	Public Works/Falguni Amin	Auto - 1069	ADA Self Evaluation and Transition Plan Update	New	Update to the City's self-evaluation and transition plan in accordance with the Americans with Disabilities Act of 1990 (ADA) and the Rehabilitation Act of 1973.	An update to the City's self-evaluation and transition plan will ensure that barriers in access to programs, activities, and facilities for persons with disabilities are identified and removed based upon current conditions.	Anticipated to begin in 2018.	Statutorily exempt under CEQA Section 15262, Feasibility and Planning Studies. Applicable to projects involving only feasibility or planning studies for possible future actions which the agency, has not approved, adopted, or funded does not require the preparation of an EIR or Negative Declaration but does require consideration of environmental factors.
Public Works - Engineering-Design	Public Works/Falguni Amin	Auto - 1071	Convention Center Condition Assessment Repairs	New	The project will repair, upgrade, and improve existing building systems, which include: utilities; exterior site; foundations; walls; roofing; HVAC; interior plumbing; gas distribution; electrical; elevators; fire protection and security systems; and interior spaces.	In Fall 2017, a facility condition assessment of the Santa Clara Convention Center was completed in order to understand its current condition and identify immediate and future repairs to avoid costly replacement of building systems and ensure that the building is safe for occupancy. The Condition Assessment Report rates the building as in good condition and recommended various repairs and upgrades to existing architecture, structure, mechanics, plumbing, interior spaces, and exterior site.	Facility Condition Assessment completed in 2017. Program on hold pending availability of funding.	Categorically exempt under CEQA Section 15301(a) - Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.
Public Works - Engineering-Design	Public Works/Falguni Amin	Auto - 1072	Police Building Condition Assessment Repairs	New	The project will repair, upgrade, and improve existing parking lot, access controls, interior and exterior electrical fixtures, roof, exterior glazings, HVAC, interior plumbing, generator, elevator, fire protection and security system.	In Fall 2017, a facility condition assessment of the Police Building was completed in order to identify needed repairs. The Condition Assessment Report rates the building as in good condition and recommended minor repair, upgrade, and improvement to various electrical and mechanical equipment and fixtures, fire protection, security, and architectural systems.	Facility Condition Assessment completed in 2017.	Categorically exempt under CEQA Section 15301(a) - Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.
Public Works - Engineering-Design	Public Works/Falguni Amin	Auto - 1073	Convention Center Garage Condition Assessment Repairs	New	The project will rehabilitate existing parking garage, which includes the following: concrete deck, striping and marking, various electrical equipment, lighting, elevator, and various concrete structures.	In Fall 2017, a facility condition assessment of the Santa Clara Convention Center parking garage was completed in order to understand its current condition and identify immediate and future repairs to avoid costly reconstruction of the concrete deck and associated infrastructures.	Facility Condition Assessment completed in 2017.	Categorically exempt under CEQA Section 15301(a) - Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Fiscal Year 2018-2019 CIP budget CEQA determinations

Division	Contact	Project Number	Title	Project Status	Description	Justification	Status	CEQA Determinations
Public Works - Engineering-Design	Public Works/Falguni Amin	Auto - 1074	City Hall Condition Assessment Repairs	New	The project will repair, upgrade, and improve existing path of travel, parking lots, electrical and mechanical equipment and fixtures, HVAC, restroom, onsite plumbing, emergency generator, security, fire protection, interior finishes and walls, and various exterior infrastructures.	In Fall 2017, a facility condition assessment of the City Hall was completed in order to identify repairs and improvements to meet current codes and ensure that the building is safe for occupancy. The Condition Assessment Report rates the building as in fair condition and indicated that the building has been subjected to wear, but is still in serviceable and functioning condition. The Report recommended various repairs and upgrades, which include to existing architecture, structure, mechanics, plumbing, interior spaces, exterior site, fire protection, and security system.	Facility Condition Assessment completed in 2017.	Categorically exempt under CEQA Section 15301(a) - Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.
PW Streets & Auto Svcs - Fleet Management	Public Works/Chris Fazzi	AUTO - 1318	Stationary Standby Generators	New	Funding to evaluate and replace Stationary Emergency Standby Generators as recommended. New project to combine closing project 536-4092 (Fire Station Generator Replacements for Fire Station 8) and existing project 538-6146 (Stationary Standby Generators.)	Many of the City's Stationary Emergency Standby Generators have reached their useful lifecycles and are in need of major repairs. The average model year of the Stationary Emergency Standby Generator fleet is 1994 or 23 years old. Many of them are restricted to limited maintenance run times by regulatory agencies due to their emissions output. Over the past years the overall condition and reliability of the Stationary Emergency Standby Generator fleet has diminished. Replacing the Stationary Generator fleet contributes to delivering and enhancing high-quality efficient services and infrastructure.	FY 2017-18 - Awarded contract with Consultant on engineering design of Phase 1 (10 generators) ; FY 2018-19 - Award construction bid on phase 1 (10 generators); Add remaining money for Fire Station 8 (1 generator at $116,487); FY 2019-20 - Complete construction on phase 1 (10 generators) FY 2019-20 - Award engineering design on phase 2 (11 generators); FY 2020-21 - Award construction bid on phase 2 (11 generators); FY 2021-22 - Complete construction on phase 2 (11 generators); FY 2021-22 - Award engineering design on phase 3 (6 generators); FY 2022-23 - Award construction bid on phase 3 (6 generators); FY 2023-24 - Complete construction on phase 3 (6 generators).	Categorically exempt under CEQA Section 15302, replacement or reconstruction. Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.
Public Works - Facility Services	Public Works/Ken Winland	AUTO - 1340	Fall Safety Building Improvements	New	A Fall Safety condition assessment audit was completed in 2017. We will continue audits until all buildings are complete. Efforts in 2018/2019 will be on improving the fall protection at the Triton Museum, Pavillions, Street Corporation yard, Water & Sewer Corporation yard and City Hall.	To provide a safe working condition for Employees that need to access City building structures per Cal-OSHA standards.	In process	Categorically exempt under CEQA Section 15306 - Consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded.
Community Development - Building	Building Division/Sharon Goei	Auto - 1080	Office Reconfiguration	New	Reconfiguration of Planning Division, Building Division and Permit Center work areas to allow for additional workstations	The Planning and Building Divisions offices require reconfiguration of existing office layout due to increasing permit activities and corresponding additional staff. A portable office at City Hall would decrease efficiency and no location has been determined to be a feasible solution. Office reconfiguration will create additional workstations and will improve overall efficiency and productivity for the entire Division.	Reconfiguration will need to begin soon as tight working spaces create insufficient plan storage and limited working areas. Reconfiguration will need to be implemented in phases so that operations can continue efficiently.	Categorically exempt under CEQA Section 15301(a) - Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.
IT Infrastructure and Support	Info Tech/Gaurav Garg	AUTO - 1231	IT Training Room Refurbishment	New	Training Room Refurbishment – The IT Training room downstairs in the City Hall East Wing currently has 10 desks and desktop computer equipment. The setup is dated and needs a furniture refresh to accommodate more students.	The IT Training room hosts classes available for all City staff on a wide variety of office productivity, new user orientation and software applications. The general use is administered by the IT Dept for training on office productivity and city applications. The room scheduling averages 20 appointments per month for a class, training, or meeting. Sixty-five classes were conducted last year with 445 seats filled. This heavily used room needs a refresh of carpet, paint, and furniture.		Categorically exempt under CEQA Section 15301(a) - Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Fiscal Year 2018-2019 CIP budget CEQA determinations

Division	Contact	Project Number	Title	Project Status	Description	Justification	Status	CEQA Determinations
IT Infrastructure and Support	Info Tech/Gaurav Garg	AUTO - 1264	Fire Station Video Conferencing	New	Fire Station Video Conferencing	Fire personnel have required training to maintain safety certifications and obtain current procedural information. Utilizing video conferencing while remaining in-station is the best way for firefighters to receive standardized training while remaining in their fire stations and, thus, providing continuous fire protection in their response district. CCTV conferencing equipment was installed years ago and dismantled due to obsolescence. Funding this project helps to ensure that Fire Station Personnel can continue to receive training as required without having to leave their district to go to trainings offsite. Currently, training sessions can accommodate up to 16 personnel; however, video conferencing will allow for up to 39 personnel to be trained during one session. The disadvantage of not funding this project is voice only training conducted via telephone conf calls that slow down and delivery sub-optimal training and development outcomes. As part of Phase 2, this video conferencing setup will be extended to the Chief's Conference Room at Fire Station 1, the EOC, the Fire Prevention Conference Room, and Fire Training Center at Fire Station 2.		Categorically exempt under CEQA Section 15301(a) - Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.
Public Works - Facility Services	Public Works/Ken Winland	AUTO - 1341	Morse Mansion Rehabilitation	New	A property condition assessment was completed in 2017 with the following recommendations: 2018-2019 Re-roofing of structure, dry rot repair $300,000 2019-2020 Window restoration, Door restoration, Mechanical and Plumbing upgrades $100,000 2020-2021 Siding restoration $100,000 2021-2022 Insulation and attic wiring $100,000 2022-2023 Landscaping & Site restoration $200,000 2023-2024 Foundation structural work & Front porch restoration (after lease is up) $500,000 2024-2025 Interior Repairs & Repainting $150,000	To preserve the integrity and appearance of this Historic Site. All work is under the guidance of a Historical Architect.	In process	Categorically exempt under CEQA Section 15331, which consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer.
City Manager - Gen. Government	City Manager's Office/Manuel Pineda	AUTO - 1422	Downtown Master Plan	New	$100,000 to complete the necessary environmental documents to acquire property for the Franklin Street extension and $300,000 to develop a Master Plan for the Downtown Area, including land use, financial analysis, environmental, and community outreach. Develop an RFP to determine development potential for Downtown City-owned properties.	Redevelopment of Downtown is a City Strategic Priority. Downtown City-owned property leases will expire in 2021 and 2022.	Initial planning stage.	Statutorily exempt under CEQA Section 15262, Feasibility and Planning Studies. Applicable to projects involving only feasibility or planning studies for possible future actions which the agency, has not approved, adopted, or funded does not require the preparation of an EIR or Negative Declaration but does require consideration of environmental factors.
Electric - Energy Distribution	Electric/Kevin Keating	AUTO - 1141	2nd 420MW 230.115kV Transformer at NRS	New	Design and construction adding 2nd 230kV/115kV transformers and necessary equipment (230kV and 115kV breakers and bays)	Provide for system load growth to maintain reliability and operational flexibility of the transmission system. Required to serve load.	Engineering coordination with PG&E, equipment specification of equipment construct planning should start about 2020.	Northern Receiving Station 230 KV transmission line EIR
Electric - Energy Distribution	Electric/Kevin Keating	AUTO - 1151	Homestead Substation Rebuild	New	Replace existing 60kV bus work and breakers; replace old metal clad switchgear with new 12kV switchgear, and replace existing transformers.	Existing switchgear is 45 years old and obsolete. Spare parts for the switchgear are no longer available and must be custom built.	Preliminary site evaluation and layout of facilities to occur in FY 2018-19. Project design, equipment procurement and Phase I construction scheduled to occur in FY 2019-20 and 2020-21.	Categorically exempt under CEQA Section 15302(c) - Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.
Electric - Energy Distribution	Electric/Mark Gervacio	AUTO - 1157	2429 - Storm Water Compliance	New	Rehabilitation of Utilities Corporation Yard to address pavement distresses and upgrade pavement life.	Remove and replace distressed areas, apply asphalt seal coat systems to enhance durability.	Project is currently in the design stage and is expected to be completed in 2019.	Categorically exempt under CEQA Section 15301(a) - Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.
Electric - Energy Distribution	Electric/Kevin Keating	AUTO - 1176	2430 Parker Substation	New	Parker Substation will be a 2-bank substation with provisions for a third bank.	Customer request to purchase capacity for new Data Center (27MVA initial capacity until South Loop Project is complete).	Planning/Design process	McLaren Data Center MND

Fiscal Year 2018-2019 CIP budget CEQA determinations

Division	Contact	Project Number	Title	Project Status	Description	Justification	Status	CEQA Determinations
Electric - Energy Distribution	Electric/Chris Karwick	AUTO - 1177	Replace Balance of Plant Control System (DCS)	New	Replace existing failing ABB balance of plant control system.	Existing control system experiencing multiple failures and requires replacement per OEM (original equipment manufacturer).	Planning stages.	Categorically exempt under CEQA Section 15301(a) - Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.
Electric - Energy Distribution	Electric/Chris Karwick	AUTO - 1178	DOT Gas Pipeline Upgrades and Repairs	New	Upgrade and repair DOT gas pipeline.	Regulations and inspections will dictate upgrade and repair schedule.	Planning.	Categorically exempt under CEQA Section 15301(a) - Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.
Electric - Energy Distribution	Electric/Chris Karwick	AUTO - 1179	Piping System Repairs	New	Replace and repair failing piping systems.	Deliver and enhance high quality efficient services and infrastructure to avoid more costly repairs later.	Planning.	Categorically exempt under CEQA Section 15301(a) - Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.
Electric - Energy Distribution	Electric/Chris Karwick	AUTO - 1180	Valve Replacement and Repair	New	Replace and repair aging/failing valves.	Safety and regulatory.	Planning.	Categorically exempt under CEQA Section 15301(a) - Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.
Electric - Energy Distribution	Electric/Chris Karwick	AUTO - 1183	Underground/Above Ground Tank Replacement and Maintenance	New	Replace and maintain underground and above ground tanks.	Safety and regulatory.	Planning.	Categorically exempt under CEQA Section 15301(a) - Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.
Electric - Energy Distribution	Electric/Chris Karwick	AUTO - 1184	Hydro Controls Upgrade	New	Replace and upgrade computer and control systems for hydroelectric plants.	Safety, regulatory and reliability.	Planning.	Categorically exempt under CEQA Section 15302, replacement or reconstruction. Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to: (c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.
Public Works - Engineering-Design	Pulbic Works/Falguni Amin	AUTO - 1420	Sanitary Sewer Hydraulic Modeling As Needed Support	New	As-needed sanitary sewer hydraulic modeling support to analyze capacity impacts of development projects on sanitary sewer system, provide on-going model general maintenance, update model per completed sanitary sewer system improvements, and provide hydraulic modeling service related to sanitary sewer system capacity planning.	Developments with intensified land use greater than City's General Plan projections need to be reviewed for any capacity impact on the sanitary sewer system using City's sanitary sewer hydraulic model. Sanitary sewer hydraulic model needs to be maintained with the latest land use information and sanitary sewer system improvement data, so it can be a useful tool for planning, developing and financing future sewer system infrastructure. The sanitary sewer hydraulic model is an important tool for the City to provide reliable sanitary sewer system for existing customers and to support future developments.	Ongoing. Hydraulic model run is continuously provided for development projects.	Categorically exempt under CEQA Section 15306 - Consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded.

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA MAKING FINDINGS ON THE CONFORMITY OF THE FISCAL YEAR 2018-2019 CAPITAL IMPROVEMENT PROGRAM BUDGET WITH THE 2010-2035 GENERAL PLAN

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, a list of capital improvement projects from the City of Santa Clara Capital Improvement Program ("CIP") Budget for Fiscal Year 2018-2019 is attached hereto and incorporated herein as Exhibit 1 ("Proposed FY 2018-2019 CIP Budget"). This list was submitted to the Planning Commission on May 23, 2018 for the Commission's review and report as to the conformity of the CIP with the General Plan; and

WHEREAS, the Planning Commission reviewed and considered the Proposed FY 2018-2019 CIP Budget to determine whether the list of proposed public works is consistent with the Santa Clara 2010-2035 General Plan pursuant to the requirements of State law.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby determines that all of the projects listed in the Proposed FY 2017-2018 CIP Budget conform with the Santa Clara 2010-2035 General Plan.

2. That the Fiscal Year 2017-2018 Proposed Capital Improvement Project Budget takes into consideration Council Strategic Objectives.

3. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ___ DAY OF _____, 2018, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference:
1. Proposed FY 2018-2019 CIP Budget
2.

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18-252 **Agenda Date: 5/23/2018**

REPORT TO PLANNING COMMISSION

SUBJECT
Public Hearing: Action on a Mixed Use Project located at 575 Benton Street

EXECUTIVE SUMMARY
The applicant, Prometheus Real Estate Group, is proposing to develop a 6-story mixed-use apartment building, including 355 apartments and approximately 20,000 square feet of ground floor retail area, on the properties located on the blocks north of Benton Street between The Alameda and the El Camino Real. This property was previously entitled for the development of 318 apartments in 2016 by Irvine Apartment Communities (the "Mission Town Center" project).

The site is located within the General Plan Santa Clara Station Focus Area and would generally align with the goals and objectives set forth in the General Plan for the project site as discussed in the following report. The project has been the subject of an extensive community engagement process and the project design incorporates input from community stakeholders.

An Addendum #1 to the Mission Town Center Final Environmental Impact Report (FEIR) has been prepared for the proposed project (CEQ2015-01188). The EIR certified for the previously approved project, along with the prepared Addendum, adequately addresses the potential environmental impacts of this project as required under the California Environmental Quality Act (CEQA).

BACKGROUND
The proposed project would consist of up to 355 apartment units including 8 live-work units, 650 parking spaces, 1,601 square feet of leasing office space, a 346 square foot pet spa area, 1,528 square feet of bike amenity space, an amenity roof deck with 4,341 square feet of club room and a fitness center, three private courtyards and a public courtyard facing The Alameda. The proposed residential density of the project would be 61.7 dwelling units (DU) per acre. The project includes 19,985 square feet of retail space and potentially an additional 2,364 square feet of commercial space within 8 live-work units. The project site plan would allow preservation of two historic single-family houses located at 3410 The Alameda and 3370 The Alameda on the project site.

The project application consists of a General Plan Amendment (GPA) from Santa Clara Station High Density Residential to Santa Clara Station Very High Density Residential, a Rezoning to Planned Development (PD), approval of a Vesting Tentative Parcel Map, and approval of a Development Agreement (DA) for the project site to allow development of a proposed residential mixed-use project (PLN2017-12489, PLN2017-12574, PLN2017-12575, and PLN2017-12837).

The 5.75-acre project site is located at the southwestern corner of Benton Street and El Camino Real and consists of 12 parcels, which include APNs 230-07-002, -004, -009, -010, -013, -029, -031, -034, -038, -053, -059, -060 and a public right of way area, all together totaling 5.75 acres (Attachment 1).

Approximately 87 percent of the project site is currently developed with buildings, roadways, sidewalks, and parking lots including approximately 101,207 square feet of commercial and light industrial space, 10 residential units, portions of Fremont and Sherman streets, and site serving infrastructure. The existing public rights-of-way will need to be vacated by the City and acquired by the developer in order to implement the project.

Surrounding Land Uses

The area surrounding the project site is fully developed and consists mainly of residential and commercial uses. A medical office building and single-family residential uses along Harrison Street are located directly adjacent to the north/northwest. In addition, commercial uses are located to the north across Harrison Street. An apartment complex and the Santa Clara Police Department headquarters are located to the east across El Camino Real. Single-family residential uses are located to the south across Benton Street while single-family residential uses, a residence hall, and an auto repair shop are located to the west across The Alameda. Other major uses in the area include Santa Clara University, located one block to the south, and the Santa Clara Transit Center which is located approximately 500 feet to the southeast.

Santa Clara Station Focus Area

The project is located within the Santa Clara Station Focus Area. The Santa Clara Station Focus Area is the 244-acre portion located within the City of Santa Clara of a larger, multi-jurisdictional planning area. At the center of this Focus Area is the existing Transit Station, which is served by Caltrans, Altamont Commuter Express, and Valley Transportation Authority (VTA) bus service. The Station will include the Bay Area Rapid Transit (BART) terminus. The Station will be a major transit hub for the Bay Area and supports the Major Strategies to promote sustainability and economic vitality. The vision for the Santa Clara Station Focus Area offers an opportunity to establish a gateway into the City, as well as to expand the City's economic base with new office, hotel and retail uses and add high-density residential development in order to maximize the use of existing and planned transit as described in the General Plan. The Station Focus Area is intended to support the development of approximately 400 residential units and 130,000 square feet of non-residential development.

Prior Mission Town Center Entitlement

The Mission Town Center project originally proposed by the Irvine Company received approval of a GPA and a rezoning by the City Council on February 23, 2016. Irvine had initially proposed a more intense project which was fully analyzed in the Final Environmental Impact Report (FEIR) certified by the City. Although the original FEIR analyzed a project for 385 residential units, the Irvine project was approved for 318 residential units, approximately 10,000 square feet of conditioned amenity and leasing space, and approximately 20,000 square feet of ground floor retail space. The project analyzed in the FEIR is also more intense than the current proposal.

Although Irvine had sought approval of a more intensive project, in 2016 the City Council approved a reduced density version of the project which would conform to the Santa Clara Station High Density Residential designation with use of discretionary General Plan Policy 5.5.1-P6, which provided a 10% increase in residential density from 50 to 55 dwelling units per acre. At that time the City Council accordingly approved a change in the General Plan land use designation for the site from Santa Clara Station High Density Residential and Santa Clara Station Low Density Residential to Santa Clara Station High Density Residential. The City Council also approved the addition of a General Plan Policy (Policy 5.4.3-P21) to allow active retail uses at ground level on parcels designated Santa Clara Station High Density Residential within the Santa Clara Station Focus Area. The Irvine

entitlements included a Development Agreement. While a PD Rezoning was approved in 2016 for the development of 318 units, that entitlement expired two years after the approval date in February 2018 and the site has reverted to its prior zoning designation. The prior Development Agreement never became effective insofar as the previous developer, Irvine, did not satisfy the precondition to take control of the lands identified in the Development Agreement.

Vesting Tentative Parcel Map

A Vesting Tentative Parcel Map application accompanies the project, but is not subject to review by the Planning Commission. The project site consists of 12 parcels. The intent is to merge these parcels with the vacation of Fremont Street and Sherman Street to create a single legal parcel for the mixed-use project, one legal parcel for a public park, and one legal parcel for each historic single-family house on the site. The Parcel Map would result in four legal parcels. The proposed Vesting Tentative Parcel Map will be reviewed by the City Council for conformance with Santa Clara City Code Section 17.05.400.

Prior Project Hearings

The current project proposal was introduced to the Historical and Landmarks Commission (HLC) on September 7, 2017 and February 1, 2018. The project was recommended for approval by the HLC to the Planning Commission and City Council subject to conditions.

DISCUSSION

The primary issues evaluated for the project are consistency with the General Plan and Santa Clara Station Focus Area policies, the quality of the project architecture and site design including circulation and parking, incorporation of community input and the proposed treatment of existing historic resources on the project site, General Plan consistency findings for a proposed street vacation, and the proposed terms for a project Development Agreement.

Consistency with the General Plan / Santa Clara Station Focus Area

The project includes a GPA to change the General Plan land use designation for the site from Santa Clara Station High Density Residential (37-50 du/acre) to Santa Clara Station Very High Density Residential (51-100 du/acre) and to amend Figure 5.4-4 of the General Plan text to clarify the applicable density. The intent of these changes is to allow for a mixed use, high density residential development that maximizes residential development within walking distance of the Santa Clara Depot Station within the Santa Clara Station Focus Area. The General Plan change is required in order to increase the allowable density to a range that accommodates the proposed project density (61.7 DU per acre). The General Plan's Very High Density Residential designation allows for the following density and uses:

> ***Very High Density Residential***
> *This classification is intended for residential development at densities ranging from 51 to 100 units per gross acre. This density range is intended to take advantage of proximity to transit, offering an urban feel and typically comprised of mid- to high-rise buildings featuring structured or below-grade parking, as well as shared outdoor space. Additionally, retail and other compatible commercial uses that activate the street shall be permitted on the ground floor.*

Figure 5.4-4 of the General Plan already designates a portion of the Santa Clara Station Focus Area as Very High Density Residential; however, there is a minor inconsistency in the Figure because it shows the density as 51-90 du/ac. The proposed General Plan Amendment would correct this

diagram to reflect that the density of Very High Density Residential development is 51-100 du/ac.

The General Plan includes four primary goals for the Santa Clara Station Focus Area:

- 5.4.3 G1 Development in proximity to the Santa Clara Station that capitalizes on transit and results in high intensity uses.
- 5.4.3-G2 A mix of uses, with emphasis on office, hotel and residential development.
- 5.4.3 G3 A link between the Santa Clara Station and a variety of transit options that offer viablē transportation alternatives throughout the City and the region.
- 5.4.3-G4 Pedestrian and bicycle priority within the Santa Clara Station Focus Area with transit and vehicular priority to access the Station.

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The requested General Plan changes are a requirement for the project to proceed in that the project proposes higher density that allowed under the current General Plan designation. The proposed project aligns with the primary goals of the Santa Clara Station Focus Area in that the proposed project will replace lower density residential uses and lower intensity light industrial and commercial uses with a large scale mixed-use project within walking distance of Santa Clara Depot Station in support of the vision for the Santa Clara Station Focus Area. In addition, the proposed project would include pedestrian-oriented retail on Benton Street and El Camino Real. The proposed retail component will maintain the vision of the Focus Area by providing the area with pedestrian-oriented retail uses. Finally, the proposed project will also help address the City's longstanding jobs/housing imbalance.

The proposed mixed-use project includes approximately 20,000 square feet of ground floor retail uses at the corner of El Camino Real and Benton Street in addition to the live-work units with 2,364 square feet of commercial space along Benton Street to the corner of The Alameda. The buildings along Benton Street and El Camino Real would be oriented to the street level. The sidewalks along Benton Street, El Camino Real, and The Alameda would be widened to increase pedestrian activity. Street trees and planters would also be provided along Benton Street, The Alameda, and El Camino Real to be more pedestrian friendly

The proposed project is further consistent with General Plan Policies as follows:

<u>Mixed-use Land Use Policies</u>

- 5.3.4 P2 Encourage mixed use development in proximity to employment centers and residential neighborhoods throughout the City.
- 5.3.4-P4 Require mixed use development to meet the density and intensity specified in the land use classifications.

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The project conforms to these policies in that project sits is in proximity to residential neighborhoods located immediately to the west and south of the project site while Santa Clara University, a major employment center in the City, is located one block to the south of the project site. The project is located in an urbanized area served by existing municipal services and implements smart growth principles by redeveloping underutilized properties with higher density housing projects in mixed-use areas. Residential density on the project site would be consistent with the density specified in the Santa Clara Station Very High Density Residential land use classification should the requested amendment be approved.

- 5.3.4 P5 Encourage mixed use development site planning and design to implement the elements illustrated in Figures 7.3 2 and 7.3 3, including street tree planting along all streets.
- 5.3.4 P9 Encourage ground level windows and building entries that support a visual connection to activities.
- 5.3.4 P11 Foster active, pedestrian oriented uses at the ground level, such as retail shops, offices, restaurants with outdoor seating, public plazas or residential units with front stoops, in mixed use development.
- 5.3.4 P12 Prioritize pedestrian oriented streetscape and building design in mixed use development, including features such as wider sidewalks, street furniture, specialty planters, signage, public art, street trees, special paving materials, decorative awnings, enhanced entrances, colors, variety of materials and textures and distinctive building massing and articulation.

The proposed project includes articulated facades, canopies, awnings, and numerous windows and doors along the street level to maximize transparency. The proposed project would include ground-level windows and entries along the El Camino Real, Benton Street and The Alameda frontages that would support a visual connection to activities. Landscaping for the proposed project would include planting of new trees and shrubs.

- 5.3.4 P8 Encourage building heights of up to five stories in large mixed use developments along arterial street frontages, with the potential for taller buildings north of the Caltrain corridor.

The proposed building would be up to 86'6" feet tall to the top of the rooftop amenity area within the interior garage area, out of line of site from the grade. Building heights at the building perimeter vary from 37 to 73'7" feet. Some portions of the building would be six stories tall (5 stories of residential above the podium level), but the project design includes architectural treatment to reduce the visual effects of building mass, create variation in roof height and scale down portions of the building nearest to sensitive uses.

- 5.3.4 P10 Require parking to be substantially below grade or in structures with active uses along streets.

The majority of the parking for the project will be located within a garage structure at the site interior and screened by residential units and retail spaces located at street level along Benton Street and El Camino Real.

Santa Clara Station Focus Area Policies

The project has been reviewed for consistency with General Plan policies specific to the Santa Clara Station Focus Area and found to conform with the following.

- 5.4.3 P3 Provide pedestrian oriented ground floor uses and a network of parks and public spaces to serve both residential and non residential development.
- 5.4.3 P5 Provide approximately of 7.0 acres of publicly accessible open space within the area

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designated for residential and/or commercial uses.

Pedestrian-oriented ground floor retail uses would be provided at the corner of the El Camino Real and Benton Street. A public outdoor plaza would be located at the corner of El Camino Real and Benton Street facing Benton Street and one public open space would be located along The Alameda. The project would provide a publicly accessible plaza and 0.14 acres of publicly accessible open space. The project will be subject to the City's parkland requirements and a payment of development fees due in lieu of land dedication, minus the maximum credit of 50% for eligible on-site parkland recreational elements, would be required.

- 5.4.3 P6 Provide pedestrian oriented retail uses to serve new residential development, Station visitors and area employees.
- 5.4.3 P7 Provide appropriate transition between new development and adjacent uses consistent with General Plan Transition Policies.

The project would provide ground floor pedestrian-oriented retail and live-work units along El Camino Real and Benton Street. The proposed development would retain the two historic houses along The Alameda and by proposing a public open space adjacent to those houses would further reduce the massing along The Alameda and adjacent single-family houses across Fremont Street. The proposed massing would gradually increase from 2-stories to 3, 4 and 5 stories along Benton Street and to 5 and 6 stories along El Camino Real to transition between single-family houses and the proposed development. In addition, enhanced streetscape design consisting of street trees and landscaping along Benton Street would soften the edge between the proposed project and existing residential neighborhoods to the south.

- 5.4.3 P9 Encourage streetscape design with street trees, wider sidewalks, pedestrian oriented lighting, curb bulb outs and special paving and/or striping within the Focus Area to emphasize accessibility.
- 5.4.3 P10 Orient building street frontages to the ground level with residential entries, stoops and windows, and commercial store fronts.

Streetscape design along Benton Street, El Camino Real and the Alameda would include street trees. The sidewalks along Benton Street, El Camino Real, and The Alameda would also be widened with implementation of the project. The proposed development would include commercial spaces with storefronts and direct access from the sidewalk along El Camino Real and Benton Street retail spaces and live-work units.

- 5.4.3 P11 Encourage parking consolidation, alternate parking arrangements or reduced parking ratio within the Santa Clara Station Focus Area to promote the use of alternate transportation modes.
- 5.4.3 P12 Minimize surface parking by requiring below grade or structured parking facilities with active uses along street frontages.

The proposed project is providing residential parking at a ratio of 1.5 spaces per residential unit and sufficient bicycle parking per the City's standards. The project is located across the street from the Santa Clara Depot Station. Parking would be located in a six level parking structure (one level below

grade) at the center of the project site. Residential units would be arranged around the central parking structure and the proposed retail uses would be located at street level along Benton Street and El Camino Real.

Transition Goals and Policies
The project conforms with the General Plan Transition Goals and Policies as follows.

- 5.5.2 P1 Require that new development incorporate building articulation and architectural features, including front doors, windows, stoops, porches or bay windows along street frontages, to integrate new development into existing neighborhoods.
- 5.5.2 P2 Implement design review guidelines for setback, heights, materials, massing, articulation and other standards to support Transition Policies and promote neighborhood compatibility

The proposed development fronts along El Camino Real, Benton and The Alameda. The commercial spaces along El Camino Real and Benton will include commercial storefronts with direct access from the sidewalk. The residential units along The Alameda will include stoops with direct access to the units creating the street level access desired. The Benton live/work units will have commercial storefronts with access to the live/work units from Benton which also creates the street level access desired for the Santa Clara Station Area. The proposed project would keep two historic single-family houses with a proposed 0.14 acre public open space along The Alameda. The new structure would be set back approximately 20 feet from The Alameda and the height of the structure would be reduced to 37' feet (3 stories) to be compatible with the existing residential neighborhood to the west.

- 5.5.2 P5 Require that new development provide an appropriate transition to surrounding neighborhoods.
- 5.5.2 P6 Adjust new building height, scale and massing along the site perimeter abutting planned lower intensity uses.
- 5.5.2 P7 For buildings of three stories or greater, increase the setback of upper stories where they abut lower intensity residential uses.

The proposed building would be set back 20 feet from The Alameda and the height of the structure would be reduced to 37 feet (3 stories) to be compatible with the existing residential neighborhood to the west. Proposed architectural features would result in a project that is cohesive with the architectural style of the surrounding properties. In addition, street trees and landscaping would be provided along this edge to soften the transition between the project and the nearby residential neighborhood.

- 5.5.2 P8 Encourage enhanced streetscape design and reduced building mass for non residential uses located across the street from lower intensity residential neighborhoods.
- 5.5.2 P9 Improve pedestrian amenities, including sidewalks and bicycle paths, to promote neighborhood compatibility.

Enhanced streetscape design, consisting of street trees and landscaping along Benton Street, would soften the edge between the proposed project and existing residential neighborhoods to the south. The sidewalks along Benton Street, El Camino Real, and The Alameda would be widened to increase

pedestrian activity. The proposed project would also provide a bike lane along the Benton Street.

- 5.5.2 P13 Offer opportunities for developed neighborhoods to initiate planning efforts to provide a vision for future streetscape design and neighborhood character

The project applicant held several meetings with residents from the surrounding neighborhoods to discuss the proposed project. These discussions have resulted in project design changes to better integrate the project with existing neighborhoods.

General Land Use Goals and Policies
The project is consistent with General Plan goals and policies related to preservation.

- 5.6.1 G1 Preservation of historic resources and neighborhoods.
- 5.10.1 P4 Protect all healthy cedars, redwoods, oaks, olives, bay laurel and pepper trees of any size, and all other trees over 36 inches in circumference measured from 48 inches above grade on private and public property as well as in the public right of way.

The project is preserving the two existing historic houses on the project site within the neighborhood. The development will preserve the existing magnolia tree located along The Alameda.

Plan Bay Area
The City Council previously endorsed the designation of the Santa Clara Station Focus Area as Priority Development Area for the regional Plan Bay Area. The project would be consistent with Plan Bay Area, which notes that new projects in the planned development area (PDA) that encompasses the project site must have a density of 50 to 150 dwelling units/net acre. With a proposed density of 61.7 dwelling units/net acre, this project would meet that goal.

Cumulative Effects of proposed General Plan Amendments
At the March 2017 study session on the General Plan, the Council discussed the need to conduct an analysis of the cumulative effects of General Plan amendments within each calendar year. The City currently anticipates four General Plan Amendments that will be considered in 2018. Using the same methodology as used for the 2010 comprehensive update of the City's General Plan, the pending Amendments if approved would have the following impacts on the City's overall jobs and housing General Plan capacity:

- Moonlite Lanes - Remove 63 Jobs and 32 DU from the General Plan
- 575 Benton - Add 184 DU to the General Plan
- Coleman Gateway - Maintain Jobs and add 578 DU to the General Plan
- Tasman East Specific Plan - Add 2,215 DU to the General Plan

The cumulative effect of the proposed General Plan amendments would be to remove 63 jobs from the General Plan and to add 2,945 DU. Specific project applications have been submitted for each of these GPA areas that if approved could result in the construction of different amounts of square footage and dwelling units, but the changes listed here represent the change calculated using an equivalent methodology to the long-term forecasting methodology used in the General Plan process.

Rezoning to Planned Development:
The project includes a rezoning of the properties to Planned Development (PD) to implement the

proposed GPA. The City's Zoning Code currently does not have a zoning district consistent with the proposed Santa Clara Station Very High Density Residential General Plan designation. Therefore, the project proposes to rezone the site from Light Industrial (ML), Single Family (R1-6L), Duplex (R2-7L), and Thoroughfare Commercial (CT) to Planned Development (PD). Approval of the proposed PD zoning would not result in an incompatible land use or a built environment on-site that would preclude the continued operation of the surrounding land uses. If the rezoning is not approved, the size and density of the project cannot be approved as proposed.

Chapter 18.54 establishes a process and requirements for the establishment of PD Zoning districts. PD Zoning districts are intended to allow for creative design solutions and land uses not otherwise allowed in other districts while maintaining compatibility with the existing community and allowing for greater community ownership. The PD should include design standards (e.g., requirements for on-site parking, landscaping, lot coverage, height, setbacks and separations between buildings and uses) and allow a density consistent with the General Plan land use designation.

The proposed PD Zoning would establish specific height limitations and setback requirements for the project site consistent with the proposed project design as depicted in the attached plan set (Attachment #13 and Attachment #14). The building setbacks are generally greater than 15 feet to the property line along Benton Street and El Camino Real. The building setback is generally greater than 20 feet to property line along the northern border. Setbacks along The Alameda are generally greater than 20 feet to property line. The parking standards, heights and setback details are provided in the Development Plans. As discussed above and in the following sections, the project design would be compatible with General Plan policies and the neighborhood context, as well as established standards for parking, landscaping, etc.

With the City Council’s approval of the GPA to Santa Clara Station Very High Density Residential and the PD rezoning to allow up to 355 residential units, the project and proposed rezoning would be consistent with the General Plan designation and the Zoning Code as a result.

Architecture and Site Design:

The proposed project is massed to form a collection of appropriately scaled buildings that provide cohesion within the block. It would consist of a three to seven-story structure that would range in height from approximately 37’ to 89’ 6”. Parking would be located in an eight level parking structure at the center of the projects site, providing one level of below-grade parking, six levels of above-grade parking, and a roof deck with amenities on the sixth floor roof top. The roof deck amenity space includes 4,341 square feet of a club room and a fitness center within the interior garage area, out of line of site from grade. Residential units and retail would be arranged around the central parking structure.

The project design incorporates a pedestrian-friendly scale at the street level, with articulated street-fronts for commercial space with high-quality materials along El Camino Real and Benton Street. The residential units along El Camino Real and The Alameda will include stoops with direct access to the units from street level. The live/work units along Benton Street will have commercial storefronts with access to the live/work units from Benton Street which also creates the street level access desired for the Santa Clara Station Focus Area.

Although not proposed by the applicant, in order to better meet community goals, staff recommends that the City require the project to include additional retail space at the northeast corner of The

Alameda and Benton Street. Retail uses at this location would provide an appropriate transition between new development and the adjacent retail uses across the intersection of Benton Street and The Alameda and promote pedestrian activity connecting the site to the Santa Clara University. The amount of retail could be increased up up to 27,000 square feet of ground floor retail as was analyzed in the EIR for the Irvine project.

The proposed development would provide a 4,493 square feet courtyard with a fenced dog park, overhead shade structure, and a pet spa along El Camino Real; a public plaza in front of the retail uses at the corner of El Camino Real and Benton Street facing Benton Street; a 9,654 square feet courtyard surrounded by residential units with a lounge and BBQ area; a 6,219 square feet public open space with a lawn and seat walls along The Alameda; and a 5,278 square feet courtyard separated from the public open space with a transparent fence along The Alameda.

The project includes the planting of new trees and shrubs throughout the site. Based on the arborist report there are 26 existing trees on site. The proposed landscaping plan calls for installing approximately 285 trees, which would exceed the General Plan policy for a minimum 2:1 replacement for trees removed as part of the project.

Circulation and Parking

The project would provide within the parking structure 536 residential parking spaces, of which 472 are assigned to specific units, and 109 non-residential parking spaces. For the residential use, parking would thus be provided at a rate of 1.5 parking spaces per one-bedroom and two-bedroom dwelling unit (192 one-bedroom & 163 two-bedroom units) and guest parking would be provided in the garage at a rate of 18% of the total unit-count. Retail parking will be provided at minimum of 4 parking spaces per 1,000 square feet of floor area including any new restaurant uses. Outdoor restaurant seating will be limited to insure the project meets a 1 space for each three outdoor seat standard. Overall, Parking spaces with Electrical Vehicle (EV) charging stations will be provided based on code requirements. The applicant will provide additional EV charging stations up to 10% of the residential parking spaces as demand requires.

The applicant prepared a parking study based on several of their properties located in Santa Clara or adjacent cities (Attachment 10). The goal of these studies was to collect real-time data to better understand parking demand for existing apartment communities in and near Santa Clara in proximity to Caltrain stations. The applicant found the results of the parking counts were consistent among all studied communities with a parking demand ratio of 1.22 spaces per unit on the lower end to 1.29 spaces per unit on the higher end. The proposed parking ratio of 1.5 spaces per unit would thus provide adequate parking based upon observed demand levels.

Vehicular access to the site would be provided from Benton Street and El Camino Real. Both access points would provide access to the parking garage. The western most section of Fremont Street and the northern section of Sherman Street currently intersect on the project site. The sections of these two streets on the project site would be vacated and the land area utilized as part of the project development site. Because these street sections are not through streets and do not intersect El Camino Real, their vacation will not alter vehicular circulation patterns in the project area. No driveways to the garage are located on The Alameda.

Bicycle parking requirements are incorporated in the development plans and as conditions of approval. Bike racks that accommodate 48 bicycles would be distributed along El Camino Real,

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Benton Street, and The Alameda. The project will provide a 1,528 square feet bike amenity space including 248 bike lockers for use by residents and retail employees. The project would provide a minimum 4.5' wide Class II bicycle lane (excluding the gutter pan) along Benton Street.

Historical Resources

A total of 13 buildings are located within the project site. Three buildings are less than 50 years old (the warehouse at 602 Fremont Street, the duplex at 611-613 Sherman Street and the commercial building at 3300-3340 The Alameda) and thus are not eligible under the criteria of the California Register or the City of Santa Clara “Criteria of Local Significance”. DPR 523 forms have been completed for the ten buildings that are over fifty years old (three single-family houses at 1188 Sherman Street, 645 Benton Street, 625 Benton Street; three warehouses at 575 Benton Street, 660 Fremont Street and 1250 Sherman Street; office building at 3390 The Alameda, multi-unit residential at 663 Fremont Street). The two houses at 3370 The Alameda and 3410 The Alameda are eligible under the City of Santa Clara "Criteria of Local Significance" and Criterion 1 of the "Criterion for Architectural Significance." The house at 3370 The Alameda also is eligible under California Register Criterion 3 as an excellent example of Craftsman Bungalow architecture in Santa Clara.

The proposed project would preserve these two single-family houses on the project site by keeping the single-family house at 3410 The Alameda in place, and relocating the single-family house at 3370 The Alameda adjacent to 3410 The Alameda on the project site. Relocation of the single-family home at 3370 The Alameda would be performed in compliance with the State Historical Building Code (as set forth in Sections 18950 to 18961 of Division 13, Part 2.7 of Health and Safety Code), and subject to the rules and regulations of the California Historical Building Code (CHBC) (as set forth in 24 CCR Part 8).

A Cultural Resources Treatment Plan was also prepared for the project. The Treatment Plan was prepared by Albion Environmental, Inc. and Beyond Buildings. It summarizes the history of the project area in terms of occupation and development, previous archeological investigations in the vicinity of the project, research themes, protocols for identifying resources, and measures to mitigate the adverse effects of the proposed project.

Changes Made in Response to Community Input

A noticed community meeting was conducted to present the development proposal to neighbors and interested parties at the Senior Center from 6:00 p.m. to 8:00 p.m. on Tuesday July 11, 2017. Public Hearing notice of the meeting (Attachment 3) was mailed to property owners within 500 feet of the project site and posted on the City’s Community Meetings webpage. The meeting was attended by approximately 45 community members. Attendees expressed general interest in the proposal and some concerns regarding the sufficiency of parking spaces, potential traffic created by the new residences, integration of sustainability initiatives, adequacy of water resources, and parking structure design flexibility for future reuse.

In the community outreach meeting, attendees requested that Prometheus cooperate with the City to restoring the section of Franklin Street that is currently within the Park Central development owned by Prometheus. Because this street section is located within the Downtown Revitalization area and not related to the current design proposal it will be addressed separately.

Following meetings with community members, the project applicant modified the proposed site plan and project architecture to preserve the existing residences on site and to utilize an architectural style

suggestive of a historic industrial area that has been converted to residential use.

Street Vacation
The project includes the vacation of Fremont Street and Sherman Street Right of Way and sale of the road way to the developer. The project will vacate one block of Fremont Street and one block of Sherman Street in order to construct the proposed residential building. The eastern end of Fremont Street has already been vacated by the triangular lot now bounded by Benton Street, El Camino Real and Sherman Street. Sherman Street also has been vacated at Fremont Street, and does not provide vehicle access to El Camino Real. The sections that will be vacated provide access only to properties within the project site. The street vacation as part of the project will therefore not alter vehicle access and circulation in the project vicinity and there would be no traffic impacts due to street closure. Terms governing the Street Vacation would be established in the proposed Development Agreement as discussed below. The applicant is requesting to maintain the terms that the City previously agreed to as part of the Irvine entitlements.

Pursuant to California Government Code Section 65402, prior to the City Council vacating a street, the Planning Commission must make a report to the City Council as to whether the proposed vacation would be in conformance with the General Plan. The streets in question are not identified as a necessary component in the General Plan and their vacation would facilitate a project that implements the General Plan.

Development Agreement
The project proposal includes a Development Agreement to allow development of the project and its associated facilities and improvements. Prometheus has requested that the City of Santa Clara ("City") enter into the type of agreement contemplated by the Development Agreement Act with its affiliate, Benton and El Camino, LP. While this would be a new Development Agreement, Prometheus has proposed that the Development Agreement incorporate the same terms as were in the Mission Town Center Development Agreement (that was previously approved by City Council) with the following changes:

- Change Developer name to “Benton and Camino, LP”;
- Establish General Plan designation as Very High Density Residential;
- Increase number of apartment units from 318 to 355;
- Increase the allowed height from 73 feet to 86 feet, 6 inches;
- Reduce conditioned amenity space from 10,000 square feet to 5-6,000 square feet of interior or roof top amenity space;
- Eliminate relocation of the two historic houses from the project site; instead, one historic house will remain in situ and the other will be relocated to another position on the project site;
- Reduce the amount of dedicated parkland from 0.15 acres to 0.14 acres, consolidated from two separate plazas into a single public plaza;
- Update the park impact fees, consistent with the City’s ordinances, to reflect the increase in the number of dwellings and the current fee schedule (Developer will pay $5,572,832 in lieu of $4,170,000 in the prior Development Agreement);
- Make transportation improvements up to $310,000 in value (in lieu of a mandated payment of $310,000);
- In lieu of an objective to attain LEED Gold building standards or an equivalent, the Project will seek to attain GPR Silver standards or an equivalent; and

- In lieu of a Class II bicycle lane along the Benton Street frontage, the project will only provide Class III bicycle sharrows.

Terms that would be maintained from the prior DA include:

- Provide 10% of units as affordable units, with 30% of those units affordable to Low Income households (defined as households with 80% or less of the Area Median Income) and 70% as affordable to Moderate Income households (defined as households with 120% or less of the Area Median Income)
- Payment by the developer of applicable City review fees including cost of preparing the Development Agreement;
- Curation of any archeological resources found on the project site;
- Install landscaping improvements in a public plaza on the project site;
- Maintain the public park areas on the project site for a minimum of 40 years;
- Pay Regional Traffic Fees at a rate of $2.50 per square foot for retail space;
- Make right-of-way dedications and improvements along the project frontage;
- Implement a Transportation Demand Management (TDM) program based on a 20% reduction in Vehicle Miles Travelled (VMT) for trips generated by the project, half of which would come from TDM measures;
- Make various improvements to City utilities in the project vicinity; and
- Compensate the City for vacation of portions of Fremont Street and Sherman Street based on established terms.

While some of the proposed changes from what was previously agreed to between the City and Irvine are favorable to the current developer (e.g., increased amount of development capacity and building height), they are relatively minor and other important components, such as the incorporation of affordable units including low income units would be the same. The project would also maintain two historic residences on site as preferred by the community and the increased number of units would result in more park impact fees and a greater number of affordable units. The project developer has also suggested that the Development Agreement as previously approved imposed too much cost on the project, resulting in project infeasibility, and that some changes are necessary in order for the City to implement the General Plan goals and objectives for the project site.

FISCAL IMPACT

There is no cost to the City to act on the proposed entitlement actions other than administrative staff time and expense which are offset by permit application fees. The proposed increase in residential density would have a small incremental increase in demand for City services (e.g., police and fire calls) associated with the population growth and which would be offset by increases in property values and sales tax revenue. Residential development generally incurs a net fiscal cost to the City, however, the site has already been planned for residential use. Generally higher density residential development generates less of a fiscal impact as the compact nature of the development reduces per capita service costs.

ENVIRONMENTAL REVIEW

On February 23, 2016, the City Council certified the Final Environmental Impact Report (FEIR) and adopted the Findings and the Mitigation Monitoring Program pursuant to California Environmental Quality Act (CEQA) for the Mission Town Center project.

The Mission Town Center Project analyzed in the FEIR included the demolition of the existing buildings on the project site and the construction of a mixed-use residential development that would consist of 385 apartment units, three distinctive private open spaces, approximately 27,000 square feet of ground floor retail, 6,000 square feet of amenity space, three courtyards, 4,000 square feet of leasing space, and 839 parking spaces. The current project includes fewer residential units than were analyzed in the Mission Town Center FEIR 355 rather than 385) as well as less retail space and parking spaces.

The City of Santa Clara prepared an Addendum#1 to the Mission Town Center FEIR that concluded that the proposed project is substantially the same as the previously evaluated project and that the potential environmental effects of the proposed development project were adequately analyzed in the Mission Town Center FEIR, certified in February 2016, and that there are no changes in circumstances or substantial new information that would trigger the need for further environmental review under CEQA.

Traffic studies conducted as part of the Mission Town Center FEIR concluded the Mission Town Center project would result in some significant and unavoidable traffic impacts. Since the proposed project is generally similar to but smaller than the originally proposed Mission Town Center project, its potential transportation and traffic impacts would be similar to or less than the impacts previously analyzed in the Mission Town Center FEIR. The City Council adopted a statement of overriding considerations when the FEIR was certified.

The FEIR Addendum concludes that the proposed project would not result in any new significant adverse environmental impacts, nor would it result in an increase in the severity of any previously identified significant environmental impacts identified and studied in the FEIR.

COORDINATION

The contents of this report and the subject land use entitlement actions were prepared in coordination with the City Attorney.

PUBLIC CONTACT

The notice of the public hearing for this item was posted within 1,000 feet of the project site and mailed to property owners within 1,000 feet of the project site. A notice was published in the Santa Clara Weekly on April 25, 2018. The full administrative record is available for review during normal business hours in the Planning Division office at City Hall. Planning staff has not received written comments from members of the public during the preparation of this report.

Historical Landmarks Commission

The project proposal was presented to the Historical and Landmarks Commission (HLC) on September 7, 2017. The Commission reviewed the staff report, the Cultural Resources Treatment, and the Mission Town Center FEIR Addendum#1. The HLC recommended adoption of the Cultural Resources Treatment Plan including the preservation of the two historic homes with the tree and associated landscaping and to add a recommendation to integrate a concept of defining the street grid line in the courtyard landscaping if possible.

The project was scheduled for an additional hearing by the HLC on February 1, 2018 to allow HLC review of changes to the project architectural design at the corner of El Camino Real and Benton

Street. The Commission recommended approval of the project design subject to the following condition:

- The corner building design must be revised and enhanced to create more visual interest. This enhancement can be done by implementing architectural treatment such as façade surface composition, building setbacks for upper floors, special corner treatment, and façade indentation.

Since then the applicant has presented a revised corner building design. The corner building design has improved and can be further reviewed through the architectural review process for the project.

ALTERNATIVES:

1. Adopt a resolution recommending to the City Council adoption of an Addendum#1 to the Mission Town Center Final Environmental Impact Report (FEIR).
2. Adopt a resolution recommending to the City Council approval of the General Plan Amendment (GPA) from Santa Clara Station High Density Residential to Santa Clara Station Very High Density Residential.
3. Adopt a resolution recommending to the City Council approval of the rezoning from Light Industrial (ML), Single-Family (R1-6L), Duplex (R2-7L) and Thoroughfare Commercial (CT) to Planned Development (PD) to allow the development of 355 apartment units, 24,000 to 27,000 square feet of retail space including retail in proximity at the northeast corner of The Alameda and Benton Street, and approximately 6,000 square feet of amenity and leasing space, and thereby increasing the amount of retail space from 19,985 square feet.
4. Adopt a resolution recommending to the City Council adoption of an Ordinance to approve the Development Agreement.
5. Adopt a resolution recommending to the City Council that the proposed vacation of portions of Fremont Street and Sherman Street would be consistent with the General Plan.
6. Adopt a resolution recommending to the City Council approval of the rezoning from Light Industrial (ML), Single-Family (R1-6L), Duplex (R2-7L) and Thoroughfare Commercial (CT) to Planned Development (PD) to allow the development of 355 apartment units, 19,985 square feet of retail space, and approximately 6,000 square feet of amenity and leasing space.
7. Adopt a resolution recommending to the City Council denial of the proposed rezoning and General Plan Amendment.

RECOMMENDATION

Alternatives 1, 2, 3, 4, and 5:

1. Adopt a resolution recommending to the City Council adoption of an Addendum#1 to the Mission Town Center Final Environmental Impact Report (FEIR).
2. Adopt a resolution recommending to the City Council approval of the General Plan Amendment (GPA) from Santa Clara Station High Density Residential to Santa Clara Station Very High Density Residential.
3. Adopt a resolution recommending to the City Council approval of the rezoning from Light Industrial (ML), Single-Family (R1-6L), Duplex (R2-7L) and Thoroughfare Commercial (CT) to Planned Development (PD) to allow the development of 355 apartment units, 24,000 to 27,000 square feet of retail space including retail in proximity at the northeast corner of The Alameda and Benton Street, and approximately 6,000 square feet of amenity and leasing space, and thereby increasing the amount of retail space from 19,985 square feet.
4. Adopt a resolution recommending to the City Council adoption of an Ordinance to approve the

Development Agreement.
5. Adopt a resolution recommending to the City Council that the proposed vacation of portions of Fremont Street and Sherman Street would be consistent with the General Plan.

Reviewed by: Andrew Crabtree, Director of Community Development
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Reserved for Planning Commission Report
2. Site Plan
3. Development Plans
4. Tentative Parcel Map
5. Application - Letter of Justification
6. Application - Development Agreement Amendment Letter
7. Application - Parking Study Memo
8. Neighborhood Meeting Notice
9. Correspondence - Muwekma Ohlone Indian Tribe Comments
10. Correspondence - Response Letter to Muwekma Oholone Indian Tribe
11. Resolution recommending approval of the Addendum to the FEIR
12. Resolution recommending approval of the General Plan Amendment
13. Resolution recommending approval of the Rezone
14. Resolution recommending adoption of an Ordinance for the approval of a Development Agreement
15. Development Agreement Ordinance
16. Development Agreement
17. Resolution recommending approval of the Street Vacation and General Plan Finding
18. Final Environmental Impact Report Addendum
19. Conditions of Rezoning Approval
20. Conditions of Tentative Parcel Map
21. Public Comments

Attachment #1

Reserved for Planning Commission Report


El Camino Real
Fenton Street
Sherman Street
1250
1188
1041
1051
1043
1068
1078
3515
3505
3490
3480
3465
3460
3455
3450
3430
3410
3390
3370
3360
3340
3325
3300
3290
3355
3395
640
610
608
611
603
601
575
550
540
576
672
624
678
668
650
645
625
675
663
602
713
747
753
759
730
720
710
733



El Camino Real Mixed-Use

Santa Clara, California

April 6, 2018

EL CAMINO REAL MIXED USE SANTA CLARA, CA

PROMETHEUS

Civil Engineering Associates

PLACE

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ARCHITECTS ORANGE
144 NORTH ORANGE ST. ORANGE, CA 92866 714.639.9860
#2016-287 WWW.ARCHITECTSORANGE.COM 04.06.2018

El Camino Real Mixed-Use

April 06, 2018

PROJECT TEAM:

CLIENT:
Prometheus Real Estate Group
1900 South Norfolk Street, Suite 150
San Mateo, CA 94403
Contact: Marilyn Ponte
E-mail:mponte@prometheusreg.com
Phone: (650) 931-3457

LEAD ARCHITECT:
Architects Orange
144 N. Orange Street
Orange, CA 92866
Contact: Tobin Symmank
E-mail: Tobins@Architectsorange.com
Phone: (714) 639-9860

DESIGN ARCHITECT
Studio T Square
304 12th Street, Suite 2A
Oakland, CA 94607
Contact: Chek Tang
E-mail: ctang@studiot-sq.com
Phone: (510) 451-2850

LANDSCAPE ARCHITECT:
PLACE
735 NW 18th Avenue
Portland, OR 97209
(503) 334-2080
Attn: Craig McGlynn

CIVIL ENGINEER:
Civil Engineering Associates
224 Airport Parkway
Suite 525
San Jose, CA 95110
(408) 453-1066
Attn: Shane Adrian

PROJECT SUMMARY:

Multi-family residential project wrapped around a multi-level parking garage.
Type III-A Sprinklered construction (Residential).
Type I-A Sprinklered construction (Commercial & Parking Garage).

ADDRESS:	575 Benton Street, Santa Clara, CA (230-07-053)
A.P.N's:	230-07-002, 230-07-004, 230-07-009, 230-07-010, 230-07-013, 230-07-029, 230-07-031, 230-07-034, 230-07-038, 230-07-053, 230-07-059, 230-07-060
SITE AREA:	5.75 AC (250,291 SF)
EXISTING ZONING:	PD (PLANNED DEVELOPMENT)
PROPOSED ZONING:	PD (PLANNED DEVELOPMENT)
EXISTING USE:	SANTA CLARA STATION AREA
PROPOSED USE:	SANTA CLARA STATION REGIONAL MIXED USE
DENSITY:	61.7 DU/AC
BUILDING HEIGHT:	MAXIMUM HEIGHT OF BUILDINGS IS 86 FEET AND SUBJECT TO FEDERAL AVIATION ADMINISTRATION (FAA) REGULATIONS PART 77 HEIGHT RESTRICTIONS



SHEET INDEX:

A-1.1	General Information	A-6.1	Fire Access Diagram
A-1.2	Existing Site Photos		
A-1.3	Contextual Site Plan	L-1.0	LandscapeSite Plan
A-1.4	Site Plan Circulation	L-2.0	Materials Plan
A-1.5	Solid Waste Plan	L-2.1	Materials Plan - Roof Deck
		L-3.0	Planting Plan
A-2.1	Site/Building Plan Level 1	L-3.1	Planting Plan - Roof Deck
A-2.2	Building Plan Level 2	L-3.2	Plant Schedule
A-2.3	Building Plan Level 3	L-4.0	Private Recreation Plan (Includes Roof Deck)
A-2.4	Building Plan Level 4	L-5.0	Concept Imagery
A-2.5	Building Plan Level 5	L-5.1	Concept Imagery
A-2.6	Building Plan Level 6	L-6.0	ECR Street Sections
A-2.7	Building Plan Level 7		
A-2.8	Garage Plans	C1	Existing Parcel Map
		C2	Conceptual Site Plan
A-3.1	Building Elevations & Perspective	C3	Existing Conditions
A-3.2	Building Elevations & Perspective	C4	Utility Relocation & Demolition Plan
A-3.3	Building Elevations & Perspective	C5	Grading and Drainage Plan
A-3.4	Building Elevations & Perspective	C6	Street Sections
		C7	Conceptual Utility Plan
A-4.1	Building Sections	C8	Fire Access Plan
		C9	Bus Stop Relocation Plan
A-5.1	Unit Plans	C10	Storm Water Management Plans
A-5.2	Unit Plans	C11	Storm Water Calculations and Details
A-5.3	Unit Plans		
A-5.4	Unit Plans	TM1	Tentative Map
		TM2	Tentative Map

APPLICABLE CODES:

City of Santa Clara Municipal Code and Ordinances
2016 CA Building Code
2016 CA Electrical Code
2016 CA Mechanical Code
2016 CA Plumbing Code
2016 Green Building Standards
2016 Energy Efficiency Standards

Project Data	10/6/2017
ZONING	PD
PROJECTED USE	MF (R-2)
TOTAL RESIDENTIAL UNITS:	355
TOTAL LIVE-WORK UNITS	8 (2,364 SF)
RETAIL S.F.	19,985
LEASING OFFICE	1,601
PUBLIC AMENITY SPACE:	
-	-
THE ALAMEDA COURTYARD	6,219
SITE AREA (Acres)	5.75
DWELLING UNIT DENSITY	61.7

Res. Bldg Area - On-Grade (GSF) 5-ST. ON-GRADE TYPE III-A CONST.	
Level 1	75,156
Level 2	73,999
Level 3	73,999
Level 4	49,699
Level 5	13,666
SUB-TOTAL GROSS AREA	286,519

Res. Bldg Area - Podium (GSF)	
Level 1 (TYPE I-A)	34,889
Level 2 (TYPE III-A)	32,575
Level 3 (TYPE III-A)	32,575
Level 4 (TYPE III-A)	32,450
Level 5 (TYPE III-A)	32,450
Level 6 (TYPE III-A)	24,655
SUB-TOTAL GROSS AREA	189,594
TOTAL BUILDING AREA	476,113

Parking Structure (GSF) TYPE I-A CONST	
Level 1	39,765
Level 2	34,710
Level 3	39,765
Level 4	39,765
Level 5	39,765
Lovol 6	39,765
Level 7	39,765
Level 8 (AMENITY DECK)	17,662
TOTAL GROSS AREA	290,962

Dwelling Unit Info			
	Unit	Unit SF	Qty.
1 BED/1 BA TOTAL 192 UNITS	A1	758	20
	A1.1	814	11
	A1.2	878	8
	A1.3	934	6
	A1.4	748	5
	A2	790	74
	A2-LW	790	1
	A2.1	856	9
	A2.1-LW	856	4
	A3	791	34
	A3.1	753	8
	A4	772	1
	A5	868	1
	A6	808	1
	A7	907	5
	A10	818	4
2 BED/2 BA TOTAL 163 UNITS	B1	1175	28
	B1-LW	1175	1
	B1.1	1298	2
	B1.1-LW	1298	1
	B2	1150	7
	B2.1	1204	6
	B2.1-LW	1204	1
	B2.2	1268	2
	B2.3	1159	1
	B2A	1321	5
	B3	1072	2
	B3.1	1295	4
	B3.2	1230	10
	B3.3	1185	4
	B4	1089	44
	B5	1267	3
	B6	966	3
	B7	1281	18
	B8	1133	5
	B9	1303	5
	B10	1198	5
	B11	1136	3
	B12	1476	3
	Total		355

* RESIDENTIAL UNIT NET AREA

Bicycle Parking	CalGreen Ratio	Count	Bicycles Req'd
Bicycle Parking Type			
Residential - Short Term (per Visitor)	5%	64	3
Residential - Long Term (per Unit)	50%	355	178
Total Residential Bicycles Required			181
Total Residential Bicycles Provided			250

Live/Work Commercial Area			
Unit Type	Unit Count	SF per Unit	Square Ft
A2-L/W	1	249	249
A2.1-L/W	4	314	1,256
B1-L/W	1	245	245
B1.1-L/W	1	330	330
B2.1-L/W	1	284	284
Total L/W SF			2,364

Building Coverage (S.F.)		
Site Area	250,291	
Building Footprint	112,661	45.0%
Garage Footprint	39,765	15.9%
Total Coverage	152,426	60.90%

Parking Summary:			10/10/2017
Unit Type	Unit Count	Stalls/Unit	Stalls Req'd
1-Bedroom	192	1.50	288
2-Bedroom	163	1.50	245
Total (Assigned Tenant + Guest (including Leasing Guest))			533
Guest (Unassigned) = 355 units x 0.18 = 64 stalls (part of 1.50 ratio)			-
Single Family Home Parking	2	1.50	3
Total Res'l (Inc. Guest & Leasing)	355	1.51	**536**
Retail/Restaurant -Indoor (per S.F.)	22,078	0.004	88
Retail/Rest.-Outdoor (1 per 3 chairs)	62	0.33	20
Live/Work Commercial Space (Units)	8	0.5	4
Total Non-Residential			**113**
Total Required			**649**
Total Residential Parking Provided			536
Total Non-Residential Parking Provided			114
Total Provided			**650**

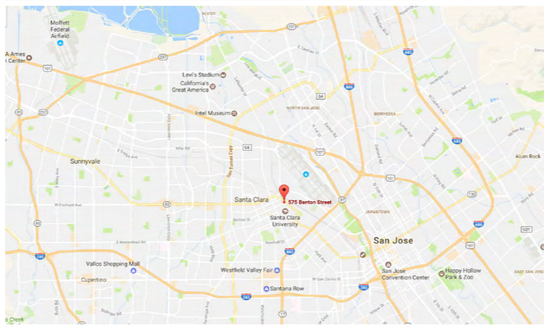
Accessible Stalls:			Req'd Accessible*	Provided
Dwelling + Leasing staff (Assigned)	472	2%	9.43 = 10 Req'd	14
Guest (Unassigned) Stalls	64	5%	3.20 = 4 Req'd	
Access. Van Parking	1 per 6 H/C stalls		= 11 H/C + 3 H/C Van stalls	
Non-residential Stalls	109	2%	2.18 = 3 Req'd	3
Access. Van Parking	1 per 6 H/C stalls		= 2 HC + 1 H/C Van stall	

* 4 of the required stalls are van accessible

Parking Provided:

Parking Provided	Units Per Level	Total Stalls	Residential Std. Stalls	Residential HC Stalls	Unassigned Std. Stalls	Unassigned HC Stalls	Retail/Rest Std. Stalls	Retail/Rest HC Stalls
1st Level	62	80	0	0	19	1	58	2
2nd Level	87	85	0	0	30	1	62	2
3rd Level	87	101	85	2	13	1		
4th Level	65	107	105	2				
5th level	36	107	105	2				
6th level	18	107	105	2				
7th level		63	61	2				
Total Provided	355	650	461	10	62	3	110	4
			471		65			
			536				114	

VICINITY MAP - EXPANDED - N.T.S.



VICINITY MAP - NEAR - N.T.S.



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A1.1

GENERAL INFORMATION

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1. LOOKING NORTH-EAST TOWARDS SANTA CLARA POLICE DEPT. BLDG.



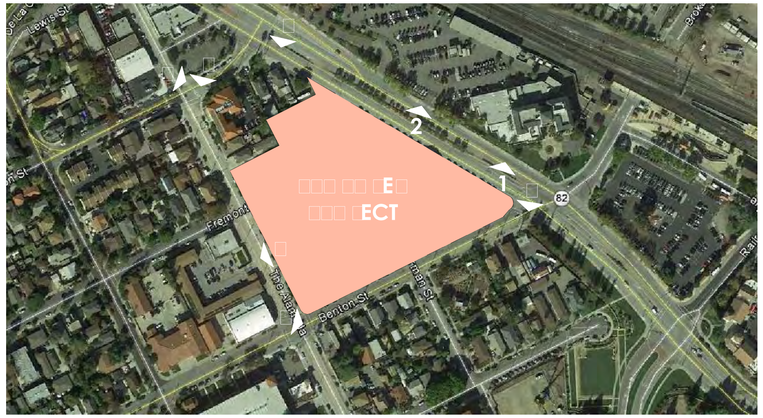
2. LOOKING NORTH-EAST TOWARDS SANTA CLARA POLICE DEPT. PARK'G



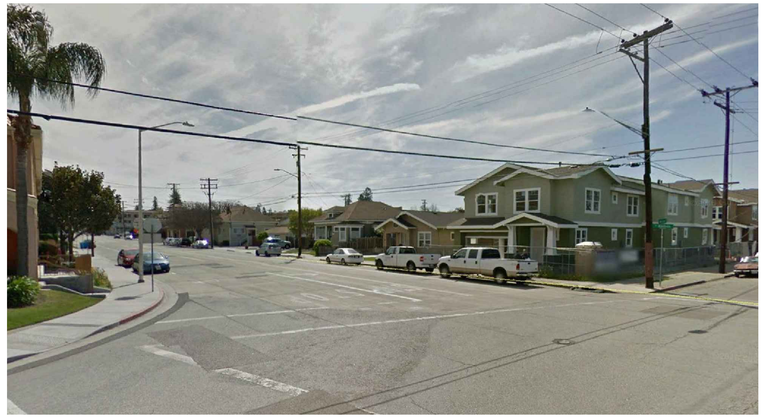
3. HISTORIC HOMES ON THE NORTH-WEST SIDE OF THE PROPOSED PROJECT



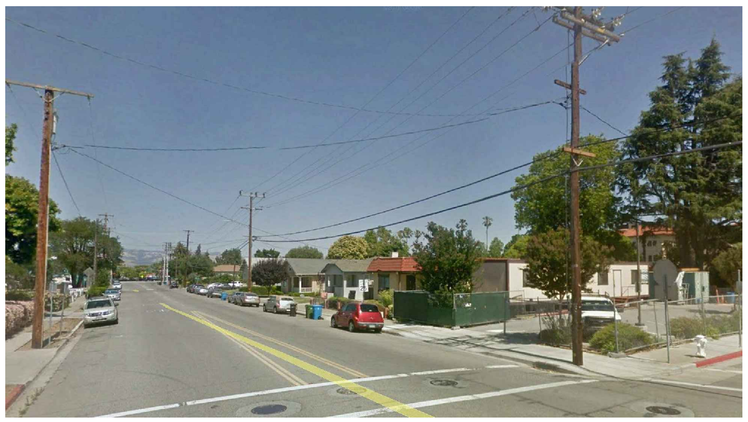
4. HISTORIC HOMES ON THE NORTH-WEST SIDE OF THE PROPOSED PROJECT



SITE PLAN VIEWS



5. RESIDENTIAL S.F.D. HOMES LOOKING WEST FROM THE PROPOSED PROJECT



6. BENTON ST AND ALAMADA (SOUTH-WEST CORNER OF SITE)



7. LOOKING WEST FROM SITE



8. EXISTING S.F.D. HOMES LOOKING SOUTH FROM SITE

A 1 2

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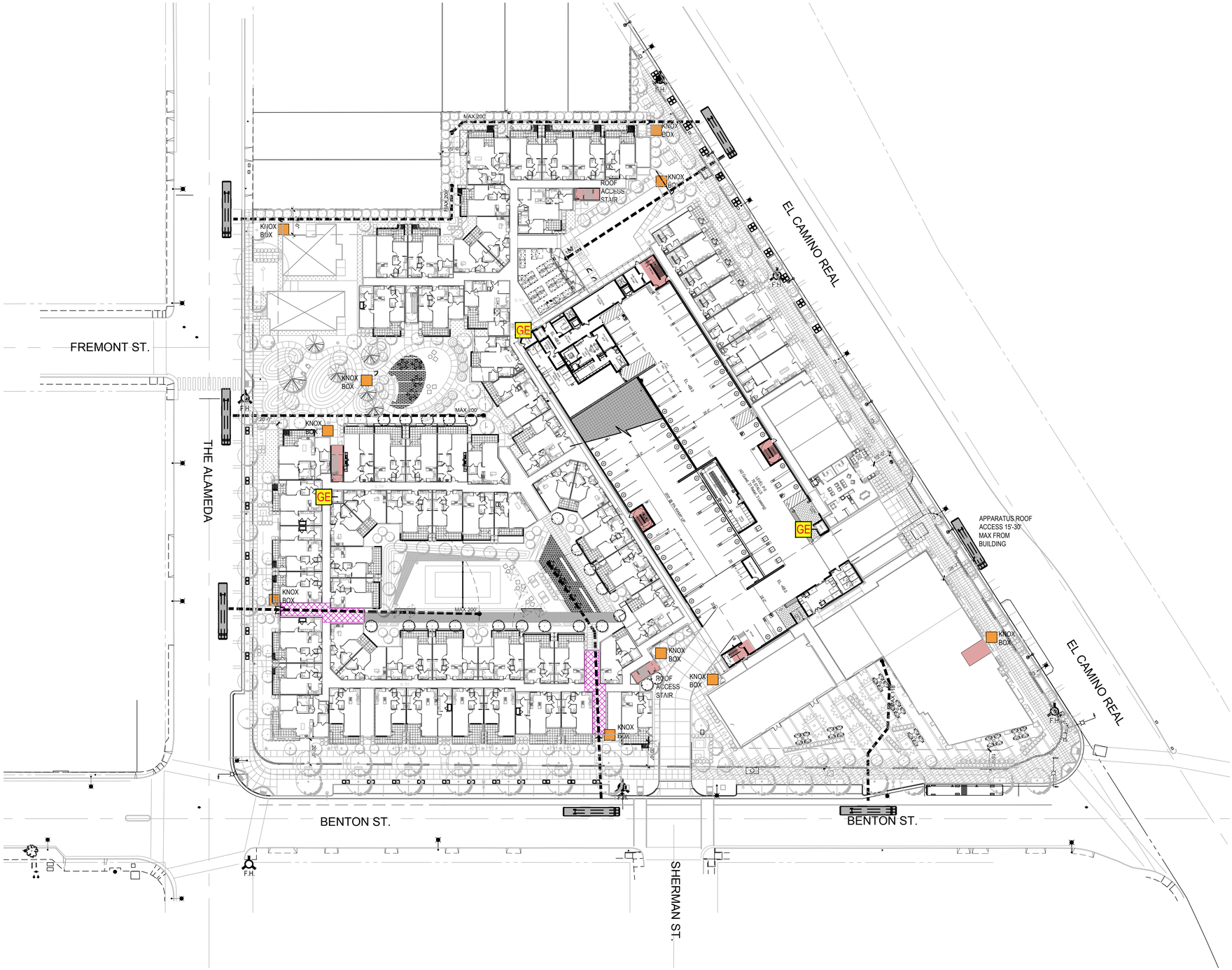
PLACE

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EXISTING SITE PHOTOS

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EL CAMINO REAL
EL CAMINO REAL
PROJECT SITE
CIVIC CENTER
CITY HALL
SANTA CLARA CONVENTION CENTER
CENTENNIAL PARK
MISSION SANTA CLARA DE ASIS
CITY HALL PLAZA
CITY HALL ANNEX
CITY HALL COURTYARD
CITY HALL ANNEX
CITY HALL COURTYARD
CITY HALL ANNEX
CITY HALL COURTYARD



VEHICULAR CIRCULATION

PUBLIC PEDESTRIAN CIRCULATION

PRIVATE PEDESTRIAN CIRCULATION

PUBLIC OPEN SPACE

PRIVATE OPEN SPACE

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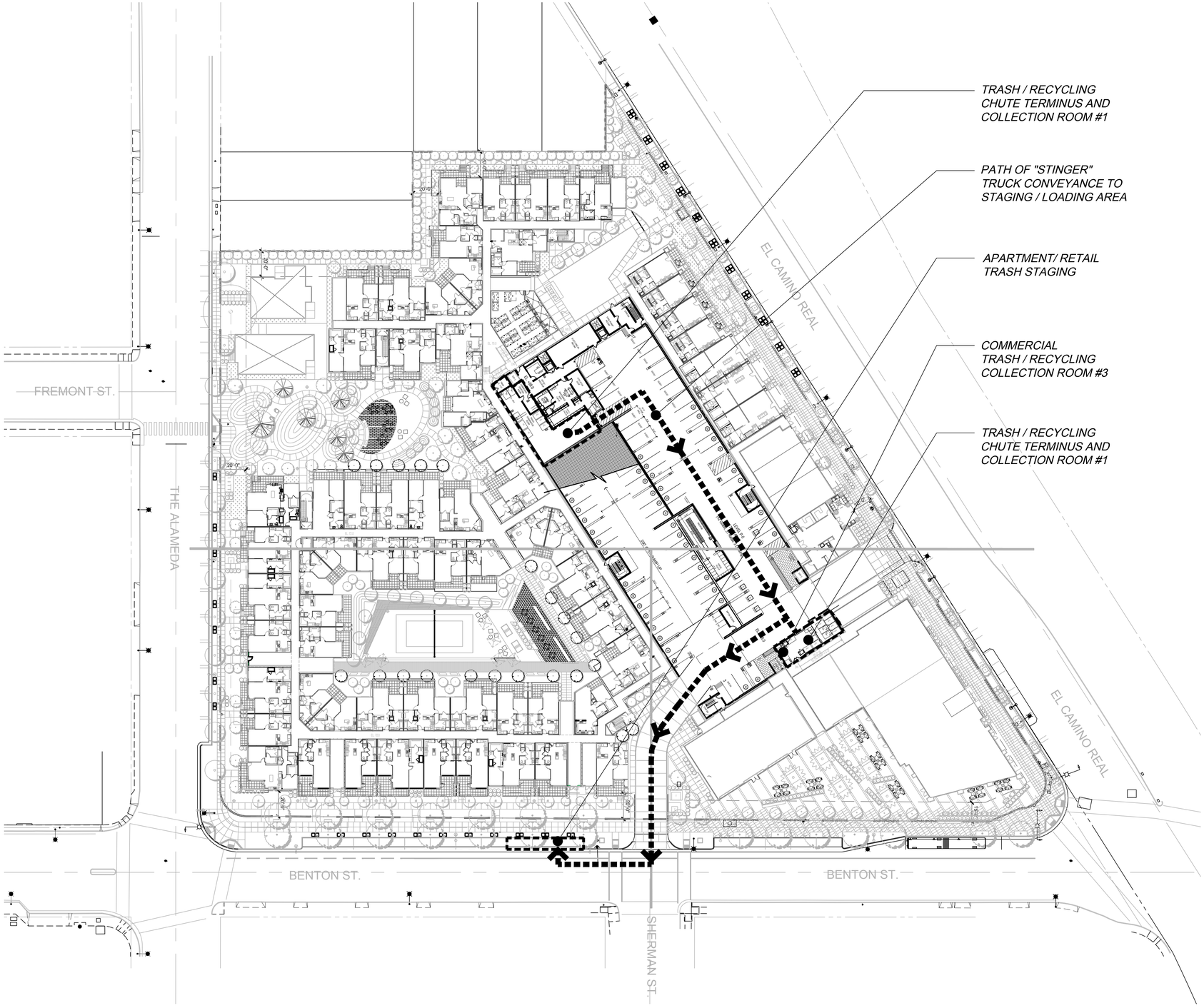
SCALE: 1" = 40'

0' 40' 80' 120'

A1

SITE CIRCULATION

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RESIDENTIAL TRASH NARRATIVE

Residents will dispose of trash / waste and recycling via chutes for refuse and recycling (1 each) which are provided in a room at two locations on each level. Trash chutes convey trash to bins located in rooms on the first garage level (Chute Terminus and Collection Room), as shown on this sheet. Vertical Trash Compactors are provided within these rooms to directly compact refuse material only (Recyclables will not be compacted). Management personnel will bring bins (compacted for solid waste; uncompacted for recyclables) out of the Collection rooms for "stinger" truck "train-ing". The stinger truck will then transport bins to the staging area upon arrival of the trash truck on the designated pick-up day(s).

RESIDENTIAL TRASH COLLECTION SUMMARY

1. NOTE: LARGE ITEMS DISPOSED OF BY RESIDENTS THAT WILL NOT FIT IN CHUTES WILL BE COLLECTED BY MANAGEMENT AND PRIVATELY REMOVED OFF-SITE.

2. NOTE: ROLL AWAY BINS AND COMPACTOR WILL BE PROVIDED BY MANAGEMENT.

3. BINS TO HAVE BOTTOM POCKET CHANNELS TO ALLOW FOR CONVENTIONAL DUMPING EQUIPMENT.

4. ALL TRASH / RECYCLING CHUTE ACCESS DOORS ARE TO BE HANDICAP ACCESSIBLE ON ALL LEVELS.

5. NOTE: 3 CUBIC YARD ROLL-AWAY BINS WILL BE DELIVERED TO COMPACTOR AT A FREQUENCY DERIVED FROM 0NE (1) 3 CUBIC YARD BIN PER EVERY 12 DWELLING UNITS, OR A WEEKLY BIN CAPACITY CONSISTENT WITH REFERENCED CODE.

6. TRASH CHUTES TO HAVE THE ABILITY TO BE CLOSED WHILE SERVICING BINS.

NOTE: A CONCRETE LOADING PAD AREA WILL BE PROVIDED IN FRONT OF THE SOLID WASTE COLLECTION AREAS (COLLECTION ROOMS AND STAGING / PICK-UP AREA) IN ACCORDANCE WITH THE CONSTRUCTION REQUIREMENTS OF THE CITY OF SANTA CLARA.

SOLID WASTE CALCULATIONS - RESIDENTIAL							
No. UNITS	Lbs/Week/Unit	Total Generation: Uncompacted (lbs)	Waste Bin Capacity lbs/cubic yd (uncompacted)	Total Cubic Yards: Uncompacted	Total Bins Required @ 3 CY each	Pick-ups per Week	Total Bins Required @ 3 CY each
355	34	12070	100	120.7	40	3	13
RECYCLING CALCULATIONS - RESIDENTIAL							
No. UNITS	Lbs/Week/Unit	Total Generation: Uncompacted (lbs)	Waste Bin Capacity lbs/cubic yd (uncompacted)	Total Cubic Yards: Uncompacted	Total Bins Required @ 3 CY each	Pick-ups per Week	Total Bins Required @ 3 CY each
355	7	2485	45	55.2	18	3	6

A total of two trash termination/collection rooms will be provided for this project as follows:
Trash Room #1 with 7 bins for solid waste and 3 bins for Recyclables
Trash Room #2 with 6 bins for solid waste and 3 bins for Recyclables

COMMERCIAL TRASH NARRATIVE

Commercial dispose of trash / waste and recycling will be taken through the back-corridor to the Commercial trash location in the main parking structure. Management personnel will bring the solid waste bins and recycle bins out of the Collection room 3 for "stinger" truck "train-ing". The stinger truck will then transport bins to the staging area upon arrival of the trash truck on the designated pick-up day(s).

SOLID WASTE DISPOSAL - RETAIL*									
Area S.F.	Water Density lbs/CY	Disposal Rate lbs/employee/year	Total Employees	lbs/year	lbs/week	CY/week	Bins per week	Pick-ups per Week	Bins Required
13,530	67	1719	10	17190	331	5	2	3	1
RECYCLED DIVERSION - RETAIL*									
Area S.F.	Density lbs/CY	Disposal Rate lbs/employee/year	Total Employees	lbs/year	lbs/week	CY/week	Bins per week	Pick-ups per Week	
13530	100	1995	10	19950	384	4	1	3	0.4

SOLID WASTE DISPOSAL - FULL SERVICE RESTAURANT*									
Area S.F.	Water Density lbs/CY	Disposal Rate lbs/employee/year	Total Employees	lbs/year	lbs/week	CY/week	Bins per week	Pick-ups per Week	Bins Required
10,898	67	4403	20	88060	1693	25	8	3	3
RECYCLED DIVERSION - FULL SERVICE RESTAURANT*									
Area S.F.	Density lbs/CY	Disposal Rate lbs/employee/year	Total Employees	lbs/year	lbs/week	CY/week	Bins per week	Pick-ups per Week	Bins Required
10,898	100	2034	20	40680	782	8	3	3	0.9

* Source: California Integrated Waste Management Board - Publication 341-06-006 (2006)

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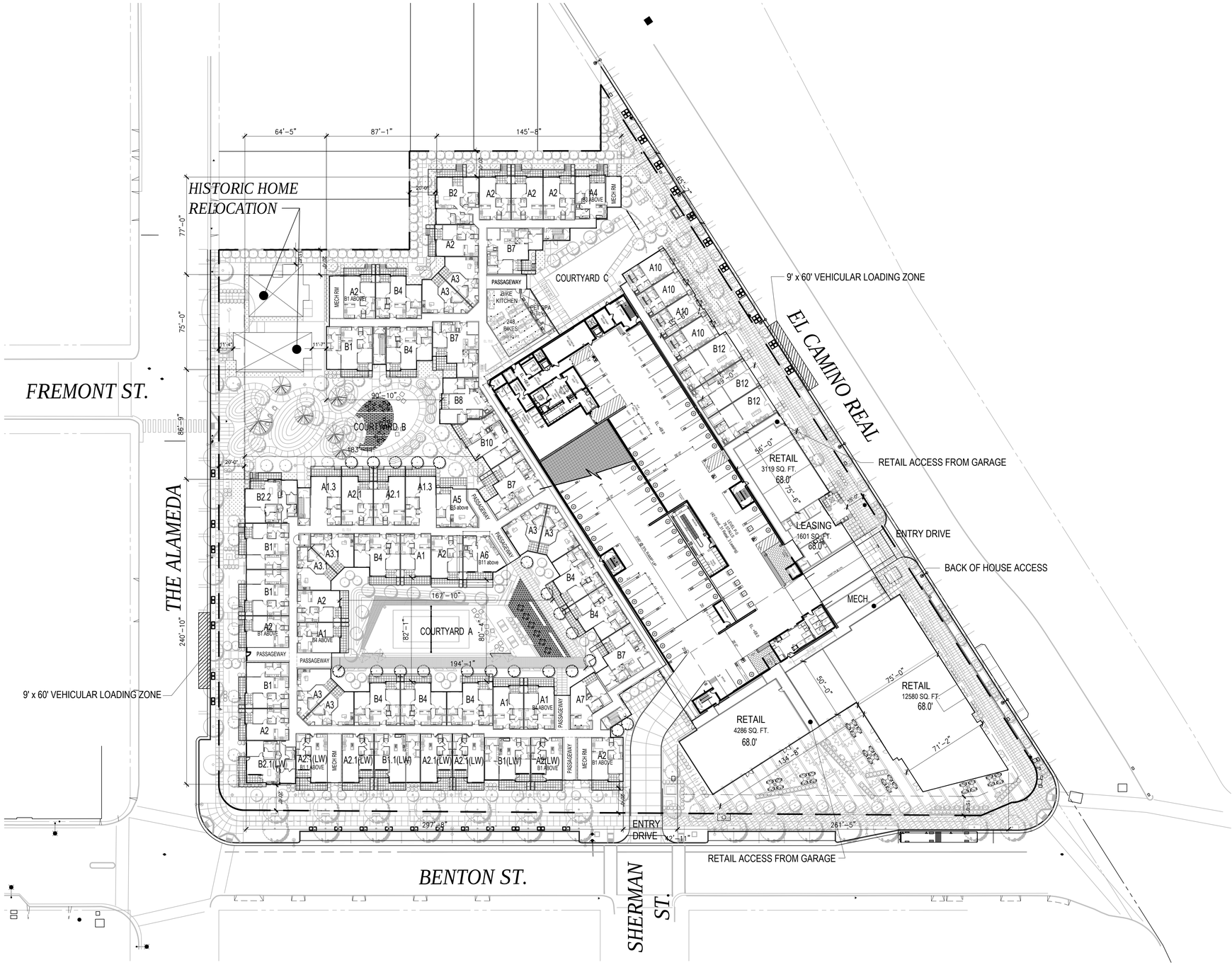
STUDIO T SQUARE

SCALE: 1" = 40'
0' 40' 80' 120'

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WASTE MANAGEMENT PLAN

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SCALE: 1" = 40'

0' 40' 80' 120'

A2.1

SITE PLAN - 1st Flr. Bldg Plan

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SCALE: 1" = 40'

0' 40' 80' 120'

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A2.2

2nd Floor BUILDING PLAN

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STUDIO T SQUARE

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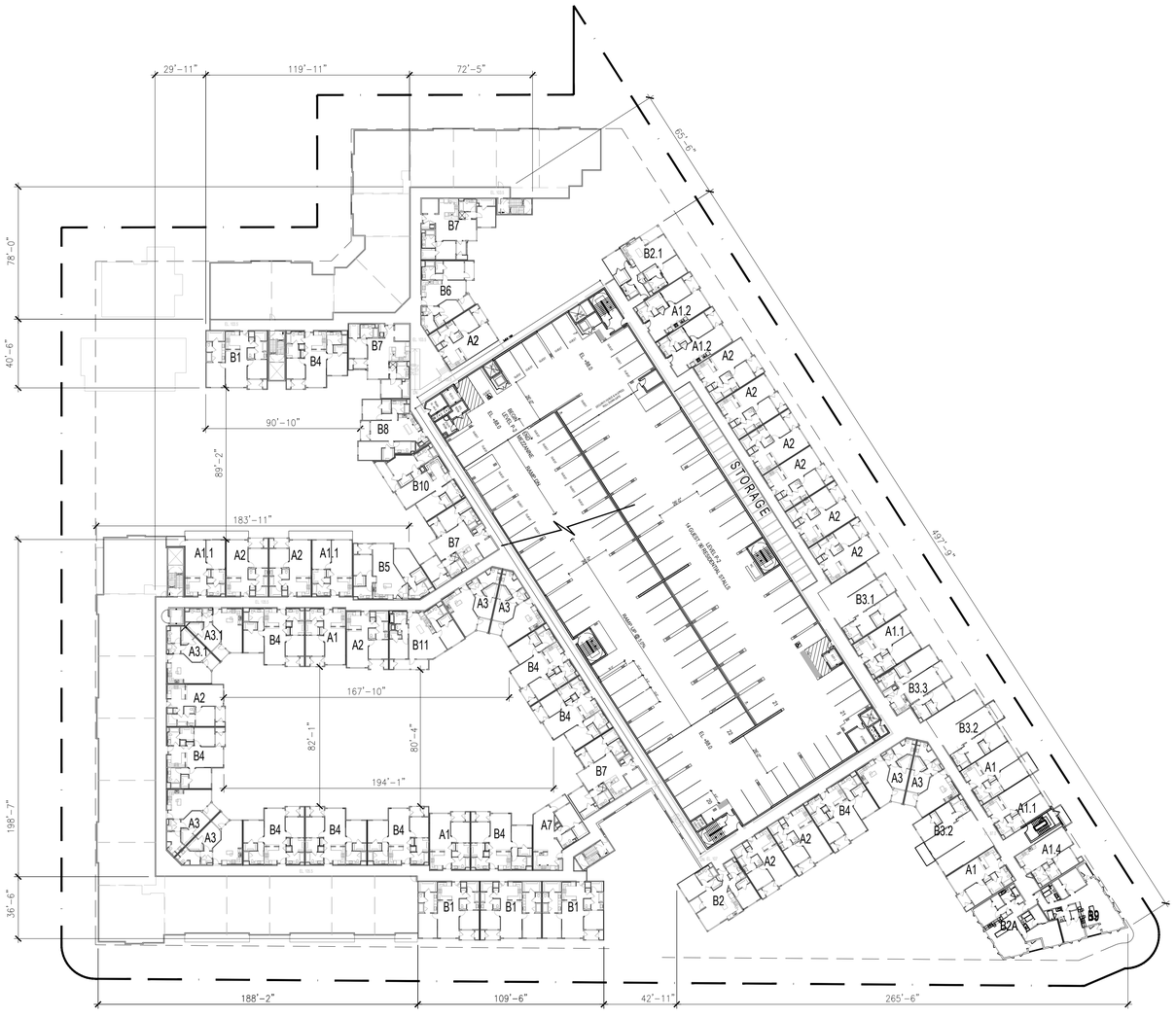
0' 40' 80' 120'

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A2

3rd Floor BUILDING PLAN

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STUDIO T SQUARE

SCALE: 1" = 40'

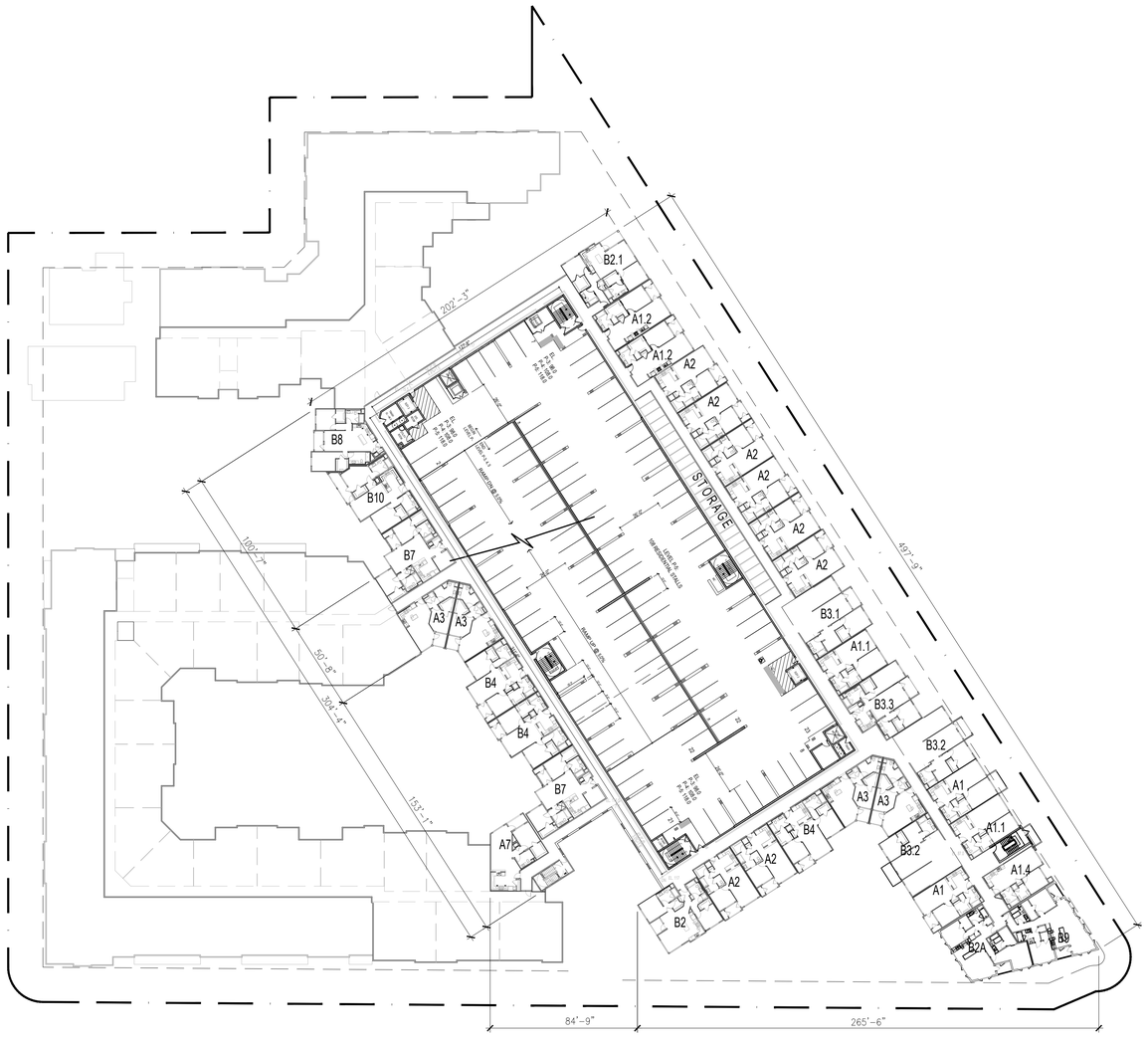
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4th Floor BUILDING PLAN

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STUDIO T SQUARE

SCALE: 1" = 40'

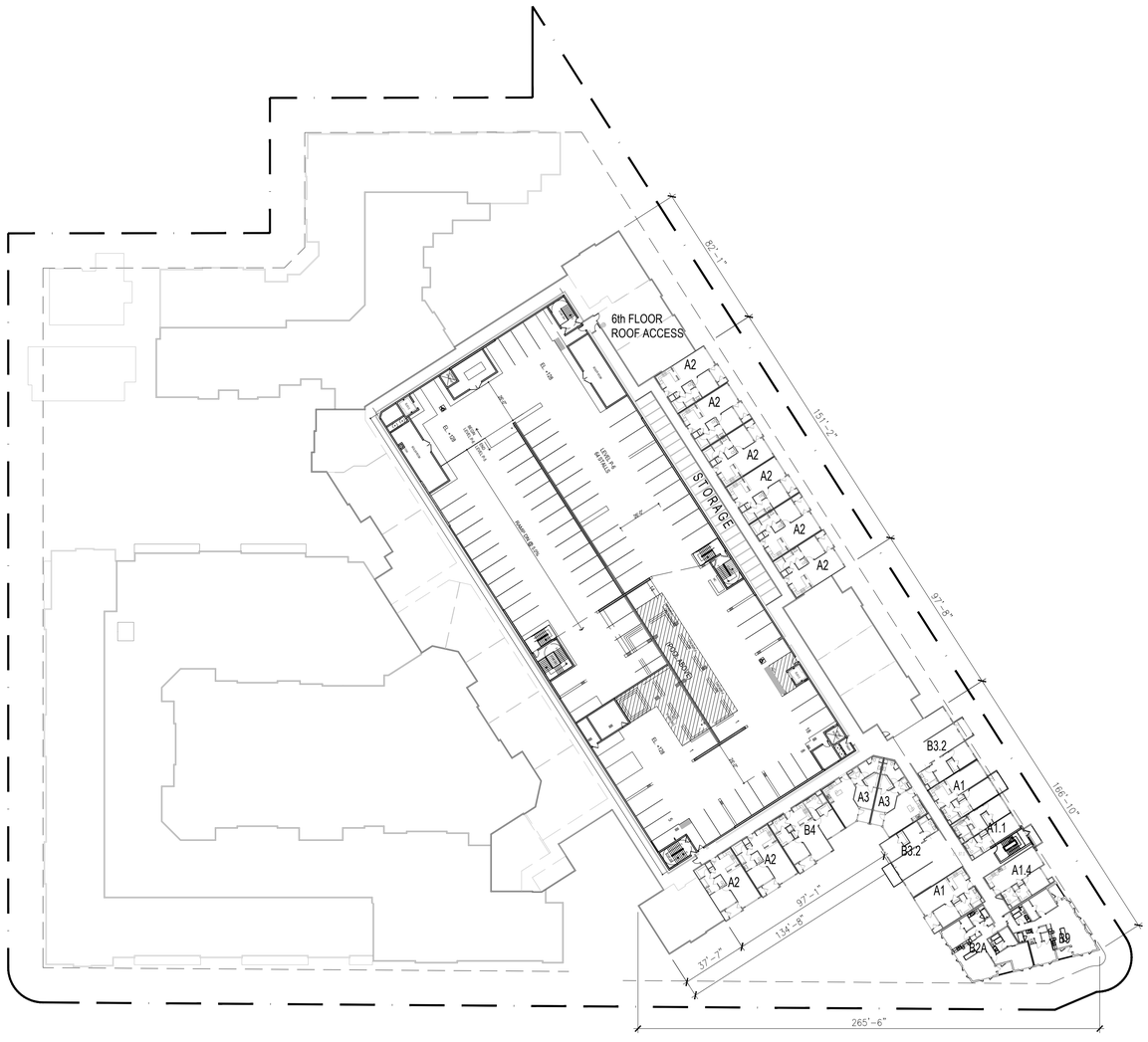
0' 40' 80' 120'

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A2

5th Floor BUILDING PLAN

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PLACE

STUDIO T SQUARE

SCALE: 1" = 40'

0' 40' 80' 120'

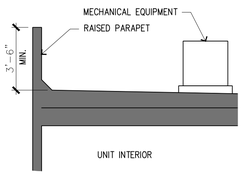
N

A2

6th Floor BUILDING PLAN

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TYPICAL ROOF SECTION - EQUIPMENT SCREEN

N.T.S.

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PLACE

STUDIO T SQUARE

SCALE: 1" = 40'

0' 40' 80' 120'

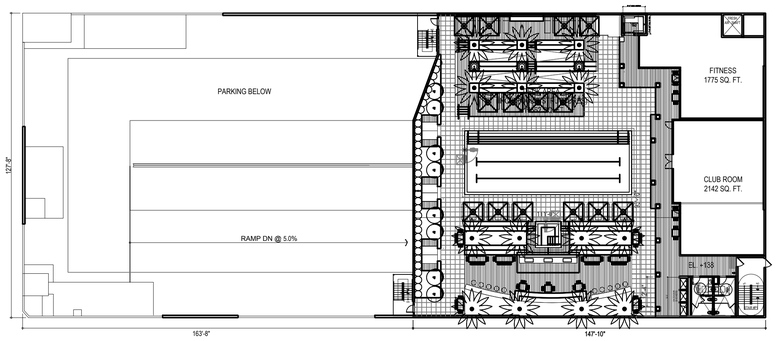
N

A2

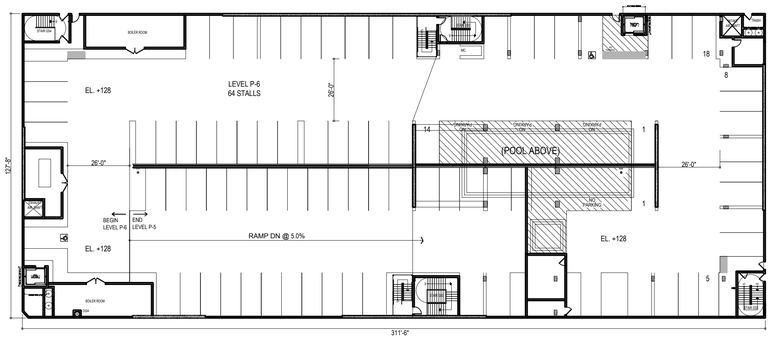
7th Floor Amenity Roof Deck

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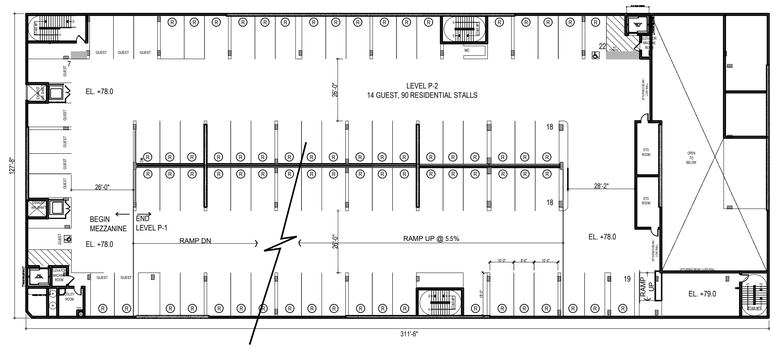
AMENITY DECK P-7



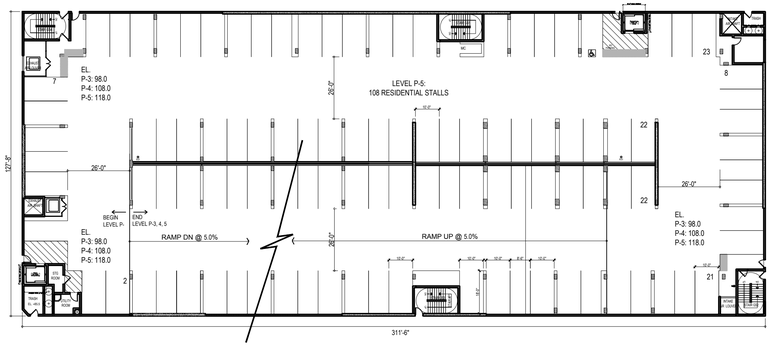
PARKING GARAGE P-6



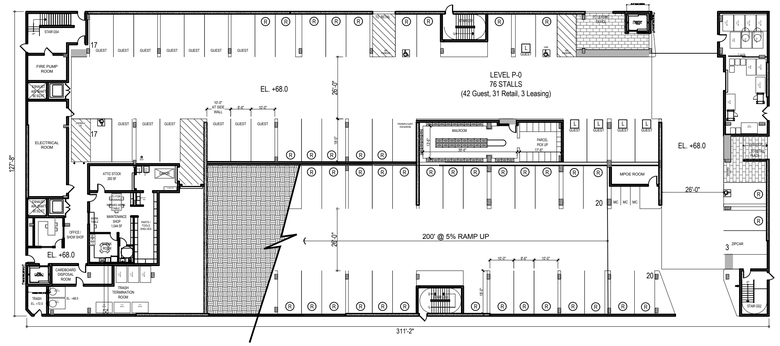
PARKING GARAGE P-2



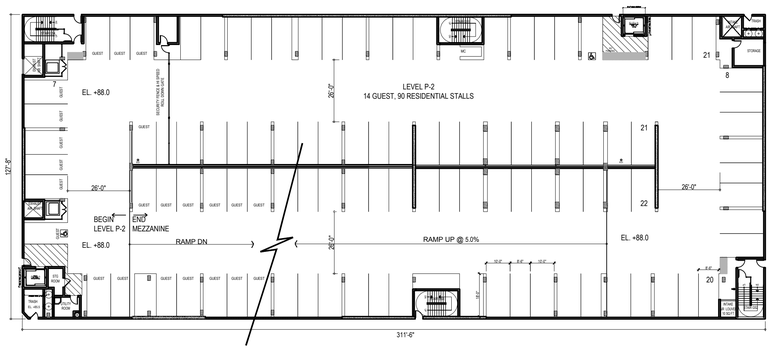
PARKING GARAGE P-5



PARKING GARAGE P-1



PARKING GARAGE P-3 THRU 4



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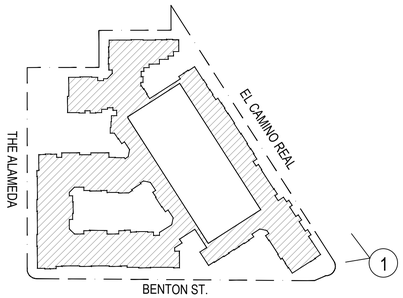
SCALE: 1/30" = 1'-0"

0' 30' 60' 90'

A2

GARAGE PLANS

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KEY PLAN

SCALE: 1" = 150'

3

1. BRICK VENEER
2. EXTERIOR PLASTER
3. CORRUGATED METAL PANEL
4. PORCELAIN TILE
5. VERTICAL SIDING
6. HORIZONTAL SIDING
7. WOOD PATTERN SIDING
8. VINYL WINDOW
9. BALCONIES
10. GLASS STOREFRONT

MATERIALS

4



RENDERING - RETAIL ON ECR & BENTON ST.

1



NORTH EAST ELEVATION - EL CAMINO REAL

SCALE: 1" = 20'

2

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PLACE

STUDIO T SQUARE

N

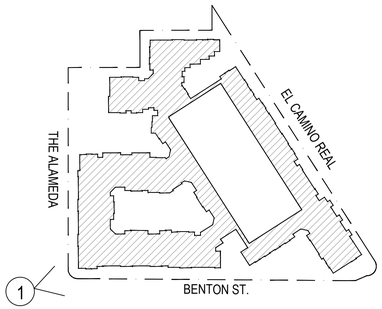
SCALE: 1" = 20'

0' 20' 40' 60'

A001

BUILDING ELEVATIONS

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KEY PLAN

SCALE: 1" = 150'

3

1. BRICK VENEER
2. EXTERIOR PLASTER
3. CORRUGATED METAL PANEL
4. PORCELAIN TILE
5. VERTICAL SIDING
6. HORIZONTAL SIDING
7. WOOD PATTERN SIDING
8. VINYL WINDOW
9. BALCONIES
10. GLASS STOREFRONT

MATERIALS

4



RENDERING - BENTON ST.

1



SOUTH EAST ELEVATION - BENTON

SCALE: 1" = 20'

2

EL CAMINO REAL MIXED USE SANTA CLARA, CA

PROMETHEUS

Civil Engineering Associates

PLACE

STUDIO T SQUARE

N

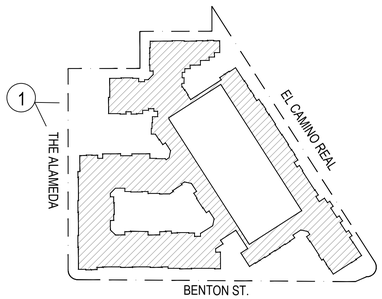
SCALE: 1" = 20'

0' 20' 40' 60'

A2

BUILDING ELEVATIONS

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KEY PLAN 3

SCALE: 1" = 150'

1. BRICK VENEER
2. EXTERIOR PLASTER
3. CORRUGATED METAL PANEL
4. PORCELAIN TILE
5. VERTICAL SIDING
6. HORIZONTAL SIDING
7. WOOD PATTERN SIDING
8. VINYL WINDOW
9. BALCONIES
10. GLASS STOREFRONT

MATERIALS 4



RENDERING - COURTYARD ON THE ALAMEDA 1



SOUTH WEST ELEVATION - THE ALAMEDA 2

SCALE: 1" = 20'

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PLACE

STUDIO T SQUARE

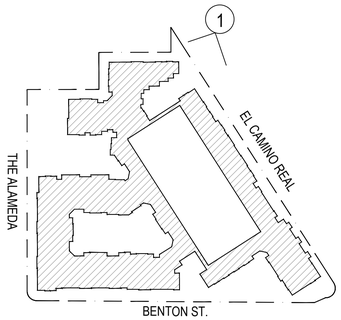
N

SCALE: 1" = 20'
0' 20' 40' 60'

A

BUILDING ELEVATIONS

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KEY PLAN

SCALE: 1" = 150'

3

1. BRICK VENEER
2. EXTERIOR PLASTER
3. CORRUGATED METAL PANEL
4. PORCELAIN TILE
5. VERTICAL SIDING
6. HORIZONTAL SIDING
7. WOOD PATTERN SIDING
8. VINYL WINDOW
9. BALCONIES
10. GLASS STOREFRONT

MATERIALS

4



RENDERING - NORTH EAST VIEW

1



NORTH WEST ELEVATION

SCALE: 1" = 20'

2

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PLACE

STUDIO T SQUARE

N

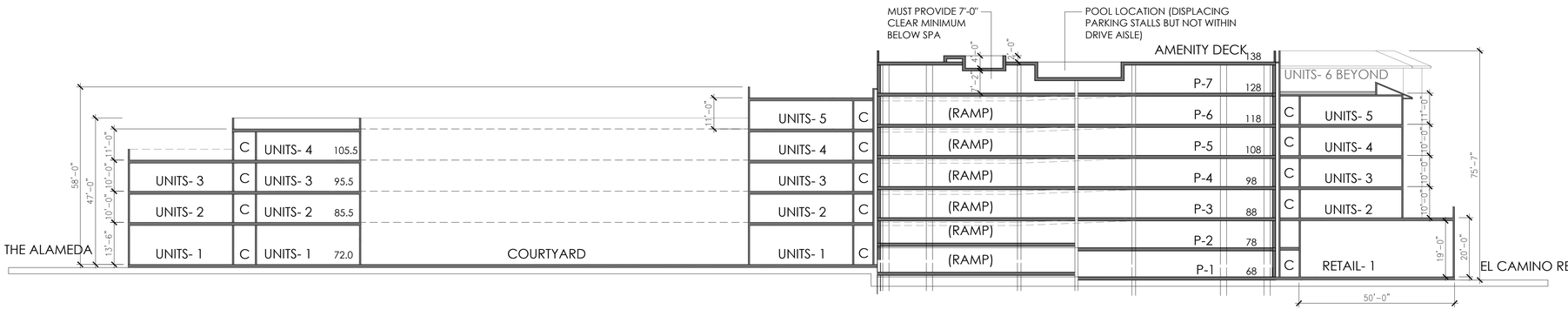
SCALE: 1" = 20'

0' 20' 40' 60'

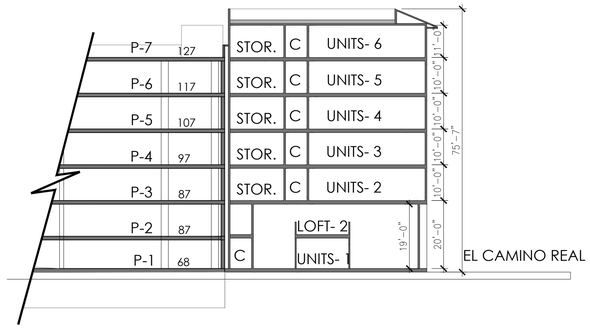
A

BUILDING ELEVATIONS

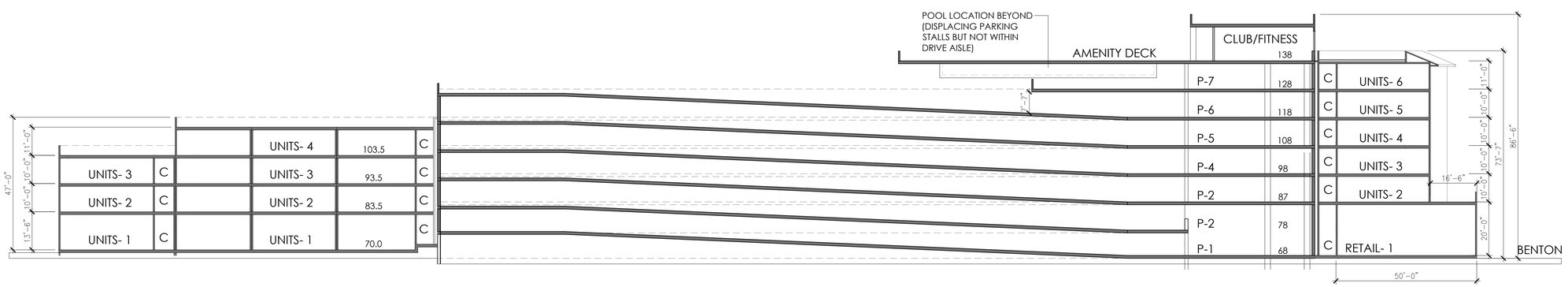
ARCHITECTS ORANGE
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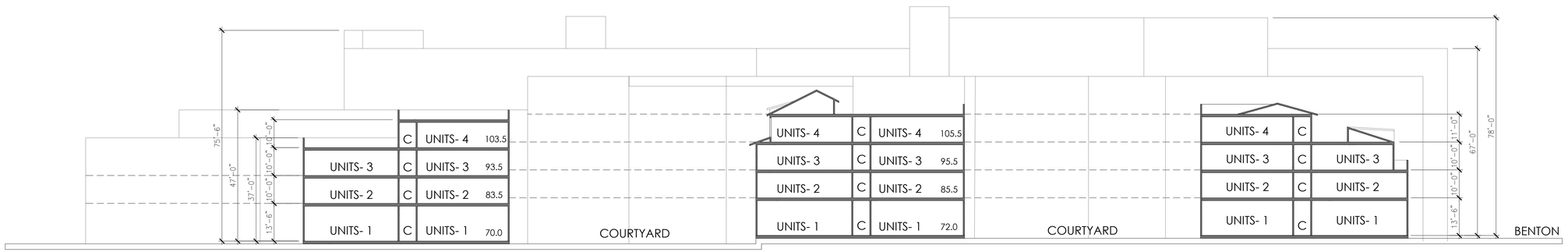
A GARAGE SECTION @ EL CAMINO REAL



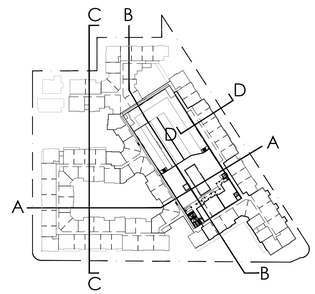
D SECTION @ EL CAMINO REAL



B GARAGE SECTION @ BENTON



C BUILDING SECTION THROUGH COURTYARDS @ BENTON



SCALE: 1" = 20'
0' 20' 40' 60'

A1

BUILDING SECTIONS

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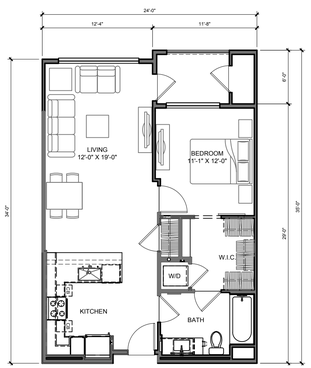
PROMETHEUS

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PLACE

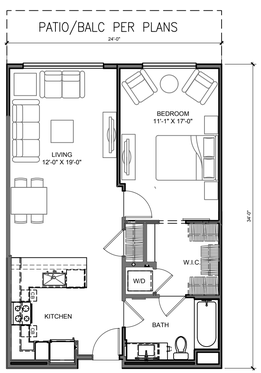
STUDIO T SQUARE

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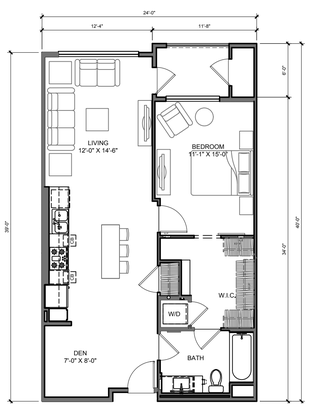
UNIT A1
1 BEDROOM - 1 BATH
(# OF UNITS: 20)

UNIT AREA: 755 SQ. FT.
PATIO/BALCONY: 45 SQ. FT.



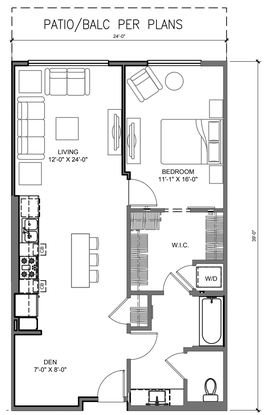
UNIT A1.1
1 BEDROOM - 1 BATH
(# OF UNITS: 11)

UNIT AREA: 814 SQ. FT.
PATIO/BALCONY: (where occurs)



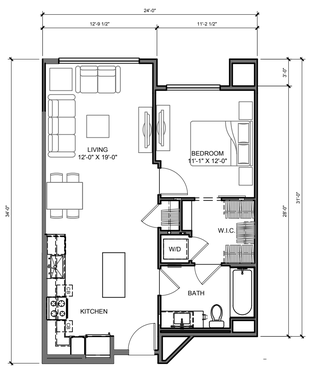
UNIT A1.2
1 BEDROOM - 1 BATH
(# OF UNITS: 8)

UNIT AREA: 878 SQ. FT.
PATIO/BALCONY: 45 SQ. FT.



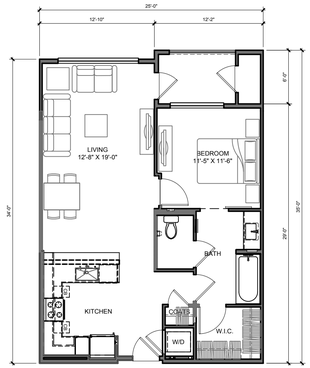
UNIT A1.3
1 BEDROOM - 1 BATH
(# OF UNITS: 6)

UNIT AREA: 934 SQ. FT.
PATIO/BALCONY: PER PLAN



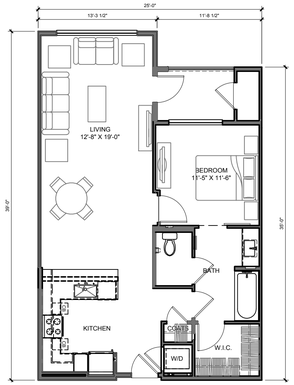
UNIT A1.4
1 BEDROOM - 1 BATH
(# OF UNITS: 5)

UNIT AREA: 744 SQ. FT.



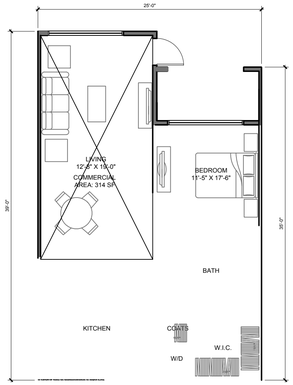
UNIT A2
1 BEDROOM - 1 BATH
(# OF UNITS: 74)

UNIT AREA: 790 SQ. FT.
PATIO/BALCONY: 48 SQ. FT.



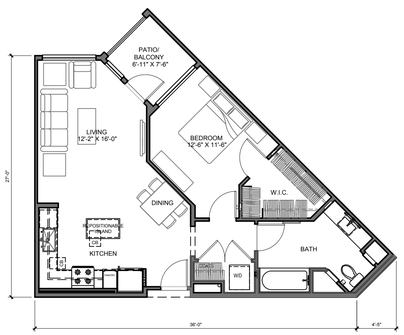
UNIT A2.1
1 BEDROOM - 1 BATH
(# OF UNITS: 9)

UNIT AREA: 856 SQ. FT.
PATIO/BALCONY: 48 SQ. FT.



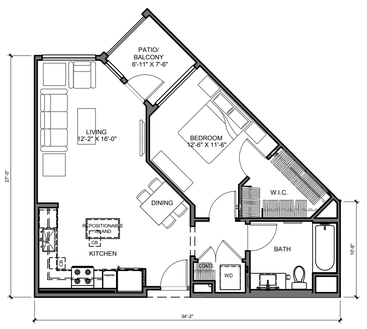
UNIT A2.1 - LW
1 BEDROOM - 1 BATH
(# OF UNITS: 4 L/W Units at Benton St.)

UNIT AREA: 856 SQ. FT.
PATIO/BALCONY: 63 SQ. FT.



UNIT A3
1 BEDROOM - 1 BATH
(# OF UNITS: 34)

LIVABLE AREA: *791 SQ. FT.*
PATIO/BALC: *52 SQ. FT.*



UNIT A3.1
1 BEDROOM - 1 BATH
(# OF UNITS: 8)

UNIT AREA: *753 SQ. FT.*
PATIO/BALC: *52 SQ. FT.*



UNIT A4
1 BEDROOM - 1 BATH
(# OF UNITS: 1)

UNIT AREA: 772 SQ. FT.
PATIO/BALCONY: 61 SQ. FT.

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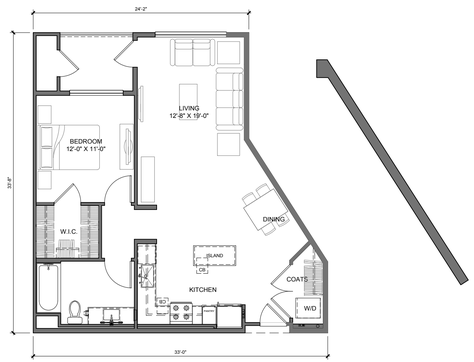
STUDIO T SQUARE

SCALE: 1/8" = 1'-0"
0' 8' 16' 24'

A1

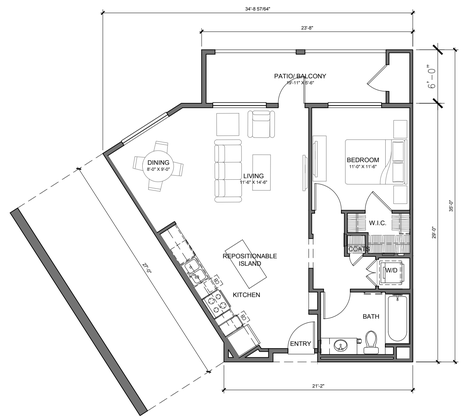
UNIT PLANS

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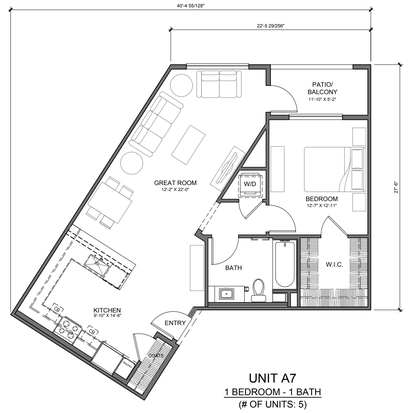
UNIT A5
1 BEDROOM - 1 BATH
(# OF UNITS: 1)

UNIT AREA: 868 SQ. FT.
PATIO/BALCONY: 50 SQ. FT.



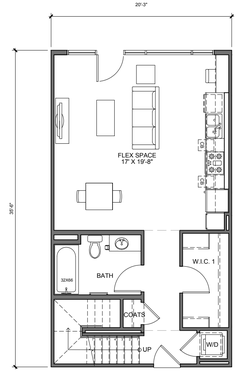
UNIT A6
1 BEDROOM - 1 BATH
(# OF UNITS: 1)

LIVABLE AREA: *808 SQ. FT.*
PATIO/BALC: *112 SQ. FT.*



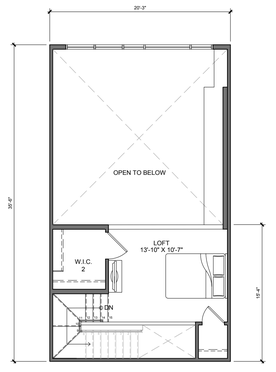
UNIT A7
1 BEDROOM - 1 BATH
(# OF UNITS: 5)

LIVABLE AREA: 907 SQ. FT.
PATIO/BALCONY: 56 SQ. FT.



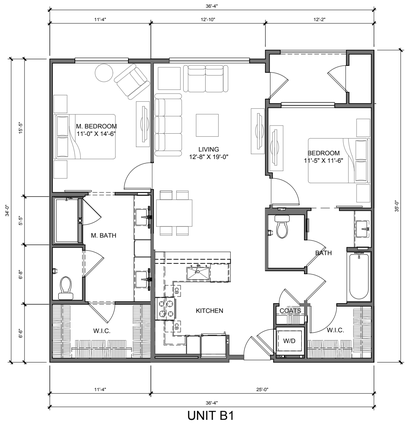
UNIT A10-L1
1 BEDROOM - 1 BATH
(# OF UNITS: 4)

LIVABLE AREA: *679 SQ. FT. +139 SQ. FT. LOFT*
= 818 SQ. FT. TOTAL



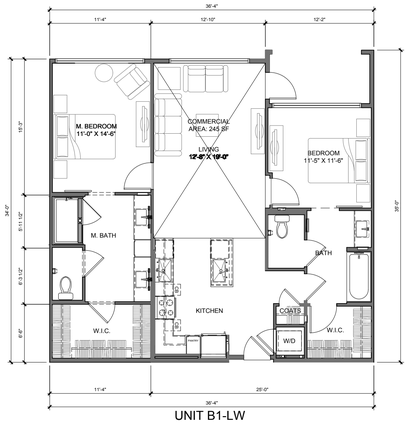
UNIT A10-L2
1 BEDROOM - 1 BATH

LIVABLE AREA: *139 SQ. FT. LOFT*



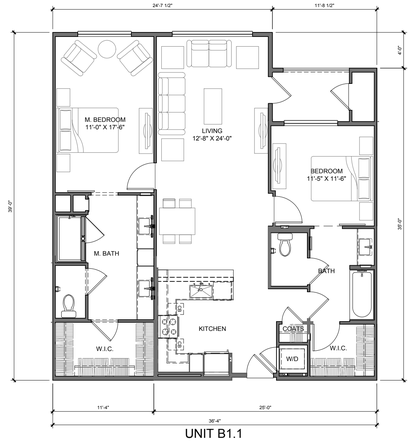
UNIT B1
2 BEDROOM - 2 BATH
(# OF UNITS: 29)

UNIT AREA: 1175 SQ. FT.
PATIO/BALCONY: 48 SQ. FT.



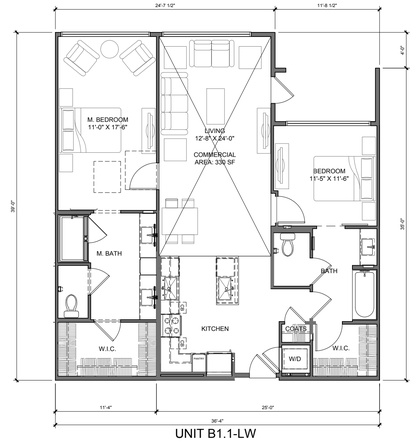
UNIT B1-LW
2 BEDROOM - 1 BATH
(# OF UNITS: 1)

UNIT AREA: 1175 SQ. FT.
PATIO/BALCONY: 62 SQ. FT.



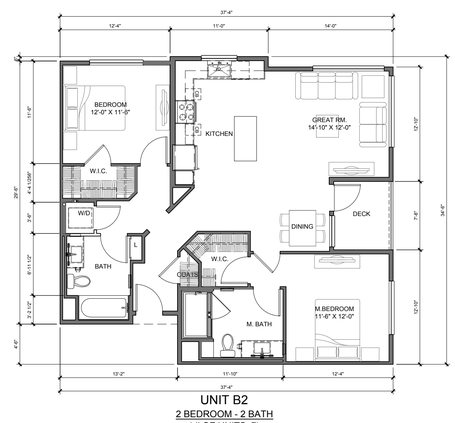
UNIT B1.1
2 BEDROOM - 2 BATH
(# OF UNITS: 2)

UNIT AREA: 1298 SQ. FT.
PATIO/BALCONY: 48 SQ. FT.



UNIT B1.1-LW
2 BEDROOM - 2 BATH
(# OF UNITS: 1)

UNIT AREA: 1298 SQ. FT.
PATIO/BALCONY: 62 SQ. FT.



UNIT B2
2 BEDROOM - 2 BATH
(# OF UNITS: 7)

UNIT AREA: 1150 SQ. FT.
PATIO/BALCONY: 51 SQ. FT.

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PLACE

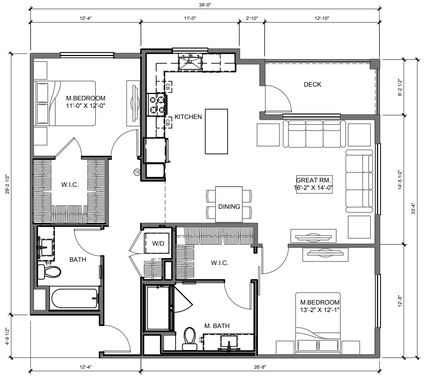
STUDIO T SQUARE

SCALE: 1/8" = 1'-0"
0' | 8' | 16' | 24'

UNIT PLANS

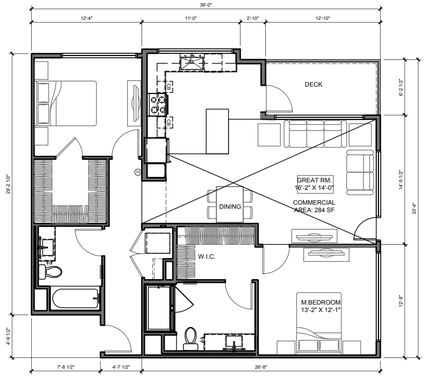
A2

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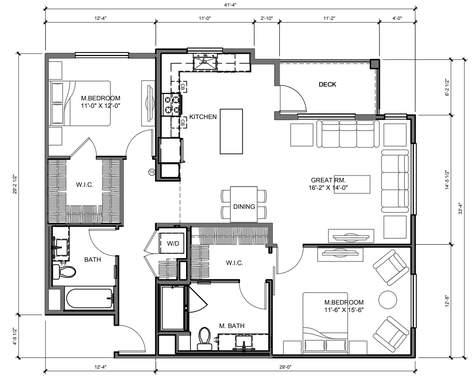
UNIT B2.1
2 BEDROOM - 2 BATH
(# OF UNITS: 6)

UNIT AREA: 1204 SQ. FT.
PATIO/BALCONY: 80 SQ. FT.



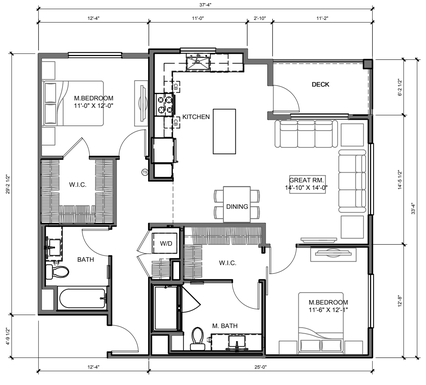
UNIT B2.1-LW
2 BEDROOM - 2 BATH
(# OF UNITS: 1)

UNIT AREA: 1204 SQ. FT.
PATIO/BALCONY: 80 SQ. FT.



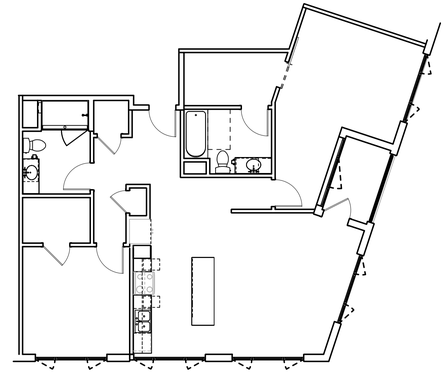
UNIT B2.2
2 BEDROOM - 2 BATH
(# OF UNITS: 2)

UNIT AREA: 1268 SQ. FT.
PATIO/BALCONY: 69 SQ. FT.



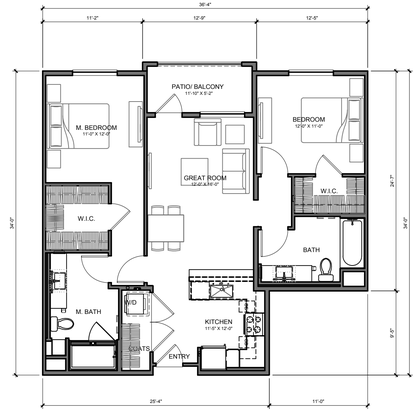
UNIT B2.3
2 BEDROOM - 2 BATH
(# OF UNITS: 1)

UNIT AREA: 1159 SQ. FT.
PATIO/BALCONY: 69 SQ. FT.



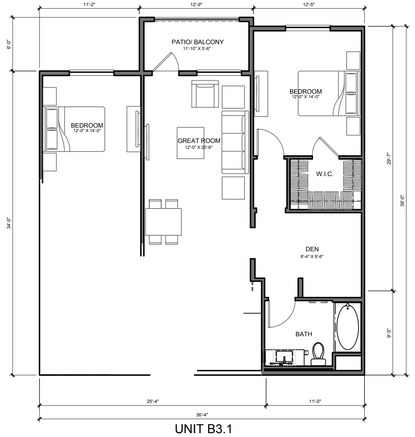
UNIT B2A
2 BEDROOM - 2 BATH
(# OF UNITS: 5)

UNIT AREA: ##########
PATIO/BALCONY: ##########



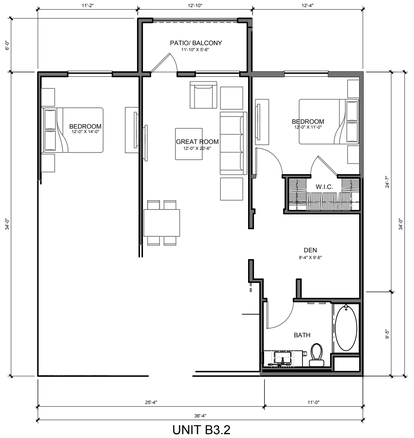
UNIT B3
2 BEDROOM - 2 BATH
(# OF UNITS: 2)

UNIT AREA: 1072 SQ. FT.
PATIO/BALCONY: 61 SQ. FT.



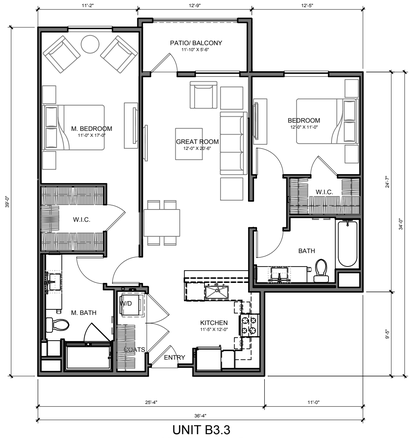
UNIT B3.1
2 BEDROOM - 2 BATH + DEN
(# OF UNITS: 4)

UNIT AREA: 1295 SQ. FT.
PATIO/BALCONY: 65 SQ. FT.



UNIT B3.2
2 BEDROOM - 2 BATH + DEN
(# OF UNITS: 10)

UNIT AREA: 1230 SQ. FT.
PATIO/BALCONY: 66 SQ. FT.



UNIT B3.3
2 BEDROOM - 2 BATH
(# OF UNITS: 4)

UNIT AREA: 1185 SQ. FT.
PATIO/BALCONY: 65 SQ. FT.



UNIT B4
2 BEDROOM - 2 BATH
(# OF UNITS:44)

UNIT AREA: 1089 SQ. FT.
PATIO/BALCONY: 45 SQ. FT.

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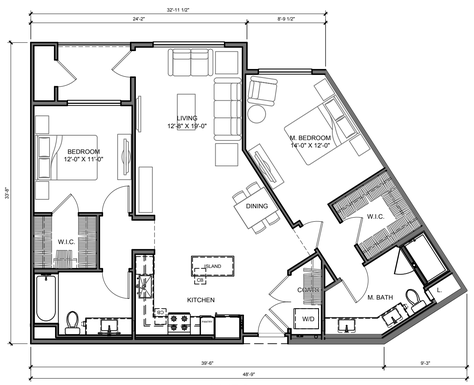
STUDIO T SQUARE

SCALE: 1/8" = 1'-0"
0' 8' 16' 24'

A

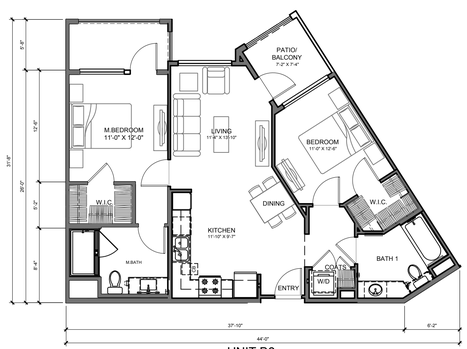
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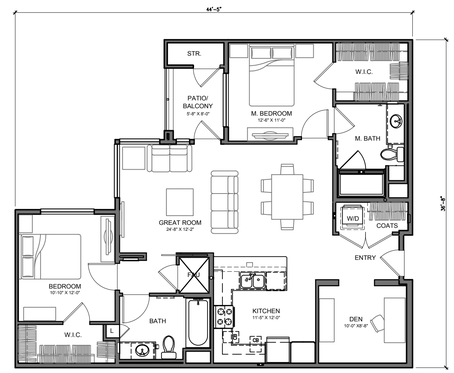
UNIT B5
2 BEDROOM - 2 BATH
(# OF UNITS: 3)

UNIT AREA: 1267 SQ. FT.
PATIO/BALCONY: 50 SQ. FT.



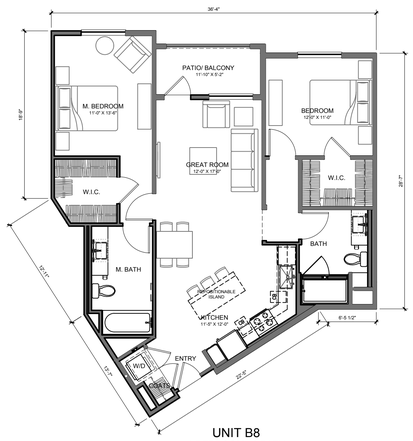
UNIT B6
2 BEDROOM - 2 BATH
(# OF UNITS: 3)

UNIT AREA: 966 SQ. FT.
PATIO/BALCONY: 58 SQ. FT., 53 SQ. FT.



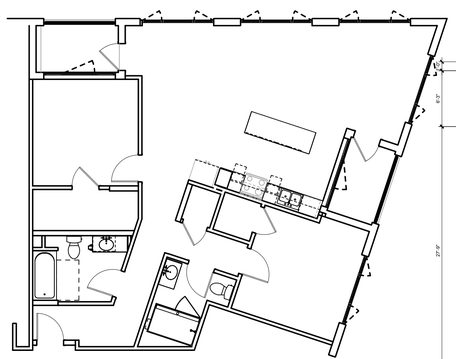
UNIT B7
2 BEDROOM - DEN- 2 BATH
(# OF UNITS: 18)

LIVABLE AREA: 1281 SQ. FT.
PATIO/BALCONY: 49 SQ. FT.



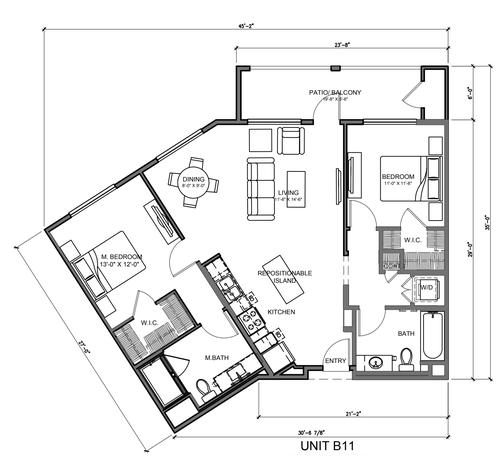
UNIT B8
2 BEDROOM - 2 BATH
(# OF UNITS: 5)

UNIT AREA: 1133 SQ. FT.
PATIO/BALCONY: 61 SQ. FT.



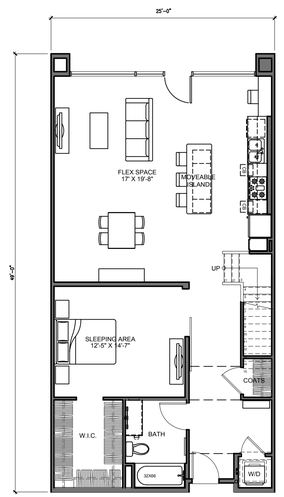
UNIT B9
2 BEDROOM - 2 BATH
(OF UNITS: 5)

UNIT AREA: ############
BALC: ##########



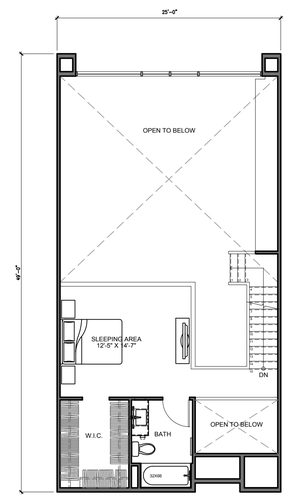
UNIT B11
2 BEDROOM - 2 BATH
(# OF UNITS: 3)

LIVABLE AREA: *1136 SQ. FT.*
PATIO/BALC: *112 SQ. FT.*



UNIT B12-L1 A
1 BEDROOM - 1 BATH
(# OF UNITS: 3)

LIVABLE AREA: *1114 SQ. FT. + 362 SQ. FT. LOFT*
= 1476 SQ. FT. TOTAL



UNIT B12-L2 A
1 BEDROOM - 1 BATH

LIVABLE AREA: *362 SQ. FT.*

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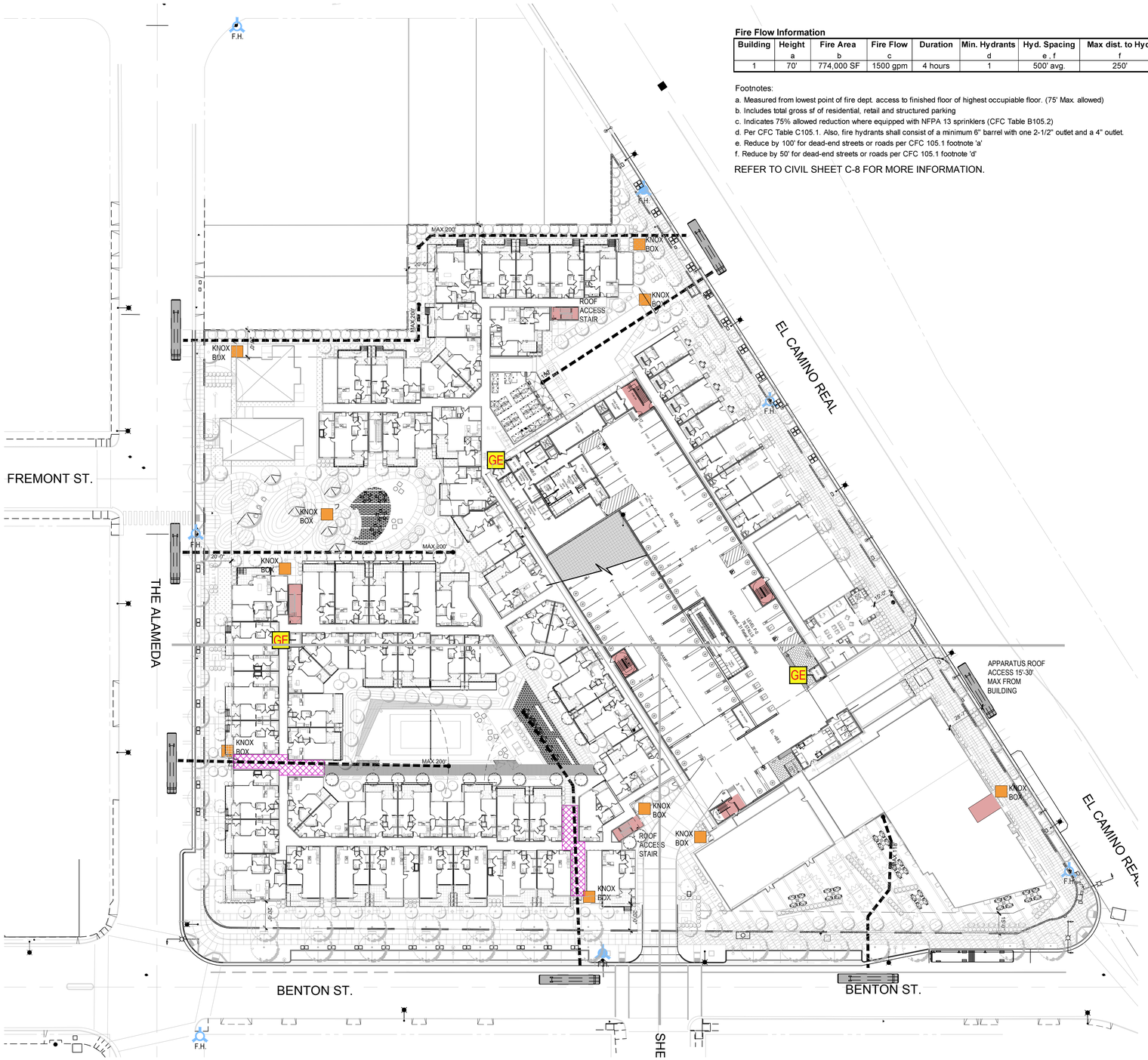
STUDIO T SQUARE

SCALE: 1/8" = 1'-0"
0' 8' 16' 24'

A

UNIT PLANS

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FIRE ACCESS DIAGRAM

Fire Flow Information

Building	Height a	Fire Area b	Fire Flow c	Duration	Min. Hydrants d	Hyd. Spacing e , f	Max dist. to Hyd. f	Sprinklers
1	70'	774,000 SF	1500 gpm	4 hours	1	500' avg.	250'	NFPA 13

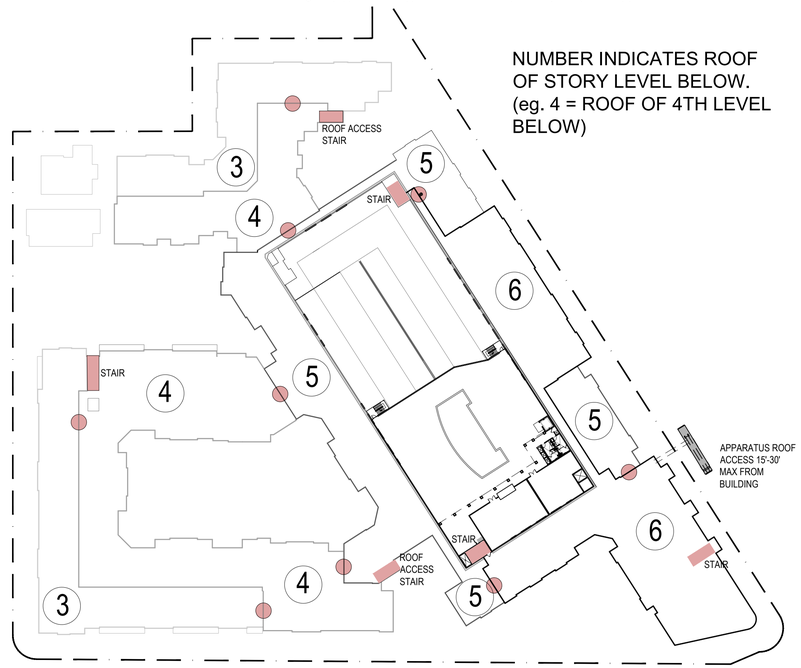
Footnotes:
a. Measured from lowest point of fire dept. access to finished floor of highest occupiable floor. (75' Max. allowed)
b. Includes total gross sf of residential, retail and structured parking
c. Indicates 75% allowed reduction where equipped with NFPA 13 sprinklers (CFC Table B105.2)
d. Per CFC Table C105.1. Also, fire hydrants shall consist of a minimum 6" barrel with one 2-1/2" outlet and a 4" outlet.
e. Reduce by 100' for dead-end streets or roads per CFC 105.1 footnote 'a'
f. Reduce by 50' for dead-end streets or roads per CFC 105.1 footnote 'd'

REFER TO CIVIL SHEET C-8 FOR MORE INFORMATION.

2016 CBC - BUILDING CODE ANALYSIS - HEIGHT AND AREA

Building Use	Occup. Group	Const. Type	Sprinklers (903.1.1)	Allowable Ht / Stories	Height Provided	Allowable Building Area: Tab. 506.2	Allowable Building Area: Fr. Inc. (506.3)	Allowable Building Area: Sec 506.2.3	Max Bldg Area per Bldg Section	Avg. Bldg Area per Story (5-St)
Parking Structure	S-2	I-A	NFPA 13	UL	8 Tiers	UL	-	-	UL	-
Retail (Below Podium)	M	I-A	NFPA 13	UL	2 St.	UL	-	-	UL	-
Res. Dwelling Units (Below Podium)	R-2	I-A	NFPA 13	UL	2 St.	UL	-	-	UL	-
Leasing Office (Below Podium)	B	I-A	NFPA 13	UL	2 St.	UL	-	-	UL	-
Recreation/Fitness (Over I-A Deck)	A-3	III-A	NFPA 13	85' / 4 St.	2 St.	42,000		2	84,000	N/A
Residential Dwelling Units	R-2	III-A	NFPA 13	85' / 5 St.	85' / 5 St.	(24,000 + 0) x		2	48,000	9,600
Residential Dwelling Units	R-2	III-A	NFPA 13	85' / 5 St.	85' / 5 St.	(24,000 + 6,000) x		2	60,000	12,000
Residential Dwelling Units	R-2	III-A	NFPA 13	85' / 5 St.	85' / 5 St.	(24,000 + 12,000) x		2	72,000	14,400

NOTES:
- Approved sprinklers (NFPA 13) used for Height and Story increase, NOT area increase
- Frontage Increase *If=[F/P-0.25]W/30;* (0-1 side = 0 sf increase; 2 sides = 6,000 sf increase; 3 sides = 12,000 sf increase)
- 2016 CBC Section 510.2 & 510.4 allows multiple stories below a horizontal assembly (podium)
- Highest occupiable floor level is less than 75' above lowest level of fire department access and therefore building is not considered a High-rise per'Section 202
- Building corridors shall comply with the requirements of CBC Section 1020
- Building Exit Passageways shall comply with the requirements of CBC Section 1024
- Where an exit enclosure is extended to an exit discharge or a public way by an exit passageway, the exit enclosure shall be separated from the exit passageway by a fire barrier constructed in accordance with CBC Section 707 or a horizontal assembly constructed in accordance with Section 711, or both.
- 50' max. dead-end corridor where the building is equipped with an approved automatic fire sprinkler system (NFPA 13) per CBC Section 1020.4



ROOF ACCESS DIAGRAM

SCALE: 1" = 60'

- FIRE HOSE PULL LENGTH
- FIRE HYDRANT (PROP & EXT'G)
- GURNEY SIZED ELEVATOR
- 2-HR RATED PASSAGE
- STAIR (ROOF ACCESS WHERE NOTED)
- KNOX BOX
- FIRE APPARATUS
- ROOF LADDER BETWEEN LEVELS

SCALE: 1" = 40' UNLESS NOTED
0' 40' 80' 120'

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PLACE

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A1

FIRE ACCESS DIAGRAM



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SCALE: 1" = 40'

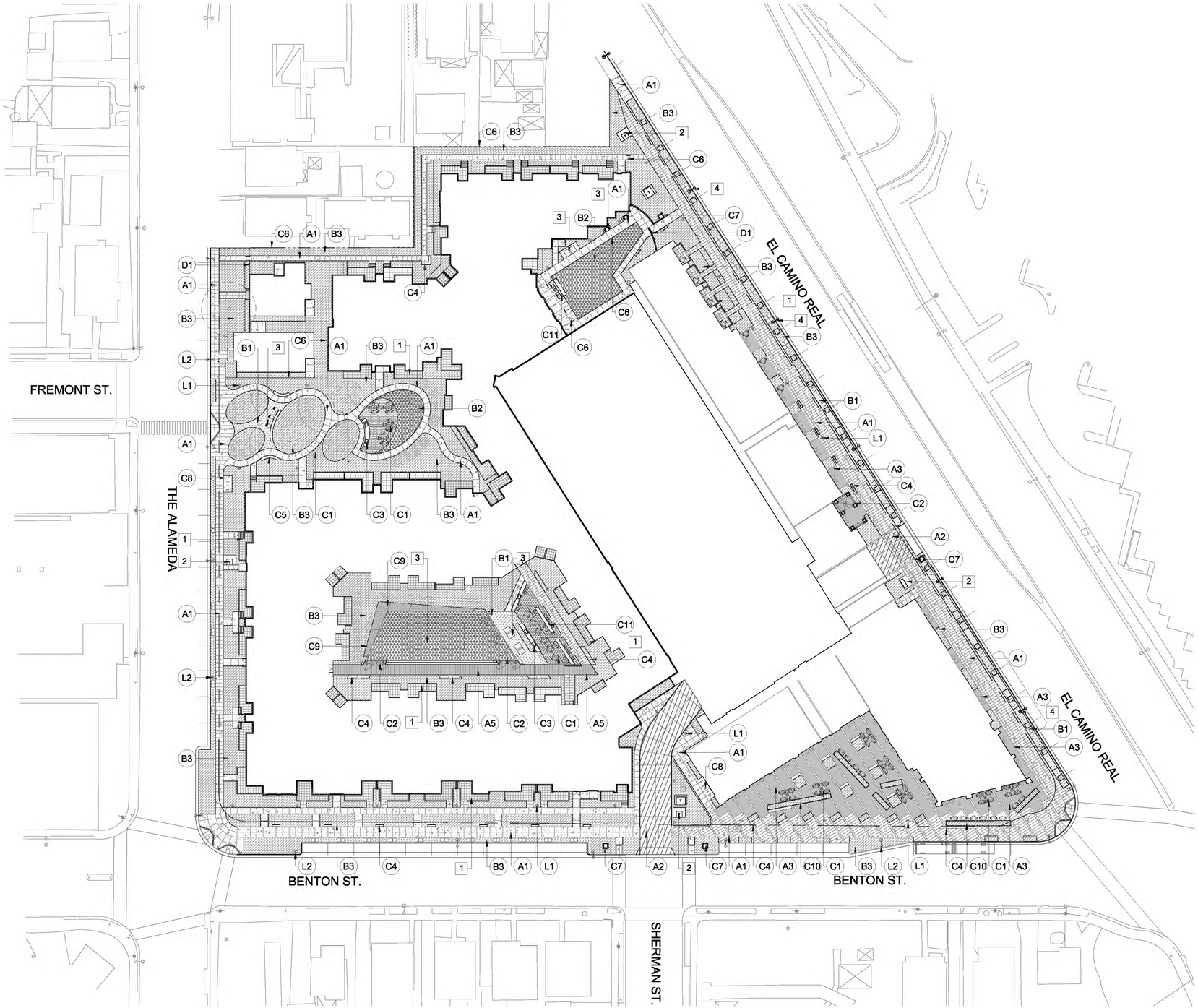
0' 40' 80' 120'

N

L-1.0

LANDSCAPE SITE PLAN

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MATERIALS LEGEND

PAVEMENTS AND PLANTING

- A1 CONCRETE - PEDESTRIAN
- A2 CONCRETE - VEHICULAR
- A3 LINEAR CONCRETE UNIT PAVERS - PEDESTRIAN
- A4 LINEAR CONCRETE UNIT PAVERS - VEHICULAR
- A5 WOOD DECKING
- B1 DECOMPOSED GRANITE
- B2 ARTIFICIAL TURF
- B3 PLANTING AREA

SITE FURNISHINGS

- C1 CAFE TABLES, CHAIRS & UMBRELLAS
- C2 LOUNGE FURNISHINGS (TYPES T.B.D.)
- C3 OUTDOOR BBQ W/ COUNTER
- C4 BENCHES (WOOD)
- C5 SEATWALLS (PRECAST CONCRETE)
- C6 SCREEN FENCE & GATES (6' HT. ORNAMENTAL METAL @ PL) (4' HT. AT COURTYARD 'C')
- C7 PYLON MARKER (W/ PROJECT IDENTITY SIGNAGE)
- C8 BICYCLE RACKS (2 SPACES PER RACK)
- C9 LOUNGE NET
- C10 RAISED PLANTERS (2' HT. , WEATHERING STEEL)
- C11 BAR-HEIGHT COUNTER AND STOOLS

SITE LIGHTING

- L1 LIGHT FIXTURE - PEDESTRIAN POLE
- L2 STREET LIGHT FIXTURE - CITY STANDARD

1. RESIDENTIAL PATIOS - SEE ARCH DWGS.
2. TRANSFORMER & PAD - SEE UTIL. DWGS.
3. RECREATION COURT / GAMES AREA
4. EXISTING STREETLIGHT TO REMAIN AT ECR

SCALE: 1" = 40'

0' 40' 80' 120'

L-2.0

MATERIALS PLAN

EL CAMINO REAL MIXED USE SANTA CLARA, CA

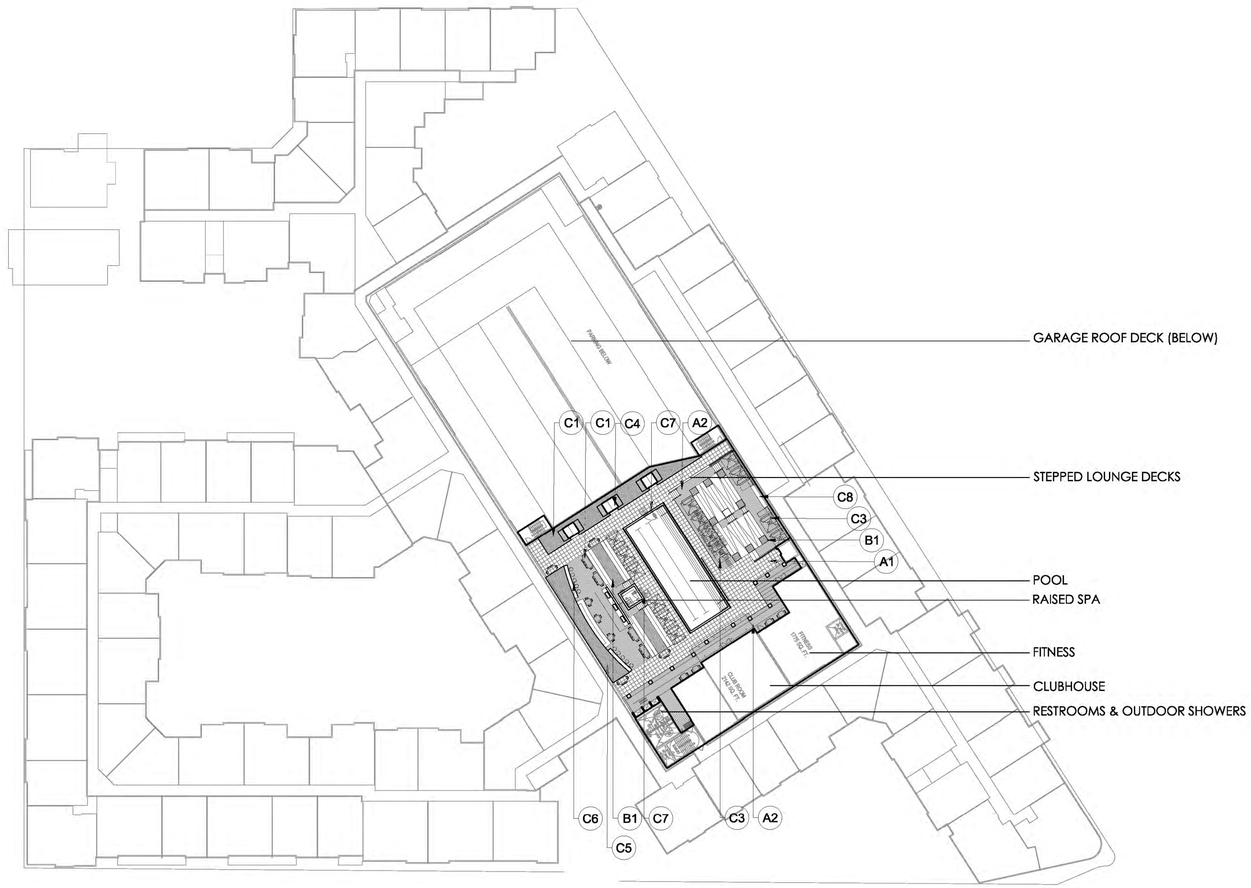
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POOL DECK / AMENITY TERRACE (7TH FLOOR)

MATERIALS LEGEND

PAVEMENTS AND PLANTING

- A1 PEDESTAL CONCRETE UNIT PAVERS (LINEAR PLANK PAVERS)
- A2 WOOD DECKING
- B1 RAISED PLANTING BEDS

SITE FURNISHINGS

- C1 DINING TABLES & CHAIRS
- C2 LOUNGE FURNISHINGS (TYPES & LOCATIONS T.B.D.)
- C3 POOL CHAISE LOUNGES & UMBRELLAS
- C4 POOL CABANAS (SHADE TENTS)
- C5 OUTDOOR BBQ W/ COUNTER
- C6 BAR STOOLS & COUNTER
- C7 POOL / SPA ADA LIFT
- C8 BENCH

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STUDIO T SQUARE

SCALE: 1" = 40'

0' 40' 80' 120'

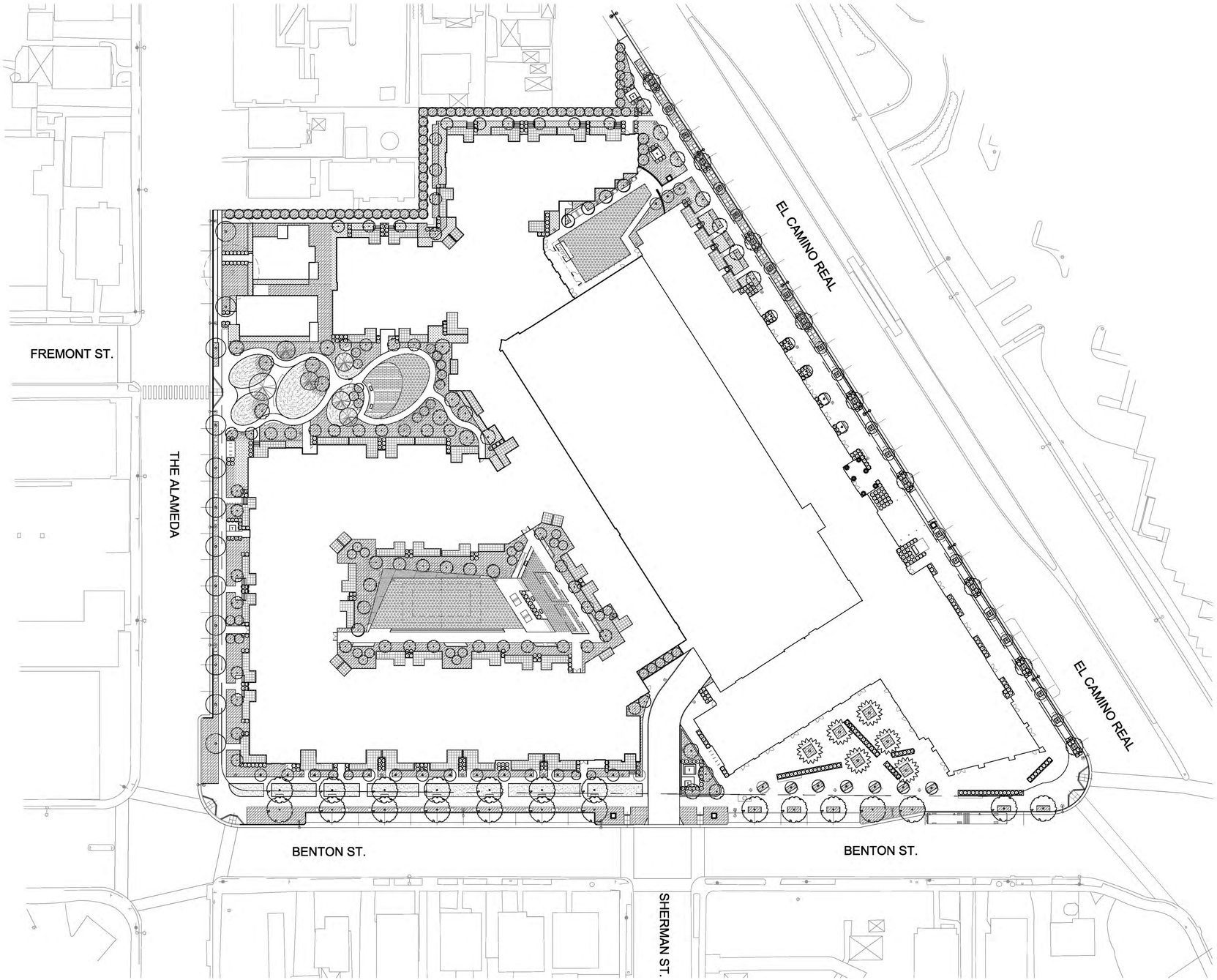
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L-2.1

MATERIALS PLAN ROOF DECK

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PLANT LEGEND

TREES

- EXISTING TREE TO REMAIN (PROTECT IN PLACE)
- RETAIL PLAZA TREE (SEE PLANT SCHEDULE, TYP.)
- ALAMEDA COURTYARD NATIVE OAK TREES
- STREET TREES
- COURTYARD / ACCENT TREES
- PERIMETER / VERTICAL SCREEN TREES

SHRUBS / GROUNDCOVER

- SCREEN HEDGE / BUFFER
- RAISED PLANTERS W/ ORNAMENTAL GRASSES
- UNDERSTORY PLANTING (SHRUBS / GROUNDCOVERS / GRASSES / PERENNIALS)
- SOD LAWN / NATURAL TURF
- ARTIFICIAL TURF
- BIORETENTION / STORMWATER PLANTING

SHEET NOTES

1. FOR LANDSCAPE, PLANTING, MAINTENANCE AND IRRIGATION NOTES, SEE SHEET L-3.1.
2. FOR PLANT SCHEDULE, SEE SHEET L-3.2.
3. FOR ADDITIONAL INFO REGARDING BIORETENTION / STORMWATER PLANTING AREAS, SEE CIVIL DRAWINGS.

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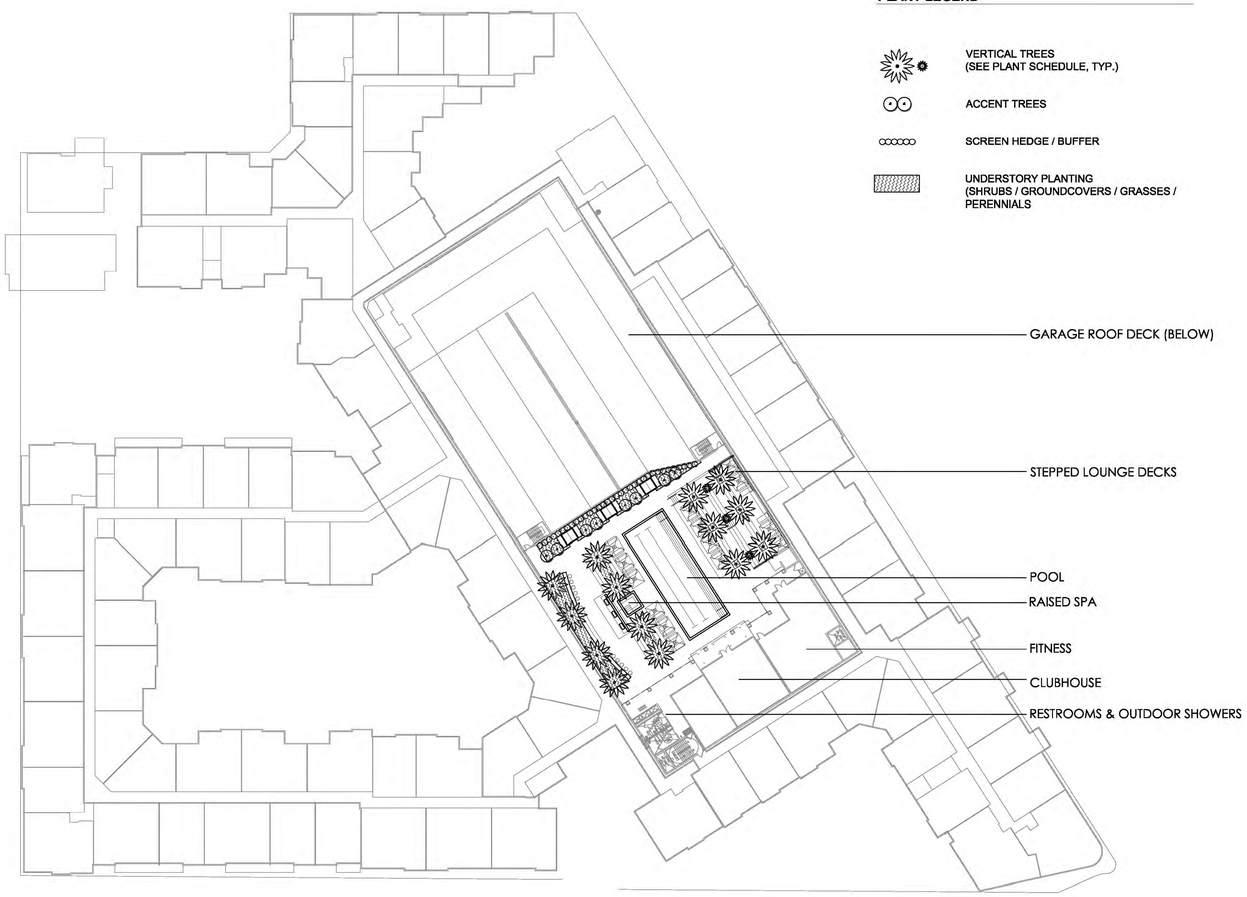
SCALE: 1" = 40'
0' 40' 80' 120'

N

L-3.0

PLANTING PLAN

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POOL DECK / AMENITY TERRACE (7TH FLOOR)

PLANT LEGEND

- VERTICAL TREES (SEE PLANT SCHEDULE, TYP.)
- ACCENT TREES
- SCREEN HEDGE / BUFFER
- UNDERSTORY PLANTING (SHRUBS / GROUNDCOVERS / GRASSES / PERENNIALS

LANDSCAPE DESIGN CRITERIA AND GENERAL NOTES

1. DESIGN SHALL MEET ALL APPLICABLE STATE AND LOCAL CODES AS WELL AS CITY STANDARD SPECIFICATIONS.
2. PLANTING WILL BE DESIGNED TO PROVIDE MAXIMUM SAFETY FOR RESIDENTS, PLANTING WILL BE PROVIDED ALONG WALLS, FENCES, AND AT BUILDING FOUNDATIONS AND WILL BE MAINTAINED AT AN APPROPRIATE HEIGHT FOR CLEAR VISIBILITY.
3. THE OVERALL LANDSCAPE CHARACTER WILL HELP DEFINE AND ENHANCE ARCHITECTURAL ELEMENTS THROUGH THE CAREFUL USE OF FLOWER AND LEAF COLOR, TEXTURE, PLANT FORMS AND PLANT MASSES.
4. PLANTING WILL BE DESIGNED TO SCREEN UNDESIRABLE VIEWS (AUTOMOBILES, TRASH COLLECTION, STORAGE ARES, ETC.) AND ADD INTEREST TO THE SITE.
5. PLANT MATERIAL SHALL COMPLY WITH THE CITY OF SANTA CLARA REQUIREMENTS AND BE APPROPRIATE FOR THE PROJECT CLIMATE AND SOIL CONDITIONS.
6. BROAD PLANT MASSES AND CONSISTENCY OF LANDSCAPE CHARACTER SHALL BE EMPLOYED TO AVOID COMPLEX PLANT MIXES AND VISUAL CONFUSION.
7. THE LANDSCAPE WILL PROVIDE A VARIETY OF SPACES FOR PROJECT USERS AND RESIDENTS.THESE AREAS WILL INCLUDE DISTINCTIVE PROGRAM ELEMENTS THAT ALLOW USERS OPTIONS DEPENDING ON THEIR DESIRED ACTIVITY.
8. ENTRANCES WILL BE IDENTIFIED AND ACCENTED WITH LANDSCAPE AND SIGNAGE.
9. ELEMENTS SUCH AS LANDSCAPE LIGHTING SITE FURNITURE AND MOVEABLE PLANT POTS WILL ALSO BE USED TO COMPLEMENT THE OVERALL DESIGN CHARACTER OF THE COMMUNITY.
10. ON SITE LIGHTING TO BE PROVIDED BY ORNAMENTAL POLES, WALL SCONCES, STEP LIGHTS AND BOLLARDS
11. LANDSCAPE PLANTINGS AND FEATURES SHALL BE EMPLOYED TO MINIMIZE WATER USE, MINIMIZE RUNOFF AND PROMOTE SURFACE INFILTRATION OF STORM WATER.
12. ALL PLANTING SHALL BE ARRANGED BY WATER HYDROZONES BASED ON WATER NEEDS.

PLANTING NOTES

1. VERIFY LOCATION OF EXISTING TREES TO REMAIN PRIOR TO SOIL PREPARATION. PROTECT ALL TREES INDICATED TO REMAIN.
2. VERIFY AND COORDINATE WORK AROUND ALL UNDERGROUND UTILITIES BEFORE EXCAVATION. NOTIFY ALL UTILITY PROVIDERS AT LEAST TWO (2) WORKING DAYS PRIOR TO BEGINNING WORK.
3. VERIFY THAT THE CONDITIONS ARE SUITABLE TO PROMOTE HEALTHY PLANT GROWTH. DO NOT PROCEED IF CONDITIONS DETRIMENTAL TO HEALTHY GROWING ENVIRONMENT ARE PRESENT, INCLUDING OVER-COMPACTED SOILS, ADVERSE DRAINAGE CONDITIONS, DEBRIS, OR OTHER HARMFUL CIRCUMSTANCES. PROCEEDING WITHOUT NOTIFICATION DENOTES ACCEPTANCE.
4. COORDINATE WITH OTHER SUBCONTRACTORS AND TRADES TO ENSURE PROTECTION OF GROWING CONDITIONS AND PLANT MATERIALS.
5. VERIFY PLANT QUANTITIES SHOWN ON THE PLANS BASED ON GRAPHIC REPRESENTATION. QUANTITIES SHOWN ARE FOR CONTRACTOR CONVENIENCE ONLY.
6. FINISH GRADING SHALL PROVIDE POSITIVE SURFACE DRAINAGE ACROSS PLANTED AREAS AND AWAY FROM BUILDING FOUNDATIONS. REFER TO CIVIL GRADING PLANS FOR ALL EXISTING AND PROPOSED GRADE INFORMATION.
7. ALL PLANTING AREAS SHALL HAVE THE EXISTING TOPSOIL TESTED, TILLED AND AMENDED TO CONFORM TO RECOMMENDATIONS MADE BY AN AGRONOMIC SOIL TESTING LAB IN ORDER TO ASSURE HEALTHY PLANT GROWTH. PROVIDE 2" MINIMUM OF BARK MULCH.
8. UNLESS OTHERWISE INDICATED, ALL PLANTINGS SHALL BE TRIANGULARLY SPACED.

PUBLIC & PRIVATE LANDSCAPE MAINTENANCE

1. STREET TREES, TREE WELLS AND PARKWAY STRIP PLANTINGS WITHIN THE PUBLIC RIGHT-OF-WAY ARE TO BE PUBLICALLY-MAINTAINED LANDSCAPE AREAS.
2. ALL OTHER LANDSCAPE AREAS ARE TO BE PRIVATELY-MAINTAINED BY THE PROJECT OWNER FOLLOWING INDUSTRY STANDARDS.

IRRIGATION NOTES

1. ALL LANDSCAPE AREAS WILL BE PERMANENTLY IRRIGATED USING A PERMANENT AUTOMATIC IRRIGATION SYSTEM.
2. IF AVAILABLE, ALL IRRIGATION IMPROVEMENTS WILL UTILIZE SUSTAINABLE, NON-POTABLE RECYCLED WATER AVAILABLE FROM THE SANTA CLARA VALLEY WATER DISTRICT (SCVWD) OR SOUTH BAY WATER RECYCLING (SBWR).
3. ALL IRRIGATION IMPROVEMENTS WILL UTILIZE HIGH EFFICIENCY DESIGN AND EQUIPMENT COMPONENTS IN CONFORMANCE WITH CITY, SCVWD AND SBWR REQUIREMENTS.
4. IRRIGATION IMPROVEMENTS WITHIN THE PUBLIC RIGHT-OF-WAY WILL CONFORM WITH THE CITY OF SANTA CLARA'S STANDARDS AND REQUIREMENTS.
5. THE IRRIGATION SYSTEM DESIGN WILL COMPLY WITH ABA 1881 REQUIREMENTS, FOLLOW THE STATEWIDE MODEL ORDINANCE GUIDELINES AND CITY REQUIREMENTS WITH THE USE OF WATER-EFFICIENT LANDSCAPE AND LOW WATER USE PLANTS.
6. THE IRRIGATION SYSTEM WILL PROVIDE 100% HEAD TO HEAD COVERAGE AND WILL BE DESIGNED TO MINIMIZE OVERSPRAY. ALL REMOTE CONTROL AND QUICK-COUPLING VALVES WILL BE INSTALLED WITHIN SHRUB / GROUND COVER PLANTING AREAS WHENEVER POSSIBLE.
7. IRRIGATION SYSTEM PLANS AND DESIGN WILL BE PROVIDED AT A LATER DATE.
8. THE FINAL IRRIGATION PLANS WILL ACCURATELY AND CLEARLY IDENTIFY:
   - LOCATION, TYPE AND SIZE OF THE WATER METERS FOR THE LANDSCAPE.
   - LOCATION, TYPE AND SIZE OF ALL COMPONENTSOF THE IRRIGATION SYSTEM.
   - STATIC WATER PRESSURE AT THE POINT OF CONNECTION TO THE PUBLIC WATER SUPPLY.
   - FLOW RATE (GALLONS PER MINUTE) AND REMOTE CONTROLL VALVE SIZE.
9. IRRIGATION SYSTEM FEATURES EMPLOYED TO ACHIEVE WATER CONSERVATION GOALS WILL INCLUDE:
   - SMART IRRIGATION CONTROLLERS CAPABLE OF RESPONDING TO ON-SITE WEATHER CONDITIONS.
   - CONTROLLERS WITH MULTIPLE PROGRAMS.
   - WATERING SCHEDULES EMPLOYING SHORT CYCLES.
   - RAIN SHUT-OFF DEVICES TO PREVENT IRRIGATION AFTER SIGNIFICANT PRECIPITATION.
   - SUB-SURFACE DRIP AND/OR BUBBLER IRRIGATION FOR SHRUBS AND TREES.
   - SUB-SURFACE DRIP IRRIGATION FOR GROUND COVER AREAS.
   - USE OF FLOW REDUCERS TO MITIGATE SPRAY OF BROKEN HEADS NEXT TO SIDEWALKS, STREETS AND DRIVEWAYS.

SHEET NOTES

FOR PLANT SCHEDULE, SEE SHEET L-3.2

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SCALE: 1" = 40'

0' 40' 80' 120'

N

L-3.1

PLANTING PLAN-ROOF DECK

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4.06.2018

UNDERSTORY PLANTS

SYMBOL	BOTANICAL NAME	COMMON NAME	SPACING	SIZE	NOTES
SCREEN HEDGE / BUFFER					
	Dodonea viscosa 'Purpurea' Escallonia 'Fradesii' Ligustrum japonicum 'Texanum' Pittosporum tobira 'Variegata' Rhaphiolepis indica var. Pittosporum tenuifolium	PURPLE HOPSEED BUSH ESCALLONIA TEXAS PRIVET DWARF MOCK ORANGE INDIAN HAWTHORN VAR. KOHUHU	3'–4' O.C.	15 Gal.	5% OF UNDERSTORY PLANTING
SHRUBS					
	Abelia grandiflora	GLOSSY ABELIA	3' O.C.	5 Gal.	15% OF UNDERSTORY PLANTING
	Arctostaphylos 'Pacific Mist'	PACIFIC MIST MANZANITA	4' O.C.	5 Gal.	
	Ceanothus 'Dark Star'	CALIFORNIA LILAC	6' O.C.	5 Gal.	
	Cistus purpureus	ORCHID ROCKROSE	3' O.C.	5 Gal.	
	Echium fastuosum	PRIDE OF MADIERA	6' O.C.	5 Gal.	
	Escallonia 'Newport Dwarf'	DWARF ESCALLONIA	3' O.C.	5 Gal.	
	Loropetaulum chinense	CHINESE FRINGE FLOWER	4' O.C.	5 Gal.	
	Myrtus communis 'Compacta'	DWARF MYRTLE	4' O.C.	5 Gal.	
	Olea europea 'Little Ollie'	DWARF OLIVE (Fruitless)	4' O.C.	5 Gal.	
	Philodendron 'Xanadu'	XANADU PHILODENDRON	3' O.C.	5 Gal.	
	Punica granatum 'Nana'	DWARF POMMEGRANATE	3' O.C.	5 Gal.	
	Rhaphiolepis 'Clara'	INDIAN HAWTHORN	4' O.C.	5 Gal.	
	Rhaphiolepis 'White Enchantress'	INDIAN HAWTHORN	4' O.C.	5 Gal.	
	Sarcococca ruscifolia	FRAGRANT SWEET BOX	4' O.C.	5 Gal.	
	Westringia fruticosa 'Blue Gem'	COAST ROSEMARY	3' O.C.	5 Gal.	
	Xylosma congestum	SHINY XYLOSMA	4' O.C.	5 Gal.	

UNDERSTORY PLANTS

SYMBOL	BOTANICAL NAME	COMMON NAME	SPACING	SIZE	NOTES
STORMWATER TREATMENT / BIOFILTRATION / BIORETENTION PLANTS					
	Carex tumulicola	BERKELEY SEDGE	2' O.C.	1 Gal.	5% OF UNDERSTORY PLANTING
	Carex pansa	CALIFORNIA MEADOW SEDGE	2' O.C.	1 Gal.	
	Chondropetalum tectorum	DWARF CAPE RUSH	3' O.C.	1 Gal.	
	Juncus patens	CALIFORNIA GREY RUSH	2' O.C.	1 Gal.	
	Fragaria chiloensis	SAND STRAWBERRY	1' O.C.	4" Pot	
	Iris PCH var.	PACIFIC COAST HYBRID IRIS	1' O.C.	1 Gal.	
	Polystichum munitum	WESTERN SWORD FERN	2' O.C.	1 Gal.	
	Rhamnus calif. 'Mound San Bruno'	DWARF COFFEEBERRY	4' O.C.	5 Gal.	
	Sisyrinchium bellum	BLUE–EYED GRASS	1' O.C.	1 Gal.	

UNDERSTORY PLANTS

SYMBOL	BOTANICAL NAME	COMMON NAME	SPACING	SIZE	NOTES
GROUND COVERS, PERENNIALS, GRASSES & VINES					
	Agapanthus 'Peter Pan'	DWARF LILY–OF–THE–NILE	1' O.C.	1 Gal.	75% OF UNDERSTORY PLANTING
	Anigozanthos var.	DWARF KANGAROO PAW	3' O.C.	1 Gal.	
	Bougainvillea ssp.	BOUGAINVILLEA (Red)	––	5 Gal.	
	Ceanothus gris. horiz.'Yankee Point'	YANKEE POINT CEANOTHUS	4' O.C.	5 Gal.	
	Dietes bicolor	FORTNIGHT LILY (Yellow)	3' O.C.	1 Gal.	
	Erigeron karvinskianus var.	SANTA BARBARA DAISY	2' O.C.	1 Gal.	
	Ficus pumila	CREEPING FIG	––	1 Gal.	
	Fragaria chiloensis	SAND STRAWBERRY	1' O.C.	4" Pot	
	Hardenbergia violacea 'Happy Wanderer'	PURPLE VINE LILAC	––	5 Gal.	
	Heucera 'Canyon Duet'	CORAL BELLS	1' O.C.	1 Gal.	
	Heucera 'Palace Purple'	PALACE PURPLE CORAL BELLS	2' O.C.	1 Gal.	
	Lavendula stoechas 'Otto Quast'	SPANISH LAVENDER	2' O.C.	1 Gal.	
	Lavandula x intermedia 'Provence'	FRENCH LAVENDER	3' O.C.	1 Gal.	
	Limonium perezii	SEA LAVENDER	2' O.C.	1 Gal.	
	Liriope muscari 'Majestic'	LILYTURF	2' O.C.	1 Gal.	
	Muhlenbergia capillaris 'Regal Mist'	PINK MUHLY GRASS	4' O.C.	5 Gal.	
	Ophiopogon japonicus 'Nigra'	BLACK MONDO GRASS	1' O.C.	1 Gal.	
	Parthenocissus tricuspidata	BOSTON IVY	––	1 Gal.	
	Phormium tenax var.	DWARF NEW ZEALAND FLAX	3' O.C.	5 Gal.	
	Rosa 'iceberg	ICEBERG ROSE (White)	4' O.C.	5 Gal.	
	Rosmarinus offic. 'Huntington Carpet'	PROSTRATE ROSEMARY	4' O.C.	1 Gal.	
	Salvia leucantha 'Santa Barbara'	MEXICAN SAGE	4' O.C.	1 Gal.	
	Seslaria autumnalis	AUTUMN MOOR GRASS	2' O.C.	1 Gal.	
	Trachelospermum jasminoides	STAR JASMINE	2' O.C.	1 Gal.	
	Tulbaghia violacea 'Silver Lace'	VARIEGATED SOCIETY GARLIC	1' O.C.	1 Gal.	
	Wisteria sinensis	CHINESE WISTERIA	––	5 Gal.	
	–– ––	SOD LAWN / TURF	––	––	SEE SPECS
	–– ––	ARTIFICIAL TURF	––	––	SEE SPECS

TREES

SYMBOL	BOTANICAL NAME	COMMON NAME	SPACING	SIZE	QTY	NOTES
RETAIL PLAZA TREE						
	PHOENIX CANARIENSIS	CANARY ISLAND DATE PALM	AS SHOWN	25' BTH		MATCHED SPECIMENS
				Total:	8	
ALAMEDA COURTYARD SPECIMEN TREE						
	QUERCUS AGRIFOLIA	COAST LIVE OAK	---	96" Box Min.		HIGH–BRANCHED SPECIMEN; STANDARD TRUNK
				Total:	1	
ALAMEDA COURTYARD SHADE TREE						
	QUERCUS AGRIFOLIA	COAST LIVE OAK	AS SHOWN	48" Box Min.		MULTI–TRUNK SPECIMENS
				Total:	5	
EL CAMINO REAL STREET TREE						
	PLATANUS ACERIFOLIA 'COLUMBIA' w/ LAGERSTROEMIA X FAUREI 'TUSKEGEE'	LONDON PLANE TREE w/ TUSKEGEE CRAPE MYRTLE	AS SHOWN	24" Box Min.		IN POTS ON E.C.R.; MATCHED SPECIMENS
				Total:	9+16	
BENTON STREET TREE (Options)						
	ULMUS PARVIFOLIA 'EMER II' ULMUS PARVIFOLIA 'DRAKE' FRAXINUS AMERICANA 'AUTUMN PURPLE' GINKGO BILOBA 'AUTUMN GOLD' PISTACIA CHINENSIS	ALLEE CHINESE ELM DRAKE CHINESE ELM AUTUMN PURPLE ASH MAIDENHAIR TREE CHINESE PISTACHE	AS SHOWN	36" Box Min.		MATCHED SPECIMENS
				Total:	21	
BENTON ACCENT TREE (Options)						
	LAGERSTROEMIA X FAUREI 'ZUNI' ARBUTUS UNEDO 'COMPACTA' TIBOUCHINA URVILLEANA OLEA EUROPEA 'SWAN HILL' COTINUS COGGYGRIA 'ROYAL PURPLE'	CRAPE MYRTLE VAR. DWARF STRAWBERRY TREE PRINCESS FLOWER FRUITLESS OLIVE SMOKE TREE	AS SHOWN	24"–36" Box Min.		MATCHED SPECIMENS
				Total:	13	
THE ALAMEDA STREET TREE (Options)						
	LOPHOSTEMON CONFERTUS PITTOSPORUM UNDULATUM PODOCARPUS GRACILIOR MELALEUCA QUINQUENERVIA OLEA EUROPEA 'SWAN HILL'	BRISBANE BOX VICTORIAN BOX FERN PINE CAJEPUT TREE FRUITLESS OLIVE	AS SHOWN	36" Box Min.		MATCHED SPECIMENS
				Total:	12	
COURTYARD TREES / ACCENT TREES (Options)						
	ACER RUBRUM 'BOWHALL' ARBUTUS UNEDO 'COMPACTA' CERCIS OCCIDENTALIS GINKGO BILOBA 'PRINCETON SENTRY' LAGERSTROEMIA X FAUREI VAR. OLEA EUROPEA 'SWAN HILL'	COLUMNAR RED MAPLE DWARF STRAWBERRY TREE WESTERN REDBUD COLUMNAR MAIDENHAIR TREE CRAPE MYRTLE VAR. FRUITLESS OLIVE	AS SHOWN	24"–36" Box Min.		
				Total:	91	
ROOF DECK / AMENITY TERRACE – VERTICAL TREES (Options)						
	PHOENIX DACTYLIFERA 'MEDJOOL' TRACHYCARPUS FORTUNEI	MEDJOOL DATE PALM WINDMILL PALM	AS SHOWN	16'–18' BTH		MATCHED SPECIMENS
				Total:	14	
ROOF DECK / AMENITY TERRACE – ACCENT TREES (Options)						
	ARBUTUS UNEDO 'COMPACTA' CHAMAEROPS HUMILIS LAGERSTOEMIA X FAUREI 'ZUNI' OLEA EUROPEA 'SWAN HILL' COTINUS COGGYGRIA 'ROYAL PURPLE' TIBOUCHINA URVILLEANA	STRAWBERRY TREE MEDITERRANEAN FAN PALM CRAPE MYRTLE VAR. FRUITLESS OLIVE SMOKE TREE PRINCESS FLOWER	AS SHOWN	24"–36" Box Min.		
				Total:	8	
PERIMETER / VERTICAL SCREEN TREES (Options)						
	LOPHOSTEMON LAURINA LAURUS NOBILIS PITTOSPORUM TENUIFOLIUM PODOCARPUS GRACILIOR PRUNUS CAROLINIANA VAR.	WATER GUM SWEET BAY TAWHIWHI FERN PINE CAROLINA CHERRY LAUREL	AS SHOWN	24"–36" Box Min.		MATCHED SPECIMENS
				Total:	97	
Total Proposed New Tress To Be Installed:					**285**	

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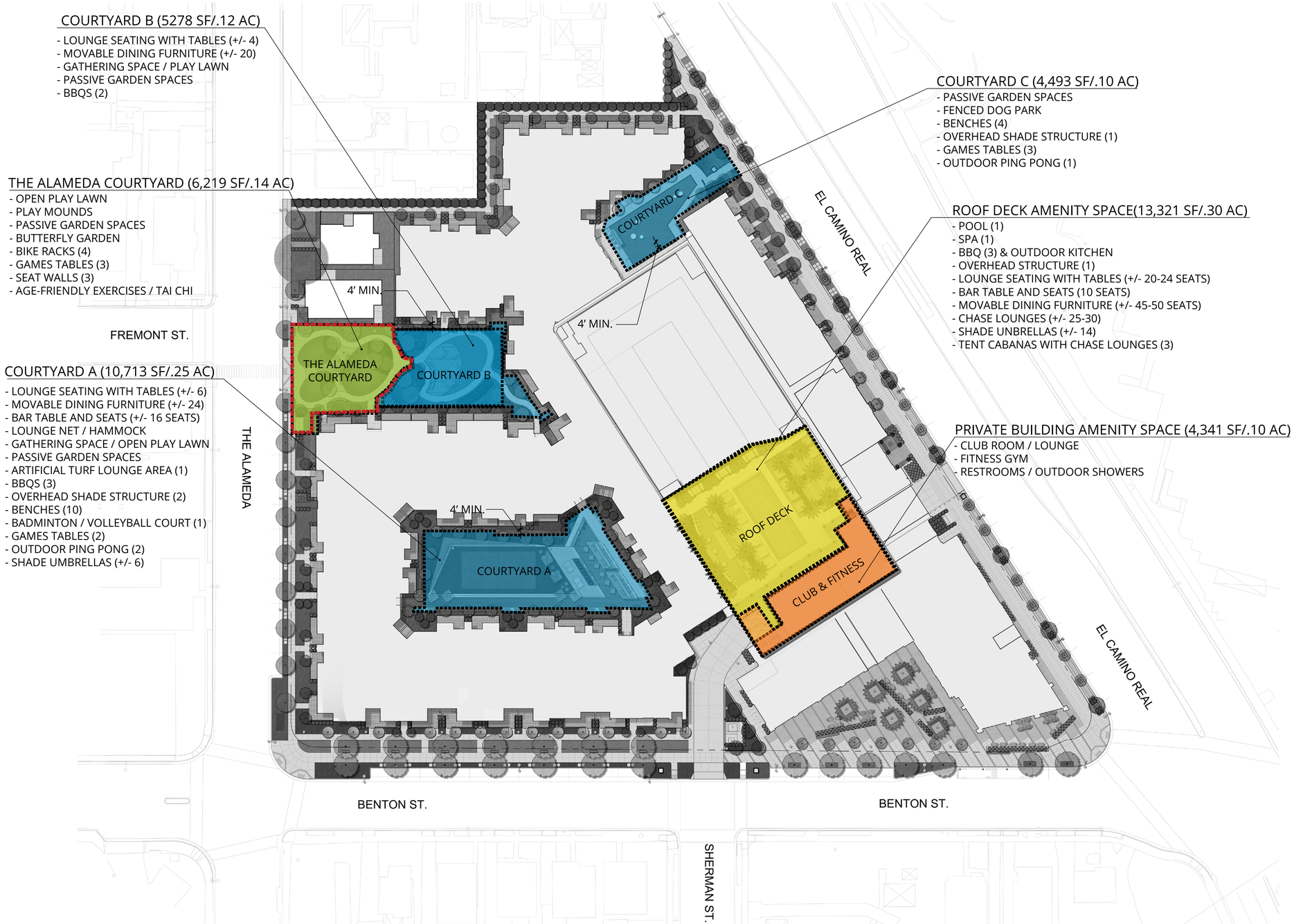
SCALE: 1" = 40'

0' 40' 80' 120'

L-3.2

PLANTING SCHEDULE

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PARK CREDIT LEGEND / CALCULATIONS

PUBLIC PARK LAND DEDICATION

PUBLIC OPEN SPACE

- THE ALAMEDA COURTYARD	6,219 SF (.14 AC)
PUBLIC OPEN SPACE TOTAL	**6,219 SF (.14 AC)**

PRIVATE RECREATION AREAS

PRIVATE LANDSCAPE AMENITY SPACES

- COURTYARD A	10,713 SF (.25 AC)
- COURTYARD B	5,278 SF (.12 AC)
- COURTYARD C	4,493 SF (.10 AC)
SUB TOTAL	**20,484 SF (.47 AC)**

PRIVATE ROOF DECK AMENITY SPACE

- ROOF DECK - 7TH FLOOR	13,321 SF (.30 AC)
SUB TOTAL	**13,321 SF (.30 AC)**

PRIVATE BUILDING AMENITY SPACE

- CLUB ROOM / LOUNGE	2,142 SF (.05 AC)
- FITNESS GYM	1,775 SF (.04 AC)
- RESTROOMS / SHOWERS	424 SF (.01 AC)
SUB TOTAL	**4,341 SF (.10 AC)**

PRIVATE RECREATION TOTAL	**38,146 SF (.88 AC)**
GRAND TOTAL	**44,365 (01.02 AC)**

PRIVATE OPEN SPACE CREDITS: QUALIFYING ELEMENTS

	CITY OS CREDIT ELEMENT	PROVIDED	SITE LOCATIONS
1	ONE-HALF ACRE OF PLAY FIELD	NO / N.A.	N.A.
2	CHILDREN'S PLAY APPARATUS	NO / N.A.	N.A.
3	LANDSCAPED AND FURNISHED PARK-LIKE QUIET AREA	YES	COURTYARDS A,B,C
4	RECREATIONAL COMMUNITY GARDEN	NO / N.A.	N.A.
5	FAMILY PICNIC AREAS	YES	COURTYARDS A & B ROOF DECK
6	GAME, FITNESS OR SPORT COURT AREAS	YES	COURTYARD A, ROOF DECK CLUB & FITNESS BUILDING
7	ACCESSIBLE SWIMMING POOL (MIN SIZE 42' X 75')	NO / N.A.	N.A.
8	RECREATION CENTER BUILDING AND GROUNDS	YES	ROOF DECK CLUB & FITNESS BUILDING

NOTES:
- DASHED OUTLINES OF PRIVATE RECREATION AREAS REFLECT A BUFFER STRIP / SETBACK OF 4'-0" MIN. BETWEEN BUILDINGS / PRIVATE TERRACES AND PUBLIC PARKLAND / AMENITIES

- THESE SETBACK AREAS HAVE BEEN DEDUCTED FROM THE PARK CREDIT AREA CALCULATIONS

SCALE: 1" = 40'
0' 40' 80' 120'

L-4.0

PRIVATE RECREATION PLAN

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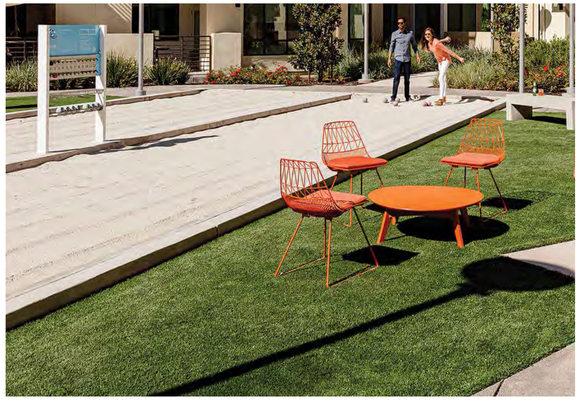




















PRIVATE COURTYARDS

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SCALE: NTS

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CONCEPT IMAGERY

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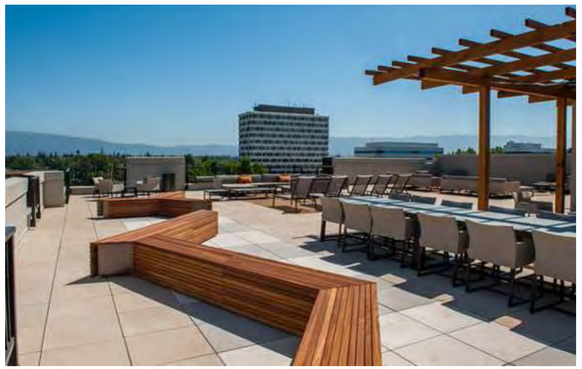












PLAZA & ROOF DECK

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PLACE

STUDIO T SQUARE

SCALE: NTS

N

L-5.1

CONCEPT IMAGERY

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C1 EXISTING PARCEL MAP.dwg Apr 06, 2018

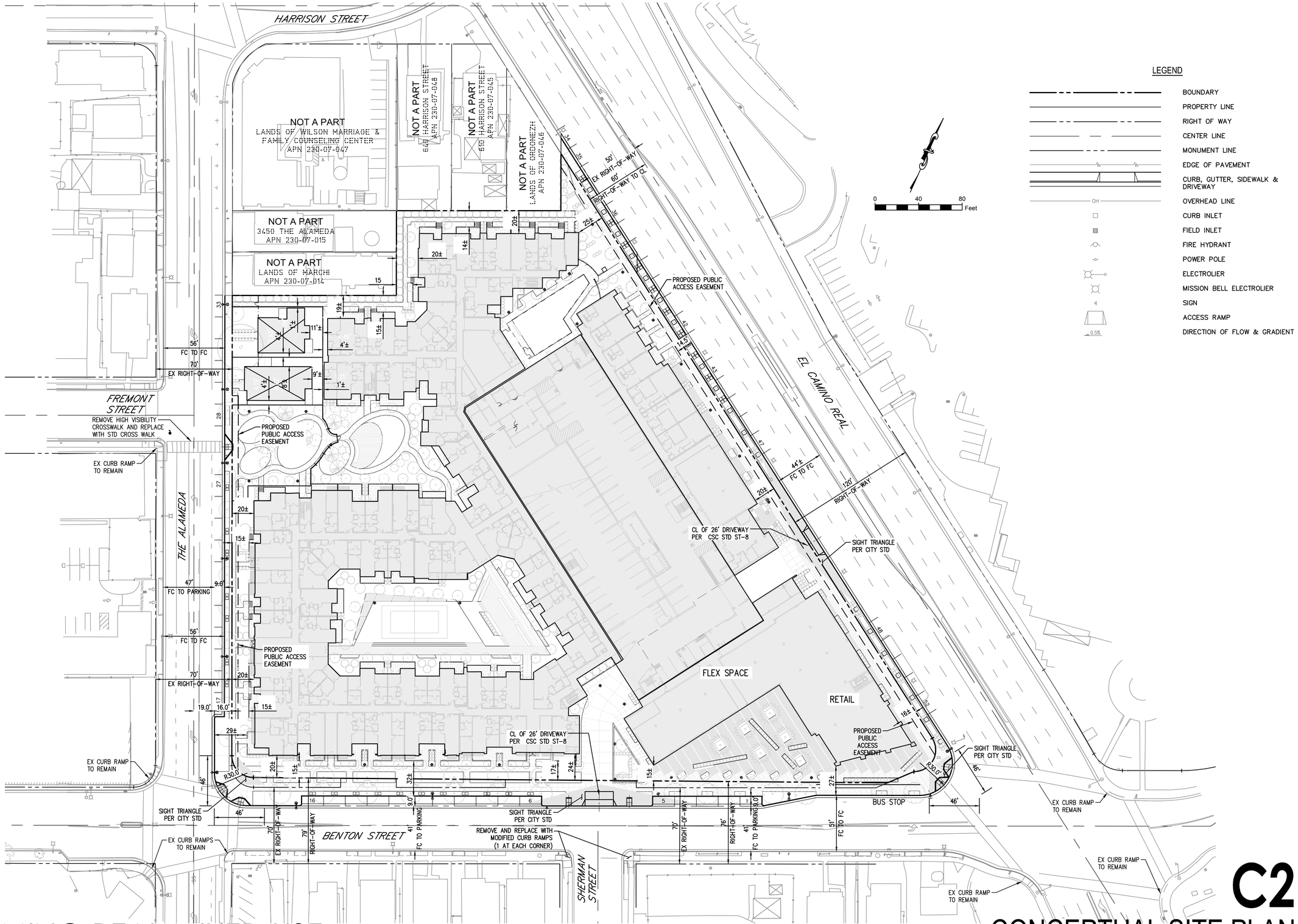
C1

EXISTING PARCEL MAP

APRIL 6, 2018

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LEGEND

- BOUNDARY
- PROPERTY LINE
- RIGHT OF WAY
- CENTER LINE
- MONUMENT LINE
- EDGE OF PAVEMENT
- CURB, GUTTER, SIDEWALK & DRIVEWAY
- OVERHEAD LINE
- CURB INLET
- FIELD INLET
- FIRE HYDRANT
- POWER POLE
- ELECTROLIER
- MISSION BELL ELECTROLIER
- SIGN
- ACCESS RAMP
- DIRECTION OF FLOW & GRADIENT

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C2 SITE PLAN.dwg Apr 06, 2018

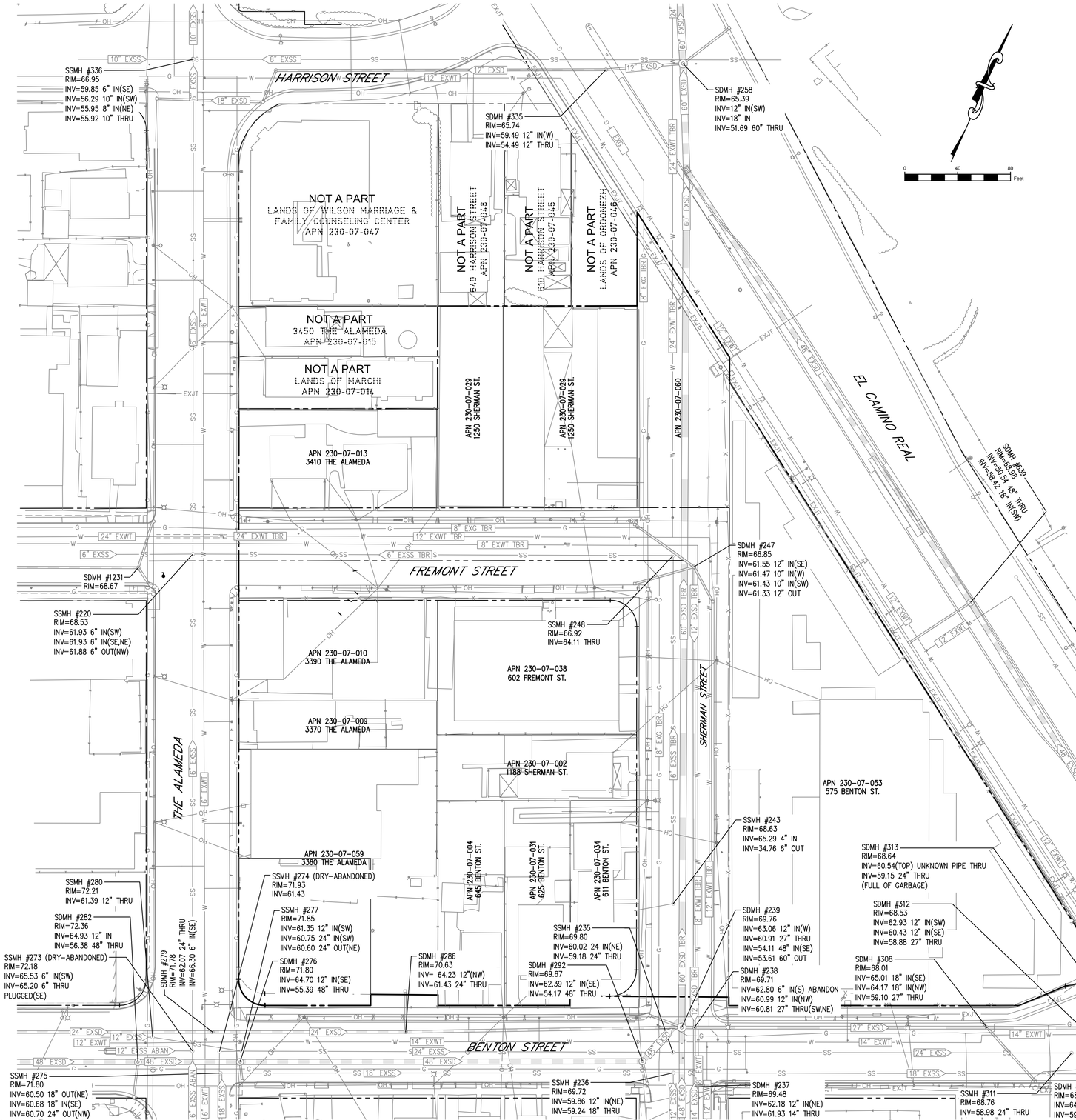
C2

CONCEPTUAL SITE PLAN

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LEGEND

- BOUNDARY
- PROPERTY LINE
- RIGHT OF WAY
- CENTER LINE
- MONUMENT LINE
- EDGE OF PAVEMENT
- CURB, GUTTER, SIDEWALK & DRIVEWAY
- SANITARY SEWER PIPE & MANHOLE
- STORM DRAIN PIPE & MANHOLE
- WATER MAIN
- RECYCLED WATER MAIN
- GAS LINE
- ELECTRIC LINE
- OVERHEAD LINE
- CURB INLET
- FIELD INLET
- FIRE HYDRANT
- POWER POLE
- ELECTROLIER
- MISSION BELL ELECTROLIER
- SIGN
- ACCESS RAMP
- DIRECTION OF FLOW & GRADIENT

ABBREVIATIONS

AC	ASPHALT CONCRETE
APN	ASSESSORS PARCEL NUMBER
B/W	BACK OF WALK
BFP	BACK FLOW PREVENTOR
BLDG	BLDG BUILDING
CB	CATCH BASIN
CL	CENTERLINE
CONC	CONCRETE
D/W	DRIVEWAY
EP	EDGE OF PAVEMENT
ELECT	ELECTROLIER
EX	EXISTING
FC	FACE OF CURB
FEN	FENCE
FL	FLOWLINE
FDC	FIRE DEPARTMENT CONNECTION
FH	FIRE HYDRANT
GV	GAS VALVE
GRT	GRATE
H/C	HANDICAP
INV	INVERT
MH	MANHOLE
MON	MONUMENT
PP	POWER POLE
PL	PROPERTY LINE
R/W	RIGHT OF WAY
SS	SANITARY SEWER
SD	STORM DRAIN
STB	STREET LIGHT BOX
TC	TOP OF CURB
VLT	VAULT
WAT	WATER
WB	WATER BOX
WM	WATER METER
WV	WATER VALVE

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C3 EXISTING CONDITIONS

APRIL 6, 2018

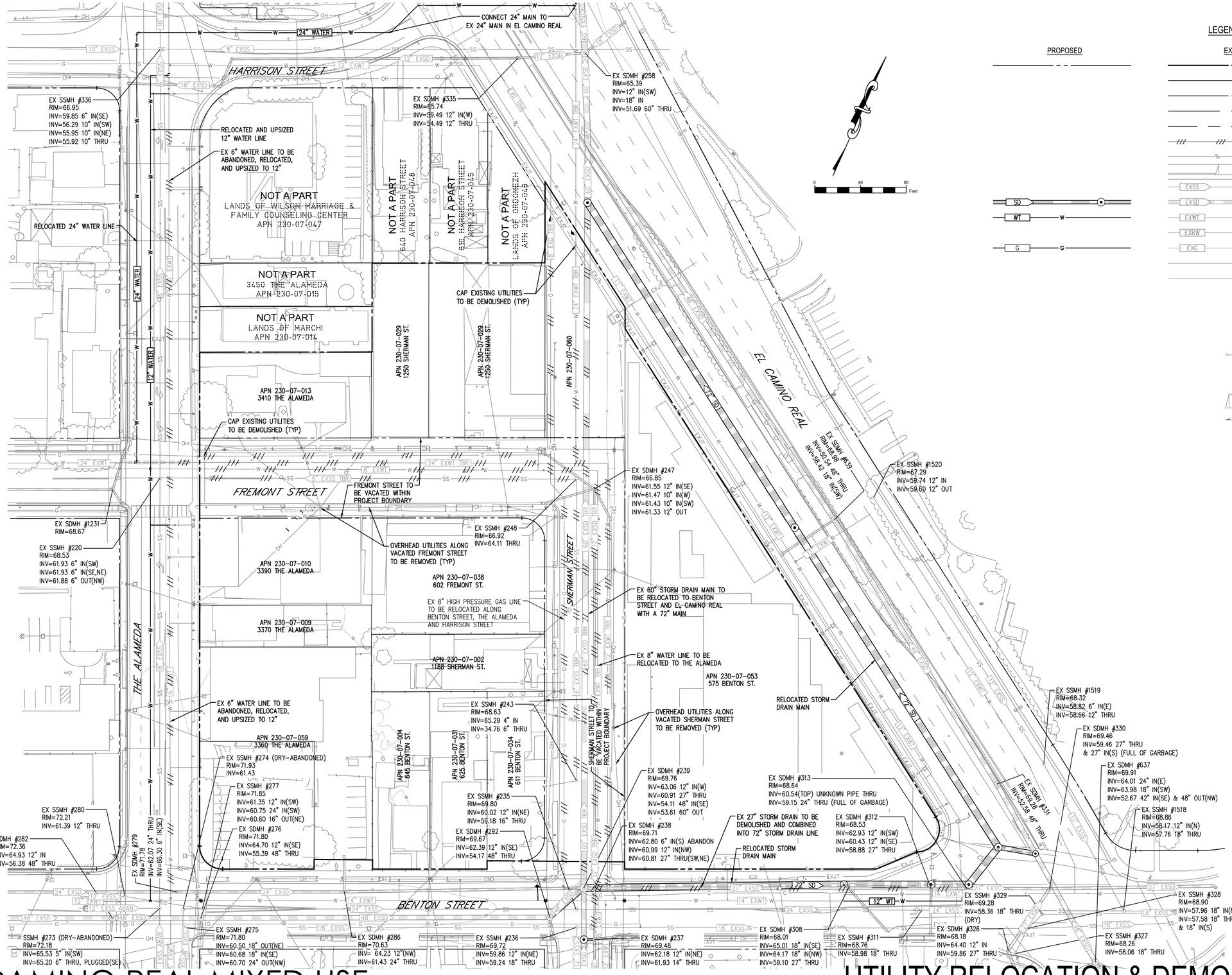
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LEGEND

PROPOSED	EXISTING	
		BOUNDARY
		PROPERTY LINE
		RIGHT OF WAY
		CENTER LINE
		MONUMENT LINE
		TO BE DEMOLISHED/ABANDONED
		EDGE OF PAVEMENT
		CURB, GUTTER, SIDEWALK & DRIVEWAY
	EXSS	SANITARY SEWER PIPE & MANHOLE
SD	EXSD	STORM DRAIN PIPE & MANHOLE
WT W	EXWT W	WATER MAIN
	EXRW RW	RECYCLED WATER MAIN
G G	EXG G	GAS LINE
	E	ELECTRIC LINE
	OH	OVERHEAD LINE
		CURB INLET
		FIELD INLET
		FIRE HYDRANT
		POWER POLE
		ELECTROLIER
		MISSION BELL ELECTROLIER
		SIGN
		ACCESS RAMP
0.5%		DIRECTION OF FLOW & GRADIENT

EL CAMINO REAL MIXED USE SANTA CLARA, CA

PROMETHEUS

C4 UTILITY RELOCATION & DEMOLITION PLAN.dwg Apr 06, 2018

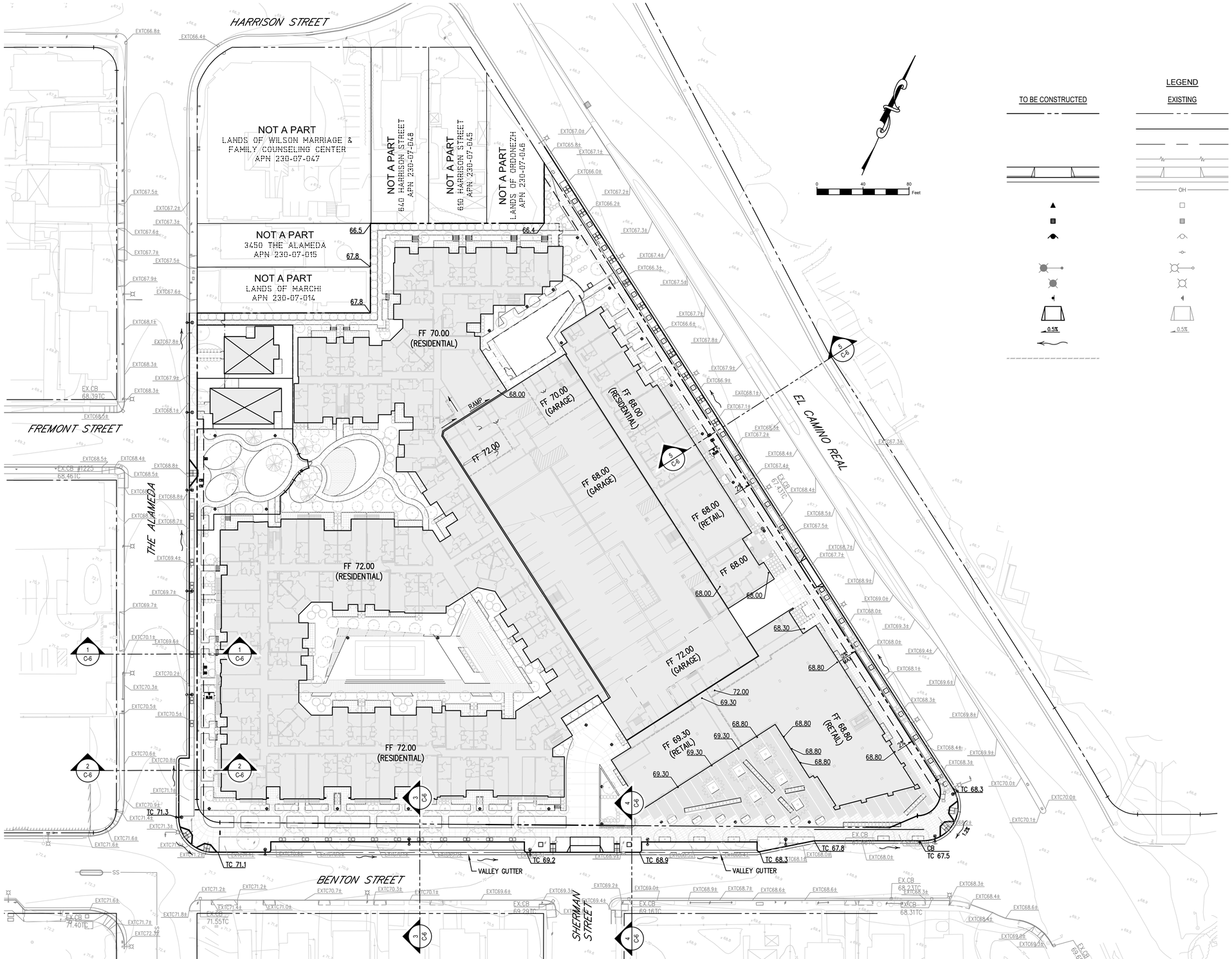
C4

UTILITY RELOCATION & DEMOLITION PLAN

APRIL 6, 2018

JOB NO. 16-111

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C5 GRADING & DRAINAGE PLAN.dwn Apr 06, 2018

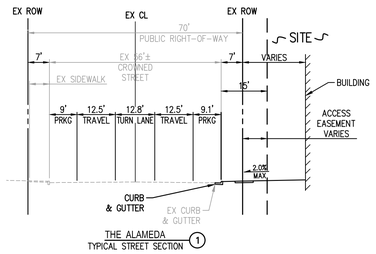
C5

GRADING & DRAINAGE PLAN

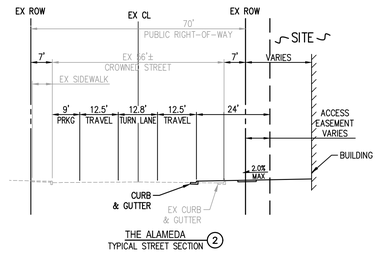
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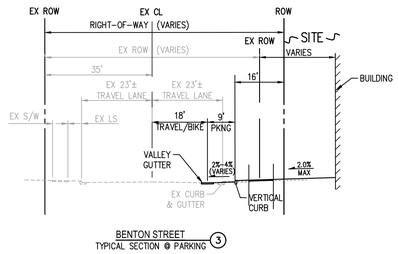
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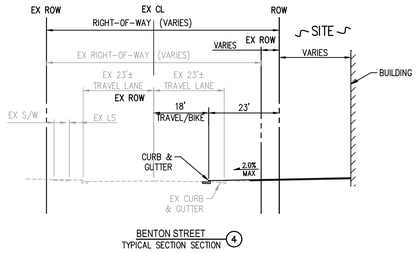
THE ALAMEDA
TYPICAL STREET SECTION (1)



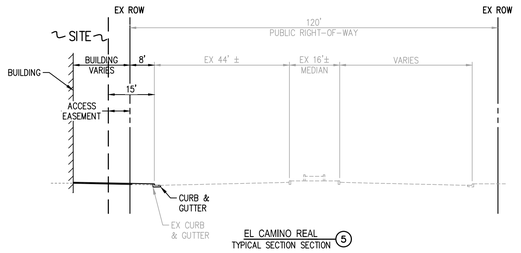
THE ALAMEDA
TYPICAL STREET SECTION (2)



BENTON STREET
TYPICAL SECTION @ PARKING (3)



BENTON STREET
TYPICAL SECTION SECTION (4)



EL CAMINO REAL
TYPICAL SECTION SECTION (5)

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C6 STREET SECTIONS.dwg Apr 06, 2018

C6

STREET SECTIONS

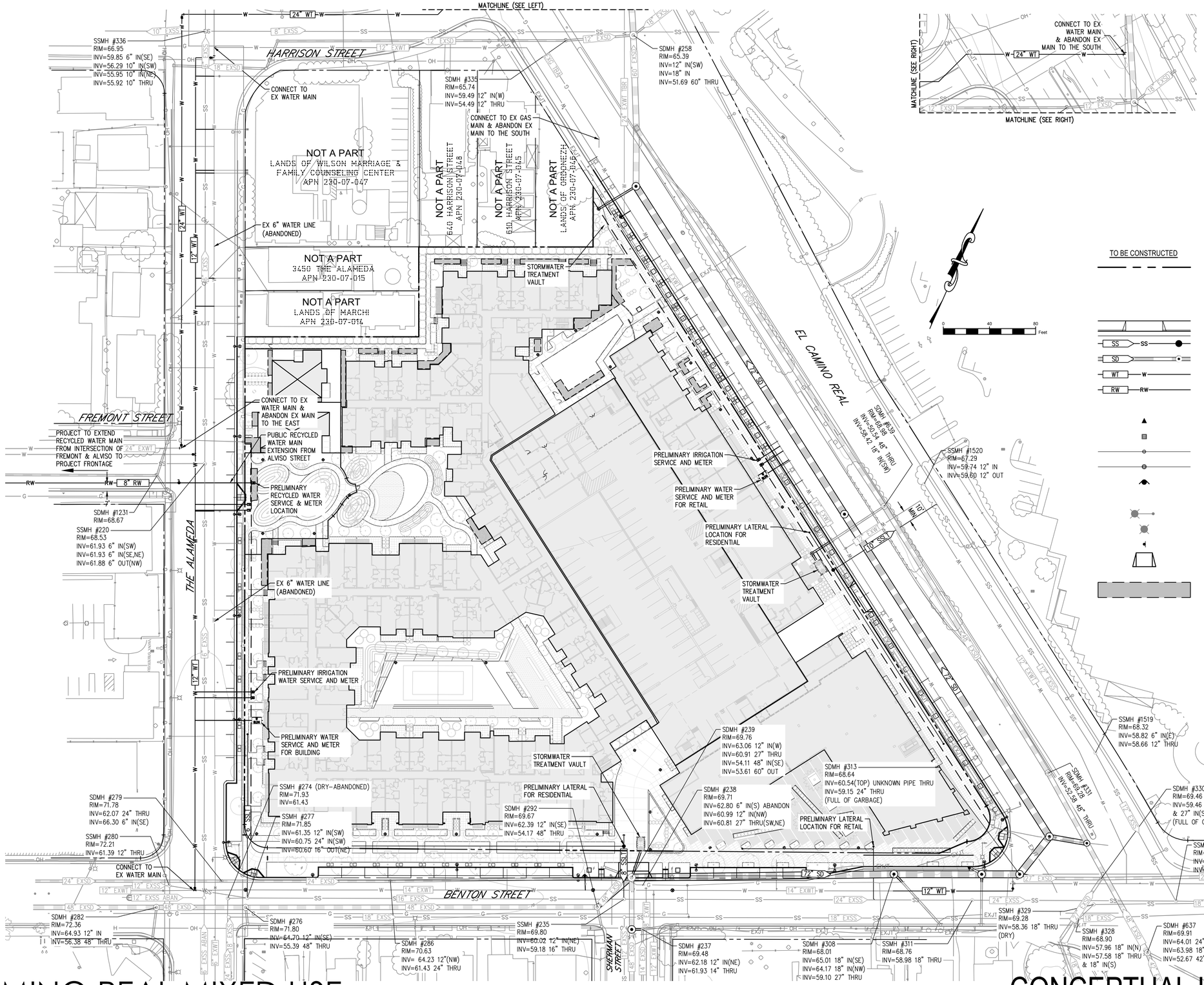
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LEGEND

TO BE CONSTRUCTED	EXISTING	DESCRIPTION
		BOUNDARY
		PROPERTY LINE
		CENTER LINE
		EDGE OF PAVEMENT
		CURB, GUTTER, SIDEWALK & DRIVEWAY
SS	SS	SANITARY SEWER PIPE & MANHOLE
SD	EXSD	STORM DRAIN PIPE & MANHOLE
WT	EXWT	WATER MAIN
RW	EXRW	RECYCLED WATER MAIN
	OH	OVERHEAD LINE
		CURB INLET
		FIELD INLET
		AREA DRAIN
		AREA DRAIN, HANSON RB24
		FIRE HYDRANT
		POWER POLE
		ELECTROLIER
		MISSION BELL ELECTROLIER
		SIGN
		ACCESS RAMP
		BIOTREATMENT AREA

NOTES:

1. ALL EXISTING WATER SERVICES ALONG THE ALAMEDA TO BE SHIFTED TO PROPOSED 12" WATER MAIN
2. ALL DRY UTILITIES TO BE UNDERGROUND ALONG THE PROJECT FRONTAGE

C7

CONCEPTUAL UTILITY PLAN

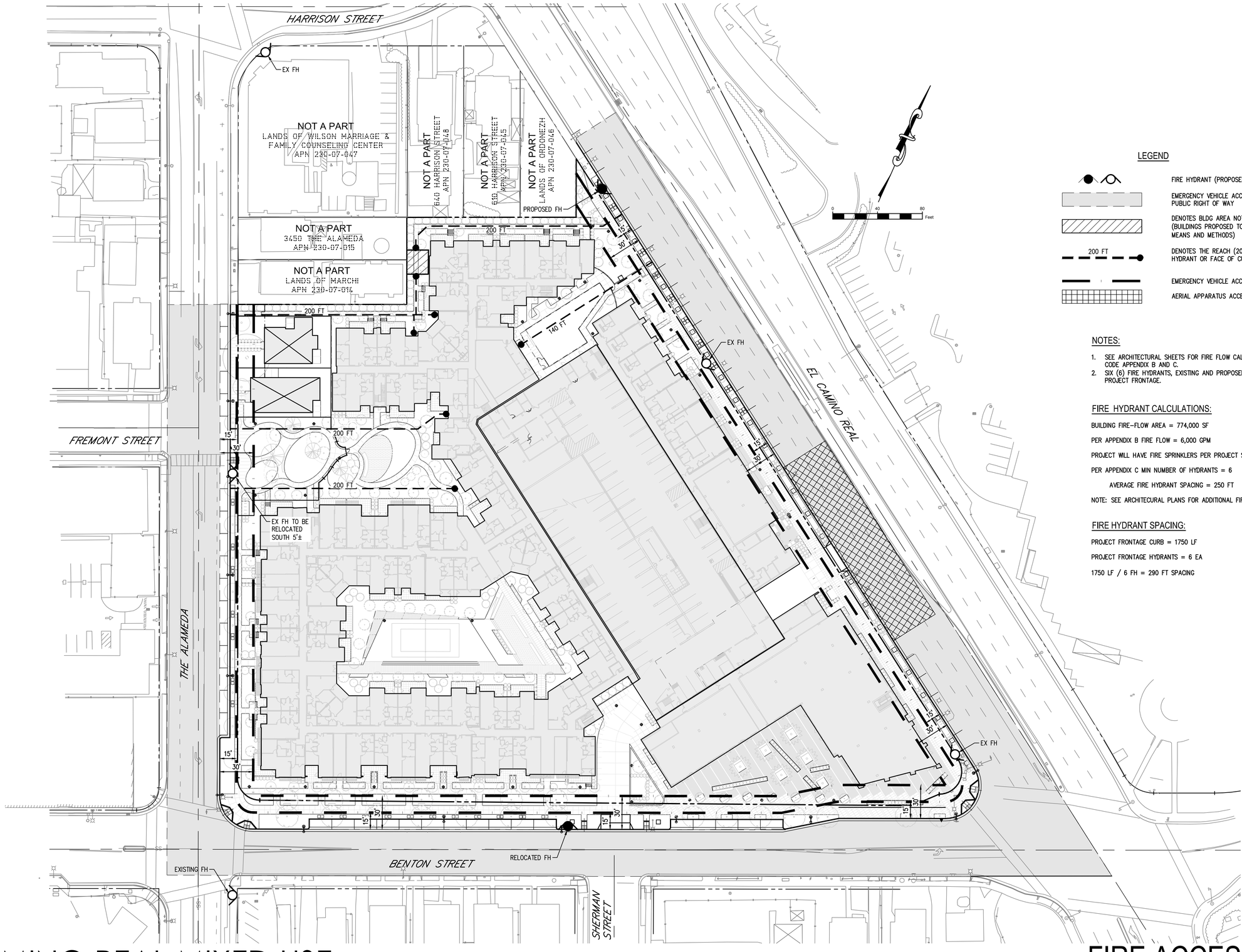
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LEGEND

- FIRE HYDRANT (PROPOSED AND EXISTING)
- EMERGENCY VEHICLE ACCESS WITHIN PUBLIC RIGHT OF WAY
- DENOTES BLDG AREA NOT REACHABLE BY HOSE WRAP (BUILDINGS PROPOSED TO BE PROTECTED BY ALTERNATE MEANS AND METHODS)
- 200 FT — DENOTES THE REACH (200' MAX.) OF HOSE FROM HYDRANT OR FACE OF CURB
- EMERGENCY VEHICLE ACCESS SETBACK
- AERIAL APPARATUS ACCESS

NOTES:

1. SEE ARCHITECTURAL SHEETS FOR FIRE FLOW CALCULATIONS FROM CA FIRE CODE APPENDIX B AND C.
2. SIX (6) FIRE HYDRANTS, EXISTING AND PROPOSED, ARE SHOWN ON THE PROJECT FRONTAGE.

FIRE HYDRANT CALCULATIONS:

BUILDING FIRE-FLOW AREA = 774,000 SF

PER APPENDIX B FIRE FLOW = 6,000 GPM

PROJECT WILL HAVE FIRE SPRINKLERS PER PROJECT SUMMARY

PER APPENDIX C MIN NUMBER OF HYDRANTS = 6

AVERAGE FIRE HYDRANT SPACING = 250 FT

NOTE: SEE ARCHITECURAL PLANS FOR ADDITIONAL FIRE CODE INFORMATION

FIRE HYDRANT SPACING:

PROJECT FRONTAGE CURB = 1750 LF

PROJECT FRONTAGE HYDRANTS = 6 EA

1750 LF / 6 FH = 290 FT SPACING

EL CAMINO REAL MIXED USE SANTA CLARA, CA

PROMETHEUS

C8 FIRE ACCESS PLAN.dwg Apr 06, 2018

C8

FIRE ACCESS PLAN

JOB NO. 16-111

APRIL 6, 2018

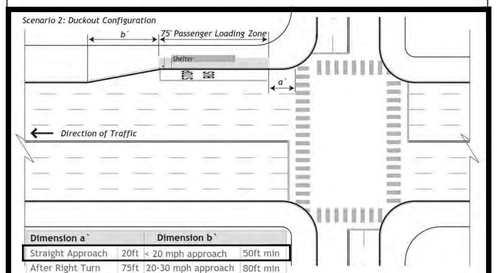
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Figure 5 Far Side Bus Stops – Typical Details (continued)

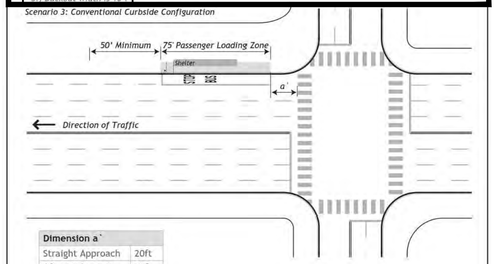
Scenario 2: Duckout Configuration



Dimension a`		Dimension b`	
Straight Approach	20ft	< 20 mph approach	50ft min
After Right Turn	75ft	20-30 mph approach	80ft min
After Left Turn	50ft	30-40 mph approach	125ft min

Notes:
1.) Refer to previous page for notes.
2.) Duckout taper length varies according to approach speed.
3.) Duckout width is 10`.

Scenario 3: Conventional Curbside Configuration

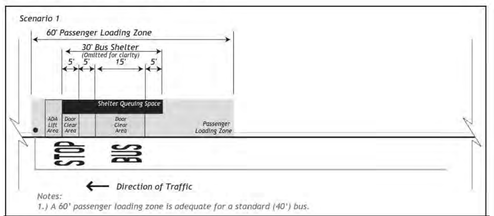


Dimension a`	
Straight Approach	20ft
After Right Turn	75ft
After Left Turn	50ft

Notes:
1.) Refer to previous page for notes.

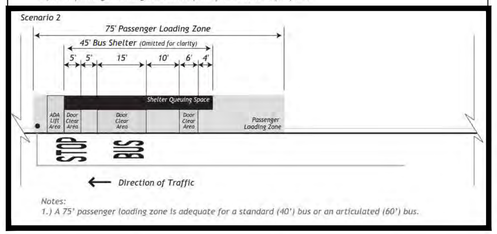
Figure 11 Passenger Loading Zone – Typical Arrangements

Scenario 1



Notes:
1.) A 60' passenger loading zone is adequate for a standard (40') bus.

Scenario 2



Notes:
1.) A 75' passenger loading zone is adequate for a standard (40') bus or an articulated (60') bus.



C9

BUS STOP RELOCATION PLAN

JOB NO. 16-111

APRIL 6, 2018

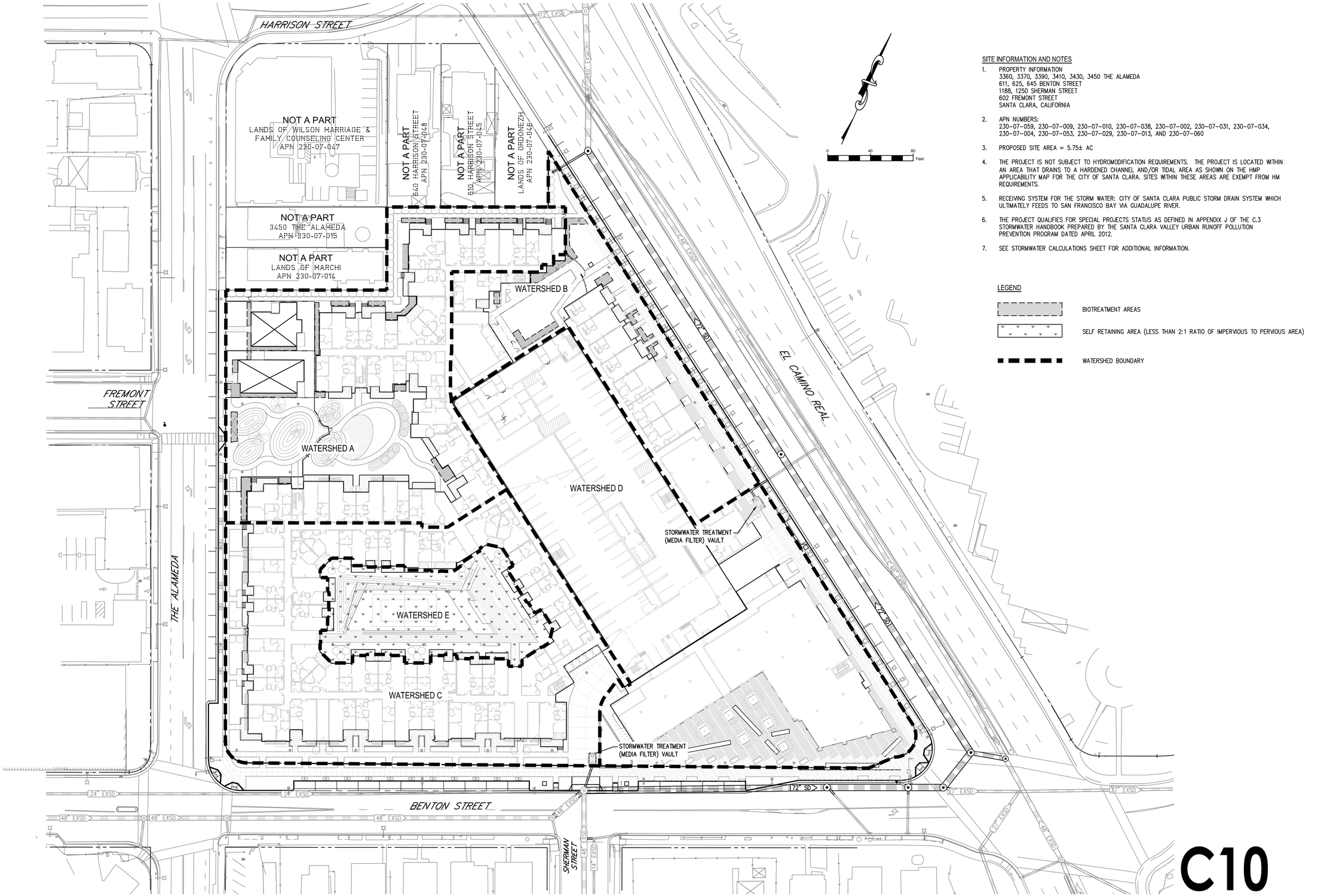
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SITE INFORMATION AND NOTES

1. PROPERTY INFORMATION
   3360, 3370, 3390, 3410, 3430, 3450 THE ALAMEDA
   611, 625, 645 BENTON STREET
   1188, 1250 SHERMAN STREET
   602 FREMONT STREET
   SANTA CLARA, CALIFORNIA

2. APN NUMBERS:
   230-07-059, 230-07-009, 230-07-010, 230-07-038, 230-07-002, 230-07-031, 230-07-034, 230-07-004, 230-07-053, 230-07-029, 230-07-013, AND 230-07-060

3. PROPOSED SITE AREA = 5.75± AC

4. THE PROJECT IS NOT SUBJECT TO HYDROMODIFICATION REQUIREMENTS. THE PROJECT IS LOCATED WITHIN AN AREA THAT DRAINS TO A HARDENED CHANNEL AND/OR TIDAL AREA AS SHOWN ON THE HMP APPLICABILITY MAP FOR THE CITY OF SANTA CLARA. SITES WITHIN THESE AREAS ARE EXEMPT FROM HM REQUIREMENTS.

5. RECEIVNG SYSTEM FOR THE STORM WATER: CITY OF SANTA CLARA PUBLIC STORM DRAIN SYSTEM WHICH ULTIMATELY FEEDS TO SAN FRANCISCO BAY VIA GUADALUPE RIVER.

6. THE PROJECT QUALIFIES FOR SPECIAL PROJECTS STATUS AS DEFINED IN APPENDIX J OF THE C.3 STORMWATER HANDBOOK PREPARED BY THE SANTA CLARA VALLEY URBAN RUNOFF POLLUTION PREVENTION PROGRAM DATED APRIL 2012.

7. SEE STORMWATER CALCULATIONS SHEET FOR ADDITIONAL INFORMATION.

LEGEND

BIOTREATMENT AREAS

SELF RETAINING AREA (LESS THAN 2:1 RATIO OF IMPERVIOUS TO PERVIOUS AREA)

WATERSHED BOUNDARY

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C10 STORMWATER MANAGEMENT PLAN.dwg Apr 06, 2018

C10

STORMWATER MANAGEMENT PLAN

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NPDES "SPECIAL PROJECTS" TREATMENT CREDIT CALCULATIONS

THE PROJECT HAS ALL OF THE FOLLOWING CHARACTERISTICS:

- AT LEAST 50% OF THE PROJECT AREA IS WITHIN 1/2 MILE OF AN EXISTING OR PLANNED TRANSIT HUB OR 100% WITHIN A PLANNED PRIORITY DEVELOPMENT AREA (PROXIMITY TO SANTA CLARA CALTRAIN STATION – 0.2 MILES);
- THE PROJECT IS CHARACTERIZED AS A NON–AUTO–RELATED USE;
- MINIMUM FAR OF 2:1 (FOR MIXED–USE PROJECTS)

CATAGORY	IMPERVIOUS AREA CREATED/REPLACED (SQUARE FEET)	SITE COVERAGE (%)	PROJECT DENSITY OR FAR	DENSITY/CRITERIA	ALLOWABLE CREDIT (%)	APPLIED CREDIT (%)
C	197,797 SF 4.54 AC	79%	1/5 MILE	LOCATION CREDIT (SELECT ONE):		
				WITHIN 1/4 MILE OF TRANSIT HUB	50%	50%
				WITHIN 1/2 MILE OF TRANSIT HUB	25%	
				WITHIN A PLANNED PDA	25%	
			2.2:1 FAR 60+ DU/AC	DENSITY CREDIT (SELECT ONE):		
				RES ≥ 30 DU/AC OR FAR ≥ 2:1	10%	
				RES ≥ 60 DU/AC OR FAR ≥ 4:1	20%	20%
				RES ≥ 100 DU/AC OR FAR ≥ 6:1	30%	
			NO SURFACE PARKING	PARKING CREDIT (SELECT ONE):		
				≥ 10% AT–GRADE SURFACE PARKING	10%	
				NO SURFACE PARKING	20%	20%
				TOTAL TOD CREDIT =		**90%**

BASED UPON THE MUNICIPAL REGIONAL PERMIT AMENDED PROVISION C.3.e.ii AND THE ABOVE ANALYSIS, THE PROJECT MAY BE CLASSIFIED AS A "SPECIAL PROJECT" AND IS ELIGIBLE FOR A 90% LID TREATMENT REDUCTION CREDIT. 10% OF THE PROJECT WILL BE REQUIRED TO BE TREATED BASED ON LID BASED SOLUTIONS AND THE REMAINING 90% MAY BE TREATED USING STAND–ALONE NON–LID TREATMENT MEASURES.

LID TREATMENT AREA = 2.47 AC
TOTAL SITE AREA = 5.75 AC
LID AREA/TOTAL SITE AREA = 43%
100% – 43% = 57% TREATMENT CREDIT UTILIZED < 90% TREATMENT CREDIT ALLOWED

PROJECT AREA SUMMARY

TOTAL SITE AREA	EXISTING SITE					PROPOSED SITE				
	IMPERVIOUS				PERVIOUS	IMPERVIOUS			PERVIOUS	IMPERVIOUS SURFACE CHANGE
	STREETS SIDEWALK	PARKING	BUILDINGS	TOTAL IMPERVIOUS	LANDSCAPE	STREETS SIDEWALK	BUILDINGS	TOTAL IMPERVIOUS	LANDSCAPE	
250,291	95,478	10,380	112,251	218,109	32,182	43,901	153,896	197,797	52,494	9.3% REDUCTION

PROJECT HYDRAULIC IMPACT SUMMARY

DESIGN LEVEL HYDRAULIC CALCULATIONS WILL BE PROVIDED AT PERMIT STAGE WHEN FINAL ARCHITECTURAL AND LANDSCAPING IMPROVEMENT LAYOUTS ARE AVAILABLE. BASED ON THIS INFORMATION, BIOTREATMENT LOCATIONS AND FINAL SIZING CALCULATIONS WILL BE PROVIDED AS REQUIRED BY THE THE CITY AND REGIONAL WATER QUALITY CONTROL BOARD.

BASED ON THE REDUCTION OF IMPERVIOUS SURFACES FROM PRE PROJECT CONDITIONS AS CALCULATED ABOVE, AND DUE TO THE FACT THAT THE PROPOSED PROJECT WILL BE TREATING ALL STORM DRAINAGE AND ROUTING IT THROUGH APPROPRIATE TREATMENT MEASURES, THE IMPACT TO THE EXISTING PUBLIC STORM SYSTEM INFRASTRUCTURE WILL BE REDUCED FROM PRE PROJECT CONDITIONS.

LID BASED TREATMENT CALCULATIONS

PLANNING LEVEL - 4% RULE OF THUMB METHOD

ASSUMPTIONS:
1. 0.20 INCHES/HOUR STORM RAINFALL RATE
2. BIOTREATMENT AREAS WITH AMENDED SOIL WITH A PERCOLATION RATE OF 5 INCHES/HOUR. SOIL SHALL BE PER BASMAA LOW IMPACT DEVELOPMENT SOIL SPECIFICATIONS.

NOTE: THE SIMPLIFIED SIZING METHOD (THE 4% "RULE OF THUMB") HAS BEEN UTILIZED FOR THE PLANNING LEVEL DESIGN. THIS METHOD ENSURES SUFFICIENT LAND HAS BEEN ALLOCATED FOR STORMWATER TREATMENT. FINAL PERMIT PLAN DESIGN SHALL UTILIZE THE COMBINED FLOW AND VOLUME BASED DESIGN METHOD AND POTENTIAL SELF–RETAINING AND SELF–TREATING AREA METHODS WHEN FINAL DESIGN INFORMATION IS AVAILABLE.

WATERSHED "A" CALCULATIONS

TOTAL WATERSHED AREA = 59,932 SF (1.4 AC)

TOTAL WATERSHED IMPERVIOUS AREA = 41,443 SF (1.0 AC)

REQUIRED TREATMENT AREA = TOTAL WATERSHED AREA X 4% = 2,397 SF

WATERSHED AREA OF TREATMENT PROVIDED = 2,620 SF > 2,397 SF => IN COMPLIANCE

WATERSHED "B" CALCULATIONS

TOTAL WATERSHED AREA = 30,401 SF (0.70 AC)

TOTAL WATERSHED IMPERVIOUS AREA = 20,791 SF (0.5 AC)

REQUIRED TREATMENT AREA = TOTAL WATERSHED AREA X 4% = 1,216 SF

WATERSHED AREA OF TREATMENT PROVIDED = 1,550 SF > 1,216 SF => IN COMPLIANCE

NON-LID BASED TREATMENT CALCULATIONS

TYPICAL MEDIA FILTER UNIT SIZING CALCULATIONS

CALCULATION/ ESTIMATION OF RUNOFF FLOW FROM WATER QUALITY STORM EVENT

RATIONAL METHOD: Q =C*I*A
Q = DISCHARGE FLOW (CFS)
C = RUNOFF COEFFICIENT (NON–DIMENSIONAL)
I = RAINFALL INTENSITY (0.2 INCHES/HR) PER THE STORMWATER BMP HANDBOOK – UNIFORM INTENSITY APPROACH
A = CATCHMENT AREA (ACRES)

WATERSHED "C" CALCULATIONS:

C = 0.70
I = 0.2 IN/HR
A = 1.37 ACRES, STORM TREATMENT AREA
Q = 0.19 TOTAL CFS (85 GPM)

SELECTION OF STRUCTURAL STORM WATER TREATMENT DEVICE:
KRISTAR FLOGARD / PERK FILTER OR EQUAL AS APPROVED BY CITY OF SANTA CLARA

UTILIZE 12" & 18" STACKED FILTER CONFIGURATION – 6 CARTRIDGE STACK QUANTITY

TREATMENT RATES PER WASHINGTON STATE DEPARTMENT OF ECOLOGY (WASHINGTON GULD SPECIFICATIONS) TREATMENT FLOW RATES.
TREATMENT FLOW RATE = 102 GPM/0.227 CSF > 0.85PM/0.19 CFS TREATMENT

WATERSHED "D" CALCULATIONS:

C = 0.70
I = 0.2 IN/HR
A = 1.90 ACRES, STORM TREATMENT AREA
Q = 0.27 TOTAL CFS (121 GPM)

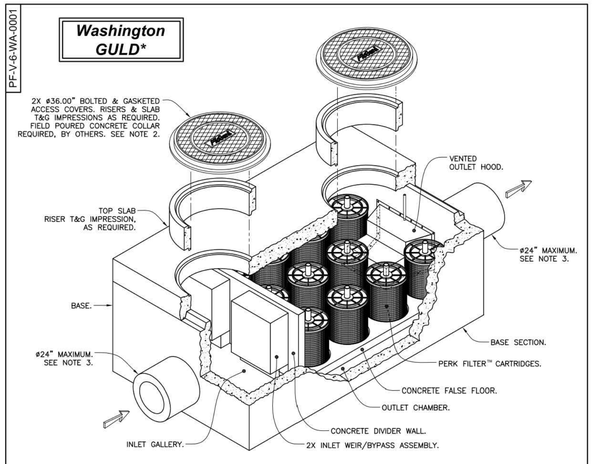
SELECTION OF STRUCTURAL STORM WATER TREATMENT DEVICE:
KRISTAR FLOGARD / PERK FILTER OR EQUAL AS APPROVED BY CITY OF SANTA CLARA

UTILIZE 12" & 18" STACKED FILTER CONFIGURATION – 8 CARTRIDGE STACK QUANTITY

TREATMENT RATES PER WASHINGTON STATE DEPARTMENT OF ECOLOGY (WASHINGTON GULD SPECIFICATIONS) TREATMENT FLOW RATES.
TREATMENT FLOW RATE = 136 GPM/0.303 CSF > 121 GPM/0.27 CFS TREATMENT

PF-V-6-WA-0001

Washington GULD*



Notes:

1. Precast concrete structure shall be manufactured in accordance with ASTM Designation C857 and C858.
2. Filter system shall be supplied with traffic rated (H20) bolted & gasketed Ø36" circular access covers with risers as required. Shallow applications may require configurations with (H20) bolted & gasketed square/rectangular access hatches. Field poured concrete collars required, by others.
3. Inlet & outlet pipe(s) (Ø 24" maximum) may enter device on all three sides of the inlet & outlet chambers respectively.
4. Inlet chamber shall be supplied with a drain-down device designed to remove standing water between storm events.
5. For depths less than specified minimums contact Oldcastle® Stormwater Solutions for engineering assistance.

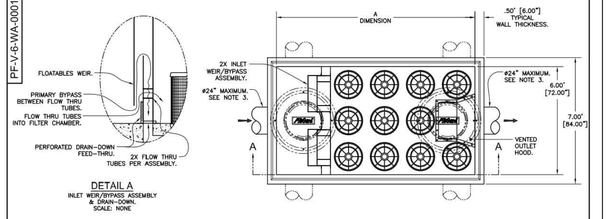
★ **Treatment Flow Rates shown conform to Washington State GULD Specifications**

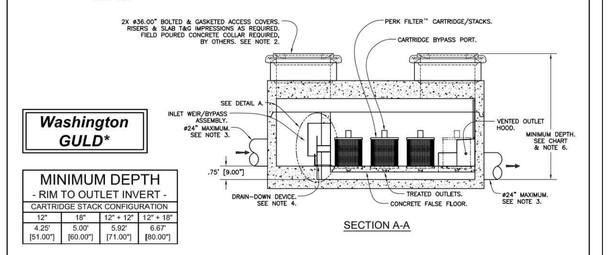
Perk Filter™
6' Wide Concrete Vault
Washington State GULD
Four to Eleven Cartridges / Stacks
Media Filtration

Oldcastle® Stormwater Solutions
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DRAWING NO.	REV.	ECO	DATE	DATE	SHEET
PF-V-6-WA-0001	E	ECO-0122 JPR 10/3/14		JPR 3/2/11	1 OF 2

PF-V-6-WA-0001





SECTION A-A

Washington GULD*

MINIMUM DEPTH
- RIM TO OUTLET INVERT -

CARTRIDGE STACK CONFIGURATION			
12"	18"	12" + 12"	12" + 18"
4.25' [51.00"]	5.00' [60.00"]	5.92' [71.00"]	6.67' [80.00"]

6' VAULT
TREATMENT FLOW RATES, TOTAL FLOW CAPACITIES & MAXIMUM HEAD LOSS

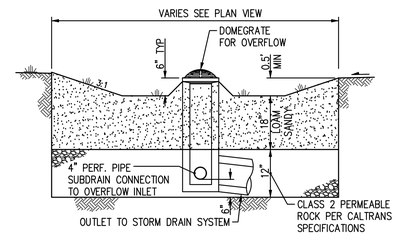
CARTRIDGE STACK QUANTITY	A DIMENSION - LENGTH - (ft-FEET)	CARTRIDGE STACK CONFIGURATION							
		12"		18"		12" & 12"		12" & 18"	
		TREATMENT FLOW RATE (GPM / CFS)	TOTAL FLOW CAPACITY (CFS)	TREATMENT FLOW RATE (GPM / CFS)	TOTAL FLOW CAPACITY (CFS)	TREATMENT FLOW RATE (GPM / CFS)	TOTAL FLOW CAPACITY (CFS)	TREATMENT FLOW RATE (GPM / CFS)	TOTAL FLOW CAPACITY (CFS)
4	7	27.2 / 0.061	5.7	40.8 / 0.091	8.5	54.4 / 0.121	9.7	68.0 / 0.152	13.0
5	7	34.0 / 0.076	5.7	51.0 / 0.114	8.6	68.0 / 0.152	9.7	85.0 / 0.190	13.0
6	9	40.8 / 0.091	5.8	61.2 / 0.136	8.6	81.6 / 0.182	9.8	102.0 / 0.227	13.1
7	9	47.6 / 0.106	5.8	71.4 / 0.159	8.6	95.2 / 0.212	9.9	119.0 / 0.265	13.2
8	9	54.5 / 0.121	5.8	81.6 / 0.182	8.7	108.8 / 0.243	9.9	136.0 / 0.303	13.2
9	11	61.2 / 0.136	5.8	91.8 / 0.205	8.7	122.4 / 0.273	10.0	153.0 / 0.341	13.3
10	11	68.0 / 0.152	5.9	102.0 / 0.227	8.8	136.0 / 0.303	10.0	170.0 / 0.379	13.4
11	11	74.8 / 0.167	5.9	112.2 / 0.250	8.8	149.6 / 0.334	10.1	187.0 / 0.417	13.4
MAXIMUM HEAD LOSS		1.7 FEET		2.3 FEET		2.9 FEET		3.5 FEET	

★ **Treatment Flow Rates shown conform to Washington State GULD Specifications.**

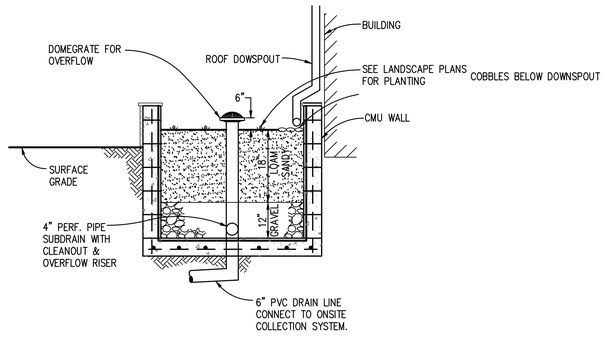
Perk Filter™
6' Wide Concrete Vault
Washington State GULD
Four to Eleven Cartridges / Stacks
Media Filtration

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DRAWING NO.	REV.	ECO	DATE	DATE	SHEET
PF-V-6-WA-0001	E	ECO-0122 JPR 10/3/14		JPR 3/2/11	2 OF 2



TYPICAL BIOTREATMENT AREA SECTION



OPTIONAL BIOTREATMENT AREA - PLANTER BOX DETAIL

BIOTREATMENT AREA NOTES:
- BIOTREATMENT SOIL MIX (BSM) SHALL CONFORM TO THE MUNICIPAL REGIONAL PERMIT REQUIREMENTS SET FORTH IN PROVISION C.3.c.i.(1)(b)(vi)
- ALL SUBDRAINS SHALL HAVE 0.5% MIN SLOPE

EL CAMINO REAL MIXED USE SANTA CLARA, CA

PROMETHEUS

C11 STORMWATER CALCULATIONS & DETAILS.dwg Apr 06, 2018

C11

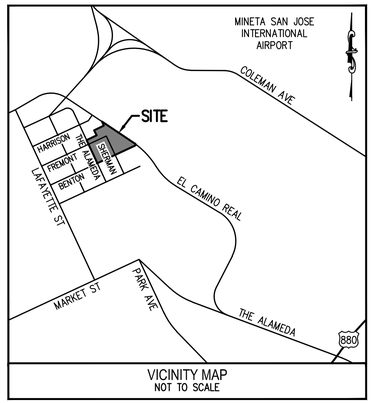
STORMWATER CALCULATIONS & DETAILS

JOB NO. 16-111
APRIL 6, 2018

Civil Engineering Associates
Civil Engineers • Planners • Surveyors
2055 Gateway Place Suite 550
San Jose, CA 95110
T: (408) 453-1066

VESTING TENTATIVE MAP
EL CAMINO REAL MIXED USE

CITY OF SANTA CLARA, SANTA CLARA COUNTY, CALIFORNIA



VICINITY MAP
NOT TO SCALE

GENERAL NOTES

OWNER: J.J. VISO PROPERTIES, LLC
186 COVINGTON ROAD
LOS ALTOS, CA 94024

THE CITY OF SANTA CLARA
1500 WARBURTON AVENUE
SANTA CLARA, CA 95050

SUBDIVIDER: PROMETHEUS REAL ESTATE GROUP, LLC
1900 SOUTH NORFOLK STREET, SUITE 150
SAN MATEO, CA 94403

ENGINEER: CIVIL ENGINEERING ASSOCIATES, INC.
224 AIRPORT PARKWAY, SUITE 525
SAN JOSE, CA 95110

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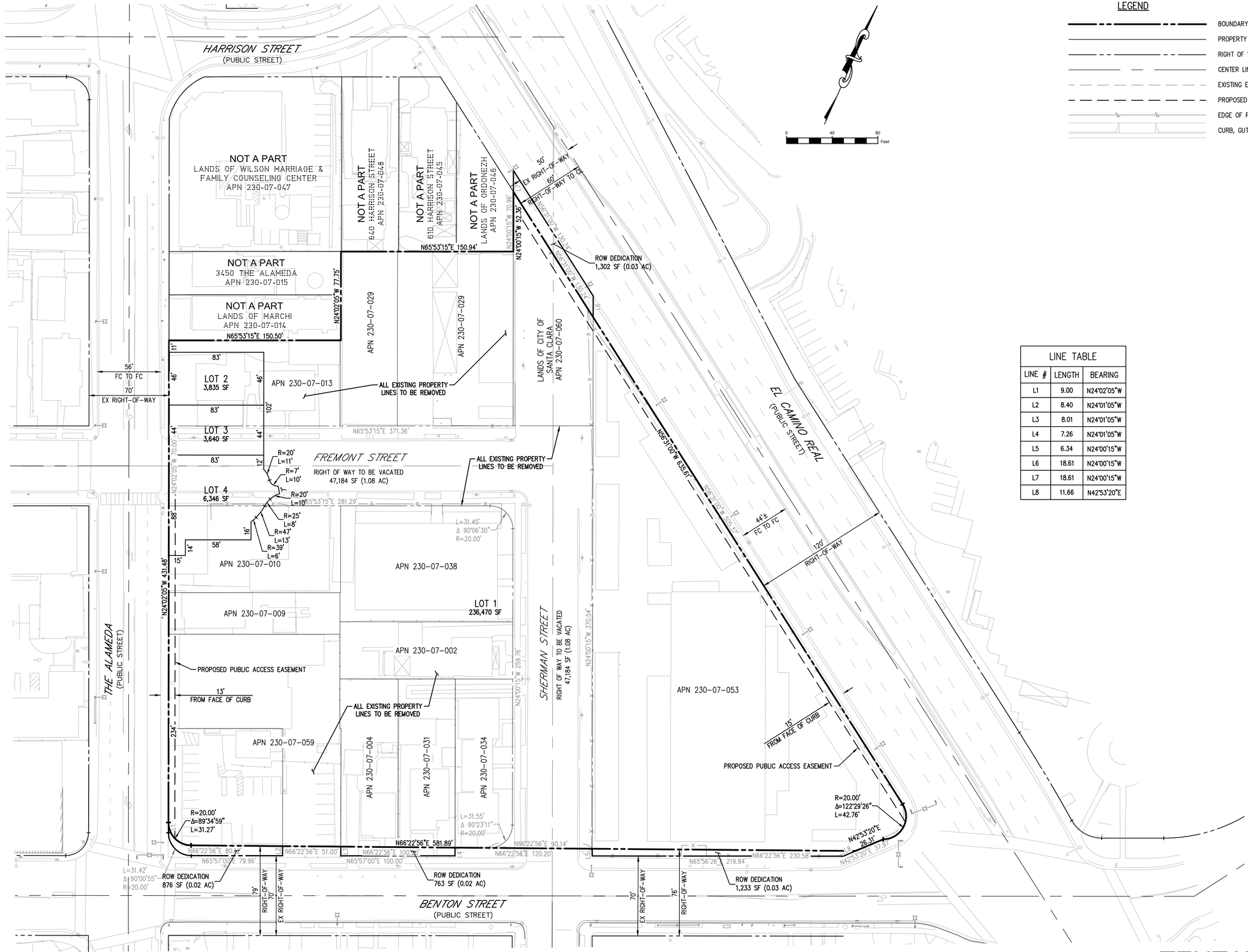
PROMETHEUS

TM1 TENTATIVE MAP.dwg Apr 06, 2018

TM1
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TM2 TENTATIVE MAP.dwg Apr 06, 2018

TM2

TENTATIVE MAP

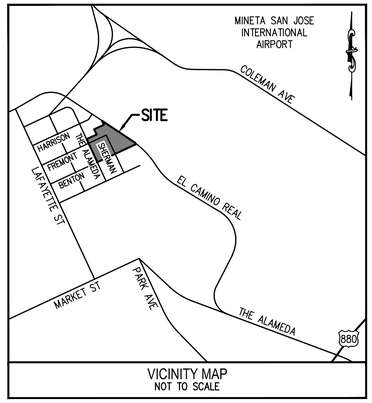
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PROMETHEUS

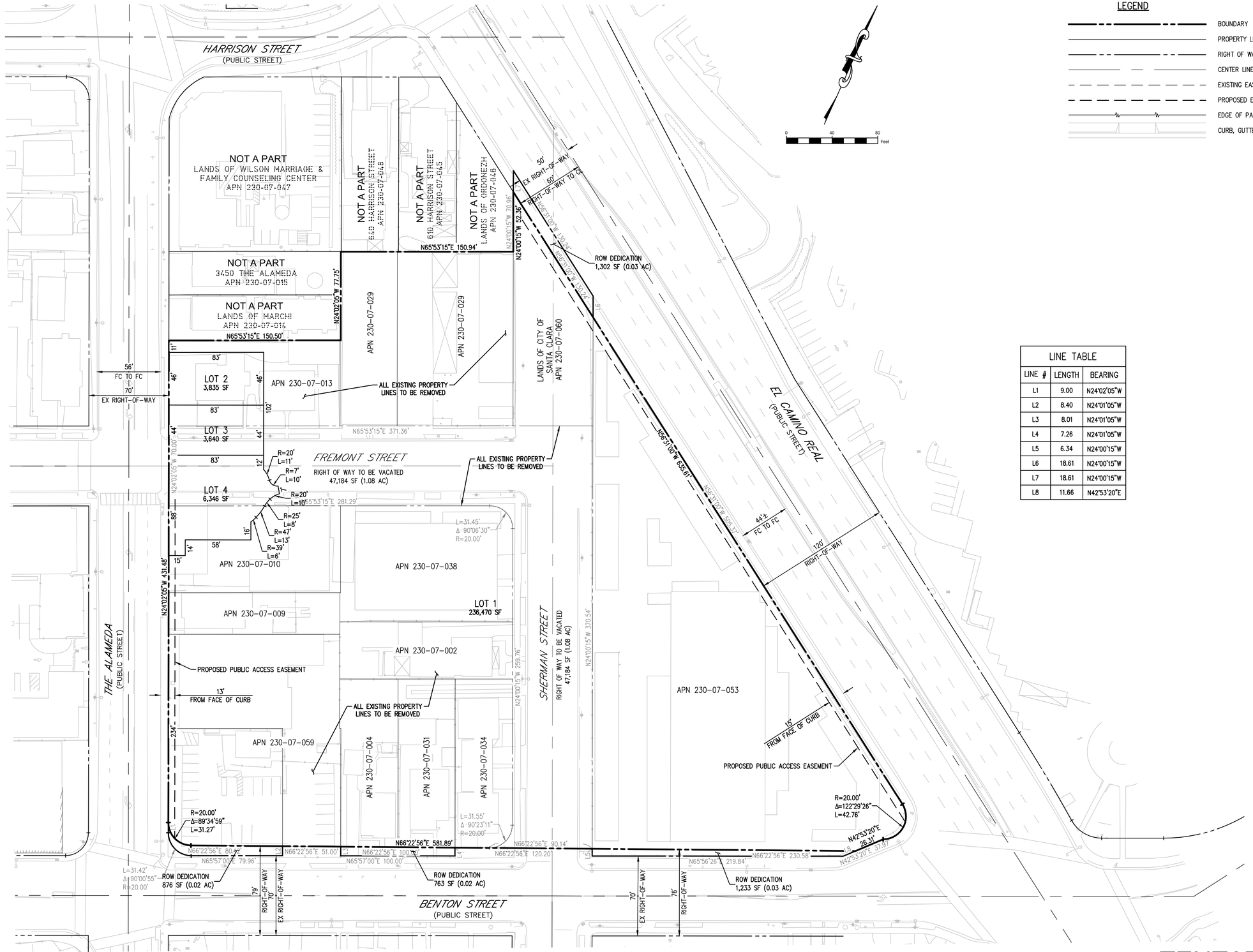
TM1 TENTATIVE MAP.dwg Nov 27, 2017

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VIA EMAIL

March 13, 2018

Ms. Elaheh Kerachian
City of Santa Clara
1500 Warburton Ave
Santa Clara, CA 94050

RE: 575 Benton mixed-use development- General Plan goal and policies

Dear Ela,

This letter is written to demonstrate that the proposed development meets the City's General Plan goals and policies identified below.

5.4.3-G1 Development in proximity to the Santa Clara Station that capitalizes on transit and results in high intensity uses.

The 5.8 acre site is located across the street from the Santa Clara CalTrain station and currently consists low density and low intensity uses including industrial, commercial and residential uses. The proposed development is high-density mixed-use development with 355 residential units including live/work and 22,000 SF commercial space with a 6-story garage structure. This type of development is consistent with this GP policy of locating higher intensity uses in close proximity to the train station.

5.4.3-GS a mix of uses, with emphasis on office, hotel and residential development.

The proposed mixed-use development includes a focus on residential with a density of 61 du/acre. Higher density residential is the highest and best use for transit oriented development.

5.4.3-P7 Provide appropriate transition between new development and adjacent uses consistent with General Plan Transition Policies.

The proposed development fronts along El Camino Real, Benton and The Alameda. Retaining the two historical homes along The Alameda and creating a public park area adjacent to the two homes further reduces the massing along The Alameda which is adjacent to a single family residential neighborhood across Fremont Street. This lower massing creates a desired transition of single family and open space to gradual increase to 3 to 4 stories from The Alameda east to El Camino Real.

5.4.3-P10 Orient building and street frontages to the ground level with residential entries, stoops and windows and commercial storefronts.

The proposed development fronts along El Camino Real, Benton and The Alameda. The commercial spaces along El Camino Real and Benton will include commercial storefronts with direct access from the

sidewalk. The residential units along The Alameda will include stoops with direct access to the units creating the street level access desired. The Benton live/work units will have commercial storefronts with access to the live/work units from Benton which also creates the street level access desired for the Santa Clara Station Area.

5.4.3-P11 Encourage parking consolidation, alternate parking arrangements or reduced parking ratio within the Santa Clara Station Focus Area to promote the use of alternate transportation modes.

The proposed residential parking ratio of 1.5 spaces/residential unit is lower parking ratio than for typical residential developments. The close proximity to the CalTrain station and studies of other developments located in similar proximity to transit support a lower than typical parking ratio. Additionally, it is anticipated that residential parking will be shared with retail parking and vice versa during certain hours.

5.4.3-P12 Minimize surface parking by requiring below-grade or structured parking facilities with active uses along the street frontages.

The proposed development includes a 6-story garage structure to accommodate both residential and commercial parking. Further to the GP policy, the El Camino Real frontage will include residential and commercial uses. The Benton frontage will include commercial uses. Therefore, meeting the intent of this policy.

In addition to the above Santa Clara Station Area goals and policies, the proposed development meets *General Plan Section 5.6.1-G1 Preservation of historic resources and neighborhoods.*

The current approvals identify two historical homes to be relocated within the City of Santa Clara. The proposed development plan retains the two homes as part of the development site, thereby, preserving the historical resources in their original neighborhood which is a General Plan goal.

5.10.1- P4 Protect…all other trees over 36 inches in circumference measured from 48 inches above-grade on private and public property as well as in the public right-of-way.

Along The Alameda on private property exists a magnolia tree with a 35” diameter. While this tree is not 36” diameter as the policy notes, it is noteworthy to mention that this tree is intended to be preserved in its current location.

In summary, by creating a well-designed mixed-use, residential community, the proposed plan is an opportunity to help the City achieve not only many of the overall General Plan goals, but also helps achieve many of the Santa Clara Focus Area goals and policies which include (and is noted in the current Development Agreement):

- Redevelopment of underutilized properties.
- Maintaining the integrity and character of existing residential neighborhoods with improved pedestrian amenities and local-serving retail as well as retail to serve the Santa Clara CalTrain Station.

- Helping meet the city's housing goals, therefore, improving the jobs/housing balance within the City.
- Providing higher-density development along established transit corridors.
- Creating a residential community of such design, scale and character that complements and enhances the character of the surrounding area and uses.
- Provide additional affordable units and thereby improve the range of types and levels of affordability of residential units within the City of Santa Clara.

Thank you for your continued support of this development proposal.

Sincerely,
Prometheus Real Estate Group

Marilyn Ponte
Development Director

PROMETHEUS

March 14, 2018

Via Email (acrabtree@SantaClaraCA.gov)

Andrew Crabtree
Community Development Director
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

Re: Development Agreement for Mission Town Center (Mixed Use) Between The City of Santa Clara and 575-675 Benton Street LLC and Ordinance No. 1952

Dear Mr. Crabtree:

We write on behalf of Benton and El Camino, LP, ("Developer") the current owner of the Mission Town Center property that is the subject of the above-referenced Development Agreement (a copy is attached for your reference), and successor-in-interest to 575-675 Benton Street LLC, the former owner of the property.

Pursuant to the Development Agreement Section 11 (and the minor change process in 11.2.b.) and City Code 17.10.290, Developer requests an amendment to the above-referenced Development Agreement to reflect the new ownership and the following matters:

Introductory Paragraph: Amend name of Developer to Benton and El Camino, LP, a California limited partnership.

Recitals, D and Section 2.5 "Permitted Uses": Amend (i) the number of rental apartment units to 355 (from 318) and related amendment to increase residential density if necessary and (ii) the conditioned amenity and leasing space in the residential buildings to approximately 5,000 to 6,000 gross square feet (from approximately 10,000 gross square feet). As discussed with City staff, the amenities will be relocated to roof level of the garage for access to extraordinary views to the south and west and will include a state-of-the art pool, spa, club room and fitness room, while also preserving three distinctive courtyards on grade, and the pet spa and leasing office, also on grade.

Recital E and Exhibit B: Amend if necessary to indicate increase in height from 73 feet to 86'6" feet (to top of parapet) for rooftop amenities area within the interior garage area, out of line of site from grade.

4.5.a "Relocation of Historic Architectural Resources": Amend to delete this requirement since the two historic homes at 3370 The Alameda and 3410 The Alameda will remain on-site, and this section concerning relocation of the homes is inapplicable.

4.8.a.(i) "Parkland Dedications – Public Plazas": Amend to one contiguous parkland dedication of approximately 0.14 acres (from two public plazas of approximately 0.15 acres).

4.8.b "Fees Due in Lieu of Parkland Dedication": Amend as necessary to reflect any recalculation/credits including based on new unit count. It is my understanding that Parks & Recs has prepared an updated calculation.

4.11 "Voluntary Transportation Contribution": Amend to state that Developer shall make improvements serving the property totaling up $310,000. Improvements may include enhanced crosswalks, bicycle lockers, for example.

17.1 "Notices": Amend to delete former owner's contact information and add current Developer's contact information.

We look forward to working with you on this. Thank you for your consideration and assistance. Please contact Marilyn Ponte at [redacted] or at [redacted] with any questions.

Sincerely,

[redacted]

Jonathan Moss
EVP and Partner

cc: Alexander Abbe, City Attorney, via Email
Manuel Pineda, Assistant City Manager, via Email
Elaheh Kerachian, Associate Planner, via Email

TO: ELA KERACHIAN

FROM: PONTE, MARILYN

SUBJECT: PARKING STUDY FINDINGS

DATE: NOVEMBER 14, 2017

We would like to share with you two recent parking studies we commissioned. The first includes 5 existing Prometheus communities in Santa Clara. The second includes Prometheus properties located near transit in Sunnyvale and Mountain View. The goal of these studies was to collect real time data to better understand parking demand for existing apartment communities in and near Santa Clara and for properties located in close proximity to CalTrain. The subject properties were selected because they are located in Santa Clara, or near transit and are newer rental communities of comparable/similar density.

The parking studies were conducted 9/12/17 through 9/16/17 and 10/14/17 through 10/19/17. The dates were specifically selected based on school being back in session and with the expectation that most households were finished with scheduled vacations. All counts were done at 3am which is considered a "peak" time for parking demand and included weekdays and weekends.

We found the results extremely interesting. The parking counts were consistent among all 5 communities in the first study with a parking demand ratio of 1.22 spaces/unit on the lower end to 1.29 spaces/unit on the higher end. It's interesting to note that Mansion Grove does not have any available street parking, therefore, if our residents have a car, on-site parking is their only option.

The second study also resulted in consistent parking demand with ratios ranging from .93 to 1.26. These subject properties were located in close proximity to CalTrain and other transit or are newer builds.

As a result of these findings and our proximity to transit and future transit, we are confident that the 575 Benton project will generate less parking demand than 1.65 spaces/unit, therefore we are revising our residential parking ratio to 1.5 spaces/unit which we feel is still conservative for this location, for a total of 536 residential parking spaces.

Providing fewer parking spaces is a common transportation demand management (TDM) measure which helps reduce vehicle miles traveled (VMT). It's also worth mentioning that many developers and designers are thinking of how to "future proof" parking structures. For example, developers and designers are working to innovate design today that will allow for conversion from parking to other uses such as lofts, residential or office, in the future when parking demand is anticipated to decrease as a result of self-driving cars, improved transit and services such as Uber, Lyft, and ZipCar (see attached Forbes.com article).

Please let me know if you have any questions. I would be happy to meet with you to review the parking study further if you like.

Santa Clara Apartments Parking Demand

		Hearth North		Hearth South		Cobalt		Park Central		Mansion Grove		Weighted Average	
		Weekday	Weekend	Weekday	Weekend	Weekday	Weekend	Weekday	Weekend	Weekday	Weekend	Weekday	Weekend
Apartment Units	1 bedroom units	129		114		118		85		502			
	2 bedroom units	160		145		104		88		494			
	3 bedroom units									4			
	Total Apartment Units	**289**		**259**		**222**		**173**		**1,000**		**1,943**	
	Total Bedrooms	**449**		**404**		**326**		**261**		**1,502**		**2,942**	
Parking Supply	Gated/Assigned Spaces	416		417		337		173		1,227		2,570	
	Guest/Unassigned Spaces	58		45		41		172		443		759	
	Total Parking Spaces	**474**		**462**		**378**		**345**		**1670**		**3329**	
	Parking spaces per unit	1.64		1.78		1.70		1.99		1.67		1.71	
	Parking spaces to bedroom ratio	1.06		1.14		1.16		1.32		1.11		1.13	
Parking Demand	Gated/Assigned Spaces	261	268	239	235	223	213	115	113	935	912	1773	1741
	Guest/Unassigned Spaces	50	55	43	43	30	35	97	106	382	373	602	612
	Street Parking	42	41	35	36	21	23					98	100
	Total Occupied parking spaces	**353**	**364**	**317**	**314**	**274**	**271**	**212**	**219**	**1,317**	**1,285**	**2,473**	**2,453**
	Occupied spaces per unit	**1.22**	**1.26**	**1.22**	**1.21**	**1.23**	**1.22**	**1.23**	**1.27**	**1.32**	**1.29**	**1.27**	**1.26**
	Occupied spaces per bedroom	**0.79**	**0.81**	**0.78**	**0.78**	**0.84**	**0.83**	**0.81**	**0.84**	**0.88**	**0.86**	**0.84**	**0.83**

Weekday parking counts were conducted on 9/12/2017-9/14/2017; weekend parking counts were conducted on 9/16/2017-9/17/2017.

Santa Clara Apartments Parking Demand

		Ironworks North			Ironworks South			Montrose			Madera			Biltmore			Weighted Average		
		Weekday	Saturday	Sunday	Weekday	Saturday	Sunday	Weekday	Saturday	Sunday	Weekday	Saturday	Sunday	Weekday	Saturday	Sunday	Weekday	Saturday	Sunday
Apartment Units	1 bedroom units		7			44			148			116			118				
	2 bedroom units		72			23			80			87			140				
	3 bedroom units		38			0			0			0			8				
	Total Apartment Units		**117**			**67**			**228**			**203**			**266**			**881**	
	Total Bedrooms		**265**			**90**			**308**			**290**			**422**			**1,375**	
Parking Supply	Gated/Assigned Spaces		227			91			307			313			277			1,215	
	Guest/Unassigned Spaces		17			18			47			29			206			317	
	Total Parking Spaces		**244**			**109**			**354**			**342**			**483**			**1532**	
	Parking spaces per unit		2.09			1.63			1.55			1.68			1.82			1.74	
	Parking spaces to bedroom ratio		0.92			1.21			1.15			1.18			1.14			1.11	
Parking Demand	Gated/Assigned Spaces	130	131	133	33	31	35	176	171	175	175	167	175	64	68	63	578	568	581
	Guest/Unassigned Spaces	15	14	15	14	12	13	43	41	40	11	8	9	183	175	182	266	250	259
	Street Parking	1	0	0	7	5	4	0	0	0	24	24	30	32	32	35	64	61	69
	Total Occupied parking spaces	**146**	**145**	**148**	**54**	**48**	**52**	**219**	**212**	**215**	**210**	**199**	**214**	**279**	**275**	**280**	**908**	**879**	**909**
	Occupied spaces per unit	**1.25**	**1.24**	**1.26**	**0.81**	**0.72**	**0.78**	**0.96**	**0.93**	**0.94**	**1.03**	**0.98**	**1.05**	**1.05**	**1.03**	**1.05**	**1.03**	**1.00**	**1.03**
	Occupied spaces per bedroom	**0.55**	**0.00**	**0.56**	**0.60**	**0.53**	**0.58**	**0.71**	**0.69**	**0.70**	**0.72**	**0.69**	**0.74**	**0.66**	**0.65**	**0.66**	**0.66**	**0.64**	**0.66**

Weekday parking counts were conducted on October 17-19, 2017; weekend parking counts were conducted on October 14-15, 2017.

Forbes / Business / #GettingBuzz
AUG 10, 2017 @ 09:32 AM 1,713

Cars May Not Be In Parking Garages' Future

Bisnow, CONTRIBUTOR
We are the world's #1 source for commercial real estate news FULL BIO
Opinions expressed by Forbes Contributors are their own.

POST WRITTEN BY

Kyle Hagerty

Between ride sharing, bike sharing, car sharing, walkability and automated vehicles, the future of the car has never been so uncertain. Designers are looking at the mausoleums we build for them and asking themselves what the parking garage can be used for next. Gensler's Peter Merwin leads the firm's national mixed-use practice and spends much of his time figuring out ways to mitigate the tyranny of the automobile.



Courtesy: Cope Linder Architects
Parking garage [+]

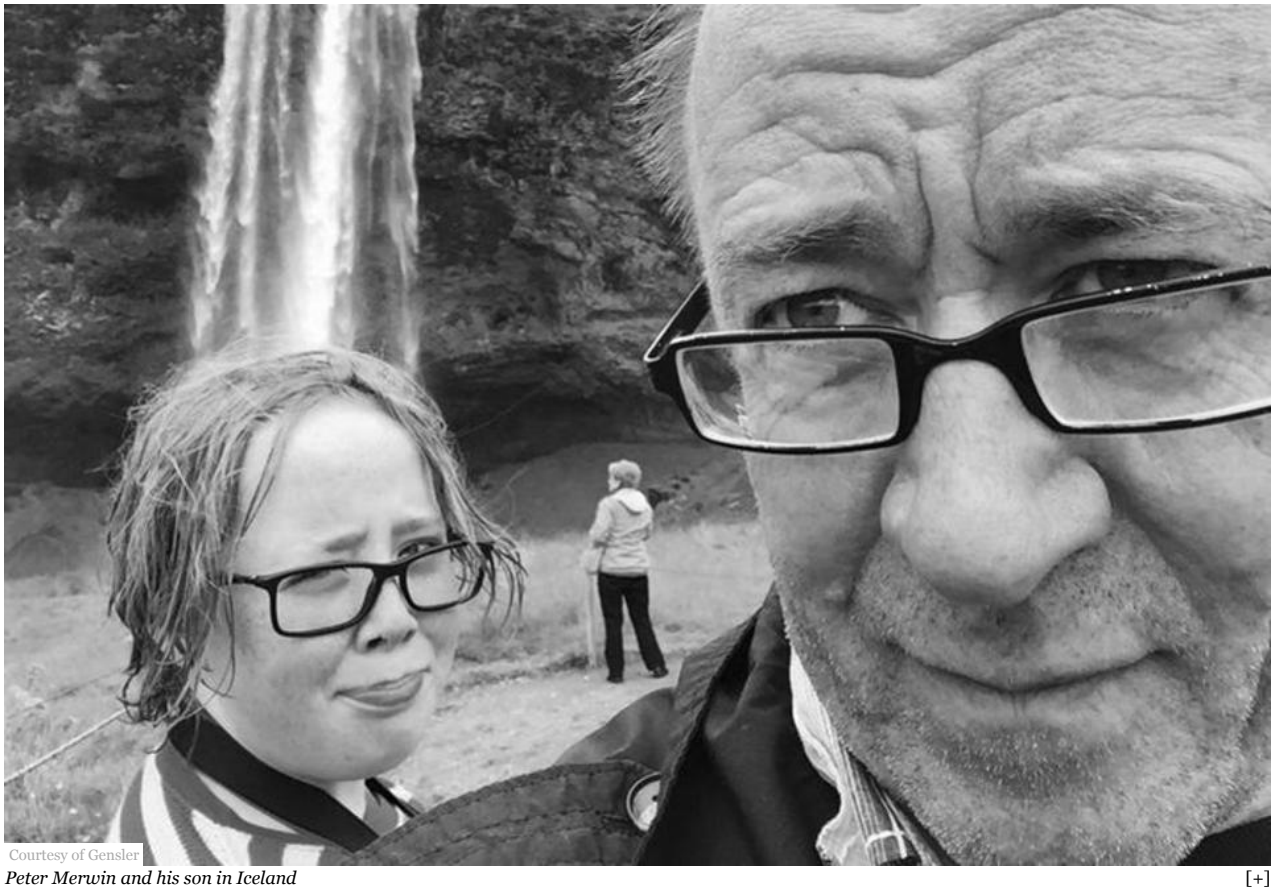
"I can tell you, every project I'm working on, I talk about the future of garages in the development," Merwin said.

He believes the shift to automated vehicles and alternative transportation could be one of the single-largest windfalls of real estate. Increasing the percentage of cash-generating real estate would put more dollars into

the coffers of cities, resulting in better infrastructure, better schools and fewer potholes. Likewise, developers would earn more profit.

“I'm an urbanist. I firmly believe if we can get a handle on getting cars out of people-places, we’ll be much happier, and have much more productive real estate,” Merwin said.

With so much space dedicated to parking, a decrease in parking needs could radically shift the design paradigm. But it is still unclear how quickly and to what extent that will happen. Meanwhile, how can developers future-proof parking?



Peter Merwin and his son in Iceland [+]

Merwin said the two most important design strategies are flat plates and large floor-to-floor heights. Any future use will require level ground rather than the steep slopes typical to garages, so designing flat floors on every level is critical.

To convert to residential, developers need a minimum 11-foot floor-to-floor height. That allows designers to properly core the infrastructure and build out the space. Merwin thinks the best way to future-proof a parking garage is with a 15-foot floor-to-floor height. That opens up the option to convert each floor into lofts, residential, retail or office. Another added benefit is that in the event you need *more* parking, not less, you can convert a 15-foot level into a double stacking parking floor like those in operation in many dense metros.

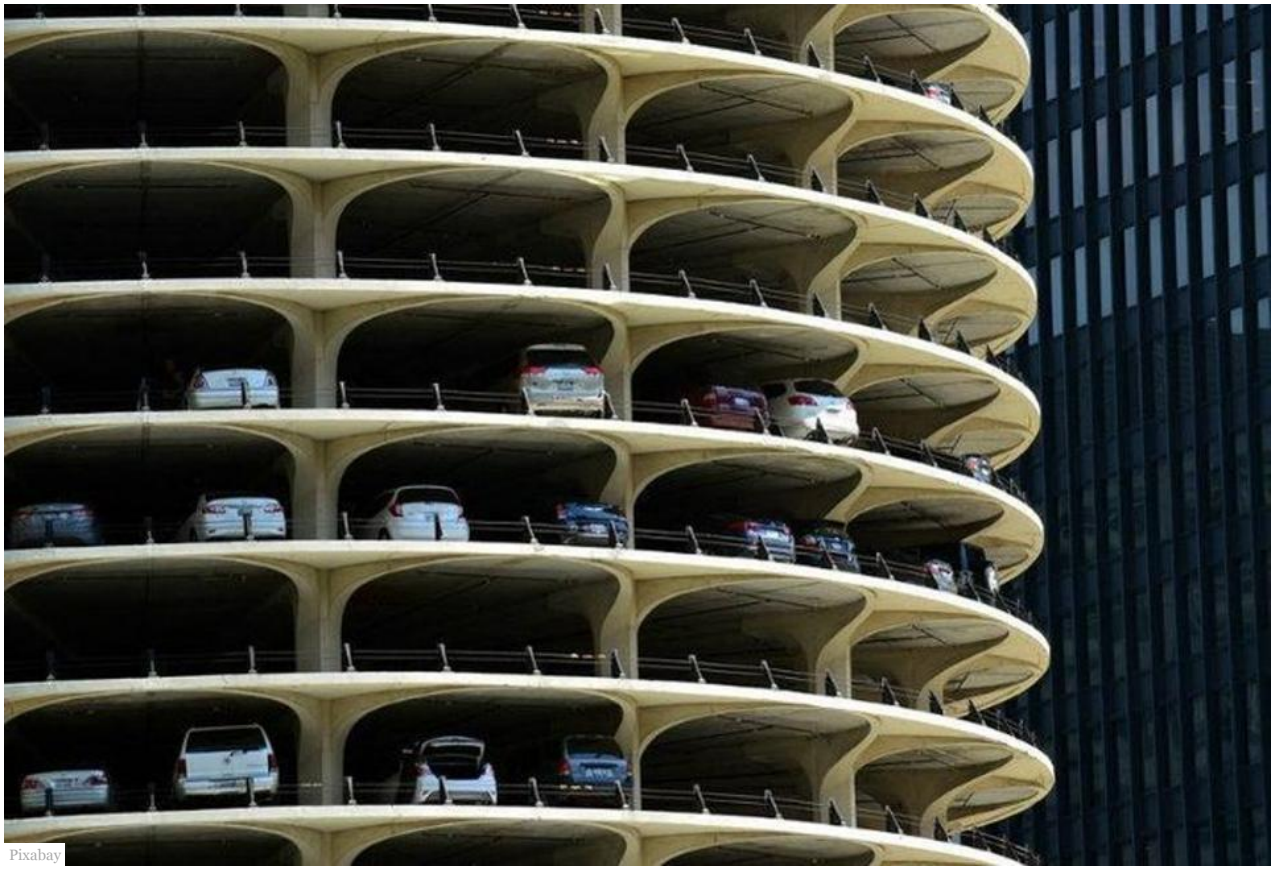


Courtesy of Gensler

Fairview District Garage [+]

The cost of future-proofing parking garages is marginal, Merwin said. Developers simply must build taller columns (about five feet more concrete per column) with a little additional steel.

Merwin is using this strategy in the Fairview District parking garage in Houston's Montrose neighborhood. The structure has one ramp, flat plates and ample floor-to-floor height, perfect for future conversion.



Pixabay

Parking garage [+]

More often that not, parking is not wholly up to designers. Cities tightly control parking minimums and regulations, and Merwin is starting to challenge some of those rules. His biggest beef is with parking requirements near bars. Although bars are some of the heaviest users of parking, typically 12 spaces per thousand, he thinks it is absurd that cities require higher parking minimums there.

Merwin thinks the requirement should be zero. He believes requiring parking at a bar is almost asking for a problem; particularly with alcohol involved, it would be better to encourage customers to walk, Uber or take public transit. That possibility is far off, but Merwin is still having the conversation in anticipation of having practice meet jurisdiction.



Flickr/Benjamin Vander Steen

Seattle's Sinking Ship parking garage [+]

Some cities are already throwing out the rule book, allowing developers to build far less parking if the development is near public transit. In Seattle, it is now legal to build apartments with no parking in certain neighborhoods. A recent study found that parking minimums are costing Seattle renters $246/month. Developers are eager to capitalize on the new ordinance and lower their costs — the city has a waiting list of parking-free building proposals.

“A lot of people will start seeing a lot of these different shared services and say, ‘OK, I don’t actually need to own a car,’” Seattle Department of Transportation Director Scott Kubly told Wired.

575 BENTON DEVELOPMENT PROPOSAL

COMMUNITY MEETING I N V I T A T I O N

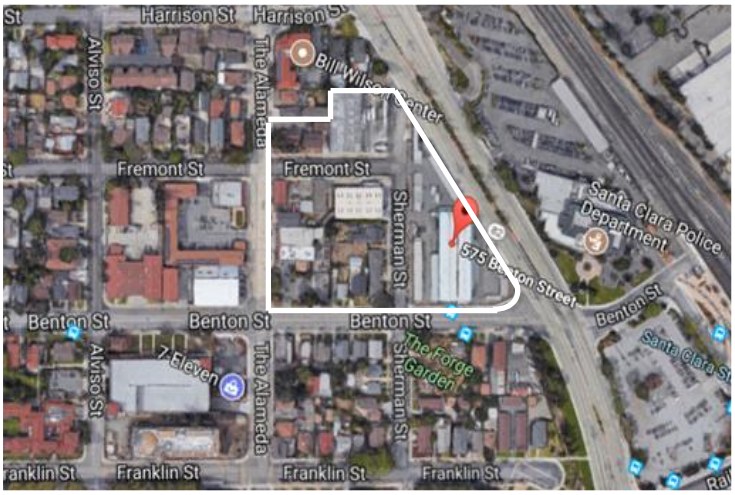
Neighborhood/Community Outreach Meeting
Please come and learn more about the proposed plan, share your feedback and ask questions.

City planning staff will be present and available to respond to questions.

When: Tuesday evening, July 11, 2017 from 6pm-8pm

Where: Senior Center, 1303 Fremont St, Dance Theater Room 232, Santa Clara, CA 95050

If you plan to attend, an RSPV to Thida Pernia by phone at 650.931.3546 or via email at tpernia@prometheusreg.com, is greatly appreciated.



The development proposal consists of 355 luxury rental apartments and approximately 22,000 square of retail on the approximately 5.8 acre property.

Light refreshments will be provided.
We look forward to meeting you and hearing your feedback.

Please contact Marilyn Ponte @ 650.931.3499 or mponte@prometheusreg.com with any questions.

MUWEKMA OHLONE INDIAN TRIBE

OF THE SAN FRANCISCO BAY AREA REGION

'Innu Huššištak Makiš Mak-Muwekma *"The Road To The Future For Our People"*

March 13, 2018

To: Elaheh Kerachian, Associate Planner
City of Santa Clara, Community Development Department
1500 Warburton Avenue
Santa Clara, CA 95050

TRIBAL CHAIRPERSON
ROSEMARY CAMBRA

TRIBAL VICE CHAIRPERSON
MONICA V. ARELLANO

TRIBAL COUNCIL
HENRY ALVAREZ
JOANN BROSE
GLORIA E. GOMEZ
ROBERT MARTINEZ, JR.
RICHARD MASSIATT
SHEILA SCHMIDT
CAROL SULLIVAN
KARL THOMPSON (TRES)
FAYE THOMPSON-FREI

TRIBAL ADMINISTRATOR
NORMA E. SANCHEZ

Thank you for contacting the Muwekma Tribal administration previously back in March 30, 2017 regarding the City of Santa Clara's "notice that the City is considering a general plan amendment from Santa Clara Station High Density Residential (37-50 du/acre) to Santa Clara Station Very High Density Residential (51-90 du/ac). Specifically, the project seeking the general plan amendment is located at 575, 611, 625, 645, 675 Benton Street; 3340, 3370, 3390, 3410 The Alameda; 1188, 1250 Sherman Street; 602 Fremont Street / APNs: 230-07-002, 004, 009, 010, 013, 029, 031, 034, 038, 053, 059, 060 in the City of Santa Clara, Santa Clara County, California."

As you know, over the past score of years, I, as the elected chairperson of the Muwekma Tribe, have been identified as the Most Likely Descendant (MLD) representing the Most Likely Descendant Tribe by the State Native American Heritage Commission for several projects relative to our ancestral heritage cemetery sites located on (CA-SCL-755 which the tribe has renamed **Širkeewis Ríipin Tiprectak** meaning the **Black Willow Marsh Site**); and adjacent to Santa Clara University (CA-SCL-30H, 3rd Mission Santa Clara Indian Neophyte Cemetery) [see Alan Leventhal, Diane DiGiuseppe, Melynda Atwood, David Grant, Susan Morley, Rosemary Cambra, Dr. Les Field, Charlene Nijmeh, Monica V. Arellano, Susanne Rodriguez, Sheila Guzman-Schmidt, Gloria E. Gomez, and Norma Sanchez: Final Report on the Burial and Archaeological Data Recovery Program Conducted on a Portion of the Mission Santa Clara Indian Neophyte Cemetery (1781-1818): Clareño Muwékma Ya Túnneště Nómmo [Where the Clareño Indians are Buried] Site (CA-SCL-30/H). Report Prepared for Pacific Gas and Electric Company; and had oversight on test excavation on Benton and Sherman Streets where it is believed to include the location of the 3rd Mission Santa Clara's Indian Neophyte Rancheria/settlement (see Alan Leventhal, .Rosemary Cambra, Norma Sanchez and Elena Reese, Results of a Phase I Presence/Absence Subsurface Archaeological Testing Program and Archival Literature Search on the Vanguard Parcel Located at the Southeastern Corner of Benton and Sherman Streets, City of Santa Clara, Santa Clara County, California. Report prepared for Mark Robson, Santa Clara Development, Santa Clara, California, 1995).

As a result, as the only BIA documented previously federally recognized tribe of the San Francisco Bay region (see attached documents) with ties to Mission Santa Clara, our Tribe is very concerned about the potential adverse impacts and destruction of any of our ancestral heritage sites especially as they relate to the history and heritage of our ancestral Thamien Ohlone people whom were missionized into Mission Santa Clara.

Given the fact that the boundaries for both the 3rd Mission Indian Neophyte Cemetery, the Indian Rancheria/settlement as well as other known and unknown historic and pre-contact sub-surface features have not been clearly defined through systematic archaeological testing, we recommend that and full archaeological data testing and evaluation program be implemented. Also given the potential sensitivity of the proposed project we recommend that all subsurface excavations and structure, foundations and tree removal be monitored by an archaeologist and a Muwekma Ohlone Native American monitor. Furthermore, should any ancestral human remains be discovered during the course of construction, then the Muwekma Ohlone Tribal members and archaeologists be contracted and involved in the exposure, removal, documentation, analysis, writing a final report and reburial of the remains.

In conclusion, the Muwekma Ohlone Tribal leadership expects a comprehensive field program that will offset any adverse impacts to the Tribe's ancestral heritage cemetery and historical mission era sites. Furthermore, the Tribe desires that suitable informational public signage be designed in consultation with our Tribal leadership in order to further educate the general public about the history and heritage of the Thamien –speaking Ohlone tribal groups as well as neighboring tribal groups that were brought under the sphere of influence of Mission Santa Clara and the ensuing adverse impacts to our people through the colonial eras of Spanish and American conquests and destruction. Lastly the Tribe also desires to submit a tribal ethnohistory to any of the final archaeological reports that addresses the Muwekma Ohlone history and heritage and ties to the Thamien region and the Tribe's continued existence today.

Should you have any questions, please feel free to contact me directly at [redacted] or call Muwekma Tribal Administrator, Norma Sanchez at [redacted]

On behalf of the Muwekma Tribe,

[redacted]

Rosemary Cambra, Chairwoman and MLD

Cc: Muwekma Tribal Council
Cultural Resources File (City of Santa Clara General Amendment 2017-2018)
Albion Environmental

575 Benton Street Residential Mixed Use Project

Response to the Letter from Muwekma Ohlone Indian Tribe of the San Francisco Bay Area Region, dated March 13, 2018

In March 2017, in compliance with SB 18, the City of Santa Clara sent out letters to Native American tribes with interest in projects in Santa Clara informing that the City has commenced the review of a residential mixed-use project at 575 Benton Street which would require a General Plan amendment. On March 13, 2018, the City received a letter from the Muwekma Ohlone Indian Tribe ("Tribe") commenting on the project's potential to affect archaeological resources and providing some recommended mitigation measures. The City and the project archaeologist, Albion Environmental, have reviewed the letter and prepared the following responses to the relevant items in the letter.

1. The Tribe identifies CA-SCL-755 (Alameda Native American Burial Site/Širkeewis Ríipin Tiprectak) and CA-SCL-30H (Mission Santa Clara de Asís and associated Indian Neophyte Cemetery) as ancestral heritage cemetery sites in the project area and notes that the boundaries of both sites have not been clearly defined. The Tribe expresses concern about the potential for the proposed project to affect these sites. Both sites were identified by Albion Environmental when it conducted a review of the proposed project and both sites are considered in the Cultural Resources Treatment Plan for the Mission Town Center Project ("Treatment Plan") that has been prepared for the project. Implementation of the Treatment Plan is a mitigation measure that the project will be required to comply with.

2. The Tribe recommends that a full archaeological data testing and evaluation program be implemented. A testing and evaluation program is included in the Treatment Plan and will be implemented as part of the Treatment Plan.

3. The Tribe recommends that all subsurface excavations and structure, foundation, and tree removal activities be monitored by an archaeologist and a Muwekma Ohlone Native American monitor. Monitoring of all ground disturbing activities, including demolition and excavation, by a qualified archaeologist is included in the Treatment Plan. The Treatment Plan does not contain a provision that a Native American monitor be present during project ground disturbing activities. Because other Native American tribes have also expressed their desire to have a Native American monitor present on the site during demolition, excavation and other ground disturbing activities, the City will consult with the tribes to identify a plan for Native American monitoring for the project.

The City will direct Albion Environmental to modify the Treatment Plan to include the following provision: *A Native American monitor will be provided the opportunity to be present on the project site during demolition, excavation, and other ground disturbing activities.* The project applicant has agreed to allow a

Native American monitor to be present during activities involving demolition, excavation, and other ground disturbances.

4. The Tribe recommends that in the event that any ancestral human remains are discovered, the Muwekma Ohlone Tribal members and archaeologist be contracted and involved in the exposure, removal, documentation, analysis, writing a final report, and reburial of the remains. The City understands the Tribe's concern regarding handling of tribal ancestral human remains. The City will require the project proponent to comply with the State law and City procedures related to discovery of Native American human remains.

Furthermore, the City will direct Albion Environmental to modify the Treatment Plan to include the following provision: *In the event that human remains are discovered, the City will inform and consult with the MLD, as assigned by the NAHC, and develop a plan for mitigating impacts.*

5. The Tribe notes that a comprehensive field program will offset any adverse impacts on the Tribe's ancestral heritage cemetery and historical mission era sites. The Treatment Plan prepared for the project provides a comprehensive field program and is expected to avoid and reduce any adverse impacts on cultural resources encountered during project construction to a less than significant level.

6. The Tribe recommends that suitable informational public signage be designed in consultation with the Tribal leadership and notes that the Tribe desires to submit a tribal ethnohistory. The Treatment Plan includes the preparation of informational signage related to the resources and the history of the project site.

The City will direct Albion Environmental to modify the Treatment Plan to include the following: *The project proponent will consult with the Muwekma Ohlone Indian Tribe during the development of public signage materials for the project site.*

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE ADDENDUM #1 TO THE MISSION TOWN CENTER FINAL ENVIRONMENTAL IMPACT REPORT FOR THE RESIDENTIAL/MIXED USE PROJECT LOCATED AT 575 BENTON STREET, SANTA CLARA

SCH#2015032076
CEQ2015-01188 (Mission Town Center FEIR Addendum#1)
PLN2017-12489 (General Plan Amendment)
PLN20157-12574 (Application for Rezoning)
PLN2017-12575 (Vesting Tentative Parcel Map)
PLN2017-12837 (Development Agreement)

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, on February 9, 2017, Prometheus Real Estate Group ("Applicant") made an application for the development of a 5.7-acre site located at 575, 611, 625, 645, 675 Benton Street, 3340, 3370, 3390, 3410 The Alameda; 1188, 1250 Sherman Street; 602 Fremont Street, a 5.7-acre site located at the intersection of Benton Street and El Camino Real, which is currently occupied by several commercial, light industrial buildings, associated parking lots, and residential units ("Project Site");

WHEREAS, the application proposes to rezone the Project Site to a Planned Development (PD) Zone to allow construction of residential/mixed use development comprised of up to 355 apartment units, approximately 20,000 square feet (sf) of retail space and potentially an additional 2,364 square feet of commercial space within the 8 live-work units, approximately 6,000 sf of amenity space including leasing space, amenity roof deck, and pet spa and a parking garage ("Project");

WHEREAS, the Project approvals will include a General Plan Amendment from Santa Clara Station High Density Residential to Santa Clara Station Very High Density

Residential; a rezoning of the Project Site to a Planned Development (PD) zone; the vacation and sale of a portion of Fremont Street east of the Alameda and a portion of Sherman Street north of Benton Street; along with the adoption of a Development Agreement Ordinance.

WHEREAS, on February 23, 2016, the City Council reviewed the FEIR prepared for the Mission Town Center Project and certified the Final Environmental Impact Report (FEIR) and adopted the Findings and the Mitigation Monitoring Program pursuant to California Environmental Quality Act (CEQA);

WHEREAS, the Mission Town Center Project analyzed in the FEIR included the demolition of the existing buildings on the project site and the construction of a mixed-use residential development that would consist of 385 apartment units, three distinctive private open spaces, approximately 27,000 square feet of ground floor retail, 6,000 square feet of amenity space, three courtyards, 4,000 square feet of leasing space, and 839 parking spaces.

WHEREAS, Prometheus Real Estate Group has submitted an application to the City of Santa Clara to develop a mixed-use development similar to the project analyzed in the Mission Town Center FEIR. The current project includes reduction in the number of the residential units from 385 to 355, the retail space square footage, and number of the parking spaces.

WHEREAS, the City of Santa Clara has prepared a draft Addendum #1 to the Mission Town Center FEIR, which concludes that the proposed project is substantially the same as the previously evaluated project, that the environmental effects of the proposed development project are adequately analyzed in the FEIR, certified in February 2016,

and that there are no changes in circumstances or substantial new information that would trigger the need for further environmental review under CEQA; and

WHEREAS, the Planning Commission has reviewed the FEIR Addendum #1 for the Project, the City Staff reports pertaining to the FEIR Addendum#1 and all evidence received at a duly noticed public hearing on May 23, 2018, and all of these documents and evidence are incorporated herein by this reference into this Resolution.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.

2. That the Planning Commission hereby finds the FEIR Addendum #1 has been presented to the Planning Commission, which reviewed and considered the information and analysis contained therein.

3. That the Planning Commission hereby finds that the FEIR Addendum #1 has been completed in compliance with CEQA.

4. That the Planning Commission hereby finds that the FEIR Addendum #1 concluded that the proposed project would not result in any new significant adverse impacts, nor an increase in the severity of any significant impacts identified previously and studied in the FEIR.

5. That the Planning Commission finds that there have been no changes in circumstances in the project area that would result in new significant impacts or more severe impacts, and the magnitude of previously identified environmental impacts would not be substantially different.

6. That all documents referenced in the FEIR Addendum #1 were made available for public review and will be included in the public record file.

7. Based on the findings set forth in this Resolution and the evidence in the City Staff Report, the Planning Commission hereby recommends that the City Council approve the FEIR Addendum#1 for the Project.

8. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 23RD DAY OF MAY, 2018, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference:
1. Conditions of Approval - Rezone
2. Development Plans

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RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE GENERAL PLAN AMENDMENT FROM SANTA CLARA STATION HIGH DENSITY RESIDENTIAL TO SANTA CLARA STATION VERY HIGH DENSITY RESIDENTIAL ON A 5.7-ACRE SITE FOR THE PROPERTY LOCATED AT 575 BENTON STREET, SANTA CLARA

SCH#2015032076
CEQ2015-01188 (Mission Town Center FEIR Addendum#1)
PLN2017-12489 (General Plan Amendment)
PLN20157-12574 (Application for Rezoning)
PLN2017-12575 (Vesting Tentative Parcel Map)
PLN2017-12837 (Development Agreement)

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, on February 9, 2017, Prometheus Real Estate Group ("Applicant") made an application for a General Plan Amendment in connection with development of a site consisting of 5.7-acres located at 575, 611, 625, 645, 675 Benton Street, 3340, 3370, 3390, 3410 The Alameda; 1188, 1250 Sherman Street; 602 Fremont Street, which is currently occupied by several commercial, light industrial buildings, associated parking lots, and residential units ("Project Site"), in order to change the General Plan Land Use Designation to allow a residential/mixed use development;

WHEREAS, the General Plan Amendment (GPA) proposes to change the existing land use designations, Santa Clara Station High Density Residential to Santa Clara Station Very High Density Residential, and to correct a minor inconsistency in Figure 5.4-4 ("Santa Clara Station Area") to reflect that the density for Very High Residential development is 51-100 du/ac;

WHEREAS, Applicant has simultaneously applied to rezone the Project Site to a Planned Development (PD) Zone to allow construction of a residential/mixed use development comprised of 355 apartment units, approximately 20,000 square feet (sf) of retail space and potentially an additional 2,364 square feet of commercial space within the 8 live-work units, approximately 6,000 sf of amenity space including leasing space, amenity roof deck, and pet spa and a parking garage ("Project");

WHEREAS, the project is located within the Santa Clara Station Focus Area and is located across the street from the existing Santa Clara Transit Station;

WHEREAS, the existing Transit Station, which is served by Caltrain, Amtrak, the Altamont Commuter Express, and Valley Transportation Authority (VTA) bus service, and which will serve as the future Bay Area Rapid Transit (BART) terminus, is within the center of the Focus Area;

WHEREAS, the Transit Station is a major transit hub for the Bay Area and supports the Major Strategies in the General Plan to promote sustainability and economic vitality;

WHEREAS, the project is consistent with regional Plan Bay Area, which notes that new projects in the planned development area (PDA) that encompasses the project site must have a density of 50 to 150 dwelling units/net acre, with a density of 61.7 dwelling units/net acre;

WHEREAS, the project is proposing a minimum LEED Gold or greater equivalent, and is compatible with planned uses on neighboring properties;

WHEREAS, Applicant has also requested to enter into a Development Agreement with the City, and City staff have negotiated and recommended a draft Development Agreement for approval;

WHEREAS, Santa Clara City Charter Section 1007 requires that the Planning Commission provide input to the City Council on any proposed General Plan amendment;

WHEREAS, Government Code Section 65353 requires the Planning Commission to hold a public hearing prior to making a recommendation on the General Plan Amendment;

WHEREAS, notice of the public hearing on the proposed General Plan Amendment was published in the *Santa Clara Weekly*, a newspaper of general circulation for the City, on May 9, 2018;

WHEREAS, notices of the public hearing on the General Plan Amendment were mailed to all property owners within 1,000 feet of the property, according to the most recent assessor's roll, on May 11, 2018;

WHEREAS, before considering the General Plan Amendment for the Project Site, the Planning Commission reviewed and considered the information contained in the Addendum #1 to the Mission Town Center Final Environmental Impact Report ("FEIR") for the Project (SCH #2015032076);

WHEREAS, the Planning Commission has reviewed the General Plan Amendment; and,

WHEREAS, on May 23, 2018, the Planning Commission conducted a public hearing, at which time all interested persons were given an opportunity to give testimony and provide evidence in support of and in opposition to the proposed General Plan Amendments.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.

2. General Plan Amendment Findings. That the Planning Commission finds and determines that the General Plan Amendment is in the interest of the public good for the following reasons:

A. The proposed amendment is deemed to be in the public interest, in that the project is located in an urbanized area served by existing municipal services and implements smart growth principles by redeveloping underutilized properties with higher density housing projects in mixed-use areas;

B. The proposed General Plan amendment is consistent and compatible with the rest of the General Plan and any implementation programs that may be affected, in that the proposal includes different sized units ranging from one-bedroom units to two-bedroom units, increasing the City's housing stock, while providing adequate choices of housing tenure, type and location which will assist in meeting the housing needs of the City;

C. The potential impacts of the proposed amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare, in that as proposed, it includes all feasible mitigation to address the potential environmental effects of the project; and

D. The proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA), in that an Addendum #1 to the Mission Town Center Project Final Environmental Impact Report for the amendment has been prepared.

3. That the Planning Commission hereby recommends that the City Council, pursuant to Government Code § 65358, amend the General Plan by changing the General Plan Land Use Designation for the Project Site to Santa Clara Station Very High Density Residential to allow a residential/mixed use development.

4. That the Planning Commission hereby recommends that the City Council amend the General Plan by revising Figure 5.4-4 (“Santa Clara Station Focus Area”) of Subsection 5.4.3 (“Santa Clara Station Focus Area Goals and Policies”) of Section 5.4 (“Focus Areas”) of Chapter 5 (“Goals and Policies”) of the General Plan, to replace the text, “Santa Clara Station Very High Density Residential (51-90 du/ac)” with the text “Santa Clara Station Very High Density Residential (51-100 du/ac)”.

5. That, based on the findings set forth in this Resolution, the FEIR Addendum #1 Resolution and the evidence in the City Staff Report and such other evidence as received at the public hearing on this matter the Planning Commission hereby recommends that the City Council approve the General Plan Amendment.

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6. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 23RD DAY OF MAY, 2018, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

I:\PLANNING\2017\Project Files Active\PLN2017-12489 575 Benton St\PC\5.9.18 PC Packet\PC Reso GPA_575 Benton.doc

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE A REZONING FROM LIGHT INDUSTRIAL (ML), SINGLE FAMILY (R1-6L), DUPLEX (R2-7L), AND THOROUGHFARE COMMERCIAL (CT) TO PLANNED DEVELOPMENT (PD) OF THE PROPERTY LOCATED AT 575 BENTON STREET, SANTA CLARA

SCH#2015032076
CEQ2015-01188 (Mission Town Center FEIR Addendum#1)
PLN2017-12489 (General Plan Amendment)
PLN20157-12574 (Application for Rezoning)
PLN2017-12575 (Vesting Tentative Parcel Map)
PLN2017-12837 (Development Agreement)

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, on February 9, 2017, Prometheus Real Estate Group ("Applicant") made an application for the development of a 5.7-acre site located at 575, 611, 625, 645, 675 Benton Street, 3340, 3370, 3390, 3410 The Alameda; 1188, 1250 Sherman Street; 602 Fremont Street, a 5.7-acre site located at the intersection of Benton Street and El Camino Real, which is currently occupied by several commercial, light industrial buildings, associated parking lots, and residential units ("Project Site");

WHEREAS, the application includes a proposed General Plan Amendment (GPA) to change the existing land use designation from Santa Clara Station High Density Residential to Santa Clara Station Very High Density Residential;

WHEREAS, the Project Site is currently zoned Light Industrial (ML), Single Family (R1-6L), Duplex (R2-7L), and Thoroughfare Commercial (CT);

WHEREAS, in order to effectuate the development application and its change in use, the project site needs to be rezoned to a Planned Development (PD) zone to allow the construction of a residential/mixed use development comprised of 355 apartment units,

approximately 20,000 square feet (sf) of retail space and potentially an additional 2,364 square feet of commercial space within the 8 live-work units, approximately 6,000 sf of amenity space including leasing space, amenity roof deck, and pet spa and a parking garage ("Project") as shown on the Development Plan, attached hereto as Exhibit "Development Plans" and incorporated herein by this reference;

WHEREAS, SCCC Section 18.112.040 provides for the review and recommendation of the City's Planning Commission of all rezoning requests before action is to be taken by the City Council;

WHEREAS, before considering the rezoning of the Project Site, the Planning Commission reviewed and considered the information contained in the Addendum #1 to the Mission Town Center Final Environmental Impact Report ("FEIR") for the Project (SCH #2015032076);

WHEREAS, on May 11, 2018, a notice of public hearing for the May 23, 2018, Planning Commission meeting for this item was posted at least three conspicuous locations within 1,000 feet of the project site, and notice was mailed to all property owners within a 1,000 foot radius and additional residential properties beyond 1,000 feet of the Project Site; and

WHEREAS, on May 23, 2018, the Planning Commission held a duly noticed public hearing to consider the rezoning application, at which time interested persons were given an opportunity to give testimony and provide evidence in support of and in opposition to the proposed Rezoning.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby recommends that the City Council rezone the project site, shown on Exhibit "Plans" ("Development Plan") and conditioned in Exhibit "Conditions of Approval," both of which are attached hereto and incorporated by this

reference, from Light Industrial (ML), Single Family (R1-6L), Duplex (R2-7L), and Thoroughfare Commercial (CT) to a Planned Development (PD) Zone to allow the construction of a residential/mixed use development comprised of 355 apartment units, approximately 20,000 square feet (sf) of retail space in addition to 2,364 square feet of commercial space within the 8 live-work units, approximately 6,000 sf of amenity space including leasing space, amenity roof deck, and pet spa and a parking garage, as shown on the Development Plan, attached hereto as Exhibit “Development Plans”.

2. Pursuant to SCCC Section 18.112.010, the Planning Commission determines that the following findings exist in support of the rezoning:

A. The existing zoning is inappropriate or inequitable, in that the existing zoning for the Project Site does not allow residential development and creation of housing opportunities near the density range identified in the 2010-2035 General Plan. The Planned Development (PD) zoning would allow mixed use development that more closely implements the General Plan’s vision for the Santa Clara Station Focus Area than the existing zoning.

B. The proposed rezoning would conserve property values, protect and improve the existing character and stability of the area in question, and promote the orderly and beneficial development of such area, because the project incorporates smart-growth elements such as redevelopment of underutilized properties and implementation of higher-density development along established transit corridors, and would create a sustainable infill mixed-use project that complements the surrounding mix of uses;

C. The proposed rezoning is required by the public necessity, public convenience, or the general welfare of the City, in that the rezoning would permit development of a residential/mixed use project on the site. The project is located in an

urbanized area served by existing municipal services and would create a mixed-use development of a scale and character that complements and is supportive of the surrounding uses;

D. The proposed rezoning would allow imaginative planning and design concepts to be utilized which would otherwise be restricted in other zoning districts, in that the zone change would allow flexibility in the development standards associated with building heights that support the benefits of green building construction and the proposed LEED, or equivalent, design for a sustainable building that promotes energy conservation.

3. That, based on the findings set forth in this Resolution, Addendum #1 to the Mission Town Center FEIR and the evidence in the City Staff Report, the Planning Commission hereby recommends that the City Council rezone the Project Site as set forth herein.

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4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 23RD DAY OF MAY, 2018, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference:
1. Exhibit “Development Plans”
2. Exhibit “Conditions of Approval”

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RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE TO APPROVE THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SANTA CLARA AND BENTON AND EL CAMINO, LP FOR THE PROPERTY LOCATED AT 575 BENTON STREET, SANTA CLARA

SCH#2015032076
CEQ2015-01188 (Mission Town Center FEIR Addendum#1)
PLN2017-12489 (General Plan Amendment)
PLN20157-12574 (Application for Rezoning)
PLN2017-12575 (Vesting Tentative Parcel Map)
PLN2017-12837 (Development Agreement)

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AS FOLLOWS:

WHEREAS, California Government Code Sections 65864 through 65869.51 ("Development Agreement Act") authorize cities to enter into binding development agreements with owners of real property and these agreements govern the development of the property; and

WHEREAS, Benton and El Camino, LP has requested that the City of Santa Clara ("City") enter into the type of agreement contemplated by the Development Agreement Act; and

WEHERAS, City staff have negotiated and recommended for approval a Development Agreement subject to specific conditions of approval, all attached as Exhibit "Development Agreement", with Developer in connection with the proposed development located at 575, 611, 625, 645, 675 Benton Street, 3330, 3350, 3390, 3410 The Alameda; 1188, 1250 Sherman Street; 602 Fremont Street ("Project"); and

WHEREAS, the Project approvals will include Addendum #1 to the Mission Town Center FEIR; a General Plan Amendment from Santa Clara Station High Density Residential to

Santa Clara Station Very High Density Residential; a rezoning of the Project Site from Light Industrial (ML), Single Family (Rl-61), Duplex (R2-7L), and Thoroughfare Commercial (CT) to a Planned Development (PD) zone; the vacation and sale of a portion of Fremont Street east of the Alameda and a portion of Sherman Street north of Benton Street; along with the adoption of a Development Agreement Ordinance;

WHEREAS, Santa Clara City Code § 17.10.120 requires the Planning Commission to hold a public hearing before making a recommendation on the approval of a Development Agreement;

WHEREAS, before considering the Development Agreement, the Planning Commission reviewed and considered the information contained in the Addendum #1 to the Mission Town Center FEIR (SCH#2015032076);

WHEREAS, notice of the public hearing on the proposed Development Agreement Amendment was published in the *Santa Clara Weekly*, a newspaper of general circulation for the City, on May 9, 2018;

WHEREAS, notices of the public hearing on the Development Agreement were mailed to all property owners within 1,000 feet of the property, according to the most recent assessor's roll, on May 11, 2018;

WHEREAS, the Planning Commission has reviewed the Development Agreement, and has considered all available facts related to the Development Agreement;

WHEREAS, pursuant to Government Code Section 65867.5, which requires that any such Development Agreement be approved by ordinance, a draft ordinance to approve the development agreement has been prepared which contains the findings required for approval of a development agreement. The proposed ordinance is attached to this

Resolution as Exhibit "Ordinance to Approve DA" and is incorporated herein by this reference;

WHEREAS, In connection with its consideration of the Development Agreement, the Planning Commission reviewed the proposed ordinance and the findings therein and incorporates by reference herein the findings and declarations set forth in the proposed ordinance; and

WHEREAS, on May 23, 2018, the Planning Commission conducted a duly noticed public hearing to consider the proposed Development Agreement, at which time all interested persons were given an opportunity to give testimony and present evidence, both in favor of and in opposition to the proposed Development Agreement.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. The Planning Commission hereby finds and determines that the forgoing recitals are true and correct and by reference makes them a part hereof.

2. That the Planning Commission hereby recommends that the City Council approve the Development Agreement between the City of Santa Clara and Benton and El Camino, LP for the property located at 575, 611, 625, 645, 675 Benton Street, 3340, 3370, 3390, 3410 The Alameda; 1188, 1250 Sherman Street; 602 Fremont Street, incorporated by this reference.

3. Pursuant to Government Code Sections 65867 and 65867.5, the Planning Commission hereby finds that the provisions of the Development Agreement Amendment are consistent with the General Plan, in that the proposed project creates a mixed-use development of the scale and character that complements and is supportive of the surrounding uses; and creates a mixed-use development that maximizes density with

accessibility to alternative transportation modes, and integrates pedestrian, bicycle, transit, open space and outdoor uses to encourage active centers.

4. The Planning Commission hereby finds and determines that the Development Agreement complies with all requirements of the Government Code Section 65865.2, in that the Agreement specifies the duration of the Agreement (10 years), lists the permitted uses of the property (residential/mixed use), sets the density and intensity of the proposed uses (61.7 dwelling units per acre with 19,985 sf of retail), sets the maximum height and size of the proposed buildings (86'6" tall, and as depicted on the attached Development Plans), and includes provisions for the dedication of land for public purposes (a 0.14 acre public park).

5. The Planning Commission hereby recommends that the City Council approve and adopt, substantially in form attached hereto, the ordinance approving the Development Agreement with Benton and El Camino, LP.

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6. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 23RD DAY OF MAY, 2018, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference:
1. Ordinance to Approve Development Agreement
2. Exhibit "Development Agreement for 575 Benton (mixed-use)"

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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SANTA CLARA AND BENTON AND EL CAMINO, LP FOR THE PROPERTY LOCATED AT 575 BENTON STREET, SANTA CLARA

SCH#2015032076
CEQ2015-01188 (Mission Town Center FEIR Addendum#1)
PLN2017-12489 (General Plan Amendment)
PLN20157-12574 (Application for Rezoning)
PLN2017-12575 (Vesting Tentative Parcel Map)
PLN2017-12837 (Development Agreement)

BE IT ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, California Government Code Sections 65864 through 65869.51 ("Development Agreement Act") authorize cities to enter into binding development agreements with owners of real property and these agreements govern the development of the property;

WHEREAS, Benton and El Camino, LP ("Developer") has requested that the City of Santa Clara ("City") enter into the type of agreement contemplated by the Development Agreement Act;

WHEREAS, City staff negotiated and recommended for approval a Development Agreement subject to specific conditions of approval, all attached hereto as Exhibit "Development Agreement" and incorporated herein by this reference, with Developer in connection with the proposed development located at 575, 611, 625, 645, 675 Benton Street, 3330, 3350, 3390, 3410 The Alameda; 1188, 1250 Sherman Street; 602 Fremont Street ("Project");

WHEREAS, the Project approvals will include Addendum #1 to the Mission Town Center FEIR; a General Plan Amendment from Santa Clara Station High Density Residential to Santa Clara Station Very High Density Residential; a rezoning of the Project Site from Light Industrial (ML), Single Family (Rl-61), Duplex (R2-7L), and Thoroughfare Commercial (CT) to a Planned Development (PD) zone; the vacation and sale of a portion of Fremont Street east of the

Alameda and a portion of Sherman Street north of Benton Street; along with the adoption of a Development Agreement Ordinance;

WHEREAS, pursuant to Santa Clara City Code ("SCCC") § 17.10.120, the Planning Commission held a duly noticed public hearing to consider the proposed Development Agreement, at the conclusion of which the Commission recommended that the City Council adopt the Development Agreement Ordinance;

WHEREAS, before considering the Development Agreement, the City Council reviewed and considered the information contained in the Addendum #1 to the Mission Town Center FEIR (SCH#2015032076);

WHEREAS, Santa Clara City Code § 17.10.160 requires the City Council to hold a public hearing before approving a Development Agreement;

WHEREAS, notice of the public hearing on the proposed Development Agreement Amendment was published in the *Santa Clara Weekly*, a newspaper of general circulation for the City, on June 13, 2018;

WHEREAS, notices of the public hearing on the Development Agreement were mailed to all property owners within 1,000 feet of the Project Site, according the most recent assessor's roll, on June 15, 2018; and

WHEREAS, the City Council has reviewed the Development Agreement, and on June 26th, 2018, conducted a public hearing, at which time all interested persons were invited to provide testimony and evidence, both in support and in opposition to the proposed Development Agreement.

NOW THEREFORE, BE IT FURTHER ORDAINED BY THE CITY OF SANTA CLARA, AS FOLLOWS:

SECTION 1: The City Council hereby approves the Development Agreement substantially in the form attached hereto as Exhibit "Development Agreement" subject to such minor and clarifying

changes consistent with the terms thereof as may be approved by the City Attorney prior to execution thereof.

SECTION 2: Pursuant to Government Code Section 65867.5, the City Council hereby finds that the provisions of the Development Agreement are consistent with the General Plan, in that the proposed project creates a mixed-use development of the scale and character that complements and is supportive of the surrounding uses; and creates a mixed-use development that maximizes density with accessibility to alternative transportation modes, and integrates pedestrian, bicycle, transit, open space and outdoor uses to encourage active centers.

SECTION 2: Pursuant to Government Code Section 65865.2, the City Council hereby finds that the Development Agreement complies with all requirements of the Government Code Section 65865.2, in that the Agreement specifies the duration of the Agreement (10 years), lists the permitted uses of the property (residential/mixed use), sets the density and intensity of the proposed uses (61.7 dwelling units per acre with 19,985 sf of retail), sets the maximum height and size of the proposed buildings (86'6" tall, and as depicted on the attached Development Plans), and includes provisions for the dedication of land for public purposes (a 0.14 acre public park).

SECTION 4: This ordinance, including the Development Agreement approval described in Section 1 above, is based in part on the findings set forth above, and the CEQA Findings Related to Approval of the Certification of the FEIR, the General Plan Amendment, and the Rezoning.

SECTION 5: The City Manager and/or her designee is hereby authorized and directed to perform all acts to be performed by the City in the administration of the Development Agreement pursuant to the terms of the Development Agreement, including but not limited to conducting annual review of compliance as specified therein. The City Manager is further authorized and directed to perform all other acts, enter into all other agreements and execute all other

documents necessary or convenient to carry out the purposes of this Ordinance and the Development Agreement.

SECTION 6: Except as specifically set forth herein, this ordinance suspends and supercedes all conflicting resolutions, ordinances, plans, codes, laws and regulations.

SECTION 7: This Ordinance shall not be codified in the Santa Clara City Code.

SECTION 8: Effective date. This ordinance shall take effect thirty (30) days after its final adoption; however, prior to its final adoption it shall be published in accordance with the requirements of Section 808 and 812 of "The Charter of the City of Santa Clara, California."

PASSED FOR THE PURPOSE OF PUBLICATION this _____ day of _____, 2018, by the following vote:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
JENNIFER YAMAGUMA
ACTING CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:
1. Development Agreement

RECORD WITHOUT FEE
PURSUANT TO GOVERNMENT CODE § 6103

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:
City of Santa Clara
City Clerk's Office
1500 Warburton Avenue
Santa Clara, California 95050

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

DEVELOPMENT AGREEMENT
FOR
575 BENTON
(MIXED USE)

BETWEEN

THE CITY OF SANTA CLARA,

a chartered California municipal corporation,

AND

Benton and El Camino, LLC

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DEVELOPMENT AGREEMENT
FOR
575 BENTON
(MIXED USE)

This DEVELOPMENT AGREEMENT ("**Agreement**"), dated for reference purposes as of _____, is entered into by and between the CITY OF SANTA CLARA ("**City**"), a chartered California municipal corporation, and BENTON AND EL CAMINO, LP, a California limited partnership ("**Developer**"), (collectively the "**Parties**") and is effective on the date set forth in Recital N.

RECITALS

Developer and City enter into this Agreement on the basis of the following facts, understandings and intentions, and the following recitals are a substantive part of this Agreement:

A. Sections 65864 through 65869.5 of the California Government Code authorize the City to establish procedures to enter into binding development agreements with persons having legal or equitable interests in real property located within the City for development of property.

B. The Code of the City of Santa Clara, California ("**SCCC**"), Section 17.10.010 and following, establishes the authority and procedure for review and approval of proposed development agreements.

C. Developer has a legal or equitable interest in the property ("**Property**") governed by this Agreement in that, as of the Effective Date hereof, Developer is, or will become, the lessee of the Property under one or more long-term ground leases of the Property. The Property consists of twelve (12) separate assessor parcel numbers (230-07-002, 004, 009, 010, 013, 029, 031, 034, 038, 053, 059; and 060) and portions of Fremont Street and Sherman Street, totaling approximately 5.8 acres, as further described and depicted in **Exhibit A-1** and **Exhibit A-2**, attached hereto and incorporated by this reference.

D. Developer has submitted the following application(s) to the City (each such application being referenced herein as modified and finally approved by the City Council): (i) A General Plan Amendment to change the land use designation of the Property from *Santa Clara Station High Density Residential* to *Santa Clara Station Very High Density Residential* (#PLN 2017-12489, CEQ 2015-01188) ("**General Plan Amendment**"); (ii) a rezoning of the Property ("**Rezoning**") to PD-Planned Development (#PLN 2017-12574, CEQ 2015-01188) ("**PD**"); (iii) a vesting tentative parcel map (#PLN 2015-10982, CEQ 2017-12575) ("**VTM**"); (iv) the vacation of portions of Fremont Street and Sherman Street ("**Street Vacation**") and (v) this Development Agreement, for development of the Property (#PLN 2017-12837, CEQ 2015-01188). The application(s) request that Developer be allowed to develop the Property with an infill, mixed-use residential project including up to 355 rental apartment units; a parking garage; approximately 5,000 to 6,000 gross square feet ("**gsf**") of conditioned amenity space located on the roof level of the garage including a pool, spa, club room and fitness room; three (3) distinct private open space areas, pet spa and leasing office on grade; approximately 22,300 gsf of commercial space comprised of approximately 20,000 gsf of ground floor retail and

approximately 2,300 gsf of live/work commercial space; site-serving infrastructure; landscaping; and related facilities (collectively, the "**Project**").

F. The Project, including but not limited to the height and configuration of buildings, access and parking facilities, landscaping, and infrastructure improvements, is depicted on the development plans submitted by Developer prior to the Effective Date and on file with City (as may be modified consistent with the Approvals for the Project and this Agreement prior to final architectural approval by City pursuant to **Section 2.9** below, and as may be further modified pursuant to the Minor Change process as set forth in **Section 11.2.b** below) and on **Exhibit B** attached hereto and incorporated herein by this reference (collectively, the "**Development Plan**").

G. Through this Agreement, the Parties intend to preserve the size and density of development as set forth in the General Plan Amendment, Rezoning, VTM, Street Vacation, and Development Plan. City and Developer each acknowledge that development and construction of the Project is a large-scale undertaking involving major investments by Developer and City, and assurances that the Project can be developed and used in accordance with the terms and conditions set forth herein and the existing rules governing development of the Property will benefit both Developer and City.

H. City is willing to enter this Agreement for the reasons enumerated in SCCC 17.10.010 to (i) eliminate uncertainty in the comprehensive development planning of large-scale projects in the City, such as the Project; (ii) secure orderly development and fiscal benefits for public services, improvements and facilities planning in the City; (iii) meet the goals of the General Plan; and (iv) plan for and concentrate public and private resources for the mutual benefit of both Developer and City.

I. Developer acknowledges and recognizes that material inducements for the City to enter into this Agreement are:

(i) the opportunity to:

(A) create a well-designed, economically feasible residential community that consists of a variety of residential products and unit types and incorporates smart growth elements that will help achieve the City's vision for the Santa Clara Station Focus Area as set forth in the General Plan, including the redevelopment of underutilized properties, implementation of higher-density development along established transit corridors, and the inclusion of pedestrian oriented retail to serve the Santa Clara Station and new development;

(B) provide high-density housing to assist in meeting the housing needs of the City and the region and improve the jobs/housing balance within the City;

(C) create a mixed-use development that is in proximity to and maximizes accessibility to alternate transportation modes and integrates pedestrian, bicycle, transit, recreation, open space and outdoor uses to encourage active centers and serve project residents;

(D) create a residential community of such design, scale and character that complements and enhances the character of the surrounding area and uses;

(E) develop a project with a mix of uses to provide goods and services to residents of the Project and residents in the surrounding area;

(F) attain a Project that includes sustainable elements, bicycle and pedestrian amenities; and the incorporation of green features into project design and construction to attain a minimum GPR Silver or greater equivalent standards; and

(G) provide additional affordable units and thereby improve the range of types and levels of affordability of residential units within the City of Santa Clara.

(ii) the contributions by Developer toward the construction of transportation and pedestrian improvements, trails, open space and parks and the provision of public services and facilities, such as police, fire, emergency response, school, and library, ensuring that City and future residents of the Project are adequately supported.

J. City's willingness to enter into this Agreement is a material inducement to Developer to implement the Project, and Developer proposes to enter this Agreement in order (i) to obtain assurances from City that the Property may be developed, constructed, completed and used pursuant to this Agreement, and in accordance with existing policies, rules and regulations of the City, subject to the exceptions and limitations expressed herein and the term of this Agreement; and (ii) to provide for a coordinated and systematic approach to funding the cost of certain public improvements and facilities planned by the City, and to establish the timing and extent of contributions required from Developer for these purposes.

K. Developer requested City enter into a development agreement, and proceedings have been taken in accordance with State law, as set forth below.

L. On February 23, 2016, the City Council, by adoption of Resolution 16-8293, approved and certified a Final Environmental Impact Report for the 2016 Project ("EIR") pursuant to the California Environmental Quality Act ("CEQA"), made findings with respect thereto, and adopted a Mitigation Monitoring and Reporting Program, a copy of which is attached hereto as **Exhibit C** and incorporated herein by this reference ("**Mitigation Monitoring and Reporting Program**").

M. On May 23, 2018, City's Planning Commission held a duly noticed public hearing on the Project, where following public testimony, the Planning Commission recommended that the City Council: (i) approve an addendum to the EIR ("Addendum"); (ii) approve the General Plan Amendment; (iii) approve the Rezoning, subject to conditions of approval; and (iv) approve this Agreement. The Planning Commission also determined that the Street Vacation would be in conformance with the General Plan.

N. On June 12, 2018, the City Council held a duly noticed public hearing on the Project, where following public testimony, the City Council: (i) approved the EIR Addendum; (ii) approved the General Plan Amendment; (iii) approved the Rezoning, subject to Conditions of Approval which are attached hereto as **Exhibit D** and incorporated herein by this reference

("**Conditions of Approval**"); (iv) approved the VTM, subject to Conditions of Approval; (v) determined that this Agreement is consistent with the City's General Plan; and (vi) introduced Ordinance No. _____ approving this Agreement. On _____, the City Council adopted Ordinance No. [add] , enacting this Agreement, and the Ordinance became effective thirty (30) days later on _____ ("**Effective Date**").

O. Certain improvements as set forth in the Conditions of Approval are necessary to provide infrastructure support for the Project.

AGREEMENT

NOW, THEREFORE, pursuant to the authority contained in California Government Code section 65864 and following, and SCCC 17.10.010 and following, and in consideration of the mutual representations, covenants and promises of the Parties, the Parties hereto agree as follows:

1. TERM

1.1 Effective Date.

a. **Term.** The term ("**Term**") of this Agreement shall commence on the date set forth in the first paragraph of this Agreement, or on the effective date of Ordinance No. [add] approving this Agreement, whichever is later in time (the "**Effective Date**"), and shall continue for a period of ten (10) years after the Effective Date, unless sooner terminated or extended as hereinafter provided.

b. **One-Time Extension.** Notwithstanding the provisions of **Section 1.1.a**, if a building permit(s) ("**Building Permit**") has been issued for residential buildings within the Project ("**Residential Buildings**") containing a total of at least one hundred (100) residential units, and construction thereof has commenced within ten (10) years from the Effective Date, then the Term of this Agreement shall be automatically extended, one time only, by five (5) years for a total Term of fifteen (15) years.

1.2 Expiration. Following expiration of the Term or any extension, or if sooner terminated, this Agreement shall have no force and effect, subject, however, to post-termination obligations of Developer and City.

2. DEVELOPMENT OF THE PROPERTY

2.1 Property. The Property that is the subject of this Agreement is that certain real property described in **Exhibit A -1** attached hereto.

2.2 Binding Covenants. It is intended and agreed that the provisions of this Agreement shall constitute covenants that shall run with the Property, and the benefits and burdens hereof shall bind and inure to all successors in interest to the Parties hereto.

2.3 Life of Approvals. Pursuant to Government Code section 66452.6(a) and this Agreement, the life of the Project approvals, including but not limited

to certification of the EIR, adoption of the General Plan Amendment, approval of the Resolution to rezone the Property to a PD zoning, approval of the Development Agreement Ordinance and this Development Agreement, approval of the VTM, and architectural approval of the Project (collectively, "**Approvals**") shall automatically be extended to and until the later of the following: (1) the end of the Term of this Agreement; or (2) the end of the term or life of any such Approval. Notwithstanding the foregoing, the vested elements secured by Developer under this Agreement shall have a life no greater than the Term of this Agreement, and any extension thereof.

2.4 Vested Elements. The permitted uses of the Property, the maximum density and intensity of use, the maximum heights, locations, numbers and gross square footage of the proposed buildings, the provisions for vehicular access and parking, reservation or dedication of land for public purposes or fees in-lieu thereof, provision for construction of public improvements and/or required fees associated with the Project as provided in, and limited by, the Approvals and this Agreement, shall be vested and are hereby vested and referred to as vested elements ("**Vested Elements**"). In addition to the foregoing Vested Elements, other terms and conditions of development applicable to the Project are set forth in the following documents as they exist as of the Effective Date:

a. The General Plan of the City of Santa Clara, current as of the Effective Date, the terms and conditions of which are incorporated herein by this reference;

b. SCCC, current as of the Effective Date, including the Rezoning of the Property to PD;

c. The Planned Development Zoning District and the Conditions of Approval imposed thereon;

d. The Development Plan, defined in Recital E, herein;

e. All other applicable City plans, policies, programs, regulations, ordinances and resolutions of the City in effect as of the Effective Date, which regulate development of the Property and implementation of the Project, and which are not inconsistent with the terms of this Agreement ("**Other Regulations**");

f. Any permits and/or subsequent approvals, including but not limited to additional subdivision maps or lot line adjustments, if any, final maps (which may be phased with the concurrence of the Parties), site and architectural review, demolition permits, Building Permits, grading permits, and infrastructure improvement plans processed in accordance with the terms of this Agreement. Upon approval, such subsequent approvals shall be incorporated into this Agreement and vested hereby; and,

g. In the event this Project includes a subdivision as defined by Government Code § 66473.7, the tentative map for this Project will comply with the provisions of § 66473.7, as it may be amended from time to time.

2.5 Permitted Uses. The permitted uses for the Property and the Project include the following:

a. Up to 355 apartment units in an apartment complex including Residential Building(s) ranging in height from three (3) to five (5) stories and as shown on **Exhibit B**;

b. A freestanding parking garage ("**Parking Garage**")

c. Up to 22,300 gsf of commercial space comprised of approximately 20,000 gsf of ground floor retail and approximately 2,300 gsf of live/work commercial space located in one or more Residential Building(s) ("**Retail Space**");

d. Up to 6,000 gsf of amenity space located at the roof level of the garage, including pool, spa, club room and fitness room, and leasing space located on grade in the Residential Buildings and,

e. Outdoor amenity space dispersed throughout the Project;

all of which must be implemented in accordance with the Development Plan and the Conditions of Approval. The number of residential units and amount of square footage for each use are subject to the Minor Change process as set forth in **Section 11.2.b**.

2.6 Present Right to Develop. Subject to Developer's fulfillment of the provisions of this Agreement, the Development Plan and the Conditions of Approval, the City hereby grants to Developer the present vested right to develop and construct on the Property all the improvements authorized by, and in accordance with, this Agreement and the Vested Elements, including in particular the terms of the Development Plan and the Rezoning. To the extent permitted by law, no future modification (including by later-adopted initiative and/or referendum) of the City's General Plan, SCCC, ordinances, policies or regulations that purport to (i) limit the rate or timing of development, size of buildings or other improvements (including developable square footage), or amount of development of the portions of the Project to be built; or (ii) impose fees, exactions or conditions upon development, occupancy or use of the Property other than as provided in the Development Plan or Conditions of Approval or pursuant to this Agreement, shall apply to the Property; provided, however, that nothing in this Agreement shall prevent or preclude City from adopting any fees or land use regulations or amendments thereto, expressly permitted herein.

2.7 Timing of Improvements. Developer shall have the right to develop the Project at such time as Developer deems appropriate subject to **Section 2.3** and this **Section 2.7** within the exercise of its subjective business judgment and no annual (or other) limit, moratoria, or other limitation upon the number of, or pacing of, buildings which may be constructed, or Building Permits which may be obtained, or the like shall apply to the Project.

2.8 Agreement and Comprehensive Development Plan. The Parties acknowledge that, except as specifically set forth herein, this Agreement, the Development Plan, the Mitigation Monitoring and Reporting Program and the Conditions

of Approval set forth a comprehensive schedule of the specific types and amounts of all development terms and conditions, development mitigation measures and fees, special assessments, special taxes, exactions, fees in-lieu, charges and dedications required in the public interest to be contributed, paid or constructed due to development of the Property as defined in the Development Plan. All fees referred to herein, may be subject to an annual increase until paid, but only if such increase is applied equally to similarly situated projects on a Citywide or area-wide basis, and any such annual increase shall be limited in the manner specified in **Section 4**.

2.9 Design of On-Site and Off-Site Improvements. Development of the Property shall be subject to final architectural and design review by City pursuant to the policies, regulations and ordinances in effect as of the Effective Date, and subject to the Development Plan, the Conditions of Approval, Mitigation Monitoring and Reporting Program, and this Agreement. No such architectural and design review shall, without Developer's consent, require development of the Property inconsistent with the Development Plan, the Conditions of Approval, the Mitigation Monitoring and Reporting Program, and this Agreement, unless City determines it is necessary to protect against conditions which create a risk to the physical health or safety of residents or users of the Project or the affected surrounding region. The Development Plan, Mitigation Monitoring and Reporting Program, and Conditions of Approval, and all improvement plans prepared in accordance thereof, shall govern the design and scope of all on-site and off-site improvements benefiting or to be constructed on the Property. In no event shall final architectural and design approval by City be conditioned on or require any change in the Development Plan, Mitigation Monitoring and Reporting Program or Conditions of Approval, without Developer's consent.

2.10 Development of the Site. In consideration for the City entering into this Agreement, Developer agrees to perform all of its obligations contained in this Agreement in the time and manner set out in this Agreement and the Development Plan, Mitigation Monitoring and Reporting Program, and Conditions of Approval.

2.11 Integrated Development. City and Developer acknowledge that the Project is, and shall be considered, an integrated development. It is thus the intention of the Parties that, if construction on one component of the Project is commenced, any additional development of the Property will adhere to the Development Plan. However, nothing in this Agreement is intended: (i) to prevent Developer from individually commencing and completing development of any portion of the Project, even if development on other portions thereof has not been commenced and/or completed; (ii) to prevent Developer from independently marketing, selling, renting or occupying all, or any portion of, such developed space, pursuant to **Section 12** provided that all current obligations under this Agreement and the Development Plan and all infrastructure requirements for the existing developed space have been met; and (iii) to require Developer to develop any portion of the Project (even if development on another portion of the Project has been commenced and/or completed).

2.12 Building Standards. Developer hereby agrees to employ all reasonable efforts such that the Project will be built to GPR Silver or greater equivalent standards.

3. EFFECT OF AGREEMENT

3.1 Subsequent State or Federal Laws or Regulations. As provided in California Government Code section 65869.5, this Agreement shall not preclude the application to the Project of changes in laws, regulations, plans or policies, to the extent that such changes required by changes in county, regional, State or federal laws or regulations ("**Changes in the Law**"). In the event Changes in the Law prevent or preclude compliance with one or more material provisions of this Agreement, Developer may request that such material provisions be modified or suspended, or performance delayed, as may be necessary to comply with Changes in the Law, and City may take such action as it deems necessary to be consistent with the intent of this Agreement.

3.2 Changes to Existing Regulations. Except as otherwise specifically provided, only the following changes to the Vested Elements, including such changes adopted by the electorate through the powers of initiative, or otherwise, shall apply to the development of the Property:

a. Subject to **Section 4** herein, Citywide regulations, ordinances, policies, programs, resolutions or fees adopted after the Effective Date that are not in conflict with the Vested Elements and the terms and conditions for development of the Property established by this Agreement, or otherwise applicable regulations existing as of the Effective Date. Changes to the General Plan, SCCC or other regulations shall be deemed to conflict with the approvals and this Agreement ("**Conflicting City Law**") if such changes prevent development of the Property in substantial accordance with the Approvals; requires significant changes in the development of the Property from what is contemplated by the Approvals; significantly delay, rations or imposes a moratorium on development of the Property; or require the issuance of discretionary or nondiscretionary permits or approvals by the City other than those required as of the Effective Date. A fee shall be deemed to conflict with this Agreement if it is an increase in an existing fee by more than the amount permitted pursuant to **Section 4** below.

b. Any law, regulation or policy which would otherwise be Conflicting City Law, but through this Agreement or by later separate document, application to the Property has been consented to in writing by the Developer.

3.3 Further Reviews. Developer acknowledges that existing land use regulations, the Vested Elements and this Agreement contemplate the possibility of further reviews of elements or portions of the Project by the City including potential CEQA analysis if required. Nothing in this Agreement shall be deemed to limit the legal authority of City with respect to these reviews as provided by, and otherwise consistent with, this Agreement. In no event shall such further review by City revisit the Development Plan, Conditions of Approval, or the Approvals or be conditioned on or require any change in the Project except as contemplated by the Development Plan, Conditions of Approval or this Agreement.

3.4 Local Rules. Future development on the Property shall be subject to all the official rules, regulations and policies (collectively "**Local Rules**") of the City which govern uses, architectural design, landscaping, public improvements and construction standards, and which are contained in the Development Plan or are in effect

as of the Effective Date, with the exception that revisions or amendments to the Local Rules necessitated by reasonable public health or fire and life-safety considerations shall apply as though the rules were in effect as of the Effective Date. Notwithstanding any other provision of this Agreement, and without limitation as to any other exceptions contained in this Agreement, City shall retain the authority to take the following actions, so long as such action is applied on a Citywide basis to similarly situated projects:

a. Adopt and apply property transfer taxes and/or excise taxes;

b. Adopt and apply utility charges;

c. Adopt updates to building and/or fire codes;

d. Maintain the right of voters to act by initiative or referendum, but only to the extent that the initiative or referendum does not affect or interfere with any vested rights acquired by the Developer in this Agreement; except that this Agreement itself is subject to referendum; and,

e. Take other actions not expressly prohibited by the terms or provisions of this Agreement.

3.5 Future Exercise of Discretion by City. This Agreement shall not be construed to limit the authority or obligation of City to hold necessary public hearings, or, except as provided herein, to limit discretion of the City or any of its officers or officials with regard to rules, regulations, ordinances or laws which require the exercise of discretion by City or any of its officers or officials. Except as provided herein, this Agreement shall not prevent City from applying new rules, regulations and policies, or from conditioning future Project development approval applications on new rules, regulations and policies that do not conflict with the terms of the Development Plan or this Agreement.

4. DEVELOPMENT FEES, EXACTIONS AND DEDICATIONS.

4.1 Development Fees, Exactions and Dedications. The types and amounts of fees, special assessments, special taxes, exactions and dedications (collectively "**Fees**") payable due to the development, build out, occupancy and use of the Property pursuant to this Agreement shall be exclusively those set forth in the Conditions of Approval and the Development Plan and as specified in this Agreement. Notwithstanding any amendments to the Fees or the adoption or imposition of any new or increased City fees, taxes, special assessments or other exactions after the Effective Date, the Fees and the types and amounts thereof set forth in this Agreement, Conditions of Approval and the Development Plan shall be the only fees, charges, special assessments, special taxes, dedications and exactions payable to City due to development of the Property.

4.2 Processing Fees. Processing fees, including without limitation Building Permit fees ("**Processing Fees**"), may be increased if the increase is applicable Citywide and reflects the reasonable cost to City of performing the administrative

processing or other service for which the particular Processing Fee is charged. New Processing Fees may be imposed if the new Processing Fees apply to all similarly situated projects or works within the City and if the application of these Processing Fees to the Property is prospective only. Developer shall pay the costs associated with the planning, processing and environmental review process for the Project, provided that such costs shall be limited to (i) reasonable costs directly associated with the preparation of the EIR; (ii) fees ordinarily charged by City for processing land use applications and permits, provided that such fees and costs are applied to Developer in the same manner as other similarly situated applicants seeking similar land use approvals and are not limited in applicability to the Project or to related uses; and (iii) fees associated with third-party permit plan checking, if applicable, above those normally charged by the City. Developer shall reimburse City for reasonable staff overtime expenses incurred by City in processing review, approval, inspection and completion of the Project provided that such overtime expenses are (a) reasonably necessary for the completion of the Project in accordance with Developer's schedule; and (b) applied to Developer in the same manner as similarly situated project applicants.

4.3 Reimbursement. Reserved.

4.4 Dedications. Developer shall offer to dedicate to City, upon request by City, all portions of the Property designated in the Conditions of Approval for public easements, or public areas.

4.5 Mitigations. Developer agrees to contribute to the costs of public facilities and services in the amounts set forth in the Development Plan, Mitigation Monitoring and Reporting Program and Conditions of Approval, as required to mitigate impacts of the development of the Property ("**Mitigations**"); provided, however, that to the extent this Agreement sets forth the specific types and amounts of such contributions, such provisions of this Agreement shall control. City and Developer recognize and agree that but for Developer's contributions to mitigate the impacts arising as a result of the entitlements granted pursuant to this Agreement, City would not and could not approve the development of the Property as provided by this Agreement. City's approval of development of the Property is in reliance upon, and in consideration of, Developer's agreement to make contributions toward the cost of public improvements and public services as provided to mitigate the impacts of development of the Property.

a. Historic Architectural Resources. The two (2) historic single family homes located as of the Effective Date at 3410 The Alameda and 3370 The Alameda (together, the "**Historic Architectural Resources**") will remain on-site. Developer shall maintain the Historic Architectural Resources in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

b. Curation of Archeological Resources. Developer agrees at its cost to curate, or cause to be curated, pre-colonial and historic era archeological resources and will facilitate the respectful treatment of human remains as described in and in accordance with Mitigation Measures CUL-2a.C.2. and CUL-2b which are included in the Mitigation Monitoring and Reporting Program. Developer may partner with one or more private or public institutions, including but not limited to Santa Clara University, to curate.

4.6 Voluntary Affordability Provisions. The Parties acknowledge that pursuant to Section 5.A of Resolution No. 17-8482, the requirements for the provision of affordable rental dwelling units set forth in SCCC Chapter 17.40 do not apply to the Project. Nevertheless, Developer voluntarily agrees to comply with the provisions set forth on attached **Exhibit E** regarding the provision of affordable rental dwelling units (collectively, the "Affordability Provisions").

4.7 Relocation of Other Buildings. As of the Effective Date, there exists on the Property eight (8) buildings, other than the Historic Architectural Resources described in **Section 4.5.a** above, that are more than fifty (50) years old (collectively "**Other Buildings**"). Within one hundred eighty (180) days after the Effective Date, Developer shall place, or cause to be placed, a notice or advertisement in a newspaper of general circulation in the City that offers the Other Buildings for purchase and relocation by a third party to an offsite location, and provides any interested party with at least thirty (30) days from the date of such the newspaper notice/advertisement to notify Developer of its interest in purchasing and relocating the Other Building(s). Developer shall furnish a copy of the notice to the Director within seven days of publication. Developer shall also utilize commonly available online real estate services to publicize the availability of the Other Buildings. Relocation of the Other Buildings shall be at the third party purchaser's sole expense. If any Other Buildings are not relocated by a third party for any reason whatsoever (including but not limited to inability of such third party and the Developer to enter into a mutually agreeable purchase and sale and relocation agreement) before the date of application by Developer to City for a demolition permit for any such Other Buildings, Developer shall have the right to demolish any such Other Buildings and City shall not withhold or delay any demolition permits in connection therewith. Nothing herein shall be deemed to obligate Developer to relocate, or cause or pay to be relocated, any Other Buildings.

4.8 Dedications and Contribution to Trails, Open Space and Parks; Maintenance. Notwithstanding the preceding provisions of **Section 4** or any other provisions in this Agreement to the contrary, the provisions of this **Section 4.8** shall exclusively govern the dedication and maintenance of parkland and the payment of fees due in-lieu of parkland dedication, and the credits against the amount of such parkland dedication and/or such in-lieu fees, with respect to the Project. The parkland to be dedicated hereunder will be subject to Mitigation Measure HAZ-2, which requires that the Project be developed under a project-specific site management plan or similar response plan approved by Regional Water Quality Control Board ("**RWQCB**") "that is protective of construction workers, the general public, the environment, and future site occupants from known and unknown environmental conditions that may be present at the site." In accordance with Mitigation Measure HAZ-2, portions of such parkland may be subject to the provisions of a recorded land use covenant acceptable to the RWQCB. Developer reserves the right during the Term of this Agreement to allow access to any dedicated parklands for the purposes of monitoring any groundwater monitoring wells that may be situated at any time thereon.

a. Parkland Dedication.

(i) **Public Park.** Developer shall grant an easement to the City of approximately 0.1428 acres within the Project, to be deemed to be parkland under SCCC Chapter 17.35 consisting of: (A) approximately [add] square feet delineated on the Development Plan and located at the corner of [add] and [add]; (collectively the "**Public Park**"), by means of an easement shown on the final map for the Project or in a separate instrument, and the City shall accept such easement exclusively for use as public park upon the completion by Developer of all initial landscaping and other improvements to the Public Park as described in **Section 4.8.c** below.

(ii) **Modification of Acreages.** Pursuant to **Section 11.2.b**, the Director of Planning & Inspection may authorize minor modifications to the individual or total area of the Public Park listed in **Section 4.8.a(i)** above if the Developer applies to modify the number of dwelling units (as of the Effective Date, such areas are based upon 355 dwelling units), but any such modification shall require a corresponding recalculation of the fees due in lieu of parkland dedication.

(iii) **Indemnification.** Developer agrees to protect, defend, indemnify and hold harmless, City, its officers, employees, representatives, and agents, from and against any and all claims, costs, losses, demands, debts, liens, liabilities, causes of action, suits, legal or administrative proceedings, interest, fines, charges, penalties and expenses, including without limitation, attorneys' fees and court costs, of whatever kind or nature (collectively, "**Claims**"), whether paid, incurred, suffered, alleged, asserted, or related thereto arising directly or indirectly from or attributable to Developer's use at any time of, or conditions existing or alleged to exist as of the date the easement is granted to the City in, on, under, above, or about the Public Park, including but not limited to: any repair, cleanup or detoxification, or preparation and implementation of any removal, remedial, response, closure or other plan concerning any Hazardous Materials on, under or about the Public Park, regardless of whether undertaken due to governmental action, or otherwise, or any latent or patent defect in the Public Park, including any improvements located thereon. To the fullest extent permitted by law, the foregoing hold harmless and indemnification provision shall apply except where such claim is the result of sole active negligence or willful misconduct of City, its officers, employees, representatives, or agents. Without limiting the generality of this indemnity and hold harmless provision in any way, this provision is intended to operate as an agreement pursuant to 42 U.S.C. Section 9607(e) and California Health and Safety Code Section 25364 in order to indemnify, defend, protect and hold harmless City for any liability hereunder pursuant to such sections. Developer and City agree that for purposes of this Agreement, the term "Hazardous Materials" shall have the definition set forth in **Exhibit F** attached hereto and incorporated by this reference.

b. Fees Due In-Lieu of Parkland Dedication. Developer shall pay to the City fees due in-lieu of parkland dedication in the total amount of five million, five hundred seventy-two thousand, eight hundred thirty-two dollars ($5,572,832) for the improvement and acquisition of trails, open space and parks in the City and otherwise in accordance with SCCC Chapter 17.35, which shall be paid at the time of issuance of the first Building Permit for vertical construction of a Residential Building within the Project, excluding demolition and grading permits and excluding any Building Permit for the Parking Garage ("**Vertical Construction**"). The amount of the fee due in-lieu of parkland dedication has been calculated pursuant to applicable provisions of SCCC Chapter 17.35 based upon:

(i) a total parkland dedication requirement for the Project (prior to the application of applicable credit for Private Open Space at the Project) of approximately 2.0119 acres; LESS

(ii) total public parkland dedication of approximately 0.1428 acres, LESS

(iii) a credit (against the required parkland dedication for the Project) equal to approximately 0.4257 acres, for fifty percent (50%) of the total private open space and recreational facilities to be included within the Project ("**Private Open Space**") (50% of the total of approximately 0.8514 acres of private open space courtyards, pool areas and other recreational facilities and amenities to be included within the Project). Developer agrees to maintain the Private Open Space as private open space and recreational facilities for the life of the Project. Prior to the Effective Date, City has made, and there is hereby incorporated herein in full, all findings pursuant to SCCC Section 17.35.070 necessary to support application to the Project of the credit for Private Open Space described herein.

c. Voluntary Parkland Improvements. Developer, on a voluntary basis and not as a Mitigation measure, and at no cost to City, shall construct or install the initial landscaping and other improvements to the Public Park as specified on the Development Plan.

d. Parkland Maintenance. Developer or its successors and permitted assigns hereunder shall be responsible, at no cost to City, for the maintenance and repairs of the Public Park. Developer agrees to execute a separate park maintenance agreement with the City, for a term of not less than forty (40) years, which commits Developer to maintaining the Public Park, indemnifies the City with respect to such maintenance, and is subject to standard City insurance requirements. Maintenance and repairs shall be to a level comparable to the level of maintenance and repairs performed by City within public parks located elsewhere within the City.

e. Timing of Easement Grant and Construction. Developer shall offer the parkland easement upon the approved final map for the Project, or grant the same by separate instrument thereafter upon request by City; provided, however, that City shall not accept the same until completion of construction thereon by Developer of all improvements required hereunder. Developer shall complete construction of improvements to the Public Park such that they shall be open to the general public prior to the issuance of the Certificate of Occupancy for the last Residential Building to be constructed within the Project.

4.9 Regional Traffic Fees. Developer agrees to the fixed sum of Two Dollars Fifty Cents ($2.50) per square foot of Retail Space ("**Regional Traffic Fees**") payable to the City at the time of issuance of each Building Permit for Vertical Construction of each Residential Building within the Project containing Retail Space, based upon the square footage of such Retail Space. Regional Traffic Fees are non-refundable.

4.10 Local Traffic Improvements. Notwithstanding the preceding provisions of **Section 4** or any other provisions in this Agreement to the contrary, the provisions of this **Section 4.10** shall exclusively govern the installation and/or

maintenance of the following local traffic and transit and related improvements with respect to the Project.

a. Dedication of Right of Way. Developer shall dedicate an additional right of way at the corner of El Camino Real and Benton Street as shown in the Development Plan.

b. Installation of Local Traffic, Pedestrian and Bicycle Improvements. Developer, at its sole cost, shall construct or install the following local traffic, pedestrian, and bicycle and related improvements, all as set forth in the Development Plan and Conditions of Approval and otherwise meeting all applicable City standards and specifications:

(i) Upgrade to the signalized intersection of El Camino Real and Benton Street;

(ii) Widening of sidewalks along El Camino Real, Benton Street and The Alameda;

(iii) Inclusion of landscape strip within public right way along all Project frontages;

(iv) Provide Class III "sharrow" along The Alameda frontage up to Harrison Street;

(v) Provide Class II Bike Lane starting at El Camino Real/Benton intersection along project frontage on Benton Street.

All the improvements included in this **Section 4.10 b.** shall be completed prior to the issuance of the first Certificate of Occupancy for a Residential Building.

4.11 Voluntary Transportation Contribution. Developer agrees to make transportation-related improvements totaling up to Three Hundred Ten Thousand Dollars ($310,000) ("**Voluntary Transportation Contribution**") which may include by way of example, enhanced crosswalks, street beautification, and bicycle lockers serving the Project.

4.12 Voluntary TDM Program. Developer agrees, on a voluntary basis and not as a Mitigation Measure, to prepare and implement a Transportation Demand Management program for the Project ("**TDM Program**"). The parties acknowledge that the overall goal of the Project is to achieve a twenty percent (20%) reduction in Vehicle Miles Traveled ("**VMT**") to the Project, and the goal of the TDM Program will be to achieve one half of the reduction (i.e. the goal of the TDM Program will be to achieve a ten percent (10 %) reduction in VMT). The TDM Program will provide for certain amenities and incentives to encourage residents and employees of the Project to use carpooling, transit, bicycling, and walking instead of driving their private automobiles. Developer's proposed TDM Program shall be subject to approval by the Planning Director, and Developer shall submit an annual report to the City evidencing compliance with the City-approved TDM Program. The TDM Program shall not provide for any unbundled parking for residents of the Project.

4.13 Utility Improvements. Developer agrees to pay for and/or perform or cause to be performed the following improvement to City-owned utilities in the vicinity of the Project:

a. Upgrade the existing sixty inch (60") diameter storm drain located as of the Effective Date inside the portion of the Sherman Street right of way to be vacated to a new seventy two inch (72") diameter storm drain that will be rerouted to run the length of Project frontage along El Camino Real (within the public right of way) and a portion of Benton Street (within the public right of way), and as shown in the Development Plan;

b. Relocate the eight inch (8") gas line located as of the Effective Date inside the abandoned portions of Fremont Street and Sherman Street to be vacated to El Camino Real (within the public right of way) and as shown in the Development Plan;

c. Extend the recycled water line for five hundred (500) feet from the intersection of Alviso Street and Fremont Street to the Project frontage on The Alameda within Fremont Street (within the public right of way) and as shown on the as shown in the Development Plan;

d. Underground all overhead power lines around the Project perimeter existing as of the Effective Date pursuant to the provisions of a mutually agreeable Special Facilities Agreement between Developer and City, doing business as Silicon Valley Power and approved by the City Council.

e. Construct a twelve (12) inch water main and a twenty four (24) inch water main within The Alameda (within the public right of way) and within Harrison Street (within the public right of way), and as shown in the Development Plan.

All work required pursuant to this **Section 4.13** shall be performed to applicable City standards and upon completion, all improvements described in this **Section 4.13** shall be dedicated to and thereafter maintained and repaired by City.

4.14 Sewer Connection Fee. If the City should adopt an ordinance subsequent to the Effective Date of this Agreement that permits reduced Sewer Connection Fees as a result of onsite conservation measures, the Developer may apply for consideration of such reductions toward the Sewer Connection Fees paid on behalf of the Project.

4.15 Vacation of Fremont Street and Sherman Street Right of Way and Conveyance to Developer. City agrees to approve the vacation of portions of Fremont Street and Sherman Street, including a portion of APN 230-07-060, as shown on attached **Exhibit G** (collectively the "**Vacated Street Areas**") and may utilize any applicable procedure permissible under the City Charter and/or the SCCC to effectuate the vacation of the streets and the conveyance of the Vacated Street Areas to Developer and/or Developer's designee(s) (the "**Street Vacationing**"). The Street Vacationing is subject to the reservation of a public utility easement therein until the relocation of such utilities pursuant to this **Section 4.15**. The Street Vacationing shall be completed within ninety (90) days following the Effective Date. Subject to any applicable provisions of the

City Charter and/or the SCCC and as part of the Street Vacationing, City agrees to convey to Developer and/or Developer's designee(s), and Developer and/or such designee(s) shall accept, fee title ownership of the Vacated Street Areas subject to such reserved public utility easement. As additional consideration for the Vacated Street Areas, Developer shall pay to City an amount equal to or greater than the fair market value of the Vacated Street Areas ("**FMV**"). Developer shall not be required to pay an amount above FMV unless there are multiple bidders upon the sale of the land, in which case Developer will pay the amount of Developer's successful bid. The FMV shall be determined as of the Effective Date in accordance with any applicable provision of the City Charter and/or the SCCC, and shall be based upon the value of the land comprising the Vacated Street Areas and its continued use as a public street encumbered by public utilities and as determined in accordance with the third party appraisal methodology set forth in **Exhibit H** attached hereto ("**FMV Appraisal Methodology**"). The payment for the Vacated Street Areas shall be made at the time of conveyance of the Vacated Street Areas to Developer and/or Developer's designee(s). Following conveyance of the Vacated Street Areas by City to Developer, Developer shall, at its cost, relocate or cause to be relocated all public utilities existing within the Vacated Street Areas as of the Effective Date. Promptly following the completion of such relocation, the City shall vacate the reserved public utility easement within the Vacated Street Areas pursuant to the summary vacation procedures set forth in Streets and Highways Code Section 8300 et seq.

4.16 Lot Tie Agreement. In the event that the final parcel map for the Project will create more than one legal parcel within the portion of the Property to be developed with the Residential Buildings and/or Parking Garage, all owners of such portions of the Property shall execute and deliver to City a "Covenant and Agreement To Hold Property As One Parcel" in form reasonably satisfactory to the City ("**Lot Tie Agreement**"). In such event, the executed Lot Tie Agreement shall be recorded at the time of City's approval of the final parcel map for the Project. The final parcel map for the Project may include and create up to four (4) parcels as long as it is otherwise consistent with the vesting tentative map.

4.17 Historic Pena Adobe of the Santa Clara Woman's Club. Developer agrees on a voluntary basis and not as a Mitigation Measure and at its cost, to perform a pre-construction and post-construction visual inspection of the condition of the Historic Pena Adobe located at 3260 The Alameda (the "**Adobe**") in order to determine whether any damage to the Adobe may have occurred as a result of construction of the Project. Developer shall memorialize the results of each inspection in writing in a form acceptable to the Director, who may require an additional inspection or inspections if the initial inspections are found to be insufficient. Developer further agrees to promptly repair, or pay all reasonable verified costs of repair of, any such damage. Developer and City agree to communicate with representatives of the Santa Clara Woman's Club ("**SCWC**") regarding any concerns of SCWC in this regard that may arise during construction of the Project.

5. STANDARD OF REVIEW OF PERMITS

5.1 Standard of Review of Permits. All permits ("**Permits**") required by Developer to develop the Property, excepting the Rezoning, but including (i) road construction permits, (ii) grading permits, (iii) Building Permits, (iv) fire permits, and (v) Certificates of Occupancy, shall be issued by City after City's review and approval of Developer's applications, provided that City's review of the applications is limited to determining whether the following conditions are met:

a. The application is complete; and,

b. The application demonstrates that Developer has complied with this Agreement, the Development Plan, the Mitigation Monitoring and Reporting Program, the Conditions of Approval and the applicable Local Rules.

6. PRIORITY

6.1 Priority. In the event of conflict between the General Plan, this Agreement, SCCC, Other Regulations and Local Rules, all as they exist on the Effective Date, the Parties agree that the following sequence establishes the relative priority of each item: (1) the General Plan, as existing on the Effective Date; (2) this Agreement; (3) the Development Plan; (4) Mitigation Monitoring and Reporting Program; (5) the Approvals; and (6) SCCC, Other Regulations and Local Rules.

7. COOPERATION IN IMPLEMENTATION

7.1 Cooperation in Implementation. Upon Developer's satisfactory completion of all required preliminary actions provided in the Development Plan, and payment of required fees, if any, City shall proceed in a reasonable and expeditious manner, in compliance with the deadlines mandated by applicable agreements, statutes or ordinances, to complete all steps necessary for implementation of this Agreement and development of the Property in accordance with the Development Plan, including the following actions:

a. Scheduling all required public hearings by the Planning Commission and City Council; and

b. Processing and checking all maps, plans, land use and architectural review permits, permits, building plans and specifications and other plans relating to development of the Property filed by Developer as necessary for complete development of the Property. Developer, in a timely manner, shall provide City with all documents, applications, plans and other information necessary for the City to carry out its obligations hereunder and to cause City's planners, engineers and all other consultants to submit in a timely manner all necessary materials and documents. It is the Parties' express intent to cooperate with one another and diligently work to implement all land use and building approvals for development of the Property in accordance with the Development Plan and the terms hereof. At Developer's request and sole expense, City shall retain outside building consultants to review plans or otherwise assist City's efforts in order to expedite City processing and approval work. City shall cooperate with Developer, and assist

Developer in obtaining any third-party governmental or private party permits, approvals, consents, rights of entry, or encroachment permits, needed for development of the Project or any other on or offsite improvements.

8. PERIODIC REVIEW

8.1 Annual Review. City and Developer shall review all actions taken pursuant to the terms of this Agreement annually during each year of the Term, within thirty (30) days prior to each anniversary of the Effective Date unless the City and Developer agree in writing to conduct the review at another time pursuant to SCCC 17.10.220(a).

8.2 Developer's Submittal. Within ninety (90) days before each anniversary of the Effective Date, Developer shall submit a letter ("**Compliance Letter**") to the Director, along with a copy directed to the City Attorney's Office, describing Developer's compliance with the terms of the Conditions of Approval and this Agreement during the preceding year. The Compliance Letter shall include a statement that the Compliance Letter is submitted to the City pursuant to the requirements of Government Code section 65865.1, this Agreement, and SCCC.

8.3 City's Findings. Within sixty (60) days after receipt of the Compliance Letter, the Director shall determine whether, for the year under review, Developer has demonstrated good faith substantial compliance with the terms of this Agreement. If the Director finds and determines that Developer has complied substantially with the terms of this Agreement, or does not determine otherwise within sixty (60) days after delivery of the Compliance Letter, the annual review shall be deemed concluded, Developer shall be deemed to have complied in good faith with the terms and conditions of this Agreement during the year under review, and this Agreement shall remain in full force and effect. Upon a determination of compliance, the Director shall, if requested by Developer, issue a recordable certificate confirming Developer's compliance through the year under review. Developer may record the certificate with the Santa Clara County Recorder's Office. If the Director initially determines the Compliance Letter to be inadequate in any respect, he/she shall provide notice to that effect to Developer as provided in SCCC 17.10.220. If, after a duly noticed public hearing thereon, the City Council finds and determines based on substantial evidence that Developer has not complied substantially in good faith with the terms of this Agreement for the year under review, the City Council shall give written notice thereof to Developer specifying the noncompliance and such notice shall serve as a notice of default under **Section 10.1**. If Developer fails to cure the noncompliance within a reasonable period of time as established by the City Council, the City Council, in its discretion, may (i) grant additional time for compliance by Developer, or (ii) following the hearing described in SCCC 17.10.250, modify this Agreement to the extent necessary to remedy or mitigate the non-compliance, or (iii) terminate this Agreement. Except as affected by the terms hereof, the terms of SCCC 17.10.240(b)(2), and following, shall govern the City's compliance review process. During any review, Developer shall bear the burden of proof to demonstrate good faith compliance with the terms of this Agreement. If the City Council does not hold a hearing and make its determination within one hundred and twenty (120) days after delivery of the Compliance Letter for a given year, then it shall

be deemed conclusive that Developer has complied in good faith with the terms and conditions of this Agreement during the period under review.

9. REIMBURSEMENTS

9.1 Reimbursements. The Parties agree that Developer shall not be entitled to any reimbursement for the construction of any private or public improvement required by this Agreement, unless explicitly provided by this Agreement or the Conditions of Approval.

10. DEFAULT AND REMEDIES

10.1 Default. Failure by either Party to perform any material term or provision of this Agreement shall constitute a default, provided that the Party alleging the default gave the other Party advance written notice of the default and thirty (30) days to cure the condition, or, if the nature of the default is such that it cannot be cured within thirty (30) days, the Party receiving notice shall not be in default if the Party commences performance of its obligations within the thirty (30) day period and diligently completes that performance. Written notice shall specify in detail the nature of the obligation to be performed by the Party receiving notice. Notwithstanding any provision to the contrary in this Agreement, only the owner of such portion of the Property with respect to which such a default exists shall be responsible or liable for such default and the remedies hereunder for such default.

10.2 Remedies. It is acknowledged by the Parties that City and Developer would not have entered into this Agreement if City or Developer were to be liable in damages under, or with respect to, this Agreement or the application thereof. City and Developer shall not be liable in damages to each other, or to any assignee, transferee or any other person, and Developer and City covenant not to sue for or claim damages from the other. Upon Developer's or City's material default, and failure to cure within a reasonable time depending on the nature of the default after demand by the non-defaulting Party, the non-defaulting Party shall institute mediation under **Section 26** of this Agreement. If mediation fails to resolve the dispute, each Party shall have the right, in addition to all other rights and remedies available under this Agreement, to (i) bring any proceeding in the nature of specific performance, injunctive relief or mandamus, and/or (ii) bring any action at law or in equity as may be permitted by law or this Agreement. The Parties acknowledge that monetary damages and remedies at law generally are inadequate upon the occurrence of a default. Therefore, specific performance or other extraordinary equitable relief (such as injunction) is an appropriate remedy for the enforcement of this Agreement, other remedies at law being inadequate under all the circumstances pertaining as of the Effective Date of this Agreement and any such equitable remedy shall be available to the Parties.

10.3 Default by Developer/Withholding of Building Permit. City may, at its discretion, without submitting to mediation, refuse to issue a Building Permit for any structure within the Property, if Developer has materially failed and refused to complete any requirement that is a Condition of Approval, or that is applicable to the Building Permit requested. In addition, where City has determined that Developer is in

default as described above, City may also refuse to issue the Developer any permit or entitlement for any structure or property located within the Project. This remedy shall be in addition to any other remedies provided for by this Agreement.

11. AMENDMENT OR TERMINATION

11.1 Agreement to Amend or Terminate. Subject to **Section 22** regarding operating memoranda and **Section 11.2** regarding future actions and minor changes, City and Developer, by mutual agreement, may terminate or amend the terms of this Agreement, pursuant to **Section 24**.

11.2 Modifications to Approvals. City and Developer anticipate that the Project will be implemented in accordance with the Approvals, the Development Plan, Mitigation Monitoring and Reporting Program, and the Conditions of Approval. The foregoing actions and other necessary or convenient implementation actions shall not require an amendment to this Agreement.

a. City and Developer understand and acknowledge that changes to the Project, other than Minor Changes set forth in **Section 11.2.b**, which would not, in the discretion of the City, substantially comply with the Approvals, Development Plan, Mitigation Monitoring and Reporting Program, and/or the Conditions of Approval would necessitate subsequent review and approval which will not be unreasonably withheld or delayed. Upon the written request of Developer, City may agree to make a substantive amendment or modification to the Development Plan (or any of the individual Approvals or documents comprising the Development Plan) in compliance with procedural provisions of the zoning or other land use ordinances and regulations in effect on the date of application for amendment or modification. The amendment or modification of the Development Plan shall be done pursuant to a Development Agreement Amendment pursuant to Government Code provisions and **Sections 11.1** and **24**, unless treated as a minor change as described in **Section 11.2.b** below. The remaining portions of this Agreement shall remain in full force and effect subsequent to the Amendment.

b. If Developer seeks an amendment or modification to the Approvals, the Development Plan, the Mitigation Monitoring and Reporting Program, or the Conditions of Approval, the Director or his/her designee shall determine: (i) whether the requested amendment or modification is minor when considered in light of the Project as a whole; and (ii) whether the requested amendment or modification is consistent with this Agreement and Applicable Law. If the Director or his/her designee finds, in his or her sole discretion, that the proposed amendment or modification is minor, consistent with this Agreement and Applicable Law, and will result in no new significant impacts not addressed and mitigated in the EIR, the amendment or modification shall be determined to be a "Minor Change" and shall not be considered an amendment to the applicable Approvals, the Development Plan, the Mitigation Monitoring and Reporting Program, or the Conditions of Approval, and shall not require a Development Agreement Amendment. Upon the Director's approval, these actions shall become part of the applicable Approvals, the Development Plan, the Mitigation Monitoring Program, and/or the Conditions of Approval, and this Agreement, and shall be deemed Vested Elements. Without limiting the generality of the foregoing, lot line adjustments, reductions in the density, intensity, scale or scope of the Project, minor alterations to vehicle circulation patterns or vehicle access

points, substitutions of comparable landscaping for any landscaping shown on any final development plan or landscape plan, variations in the configuration or location of structures or building heights that do not substantially alter the design concepts of the Project, variations in the location or installation of utilities and other infrastructure connections or facilities that do not substantially alter the design concepts of the Project, and minor adjustments to the Project Site diagram or Project Site legal description, and relocation of non-residential uses within the Project. Notwithstanding the foregoing, Minor Changes shall not exceed twenty-five percent (25%) of the number proposed for modification.

11.3 Enforceability of Agreement. The City and Developer agree that unless this Agreement is amended or terminated pursuant to its terms, this Agreement shall be enforceable by either Party notwithstanding any subsequent change in any applicable General Plan, Redevelopment Plan, Specific Plan, SCCC, Other Regulation or Local Rule adopted by City, with the exceptions listed in this Agreement.

12. MORTGAGEE PROTECTION: CERTAIN RIGHTS OF CURE

12.1 Mortgagee Protection. This Agreement shall be superior and senior to all liens placed upon the Property or any portion thereof after the date on which this Agreement or a memorandum thereof is recorded, including the lien of any deed of trust or mortgage ("**Mortgage**"). Notwithstanding the foregoing, no breach hereof shall defeat, render invalid, diminish or impair the lien of any Mortgage made in good faith and for value, but all of the terms and conditions contained in this Agreement shall be binding upon and effective against all persons and entities, including all deed of trust beneficiaries or mortgagees ("**Mortgagees**") who acquire title to the Property or any portion thereof by foreclosure, trustee's sale, deed in-lieu-of foreclosure, voluntary transfer or otherwise.

12.2 Mortgagee Obligations. City, upon receipt of a written request from a foreclosing Mortgagee, shall permit the Mortgagee to succeed to the rights and obligations of Developer under this Agreement, provided that all defaults by Developer hereunder that are reasonably susceptible of being cured are cured by the Mortgagee as soon as reasonably possible, provided, however, that in no event shall such Mortgagee personally be liable for any defaults or monetary obligations of Developer arising prior to acquisition of possession of such property by such Mortgagee. The foreclosing Mortgagee shall have the right to find a substitute developer to assume the obligations of Developer, which substitute shall be considered for approval by the City pursuant to **Section 13** of this Agreement, but shall not, itself, be required to comply with all of the provisions of this Agreement.

12.3 Notice of Default to Mortgagee. If City receives notice from a Mortgagee requesting a copy of any notice of default given to Developer and specifying the address for service thereof, City shall endeavor to deliver to the Mortgagee, concurrently with service thereof to Developer, all notices given to Developer describing all claims by the City that Developer has defaulted hereunder. If City determines that Developer is not in compliance with this Agreement, City also shall endeavor to serve notice of noncompliance on the Mortgagee concurrently with service on Developer. Each Mortgagee shall have the right, but not the obligation, during the same period available to

Developer to cure or remedy, or to commence to cure or remedy, the condition of default claimed or the areas of noncompliance set forth in City's notice.

13. ASSIGNABILITY

13.1 Assignment. Neither Party shall convey, assign or transfer ("**Transfer**") any of its interests, rights or obligations under this Agreement without the prior written consent of the other Party, which consent shall not be unreasonably withheld or delayed. In no event shall the obligations conferred upon Developer under this Agreement be transferred except through a transfer of all or a portion of the Property. Should Developer transfer any of its interests, rights or obligations under this Agreement, it shall nonetheless remain liable for performance of the obligations for installation of public improvements and payment of fees, unless the transferee executes an Assumption Agreement in a form reasonably acceptable to the City whereby the transferee agrees to be bound by the relevant terms of the Agreement, including the obligations for installation of public improvements and payment of fees. During the Term, Developer shall provide City with written notice of a request to Transfer any interest in this Agreement forty-five (45) days prior to any such contemplated Transfer. Any such request for a Transfer shall be accompanied by quantitative and qualitative information that substantiates, to the City's satisfaction, that the proposed transferee has the capability to fulfill the rights and obligations of this Agreement. Within thirty (30) days of such a request and delivery of information, the City Manager shall make a determination, in his or her sole discretion, as to whether the Transfer shall be permitted or whether such Transfer necessitates an Amendment to this Agreement, subject to approval by the City Council. Each successor in interest to Developer shall be bound by all of the terms and provisions applicable to the portion of the Property acquired. This Agreement shall be binding upon and inure to the benefit of the Parties' successors, assigns and legal representatives. This Agreement shall be recorded by the City in the Santa Clara County Recorder's Office promptly upon execution by each of the Parties.

13.2 Covenants Run With The Land. The terms of this Agreement, the PD Zoning, the General Plan Amendment, and this Development Agreement are legislative in nature, and apply to the Property as regulatory ordinances. Subject to **Section 13.1** above, all of the provisions, agreements, rights, powers, standards, terms, covenants and obligations contained in this Agreement shall run with the land and shall be binding upon the Parties and their respective heirs, successors (by merger, consolidation or otherwise) and permitted assigns, devisees, administrators, representatives, lessees and all other persons or entities acquiring the Property, any lot, parcel or any portion thereof and any interest therein, whether by sale, operation of law or other manner, and shall inure to the benefit of the Parties and their respective successors.

13.3 Pre-Approved Transfers. The following Transfers shall not require approval by the City, and shall automatically, upon the satisfaction of the applicable conditions in **Section 13.1** above, result in the release of Developer of its obligations hereunder as they may relate specifically to the specific property or asset sold or transferred: (a) sale or lease of all or any portion of the Property to any other Party to this Agreement or to any affiliate of Developer; (b) sale or lease of one or more buildings to any other Party to this Agreement or to any affiliate of Developer, and (c) a loan or

mortgage pertaining to the Property. As used herein, an "affiliate of Developer" means any entity that directly or indirectly controls or is controlled by or under common control with Developer, whether through the ownership or control of voting interests, by contract, or otherwise.

13.4 Release Upon Transfer. Upon the transfer, sale or assignment of Developer's rights and interests hereunder pursuant to the preceding subparagraph of this Agreement, Developer shall be released from the obligations under this Agreement with respect to the Property transferred, sold or assigned, arising subsequent to the date of City approval of such transfer, sale or assignment; provided, however, that any transferee, purchaser or assignee approved by the City expressly assumes the obligations of Developer under this Agreement. In any event, the transferee, purchaser or assignee shall be subject to all the provisions hereof and shall provide all necessary documents, certifications and other necessary information prior to City approval.

13.5 Non-Assuming Transferees. Except as otherwise required by a transferor, the burdens, obligations and duties of such transferor under this Agreement shall not apply to any purchaser of any individual lot (parcel) that will not require any additional on-site or off-site infrastructure or to any purchaser of an individual condominium offered for sale. The transferee in a transaction described above and the successors and assigns of such a transferee shall be deemed to have no obligations under this Agreement, but shall continue to benefit from the vested rights provided by this Agreement for the duration of the Term hereof. Nothing in this Section shall exempt any property transferred to a non-assuming transferee from payment of applicable fees, taxes and assessments or compliance with applicable conditions of approval.

13.6 Foreclosure. Nothing contained in this **Section 13** shall prevent a transfer of the Property, or any portion thereof, to a lender as a result of a foreclosure or deed in lieu of foreclosure, and any lender acquiring the Property, or any portion thereof, as a result of foreclosure or a deed in lieu of foreclosure shall take such Property subject to the rights and obligations of Developer under this Agreement; provided, however, in no event shall such lender be liable for any defaults or monetary obligations of Developer arising prior to acquisition of title to the Property by such lender, and provided further, in no event shall any such lender or its successors or assigns be entitled to a building permit or occupancy certificate until all fees due under this Agreement (relating to the portion of the Property acquired by such lender) have been paid to City.

14. CONTROLLING LAW

14.1 Controlling Law. This Agreement shall be governed by the laws of the State of California, and the exclusive venue for any disputes or legal actions shall be the County of Santa Clara. Developer shall comply with all requirements of State and federal law, in addition to the requirements of this Agreement, including, without limitation, the payment of prevailing wages, if required. In any event, Developer shall pay prevailing wages for all work on off-site public improvements related to the Project.

15. GENERAL

15.1 Construction of Agreement. The language in this Agreement in all cases shall be construed as a whole and in accordance with its fair meaning.

15.2 No Waiver. No delay or omission by either Party in exercising any right or power accruing upon the other Party's noncompliance or failure to perform under the provisions of this Agreement shall impair or be construed to waive any right or power. A waiver by either Party of any of the covenants or conditions to be performed by Developer or City shall not be construed as a waiver of any succeeding breach of the same or other covenants and conditions.

15.3 Agreement is Entire Agreement. This Agreement and all exhibits attached hereto or incorporated herein, together with the Development Plan, Mitigation Monitoring and Reporting Program, and the Conditions of Approval, are the sole and entire Agreement between the Parties concerning the Property. The Parties acknowledge and agree that they have not made any representation with respect to the subject matter of this Agreement or any representations inducing the execution and delivery, except representations set forth herein, and each Party acknowledges that it has relied on its own judgment in entering this Agreement. The Parties further acknowledge that all statements or representations that heretofore may have been made by either of them to the other are void and of no effect, and that neither of them has relied thereon in its dealings with the other. To the extent that there is any conflict between the approved Development Plan and this Agreement, the approved Development Plan shall govern the Parties' respective rights and obligations.

15.4 Estoppel Certificate. Either Party from time to time may deliver written notice to the other Party requesting written certification that, to the knowledge of the certifying Party, (i) this Agreement is in full force and effect and constitutes a binding obligation of the Parties, (ii) this Agreement has not been amended or modified either orally or in writing, or, if it has been amended or modified, specifying the nature of the amendments or modifications, and, (iii) the requesting Party does not have knowledge of default in the performance of its obligations under this Agreement, or if in known default, describing therein the nature and monetary amount, if any, of the default. A Party receiving a request shall execute and return the certificate within thirty (30) days after receipt thereof. The City Manager shall have the right to execute the certificates requested by Developer. At the request of Developer, the certificates provided by City establishing the status of this Agreement with respect to any lot or parcel shall be in recordable form, and Developer shall have the right to record the certificate for the affected portion of the Property at its cost.

15.5 Severability. Each provision of this Agreement which is adjudged by a court of competent jurisdiction to be invalid, void or illegal shall in no way shall affect, impair or invalidate any other provisions hereof, and the other provisions shall remain in full force and effect.

15.6 Further Documents. Each Party shall execute and deliver to the other all other instruments and documents as may be reasonably necessary to carry out this Agreement.

15.7 Time of Essence. Time is of the essence in the performance of each and every covenant and obligation to be performed by the Parties hereunder.

15.8 Defense and Indemnification Provisions. Developer, and with respect to the portion of the Property transferred to them, each Developer Transferee, hereby releases and agrees to protect, defend, hold harmless and indemnify City, its City Council, its officers, employees, agents and assigns (the "**Indemnified Parties**") from and against all Claims, injury, liability, loss, cost and expense or damage, however same may be caused, including all costs and reasonable attorney's fees in providing the defense to any claim arising from the performance or non-performance of this Agreement by Developer. This provision is intended to be broadly construed and extends to, among other things, any challenge to the validity of this Agreement, environmental review for the Project, entitlements, or anything related to the passage of the Agreement by the City.

15.9 Construction. This Agreement has been reviewed and revised by legal counsel for both the City and Developer and no presumption or rule that ambiguities shall be construed against the drafting Party shall apply to the interpretation or enforcement of this Agreement.

16. TERMINATION

16.1 Termination. This Agreement shall terminate upon the earlier of (i) expiration of the Term, or (ii) when the Property has been fully developed and all of Developer's obligations have been fully satisfied as reasonably determined by City, or (iii) after all appeals have been exhausted before a final court of judgment, or issuance of a final court order directed to the City to set aside, withdraw, or abrogate the City's approval of this Agreement or any material part thereof. Upon termination of this Agreement as to all of the Property, at the request of Developer the City shall record a Notice of Termination for each affected parcel in a form satisfactory to the City Attorney in the Office of the Santa Clara County Recorder.

16.2 Effect Upon Termination on Developer Obligations. Termination of this Agreement as to the Developer shall not affect any of the Developer's obligations to comply with the City's General Plan, SCCC, Conditions of Approval (including any environmental mitigation measures) or any terms and conditions of any applicable zoning, or subdivision map or other land use entitlement approved with respect to the Project, nor shall it affect any other covenants or development requirements in this Agreement specified to continue after the termination of this Agreement, or obligations to pay assessments, liens, fees or taxes, nor shall it affect Developer's obligations pursuant to **Section 4.8.a (iii)** ("**Indemnification**").

16.3 Effect Upon Termination on City. Upon any termination of this Agreement as to all or a portion of the Property, the Approvals, Development Plan, Conditions of Approval, limitations on fees and all other terms and conditions of this Agreement shall no longer be vested with respect to the Property, or portion thereof, and the City shall no longer be limited by this Agreement, to make any changes or modifications to the Approvals, conditions or fees applicable to the Property or portion thereof.

17. NOTICES

17.1 Notices. Except as otherwise expressly provided herein, all notices and demands pursuant to this Agreement shall be in writing and delivered in person, by commercial courier or by first-class certified mail, postage prepaid. Except as otherwise expressly provided herein, notices shall be considered delivered when personally served, upon delivery if delivered by commercial courier, or two (2) days after mailing if sent by mail. Notices shall be sent to the addresses below for the respective parties; provided, however, that either Party may change its address for purposes of this Section by giving written notice to the other Party. These addresses may be used for service of process:

City:	City Clerk City of Santa Clara 1500 Warburton Avenue Santa Clara, CA 95050
With copy to:	City Attorney City of Santa Clara 1500 Warburton Avenue Santa Clara, CA 95050
Developer	Benton and El Camino, LP c/o Prometheus Real Estate Group, Inc. 1900 S. Norfolk Street Suite 150 San Mateo, CA 94403 Attention: Rick Jacobsen
With copies to:	Philip J. Levine, Esq. Morrison & Foerster, LLP 755 Page Mill Road Palo Alto, CA 94304

The provisions of this Section shall be deemed directive only and shall not detract from the validity of any notice given in a manner that would be legally effective in the absence of this Section.

18. DEVELOPER AS INDEPENDENT CONTRACTOR

18.1 Developer is an Independent Contractor. Developer is not an agent or employee of City, but is an independent contractor with full rights to manage its employees subject to the requirements of the law. All persons employed or utilized by Developer in connection with this Agreement are employees or contractors of Developer and shall not be considered employees of City in any respect.

19. PROJECT AS A PRIVATE UNDERTAKING

19.1 Project as a Private Undertaking. It is specifically understood and agreed that the Project is a private development. No partnership, joint venture or other association of any kind between City and Developer is formed by this Agreement.

20. NONDISCRIMINATION

20.1 Nondiscrimination. Developer shall not discriminate, in any way, against any person on the basis of race, color, national origin, gender, marital status, sexual orientation, age, creed, religion or disability in connection with or related to the performance of this Agreement.

21. FORCE MAJEURE

21.1 Force Majeure. In addition to any specific provisions of this Agreement, performance of obligations hereunder shall be excused and the term of this Agreement shall be extended during any period of delay caused at any time by reason of: floods, earthquakes, fires or similar catastrophes; wars, riots or similar hostilities; strikes and other labor difficulties beyond the Party's reasonable control; the enactment of new laws or restrictions imposed by other governmental or quasi governmental entities preventing this Agreement from being implemented; or litigation involving this Agreement or the Approvals, which delays any activity contemplated hereunder, unless such action is brought by Developer. City and Developer shall promptly notify the other Party of any delay hereunder as soon as possible after the delay has been, or should have been, known.

22. OPERATING MEMORANDA

22.1 Operating Memoranda. The provisions of this Agreement require a close degree of cooperation between City and Developer, and refinements and further development of the Project may demonstrate that clarifications with respect to the details of performance of City and Developer or minor revisions to the Project are appropriate. If and when, from time to time, during the term of this Agreement, City and Developer agree that such clarifications or minor modifications are necessary or appropriate, they may effectuate such clarifications through operating memoranda approved by City and Developer, which, after execution, shall be attached hereto. No such operating memoranda shall constitute an Amendment to this Agreement requiring public notice or hearing. The City Attorney shall be authorized in his/her sole discretion to determine whether a requested clarification may be effectuated pursuant to this Section or whether the requested clarification is of such a character to require an amendment of the Agreement pursuant to **Section 25** hereof. The City Manager may execute any operating memoranda without City Council action.

23. THIRD PARTIES

23.1 Third Parties. If any person or entity not a party to this Agreement initiates an action at law or in equity to challenge the validity of any provision of this Agreement or the Approvals, the Parties shall reasonably cooperate in defending such action. Developer shall bear its own costs of defense as a real party in interest in any such action, and shall reimburse City for all reasonable costs and attorneys' fees expended by City in defense of any such action or other proceedings.

24. AMENDMENTS

24.1 Amendments. No alterations or changes to the terms of this Agreement shall be valid unless made in writing and signed by both Parties, and completed in compliance with the procedures listed in SCCC and/or the Government Code for Development Agreement Amendments.

25. NO THIRD PARTY BENEFICIARY

25.1 No Third Party Beneficiary. This Agreement shall not be construed or deemed to be an Agreement for the benefit of any third party or parties, and no third party or parties shall have any claim or right of action hereunder for any cause whatsoever.

26. DISPUTE RESOLUTION

26.1 Any controversies between Developer and City regarding the construction or application of this Agreement, and claims arising out of this Agreement or its breach, shall be submitted to mediation within thirty (30) days of the written request of one Party after the service of that request on the other Party.

26.2 The Parties may agree on one mediator. If they cannot agree on one mediator, the Party demanding mediation shall request the Superior Court of Santa Clara County to appoint a mediator. The mediation meeting shall not exceed one day (eight (8) hours). The Parties may agree to extend the time allowed for mediation under this Agreement.

26.3 The costs of the mediator shall be borne by the Parties equally; however, each Party shall bear its own attorney, consultant, staff and miscellaneous fees and costs.

26.4 Mediation under this Section is a condition precedent to filing an action in any court, but it is not a condition precedent to the City's refusal to issue a Building Permit or any other entitlement under **Section 5**.

27. CONSENT

27.1 Consent. Where consent or approval of a Party is required or necessary under this Agreement, the consent or Agreement shall not be unreasonably withheld or delayed.

28. COVENANT OF GOOD FAITH AND FAIR DEALING

28.1 Covenant of Good Faith and Fair Dealing. Neither Party to this Agreement shall do anything which shall have the effect of harming or injuring the right of the other Party to receive benefits of this Agreement; each Party shall refrain from doing anything which would render its performance under this Agreement impossible; and, each Party shall do everything which this Agreement contemplates to accomplish the objectives and purpose of this Agreement.

29. AUTHORITY TO EXECUTE

29.1 Authority to Execute. The person or persons executing this Agreement on behalf of Developer warrant and represent that they have the authority to execute this Agreement on behalf of Developer, and further represent that they have the authority to bind Developer to the performance of its obligations in this Agreement.

30. COUNTERPARTS

30.1 Counterparts. This Agreement may be executed in multiple originals, each of which is deemed an original, and may be signed in Counterparts. The Parties acknowledge and accept the terms and conditions of this Agreement as evidenced by the following signatures of their duly authorized representatives. It is the intent of the Parties that this Agreement shall become operative on the Effective Date.

CITY OF SANTA CLARA, CALIFORNIA,
a chartered California municipal corporation

APPROVED AS TO FORM:

RICHARD E. NOSKY, JR.
City Attorney

ATTEST:

ROD DIRIDON, JR.
City Clerk

JULIO J. FUENTES
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"CITY"

DEVELOPER
BENTON AND EL CAMINO, LP

By: _____
Signature of Person executing the Agreement on behalf of Developer

Name: _____

Title: _____

Local Address: _____

Email Address: _____

Telephone: ( ) _____

Fax: ( ) _____

DEVELOPMENT AGREEMENT
FOR
575 BENTON
(MIXED USE)
BETWEEN
THE CITY OF SANTA CLARA,
a chartered California municipal corporation,
AND
BENTON AND EL CAMINO, LP

EXHIBIT A-1

LEGAL DESCRIPTION OF PROPERTY

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SANTA CLARA, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

BEING A PORTION BLOCKS 2 & 3 NORTH, RANGE 4 EAST AND BLOCKS 2 & 3 NORTH, RANGE 5 EAST TOGETHER WITH A PORTION OF FREMONT STREET AND SHERMAN STREET (BOTH BEING A PUBLIC STREET 70 FEET IN WIDTH) AS SHOWN ON THAT CERTAIN OFFICIAL MAP OF SANTA CLARA ENTITLED "MAP OF THE TOWN OF SUB-LOTS OF SANTA CLARA, SANTA CLARA COUNTY, CALIFORNIA, SURVEYED BY J.J. BOWEN, COUNTY SURVEYOR, JULY 1866", RECORDED AUGUST 22ND, 1866 IN BOOK B OF MAPS, PAGE 103 RECORDS OF SAID SANTA CLARA COUNTY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHWESTERLY LINE OF FREMONT STREET AND THE NORTHEASTERLY LINE OF THE ALAMEDA (A PUBLIC STREET 70 FEET IN WIDTH), AS THE ALAMEDA IS ALSO SHOWN ON SAID OFFICIAL MAP FILED IN BOOK B, PAGE 103;

THENCE NORTH 24° 02' 05" WEST ALONG SAID NORTHEASTERLY LINE OF THE ALAMEDA, A DISTANCE OF 75.00 FEET;

THENCE NORTH 65° 53' 15" EAST, A DISTANCE OF 150.50 FEET;

THENCE NORTH 24° 02' 05" WEST, A DISTANCE OF 77.75 FEET;

THENCE NORTH 65° 53' 15" EAST, A DISTANCE OF 150.94 FEET;

THENCE NORTH 24° 00' 15" WEST, A DISTANCE OF 70.96 FEET;

THENCE SOUTH 56° 31' 00" EAST, A DISTANCE OF 130.24 FEET;

THENCE SOUTH 24° 00' 15" EAST, A DISTANCE OF 18.61 FEET;

THENCE SOUTH 56° 31' 00" EAST, A DISTANCE OF 505.37 FEET TO THE BEGINNING OF A TANGENT CURVE;

THENCE SOUTHEASTERLY ALONG LAST MENTIONED CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, THROUGH A CENTRAL ANGLE OF 122º 29’ 26”, AN ARC DISTANCE OF 42.76 FEET;

THENCE SOUTH 42° 53’ 20” WEST, A DISTANCE OF 37.97;

THENCE SOUTH 65° 56’ 26” WEST, A DISTANCE OF 219.84 FEET;

THENCE NORTH 24° 00’ 15” WEST, A DISTANCE OF 6.34 FEET;

THENCE SOUTH 66° 22’ 56” WEST, A DISTANCE OF 120.20 FEET;

THENCE SOUTH 24° 01’ 05” EAST, A DISTANCE OF 7.26 FEET;

THENCE SOUTH 65° 57’ 00” WEST, A DISTANCE OF 100.00 FEET;

THENCE NORTH 24° 01’ 05” WEST, A DISTANCE OF 8.01 FEET;

THENCE SOUTH 66° 22’ 56” WEST, A DISTANCE OF 51.00 FEET;

THENCE SOUTH 24° 01’ 05” EAST, A DISTANCE OF 8.40 FEET;

THENCE SOUTH 65° 57’ 00” WEST, A DISTANCE OF 79.96 FEET TO THE BEGINNING OF A TANGENT CURVE;

THENCE WESTERLY ALONG LAST MENTIONED CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, THROUGH A CENTRAL ANGLE OF 90º 00’ 55”, AN ARC DISTANCE OF 31.42 FEET;

THENCE NORTH 24° 02’ 05” WEST, A DISTANCE OF 356.48 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 254,466 SQUARE FEET (5.84 ACRES) OF LAND, MORE OR LESS.

THE BEARING OF NORTH 65º 53’ 15” EAST ON THE MONUMENT LINE OF FREMONT STREET BETWEEN THE ALAMEDA AND SHERMAN STREET AS SHOWN UPON THAT CERTAIN PARCEL MAP FILED IN BOOK 386 PAGE 8, OF RECORDS OF SAID SANTA CLARA COUNTY WAS USED AS THE BASIS OF ALL BEARINGS FOR THIS DESCRIPTION.

DEVELOPMENT AGREEMENT
FOR
575 BENTON
(MIXED USE)
BETWEEN
THE CITY OF SANTA CLARA,
a chartered California municipal corporation,
AND
BENTON AND EL CAMINO, LP

EXHIBIT A-2

DIAGRAM OF PROPERTY

[See attached]

DEVELOPMENT AGREEMENT
FOR
575 BENTON
(MIXED USE)
BETWEEN
THE CITY OF SANTA CLARA,
a chartered California municipal corporation,
AND
BENTON AND EL CAMINO, LP

EXHIBIT B

HEIGHT PLAN

[See attached]

DEVELOPMENT AGREEMENT
FOR
575 BENTON
(MIXED USE)
BETWEEN
THE CITY OF SANTA CLARA,
a chartered California municipal corporation,
AND
BENTON AND EL CAMINO, LP

EXHIBIT C

MITIGATION MONITORING AND REPORTING PROGRAM

[See attached]

DEVELOPMENT AGREEMENT
FOR
575 BENTON
(MIXED USE)
BETWEEN
THE CITY OF SANTA CLARA,
a chartered California municipal corporation,
AND
BENTON AND EL CAMINO, LP

EXHIBIT D

CONDITIONS OF APPROVAL

[See attached]

DEVELOPMENT AGREEMENT
FOR
575 BENTON
(MIXED USE)
BETWEEN
THE CITY OF SANTA CLARA,
a chartered California municipal corporation,
AND
BENTON AND EL CAMINO, LP

EXHIBIT E

AFFORDABILITY PROVISIONS

Developer shall provide opportunities for the rental of affordable residential units, within the Project and/or at one or more sites within the City, in accordance with the provisions of this **Exhibit E** (collectively, the "**Affordability Provisions**").

1. Affordable Units within Project. Subject to the provisions of **Section 2** and **Section 3** below, ten percent (10%) of the Total Number of Residential Units within the Project shall be affordable to households meeting the income levels specified in this **Section 1** below and subject to all other applicable Affordability Provisions (collectively, the "**Project Affordable Units**"). As used in **Exhibit E**, the phrase "**Total Number of Residential Units within the Project**" means the total number of residential units within the Project for which Building Permits have been issued, up to a maximum total of 355 residential units.

1.1. Low Income Units. Thirty percent (30%) of the Project Affordable Units (collectively, the "**Low Income Project Units**") shall be restricted to occupancy by households with income that does not exceed eighty percent (80%) of the Area Median Income for Santa Clara County ("**AMI**") adjusted for household size and as established and amended from time to time by the United States Department of Housing and Urban Development ("**HUD**") pursuant to Section 8 of the United States Housing Act of 1937 or any successor statute. The mix of unit types for the Low Income Project Units shall be subject to mutual agreement between City and Developer. The monthly rent for each of the Low Income Project Units shall not exceed one twelfth ($1/12^{th}$) of thirty percent (30%) of eighty percent (80%) of AMI adjusted for the following assumed household sizes (collectively, the "**Assumed Household Sizes**"):

Unit Type	**Assumed Household Size**
Studio	One (1) person household
1 Bedroom	Two (2) person household
2 Bedroom	Three (3) person household

1.2. Moderate Income Units. Seventy percent (70%) of the Project Affordable Units (collectively, the "**Moderate Income Project Units**") shall be restricted to occupancy by households with income that does not exceed one hundred twenty percent (120%) of the AMI.

The mix of unit types for the Moderate Income Project Units shall be subject to mutual agreement between City and Developer. The monthly rent for each of the Moderate Income Project Units shall not exceed one twelfth ($1/12^{th}$) of thirty percent (30%) of one hundred twenty percent (120%) of AMI adjusted for the Assumed Household Sizes.

1.3. Other Affordability Provisions Applicable to Project Affordable Units.

1.3.1. In the event that the number of Project Affordable Units calculated as set forth in **Section 1** above results in the inclusion of a decimal, the Project Affordable Units required to be provided hereunder by Developer shall be rounded down to the nearest lower whole number in the event the decimal is less than .5 and shall be rounded up to the nearest higher whole number in the event the decimal equals or exceeds .5.

1.3.2. Rent for Project Affordable Units shall be based on the AMI for the County of Santa Clara at the time of City issuance of Certificates of Occupancy and shall adjust consistent with adjustments in the AMI. If HUD fails to issue revised AMI/household income statistics for Santa Clara County within fifteen (15) months of the previous revision, rents for the Project Affordable Units may be adjusted based on the annual percentage increase in the San Jose-Sunnyvale-Santa Clara Consumer Price Index for Urban Wage Earners and Clerical Workers.

1.3.3. The rent described herein shall exclude charges for utilities in the broadest sense, including but not limited to gas, electricity, water, garbage, television, cable, telephone, and internet service; provided, however, that if any or all of such utilities are offered at no cost to market rate units, they shall also be offered at no cost to Project Affordable Units.

1.3.4. The proposed location(s) of the Project Affordable Units shall be designated by Developer at the time of issuance of the Building Permit for Vertical Construction of the Residential Building(s) proposed to include any Project Affordable Units, which location(s) shall be subject to City's consent, which shall not be unreasonably withheld, delayed or conditioned by City.

1.3.5. The Project Affordable Units shall be of comparable quality to the market rate units.

1.3.6. Tenants of Project Affordable Units shall have equal access to and enjoyment of all common facilities of the Project.

1.3.7. Developer shall accept Section 8 vouchers as a means of assisting qualified applicants/residents.

1.3.8. A minimum of one (1) Project Affordable Unit shall be fully accessible to households with a physically impaired member.

1.3.9. Developer will obtain, complete and maintain on file, immediately prior to initial occupancy and annually thereafter, income certifications from each occupant renting any of the Project Affordable Units. Developer shall make a good faith reasonable effort to verify that the income certification provided by an applicant or occupying household is accurate.

1.3.10. If, upon recertification of the income of a tenant of a Low Income Project Unit, Developer determines that such income exceeds the qualifying income for a Low Income Project Unit, but does not exceed the qualifying income for a Moderate Income Project Unit, then, upon expiration of such tenant's lease, such tenant's unit shall be considered a Moderate Income Project Unit, such tenant's rent may be increased to the rent then in effect for Moderate Income Project Units upon not less than sixty (60) days' written notice, and Developer shall rent the next available Project Affordable Unit as a Low Income Project Unit or Moderate Income Project Unit, as applicable, to meet the provisions of **Section 1.1** and **Section 1.2** above.

1.3.11. If, upon recertification of the income of a tenant of a Low Income Project Unit or Moderate Income Unit, Developer determines that such income exceeds the qualifying income for a Moderate Income Project Unit, then, upon expiration of such tenant's lease, Developer shall have the option to: (a) rent such Project Affordable Unit as a Low Income Project Unit or Moderate Income Project Unit, as applicable, to meet the provisions of **Section 1.1** and **Section 1.2** above; or (b) permit such tenant to continue occupying such unit and, upon not less than sixty (60) days' written notice, such tenant's rent may be increased to the fair market rent and Developer shall rent the next available residential unit as a Low Income Project Unit or Moderate Income Project Unit, as applicable, to meet the provisions of **Section 1.1** and **Section 1.2** above.

1.3.12. Upon termination of occupancy of a Project Affordable Unit by a tenant, such Project Affordable Unit shall be deemed to be continuously occupied by a household of the same income level (e.g., low income or moderate income) as the income level of the vacating tenant, until such Project Affordable Unit is reoccupied, at which time the income character of the Project Affordable Unit (e.g., Low Income Project Unit or Moderate Income Project Unit) shall be re-established. In any event, Developer shall maintain the occupancy requirements set forth in **Section 1** above.

1.3.13. Once each year, Developer (or Developer's successor in interest) shall provide City with a written report detailing the average annual income of tenants occupying the Project Affordable Units in each of the income categories described in **Sections 1.1** and **1.2** above, the number of persons in each household occupying the Project Affordable Units, and the number of vacancies and new rentals during the year for the Project Affordable Units.

1.3.14. Developer, with City consultation, shall assume all responsibility for marketing of the Project Affordable Units. Marketing material, lease forms, rent-up schedules and other similar printed material related to the Project Affordable Units shall be subject to City approval, which shall not be unreasonably withheld, delayed or conditioned.

1.3.15. Notwithstanding any provision to the contrary in **Section 1** ("**Term**") of the Development Agreement to which this **Exhibit E** is attached, the term of the Affordability Provisions with respect to the Project Affordable Units (the "**Project Affordability Provisions Term**") shall commence upon the issuance of the first Certificate of Occupancy for a Residential Building within the Project and shall continue for a period of thirty (30) years thereafter. Subject to the preceding sentence, the Affordability Provisions shall run with the land comprising the Property and shall be binding upon all successors in title to the Property. Prior to expiration of the Term of the Development Agreement and upon City's request, Developer and City shall enter into and record against the Property a mutually acceptable written instrument that

carries forward the provisions of this **Exhibit E** for the remainder of the Project Affordability Provisions Term. In the event that the Parties fail to enter into such an instrument, then the provisions of this **Exhibit E** shall continue to be in effect for the Project Affordability Provisions Term.

2. Offsite Affordable Units.

2.1. Developer Election. Not later than three (3) three years of the commencement of the Term of the Development Agreement or by such later date agreed to by City (the "**Developer Election Period**"), Developer shall provide written notice to City of Developer's election ("**Developer's Election Notice**") to either: (a) provide the Project Affordable Units pursuant to **Section 1** above or (b) provide or cause to be provided at one or more locations offsite from the Property a number of residential units equal to ten percent (10%) of the Total Number of Residential Units within the Project (subject to the rounding provisions in **Section 1.3.1** and the provisions of **Section 3** below), affordable to low income and moderate income households meeting the income levels specified in this **Section 2** below and subject to all other applicable Affordability Provisions (collectively, the "**Offsite Affordable Units**"). The number of any Offsite Affordable Units provided hereunder by Developer shall be in addition to the Total Number of Residential Units within the Project, and the development of any such Offsite Affordable Units shall be subject to City's entitlement review process, including appropriate review under CEQA. If Developer fails to provide a Developer's Election Notice within the Developer Election Period, Developer shall be deemed to have elected to provide the Project Affordable Units pursuant to **Section 1** above.

2.2. Offsite Affordable Units Program. If Developer provides a Developer's Election Notice pursuant to clause (b) of **Section 2.1** above, then the following Affordability Provisions shall apply:

2.2.1. Within one hundred twenty (120) days following the date of Developer's Election Notice, Developer shall use good faith commercially reasonable efforts to secure appropriate rights (whether by means of an option agreement, purchase and sale agreement, or such other means reasonably acceptable to City), and to provide written evidence thereof to City, for the acquisition of one or more parcels of property offsite from the Property and at one or more locations within the City reasonably acceptable to City and suitable for the potential development of the Offsite Affordable Units in accordance with the applicable Affordable Provisions (collectively, the "**Offsite Location**").

2.2.2. If Developer does not intend to develop the Offsite Affordable Units on its own, then within one hundred twenty (120) days following the date of Developer's Election Notice, Developer shall use good faith commercially reasonable efforts to enter into (or cause an affiliate of Developer reasonably acceptable to City to enter into) one or more partnership and/or other written agreements with one or more Qualified Partners (as hereinafter defined) (the "**Offsite Affordability Partnership Agreement**") for the formation (if applicable), financing and operations of a partnership or other entity (which may be a Qualified Partner) for the development of the Offsite Affordable Units (the "**Offsite Affordability Partnership**"). The Offsite Affordability Partnership Agreement shall obligate Developer (or such affiliate of Developer) to contribute to the Offsite Affordability Partnership the Offsite Location and/or provide or assist the Offsite Affordability Partnership in securing equity, grants, loans, subsidies and/or other financing

(collectively, the "**Partnership Contribution**") to help assure the successful development of the Offsite Affordable Units in accordance with the applicable Affordability Provisions. As used herein "Qualified Partner" means an entity with an established history of at least five (5) years' experience in developing, owning and operating multifamily affordable housing and reasonably acceptable to City.

2.2.3. Subject to the provisions of **Sections 2.21** and **2.2.2**, and provided that all land use approvals and other permits and entitlements to allow development of the Offsite Affordable Units shall have first been timely issued, the Offsite Affordable Units shall be developed within the later to occur of: (a) thirty-six (36) months after the date of Developer's Election Notice; or (b) thirty-six (36) months after the issuance by City of the final (last) Certificate of Occupancy for the Residential Buildings within the Project. Such dates shall be automatically extended for the period of any "force majeure" events.

2.2.4. The Offsite Affordable Units shall be restricted to occupancy by households with the following income levels: (a) thirty percent (30%) of the Offsite Affordable Units shall be restricted to occupancy by households with income that does not exceed eighty percent (80%) of the AMI (collectively, the "**Low Income Offsite Units**"); and (b) seventy percent (70%) of the Offsite Affordable Units shall be restricted to occupancy by households with income that does not exceed one hundred twenty percent (120%) of the AMI (collectively, the "**Moderate Income Offsite Units**"). The mix of unit types for the Offsite Affordable Units shall be subject to mutual agreement between City and Developer. The monthly rent for each of the Low Income Offsite Units shall not exceed one twelfth ($1/12^{th}$) of thirty percent (30%) of eighty percent (80%) of AMI adjusted for the Assumed Household Sizes. The monthly rent for each of the Moderate Income Offsite Units shall not exceed one twelfth ($1/12^{th}$) of thirty percent (30%) of one hundred twenty percent (120%) of AMI adjusted for the Assumed Household Sizes.

2.2.5. Subject to the preceding provisions of this **Section 2**, the provisions of **Section 1.3** above also shall apply with respect to the Offsite Affordable Units, excepting that, as applicable and appropriate: (a) all references therein to the "Project Affordable Units" shall be deemed to refer to the "Offsite Affordable Units;" (b) all references therein to the "Low Income Project Units" and "Moderate Income Project Units" shall be deemed to refer to the "Low Income Offsite Units" and "Moderate Income Offsite Units; and (c) the term of the Affordability Provisions with respect to the Offsite Affordable Units shall commence upon the issuance of the first Certificate of Occupancy for an Offsite Affordable Unit and shall continue for a period of fifty-five (55) years thereafter.

3. Mix of Project Affordable Units and Offsite Affordable Units.

Notwithstanding any provision herein to the contrary, and subject to mutual agreement between City and Developer, Developer shall be allowed to meet its obligations under these Affordability Provisions by providing a mix of Project Affordable Units and Offsite Affordable Units such that the sum of the Project Affordable Units and Offsite Affordable Units equals ten percent (10%) of the Total Number of Residential Units within the Project (subject to the rounding provisions in **Section 1.3.1**).

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EXHIBIT F

HAZARDOUS MATERIALS

The term "Hazardous Material(s)" shall mean any toxic or hazardous substance, material or waste or any pollutant or contaminant or infectious or radioactive material, including but not limited to, those substances, materials or wastes regulated now or in the future under any of the following statutes or regulations and any and all of those substances included within the definitions of "hazardous substances," "hazardous waste," "hazardous chemical substance or mixture," "imminently hazardous chemical substance or mixture," "toxic substances," "hazardous air pollutant," "toxic pollutant" or "solid waste" in the (a) "CERCLA" or "Superfund" as amended by SARA, 42 U.S.C. Sec. 9601 et seq., (b) RCRA, 42 U.S.C. Sec. 6901 et seq., (c) CWA., 33 U.S.C. Sec. 1251 et seq., (d) CAA, 42 U.S.C. 78401 et seq., (e) TSCA, 15 U.S.C. Sec. 2601 et seq., (f) The Refuse Act of 1899, 33 U.S.C. Sec. 407, (g) OSHA, 29 U.S.C. 651 et seq. (h) Hazardous Materials Transportation Act, 49 U.S.C. Sec. 1801 et seq., (i) USDOT Table (40 CFR Part 302 and amendments) or the EPA Table (40 CFR Part 302 and amendments), (j) California Superfund, Cal. Health & Safety Code Sec. 25300 et seq., (k) Cal. Hazardous Waste Control Act, Cal. Health & Safety Code Section 25100 et seq., (l) Porter-Cologne Act, Cal. Water Code Sec. 13000 et seq., (m) Hazardous Waste Disposal Land Use Law, Cal. Health & Safety Code Sec. 25220 et seq., (n) "Proposition 65," Cal. Health and Safety Code Sec. 25249.5 et seq., (o) Hazardous Substances Underground Storage Tank Law, Cal. Health & Safety Code Sec. 25280 et seq., (p) California Hazardous Substance Act, Cal. Health & Safety Code Sec. 28740 et seq., (q) Air Resources Law, Cal. Health & Safety Code Sec. 39000 et seq., (r) Hazardous Materials Release Response Plans and Inventory, Cal. Health & Safety Code Secs. 25500-25541, (s) TCPA, Cal. Health and Safety Code Secs. 25208 et seq. and (t) regulations promulgated pursuant to said laws or any replacement thereof, or as similar terms are defined in the federal, state and local laws, statutes, regulations, orders or rules. Hazardous Materials shall also mean any and all other substances, materials and wastes which are, or in the future become regulated under applicable local, state or federal law for the protection of health or the environment, or which are classified as hazardous or toxic substances, materials or wastes, pollutants or contaminants, as defined, listed or regulated by any federal, state or local law, regulation or order or by common law decision, including, without limitation, (i) trichloroethylene, tetracholoethylene, perchloroethylene and other chlorinated solvents, (ii) any petroleum products or fractions thereof, (iii) asbestos, (iv) polychlorinated biphenyls, (v) flammable explosives, (vi) urea formaldehyde, and (vii) radioactive materials and waste.

The term “Environmental Laws” shall mean and include all federal, state, and local laws, statutes, ordinances, regulations, resolutions, decrees, and/or rules now or hereinafter in effect, as may be amended from time to time, and all implementing regulations, directives, orders, guidelines, and federal or state court decisions, interpreting, relating to, regulating or imposing liability (including, but not limited to, response, removal, remediation and damage costs) or standards of conduct or performance relating to industrial hygiene, occupational, health, and/or safety conditions, environmental conditions, or exposure to, contamination by, or clean-up of, and all Hazardous Materials, including without limitation, all federal or state superfund or environmental clean-up statutes.

DEVELOPMENT AGREEMENT
FOR
575 BENTON
(MIXED USE)
BETWEEN
THE CITY OF SANTA CLARA,
a chartered California municipal corporation,
AND
BENTON AND EL CAMINO, LP

EXHIBIT G

VACATED STREET AREAS

[See attached]

DEVELOPMENT AGREEMENT
FOR
575 BENTON
(MIXED USE)
BETWEEN
THE CITY OF SANTA CLARA,
a chartered California municipal corporation,
AND
BENTIN AND EL CAMINO, LP

EXHIBIT H

FMV APPRAISAL METHODOLOGY FOR VACATED STREET AREAS

The fair market value of the Vacated Street Areas ("**Fair Market Value**") shall be determined in the following manner:

1. Within ninety (90) days following the Effective Date, Developer and City shall each appoint an appraiser and notify the other in writing of such appointment and of the name and address of the appraiser so appointed. Developer and City shall instruct the appraisers to determine in writing the Fair Market Value within thirty (30) days after their appointment. If within forty five (45) days after their appointment the two appraisers do not agree on the Fair Market Value, the Fair Market Value shall be determined as follows:

1.1. If the higher appraisal is not more than ten percent (10%) higher than the lower appraisal, then the Fair Market Value shall equal the average of the determinations made by the two appraisers, and shall be binding on Developer and City.

1.2. If the higher appraisal is more than ten percent (10%) higher than the lower appraisal, the appraisers shall then appoint a third appraiser within fifteen (15) days after the original two appraisers complete their determination of the Fair Market Value. The third appraiser shall make a determination of Fair Market Value within sixty (60) days after such appointment. The Fair Market Value shall equal the average of the three appraisals, except as set forth below in **Section 2.3**, and shall be binding on Developer and City. If (a) the third appraiser fails to determine the Fair Market Value within sixty (60) days of appointment and as provided above; or (a) the appraisers selected by Developer and City are unable to agree on a third appraiser, then in such event the Fair Market Value shall be the average of the determinations of Fair Market Value made by the two appraisers.

1.3. If three appraisals have been made as set forth above, if the highest of the three appraisals of the Fair Market Value is more than 10 percent (10%) higher than the next closest appraisal it shall be disregarded in determining the average. If the lowest of the three appraisals of the Fair Market Value is more than 10 percent (10%) below the next closest appraisal, it shall be disregarded in determining the average.

2. Each Appraiser appointed pursuant to this Exhibit H must be an MAI appraiser (or equivalent) with at least 10 years continuous and active experience in Santa Clara County, and licensed in California. Each appraiser shall be independent and shall have no financial interest in the Property other than to earn a customary fee.

3. The charges for the services of each appraiser, if any, shall be borne by the party who selected that appraiser and the charges for the third appraiser, if required, shall be borne equally by Developer and City.

4. If either Developer or City fails to appoint an appraiser as provided above, the appraiser appointed by the other party shall alone determine the Fair Market Value and such determination shall be binding on the Parties.

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, DETERMINING THAT A PROPOSED VACATION OF FREMONT STREET EAST OF THE ALAMEDA AND A PORTION OF SHERMAN STREET NORTH OF BENTON STREET WOULD BE IN CONFORMANCE WITH THE 2010-2035 GENERAL PLAN

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, pursuant to Section 8320 et seq. of the California Streets and Highways Code, the City Council may vacate a street when it is unnecessary for present or prospective public use;

WHEREAS, City Staff recommends vacating specific portions of the streets commonly known as Fremont Street and Sherman Street;

WHEREAS, the vacated streets will be used to facilitate the development of the 575 Benton Project, a mixed-use development proposed by Prometheus Real Estate Group with up to 355 apartment units, approximately 20,000 square feet (sf) of retail space and potentially an additional 2,364 square feet of commercial space within the 8 live-work units, approximately 6,000 sf of amenity space including leasing space, amenity roof deck, and pet spa and a parking garage;

WHEREAS, the current land use designations for the Site in the 2010-2035 General Plan is Santa Clara Station High Density, and the developer has proposed a General Plan Amendment to redesignate the Site as Santa Clara Station Very High Density, and to adopt a General Plan policy allowing for commercial uses in this area;

WHEREAS, the proposed Santa Clara Station Very High Density land use designation provides for residential development at densities ranging from 51 to 100 units per gross acre in the Santa Clara Station Focus Area, in areas adjacent to major transportation corridors, transit or mixed uses, and the proposed designation allows retail uses at ground level;

WHEREAS, the 575 Benton project, which will be constructed on the vacated land, is a mixed-use development with a density of 61.7 dwelling units per acre in the vicinity of a major transportation hub, and will include ground floor retail uses, consistent with the proposed Santa Clara Station Very High Density designation;

WHEREAS, pursuant to California Government Code section 65402, prior to the City Council vacating a street, the Planning Commission must make a report to the City Council as to whether the proposed vacation would be in conformance with the General Plan; and

WHEREAS, on May 23, 2018, the Planning Commission held a duly noticed public meeting to consider the proposed vacation, at which all interested persons were invited to provide evidence and give testimony.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That based upon all of the evidence in the record and testimony received, the Planning Commission hereby finds and reports to the City Council that the proposed vacation of the Site would be in conformance with the 2010-2035 General Plan, as proposed to be amended.

2. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 23RD DAY OF MAY, 2018, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments:
1. Exhibit A – Legal description of vacated areas
2. Exhibit B – Plat to accompany legal description

I:\PLANNING\2017\Project Files Active\PLN2017-12489 575 Benton St\PC\5.9.18 PC Packet\PC Reso Street Vacation GP Finding.doc

EXHIBIT A

LEGAL DESCRIPTION OF VACATED AREAS

EXHIBIT B

PLAT TO ACCOMPANY LEGAL DESCRIPTION

575 Benton - Viso Project
Santa Clara, California

Addendum
to the Mission Town Center
Final Environmental Impact Report
SCH No. 201532076

Prepared for:

City of Santa Clara
Planning Division – Community Development Department
1500 Warburton Avenue | Santa Clara, CA 95050

Prepared by:

Impact Sciences, Inc.
505 14th Street, Suite 1230
Oakland, California 94612

October 2017

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1.0 INTRODUCTION

This Addendum, checklist, and attached supporting documents have been prepared to document that the Final Environmental Impact Report (FEIR) (State Clearinghouse Number 201532076) for the Mission Town Center project adequately addresses the potential environmental impacts of the proposed 575 Benton - Viso project (proposed project), at 575 Benton Street, in the City of Santa Clara, California pursuant to California Environmental Quality Act (CEQA) (Pub. Resource Code, Section 21000, et seq.) and that no Subsequent or Supplemental EIR is required.

2.0 PURPOSE AND BACKGROUND

On February 23, 2016 the Santa Clara City Council certified the FEIR and adopted Findings and a Mitigation Monitoring Program pursuant to CEQA for the Mission Town Center project.

The Mission Town Center project included the demolition of the existing buildings on the 5.75-acre project site, located at the intersection of Benton Street and El Camino Real in the southeastern portion of the City of Santa Clara, and the construction of a mixed-use residential development project that would consist of 385 apartment units, three distinct private open space areas, approximately 27,000 square feet of ground floor retail, 6,000 square feet amenity space, three courtyards, 4,000 square feet leasing space, and 839 parking spaces (See **Table 2-1**).

Since then, a new applicant has submitted an application to the City of Santa Clara to develop the project site with a mixed-use development similar to the project that was analyzed in the FEIR with minor modifications that include a reduction in the number of residential units, the amount of retail space, and the number of parking spaces. The proposed project includes 355 apartment units including 8 live-work units, approximately 22,064 square feet of retail space with 2,364 square feet within 8 work-live units, 1,601 square feet of leasing office space, 5,866 square feet of amenity space, three courtyards and public open space areas, and 645 parking spaces (See **Table 2-1**).

The City of Santa Clara has prepared this Addendum to document that the proposed project is substantially the same as the previously evaluated project, that the environmental effects of the proposed development project are adequately analyzed in the FEIR, certified in February 2016, and that there are no changes in circumstances or substantial new information that would trigger the need for further environmental review under CEQA.

Table 2-1
Land Uses

Land Uses	Mission Town Center Project Analyzed in the FEIR	Proposed Project
Residential	385 units	355 units (including 8 live-work units)
Retail	27,000 sf	22,064 sf
Retail within live-work units	--	2,364 sf
Amenity	6,000 sf	5,866 sf
Leasing	4,000 sf	1,601 sf
Parking (garage)	839 spaces	645 spaces

Source: City of Santa Clara, 2016; Prometheus Real Estate Group, 2017
Notes: sf= square feet

The CEQA Guidelines provide that where none of the conditions requiring the preparation of a subsequent or supplemental EIR are met, a lead agency would prepare an Addendum to the previously adopted EIR, and include a brief explanation of the decision to not prepare a Subsequent or Supplemental EIR supported by substantial evidence (Section 15164). Based on the analysis below, this Addendum concludes that the proposed 575 Benton - Viso project would not result in a new environmental impact previously not evaluated in the FEIR, an increase in the severity of significant adverse impacts previously identified and studied in the FEIR, nor would the project require the adoption of any new or considerably different mitigation measures, or otherwise trigger the need for further environmental review. Therefore this Addendum, combined with the FEIR, provide environmental review appropriate for the approval of the proposed project.

3.0 CEQA REQUIREMENTS

CEQA Guidelines Section 15164(a) states that the lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent or supplemental EIR have occurred. Section 15164(c) states than an addendum does not need to be circulated for public review. Section 15164(d) provides that the decision-making body shall consider the addendum in conjunction with the certified EIR prior to making a decision on the project. Section 15164(e) requires documentation of the decision not to prepare a subsequent or supplemental EIR pursuant to Section 15162.

CEQA Guidelines Section 15162(a) provides that once an EIR has been certified, no subsequent EIR shall be prepared unless the lead agency determines, on the basis of substantial evidence, one or more of the following:

- Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

- Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

  - The project will have one or more significant effects not discussed in the previous EIR;

  - Significant effects previously examined will be substantially more severe than shown in the previous EIR;

  - Mitigation measures previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

  - Mitigation measures which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

This Addendum has been prepared to satisfy the requirements of CEQA Guidelines Sections 15164(b), 15164(d), and 15164(e).

4.0 PROJECT DESCRIPTION

4.1 Project Location

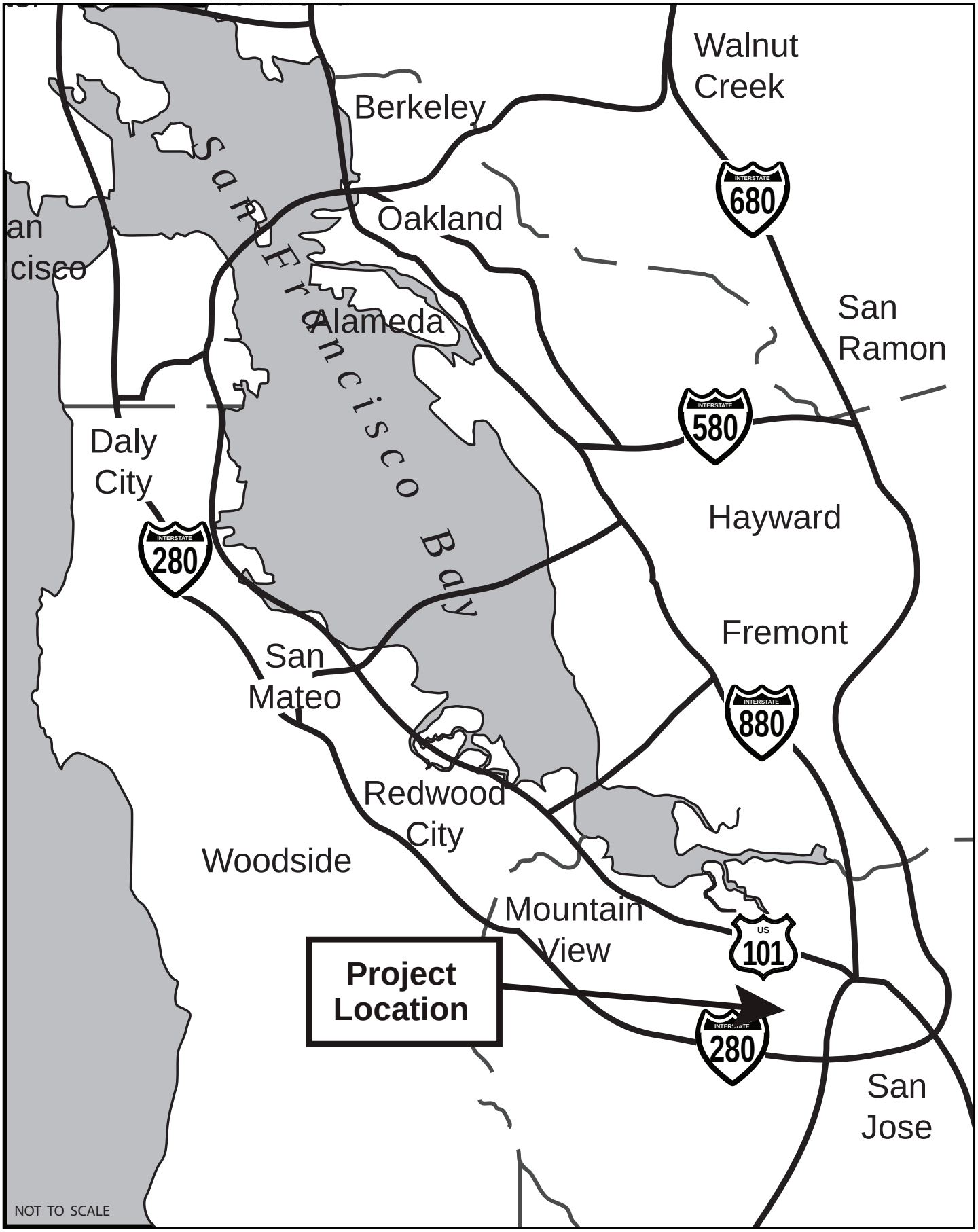
The project site is located in the southeastern portion of the City of Santa Clara at the corner of Benton Street and El Camino Real (See **Figure 4-1, Regional Location**). Specifically, the project site is bound by Benton Street to the south, commercial and residential development along Harrison Street to the north, The Alameda to the west, and El Camino Real to the east.

Regional access to the project site is provided by Interstate 880 (I-880) to the southeast via The Alameda and El Camino Real. Direct access to the site is provided by Benton Street and El Camino Real. Secondary access to the project site is provided by The Alameda and Harrison Street.

Valley Transportation Authority (VTA) buses, including routes 32, 60, and 81 provide service to the project area. The nearest VTA bus stop to the project site is located at mid-block on Benton Street between Sherman Street and El Camino Real. Additionally, the Santa Clara Transit Center (transit center) is located southeast of the project site across El Camino Real. The transit center services several regional carriers. However, it requires crossing six-lane arterial to access the transit center from the project site. Carriers that service the transit center include VTA, Altamont Corridor Express (ACE), Caltrain, and Amtrak Capitol Corridor.

4.2 Existing Conditions

The 5.75-acre project site is located on the southwestern corner of El Camino Real and Benton Street (See **Figure 4-2, Project Site**). The project site is relatively flat and comprises 12 parcels with three parcels designated for residential uses, three parcels designated for commercial uses, and three other parcels designated for light industrial uses. One parcel is vacant. The project site is developed with approximately 101,207 gross square feet (gsf) of commercial and light industrial space, 10 residential units that total about 9,426 gsf, roadways (Fremont and Sherman Streets), site serving infrastructure, and landscaping. The residential and commercial parcels are flanked by mature trees and landscaping consisting of irrigated lawn, ground cover, and shrubs. Approximately 87 percent (5.0 acres) of the project site is currently under impervious surfaces (buildings, roadways, sidewalks, and parking lots). The remaining 13 percent (0.7 acre) of the site is pervious and landscaped with trees and shrubs. There are 26 trees on the project site.



SOURCE: Impact Sciences, 2017

FIGURE **4-1**

IMPACT SCIENCES

Regional Location

1308.001•08/17



SOURCE: Google Inc., 2017

FIGURE **4-2**

IMPACT SCIENCES

Project Site

1308.001•08/17

4.3 Surrounding Land Uses

The area surrounding the project site is fully developed with mostly residential and commercial uses. A medical office building and single-family homes are located directly adjacent to the north/northwest of the project site along Harrison Street. In addition, commercial uses are located to the north across Harrison Street. To the east and northeast is an apartment complex and the Santa Clara Police Department headquarters located on the northeastern corner of El Camino Real and Benton Street. A limousine rental office is located at the southeastern corner of El Camino Real and Benton Street. A multi-unit residential building and single-family residences are located to the south across Benton Street. Single-family residential uses, a residence hall, and commercial uses are located to the west across The Alameda. Other major uses in the area include Santa Clara University, located one block to the south, and the Santa Clara Transit Center which is located approximately 500 feet to the southeast.

4.4 Project Features and Operations

The proposed project would demolish the existing structures on the approximately 5.75-acre project site, with the exception to the two historical homes at 3410 The Alameda and at 3370 The Alameda, and construct a mix of residential and retail uses that would include 355 apartment units (including 8 live-work units), retail space, amenities, public and private recreational areas, site serving infrastructure, and a parking structure. The proposed site plan is shown on Figure 4-3, Site Plan. Table 4-1, Proposed Land Uses, presents summary information regarding the various types of proposed land uses.

Table 4-1
Proposed Land Uses

Proposed Land Use	Space (sf)
Residential	346,823
Retail	22,064
Retail with the 8 work-live units	2,364
Amenity	5,866
Leasing	1,601
Public and private recreational areas	40,024
Parking (garage)	296,062

Source: Prometheus Real Estate Group, 2017
Notes: sf= square feet



SOURCE: Studio T Square, 2017

FIGURE **4-3**

Site Plan

IMPACT SCIENCES

1308.001•10/17

Apartment Units

The proposed project would develop 355 apartment units, including 8 live-work units, at an overall density of approximately 61.7 dwelling units per acre. The proposed apartments would include one-bedroom and two-bedroom units ranging in size from approximately 753 to 1,476 sf. The proposed apartment mix would include 192 one-bedroom units, which would account for approximately 54 percent of the units, and 163 two-bedroom units, which would account for approximately 46 percent of the units. The residential unit mix is summarized in **Table 4-2, Residential Unit Mix Summary**.

As shown on **Figure 4-3**, the proposed project would preserve the two historical homes on the project site by keeping the single-family home at 3410 The Alameda in place, and relocating the single-family home at 3370 The Alameda to a site adjacent to the home at 3410 The Alameda.

Table 4-2
Residential Unit Mix Summary

Housing Type	Number of Units	Unit Size (sf)	Total (sf)	Mix
One-Bedroom Units (Including 5 Work-Live Units)	192	753 to 934	154,033	54%
Two-Bedroom Units (Including 3 Work-Live Units)	163	966 to 1,476	192,790	46%
Totals	**355**	**--**	**346,823**	**--**

Source: Prometheus Real Estate Group, 2017
Notes: s f= square feet

Retail Space

The proposed project would include approximately 22,064 gsf of retail uses. In addition, the retail space within the live-work units would account for a total of 2,364 square feet. The retail uses would be located at street level along Benton Street and El Camino Real and at the corner of Benton Street and El Camino Real.

Amenity Space and Leasing Office

The proposed project would include approximately 5,866 gsf of conditioned amenity space and 1,601 gsf of leasing office space. Amenities would include a 1,775 sf fitness center and a club room with 2,142 sf of space both located on the seventh floor of the parking structure (See **Figure 4-3**). Additional amenities

include a 380 sf pet spa and a 1,569 sf bicycle room. The leasing office would be located along the El-Camino Real frontage.

Open Space and Courtyards

The proposed project would include three courtyards, a private roof deck, a public open space, landscaped walkways, and paseos. Outdoor seating areas would also be developed along Benton Street and at the corner of Benton Street and El Camino Real. A description of each courtyard is provided below.

Courtyard A

Courtyard A would be located in the southwestern portion of the project site in the center of the residential buildings (Figure 4-3). The 10,713 sf courtyard area would include lounge seating with tables, open play lawn, passive garden spaces, artificial turf lounge area, benches and barbeques, and overhead shade structures.

Courtyard B

As shown on **Figure 4-3**, Courtyard B would be adjacent to the public open space, The Alameda Courtyard. Courtyard B would be 5,278 sf and would provide lounge seating with tables, open play lawn, passive garden spaces, artificial turf lounge area, benches and barbeques, and overhead shade structures.

Courtyard C

Courtyard C would be located in the northwestern portion of the project site with an entry way along El Camino Real. This courtyard would be 4,493 sf and would provide gathering space, passive garden space, and benches and barbeques.

Roof Deck (Pool Area)

The roof deck would be located on the seventh floor of the parking structure near the fitness center and club room. The roof deck area would be approximately 13,321 sf and would contain a lap swimming pool, seating and dining areas, barbeque area and outdoor kitchen, bar table and seats, and game tables.

The Alameda Courtyard

The Alameda Courtyard would provide 6,219 sf of open space along The Alameda and would include a seating area, an open play lawn, passive garden spaces, benches, game tables, outdoor chess, and bicycle racks.

4.5 Building Design

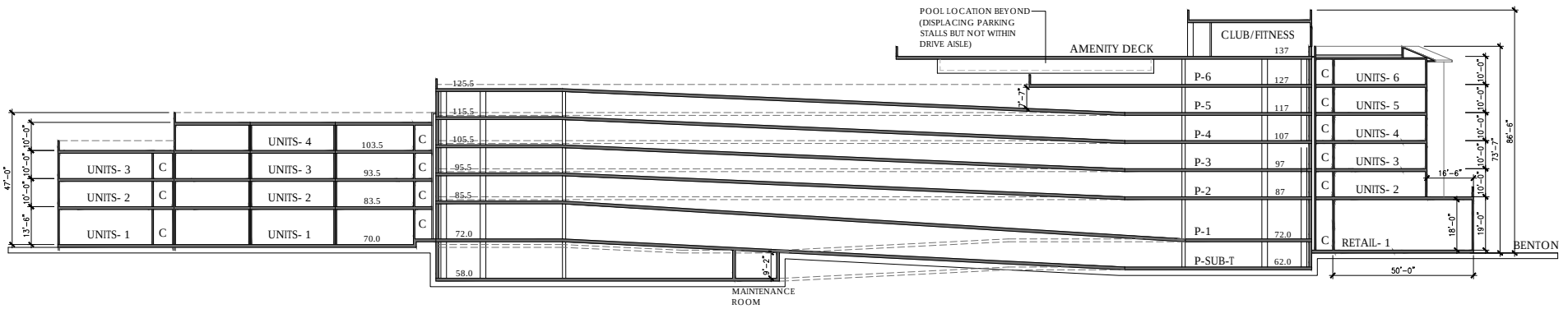
The proposed residential/retail buildings would be three to five stories and would range in height from approximately 37 to 78 feet. Parking would be provided in a seven-story parking structure with six levels above-grade and one level of below-grade parking. An amenity deck would be located on the roof of the parking structure, where the height of the structure would be approximately 88 feet. The parking structure would be wrapped by the proposed residential and retail uses located along El Camino Real and Benton Street.

The design of the proposed project would be a quintessential transit-oriented development. The proposed urban design would reinforce the urban street edge along El Camino Real corridor, punctuated by an active public plaza with vibrant retail uses on the corner of El Camino Real and Benton Street. Along with significant public spaces, each street frontage would be activated by retail, and residential units, some with stoop conditions. Live-work units would be located along Benton Street. The Alameda Courtyard would be accessed from The Alameda. The proposed 575 Benton - Viso projectwould create a sense of place for the Santa Clara University campus as well as the transit gateway into Santa Clara.

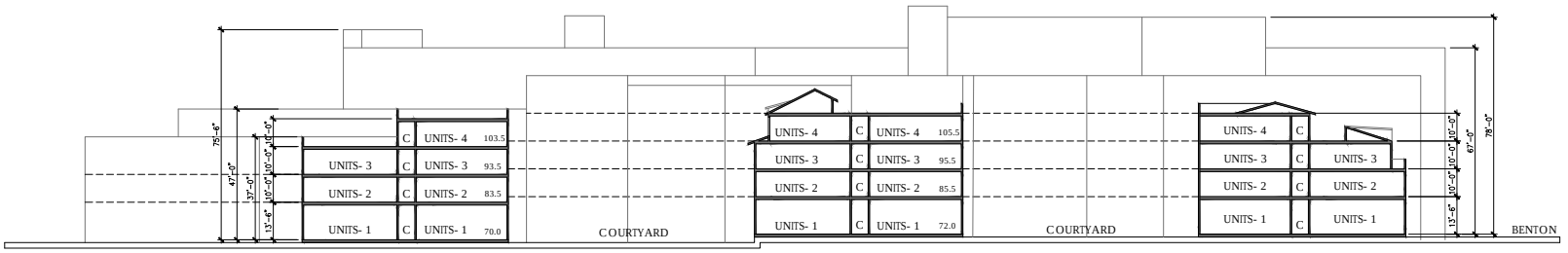
Recalling an historical warehouse district, the architecture near the corner of El Camino Real and Benton Street would be reminiscent of converted industrial lofts anchored by significant active retail uses. The combination of the smooth plaster and masonry tile base would also create a strong urban character consistent with the color and material palette of the existing Mission style inspired context.

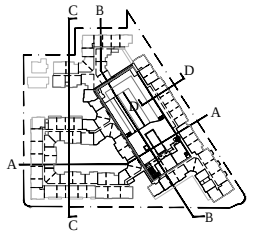
Along Benton Street and El Camino Real, the proposed mixed-use development would be characterized by an informal Spanish Monterey architecture, to create variety of scale and modulation. Decks, railing articulations, and window patterning would be incorporated into this design to further promote the informal nature of this architecture. The buildings would have interlocking gable roofs with a plaster finish that would relate with the Mission inspired university context and historical homes on site.

Figure 4-4, Benton Street Sections, shows the building sections along Benton Street, and **Figure 4-5, El Camino Real Sections**, shows the building sections along El Camino Real. **Figure 4-6, The Alameda/Benton Street Perspective**, shows the perspective view of the proposed building from the intersection of The Alameda and Benton Street; **Figure 4-7, Benton Street Elevation** shows the elevation along Benton Street; **Figure 4-8, El Camino Real/Benton Street Corner Perspective**, shows the perspective view of the proposed building from the intersection of El Camino Real and Benton Street; **Figure 4-9, El Camino Real Perspective**, shows the perspective view of the proposed building along El Camino Real; and F**igure 4-10, The Alameda Perspective and Elevation**, shows the perspective view and the elevation of the proposed building along The Alameda.



GARAGE SECTION @ BENTON



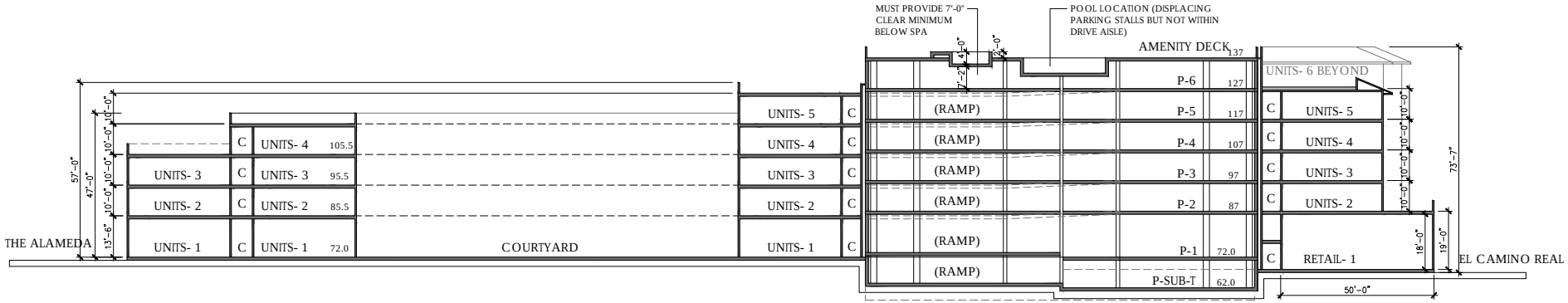


BUILDING SECTION THROUGH COURTYARDS @ BENTON

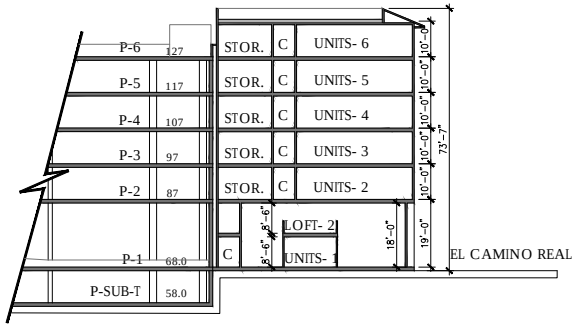
SOURCE: Studio T Square, 2017

FIGURE **4-4**

Benton Street Sections



GARAGE SECTION @ EL CAMINO REAL



SECTION @ EL CAMINO REAL

SOURCE: Studio T Square, 2017

FIGURE **4-5**

IMPACT SCIENCES

El Camino Real Sections

1308.001•10/17



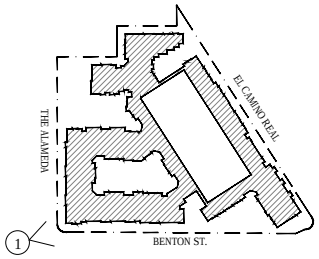
SOURCE: Studio T Square, 2017

FIGURE **4-6**

IMPACT SCIENCES

The Alameda/Benton Street Perspective

1308•10/17



KEY PLAN 3

SCALE: 1" = 150'

1. BRICK VENEER
2. EXTERIOR PLASTER
3. CORRUGATED METAL PANEL
4. PORCELAIN TILE
5. VERTICAL SIDING
6. HORIZONTAL SIDING
7. WOOD PATTERN SIDING
8. VINYL WINDOW
9. BALCONIES
10. GLASS STOREFRONT

MATERIALS 4

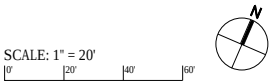


RENDERING - BENTON ST 1



SOUTH EAST ELEVATION - BENTON 2

SCALE: 1" = 20'



SOURCE: Studio T Square, 2017

FIGURE 4-7

IMPACT SCIENCES

Benton Street Elevation

1308.001•10/17



SOURCE: Studio T Square, 2017

FIGURE **4-8**

IMPACT SCIENCES

El Camino Real/Benton Street Corner Perspective

1308.001•10/17



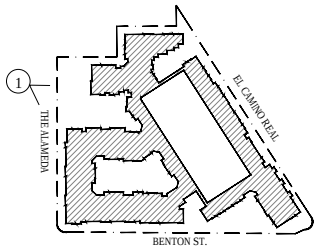
SOURCE: Studio T Square, 2017

FIGURE **4-9**

IMPACT SCIENCES

El Camino Real Perspective

1308.001•10/17



□EY PLAN 3

SCALE: 1" □ 150□

1. BRICK VENEER
2. EXTERIOR PLASTER
3. CORRUGATED METAL PANEL
4. PORCELAIN TILE
5. VERTICAL SIDING
6. HORIZONTAL SIDING
7. WOOD PATTERN SIDING
8. VINYL WINDOW
9. BALCONIES
10. GLASS STOREFRONT

MATERIALS 4



RENDERING - COURTYARD ON THE ALAMEDA 1



SOUTH WEST ELEVATION - THE ALAMEDA 2

SCALE: 1" = 20'

0' 20' 40' 60'

SOURCE: Studio T Square, 2017

FIGURE **4-10**

The Alameda Perspective and Elevation

IMPACT SCIENCES

1308.001•08/17

4.6 Circulation and Parking

Figure 4-11, Vehicular Circulation, shows the conceptual access plan for the project. Vehicular access to the parking garage would be provided from Benton Street and El Camino Real. The western most section of Fremont Street and the northern section of Sherman Street currently intersect on the project site. The sections of these two streets on the project site would be vacated and would be integrated into the project.

The proposed project would include a number of street improvements, including an upgraded signal at the intersection of El Camino Real and Benton Street that would improve the pedestrian movement across El Camino Real. In addition, the proposed project would widen the sidewalks along The Alameda, El Camino Real, and Benton Street to increase pedestrian activity along the project edge. The proposed project would relocate the existing bus stop on Benton Street approximately 10 feet to the north closer to El Camino Real.

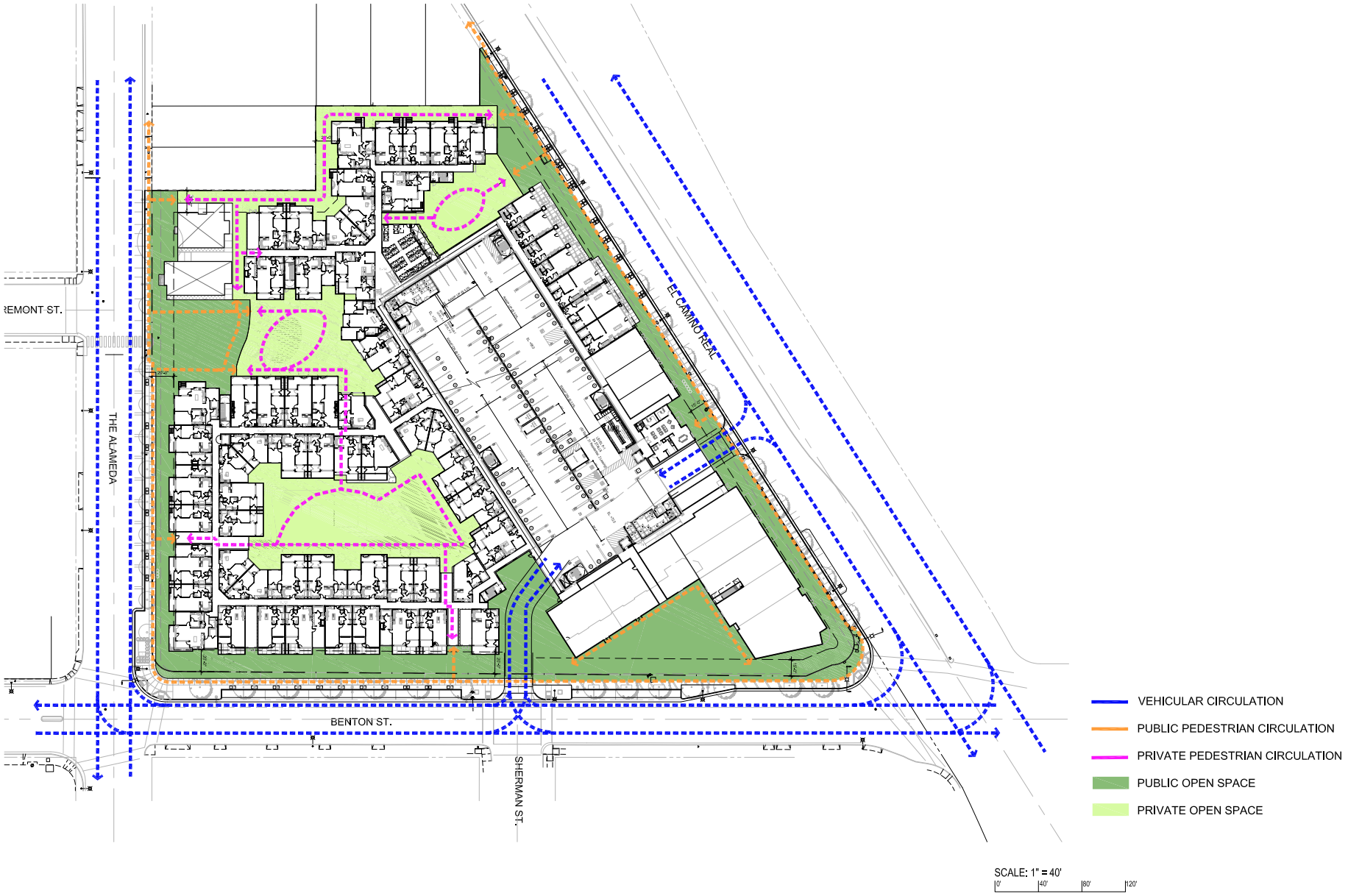
Table 4-3, Proposed Vehicle Parking, shows the number of parking spaces and configuration of parking proposed at the project site. Resident parking would be distributed over all the levels of the parking garage. Retail parking would be provided on the lower two levels of the parking garage.

The total garage area would be approximately 296,062 gsf and would provide a total of 645 parking spaces, including 536 spaces for the residential component and 109 spaces for the retail component of the proposed project. A total of 248 Class I bicycle locker spaces would be provided with 38 outside bicycle racks for use by retail patrons.

Table 4-3
Proposed Vehicle Parking

Parking Type	Number of Units	Rate	Parking Provided
Residential			
One-Bedroom (including 5-Work/Live Units)	192	1.50	288
Two-Bedroom (including 3-Work/Live Units)	163	1.50	245
Parking for the existing single homes (3410 The Alameda and 3370 The Alameda)	--	--	*3*
Residential Subtotal			536
Retail			
Retail (Indoor)	--	0.004 stalls/unit	88
Retail (Outdoor Seating)	--	0.33 stalls/unit	17
Live/Work Commercial Space	--	0.5 stalls/unit	4
Retail Subtotal			*109*
TOTAL	**355**	**--**	**645**

Source: Prometheus Real Estate Group, 2017



SOURCE: Studio T Square, 2017

FIGURE **4-11**

Vehicular Circulation

IMPACT SCIENCES

1308.001•10/17

4.7 Landscaping

Figure 4-3 shows the proposed landscaping plan for the project site. This plan includes the planting of new trees and shrubs throughout the site. There are 26 existing trees on the site. The City of Santa Clara General Plan Policy 5.10.1-P3 requires "preservation of all City-designated heritage trees listed in the Heritage Tree Appendix 8.10 of the General Plan." In addition, General Plan Policy 5.10-1-P4 provides the criteria for the identification of trees that the City seeks to protect. This policy states "Protect all healthy cedars, redwoods, oaks, olives, bay laurel, and pepper trees of any size, and all other trees over 36 inches in circumference measured from 48 inches above grade on private and public property as well as in the public right-of-way." Of the 26 existing trees on the site, none is listed as a Heritage Tree in the General Plan, and none of the trees are cedars, redwoods, oaks, olives, bay laurel or pepper trees, the species specifically identified for protection in General Plan Policy 5.10-1-P4. However, 11 trees on the project site meet both the trunk circumference and health criteria in General Plan Policy 5.10-1-P4 and thus are protected.

The applicant would be required to comply with General Plan Policy 5.3.1-P10, which requires that new development "provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed as part of the project."

In order to compensate for the protected trees removed at a 2:1 ratio according to General Plan Policy 5.3.1-P10, 52 replacement trees would be required. The proposed landscaping plan calls for installing approximately 320 trees which would exceed the requirements of the General Plan policy. The proposed landscaping plan for the site depicts four general areas of tree planting: (1) along The Alameda, Benton Street, and El Camino Real; (2) the outdoor area on Benton Street; (3) the courtyards; and (4) the roof deck.

The overall landscape character would be designed to add interest to the site and to help define and enhance the architectural elements through the use of flower and leaf color, texture, plant forms, and plant masses. Plant material would comply with the City of Santa Clara requirements and landscape plantings and features would be employed to minimize water use, reduce runoff, and promote surface infiltration of storm water.

Irrigation improvements would utilize high efficiency design and equipment components in conformance with the requirements of the City of Santa Clara, the Santa Clara Valley Water District, and the South Bay Water Recycling.

4.8 Utilities

4.8.1 Potable and Irrigation Water

The City of Santa Clara Water and Sewer Utilities (CSC) would provide water service to the project site. CSC uses groundwater pumped by wells scattered throughout the city and surface water supplies from the Santa Clara Valley Water District (SCVWD) and the San Francisco Hetch-Hetchy System to provide water to various land uses throughout the City. CSC owns and maintains the existing water mains surrounding the project site, including water mains in The Alameda and El Camino Real.

Potable water service would be provided to the site by the existing and proposed water infrastructure system. The proposed project would relocate an existing 24-inch water main from Fremont Street and Sherman Street to the existing right-of-way on The Alameda and Harrison Street within the existing right of way and connect it to the existing 24-inch water main in El-Camino Real. The existing 6-inch water main in The Alameda would be abandoned and replaced with a new 12-inch main. The annual water demand associated with the existing uses on the project site is about 1.7 acre-feet[1]. The net additional water demand required by the proposed project is estimated to be about 55.2 acre- feet/year (see **Appendix A- Water and Sewer Utilities Memorandum**).

Recycled water would be used for landscape irrigation on the project site. However, recycled water use would be contingent on the approval of the California State Water Resources Control Board, Division of Drinking Water and South Bay Water Recycling The project would extend the 8-inch recycled water main approximately 500 linear feet within Fremont Street from the intersection of Fremont and Alviso Streets to the project frontage on the east side of the intersection of The Alameda and Fremont Street. This recycled water line would provide service to the entire development.

4.8.2 Wastewater

CSC provides wastewater collection service to the project site. Services provided by CSC include construction, operation, and maintenance of the City's sanitary sewer system. CSC operates and maintains 18-inch and 24-inch sewer mains in Benton Street; a 6-inch sewer main in Fremont Street, Sherman Street, and The Alameda; and a 12-inch sewer main in El Camino Real.

Wastewater generated in the City of Santa Clara is treated at the San Jose-Santa Clara Regional Wastewater Facility (RWF), which is a regional wastewater treatment facility serving eight tributary wastewater collection agencies. Wastewater generated within the project site would be collected through

1 City of Santa Clara Water and Sewer Utilities, 2015. Mission Town Center, Water Supply Assessment for Compliance with California Water Code Section 10910. August, 11.

an on-site collection system and discharged into the existing wastewater main in Benton Street and El Camino Real for conveyance to the RWF. The proposed project would include the removal of the 6-inch sewer main in the sections of Fremont and Sherman Streets that would be integrated with the project.

4.8.3 Storm Drainage

The proposed project would reduce the current impervious surface area at the project site by approximately 9.3 percent. The project site has currently about 32,182 sf of pervious surface and about 218,109 sf of impervious surface. The post development pervious surface would be about 52,494 sf and the impervious surface would be about 197,797 sf.

The site is currently served by the City's municipal storm drainage facilities. The City owns and maintains 24-inch to 48-inch storm drains in Benton Street, 12-inch to 60-inch storm drains in Sherman Street, and 48-inch and 72-inch storm drains in El Camino Real.

The proposed project would demolish a 27-inch storm drain along Benton Street and replace it with a 72-inch storm drain that would be connected to the 72-inch storm drain on El Camino Real. In addition, the proposed project would remove the 60-inch storm drain on Sherman Street and replace it with a 72-inch storm drain that would be installed around the project site to the east along Benton Street and connected to the 72-inch storm drain on El Camino Real. The dead end portion of a 12-inch storm drain located within the area of Sherman Street would be removed. Storm water from the proposed impervious surfaces on the site would be collected, treated, and discharged to the storm drains.

The proposed project qualifies as a "Special Project" under Category C: Transit-Oriented Development of the Santa Clara Valley Urban Runoff Pollution Prevention Program. The proposed project meets the following minimum requirements:

- At least 50 percent of the project site is within 0.25 mile of a transit hub (Santa Clara Station);
- The project is a non-auto related use (mixed-use commercial and residential); and
- The project Floor Area Ratio (FAR) is at least 2:1 (The proposed project would have a FAR of 2.2:1).

As a "Special Project" and based on the project's location, density, and above-grade parking, the proposed project may receive credits to use Bay Area Stormwater Management Agencies Association (BASMAA) approved, non-LID (Low Impact Development) treatment methods to treat up to 80 percent of the post-development storm water runoff.

The project proposes to treat storm water through a combination of bioretention areas and media filter vault system. A minimum of 20 percent of the post-development storm water volume would be treated through bioretention. Any flow-through in-ground planters used as bioretention would be designed in accordance with Chapter 6.2 of the C.3 Stormwater Handbook of the Santa Clara Valley Urban Runoff Pollution Prevention Program.

The remainder of the post-development storm water volume would be treated through subgrade media filter vaults located at or near discharge points to the existing public storm drain system. These vaults would contain media filter cartridges designed in accordance with Chapter 6.7 of the C.3 Stormwater Handbook, and taken from the BASMAA list of approved media filter devices.

Bioretention areas and media filter vaults would remove pollutants from on-site storm water runoff prior to discharge to the City's storm drain system in compliance with the City of Santa Clara Public Works Department guidelines and standards as well as the San Francisco Bay Regional Water Quality Control Board's Municipal Regional Permit requirements.

4.8.4 Electricity and Natural Gas

As part of the proposed project, overhead utilities along the project frontage would be relocated underground. The proposed project would incorporate the state of the art water and energy conservation features, and comply with Title 24 (2013) standards and General Plan Policy 5.10.3-P4 that requires new development to promote sustainable buildings and land planning, including programs that reduce energy and water consumption in new development.

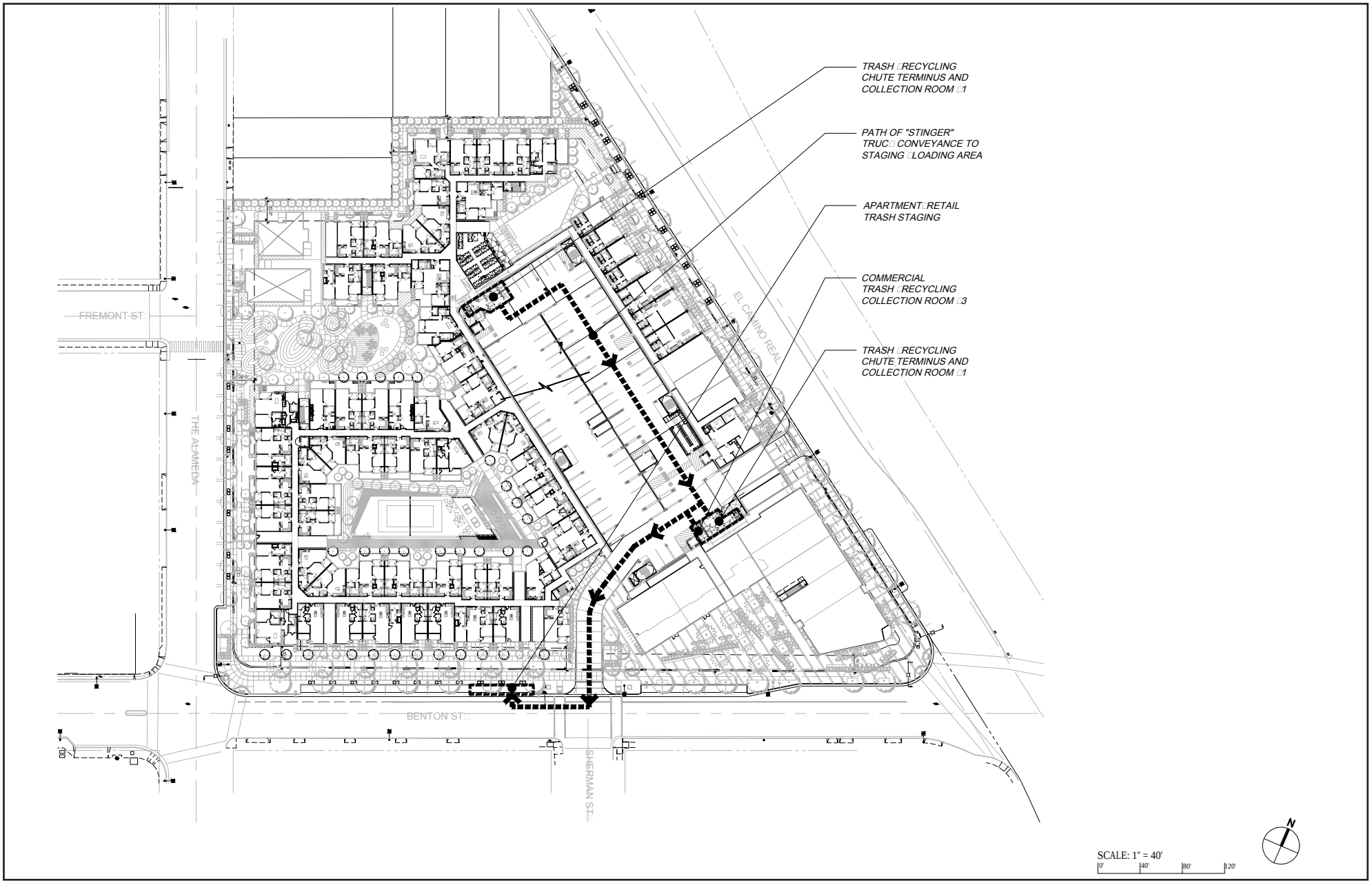
4.8.5 Solid Waste

The proposed residential component is estimated to generate approximately 12,070 pounds of solid waste and 2,485 pounds recyclable waste per week. The proposed retail component (not including restaurants) would generate approximately 331 pounds of solid waste and 384 pounds of recyclable waste per week. Restaurants associated with the proposed retail component would generate 1,693 pounds of solid waste and 782 pounds of recyclable waste per week. The proposed project would include three collection rooms for solid and recyclable waste (See **Figure 4-12**). Two of the collection rooms would be for the residences and the third collection room would be for the retail. Trash loading area would be along Benton Street.

4.8.6 Sustainable Development Features

The proposed project proposes high-density residential, with on-site commercial amenities, on an infill site with easy access to transit. The proposed project would achieve a minimum of a LEED Gold or

greater equivalent. In addition, the following measures would be incorporated into the proposed project to minimize energy and water consumption, improve indoor environmental quality, minimize waste disposed in landfills, and minimize vehicular traffic and associated air pollutant emissions:



SOURCE: Studio T Square, 2017

FIGURE **4-12**

IMPACT SCIENCES

Solid Waste Collection

Water

The recycled water main would be extended approximately 500 linear feet along Fremont Street from the intersection of Fremont Street and Alviso Street to the project front on the east side of the intersection of The Alameda and Fremont Street. This recycled water line would provide service to the entire development.

- Recycled water would be used for irrigation of all landscaped areas.
- New landscape plants would be drought tolerant.
- High efficiency irrigation systems with water-efficient sprinkler heads and smart irrigation controllers for drought tolerant landscape would be installed.
- State of the art water conserving features would be included.
- Solar thermal hot water would be used for the swimming pool.

Energy

- Parking garage, apartments, and corridors would be equipped with smart LED lighting systems with occupancy sensors.
- All apartments would be equipped with Energy Star certified appliances (dishwashers and refrigerators).
- The parking garage would be equipped with Electric Vehicle (EV) charging stations.
- Temperature controllers would be installed for pool and spa heaters.
- Car Share service for neighborhood use would be provided if available.
- Roofs would have reflective roofing membranes.

Materials

- More than 75 percent of all demolition materials and construction debris would be recycled.
- Demolished concrete would be crushed and re-used as base rock for the building foundations, roadways, sidewalks, and utility trenches.

- Recycled content carpeting, padding, framing materials, concrete aggregates, and other products would be used.

Site Planning & Design

- The proposed project would develop the project site with a mixed-use residential and retail development near the Santa Clara Station (Caltrain) and Santa Clara University.

- The proposed project would include pedestrian and bicycle improvements to reduce vehicular trips. It would be the first project to adopt and implement the City of Santa Clara's bicycle connectivity plan beginning at the Santa Clara Station and extending to the edge of the project site at the intersection of The Alameda and Benton Street. The proposed project would include a network of pedestrian and bicycle paths to and from the Station, Santa Clara University, area retail and service uses, and all residential buildings.

- The proposed project would be equipped with secure bike lockers for residents and retail tenant employees. A total of 248 secured bicycle parking stalls would be provided with 38 outside bicycle racks for use by retail patrons.

- The proposed project would provide bicycle racks for retail users as well as guests to the residential buildings and the greater community. A Bike Share program is also being explored for inclusion in the project scope and design.

- The proposed project would have a public plaza along Benton Street and the corner of Benton Street and El Camino Real, and a public pocket courtyard accessed from The Alameda. Both the plaza and courtyard would encourage pedestrian activity for the project as well as the greater community and would provide casual seating and activity spaces.

4.8.9 Demolition and Construction Activities

Construction of the proposed project would be preceded by the demolition of the existing buildings on the project site with the exception of the two historical houses. As shown on **Figure 4-3**, the single-family home located at 3410 The Alameda would remain in place, and the single-family home at 3370 The Alameda would be relocated to be adjacent to the home at 3410 The Alameda.

Demolition of the rest of the structures at the project site would generally proceed as follows: (1) the contents of the buildings would be characterized; (2) any hazards present would be abated, including, but not limited to, asbestos containing materials and lead-based paint; (3) reusable and recyclable materials

would be identified and removed; (4) structures would be demolished and removed; (5) the foundation slabs and underground utilities would be removed. Construction would be conducted under a project-specific site management plan or equivalent plan approved by the San Francisco Regional Water Quality Control Board or other agency of applicable jurisdiction, in order to ensure protection of construction workers, the general public, the environment, and future site occupants from known and unknown contamination that may be present in the subsurface.

Demolition is expected to generate about 14,180 tons of concrete, 4,700 tons of asphalt, 700 tons of construction debris, 100 tons of dimensional lumber, 207 tons of metals, and 105 tons of green waste. The proposed project is subject to the City Construction and Demolition Ordinance (which requires 50 percent diversion) as well as CALGreen Code. Debris generated from the demolition of the buildings would be sorted into materials that can be reused or recycled, materials that are contaminated and cannot be reused, and non-hazardous waste materials. Each type of material would be appropriately reused, stored, and/or disposed. Fluorescent light fixtures and other items that would require separate handling would be removed prior to building demolition. Metal, wire, conduit, etc., would be hauled off-site and sent to a recycling firm. Most of the concrete and asphalt would be crushed and ground to use on the site as engineered fill. This material would be stockpiled on the site until needed. It is estimated that of the total demolition debris that would be generated, about 1,112 tons would be hauled to a City-certified disposal facility.

Site clearing and demolition would be followed by excavation and grading, utility infrastructure, and foundation work. Construction of the below-grade parking level would require excavation of 10 to 12 feet below ground surface. Subsequent phases would include building construction, completion of exterior and interior improvements, and installation of landscaping.

Site demolition work is expected to begin in mid-summer 2018, followed by site grading and utility infrastructure work in mid-fall 2018. Construction of residential units is expected to commence in winter 2019 with full occupancy by the early spring 2021.

4.9 Lead and Responsible Agencies

The City of Santa Clara has the principal responsibility for approving the proposed project. For this reason, the City is the "Lead Agency" as defined by CEQA.

As defined by CEQA, "Responsible Agencies" are public agencies other than the Lead Agency that have discretionary approval over the project. The following agencies are considered responsible agencies for the proposed project.

California Department of Transportation (Caltrans). Caltrans is a California government department that manages the state highway system and is actively involved with public transportation systems within the state. The construction of utilities on El Camino Real (State Route 82) required to serve the proposed project would require an encroachment permit from Caltrans.

Regional Water Quality Control Board (RWQCB). The RWQCB is a responsible agency for this project. The proposed project would require the submittal of a Notice of Intent for coverage under the State National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Stormwater Runoff Associated with Construction Activity (General Construction Permit). In addition, it is anticipated that the RWQCB would have oversight and approval jurisdiction for any site management plan or equivalent plan developed for the project.

Bay Area Air Quality Management District (BAAQMD). Although no permit is required for building demolition, the BAAQMD requires notification of demolition projects of this size. Notification is performed through filing of a form provided by the BAAQMD. BAAQMD Regulation 11, Rule 2 also requires that a survey for asbestos be performed before demolition as well as the proper removal and disposal of any asbestos found.

5.0 ENVIRONMENTAL SETTING AND IMPACT ANALYSIS

This Addendum provides an analysis of each environmental issue identified in the FEIR to determine whether new or more severe environmental effects could occur from the implementation of the proposed project and whether mitigation measures identified in the FEIR would be needed and/or if additional mitigation could be necessary.

5.1 AESTHETICS

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less than Significant New Impact	Impact Fully Analyzed in the FEIR
AESTHETICS - Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Summary of Analysis in the FEIR

The FEIR found that the project site is not adjacent to a state scenic highway. In addition, the project site is not part of any scenic vista and does not contain scenic resources as identified in the City's General Plan or any other land use plans. The FEIR concluded that the Mission Town Center project would have no effect on a scenic vista, and would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state highway. The FEIR found that the Mission Town Center project would be of a scale that is greater than the existing development near the project site, and would change the visual character on the project site from a mix of light industrial, commercial and residential uses to a large mixed-use residential building that is five stories in height. The FEIR found that the frontages of the Mission Town Center project include features that would improve the project site's visual integration with the surrounding uses and that would promote a more human scale at the ground level. Furthermore, the FEIR found that landscape features associated with the Mission Town Center project would soften the overall visual character of the structure at the ground level. The FEIR concluded that while the change in visual character under the Mission Town Center project would be substantial, the change would not substantially degrade the existing visual character of the site or its surroundings. The FEIR found that implementation of the Mission Town Center project would increase the nighttime illumination on the project site from current levels. However, the FEIR concluded that new lighting would not result in a substantial increase in light that could adversely affect

nighttime views in the area, because all new lighting would be directed away from adjacent properties and public rights of way. In addition, trees along the perimeter of the project site would minimize light spillover.

Analysis of the Proposed Project

Similar to the FEIR findings, the project site is not part of any scenic vista; nor does it contain any scenic resources. Therefore, the proposed project would have no effect on scenic vistas, or substantially damage scenic resources.

Similar to the Mission Town Center project, the proposed project's scale would be greater than the nearby existing development and would change the visual character on the project site. The height of the proposed project would be approximately 13 feet higher than the Mission Town Center project. However, additional height would be limited to the amenity deck area that would be set back from The Alameda frontage, and would be close to El Camino Real and Benton Street where comparable building heights are present. Similar to the Mission Town Center project, the proposed project would promote a human scale development at the ground level and include landscape to soften the building structures at the ground level. Furthermore, the proposed project would maintain the historical home at 3410 The Alameda in place, and relocate the single-family home at 3370 The Alameda to a location adjacent to this home, thereby maintaining the character of The Alameda in the area north of Fremont Street. Therefore, similar to the Mission Town Center project analyzed in the FEIR, the proposed project would not substantially degrade the existing visual character of the site or its surroundings. Similar to the Mission Town Center project, the proposed project would not result in a substantial increase in light that could adversely affect nighttime views in the area.

Changes in Circumstances and/or New Information

There are no changes in circumstances in which the proposed project would be undertaken. No new information has become available and no new regulations related to visual resources have come into effect since the certification of the Mission Town Center EIR that would alter the previous analysis and change its conclusions relative to environmental impacts such that additional environmental review would be triggered.

Findings

Because the proposed project is generally similar to the Mission Town Center project, its potential aesthetic impacts would be similar to the impacts analyzed in the FEIR. Therefore, no new or

substantially increased significant aesthetic impacts would result from the proposed project beyond those analyzed in the FEIR. No new mitigation is required.

5.2 AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less than Significant New Impact	Impact Fully Analyzed in the FEIR
AGRICULTURAL RESOURCES - Would the project:				
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?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
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))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Summary of Analysis in the FEIR

The FEIR determined that the project site is not used for agriculture and is located in a developed area with no agricultural land uses near the site. The FEIR found that the project site is not designated as Important Farmland on maps prepared pursuant to the Farmland Mapping and Monitoring Program, nor it is zoned for agricultural use, forest land, or timberland. In addition, the FEIR found that there is no Williamson Act contract applicable to the project site or its vicinity. The FEIR concluded that implementation of the Mission Town Center project would have no impact on agriculture or forest resources. No mitigation was required.

Analysis of the Proposed Project

Similar to the FEIR findings, the project site is not used for agriculture or zoned for agricultural use, forest land, or timberland. Therefore, similar to the FEIR conclusion, the proposed project would have no impacts on agriculture or forest resources. No new mitigation is required.

Changes in Circumstances and/or New Information

There are no changes in circumstances in which the proposed project would be undertaken. No new information has become available and no new regulations related to agricultural or forest resources have come into effect since the certification of the Mission Town Center EIR that would alter the previous analysis and change its conclusions relative to environmental impacts such that additional environmental review would be triggered.

Findings

Given the urbanized nature of the project site (which has remained the case since the FEIR), the potential impacts from the proposed project on agricultural and forestry resources are essentially the same as those analyzed in the FEIR. Therefore, no new or substantially increased significant impacts would result from the proposed project beyond those analyzed in the FEIR. No new mitigation is required.

5.3 AIR QUALITY

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less than Significant New Impact	Impacts Fully Analyzed in the FEIR
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:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒
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)?	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

Summary of Analysis in the FEIR

The analysis in the Mission Town Center FEIR assumed that the project would be constructed over a period of about 30 months for a total of 660 workdays. The FEIR found that estimated average daily project construction emissions would not exceed the thresholds for ROG, NOx, PM10, and PM2.5. Therefore, the FEIR concluded that the impact associated with construction-period emissions of criteria pollutants would be less than significant.

The FEIR found that construction activities, particularly during site preparation and remediation, utility trenching, and grading, would temporarily generate fugitive dust, including PM10 and PM2.5 emissions. Furthermore, the FEIR found that the project site contains a number of areas where soils and groundwater are contaminated as a result of previous land uses and exposure to this on-site

contamination during construction could affect human health. The FEIR included the implementation of **Mitigation Measure AIR-1**, which requires that the dust control and other BMPs put forth by the BAAQMD to be implemented as part of the Mission Town Center project. In addition, **Mitigation Measure AIR-1** would require the project applicant to comply with BAAQMD Regulation 8, Rule 40, "Aeration of Contaminated Soil and Removal of Underground Storage Tanks," in the unlikely event that an underground storage tank or soils contaminated with volatile organic compounds are exposed during construction. The FEIR also included **Mitigation Measures HAZ-2a** through **HAZ-2d**, which require the development and implementation of a site management plan or similar response plan that includes protection of construction workers from exposure to impacted soil and groundwater through measures included in a health and safety plan.

The FEIR concluded that with the implementation of the BAAQMD-recommended BMPs pursuant to **Mitigation Measure AIR-1a,** and **Mitigation Measure AIR-1b** which implements **Mitigation Measures HAZ-2a** through **2d**, the construction of the Mission Town Center project would not result in substantial emissions of fugitive dust, PM10 or PM2.5, and the impact associated with construction-period emissions of fugitive dust, PM10 and PM2.5 would be less than significant.

The FEIR found that the earliest year the Mission Town Center project could possibly be constructed and fully occupied would be 2019. The FEIR found that average daily and annual emissions of ROG, NOx, PM10, or PM2.5 emissions associated with operation of the Mission Town Center project would not exceed the significance thresholds. The FEIR concluded that impacts associated with contribution to an air quality violation, or cumulatively considerable net increase of a criteria pollutant during operation would be less than significant.

The FEIR found that the Mission Town Center project would not conflict with the Clean Air Plan nor obstruct its implementation because (1) it would result in emissions below the criteria air pollutant significance thresholds; (2) the development of the project site would be considered urban "infill", and the Mission Town Center project would put housing in a central portion of the Bay Area and in close proximity of transit with regional connections. In addition, the Mission Town Center project would not be required to incorporate project-specific transportation control measures listed in the latest Clean Air Plan. The FEIR also found that the Mission Town Center project would generally be consistent with, and would help achieve the goals of the Plan Bay Area Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) adopted in 2013 and the City of Santa Clara's Climate Action Plan. For all of these reasons, the FEIR concluded that the Mission Town Center project would not conflict with the Clean Air Plan nor obstruct its implementation. This impact was determined to be less than significant. No mitigation was required.

Exposure to Pollutant Concentrations during Project Construction. The FEIR found that construction activities and vehicular traffic generated by the Mission Town Center project would have the potential to expose sensitive receptors to substantial pollutant concentrations. According to the FEIR, the maximum residential lifetime excess cancer risk associated with the construction of the Mission Town Center project would be 44.9 in 1 million. The FEIR found that maximum increased lifetime cancer risk would be above the BAAQMD significance threshold of a cancer risk of 10 in one million or greater, and would be considered a significant impact. Furthermore, the FEIR found that the maximum modeled annual PM2.5 concentration (including fugitive dust and DPM) of 0.4 μg/m^3 would be above the BAAQMD significance threshold of 0.3 μg/m^3. The FEIR included **Mitigation Measure AIR-4a**, which requires the implementation of **Mitigation Measure AIR-1**, to reduce exhaust emissions by 5 percent and fugitive dust emissions by more than 50 percent. The FEIR also included **Mitigation Measure AIR-4b**, to reduce the computed maximum lifetime excess residential cancer risk under conservative assumptions to less than 2.7 in one million. Furthermore, with implementation of **Mitigation Measure AIR-4b**, PM2.5 concentrations would be reduced to 0.1 μg/m^3. As an alternative to **Mitigation Measure AIR-4b**, the FEIR also included **Mitigation Measure AIR-4c**, which would require the reassessment of the construction-phase health risk impacts, and in the event cancer risk and exposure to PM2.5 for all potentially exposed off-site receptors would be computed at less than BAAQMD project-level thresholds, then impacts would be less than significant. Therefore, the FEIR determined that with the implementation of **Mitigation Measures AIR-4a** through **AIR-4c**, this impact would be reduced to a less-than-significant level.

The FEIR found that non-cancer health hazards from toxic air contaminants (TAC) exposure would be below the reference exposure level (REL), and are not expected to cause adverse health impacts, even for sensitive individuals. The maximum modeled annual DPM concentration was 0.24 μg/m^3, which is much lower than the chronic inhalation REL of 5 μg/m^3. Based on the DPM concentration, the FEIR found that the maximum computed hazard index (HI) would be 0.05, which is much lower than the BAAQMD significance criterion of a hazard index greater than 1.0. This impact was determined to be less than significant.

Community Health Risk Impacts from Local Roadways. The FEIR found that there are no local surface streets besides El Camino Real (State Highway 82) in the project vicinity with future 2035 volumes exceeding 10,000 ADT. Therefore, the FEIR concluded that community health risk impact on the project site receptors from TAC emissions associated with other local surface streets would be less than significant. No mitigation was required.

The FEIR found that the maximum increased cancer risk associated with TAC emissions from El Camino Real was computed as 7.1 in one million at a residential area in the northern portion of the project site

closest to El Camino Real. The FEIR concluded that the maximum increased cancer risk from TACs emissions associated with local roadways would be below the BAAQMD's threshold of 10 in one million excess cancer cases per million and this impact was determined to be less than significant. No mitigation was required.

For non-cancer health effects associated with chronic exposure to DPM, the FEIR found that the maximum predicted annual DPM concentration from El Camino Real traffic was 0.008 μg/m3, and would occur at the same receptor where the maximum cancer risk would occur. The HI of 0.01 associated with this concentration was found to be much lower than the BAAQMD significance criterion of a HI greater than 1.0. As such, the FEIR concluded that the impact associated with non-cancer health effects would be a less than significant. No mitigation was required.

In addition to evaluating the health risks from TACs, the FEIR evaluated potential impacts from PM2.5 emissions generated by vehicles traveling on El Camino Real. The maximum annual average PM2.5 concentration from El Camino Real traffic calculated at 0.1 μg/m3 were found to occur at the receptor that had the maximum cancer risk. The FEIR concluded that PM2.5 concentration associated with El Camino Real traffic would be below the PM2.5 threshold of 0.3 μg/m3 and the impact would be considered less than significant. No mitigation was required.

Community Health Risk Impacts from Railway Sources. The project site is located about 400 feet southwest from Caltrain and other rail lines. These rail lines are used primarily by trains for passenger (Caltrain, Altamont Commuter Express (ACE), Amtrak Capitol Corridor, and the Amtrak Coast Starlight) and freight service (Union Pacific Rail Road (UPRR)).

The FEIR analyzed PM2.5 (assumed to be DPM) emissions from trains under two scenarios. Scenario 1 assumed that the San Jose to San Francisco fleet would be electrified by 2026 to 2029. Scenario 2 assumed that all trains would continue to use diesel locomotives.

Under Scenario 1, the FEIR found that maximum increased cancer risk at the project site was 11.9 in one million. Under Scenario 2, the maximum cancer risk was calculated at 19.6 in one million. Therefore, the FEIR found that community health risk impact on the project site receptors from railway emissions under both Scenario 1 and Scenario 2 would be above the BAAQMD thresholds of 10.0 in a million.

Potential non-cancer health effects due to chronic exposure to DPM under both scenarios were found to be less than 0.04 $\mu g/m^3$— lower than the REL of 5 $\mu g/m^3$. The HI was found to be less than 0.01, which is much lower than the BAAQMD significance criterion of a HI greater than 1.0. The FEIR concluded that

chronic impact from exposure to DPM at the project site would be less than significant. No mitigation was required.

Furthermore, the FEIR found that the maximum PM2.5 concentration for both operation scenarios was 0.04 μg/m^3, occurring at the same receptor that had the maximum cancer risk. The FEIR concluded that the maximum PM2.5 concentration from railroad operations that could affect the project site residents was below the BAAQMD threshold, and this impact was determined to be less than significant. No mitigation was required.

The FEIR included **Mitigation Measure AIR-5a** which would require a properly installed and operated ventilation system with MERV13 air filters to reduce PM2.5 concentrations from DPM mobile sources by approximately 60 percent. As an alternative, the FEIR included **Mitigation Measure AIR-5b**, which would require the reassessment of the potential cancer risk exposures to on-site residential receptors later in the design phase. The FEIR determined that with implementation of **Mitigation Measure AIR-5a** or **Mitigation Measure AIR-5b**, this impact would be less than significant.

Community Health Risk Impacts from Stationary Sources. The FEIR found that the maximum cancer risk at the project site from the nearby stationary sources was 4.8 in 1 million, HI was calculated to be less than 0.01, and the maximum annual PM2.5 concentration was estimated at less than 0.1 μg/m^3. The FEIR found that none of the identified stationary sources exceed the applicable single-source thresholds of 10.0 in 1 million for cancer risk, HI threshold of 1.0, or the threshold of 0.3 μg/m^3 for PM2.5 concentrations. The FEIR concluded that the impact associated with stationary source TAC emissions on the project site receptors would be less than significant. No mitigation was required.The FEIR found that odor associated with emissions of diesel exhaust during construction equipment operation and truck activity may be noticeable from time to time to adjacent receptors. The FEIR concluded that with implementation of BAAQMD-recommended control measures to minimize diesel exhaust emissions, the odor impact from construction-phase emissions would be less than significant. Furthermore, the FEIR concluded that there would be no impact on the new residents related to exposure to odor sources near the project site. No mitigation was required.

Cumulative Impacts

Construction. Construction exhaust emissions associated with the Mission Town Center project were found not to exceed the significance thresholds, and fugitive dust emissions were found to be adequately controlled through implementation of **Mitigation Measure AIR-1**. Therefore, the FEIR concluded that mitigation would reduce the Mission Town Center project's contribution to construction emissions of criteria air pollutants or their precursors to a less than cumulatively considerable level.

With respect to cumulative community health risk impact, the FEIR found that the sum of impacts from combined sources within 1,000 feet of the project site, at the construction maximally exposed individual (MEI), would be below the applicable risk thresholds, and thus impacts were determined to be less than significant.

Operations. The FEIR found that because the proposed project's operational emissions would not exceed the significance thresholds, project emissions of criteria air pollutants or their precursors from operations would not make a considerable contribution to cumulative air quality impacts.

The FEIR found that the sum of impacts from all existing TAC sources within 1,000 feet of the project site would be below the applicable risk thresholds. Therefore, cumulative health risk impact at the project site would be less than significant.

FEIR Mitigation Measures

AIR-1a The construction contractor(s) shall implement the following BMPs during project construction:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- 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.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible and feasible. Building pads shall be laid as soon as possible and feasible after grading, unless seeding or soil binders are used.
- Idling times shall 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 shall be provided for construction workers at all access points.

- 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.

- 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-1b Implement **Mitigation Measures HAZ-2a** through **HAZ-2d**.

AIR-4a Implement **Mitigation Measure AIR-1** to control fugitive dust and on-site construction exhaust emissions.

AIR-4b Equipment shall be selected during demolition, grading and trenching construction phases to minimize emissions. Such equipment selection would include the following:

1. All diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously shall, at a minimum, meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent; and

2. All diesel-powered portable equipment (i.e., air compressors, concrete saws, and forklifts) operating on the site for more than two days shall meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent.

3. As an alternative to measures 1 and 2 above, the construction contractor shall use other measures, or in combination with use of Tier 4 equipment, to minimize diesel particulate matter emissions during construction period, provided such measures reduce the predicted cancer risk below the thresholds and are approved by the City. Any diesel-powered off-road and portable equipment shall meet or exceed emission standards for Tier 2 engines. For example, the construction contractor may use other measures such as the use of alternative powered equipment (e.g., LPG-powered or electric lifts), alternative fuels (e.g., biofuels), added exhaust devices, or a combination of measures.

AIR-4c The Applicant may choose to reassess the potential off-site cancer risk and PM2.5 concentration exposures to off-site residential receptors later in the design phase, but prior to the start of construction, and prepare a revised HRA using updated receptor

location information and more detailed construction plans and equipment list and submit to the City for review. If the revised HRA demonstrates, to the satisfaction of the City, that the cancer risk and exposure to PM2.5 for all potentially exposed off-site receptors will be less than BAAQMD project-level thresholds, then **Mitigation Measure AIR-4b** is unnecessary. If the revised HRA demonstrates, to the satisfaction of the City, that the cancer risk or exposure to PM2.5 for off-site sensitive receptors will be less than presented in this analysis but still over BAAQMD thresholds, then the mitigation effort may be proportionately adjusted.

AIR-5a The project shall include the following measures to minimize long-term toxic air contaminant (TAC) exposure for new project residences:

1. Integrate building design features to limit exposure from sources of TAC and PM2.5;

2. Install air filtration in residential buildings. Air filtration devices shall be rated MERV13 or higher. To ensure adequate health protection to sensitive receptors, this ventilation system shall meet the following minimal design standards:

    a. A MERV13 filter or higher rating;

    b. At least one air exchange(s) per hour of fresh outside filtered air; and

    c. At least four air exchange(s) per hour recirculation.

3. As part of implementing this measure, an ongoing maintenance plan for the buildings' heating, ventilation, and air conditioning (HVAC) air filtration system shall be required. Recognizing that emissions from air pollution sources are decreasing, the maintenance period shall last as long as significant excess cancer risk are predicted. Subsequent studies could be conducted by an appropriately credentialed environmental professional to identify the ongoing need for the ventilation systems as future information becomes available.

4. Ensure that the lease agreement and other property documents (1) require cleaning, maintenance, and monitoring of the residential buildings for air flow leaks; (2) assurance that new tenants are provided information on the ventilation system; (3) provisions that fees associated with leasing a unit(s) in the building include funds for cleaning, maintenance, monitoring, and replacements of the filters, as needed; and (4)

provide information regarding the ventilation/filtration systems and importance of keeping windows and doors closed to maximize the efficiency of the system.

AIR-5b The Applicant may choose to reassess the potential cancer risk exposures to on-site residential receptors later in the design phase, but prior to occupancy, and to prepare a revised HRA using updated receptor location information and a more detailed assessment of risks associated with rail line operations that accounts for the status of Caltrain electrification at that time and submit to the City for review. If the revised HRA demonstrates, to the satisfaction of the City, that the cancer risk exposures for on-site receptors will be less than BAAQMD project-level thresholds, then **Mitigation Measure AIR-5a** would be unnecessary. If the revised HRA demonstrates, to the satisfaction of the City, that the cancer risk for on-site sensitive receptors will be less than presented in this analysis, but still over BAAQMD threshold, the mitigation effort may be proportionately reduced.

Analysis of the Proposed Project

The proposed project would demolish the existing structures on the approximately 5.75-acre project site and construct a mix of residential and retail uses that would include 355 residential units (including 8 live-work units), 22,064 sf of retail space with 2,364 square feet within the 8 live-work unitsm 5,866 sf amenities, 40,024 sf of public and private recreational areas, 297,161 sf parking garage and site serving infrastructure.

Due to the fewer number of apartment units and smaller construction square footage, with the similar construction duration time, the proposed project's construction emission of criteria pollutants would be less than the emissions that would result from the construction of the Mission Town Center project. Similar to the conclusion of the FEIR, the proposed project's impact associated with construction-period emissions of criteria pollutants would be less than significant. No new mitigation is required.

Similarly, the smaller scale of construction of the proposed project is expected to result in reduced fugitive dust emissions from the Mission Town Center project. The proposed project would incorporate FEIR **Mitigation Measure AIR-1a** and **Mitigation Measure AIR-1b** that would require implementation of the BAAQMD-recommended BMPs. Therefore, similar to the FEIR conclusion, the proposed project's impact associated with construction-period emissions of fugitive dust, PM10 and PM2.5 would be less than significant. No new mitigation is required.

The proposed project would result in reduced emissions of criteria pollutants from mobile sources during operation as there would be approximatively 30 fewer residential units than previously analyzed and a smaller amount of retail space (approximately 4,936 less square footage). As described in **Section 5.15 Transportation and Traffic**, the proposed project would result in 344 fewer vehicle trips than the Mission Town Center project analyzed in the FEIR. The FEIR found that average daily and annual emissions of ROG, NOx, PM10, or PM2.5 emissions associated with operation of the Mission Town Center project would not exceed the significance thresholds. Similar to the FEIR conclusion, implementation of the proposed project would not result in a cumulatively net increase of any criteria pollutant, and this impact would be less than significant. No new mitigation is required.

Similar to the Mission Town Center project, the proposed project would construct a smaller, high-density residential development, with on-site commercial amenities, on an infill site with easy access to transit. It would include pedestrian and bicycle improvements to reduce vehicular trips. Similar to the FEIR conclusions, the proposed project would not conflict with the Clean Air Plan and would be consistent with the Plan Bay Area RTP/SCS and the City of Santa Clara's Climate Action Plan, and this impact would be less than significant. No new mitigation is required.

The proposed project would have a smaller number of apartment units and smaller building square footage than the Mission Town Center project analyzed in the FEIR. Therefore, construction activities and vehicular traffic generated by the proposed project would have the potential to expose sensitive receptors to substantial pollutant concentration of TACs but to a lesser degree than those under the Mission Town Center project. The proposed project would incorporate the FEIR **Mitigation Measures AIR-4a** through **AIR-4c** to reduce pollutant concentration during construction. Similar to the FEIR conclusion, with implementation of the FEIR **Mitigation Measures AIR-4a** through **AIR-4c**, this impact would be reduced to a less-than-significant level. No new mitigation is required.

Community Health Risk Impacts from Local Roadways. The proposed project would place sensitive receptors in the same locations as the Mission Town Center project, resulting in their exposure to TAC and PM2.5 emissions from nearby roadways and other sources. Similar to the FEIR conclusion, cancer health effects and non-cancer health effects on the project community associated with TAC and PM2.5 emissions from El Camino Real and other local roadways would be below the BAAQMD's threshold and would result in a less-than-significant impact. No new mitigation is required.

Community Health Risk Impacts from Railway Sources. Health risk impacts from railway sources on the project site's community would be similar to those identified in the FEIR for the Mission Town Center project. Therefore, community cancer health risk impact from railway emissions would be above the BAAQMD thresholds of 10.0 cases per million, and non-cancer health effects would be lower than the

BAAQMD threshold. Also similar to the FEIR findings, PM2.5 concentration from railroad operations on project site would be below the BAAQMD thresholds**.** Similar to the FEIR conclusions, with implementation of the FEIR **Mitigation Measure AIR-5a**, or **FEIR Mitigation Measure AIR-5b**, the impact associated with excess cancer risk on the project residents would be less than significant. No new mitigation is required.

Community Health Risk Impacts from Stationary Sources. Health risk impacts on the project site's community from stationary sources would be similar to those identified in the FEIR on the Mission Town Center project. Therefore, similar to the FEIR conclusions, the impact associated with stationary source TAC emissions on the project site receptors would be less than significant. No new mitigation is required.

Similar to the FEIR findings, with implementation of BAAQMD-recommended control measures to minimize diesel exhaust emissions, odor impacts from construction emissions of the proposed project on the receptors near the project site would be less than significant. No new mitigation is required.

Cumulative Impacts

Construction. Similar to the findings of the FEIR, the proposed project would implement FEIR **Mitigation Measure AIR-1** to adequately control fugitive dust emissions, and therefore the project would not make a considerable contribution to cumulative air quality impacts. Similarly, the cumulative community health risk impact would be below the applicable risk thresholds, and therefore impacts would to be less than significant.

Operations. Similar to the FEIR findings, the combined impact from all existing TAC sources within 1,000 feet of the project site would be below the applicable risk thresholds. Therefore, the cumulative health risk impact at the project site would be less than significant.

Changes in Circumstances and/or New Information

Since certification of the FEIR, there have been no changes in circumstances or substantial new information that would alter the conclusions of the FEIR with respect to air quality impacts such that additional environmental review would be triggered.

There have been no other changes in circumstances or substantial new information that would alter the conclusions of the FEIR with respect to air quality impacts such that additional environmental review would be triggered. In May 2017, the BAAQMD updated the CEQA Air Quality Guidelines in light of the final California Supreme Court ruling in BAAQMD v. CBIA. The updated guidelines summarize the relevant portions of the California Supreme Court decision with regard to "Receptor Thresholds" and

note that under appropriate circumstances, as set forth by the Supreme Court, the receptor thresholds may be used by lead agencies to evaluate impacts of the environment on the project receptors. The updated guidelines are unchanged in all other respects, and do not contain any revised thresholds of significance or methodologies for evaluation of the environmental impacts of a proposed project.

Findings

The potential air quality impacts of the proposed project would be less than significant and the project would not increase the severity of the previously reported air quality impacts in the FEIR. The potential air quality impacts of the proposed project are adequately analyzed in the FEIR. No new or substantially increased significant impacts would result from the proposed project beyond those analyzed in the FEIR. No new mitigation is required.

5.4 BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less than Significant New Impact with Mitigation	Less than Significant New Impact	Impacts Fully Analyzed in the FEIR
BIOLOGICAL RESOURCES - Would the project:				
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?	☐	☐	☐	☒
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 U.S. Fish and Wildlife Service?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Summary of Analysis in the FEIR

The FEIR found that no special-status plant species have potential to occur on the project site. Similarly, no special-status wildlife species have potential to occur on the project site because no natural habitats

remain on the site or in its vicinity. The FEIR determined that there is potential for construction-related impacts to nesting birds, protected under the Migratory Bird Treaty Act (MBTA) and/or the California Fish and Game Code, if trees or structures containing active nests are removed, pruned, or otherwise disturbed during the breeding season (February 1 through August 31). Additionally, loud noise associated with construction activity has the potential to disturb nesting occurring in close proximity of the construction site and result in the abandonment of an active nest. To reduce the impacts on special-status birds and non-special status birds protected under the MBTA and California Fish and Game Code, the FEIR included **Mitigation Measure BIO-1**, which would reduce the impact to a less-than-significant level.

The FEIR found that no riparian habitat or other sensitive natural community is present on the project site. In addition, no wetlands or other waters subject to jurisdiction by the United States Army Corps of Engineers, Regional Water Quality Control Board or California Department of Fish and Wildlife occur on the project site. However, the FEIR found that the net new daily vehicle trips (approximately 1,725 trip) that would be generated by the Mission Town Center project would result in the release of nitrogen into the atmosphere. The increase in nitrogen could have a negative effect on the dwarf plantain found in serpentine grassland habitat, which is essential for Bay checkerspot butterfly populations. Loss of host plants and nectar sources due to nonnative grass invasions could lead to a rapid decline and eventual extinction of the populations. This rare land cover type is not found at the project site and the closest Bay checkerspot butterfly populations to the project site are in the Santa Teresa hills, (approximately nine miles from the project site) and on Coyote Ridge (approximately 12 miles south of the project site). The FEIR determined that the project site is well outside known and suspect Bay checkerspot butterfly habitat. The FEIR concluded that the Mission Town Center project would not result in direct impacts on the species or its habitat. Moreover, given the distance of the project site from the serpentine soil habitats targeted for conservation and the insignificant contribution that Mission Town Center project would make to the hundreds of thousands of vehicle trips (existing, planned, and future) in the more immediate vicinity of the habitat that may contribute to changes in the chemical makeup of the soil, the FEIR concluded that the proposed project alone would not have a significant impact on Bay checkerspot butterfly habitat.

The FEIR determined that the project site is bordered on all sides by development, does not provide habitat connectivity between undeveloped lands and is not part of a regional wildlife movement corridor. Therefore, the FEIR concluded that there would be no impact to wildlife movement from the implementation of the Mission Town Center project.

The FEIR found that none of the 26 existing trees on the project site is listed as a Heritage Tree in the General Plan, and none of the trees are cedars, redwoods, oaks, olives, bay laurel and pepper trees, the species specifically identified for protection in General Plan Policy 5.10-1-P4. The FEIR found that of the 26 trees, 11 trees on the project site meet both the trunk circumference and health criteria in General Plan Policy 5.10-1-P4. The FEIR determined that because the Mission Town Center project would include planting 256 trees which would exceed the requirement contained in the City's General Plan, it would not conflict with applicable policies protecting biological resources. In addition, the loss of habitat for common bird species and urban wildlife provided by the site trees would be compensated by the replacement trees and landscaping that would be provided as part of the Mission Town Center project. The FEIR concluded that this impact would be less than significant. No mitigation was required.

The FEIR found that the project site is not located within the portion of Santa Clara County that is covered by the Santa Clara Valley Habitat Conservation Plan (HCP)/Natural Community Conservation Plan (NCCP). The FEIR concluded that the Mission Town Center project would not result in any conflicts with an HCP/NCCP, or other conservation plan. No mitigation was required.

FEIR Mitigation Measures

BIO-1 For the protection of special status bird species and birds species protected by the Migratory Bird Treaty Act and Fish and Game Codes, project activities shall occur during the non-breeding bird season to the extent feasible (September 1 through January 31). However, if vegetation removal, grading, demolition of structures, or initial ground-disturbing activities must occur during the breeding season (February 1 through August 31), a survey for active bird nests shall be conducted by a qualified biologist no more than 14 days prior to the start of these activities. The survey shall be conducted in a sufficient area around the work site to identify the location and status of any nests that could potentially be affected by project activities.

If active nests of protected species are found within project impact areas or close enough to these areas to affect breeding success, a work exclusion zone shall be established around each nest by a qualified biologist. Established exclusion zones shall remain in place until all young in the nest have fledged or the nest otherwise becomes inactive (e.g., due to predation). Appropriate exclusion zone sizes vary dependent upon bird species, nest location, existing visual buffers and ambient sound levels, and other factors; an exclusion zone radius may be as small as 50 feet (for common, disturbance-adapted species) or as large as 250 feet or more for raptors. Exclusion zone size may also be reduced from established levels if supported with nest monitoring by a qualified

biologist indicating that work activities outside the reduced radius are not adversely impacting the nest.

Analysis of the Proposed Project

Similar to the FEIR findings, construction activities of the proposed project would have the potential to impact nesting birds present on the project site and in close proximity. The proposed project would incorporate FEIR **Mitigation Measure BIO-1** to reduce the impact on nesting birds. Similar to the FEIR conclusion, with this mitigation, the proposed project's impact on nesting birds would be less than significant. No new mitigation is required.

Although the proposed project would result in a smaller number of vehicle trips than the Mission Town Center project, the increase in net new daily vehicle trips could impact the habitat of the Bay checkerspot butterfly. However, similar to the Mission Town Center project, the closest area where this habitat is present is approximately nine miles from the project site. Therefore, similar to the FEIR conclusion, the proposed project would not have a significant impact on Bay checkerspot butterfly habitat.

The proposed project includes planting 320 trees, approximately 64 more trees than those included in the Mission Town Center project. Therefore, the proposed project would exceed the General Plan's requirement and would not conflict with applicable policies protecting biological resources. Similar to the FEIR conclusion, the proposed project's impact would be less than significant. No new mitigation is required.

Changes in Circumstances and/or New Information

Since certification of the FEIR, there have been no changes in circumstances at the project site or any new substantial information that would alter the conclusions of the FEIR with respect to biological resource impacts such that additional environmental review would be triggered.

Findings

The potential biological resource impacts of the proposed project would be comparable to those analyzed in the FEIR. For reasons stated above, the proposed project's potential impacts related to biological resources would be less than significant with the incorporation of FEIR **Mitigation Measure BIO-1,** discussed above. The potential biological impacts of the proposed project are adequately analyzed in the FEIR. No new or substantially increased significant impacts would result from the proposed project beyond those discussed in the FEIR. No new mitigation is required.

5.5 CULTURAL RESOURCES

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less than Significant New Impact	Impact Fully Analyzed in the FEIR
CULTURAL RESOURCES - Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Summary of Analysis in the FEIR

The FEIR found that of the 13 buildings located on the project site, 11 buildings were not eligible for listing as historical resources under either the criteria of the California Register of Historical Resources (California Register) or the City of Santa Clara Criteria of Local Significance.

Two remaining single-homes at 3370 The Alameda and 3410 The Alameda were found to meet the City of Santa Clara's Criteria for Local Significance, and the home at 3370 The Alameda was found to be also individually eligible for the California Register. Since the two houses at 3370 The Alameda and 3410 The Alameda was originally proposed to be demolished as part of the Mission Town Center project, the FEIR determined that demolition of the buildings would represent a significant impact on historical resources. The FEIR also determined that although the project site is within the Santa Clara grid, the section of the grid on the project site has been altered and filled in by modern development, and therefore has been determined as not a historical resource eligible for the California Register or the City of Santa Clara Criteria of Local Significance.

The FEIR included **Mitigation Measures CUL-1a through 1d** to reduce impacts on the two historical houses. The FEIR concluded that with implementation of FEIR **Mitigation Measures CUL-1a**, which requires relocating the two historical houses to an appropriate location, the impact would be reduced to a

less-than-significant level and further mitigation would not be required. In the event that moving the two homes was determined to be infeasible, the FEIR concluded that **Mitigation Measures CUL-1b through CUL-1d**, alone or in combination, shall be implemented which would help reducing the impact but would not mitigate it to a less than significant level and the impact of the Mission Town Center project on historical resources was determined to remain significant and unavoidable.

The FEIR found that on-site and off-site ground disturbing activities associated with the Mission Town Center project would directly or indirectly affect known archaeological resources —including Pre-Colonial human burials, Spanish Colonial Era archaeological resources, and Late Mexican and American Period archaeological resources— as well as currently unknown archaeological resources. The FEIR found that the southern and northeastern portions of the project site are considered highly sensitive for buried archaeological resources, whereas the remainder of the site is considered less sensitive for archaeological resources. The FEIR included **Mitigation Measures CUL-2a** and **CUL-2b** to avoid and minimize impacts to any significant pre-historic, Spanish Colonial era, and American Period archaeological resources, including human remains that could be encountered during construction of the Mission Town Center project. The FEIR concluded that impacts on known and unknown significant archaeological resources would be reduced to a less than significant level with mitigation incorporated.

The FEIR found that alluvial fan deposits that underlie Santa Clara are generally not considered sensitive for paleontological resources, and the site has been extensively disturbed in the past. The FEIR concluded that it would be improbable to discover paleontological resources at the project, and this impact was determined to be less than significant.**Cumulative Impacts**

The FEIR found that in the event the two houses are successfully relocated pursuant to **Mitigation Measure CUL-1a**, the Mission Town Center project's contribution to cumulative impacts on historical architectural resources would not be cumulatively considerable. However, if they cannot be relocated and are demolished, even with the implementation of **Mitigation Measure CUL-1b**, the FEIR found that the Mission Town Center project's contribution to the cumulative impact on historical architectural resources would be cumulatively considerable, and the impact would be significant and unavoidable.

The FEIR found that anticipated future developments in the project area as well as in other portions of the City of Santa Clara would be subject to environmental review and required by state law to implement mitigation measures that avoid or substantially lessen potentially significant impacts to cultural resources. In addition, the FEIR concluded that with mitigation, contribution of the Mission Town Center project to cumulative impacts on archaeological resources in the City of Santa Clara or the broader region would not be cumulatively considerable.

FEIR Mitigation Measures

CUL-1a If feasible, the houses at 3410 and 3370 The Alameda shall be moved to a different location appropriate to their historic character, preferably within the Santa Clara historic quad or grid, or other appropriate setting as determined by the City of Santa Clara Planning Department prior to relocation of the building. The project applicant has agreed to pay for the relocation costs. However, a recipient site may not be available and hence relocation may not be feasible.

CUL-1b If relocating either of the two buildings is determined to be infeasible, the salvage of materials and features of the buildings located on this parcel is recommended. Representatives of the Santa Clara Planning Department, the Santa Clara Historical Commission, the other citizen groups and parties interested in historical resources shall be given the opportunity to examine the buildings and provide suggestions for salvaging and relocating elements of the buildings. The project impact will be reduced commensurate with the percentage of the existing buildings that can be incorporated into the design for any new buildings on site or in other buildings in Santa Clara, or otherwise preserved.

CUL-1c If relocating either of the two buildings is determined to be infeasible, historic documentation of the two houses shall be completed prior to salvage or demolition. This documentation shall be according to the Outline Format described in the Historic American Buildings Survey Guidelines for Preparing Written Historical Descriptive Data (Pacific Coast Basin Regional Office, U.S. National Park Service, 1993) and the Photographic Specifications – Historic American Building Survey (U.S. National Park Service, 1989). The documentation, with original photo prints and negatives, should be placed in an historical archive or history collection accessible to the general public (such as the Santa Clara Main Library History Pavilion).

CUL-1d If relocating either of the two buildings is determined to be infeasible, a public exhibit/education program to present interpretive information on the early residential development and architecture of the project area and vicinity shall be prepared by the Applicant. The exhibit shall be placed on site, at the Santa Clara Historic Museum in the Headen-Inman House, or other appropriate venue in Santa Clara, as determined by the City of Santa Clara Planning Department prior to placement of the public exhibit/education program.

CUL-2a **Cultural Resources Treatment Plan**: The Treatment Plan (presented in Appendix 4.2) will be implemented by the Applicant to mitigate the project's potentially significant impacts on archaeological resources that are encountered during project site excavation and grading. The Treatment Plan identifies a series of specific measures for areas of sensitivity within the project site, and construction monitoring for the remainder of the project site. Key aspects of the Treatment Plan are summarized below; refer to Appendix 4.2, Cultural Resources Treatment Plan, pages 122 through 143, for the complete Treatment Plan that shall be implemented.

Mitigation for Less Sensitive Areas

Construction Monitoring during Ground Disturbance. Areas not known to be sensitive shall be monitored by a trained archaeologist during ground disturbing activities. Archaeological monitors shall observe all initial grading within the northeast portion of the project site. If archaeological materials are found, all work within 50 feet of the find shall stop. The monitor and the archaeological team shall conduct a rapid significance assessment as described below. If the archaeologist determines that an archaeological feature is significant under CEQA, the feature shall be subject to data recovery mitigation to reduce adverse impacts to less than significant. Data recovery, if undertaken, will follow the procedures for excavation, analysis, and reporting defined in the Treatment Plan and set forth below.

Mitigation for Areas of Sensitivity

The Treatment Plan requires that an archaeological team shall be given access to conduct mechanical excavation in "open spaces" within the area of sensitivity, including parking lots, back yards, and access ways. Then after demolition permits are awarded, an archaeological team shall be given access to conduct mechanical excavation and examine areas of sensitivity underneath existing structures.

The key elements of the Treatment Plan for sensitive areas are summarized below:

A. Excavation and Evaluation of Pre-Colonial Era Resources

1. Mechanical Excavation. A mechanical trenching program in conjunction with the screening of soils shall be implemented to investigate the presence of previously unidentified buried Pre-Colonial deposits within the project site. Between 3 and 5 trenches shall be excavated within the project parcel. These trenches shall measure 2

meters in length and be excavated to Native soil, unless an archaeological feature is encountered prior to reaching Native soil. Excavation shall involve a backhoe equipped with a 46 cm flat-bladed bucket.

2. Evaluation of Significance. If no Pre-Colonial archaeological deposits are encountered during mechanical excavation, or are found in disturbed contexts, no further action is required. If intact archaeological deposits are encountered, additional archaeological excavation shall be required to evaluate the site in accordance with CEQA Guidelines Section 15064.5(c), and if needed, implement appropriate mitigation measures as set forth in the Treatment Plan.

   If intact Pre-Colonial deposits are encountered during mechanical excavation, excavation of 1 to 2 Surface Transect Units (STUs) of 1 x 0.5 meters in size shall be conducted in each identified site or area of intact deposit to assess the spatial extent and structure of the subsurface deposits. Archaeologists shall dry screen all materials using 1/8 inch mesh and identify and map all encountered features. A 2-liter soil sample shall be retained for flotation and paleobotanical analysis.

   Determining the significance of Pre-Colonial resources shall be guided by CEQA. In case of Pre-Colonial resources, however, the majority of significance assessments typically falls under Criterion D ([Section 15064.5 (a) (3) of the CEQA Guidelines]), where an archaeological site or resource will be considered significant, if it can be demonstrated that it has the potential to contribute important information pertinent to prehistory or history. Based on previous research in the area, the archaeological resources that will likely be encountered include midden sites, lithic scatters, burial complexes or cemeteries, residential sites, and isolates.

3. If and when any of these resources are encountered at the project site, they will first be assessed for integrity. In most cases, once a positive integrity has been established, the Pre-Colonial resource is considered significant, at least for evaluation purposes. This does not mean, however, that the resource is necessarily significant under National Register or California Register of Historic Places. Nor does it mean that one hundred percent of the site or resource will necessarily be sampled. Sampling strategies are typically employed at this juncture. Moreover, these methods need to be agreed upon by the archaeologist, property owner, City, and other specified parties in accordance with CEQA mitigation requirements and established practices.

4. Additional Archival Research. While historic documents are very useful for predicting what kinds of cultural properties may be encountered, it is rare that initial pre-field research covers all land uses within a specific area. Some activities are unreported or under-reported. For this reason, if currently unknown or unidentified cultural resources are identified during excavation, additional archival research may be conducted during and after the fieldwork phase when necessary to characterize the resources identified.

B. Excavation and Evaluation of Historic Era (Spanish Colonial and American) Resources

1. Mechanical Excavation/Monitoring. A trained archaeological monitor shall direct mechanical excavation of selected regions within the project site. Monitoring shall occur after demolition but before construction grading in specific areas within the project that are determined to be the most sensitive based on background research. Mechanical excavation shall be executed using a flat-bladed bucket and removing soils in increments of 2 to 5 inches, to the depth of historic cultural features, or native subsoil, whichever comes first.

2. Evaluation of Significance. If any unknown or unidentified historic era resources are discovered during mechanical excavation, all work within 50 feet of the find shall stop, and each resource shall be assessed in accordance with CEQA Guidelines Section 15064.5(c). Each archaeological resource shall be evaluated relative to a number of criteria. For historic era archaeological resources, these criteria include: (1) integrity of the resource, (2) historic context, in space and time, (3) data potential of the archaeological resource, and (4) relevance to proposed research themes.4 In each category, several subcategories are given a point value. Each archaeological resource will be assigned a score within each of these categories by the project Archaeologist. The total points assigned will be a general estimate of the resource significance under CEQA Criteria A, B, and/or D. The higher the score, the more likely a resource would be determined to be significant/historic resource. If a resource has integrity, good archaeological data potential, and can contribute to research themes as set forth in the Treatment Plan, it will be determined significant under CEQA Criteria A, B, and D.

3. Additional Archival Research. Research in available Spanish Colonial Mission period documents may be warranted to determine the significance of currently unknown

historic era resources encountered during project construction, in accordance with CEQA Guidelines Section 15064.5(c). Additional research may be warranted regarding the Early American settlement of the blocks. This may include investigation of parcel ownership records, personal histories of significant persons, or further investigation of population trends, such as neighborhood ethnicity, ethnic succession, labor patterns, or economic conditions.

C. Preservation Plan or Data Recovery for Pre-Colonial and Historic Era Archaeological Resources

C.1. Preservation Plan for Pre-Colonial and Historic Era Archaeological Resources

In portions of the project site where subsurface ground disturbance activities would not occur at a depth that could disturb the identified archaeological resource, the following conservation measures shall be implemented individually or in conjunction with each other to preserve the resource in place.

- Monitoring the resource to ensure that it is not inadvertently disturbed
- Covering the resource with water-permeable construction grade filter fabric
- Layering visible slurry sand over the resource
- Marking the feature with a permanent tag identifying the date, project and feature number

The GPS based location and shape of the resource shall be identified on project as-built drawings to insure that they would be known to facility managers and those managing the property for the life of the project.

C.2. Data Recovery Plan for Pre-Colonial and Historic Era Archaeological Resources

A. Data Recovery for Pre-Colonial Resources

Data recovery shall be completed in coordination with the remediation of any contaminated media to assure safe and appropriate management of recovered materials.

Midden and Residential Sites. These sites are anticipated to be the most structurally complex and have the greatest artifact diversity of all the resource types. Data recovery

shall be conducted in contexts deemed significant and that have the potential to meet data requirements and research themes outlined in the Treatment Plan. The data recovery program may include any combination of hand excavation techniques in order to recover the appropriate amount of information to fully address research questions outlined in the Treatment Plan.

Lithic Scatters. Lithic scatters are usually limited to formed tools and tool manufacturing debris, or what is termed "debitage." Archaeological testing and data recovery methods will be implemented. Field documentation will include mapping, level record forms, wall profiles, and photography.

Isolated Finds. Isolated finds are three or fewer artifacts that occur within a restricted spatial context. Information potential is usually limited to location, material type, style, and function of the individual artifact. Isolated artifacts would be collected, and their location mapped using GPS or other mapping techniques. Artifacts would be processed in the laboratory along with other collected cultural materials.

Burial Complexes/Cemetery. Burial features can range in complexity from a simple isolated inhumation to more elaborate interments, or formal cemeteries, containing numerous bodies. Where appropriate, and based upon Native American consultation conducted under the authority of Senate Bill 18, these features shall be hand excavated for complete removal. This effort may include mapping, photography, removal, and packaging pending the decision of the Applicant and the Most Likely Descendent (MLD) for disposition of the remains.

B. Data Recovery for Historic Era Resources

Architectural Features. If architectural features such as structural remains such as foundations, wall footings, basement walls, and floor remnants are identified, they shall be recorded through photography, drawings, and GPS data. American period architectural features with corroborated historical data would not be mitigated beyond those documentary efforts. If determined to be of the Spanish-Mission Period, the feature shall be divided in half or into quadrants, and excavated by natural stratigraphy.

Infrastructure Features. If infrastructure features are identified, they shall be recorded through photography, drawings, and GPS data. Infrastructure features with corroborated

historical data would not be further mitigated beyond those documentary efforts. However, diagnostic artifacts may be collected.

Agricultural Features. If agricultural features are identified, the feature shall be recorded through photography, drawings, and GPS data. Agricultural features that do not also contain a refuse component would not be mitigated beyond those documentary efforts. However, diagnostic artifacts may be collected.

Refuse Features. Refuse features are the most common expected historic property type, and include pits, privies, and wells. If encountered and determined to be significant, features shall be divided in half or into quadrants, and excavated by natural stratigraphy. The Field Director shall assign new context numbers as each stratigraphic layer and soil type is encountered. Descriptions of each context shall include Munsell color descriptions, texture, natural and cultural inclusions, depths below datum, thickness, and contacts between strata. Technicians shall take photographs at the start of each new context as it is encountered in the field.

Industrial Process Features. Industrial property types for the project site are expected to include features associated with 19th century warehouse facility and railroad-related structures. If industrial features are identified, and are determined to be in contaminated soils, photography and GPS data shall be collected at a safe distance. If determined to be non-hazardous, the feature shall be recoded through photography, drawings, and GPS data. Industrial features would not be mitigated beyond those documentary efforts. However, diagnostic artifacts may be collected.

Ceremonial. Ceremonial sites are where people intentionally buried their dead. Burial sites range from isolated burials in shallow holes to elaborate interments, such as whole cemeteries that may possess numerous bodies. Where appropriate and based upon Native American consultation conducted under the authority of Public Resources Code 5097.9, these features shall be hand excavated for complete removal. This effort may include mapping, photography, removal, and packaging pending the decision of the Applicant and the Most Likely Descendent (MLD) for disposition of the remains.

C. Laboratory Studies

All Pre-Colonial and Historic-Era archaeological resources and human remains shall be evaluated at a cultural resources laboratory. Resources recovered during excavation will

be evaluated by following the protocol for washing, sorting, labeling, carbon dating, and other routine analyses. The resulting analytical information shall then be recorded in a computer database.

D. Curation

Upon completion of laboratory analysis, the Applicant or designee shall cause materials for curation to be placed in archival quality, long-term storage packing materials, including acid-free boxes, inert polyethylene plastic bags, and acid-free paper labels. Certain materials that do not have long-term research or interpretive value may be discarded after documentation. All curation methods shall meet current professional standards and will follow to the extent feasible the guidelines set forth in 36CFR79, Curation of Federally owned and Administered Collections. Documentary materials, such as progress reports, photographs, computer disk files, field notes, and other pertinent records must be permanently stored with the artifact collections. The land owner or designee shall make every reasonable effort to make the collection available to scholars and access shall be based on a written and accepted request.

E. Public Interpretation

The Secretary of the Interior's Standards for Archaeological Documentation encourages public interpretation of archaeological data where merited by the findings. There is a high probability for recovering resources within the project site that have the potential for expanding the public's understanding of the establishment of and life in Mission Santa Clara, the transformation of the mission to an important Mexican and later American settlement in the first years of statehood, and the development of commercial agricultural interests in the second half of the nineteenth century.

The Applicant shall participate in the historical interpretation effort in one or more of the following ways.

- The Applicant shall make all curated materials, documents, maps, photographs, and reports available to historical societies, museums, and libraries for use in interpretive displays and programs.

- The Applicant will develop interpretive outdoor signage in public spaces at the project site, which will describe both the importance of the project parcel in the history of Santa Clara, and the findings of the archaeological data recovery program.

- The Applicant shall create similar interpretive displays in interior spaces in the project structures.

CUL-2b Discovery of Human Remains

The treatment of human remains and of associated or unassociated funerary objects discovered during any soil-disturbing activity within the project site shall comply with applicable State laws. This shall include immediate notification of the Santa Clara County Medical Examiner and the City of Santa Clara.

In the event of the coroner's determination that the human remains are Native American, notification of the Native American Heritage Commission is required, who shall appoint a Most Likely Descendant (MLD) (Public Resources Code Section 5097.98).

The Applicant, archaeological consultant, and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. The California Public Resources Code allows 48 hours to reach agreement on these matters. If the MLD and the other parties do not agree on the reburial method, the project will follow Public Resources Code Section 5097.98(b) which states that "the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance."

Analysis of the Proposed Project

The proposed project would preserve the two historical homes on the project site by keeping the single-family home at 3410 The Alameda in place, and relocating the single-family home at 3370 The Alameda to a location on the project site adjacent to the home at 3410 The Alameda. Relocation of the single-family home at 3370 The Alameda would be in compliance with the California Historical Building Code (CHBC) (as set forth in Sections 18950 to 18961 of Division 13, Part 2.7 of Health and Safety Code and as subject to the rules and regulations set forth in 24 CCR Part 8) . Therefore, FEIR **Mitigation Measures CUL-1a** through **CUL-1d** would not apply, because the proposed project would not demolish or relocate the

historical homes off site. With the preservation of both historical homes on site, the proposed project's impact on historical resources would be less than significant. No new mitigation is required.

Similar to the FEIR findings, ground disturbing activities associated with the proposed project have the potential to affect known and unknown archaeological resources. FEIR **Mitigation Measures CUL-2a** and **CUL-2b** would be incorporated into the proposed project to avoid or minimize impacts to any significant Spanish Colonial era, and American Period archaeological resources, including human remains to a less-than-significant level. No new mitigation is required.

Similar to the FEIR conclusion, the project site is not considered sensitive for paleontological resources and the proposed project's impact on these resources would be less than significant.

Cumulative Impacts

The proposed project would preserve the two historical homes on the project site. Therefore, the proposed project's contribution to cumulative impacts on historical architectural resources would not be cumulatively considerable. No new mitigation is required.

Similar to the Mission Town Center project analysis, the proposed project's contribution to cumulative impacts on archaeological resources would not be cumulatively considerable. No new mitigation is required.

Changes in Circumstances and/or New Information

There are no changes in circumstances in which the proposed project would be undertaken. No new information has become available and no new regulations related to cultural resources have come into effect since the certification of the Mission Town Center EIR that would alter the previous analysis and change its conclusions relative to environmental impacts such that additional environmental review would be triggered.

Findings

For reasons stated above, the proposed project's potential impacts related to cultural resources would be similar to or less than the impacts of the Mission Town Center project analyzed in the FEIR. No new or substantially increased significant cultural resource impacts would result from the proposed project beyond those analyzed in the FEIR. No new mitigation is required.

5.6 GEOLOGY AND SOILS

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less than Significant New Impact	Impact Fully Analyzed in the FEIR
GEOLOGY AND SOILS - Would the project:				
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.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

Summary of Analysis in the FEIR

The FEIR found that the project site is not located in an Alquist-Priolo Earthquake Fault Zone, and no known active or potentially active faults exist on site. Therefore, the FEIR determined that the risk of fault rupture on the site from a known active fault is low. However, the FEIR found that the project site is located within a state-designated Liquefaction Hazard Zone as well as a Santa Clara County Liquefaction

Hazard Zone. Furthermore, the site could be subject to differential settlement in the event of a seismic event. The FEIR determined that the effects of seismic ground shaking, liquefaction, and differential settlement would be reduced by adhering to 2013 California Building Code (CBC) and seismic design parameters. Furthermore, the FEIR found that the potential for seismically induced landslides to affect the project site is considered very low since the project site is situated on flat land. The FEIR concluded that the Mission Town Center project would have a less than significant impact with regard to seismic hazards.

Implementation of the Mission Town Center project would require grading and other earthmoving activities, which could subject exposed soils to erosion by water or wind. The FEIR determined that the Mission Town Center project would disturb more than 1 acre, and therefore would require coverage under the state's National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activity (NPDES Construction General Permit) prior to construction. The construction contractor would be required to file a notice of intent (NOI) with the State Water Resources Control Board and develop and implement a site-specific Storm Water Pollution Prevention Plan (SWPPP). The FEIR concluded that with the implementation of Best Management Practices (BMPs) to control on-site erosion and off-site sedimentation in compliance with the NPDES requirements, impacts related to accelerated erosion and sedimentation would be to be less than significant. In addition, erosion potential would be low upon completion of construction because all disturbed areas would be covered by buildings, pavement, and landscaping.

Based on the geotechnical investigation, the FEIR determined that soils at the project site are characterized by a moderate potential for expansion. The FEIR concluded that with adherence to the 2013 CBC, which includes the requirements related to construction on expansive soils, the effect related to expansive soils would be less than significant.

The FEIR found that excavated (cut) slopes during construction could be unstable and subject to failure over the short term if they are improperly designed or implemented. The FEIR concluded that design and construction of the Mission Town Center project in accordance with the current CBC, which includes provisions that specifically address good grading practices and cut and fill slope stability would reduce impacts related to unstable cut or fill slopes to a less-than-significant level.

The FEIR determined that the Mission Town Center project would have no impact related to septic tanks, because the project site is currently urbanized and sewers are available for the disposal of wastewater.

Analysis of the Proposed Project

The proposed project would adhere to the latest CBC code (2016 CBC that went into effect on January 1, 2017) and seismic design parameters to reduce the effects of seismic ground shaking, liquefaction, and differential settlement. Similar to the FEIR conclusion, the proposed project would have a less-than-significant impact with regard to seismic hazards. No new mitigation is required.

Similar to the Mission Town Center project analyzed in the FEIR, the proposed project would disturb more than 1 acre and would require coverage under the NPDES Construction General Permit. The proposed project would implement the BMPs to control on-site erosion and off-site sedimentation in compliance with the NPDES requirements. Therefore, similar to the FEIR conclusion, the proposed project's impact related to erosion and sedimentation would be less than significant. No mitigation is required.

The proposed project would adhere to the CBC requirements for expansive soils. Therefore, similar to the FEIR conclusion, the proposed project's impacts associated with expansive soils would be less than significant. In addition, design and construction of the proposed project would be in accordance of CBC provisions for grading activities and cut and fill slope stability. Therefore, similar to the FEIR conclusion, the proposed project's impact related to stability of cut or fill slopes would be less than significant. No mitigation is required.

Similar to the FEIR findings, the proposed project would have no impact related to septic tanks, because the project site is currently urbanized and connected to the City's wastewater system.

Changes in Circumstances and/or New Information

There are no changes in circumstances in which the proposed project would be undertaken. No new information has become available and no new regulations related to geology and soils have come into effect since the certification of the Mission Town Center EIR that would alter the previous analysis and change its conclusions relative to environmental impacts such that additional environmental review would be triggered.

Findings

The potential geological impacts of the proposed project are similar to those analyzed in the FEIR. For reasons stated above, the proposed project's potential impacts related to geology and soils would be less than significant. The potential impacts of the proposed project associated with geology and soils are

adequately analyzed in the FEIR. No new or substantially increased significant impacts would result from the proposed project beyond those discussed in the FEIR. No new mitigation is required.

5.7 GREENHOUSE GAS EMISSIONS

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less than Significant New Impact	Impacts Fully Analyzed in the FEIR
GREENHOUSE GAS EMISSIONS - 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:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

Summary of Analysis in the FEIR

Construction Emissions

The FEIR found that construction of the Mission Town Center project would emit a total of 1,315 metric tons of carbon dioxide equivalent (MTCO2e) over the duration of project construction or an average of approximately 526 MTCO2e per year. The FEIR found these emissions to be less than the emissions that would result in 2019 if the existing buildings were to remain and continue to be occupied (baseline emissions) and also to be half of the BAAQMD's bright-line operational threshold of 1,100 MTCO2e/yr. The Mission Town Center project would have to comply with the City's municipal code, which requires recycling or reuse of at least 50 percent of construction waste or demolition materials and the use of local sources for at least 10 percent of the building materials. Based on these factors, the FEIR concluded that construction-phase GHG emissions of the Mission Town Center project would be less than significant. No mitigation is required.

Operational Emissions

Based on household size information obtained from the Department of Finance for the City of Santa Clara, the FEIR assumed that future service population of the Mission Town Center project would be 2.69 persons per household, and one (1) employee per 400 square feet of retail space. With 385 apartment

units and 31,000 leasable square feet, the FEIR found that the Mission Town Center project would result in 1,036 residents and 78 workers. The Mission Town Center project's operational GHG emissions were calculated to be approximately 3,180 MTCO2e/yr, with a net increase of approximately 2,328 MTCO2e/yr. The FEIR found that both the per capita operational emissions of 2.9 MTCO2e/yr and the per capita net increase in operation emissions of 2.1 MTCO2e/yr would be below the per capita threshold of 4.6 MTCO2e/yr. As a result, the FEIR concluded that the Mission Town Center project would not generate GHG emissions that would have a significant impact on the environment. No mitigation is required.

The FEIR found that the Mission Town Center project would be consistent with all applicable goals and measures in the Santa Clara Clean Air Plan. In addition, the Mission Town Center project would increase housing and create jobs in the region and create a mixed-use community with nearby transportation. Therefore, the FEIR found that the Mission Town Center would support Goals One, Two, and Three of the Plan Bay Area (the region's RTP/SCS) adopted in 2013.

The FEIR found that the per capita GHG emissions of the Mission Town Center project would be below the BAAQMD efficiency threshold for project-level GHG emissions. In addition, the FEIR found that the Mission Town Center project would include energy-reducing factors and numerous features to promote travel by alternate means and reduce vehicular travel and associated GHG emissions. The FEIR concluded that the Mission Town Center project would be in compliance with AB 32. The FEIR determined that the Mission Town Center project would not conflict with any plans, policies, or regulations for reducing GHG emissions, and the impact would be less than significant. No mitigation is required.

The FEIR stated that the discussion of GHG emissions is cumulative in nature. As discussed above, the Mission Town Center project would result in less-than-significant impacts related to GHG emissions, and its contribution to the cumulative impact would not be cumulatively considerable. Therefore, the cumulative impact would be less than significant. No mitigation is required.

Analysis of the Proposed Project

Construction Emissions

The proposed project would demolish the existing structures on the approximately 5.75-acre project site and construct a mix of residential and retail uses that would include 355 residential units (including 8 live-work units), 22,064 sf of retail space with 2,364 square feet within the 8 work-live units, 5,866 sf amenities, 40,024 sf of public and private recreational areas, 297,161 sf parking garage and site serving infrastructure.

Due to the smaller number of apartment units and smaller square footage of building space to be constructed, the proposed project's construction emissions would be less than those estimated for the Mission Town Center project. In addition, the proposed project would comply with the City's municipal code, which requires recycling or reuse of at least 50 percent of construction waste or demolition materials and the use of local sources for at least 10 percent of the building materials. Therefore, similar to the FEIR conclusions, the GHG emissions during the construction phase of the proposed project would be less than significant. No new mitigation is required.

Operational Emissions

Because of the smaller number of apartment units and smaller overall project size, the proposed project's operational GHG emissions would be less than those that would result from the operation of the Mission Town Center project. Therefore, similar to the FEIR findings, the per capita operational emissions and the per capita net increase in operation emissions due to the proposed project would be below the per capita threshold of 4.6 MTCO2e/yr. Similar to the FEIR conclusions, the proposed project would not generate GHG emissions that would have a significant impact on the environment. No new mitigation is required.

Similar to the Mission Town Center project analyzed in the FEIR, the proposed project would develop the project site with a mixed-use community near transit facilities, and would include energy-reducing factors and numerous features to promote travel by alternate means and reduce vehicular travel and associated GHG emissions. Therefore, similar to the FEIR conclusions the proposed project would be consistent with all applicable goals and measures in the Santa Clara Clean Air Plan. In addition, the proposed project would support Goals One, Two, and Three of the Plan Bay Area, would comply with AB 32, and would not conflict with any plans, policies, or regulations for reducing GHG emissions. Therefore, the proposed project's project impact related applicable GHG plan, policy or regulation would be less than significant. No new mitigation is required.

Similar to the Mission Town Center project, the proposed project would result in less-than-significant impacts related to GHG emissions, and its contribution to the cumulative impact would not be cumulatively considerable. Therefore, the cumulative impact would be less than significant. No mitigation is required.

Changes in Circumstances and/or New Information

There are no changes in circumstances in which the proposed project would be undertaken. No new information has become available since the certification of the Mission Town Center EIR that would alter the previous analysis and change its conclusions relative to the project's GHG impacts such that

additional environmental review would be triggered. In 2015 and 2016, additional laws were enacted that established GHG reduction targets for the state of California for years beyond 2020. In October 2015, Senate Bill 350 established California's 2030 GHG reduction target of 40 percent below 1990 levels. In August 2016, Senate Bill 32 (SB 32) was signed into law which requires CARB to adopt rules and regulations to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030. Although new GHG reduction targets have been set forth, the BAAQMD has not developed new thresholds for use by lead agencies in the Bay Area to evaluate a project's GHG impacts. In May 2017, the BAAQMD issued updated CEQA Air Quality Guidelines in light of the final ruling in *BAAQMD v. CBIA*. However the updated guidelines do not contain any revised thresholds of significance or methodologies for evaluation of GHG impacts, and the City of Santa Clara has also not adopted any revised thresholds. Therefore, the impacts of the proposed project are evaluated above using available thresholds, and the analysis appropriately concludes that the proposed project would not result in new or more severe impacts related to GHG emissions.

Findings

For reasons stated above, the potential impacts from GHG emissions generated by the proposed project would be similar to or less than those analyzed in the FEIR and would be less than significant. The potential GHG impacts of the proposed project are adequately analyzed in the FEIR. No new or substantially increased significant impacts would result from the proposed project beyond those discussed in the FEIR. No new mitigation is required.

5.8 HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less than Significant New Impact	Impact Fully Analyzed in the MBCSP FEIR
HAZARDS AND HAZARDOUS MATERIALS- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
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?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such 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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?	☐	☐	☐	☒

Summary of Analysis in the FEIR

The FEIR found that during construction of the Mission Town Center project, use of hazardous materials in compliance with local, state, and federal regulations, as well as the implementation of a construction-phase stormwater pollution prevention plan (SWPPP) in compliance with National Pollutant Discharge Elimination System (NPDES) requirements, would minimize risks associated with the routine transport, use, or disposal of hazardous materials. Regarding occupancy and operation, the FEIR found that land uses of the Mission Town Center project would not generally involve the use, transport, or disposal of significant amounts of hazardous materials, including hazardous chemical, radioactive, and biohazardous materials. Furthermore, compliance with local, state, and federal regulations would minimize risks associated with the routine transport, use, or disposal of hazardous materials during project occupancy. The FEIR concluded that potential impacts from the routine transport, use, or disposal of hazardous materials during construction and operation of the proposed project would be less than significant.

Soil and groundwater contamination is present at the project site as a result of its historical use. In addition, two hazardous materials sites are located upgradient from the project site. The FEIR found that contamination on the project site and off-site and the presence of TPH-gasoline, TPH-diesel, TPH-motor oil, metals and VOCs in the groundwater would pose a human health risk for the construction workers on the project site, and could adversely affect the health of the residential and non-residential population that would occupy the project site after construction. In addition, water extracted during dewatering would potentially contain petroleum hydrocarbons and associated VOCs and metals. The FEIR also found that construction of off-site utilities to serve the Mission Town Center project would result in the exposure of the public or construction workers to hazardous materials. To reduce potentially significant human health risk impacts from contaminated soil and groundwater during construction and occupancy of the project site, the FEIR included **Mitigation Measures HAZ-2a** through **HAZ-2d**, which would reduce impacts to a less-than-significant level. Furthermore, compliance with BAAQMD Regulation 8, Rule 40, "Aeration of Contaminated Soil and Removal of Underground Storage Tanks," would limit the emissions of organic compounds from soil that has been contaminated by organic chemical or petroleum chemical leaks or spills and outline procedures for controlling such emissions.

The FEIR found that asbestos containing materials (ACMs) and lead may be present in several structures at the project site. The FEIR concluded that with compliance with the state law, which requires notifying BAAQMD of any proposed demolition or abatement work, and notifying Cal/OSHA of asbestos abatement would ensure that potential impacts from asbestos exposure during demolition would be less than significant. In addition, compliance with Cal/OSHA Lead Construction Standard, Title 8, California

Code of Regulation 1532 would ensure that potential impacts from lead-based paint disturbance during demolition would be less than significant.

Furthermore, the FEIR concluded that compliance with procedures established by the Metallic Discards Act of 1991 (California Public Resources Code, Sections 42160-42185) and other state and federal guidelines and regulations would ensure that potential impacts from disturbance of other hazardous building materials during construction would be reduced to a less than significant level.

The FEIR found that no CalARP facilities are located within 0.5 mile of the project site boundary, and therefore, an accidental release of stored hazardous materials from commercial/industrial facilities located on nearby properties would not be expected to endanger the health and/or safety of future residents on the project site. The FEIR concluded that this impact would be less than significant.

No schools are located within 0.25 mile of the project site other that the Santa Clara University. The FEIR found that compliance with local, state, and federal regulations, as well as the implementation of a construction-phase SWPPP in compliance with NPDES requirements would minimize any potential for impacts to nearby schools during construction. In addition, operation of the Mission Town Center project would not involve any use that would result in hazardous emissions. The FEIR concluded that the impact of the Mission Town Center project on nearby schools would be less than significant.

The FEIR found that concentration of residual environmental constituents from a historical Cortese listing of the property at 3390 The Alameda on the project site exceed environmental threshold. The FEIR included **Mitigation Measure HAZ-5**, which requires the implementation of **Mitigation Measures HAZ-2a** and **HAZ-2c**. The FEIR concluded that implementation of **Mitigation Measure HAZ-5** would reduce the impact associated with hazardous materials at the project site to a less-than-significant level.

The project site is located at approximately 0.5 miles from the Norman Y. Mineta San Jose International Airport in San Jose and is subject to the Airport's Comprehensive Land Use Plan (CLUP). The project site is also located at approximately 4 miles from Moffett Federal Airfield in Mountain View. The FEIR found that the flight paths of the nearby San Jose International Airport are adjacent to but not directly over the project site and flight paths and approaches for Moffett Federal Airfield are well away from the project site. The FEIR concluded that aircrafts flying the area would not result in a safety hazard to people living or working on the project site and this impact would be less than significant.

The FEIR found that the Mission Town Center project would not exceed the FAR Part 77 212-foot height restrictions. However, FAA notification under FAR Part 77.9b would be required because the height of the Mission Town Center project would extend into the imaginary surface extending outward and

upward at a slope of 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway. At the project site, the airport's imaginary surface would extend across the project site at a height of 42 feet. The FEIR stated that the Mission Town Center project would comply with the FAA notification requirements. Therefore, the FEIR concluded that this impact would be less than significant.

The FEIR found that construction and operation of the Mission Town Center project would not substantially interfere with the operation of traffic, including emergency response vehicles, along The Alameda, Benton Street, or El Camino Real. The project site is located in an extensively urbanized area at a substantial distance from the closest wildland areas. The FEIR concluded that the Mission Town Center project would have no impacts with regard to implementation of an emergency plan or wildland fire hazards.

Cumulative Impacts

The FEIR found that the Mission Town Center project would comply with relevant regulations and not result in a cumulatively considerable contribution to a significant cumulative impact. The FEIR stated that other foreseeable development projects in the City of Santa Clara would also be required to comply with local, state, and federal hazardous materials laws, and each cumulative project has been or will be subject to environmental review and if significant impacts are identified, mitigation measures would be implemented to avoid or reduce the impacts. The FEIR concluded that cumulative impacts associated with hazards and hazardous materials would be less than significant.

FEIR Mitigation Measures

HAZ-2a The project shall be developed under a project-specific site management plan or similar response plan approved by an agency of applicable jurisdiction, such as the RWQCB, that is protective of construction workers, the general public, the environment, and future site occupants from known and unknown environmental conditions that may be present at the site. The site management plan or similar response plan shall be designed and implemented under the oversight of an appropriately credentialed environmental professional (e.g., California licensed Professional Engineer), and shall require:

- Implementation of a worker health and safety plan (HASP) covering project construction workers and post-construction maintenance workers and groundskeepers who may be potentially exposed to hazardous materials. At a minimum, the HASP shall comply with state and federal worker safety regulations and be protective of worker health consistent with state and federal guidelines. The

HASP shall include measures such as training, signage, and personal protective equipment;

- The site management plan or similar response plan shall include health based goals, consistent with state and federal standards and guidance documents (taking into account the presence of naturally occurring constituents). These goals shall be achieved through one or more of the of the following or similar site management strategies or approaches: (1) excavation or extraction of impacted soil or groundwater and disposal in accordance with applicable regulations; (2) implementation of effective engineering controls (e.g., barriers, caps, onsite encapsulation, mechanical ventilation); (3) onsite treatment of soil or groundwater; or (4) implementation of institutional controls (e.g., land use covenants prohibiting the use of groundwater);

- Procedures to provide notice to the City of Santa Clara Fire Department for the removal of USTs and comply with the substantive City requirements should an UST or other underground structure be discovered on the project site, and address any associated soil impacts;

- Procedures for evaluating and discharging dewatering water; and

- Provisions to visually inspect for staining soil underlying existing buildings for potential unknown residual environmental constituents, to stop work in the vicinity of such discovery until notice to the oversight agency and appropriately credentialed environmental professional has been provided, and direction for further action received.

HAZ-2b Prior to dewatering, the project applicant will obtain and comply with all applicable permits and requirements prior to the discharge of any groundwater to surface water (storm drains) or sanitary sewers. Requirements may include treatment, monitoring, and reporting to ensure that the discharge meets the appropriate water quality objectives for the receiving waters.

HAZ-2c The metallic mass shall be removed under the jurisdiction of an appropriately credentialed environmental professional and agency of applicable jurisdiction, if the mass is determined to be an underground storage tank or other regulated subsurface

structure. Previously unidentified soil contaminants associated with the mass, if any, shall be removed and properly disposed of at an appropriately permitted facility.

HAZ-2d If evidence of contaminated soil and/or groundwater, such as discolored soil, odors or oil sheen, is encountered during excavation and/or grading for off-site utility improvements, the construction contractor shall stop work and immediately inform the Applicant and City staff. An appropriately credentialed (e.g., California licensed Professional Engineer) shall be contracted to conduct an on-site assessment. If the materials are determined to pose a risk to the public or construction workers, the environmental professional shall prepare and submit a site management plan to the appropriate agency and the project will comply with all federal, state, and local laws for the handling and disposal of contaminated soils and/or groundwater.

Analysis of the Proposed Project

Similar to the Mission Town Center project analyzed in the FEIR, the proposed project would build a mixed-use development on the project site that would not generally involve the use, transport, or disposal of significant amounts of hazardous materials or hazardous waste. Similar to the FEIR findings, the proposed project would comply with local, state, and federal regulations and would implement a construction SWPPP, which would minimize risks associated with the routine transport, use, or disposal of hazardous materials and this impact would be less than significant. No new mitigation is required.

Similar to the FEIR findings, the presence of soil and water contamination at the project site would have the potential to affect construction workers and future occupants of the project site. In addition, construction of off-site utilities would expose the public and construction workers to hazardous materials. The proposed project would comply with BAAQMD Regulation 8, Rule 40 to limit the emissions of organic compounds from contaminated soil, and incorporate FEIR **Mitigation Measures HAZ-2a** through **HAZ-2d** to reduce human health risk during construction and operation. Similar to the FEIR conclusion, the proposed project would result in a less-than-significant impact associated with soil and groundwater contamination.

Similar to the Mission Town Center project analyzed in the FEIR, the proposed project would be comply with the state law, which requires notifying BAAQMD of any proposed demolition or abatement work, and notifying Cal/OSHA of asbestos abatement. In addition, the proposed project would comply with Cal/OSHA Lead Construction Standard, Title 8, California Code of Regulation 1532 and with procedures established by the Metallic Discards Act of 1991. Similar to the FEIR conclusions, the proposed project's

impact during demolition from asbestos and lead-based paint disturbance and other hazardous building materials would be less than significant. No new mitigation is required.

Similar to the FEIR conclusions, the proposed project would result in a less-than-significant impact associated with CalARP facilities.

The proposed project would comply with local, state, and federal regulations to reduce hazardous materials impacts on nearby schools during construction. In addition, the proposed project's operations would be similar to those of the Mission Town Center project. Therefore, the proposed project's impacts on nearby schools would be less than significant. No new mitigation is required.

To reduce impacts associated with the Cortese listing at 3390 The Alameda, the proposed project would incorporate FEIR **Mitigation Measure HAZ-5**. Similar to the FEIR conclusions, the proposed project's impact associated with hazardous materials would be less than significant with mitigation incorporated. No new mitigation is required.

Similar to the Mission Town Center project analyzed in the FEIR, the proposed project would comply with the FAA notification requirements, and therefore, would result in a less-than-significant impact associated with aircraft hazard. In addition, implementation of the proposed project would not interfere with any emergency plan or result in wildfire hazards.

Cumulative Impacts

Similar to the FEIR conclusion, the proposed project would not make a cumulatively considerable contribution to any significant cumulative impact with respect to hazards and hazardous materials.

Changes in Circumstances and/or New Information

There are no changes in circumstances in which the proposed project would be undertaken. No new information has become available and no new regulations related to hazards and hazardous materials have come into effect since the certification of the Mission Town Center EIR that would alter the previous analysis and change its conclusions relative to environmental impacts such that additional environmental review would be triggered.

Findings

For reasons stated above, the potential hazards and hazardous impacts of the proposed project would be comparable to or less than those analyzed in the FEIR. The potential hazards and hazardous materials impacts of the proposed project are adequately analyzed in the FEIR. No new or substantially increased

significant impacts associated with hazardous materials would result from the proposed project beyond those discussed in FEIR. No new mitigation is required.

5.9 HYDROLOGY AND WATER QUALITY

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less than Significant New Impact	Impact Fully Analyzed in the FEIR
HYDROLOGY AND WATER QUALITY - Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
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)?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
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?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	☐	☐	☐	☒
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?	☐	☐	☐	☒

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less than Significant New Impact	Impact Fully Analyzed in the FEIR
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Summary of Analysis in the FEIR

Construction of the Mission Town Center would involve the disturbance of the 5.75-acre project site. The FEIR found that runoff and erosion during construction could result in pollutants such as soil, sediments, and other substances to enter the local storm drain system. The FEIR stated that compliance with the state's NPDES Construction General Permit would require the preparation of a SWPPP that include appropriate erosion-control measures. In addition, the SWPPP would require notifying the proper agency of any spills of pollutants or hazardous materials and appropriate cleanup of the spill. The FEIR concluded that with adherence to the SWPPP requirements approved by the City of Santa Clara Building Inspection Division would ensure that the quality of runoff that is discharged from the project site would not violate any water quality standards or otherwise substantially degrade surface water quality.

The FEIR found that water extracted via dewatering operations during construction of the below-grade parking level could contain contaminants that could affect surface water quality in the event that the water is discharged into a storm drain. The FEIR determined that with compliance with City de-watering requirements and implementation of FEIR **Mitigation Measure HAZ-2b** would ensure that contaminated groundwater is not discharged to surface waters. The FEIR concluded that construction of the Mission Town Center project would have a less than significant short-term impact on surface water quality.

Based on a hydrology study prepared for the Mission Town Center project, the FEIR found that the development qualifies as a "Special Status Project - Category C: Transit Oriented Development" as identified in Appendix J of the Santa Clara County Urban Runoff Pollution Prevention Program (SCVURPPP). Therefore, the FEIR determined that the Mission Town Center project is eligible for credits to reduce the amount of runoff that is treated by Low Impact Developments (LID) methods. The development was found to qualify for treating up to 80 percent of the storm runoff by non-LID methods, such as SCVURPPP-compliant media filters. Because the Mission Town Center project was proposing to treat 70 percent of the storm runoff by non-LID methods, the FEIR determined that the remaining 30 percent of storm runoff would be treated with SCVURPPP compliant LID methods, specifically LID based bioretention. The FEIR found that bioretention areas and media filter vaults as proposed by the

Mission Town Center project would remove pollutants from on-site storm water runoff prior to discharge to the City's storm drain system in compliance with applicable City of Santa Clara guidelines and standards as well as the San Francisco Bay RWQCB's Municipal Regional Permit requirements. The FEIR concluded that the quality of runoff that is discharged from the project site would not violate any water quality standards or otherwise degrade surface water quality. Therefore, the long-term impact on surface water quality during operation of the Mission Town Center project was determined to be less than significant.

The FEIR found that wastewater generated on the project site post development would be collected and conveyed to the San Jose - Santa Clara RWF for treatment, and no wastewater would be discharged directly into receiving waters. In addition, the FEIR determined that wastewater discharged to the RWF by the Mission Town Center project would not exceed the capacity of the treatment plant. The FEIR concluded that the impact associated with wastewater discharge would be less than significant.

The FEIR found that the Mission Town Center project would result in a net increase of potable water demand on the project site of approximately 58.4 acre-feet per year (afy). The FEIR determined that that the increase in demand at the project site in conjunction with the projected demand by other development in the City, would be adequately served by the available supply, under normal, single dry and multiple dry years, and the development of the Mission Town Center projects would not result in the need for new or expanded water supply entitlements.. The FEIR concluded that the Mission Town Center impact related to water supply would be less than significant.

In addition, the FEIR found that the project site is not located within the 26 acres used by the Santa Clara Valley Water District for recharge of the potable water aquifer. The FEIR found that impervious surfaces after development of the project site would total about 4.8 acres, which represents a four percent decrease compared to current conditions. The FEIR concluded that the Mission Town Center project would not interfere with, and may instead improve, groundwater recharge. This impact was determined to be less than significant.

The FEIR also found that the Mission Town Center project would include residential and commercial uses and would not use or store the types or volumes of hazardous materials that would pose the risk of groundwater contamination. Therefore, the FEIR concluded that the impact to groundwater quality during operation of the Mission Town Center project would be less than significant.

The FEIR found that site drainage would be designed and constructed in accordance with the 2013 CBC, and all site drainage would be routed to the City's storm drain system. This system is designed to accommodate existing and future flows from the project site and the surrounding area. As a result, the

FEIR concluded that the Mission Town Center project would not substantially alter existing natural drainage patterns.

Furthermore, the FEIR found with the small reduction in impervious surfaces on the project site after development of the Mission Town Center project, site runoff would be slightly reduced. In addition, with the 30 percent of the post-development storm water volume treated through bioretention, the volume of stormwater runoff discharged from the site would be reduced. Therefore, the FEIR concluded that runoff from the project site would not result in significant erosion or siltation on- or off-site. Nor would it result in flooding or produce runoff that exceeds the capacity of existing or planned stormwater drainage systems. This impact was determined to be less than significant.

The FEIR found that the project site is not located within a 100-year flood zone. As a result, the FEIR concluded that implementation of the Mission Town Center project would have no impact associated with placing housing or structures within a flood hazard area.

The FEIR found that project site is not located near water bodies and is not within the inundation area for Lexington Dam and/or Anderson Dam. As a result, the FEIR concluded that no impact would occur related to risk of seiche or tsunami inundation, debris flow, or mudflow.

Analysis of the Proposed Project

To reduce runoff and erosion potential during construction, the proposed project would comply with the requirements in the SWPPP that would be prepared as part of the compliance with the state's NPDES Construction General Permit. Therefore, similar to the FEIR conclusion, adherence to the SWPPP requirements that would be approved by City of Santa Clara Building Inspection Division would ensure that the quality of runoff that is discharged from the project site would not violate any water quality standards or otherwise substantially degrade surface water quality.

Construction of the proposed project would include a below-grade parking level, which would require dewatering operations. The proposed project would incorporate FEIR **Mitigation Measure HAZ-2b** to ensure that contaminated groundwater is not discharged to surface waters. Similar to the FEIR conclusion, with implementation of FEIR **Mitigation Measure HAZ-2b,** the proposed project's short-term impact on surface water quality would be less than significant. No new mitigation is required.

The proposed project would treat stormwater through a combination of bioretention areas and media filter vault system, with up to 80 percent of the post-development stormwater to be treated by filter vault system, and a minimum of 20 percent to be treated through bioretention. Similar to the FEIR findings, bioretention areas and media filter vaults would remove pollutants from on-site stormwater runoff prior

to discharge to the City's storm drain system in compliance with applicable City of Santa Clara guidelines and standards as well as the San Francisco Bay RWQCB's MRP requirements. Similar to the FEIR conclusion, the long-term impact on surface water quality during operation of the proposed project would be less than significant. No new mitigation is required.

The proposed project would have fewer apartment units and retail space than the Mission Town Center project analyzed in the FEIR. Therefore, the volume of wastewater discharged to the WRF would be lower than analyzed in the FEIR, and similar to the FEIR conclusion, wastewater discharged to the WRF by the proposed project would not exceed the capacity of the treatment plant, and this impact would be less than significant. No new mitigation is required.

Net increase in potable water demand that would result from the proposed project would be approximately 5.3 percent less than that estimated for the Mission Town Center project. Based on the updated 2016 Groundwater Management Plan, the demand for groundwater in 2035 within the Santa Clara Subbasin is projected to be 118,000 afy, including anticipated growth in the region such as the proposed project, which is 41 percent less than the safe yield of the subbasin. Therefore, similar to the FEIR conclusion, the proposed project would not substantially deplete groundwater supplies.

The proposed project would result in a reduction in impervious surface area of approximately 9.3 percent compared to current conditions. Therefore, similar to the FEIR conclusion, the proposed project would not interfere with, and may instead improve, groundwater recharge, and this impact would be less than significant.

Similar to the Mission Town Center project analyzed in the FEIR, due to the mixed-use nature of the proposed project, the project would not involve storage or use of the types or volumes of hazardous materials that would pose the risk of groundwater contamination. Therefore, similar to the FEIR conclusion, the proposed project's impact to groundwater quality during operation would be less than significant.

Similar to the Mission Town Center project, storm drainage would be designed to accommodate existing and future flows and the proposed project would not substantially alter existing natural drainage patterns. Furthermore, the reduction in impervious surfaces under the proposed project would be approximately twice the reduction that would have resulted under the Mission Town Center project. Therefore, similar to the FEIR conclusion, with the stormwater treatment through a filter vault system and bioretention, runoff from the project site would not result in significant erosion or siltation on- or off-site. Nor would it result in flooding or produce runoff that exceeds the capacity of existing or planned stormwater drainage systems, and this impact would be less than significant.

Changes in Circumstances and/or New Information

Since the preparation of the FEIR, the SCVWD updated the District's Groundwater Management Plan and adopted it on November 2016. Based on the updated Plan, the demand for groundwater within the Santa Clara subbasin in 2035 was estimated to be 118,000 afy, including anticipated growth in the region such as the development of the project site. As discussed above, the updated projection of 2035 water demand is approximately 41 percent less than that estimated previously and would remain within the safe yield of the subbasin. Therefore, the new information in the District's Groundwater Management Plan has no effect on the FEIR analysis or its conclusions relative to environmental impacts, and additional environmental review is not triggered.

Findings

The potential hydrology and water quality impacts of the proposed project are similar to those analyzed in the FEIR. For reasons stated above, the proposed project's potential impacts related to hydrology and water quality would be less-than-significant with implementation of FEIR **Mitigation Measure HAZ-2b**. The potential impacts of the proposed project associated with hydrology and water quality are adequately analyzed in the FEIR. No new or substantially increased significant impacts would result from the proposed project beyond those discussed in the FEIR. No new mitigation is required.

5.10 LAND USE AND PLANNING

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less than Significant New Impact	Impact Fully Analyzed in the FEIR
LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with 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?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Summary of Analysis in the FEIR

The FEIR found that the portions of Sherman and Fremont Streets to be vacated on the project site for the construction of the Mission Town Center project provide access to existing buildings and uses presently located on the site. Therefore, the project would not physically divide the surrounding neighborhood by reducing accessibility by vehicles or pedestrians or by reducing access to any existing uses around the project site. The FEIR concluded this impact to be less than significant.

As stated in the FEIR, the applicant for the Mission Town Center project requested a General Plan Amendment (GPA) to change the land use designations on the project site from Santa Clara Station Low Density Residential (8-18 du/ac) and Santa Clara Station High Density Residential (37-50 du/ac) to Santa Clara Station Very High Density Residential (51-90 du/ac). The Mission Town Center also proposed to add a policy to the General Plan allowing limited neighborhood commercial within the Santa Clara Station Very High Density Residential land use designation. The FEIR found that with the approval of the amendments, the residential and retail components of the Mission Town Center project would be consistent with the General Plan land use designation for the project site. In addition, the FEIR found that the Mission Town Center project would be consistent with the City of Santa Clara Zoning code if the rezoning of the project site was approved.

The FEIR found that the Mission Town Center project would not conflict with any of the regional plans such as the Plan Bay Area, the 2010 Clean Air Plan, the Santa Clara Congestion Management Plan, or the San Francisco Bay Regional Water Quality Control Plan. Additionally, the FEIR found that the Mission Town Center project would not conflict with the Comprehensive Land Use Plan of Norman Y. Mineta San José International Airport. The FEIR concluded that the Mission Town Center project would have a less-than-significant impact related to conflict with any applicable land use plan, policy, or regulation. No mitigation was required.

The FEIR found that project site is not located within the portion of Santa Clara County that is covered by the Santa Clara Valley Habitat Conservation Plan (HCP)/Natural Community Conservation Plan (NCCP). In addition, there are no other HCPs or NCCPs applicable to the project area. The FEIR concluded that the Mission Town Center project would have no conflicts with an HCP/NCCP, or other conservation plan would occur. No mitigation was required.

Cumulative Impacts

The FEIR found that future development near the project site would largely involve the redevelopment of previously developed parcels that would not substantially change the land uses in the project area. In addition, future development in the City of Santa Clara would be reviewed for consistency with the General Plan designations and policies, in accordance with the requirements of CEQA, the State Zoning and Planning Law, and the State Subdivision Map Act. The FEIR concluded that the Mission Town Center project would not contribute to any cumulative land use impacts, and this impact would be less than significant.

Analysis of the Proposed Project

The proposed project would be similar to the Mission Town Center project analyzed in the FEIR and would also vacate the on-site streets. For the same reasons as put forth in the FEIR, the proposed project would not physically divide the surrounding neighborhood and this impact would be less than significant. No new mitigation is required.

On February 23, 2016, the City Council approved a General Plan Amendment (GPA) and a rezoning of the project site. The approved GPA and rezoning, however, were for a project that was less intense than originally contemplated by the FEIR, and less intense than the current proposal. Although the original FEIR analyzed a project for 385 apartments (at a density of 67.5 du/ac), the project approved by Council would have only allowed for 318 units (at a density of 55 du/ac), which fell within the land use designation for Santa Clara Square High Density Residential with the density bonus for the affordable

units the prior developer proposed. As a result, the City Council did not change the land use designation to Santa Clara Square Very High Density Residential, and instead changed it to Santa Clara Square High Density Residential. Similarly, the approved rezoning to Planned Development (PD) was for a development of 318 units, not a development of 385 units. Consequently, the current proposed project would still require both a General Plan Amendment and a rezoning in order to proceed, as the current zoning and land use designation approved in February 2016 would not allow for a project of this density.

Similar to the Mission Town Center project analyzed in the FEIR, the proposed project would require a GPA to change the land use designations on the project site to Very High Density Residential (51-90 du/ac), and to include a policy allowing limited neighborhood commercial within Santa Clara Station Very High Density Residential land use designation. Similar to the FEIR conclusion, with approval of the General Plan amendments and with the rezoning of the project site, the proposed project would be consistent with the General Plan land use designation and with the City of Santa Clara Zoning code. Similar to the FEIR conclusion, impacts of the proposed project related to conflicts with any applicable land use plan, policy, or regulation would be less than significant. In addition, the proposed project would have no conflicts with any HCP/NCCP, or other conservation plan.

Cumulative Impacts

Similar to the FEIR conclusion, the proposed project would not contribute to any cumulative land use impacts, and this impact would be less than significant.

Changes in Circumstances and/or New Information

There are no changes in circumstances in which the proposed project would be undertaken. No new information has become available and no new regulations related to land use and planning have come into effect since the certification of the Mission Town Center EIR that would alter the previous analysis and change its conclusions relative to environmental impacts such that additional environmental review would be triggered.

Findings

For reasons stated above, less-than-significant impacts or no impacts related to land use and planning would result from implementation of the proposed project. The potential land use impacts of the proposed project are adequately analyzed in the FEIR. No new or substantially increased significant impacts would result from the proposed project beyond those discussed in the FEIR. No new mitigation is required.

5.11 MINERAL RESOURCES

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less than Significant New Impact	Impact Fully Analyzed in the FEIR
MINERAL RESOURCES - Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Summary of Analysis in the FEIR

The FEIR found that no aggregate production areas have been identified in the City of Santa Clara, and no known mineral resources are present on the project site. The FEIR concluded that implementation of the Mission Town Center project would not result in the loss of availability of known mineral resources that would be of value to the region and the residents of the state. Therefore, the implementation of the Mission Town Center project was determined to have no impact on mineral resources.

Analysis of the Proposed Project

Similar to the FEIR findings, with no mineral resources present at the project site or in the City of Santa Clara, implementation of the proposed project would have no impact on mineral resources.

Changes in Circumstances and/or New Information

There are no changes in circumstances in which the proposed project would be undertaken. No new information has become available and no new regulations related to mineral resources have come into effect since the certification of the Mission Town Center EIR that would alter the previous analysis and change its conclusions relative to environmental impacts such that additional environmental review would be triggered.

Findings

The potential mineral resource impacts of the proposed project are similar to those analyzed in the FEIR. For reasons stated above, no new impacts to mineral resources would result with implementation of the proposed project. The potential impacts of the proposed project associated with mineral resources are adequately analyzed in the FEIR. No new or substantially increased significant impacts would result from the proposed project beyond those discussed in the FEIR. No new mitigation is required.

5.12 NOISE

	Potentially New Significant Impact	Less than Significant New Impact with Mitigation	Less than Significant new Impact	Impact Fully Analyzed in the FEIR
NOISE - Would the project result in:				
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?	☐	☐	☐	☒
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Summary of Analysis in the FEIR

Noise Impact On-Site

The FEIR found that ambient noise levels at most residential facades of the Mission Town Center project would be above 60 dB(A), therefore exceeding the 45 dB(A) standards for interior noise levels set by the City of Santa Clara General Plan and California Building Code. The FEIR included **Mitigation Measure Noise-1a** to reduce this impact to a less-than-significant level.

The FEIR found that noise levels at the outdoor areas of the Mission Town Center project would be at or below the normally acceptable exterior noise levels of 55 db(A). The FEIR concluded that this impact

would be less than significant. The FEIR however stated that in the event of a design change that would result in the outdoor areas near roadways to be not completely shielded, noise levels could exceed the acceptable exterior noise levels. The FEIR included **Mitigation Measure NOISE-1b** to reduce this impact to a less-than-significant level.

Groundborne Vibration Impact

The FEIR found that vibration levels resulting from commuter trains, which pass near the site more than 70 times daily, are below the frequent event criteria established by the FTA for residential and commercial uses. In addition, the FEIR found that freight train passbys are infrequent and their measured vibration levels at the project site were below FTA infrequent event criteria of 80 VdB for residential and commercial uses. Based on a detailed assessment, all of the measured vibration levels are below the FTA's residential daytime and nighttime detailed assessment vibration criteria of 78 and 72 VdB, respectively, as well as the criterion of 84 VdB for institutional uses. Therefore, the FEIR concluded that residential and commercial uses of the Mission Town Center project would not be exposed to groundborne vibration levels from rail sources in excess of FTA assessment guidelines, and this impact was determined to be less than significant. No mitigation was required.

The FEIR found that construction activities, such as drilling, the use of jackhammers, rock drills and other high-power or vibratory tools, and rolling stock equipment (tracked vehicles, compactors, etc.) would result in vibration levels that exceed 0.1 in/sec PPV threshold, and have the potential to result in damage to the structure at 3430 The Alameda located at 10 feet from the project site. The FEIR found that vibration levels at other structures that are more than 50 years old along The Alameda, Benton Street, and Harrison Street would be below 0.1 in/sec PPV threshold. The FEIR also found that with the exception of one home located within 10 feet from the northern boundary of the project site, vibration levels associated with construction activities would not be perceptible to nearby sensitive receptors. The FEIR included **Mitigation Measure NOISE-7** to address the potentially significant impact on building structures and nearby sensitive receptors from construction-phase vibrations, and concluded that the mitigation measure would reduce this impact to a less than significant level.

Noise-sensitive receptors near the project site

The relatively high traffic volumes on nearby El Camino Real and Benton Street are the primary sources of noise in the area. The FEIR found that intersection noise levels would increase by less than 1 dB(A) outside the project site with or without the implementation of the Mission Town Center project. Therefore, the FEIR concluded that the Mission Town Center project would not substantially increase traffic noise levels at noise-sensitive receptors near the project site. The FEIR found that segments of some

intersections (e.g., project access from El Camino Real and the north segment of the intersection of Benton and Sherman Streets on or adjacent to the project site would experience a significant increase in noise levels (above 3dBA) as a result of the Mission Town Center project. However, the FEIR stated that these segments are internal to the project site and would not have any impact on nearby properties. The FEIR concluded that traffic along El Camino Real is significantly higher and would control noise levels at the project access driveway, resulting in a less-than-significant change in noise levels. The FEIR noted that for on-site sensitive receptors, implementation of **Mitigation Measures NOISE-1a** and **NOISE-1b** would reduce noise impacts to a less-than-significant level.

The FEIR found that HVAC equipment installed at the edge of the buildings of the Mission Town Center project would produce noise levels at the nearest residential uses that would exceed the City's 55 dB Leq daytime and 50 dB Leq nighttime noise standards for residential uses. Similarly, the FEIR found that noise produced by standard HVAC equipment could exceed the City's 65 dB(A) Leq daytime and 60 dB(A) Leq nighttime noise standards for nearby commercial land uses. The FEIR included **Mitigation Measure NOISE-4** to reduce this impact to a less-than-significant level.

The FEIR found that the parking garage of the Mission Town Center project would be enclosed on all sides and sufficiently insulated and would not result in additional noise to nearby residents or project-site residents. The FEIR concluded that noise impacts from the parking garage of the Mission Town Center project would be less than significant. No mitigation was required.

Construction Noise

The FEIR found that construction activities and construction traffic would be louder than the ambient noise levels and would affect existing residences, commercial buildings, and other sensitive receptors located adjacent to the project site with direct line-of-sight. The FEIR included **Mitigation Measure NOISE-6** to reduce the impacts from construction noise at nearby sensitive receptors to a less than significant level.

Cumulative Impacts

The FEIR found that while noise levels would increase by 3 dBA at some intersections, this increase would be primarily result from the cumulative traffic volume without the project. The FEIR found that addition of the project traffic would not result in a cumulative increase of 3 dBA or more. In addition, the FEIR included **Mitigation Measures Noise-1a** and **Noise-1b**. Therefore, the FEIR concluded that cumulative noise impacts associated with the Mission Town Center project would be less than significant.

FEIR Mitigation Measures:

NOISE-1a A project-specific acoustical analysis shall be prepared by a qualified acoustical consultant as the project design is refined to determine specific noise attenuation improvements (e.g., STC ratings, exterior wall construction, treatment of façade openings) that must be included in the project to reduce interior noise levels to meet the City of Santa Clara and the State Building Code criterion of an Ldn of 45 dB or less for residential developments. The results of the analysis and recommended ratings for windows and doors shall be submitted to the City Building Official for approval and approved prior to issuance of building permits. Forced air mechanical ventilation, satisfactory to the City Building Official, shall be considered where windows must remain closed in order to achieve the interior noise criteria.

NOISE-1b In the event that outdoor-use spaces are not completely shielded from adjacent roadways by the proposed structure, a project-specific acoustical analysis shall be prepared by a qualified acoustical consultant as the project design is refined to determine specific noise attenuation improvements (e.g., reconfiguration, sounds walls, glass screen, or other equivalent measures) that must be included in the project to reduce exterior noise levels to meet the City outdoor noise guidelines for primary outdoor-use spaces. The results of the analysis and recommended noise attenuation improvements shall be submitted to the City Building Official for approval and approved prior to issuance of building permits.

NOISE-4 Mechanical equipment shall be selected and designed to reduce impacts on surrounding uses to meet the City's Noise Ordinance requirements. A qualified acoustical consultant shall be retained to review mechanical noise as these systems are developed to determine specific noise reduction measures necessary to reduce noise to comply with the City's Noise Ordinance. Noise reduction measures could include but are not limited to selection of equipment that emits low noise levels and/installation of noise barriers such as enclosures and parapet walls to cut the line of sight between the noise source and the nearest receptors.

NOISE-6 Construction-related activities shall be conducted in accordance with the following:

- Based on the final construction plan and equipment list, a site specific noise reduction plan shall be prepared by a qualified acoustical consultant, detailing locations of construction noise barriers and other site mitigation, to reduce noise levels at adjacent residential properties.

- Pursuant to the Santa Clara City Code, construction activities within 300 feet of any residence shall be limited to the hours of 7:00 AM to 6:00 PM, Monday through Friday and 9:00 AM to 6:00 PM on Saturday. No construction shall occur on Sundays and holidays.

- During construction, mufflers shall be provided for all heavy construction equipment and all stationary noise sources in accordance with the manufacturers' recommendations.

- Unnecessary idling of internal combustion engines shall be limited.

- Stationary noise sources and staging areas shall be located as far as is feasible from existing residences, or contractors shall be required to provide additional noise-reducing engine enclosures (with the goal of achieving approximately 10 dB(A) of reduction compared to uncontrolled engines). Locating stationary noise sources near existing roadways away from adjacent properties is recommended (i.e., at the southwest corner of the project site).

- Air compressors and pneumatic equipment shall be equipped with mufflers, and impact tools shall be equipped with shrouds or shields.

- If for construction purposes, locating stationary construction equipment near existing residential uses is required, an eight foot tall sound-rated fence should be erected between the equipment and the sensitive receptors. The fence should be located as close to the equipment as is feasible.

- Construction vehicle access routes shall be designed to minimize the impact on existing residences. The vehicle access route shall be along El Camino Real.

- A "construction liaison" shall be designated to ensure coordination between construction staff and neighboring properties to minimize disruptions due to construction noise. Occupants and property owners adjacent to the construction activity shall be notified in writing of the construction schedule and the contact information for the construction liaison.

- A qualified acoustical engineer shall be retained to address neighbor complaints, if they occur. If complaints occur, noise measurements shall be conducted, to determine if construction noise levels at adjacent property lines are within the

standards. Short-term or long-term construction noise monitoring may also be utilized, at the discretion of the acoustical engineer, to diagnose complaints and determine if additional mitigation is required for certain phases of construction.

NOISE-7 Construction-related activities shall be conducted in accordance with the following:

- Within 45 feet of any existing structure that is over 50 years old:
    - Compaction activities shall not be conducted using a vibratory roller. Within this area, compaction shall be performed using smaller hand tampers.
    - Demolition, earth-moving and ground-impacting operations shall be phased so as not to occur at the same time.
    - Construction and demolition activities shall not involve clam shell dropping operations.
- Pursuant to the Municipal Code, construction activities within 300 feet of any residence shall be limited to the hours of 7 AM to 6 PM, Monday through Friday and 9 AM to 6 PM on Saturday. No construction shall occur on Sundays and holidays.
- A "construction liaison" shall be designated to ensure coordination between construction staff and neighboring properties to minimize disruptions due to construction vibration. Occupants and property owners adjacent to construction activity shall be notified in writing of the construction schedule and the contact information for the construction liaison. Vibration generating activities shall be scheduled during less sensitive times of day (i.e., middle of the day) as feasible.
- A pre-construction survey of buildings within 45 feet of construction activities shall be performed, including those at 3430/3450 The Alameda and 610/640 Harrison Street to document existing conditions. Vibration monitoring shall be performed at the start of each major construction phase to confirm vibration levels at the building setback and to determine if further mitigation is needed. Buildings shall be monitored during construction for structural damage.

Analysis of the Proposed Project

Similar to the Mission Town Center project analyzed in the FEIR, noise levels at residential facades of the proposed project would exceed the 45 dB(A) standards for interior noise levels if no noise attenuation

were implemented. The proposed project would incorporate FEIR **Mitigation Measure NOISE-1a** which requires the preparation of an acoustical analysis and the implementation of the recommended noise attenuation improvements that would be approved by the City Building Official. Similar to the FEIR conclusion, with implementation of FEIR **Mitigation Measure NOISE-1a**, interior noise levels in the residential units of the proposed project would be less than significant. No new mitigation is required.

The proposed project includes two courtyards (Courtyards B and C) in proximity to roadways. The proposed project would incorporate FEIR **Mitigation Measure NOISE-1b**, which requires an acoustical analysis to determined specific noise attenuation improvements to reduce exterior noise levels and meet the City outdoor noise guidelines for primary outdoor-use spaces. With implementation of FEIR **Mitigation Measure NOISE-1b**, the proposed project's impact associated with noise levels at the outdoor areas would be less than significant. No new mitigation is required.

Similar to the FEIR conclusions, residential and commercial uses of the proposed project would not be exposed to groundborne vibration levels from rail sources in excess of FTA assessment guidelines, and this impact would be less than significant. No mitigation is required.

Construction activities associated with the proposed project would be similar to those under the Mission Town Center project. Therefore similar to the FEIR findings, construction of the proposed project would result in vibration levels that exceed 0.1 in/sec PPV threshold and have the potential to result in damage to the structure at 3430 The Alameda and to be perceptible to the sensitive receptors in one home located within 10 feet from the northern boundary of the project site. The proposed project would implement FEIR **Mitigation Measure NOISE-7** to reduce potential construction vibration impacts on building structures and nearby sensitive receptors. Similar to the FEIR conclusion, vibration impacts of the proposed project would be less than significant with mitigation incorporated. No new mitigation is required.

The proposed project would have fewer apartment units and a reduction in the retail space compared to the Mission Town Center project. Therefore, traffic generation associated with the proposed project would be smaller than that of the Mission Town Center project analyzed in the FEIR. Similar to the FEIR findings, the proposed project would not substantially increase traffic noise at noise-sensitive receptors near the project site. The proposed project would incorporate FEIR **Mitigation Measure NOISE-1a** and **NOISE-1b.** Similar to the FEIR conclusion, the proposed project's impact related to traffic noise would be less than significant with mitigation incorporated.

Similar to the FEIR, noise level generated by HVAC equipment that would be installed as part of the project buildings would exceed the City's 55 dB Leq daytime and 50 dB Leq nighttime noise standards for

residential uses, and would exceed the City's 65 dB(A) Leq daytime and 60 dB(A) Leq nighttime noise standards for nearby commercial land uses. The proposed project would incorporate FEIR **Mitigation Measure NOISE-4** which requires the selection of mechanical equipment that would meet the City's Noise Ordinance requirements. Similar to the FEIR conclusion, the noise impact from HVAC equipment included in the proposed project would be less than significant with mitigation incorporated.

Similar to the Mission Town Center project, the parking garage of the proposed project would be enclosed on all sides and sufficiently insulated. Therefore, similar to the FEIR conclusions, noise impacts associated with the parking garage would be less than significant. No new mitigation is required.

Construction activities associated with the proposed project would be similar in type and duration to those for the Mission Town Center project. Therefore, similar to the FEIR findings, noise associated with these activities would be louder than the ambient traffic noise. The proposed project would incorporate FEIR **Mitigation Measure NOISE-6** to reduce the impacts from construction noise at nearby sensitive receptors. Similar to the FEIR conclusions, the noise impact of proposed project during construction would be less than significant with mitigation incorporated.

Cumulative Impacts

The proposed project would have fewer apartment units and a reduction in the retail space compared to the Mission Town Center project. Therefore, similar to the Mission Town Center project, the proposed project would not result in a cumulative traffic noise increase of 3 dBA or more, and the cumulative noise impacts associated with the proposed project would be less than significant.

Changes in Circumstances and/or New Information

There are no changes in circumstances in which the proposed project would be undertaken. No new information has become available and no new regulations related to noise have come into effect since the certification of the Mission Town Center EIR that would alter the previous analysis and change its conclusions relative to environmental impacts such that additional environmental review would be triggered.

Findings

For reasons stated above, with mitigation, less-than-significant noise impacts would result from implementation of the proposed project. The potential noise impacts of the proposed project are adequately analyzed in the FEIR. No new or substantially increased significant impacts would result from the proposed project beyond those discussed in the FEIR. No new mitigation is required.

5.13 POPULATION AND HOUSING

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less than Significant New Impact	Impact Fully Analyzed in the FEIR
POPULATION AND HOUSING – Would the project:				
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)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Summary of Analysis in the FEIR

The FEIR found that the 385 residential units associated with the Mission Town Center project would increase the population of the City of Santa Clara by approximately 1,036 people based on an estimated average household of 2.69 persons; thereby, increasing the City's population by approximately 0.86 percent. The EIR found that the Mission Town Center project is accounted for in anticipated growth under the City's General Plan. Furthermore, the FEIR found that the addition of 385 residential units to the City of Santa Clara would help improve the City's jobs/housing balance. Therefore, the FEIR concluded that the impact related to population growth would be less than significant.

The FEIR found the Mission Town Center project would not displace substantial numbers of existing housing necessitating the construction or replacement housing elsewhere, because it would result in a net increase of 375 units on the project site. The FEIR determined that this impact would be less than significant.

Since the existing residential units on the project site house approximately 24 people, the FEIR found that the Mission Town Center project would not displace substantial numbers of people necessitating the construction of replacement housing elsewhere, and this impact was determined to be less than significant.

Analysis of the Proposed Project

The proposed project would have 55 fewer residential units than the Mission Town Center project, and therefore would result in a smaller increase in population. Therefore, similar to the FEIR conclusion, the proposed project's impact related to population growth would be less than significant.

Furthermore, similar to the FEIR conclusions, the addition of residential units under the proposed project would help improve the City's jobs/housing balance, would not displace substantial numbers of existing housing, and would not displace substantial numbers of people. Therefore, similar to the FEIR conclusions, the proposed project's impacts related to increase in population and displacement of housing and population would be less than significant. No new mitigation is required.

Changes in Circumstances and/or New Information

There are no changes in circumstances in which the proposed project would be undertaken. No new information has become available and no new regulations related to population and housing have come into effect since the certification of the Mission Town Center EIR that would alter the previous analysis and change its conclusions relative to environmental impacts such that additional environmental review would be triggered.

Findings

The potential population and housing impacts of the proposed project are adequately analyzed in the FEIR. The proposed project would not result in new or substantially increased significant impacts beyond those discussed in the FEIR. No new mitigation is required.

5.14 PUBLIC SERVICES

	Potentially New Significant Impact	Less than Significant New Impact with Mitigation	Less than Significant New Impact	Impact Fully Analyzed in the FEIR
PUBLIC SERVICES				
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:				
i) Fire protection?	☐	☐	☐	☒
ii) Police protection?	☐	☐	☐	☒
iii) Schools?	☐	☐	☐	☒
iv) Parks?	☐	☐	☐	☒
v) Other governmental services?	☐	☐	☐	☒

Summary of the Analysis in the FEIR

Fire

The FEIR found that the increase in residents and employees (1,114 residents and employees) at the project site due to the Mission Town Center project would increase the need for fire suppression services. To meet the City's standards of 1.5 firefighters per 1,000 residents and employees, the FEIR found that the City would need to add one to two firefighters. The FEIR found that the addition of one to two firefighters could be accommodated in the existing fire facilities and would not require the construction of new of physically altered facilities. The FEIR concluded that the Mission Town Center project would have a less-than-significant impact related to fire services.

Police

The FEIR found that the increase in residents and employees (1,114 residents and employees) at the project site would increase the demand for police services serving the site. To meet the standard of

maintaining an officer-to-service population ratio of 1.7 officers per 1,000 residents, the FEIR found that the City would need to add one to two officers, one non-sworn staff, and four additional patrol vehicles to serve the residents and employees associated with the Mission Town Center project. The FEIR found that existing police facilities in the City could accommodate the additional officers and equipment required for the Mission Town Center project. The FEIR concluded that since project implementation would not require new or physically altered police facilities, the impact to police services would be less than significant.

Schools

The FEIR found that all of the schools that serve the project site are at or over capacity and the Mission Town Center project would result in the overutilization of these schools. In accordance with SB 50, the FEIR found that the Mission Town Center project applicant would pay the developer fees to offset the cost of new school construction and redevelopment in the City of Santa Clara. In addition, after construction the school district would receive a portion of the property taxes and General Obligation bond taxes that are collected annually concurrent with property taxes. The FEIR concluded that with payment of developer fees and property taxes, impacts of the Mission Town Center project on schools within SCUSD would be less than significant.

Libraries

The FEIR found that the City's library system meets or exceeds the service goals of 3.0 volumes (books) per capita and 3.4 items (books and audio-visual volumes) per capita. The FEIR found that even with addition of the Mission Town Center project, the City's library system would continue to meet or exceed its service goals and would not require new or physically altered facilities to accommodate a larger collection. Therefore, the FEIR concluded that this impact would be less than significant.

Parks and other Recreational Facilities

The FEIR noted that the City is currently meeting the standard of 2.53 acres per 1,000 residents per the Mitigation Fee Act provisions of the City Code and 3 acres per 1,000 residents per the Quimby Act provisions of the City Code with regard to neighborhood parks. The FEIR found that the increased population associated with the Mission Town Center project would contribute to the overuse of existing parks near the project site that would potentially lead to physical deterioration of park facilities and overcrowding. In addition, the Mission Town Center project would require the City to add more parkland to City's inventory of parkland in order to continue to meet the City's minimum standard of 2.53 acres of parkland per 1,000 residents for Mitigation Fee Act and 3.0 acres of parkland per 1,000

residents under the Quimby Act. The FEIR found that the Mission Town Center project would require 2.62 acres of additional parkland to serve the increased population in the City. The FEIR included **Mitigation Measure PUB-5** which requires the applicant to pay park in-lieu fees per City Code (Chapter 17.35) that would be used by the City to acquire and/or develop new parkland and/or amenities or facilities. The FEIR concluded that the Mission Town Center project's impact on parks and recreational facilities would be less than significant with mitigation incorporated.

Cumulative Impacts

The FEIR found that other development projects in the City would be subject to environmental review and if significant impacts are identified, mitigation measures would be implemented to avoid or reduce impacts on public services. The FEIR concluded that contribution of the Mission Town Center project would not be cumulatively considerable and cumulative impacts associated with public services would be less than significant.

Analysis of the Proposed Project

Fire

The proposed project would have 55 fewer residential units than the Mission Town Center project, and therefore would result in a smaller increase in population. Therefore, similar to the Mission Town Center project analyzed in the FEIR, the City would need to add one or two firefighters to accommodate the additional need for fire suppression as a result of the proposed project. Similar to the FEIR conclusions, the addition of one or two firefighters could be accommodated in the existing fire facilities, and the proposed project would have a less-than-significant impact related to fire services. No new mitigation is required.

Police

Similar to the Mission Town Center project analyzed in the FEIR, implementation of the proposed project would require the City to add one to two officers, one non-sworn staff, and four additional patrol vehicles to serve the residents to serve the future occupants of the project site. Similar to the FEIR conclusions, because the addition of additional officers would not require new facilities, the proposed project would have a less-than-significant impact related to police services. No new mitigation is required.

Schools

Similar to the Mission Town Center project, the proposed project would result in the overutilization of the schools in the project area. The proposed project would comply with SB 50 and pay the developer fee, and following completion of construction would pay property taxes, a portion of which would go to local schools. Similar to the FEIR conclusions, with the payment of developer fees and property taxes, the impact of the proposed project on schools within SCUSD would be less than significant.

Libraries

Similar to the Mission Town Center project analyzed in the FEIR, with implementation of the proposed project, the City's library system would continue to meet or exceed its service goals and would not require new or physically altered facilities to accommodate a larger collection. Therefore, similar to the FEIR conclusions, the proposed project would have a less-than-significant impact on local libraries.

Parks and other Recreational Facilities

The population increase associated with the proposed project would be less than that under the Mission Town Center project. However, similar to the Mission Town Center project, the proposed project would contribute to the overuse of existing parks near the project site and would require adding more parkland to the City's inventory. The proposed project would incorporate FEIR **Mitigation Measure PUB-5**, which requires the applicant to pay park in-lieu fees per City Code (Chapter 17.35). Similar to the FEIR conclusion, the proposed project's impact on parks and recreational facilities would be less than significant with mitigation incorporated.

Cumulative Impacts

Similar to the FEIR conclusions, the proposed project contribution to cumulative public services impacts would not be cumulatively considerable and the cumulative impacts associated with public services would be less than significant.

Changes in Circumstances and/or New Information

There are no changes in circumstances in which the proposed project would be undertaken. No new information has become available and no new regulations related to public services have come into effect since the certification of the Mission Town Center EIR that would alter the previous analysis and change its conclusions relative to environmental impacts such that additional environmental review would be triggered.

Findings

The potential public services impacts of the proposed project are adequately analyzed in the FEIR. The proposed project would not result in new or substantially increased significant impacts beyond those discussed in the FEIR. No new mitigation is required.

5.15 TRANSPORTATION AND TRAFFIC

	Potentially New Significant Impact	Less than Significant New Impact with Mitigation	Less than Significant New Impact	Impact Fully Analyzed in the FEIR
TRANSPORTATION/TRAFFIC - Would the project:				
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☐	☒
b) Exceed, either individually or cumulatively, a level of service standard 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 supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

Summary of the FEIR Analysis

The FEIR determined that many of the traffic impacts of the Mission Town Center project would be less than significant. However some of the project's traffic impacts would be significant and unavoidable.

Impacts on the Road Network

The FEIR found that the Mission Town Center project would add 119 net vehicle trips during the AM peak hour and 126 net vehicle trips during the PM peak hour within the study area that included 11 intersections near the project site. The FEIR found that the traffic added by the Mission Town Center project would not cause the level of service at any of the study intersections to drop to an unacceptable

level under existing plus project conditions. Therefore, the FEIR concluded that traffic impacts associated with existing plus Mission Town Center project would be less than significant.

The FEIR analyzed traffic impact associated with the Mission Town Center project under 2020 background traffic conditions (Background). The FEIR found that 10 of the 11 intersections would not experience a significant impact. The intersection of Lafayette and Lewis Streets was found to operate at LOS F during the PM peak hour under Background conditions. The FEIR found that traffic associated with the Mission Town Center project would increase the critical delay at the intersection by 5.9 seconds (which is greater than the 4 seconds threshold) and the critical V/C ratio by 0.013 (which is greater than the threshold of an increase in the V/C ratio of 0.01 or more for an intersection operating at LOS F) during the PM peak hour. The FEIR found no feasible improvements for this intersection because any changes to the intersection were found to adversely affect operations along this corridor. The FEIR concluded that impact at this intersection was significant and unavoidable.

The FEIR found that the required compliance of the Mission Town Center project with the City's design standards and the design standards in the Uniform Fire Code would prevent hazardous design features and would ensure adequate and safe access. The FEIR noted that project applicant would work with the City to design and construct off site queuing for the parking garage to minimize traffic congestion and delay. The FEIR concluded that the impact associated with hazard due to a design feature would be less than significant.

The FEIR found that existing roadways provide adequate regional access to the project site, and emergency vehicles can access the project site via roadways from each of the cardinal directions, including Benton Street, El Camino Real, The Alameda, and Harrison Street. The FEIR found that ramps within the parking structure would be adequate to allow these vehicles to access the entire site. As a result, the FEIR concluded that the Mission Town Center project would not result in inadequate emergency access, and this impact was determined to be less than significant.

Transit Impacts

The FEIR found that the Mission Town Center project would generate demand for transit services, and would provide additional amenities at transit stops adjacent to the project site, which would increase the attractiveness of VTA transit within the surrounding community. The FEIR found that the Mission Town Center project would help reduce vehicle trips to and through the area. In addition, the FEIR found that street frontage amenities associated with the Mission Town Center project, such as shelters, effective lighting, and benches would be consistent with VTA designs and plans to improve street frontages in the project area and mitigate the effects of the non-significant increase in delays to transit operations on

Benton Street and other roadways with transit services. The FEIR concluded that development of the Mission Town Center project would not conflict with applicable transit policies, and this impact was determined to be less than significant.

Bicycle and Pedestrian Impacts

The FEIR found that the Mission Town Center project would include 133 Class 1 bicycle parking spaces, and 32 Class 2 bicycle parking spaces and would widen the sidewalks along Benton Street, El Camino Real, and The Alameda. Therefore, the FEIR concluded that development of the Mission Town Center project would not conflict with the policies listed in the City General Plan that promote bicycle and pedestrian use, and this impact was determined to be less than significant.

Parking Impacts

The FEIR noted that an evaluation of parking impacts is not required under CEQA. The FEIR also noted that the Mission Town Center project qualifies for the exemption under SB 743 from analysis of parking impacts. Therefore, the FEIR included an analysis of parking impacts for informational purposes only and to assess compliance with City parking standards.

The FEIR found that Santa Clara City Code requires a total of 827 parking spaces for the Mission Town Center project, including 662 parking spaces for the 385 residential units and 165 spaces for the retail development. The FEIR found that the Mission Town Center project would provide a total of 839 parking spaces, including 674 parking spaces for the residential component of the project and 165 parking spaces for the retail component. Therefore, the FEIR concluded that the Mission Town Center project would meet or exceed the Santa Clara City Code total parking requirements and the impact was determined to be less than significant.

Cumulative Impacts

The FEIR evaluated cumulative traffic impacts of the Mission Town Center project for the year 2040. The FEIR found an unacceptable LOS F at the intersection of El Camino Real and Lafayette Street under No Project and with Project scenarios. However, the change in the critical delay movement (4.0 seconds in the AM peak hour and 2.1 second in the PM peak hour) and change in critical V/C ratio (0.009 in the AM peak hour and 0.005 in the PM peak hour) at the intersection were below the thresholds of significance. Therefore, the cumulative impact at this intersection was not considered significant.

At the intersection of Lafayette and Lewis Streets, the FEIR found that traffic generated by the cumulative conditions plus the Mission Town Center project would increase the critical delay movement by 6.1

seconds, and would increase the critical V/C ratio by 0.014 during the PM peak hour. The FEIR found no feasible improvements available for this intersection. Therefore, the FEIR concluded that the cumulative impact of the Mission Town Center project at this intersection would be significant and unavoidable.

Analysis of the Proposed Project

Road Network Impacts

As the proposed project is smaller in terms of unit count and amount of retail space than the Mission Town Center project, it is expected to generate less traffic than the Mission Town Center project and thereby expected to result in reduced traffic impacts compared to that project. Nonetheless, to confirm this and to ensure that traffic conditions in the study area have not changed substantially compared to late 2015 when the Mission Town Center traffic study was completed, an updated traffic impact analysis (TIA) was prepared (**See Appendix B - Mission Town Center TIA Level of Service Update**).

Based on the updated TIA, the proposed project would generate fewer vehicle trips than the Mission Town Center project with 16 fewer net vehicle trips in the AM peak hour and 24 fewer trips in the PM peak hour. As part of the updated traffic impact analysis, traffic counts were collected for the two intersections (El Camino Real and Lafayette Street and Lewis Street and Lafayette Street) that were found to operate at unacceptable level of service in the original TIA under the Background or cumulative conditions. The updated TIA found minimal changes in the volume of traffic entering both intersections. Traffic volumes at El Camino Real / Lafayette Street increased by 6% in the AM peak hour and 2% in the PM peak hour. Traffic volumes at Lewis Street / Lafayette Street increased by 2% in both the AM and PM peak hours. This level of change falls within the normal range of variation on a day-to-day basis in a typical week. Therefore, the updated TIA concluded that traffic impacts of the proposed project under existing plus project conditions would be less than significant.

The updated TIA also noted that since the preparation of the FEIR, lane configuration during the PM peak hour was modified to reflect the conditions in the field. In the AM peak hour, the configuration remained unchanged with one left lane, one through lane, and one through-right lane. In the PM peak hour, the lane configuration has been modified to one left lane, one left-through lane, and one through-right lane. The updated TIA found that despite this change in lane configuration, the proposed project would not result in any new traffic impacts.

In addition, as shown in Table-3 of the updated traffic analysis (**See Appendix B**), under the Background plus Project condition, the intersection of Lewis and Lafayette Streets would operate at LOS D in the PM peak hour. The traffic impact at this intersection would be less than significant. No mitigation is required.

Similar to the Mission Town Center project, the proposed project would comply with the City's design standards and the design standards in the Uniform Fire Code to prevent hazardous design features and would ensure adequate and safe access. In addition, the project applicant would work with the City to design and construct off site queuing for the parking garage to minimize unusual traffic congestion and delay. Therefore, similar to the FEIR conclusion, the proposed project's impact associated with hazard due to a design feature would be less than significant. No new mitigation is required.

As with the Mission Town Center project, emergency vehicles would be able to access the project site, and ramps within the parking structure of the proposed project would be adequate to allow these vehicles to access the entire site. Therefore, similar to the FEIR conclusion, the proposed project would not result in inadequate emergency access, and this impact was determined to be less than significant.

Transit Impacts

Similar to the Mission Town Center project, the proposed project would generate demand for transit services and would include street frontage amenities at transit stops adjacent to the project site, which would help reducing vehicle trips to and through the area. Similar to the FEIR conclusion, the proposed project would not conflict with applicable transit policies, and this impact would be less than significant.

Bicycle and Pedestrian Impacts

The proposed project would include 248 Class I bicycle locker spaces, 38 outside bicycle racks for use by retail patrons, and sidewalks improvements along Benton Street, El Camino Real, and The Alameda. Therefore, similar to the Mission Town Center project, the proposed project would not conflict with the policies listed in the City's General Plan that promote bicycle and pedestrian use, and this impact would be less than significant.

Parking Impacts

The proposed project is a mixed-use development on an infill site within a transit priority area. Therefore, similar to the Mission Town Center project, the proposed project qualifies for the exemption under SB 743 from analysis of parking impacts. Therefore, similar to the FEIR, parking impacts of the proposed project are discussed below for informational purposes only.

The Santa Clara City Code requires that parking for each residential unit shall be one and 1.5 spaces for each one bedroom unit, and 2.0 spaces for each two-plus bedroom unit (Santa Clara City Code Section 18.22.040) and 10 percent additional for visitor parking (Santa Clara City Code 18.54.080). For retail

development, one space is required for each 200 square feet of gross floor area and one space is required for every three restaurant seats (Santa Clara City Code 18.74.020).

The proposed project would provide 1.5 spaces for each one-bedroom unit (288 parking spaces for 192 one-bedroom units) and 1.5 spaces (245 parking spaces for 245 two-bedroom units) for each two-bedroom unit, and 3 spaces for the existing single homes (3410 The Alameda and 3370 The Alameda). For retail uses, the proposed project would provide 0.004 parking spaces per 1,000 gross square feet (88 parking spaces), and one parking space for each 3 outdoor seating (17 parking spaces). The proposed project would also add 4 parking spaces for the retail space of the 8 live-work units at a rate of 0.5 parking spaces per unit. The rezoning of the project site, as described under Section 5.10, Land Use and Planning, would allow changes in the parking spaces ratios. Therefore, if the rezoning of the project site is approved, the proposed project would be in compliance with the City requirement for parking.

Cumulative

Based on the updated TIA, under cumulative plus project conditions, the LOS at the intersection of El Camino Real and Lafayette Street would remain unchanged from that cumulative conditions (without the proposed project), with an LOS F in the AM peak hour and LOS E- in the PM peak hour. As shown in Table 3 of the updated traffic analysis (**See Appendix B**), the change in the critical delay as well as the change in the critical V/C ratio would be below the thresholds of significance. Therefore, the cumulative impact of the proposed project at this intersection would be less than significant.

Based on the updated TIA, under cumulative plus project conditions, the LOS at the intersection of Lafayette and Lewis Streets would remain unchanged from that under cumulative conditions (without the proposed project), with an LOS A during the AM peak hour, and LOS F during the PM peak hour. Traffic under the cumulative plus the proposed project conditions would increase the critical delay movement by 2.0 seconds, and would increase the V/C ratio by 0.005 during the PM peak hour at the intersection of Lafayette and Lewis Streets. Therefore, unlike the Mission Town Center project, cumulative traffic impacts of the proposed project at the intersection of Lafayette and Lewis Streets would be below the thresholds and this impact would be less than significant.

Changes in Circumstances and/or New Information

There are no changes in circumstances in which the proposed project would be undertaken. No new information has become available and no new regulations related to transportation and traffic have come into effect since the certification of the Mission Town Center EIR that would alter the previous analysis and change its conclusions relative to traffic impacts such that additional environmental review would be

triggered. Senate Bill (SB) 743, passed in 2013, requires the state Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to Level of Service (LOS), which essentially reflects auto delay, for evaluating transportation impacts of proposed projects. Measurements of transportation impacts may include "vehicle miles traveled (VMT), vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated." Once the CEQA Guidelines are amended to include those alternative criteria, auto delay will no longer be considered a significant impact under CEQA. OPR is working on the regulatory language changes to CEQA and it is anticipated that the changes will be adopted in late 2017 by the Natural Resources Agency and that statewide implementation will occur in late 2019. Since the new approach is not in effect at this time, and the City of Santa Clara has not adopted VMT thresholds or the VMT approach to traffic impact analysis, the traffic analysis conducted in the FEIR and the TIA update is valid and appropriately reflects the impacts of the proposed project.

Findings

Because the proposed project is generally similar to but smaller than the Mission Town Center project, its potential transportation and traffic impacts would be similar to or less than the impacts analyzed in the FEIR. Therefore, no new or substantially increased significant impacts related to transportation and traffic would result from the proposed project beyond those analyzed in the FEIR. No new mitigation is required.

5.16 TRIBAL CULTURAL RESOURCES

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less than Significant New Impact	Impact Fully Analyzed in the FEIR
Tribal Cultural Resources - Would the project:				
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 Resource Code section 5020.1(k).	☐	☐	☐	☒
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.	☐	☐	☐	☒

Summary of Analysis in the FEIR

Assembly Bill (AB) 52, which was approved in September 2014 and became effective on July 1, 2015, requires that CEQA lead agencies consult with California Native American tribes that are traditionally and culturally affiliated with the geographic area of a revised project, if so requested by the tribes.

AB 52 applies only to projects where the Notice of Preparation (NOP) for the EIR was filed after July 1, 2015. The NOP for the Mission Town Center project EIR was filed in March 2015, and therefore the project was determined not to be subject to AB 52. Therefore the FEIR did not include an assessment of impacts on tribal cultural resources, although the City did complete consultation with Native American tribes in compliance with SB 18.

Analysis of the Proposed Project

As this addendum shows, the proposed project is adequately analyzed in the FEIR and no new EIR or NOP is necessary. Therefore, the proposed project is not subject to AB 52. As with the Mission Town Center project, the City has conducted consultation with Native American tribes in compliance with SB 18 for the proposed project.

Changes in Circumstances and/or New Information

There are no changes in circumstances in which the proposed project would be undertaken and no new information has become available since the certification of the Mission Town Center EIR that would alter the previous analysis and change its conclusions relative to environmental impacts such that additional environmental review would be triggered. As noted above, although AB 52 has come into effect since the EIR certification, it does not apply to the proposed project for reasons presented above.

Findings

There would be no impacts to tribal cultural resources as a result of the proposed project.

5.17 UTILITIES/SERVICE SYSTEMS

	Potentially New Significant Impact	Less than Significant New Impact with Mitigation	Less than Significant New Impact	Impact Fully Analyzed in the FEIR
UTILITIES AND SERVICE SYSTEMS - Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
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?	☐	☐	☐	☒
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new and expanded entitlements needed?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

Summary of the Analysis in the FEIR

The FEIR found that the increase in the average volume of wastewater conveyed to the RWF as a result of the Mission Town Center project would be within the treatment capacity allocated to the City of Santa Clara. Additionally, the FEIR found that wastewater flows generated at the project site as a result of the mixed-use development would be treatable at the RWF. The FEIR concluded that the Mission Town Center project would not result in wastewater flows that would cause the RWF to exceed the wastewater treatment requirements imposed on the facility by the San Francisco Bay Regional Water Quality Control

Board (RWQCB), and the project's impact on wastewater treatment facilities would be less than significant.

The FEIR found that the Mission Town Center project would not require the upsizing of the storm drain system in Sherman and Harrison Streets because the site drainage patterns and volumes would remain substantially unchanged. The FEIR found that environmental impacts associated with the segment that would be upsized to 72 inches along Benton Street and El Camino Real as part of the Mission Town Center project were analyzed in the FEIR under the relevant resource topics. The FEIR concluded that all impacts associated with off-site storm water drainage improvements would be less than significant.

The FEIR found that bioretention areas and media filter vaults would remove pollutants from on-site storm water runoff prior to discharge to the City's storm drain system in compliance with the City of Santa Clara Public Works Department guidelines and standards, as well as the San Francisco Bay Regional Water Quality Control Board's Municipal Regional Permit requirements. Therefore, post-development impacts related to storm water were found to be less than significant.

The FEIR also found that environmental impacts from the construction of storm water drainage system on the project site were analyzed in the other sections of the FEIR, and would be less than significant with mitigation incorporated.

The FEIR found that net increase of 58.4 acre-feet per year (afy) in water demand at the project site as a result of the Mission Town Center project would be within the growth projections estimated in the Santa Clara Water Utility 2010 Urban Water Management Plan (2010 UWMP). The FEIR stated that water demand would be served by existing supplies under normal, single dry and multiple dry years, and the development of the Mission Town Center project would not result in the need for new or expanded water supply entitlements. The FEIR concluded that the Mission Town Center project's impact related to water supply would be less than significant. No mitigation was required.

The FEIR found that impacts associated with the installation of water mains and recycled water line in The Alameda, Harrison Street, and Fremont Street as part of the Mission Town Center project would be related to cultural resources, air quality, noise and hazards and hazardous materials. The FEIR concluded that all these impacts analyzed in the FEIR under the relevant resource topics would be less than significant with mitigation measures incorporated.

The FEIR found that wastewater generated at the project site would be discharged into the existing wastewater mains in Benton Street and El Camino Real for conveyance to the RWF. The FEIR found that the Mission Town Center project would not require the upsizing of sanitary sewer lines or the expansion

of any other sewer lines that are not already planned by the City. Additionally, standard impact fees would apply to the Mission Town Center project to contribute to the sewer improvements and connections. The FEIR concluded that the impact related to wastewater conveyance systems would be less than significant. No mitigation was required.

The FEIR found that the Mission Town Center project had been designed to ensure wastes generated on the project site would be recycled and the amount requiring landfill disposal would be minimized. The FEIR stated that the total waste generated by the Mission Town Center project would constitute 0.1 percent of the total waste disposed by the City at the Newby Island Landfill and would constitute approximately 0.01 percent of the daily capacity permitted at the Newby Island Landfill. The FEIR found that the solid waste that would be produced at the project site would constitute a small amount of solid waste compared to the landfill's daily permitted capacity. The FEIR concluded that the Mission Town Center project would be served by a landfill with sufficient permitted capacity and this impact would be less than significant.

The FEIR stated that the Mission Town Center project would take part in the programs set by the City to comply with state laws that require diversion of 50 percent of solid waste from landfills, and with the goal set by the General Plan to divert 90 percent solid waste between the years 2010 and 2025. The FEIR concluded that the Mission Town Center project would not conflict with federal, state, or local statutes and regulations and this impact would be less than significant.

Energy Consumption

The FEIR found that residential usage of electricity of the Mission Town Center project would be at a minimum at least 10 percent better than Title 24 (2013) standards, and residential natural gas usage would be at least 15 percent better than Title 24 (2008). The FEIR found that electrical loads that would be required by the Mission Town Center project would be within the parameters of projected load growth in the City, and the Silicon Valley Power (SVP) would be able to meet the demand in the project area. Similarly, the natural gas demand associated with the Mission Town Center project would be within the parameters of projected load growth, and PG&E would be able to meet the demand in the project area. The FEIR concluded that the Mission Town Center project would not result in the consumption of energy resources that could not be accommodated within the long-term electricity supply and distribution system of SVP or the long-term natural gas supply and distribution system of PG&E. This impact was determined to be less than significant.

Wasteful Use of Energy

The FEIR found that use of energy resources, such as diesel and gasoline, during construction of the Mission Town Center project would comply with General Plan Policy 5.10.3-P3, which requires projects to reduce energy consumption through sustainable construction practices, materials, and recycling. Additionally, the FEIR indicated that implementation of **Mitigation Measure AIR-1** would minimize idling times by shutting construction equipment off when not in use or reduce the maximum idling time to 5 minutes. **Mitigation Measure AIR-1** would also require all construction equipment to be maintained and properly tuned in accordance with manufacturer's specifications.

The FEIR found that during operation, the Mission Town Center project would include a network of pedestrian and bicycle paths, a direct connection to the adjacent Santa Clara Station, and bike lockers and racks, which would result in a smaller number of vehicle trips than a comparable development that is not located near transit or doesn't provide bicycle and pedestrian amenities. The FEIR concluded that the Mission Town Center project would not result in wasteful transportation energy and the impact related to energy use would be less than significant.

Cumulative Impacts

Water Supply. The FEIR stated that the City has adequate water supplies to serve the Mission Town Center project along with projected growth through 2035. The FEIR concluded that cumulative impacts associated with water supplies would be less than significant.

Wastewater Conveyance and Treatment. The FEIR found that the Mission Town Center project would not require expansion of wastewater lines, and the City would continue to evaluate the collection and conveyance system as part of the City's development review process, and would upgrade the system as needed. The FEIR concluded that cumulative impacts associated with wastewater conveyance would be less than significant.

The FEIR found that the RWF has sufficient capacity to accommodate wastewater flows generated by the Mission Town Center project and planned projects within the City. The FEIR concluded that cumulative impacts associated with wastewater treatment facilities would be less than significant.

Solid Waste. The FEIR stated that the Newby Island Landfill has adequate capacity to serve the projected growth within the City including the Mission Town Center project through 2024. The FEIR concluded that near-term impacts associated with solid waste would be less than significant. In the long term, the FEIR found that the cumulative solid waste impact related to landfill capacity would be significant. However, the FEIR concluded that due to the small amount of waste generated by the Mission Town

Center project (0.1 percent of the total waste disposed by the City at the Newby Island Landfill, and approximately 0.01 percent of the daily capacity permitted at the Newby Island Landfill), the impact would not be cumulatively considerable.

Electricity and Natural Gas. The FEIR found that the Mission Town Center project in combination with the demand for electricity associated with other proposed projects in the region would contribute to the need for an expansion of an existing power plant or the construction of a new power plant. The FEIR found that both electricity and gas needed by the cumulative projects may be generated out of state and it would not be reasonable to predict where the new supply sources would be located or to evaluate the environmental consequences from the construction and operation of such facilities. Furthermore, the FEIR found if the new power generation facilities were to be located in California, they would be subject to environmental review and would be required to avoid or minimize their environmental impacts. The FEIR concluded that the cumulative impact associated with energy resources would be less than significant.

Analysis of the Proposed Project

The proposed project would have fewer apartment units and a reduction in the retail space compared to the Mission Town Center project. Therefore, the increase in the volume of wastewater conveyed to the RWF as a result of the proposed project would be less than the volume of wastewater that was estimated for the Mission Town Center project. Therefore, wastewater flows that would be generated at the project site as a result of the proposed project would be treatable at the RWF and would not exceed the wastewater treatment requirements imposed on the facility by the RWQCB. Therefore, similar to the FEIR conclusion, the proposed project's impact on wastewater treatment facilities would be less than significant. No new mitigation is required.

Improvements to the storm drain system along Benton and El Camino Real under the proposed project would be similar to those under the Mission Town Center project analyzed in the FEIR. Therefore, similar to the FEIR conclusions, the proposed project's impacts associated with off-site storm water drainage improvements would be less than significant.

Similar to the Mission Town Center project, the proposed project would treat storm water generated at the project site with a combination of bioretention areas and media filter vaults with a minimum of 20 percent of the post-development storm water volume to be treated through bioretention designed in accordance with Chapter 6.2 of the C.3 Stormwater Handbook of the Santa Clara Valley Urban Runoff Pollution Prevention Program. Therefore, similar to the FEIR conclusion, the impacts of the proposed project associated with on-site storm water would be less than significant. No new mitigation is required.

According to a memorandum prepared by the Santa Clara Department of Water and Sewer Utilities and included in **Appendix A** of this Addendum, the proposed project's water demand would be 55.2 afy, 5.3 percent less than the water demand estimated for the Mission Town Center project. Therefore, the proposed project would be within the growth estimated in the City's UWMP. Water demand would be served by existing supplies, and the proposed project would not result in the need for new or expanded water supply entitlements. Similar to the FEIR conclusion, the proposed project's impact related to water supply would be less than significant. No new mitigation is required.

Similar to the FEIR conclusion, impacts associated with the installation of the water mains and recycled water line off site have been analyzed in the FEIR and this Addendum under the relevant resource topics, and the impacts would be less than significant with mitigation incorporated. No new mitigation is required.

The proposed project would have fewer apartment units and a reduction in the retail space compared to the Mission Town Center project. Therefore, the proposed project would not require the upsizing of sanitary pipelines or the expansion of any other wastewater lines that are not already planned by the City. The proposed project would contribute to the sewer improvements and connections by paying the standard impact fees. Therefore, similar to the FEIR conclusion, the proposed project's impact to wastewater conveyance systems would be less than significant. No new mitigation is required.

The proposed residential component is estimated to generate approximately 12,070 pounds of solid waste and 2,485 pounds recyclable waste per week. The proposed retail component (not including restaurants) would generate approximately 331 pounds of solid waste and 384 pounds of recyclable waste per week. Restaurants associated with the proposed retail component would generate 1,693 pounds of solid waste and 782 pounds of recyclable waste per week. to the Mission Town Center project, the proposed project would generate approximately 7 tons of solid waste per day, which would constitute 0.17 percent of the daily capacity permitted at the Newby Island Landfill. Therefore, similar to the FEIR conclusion, the proposed project would be served by a landfill with sufficient permitted capacity and this impact would be less than significant. No new mitigation is required.

Similar to the Mission Town Center project, the proposed project would take part in the programs set by the City to comply with state laws that require diversion of 50 percent of solid waste from landfills, and with the goal set by the General Plan to divert 90 percent solid waste between the years 2010 and 2025. Therefore, similar to the FEIR conclusion, the proposed project would not conflict with federal, state, or local statutes and regulations and this impact would be less than significant. No new mitigation is required.

Energy Consumption

The proposed project would use the most up-to-date building materials for energy conservation. Similar to the FEIR findings, electrical loads that would be required by the proposed project would be within the parameters of projected load growth in the City, and the SVP would be able to meet the demand in the project area. Similarly, the natural gas demand associated with the proposed project would be within the parameters of projected load growth, and PG&E would be able to meet the demand in the project area. Similar to the FEIR conclusions, the proposed project's impact associated with consumption of energy resources and natural gas would be less than significant. No new mitigation is required.

Wasteful Use of Energy

During construction, the proposed project would comply with General Plan Policy 5.10.3-P3 to reduce energy consumption through sustainable construction practices, materials, and recycling. In addition, the proposed project would include FEIR **Mitigation Measure AIR-1.** Therefore, similar to the FEIR conclusion, the proposed project's impact associated with wasteful energy use during construction would be less than significant.

During operation, the proposed project would generate a smaller number of vehicle trips than the Mission Town Center project analyzed in the FEIR. In addition, the proposed project would include a network of pedestrian and bicycle paths that provide direct connection from the project site to the nearby transit stations. Therefore, similar to the FEIR conclusion, the proposed project's impact associated with wasteful transportation energy during operation would be less than significant.

Cumulative Impacts

Similar to the findings of the FEIR, the proposed project's impacts associated with utilities and service systems would not be cumulatively considerable and cumulative utilities impacts would be less than significant.

Changes in Circumstances and/or New Information

There are no changes in circumstances in which the proposed project would be undertaken. No new information has become available and no new regulations related to utilities and service systems have come into effect since the certification of the Mission Town Center EIR that would alter the previous analysis and change its conclusions relative to environmental impacts such that additional environmental review would be triggered.

Findings

The potential utilities impacts of the proposed project are adequately analyzed in the FEIR, and the proposed project would not result in new or substantially increased significant impacts beyond those discussed in the FEIR. No new mitigation is required.

APPENDIX A

Water and Sewer Utilities Memorandum

City of Santa Clara
The Center of What's Possible

Water & Sewer Utilities

Memorandum

Date: August 18, 2017

To: Elaheh Kerachian, Associate Planner

From: Mike Vasquez, Compliance Manager

Subject: 575 Benton Water Supply Assessment

Water Department Staff has reviewed the proposed changes to the Mission Town Center Project (575 Benton). A Water Supply Assessment (WSA) was completed and approved by City Council on October 13, 2015.

Per the California Water Code:

- §10910, for projects that have already been subject to a water assessment, no additional water assessment shall be required unless one or more of the following changes occur:
  - Changes in the project that result in a substantial increase in water demand for the project
  - Changes in the circumstances or conditions substantially affecting the ability of the public water system to provide a sufficient supply of water for the project
  - Significant new information becomes available that was not known and could not have been known at the time when the assessment was prepared

The calculations used to determine the need for a new WSA based on the information submitted are shown below:

Approved WSA Demand*	Proposed Changes Demand	Demand Change	% Change
58.3 Acre Ft / Year	55.2 Acre Ft / Year	-3.1 Acre Ft / Year	-5.3%

*Water demands were recalculated using updated water use factors in the 2015 UWMP

The Water and Sewer Utilities has analyzed the proposed project changes and has determined that the changes result in a decrease in estimated water demand for the project. Therefore, a supplemental WSA will not be required at this time, however, please keep the Water Department apprised of any and all changes to the development that may affect the site's projected water demand. Any subsequent changes to the development may potentially exceed the criteria listed above in which a supplemental WSA will be required. Please note that any changes will be evaluated against the original approved WSA, not changes noted in this memo. Any changes in this memo will be used in future WSAs and water supply planning.

cc: Gary Welling, Acting Director of Water and Sewer Utilities

I:\Water\Compliance\Water Supply Assessments\Final Assessments 2015\Mission Town Center\575 Benton Memo.doc

APPENDIX B

Mission Town Center TIA Level of Service Update

FEHR PEERS

MEMORANDUM

Date: August 29, 2017

To: Rima Ghannam, Impact Sciences

From: Robert Eckols and Vicki Caudullo, Fehr & Peers

Subject: Mission Town Center TIA Level of Service Update

SJ17-1737

The purpose of this technical memorandum is to update the Mission Town Center transportation impact analysis (TIA) with the revised project description. The memorandum discusses the following items:

- Update the trip generation for the revised project description,
- Update the analysis with new traffic counts, and
- Assess potential changes in Level of Service (LOS) analysis in the existing conditions, background conditions, and cumulative conditions without and without the project at two key intersections.

The updated traffic impact analysis was prepared using the same methodology described in the *Mission Town Center Transportation Impact Analysis* completed in November 2015. The two key intersections studied in the updated analysis are El Camino Real (SR84) / Lafayette Street and Lewis Street / Lafayette Street.

PROJECT DESCRIPTION

The revised project description is a mixed-use development on 5.7 acres with approximately 355 residential units and approximately 22,000 square feet of retail/restaurant development. The original project description was a mixed-use development with approximately 385 residential units and approximately 27,000 square feet of retail/restaurant development.

The Project will replace six single family homes, four apartments, approximately 88,000 square feet of warehouse, approximately 5,000 square feet of office, an approximately 3,900 square-foot auto care center, and an approximately 3,900 square feet restaurant.

TRIP GENERATION ANALYSIS

Fehr & Peers prepared an updated trip generation analysis for the revised project description. The same trip generation methodology in the previous analysis was used to estimate AM and PM peak hour trip and total daily traffic for the revised project.

The results of the updated trip generation analysis is included in **Table 1**. Comparing the net new trips generated by the revised project to the original project shows that there is a reduction in the daily, AM peak hour, and PM peak hour trips. There will be 368 fewer daily trips generated by the revised project. The number of AM and PM peak hour trips generated by the revised project are reduced by 16 trips in the AM peak hour and 24 trips in the PM peak hour. Detailed trip generation analyses for the original and revised project descriptions are included in Attachment A.

TABLE 1: UPDATED TRIP GENERATION

Land Use	ITE Code	Units		AM Peak Hour			PM Peak Hour		
			Weekday Trips	In	Out	Total	In	Out	Total
REVISED PROJECT									
Apartments	220	355 du	2,361	36	142	178	138	75	213
Retail	820	22,000 sf	939	38	24	62	39	43	82
	Retail Pass-by Reduction[1]		*17%*	*8%*	*8%*	*8%*	*8%*	*8%*	*8%*
	Subtotal:		3,140	71	164	235	174	114	288
	Mixed Use Reduction[2]:		*34%*	*45%*	*45%*	*45%*	*42%*	*42%*	*42%*
	Total Trips		2,072	39	90	129	101	66	167
	Existing Trips		715	15	11	26	34	31	65
	Net New Trips		1,357	24	79	103	67	35	102
ORIGINAL PROJECT									
	Net New Trips		1,725	30	89	119	80	46	126
	Change		(368)	(6)	(10)	(16)	(13)	(11)	(24)

1 – Pass-by trip reduction are trips that are already on the adjacent roadways that use the retail space. The pass-by trip reductions are based on guidance in the Institute of Transportation Engineers' Trip Generation Handbook and is consistent with the VTA TIA Guidelines, Section 8.3.1.
2 – Mixed use trip reduction was estimated using Fehr & Peers' MainStreet tool that accounts for proximity to transit and internalization due the land use mix. A detailed description process is on pages 31 – 34 of the original traffic analysis.
Source: Fehr & Peers, 2017

CHANGES TO EXISTING CONDITIONS – VOLUME COMPARISON

New intersection turning movement counts were collected during the morning (7:00 to 9:00 AM) and evening (4:00 to 6:00 PM) peak periods for two intersections that were projected to operate at unacceptable levels of service (LOS) under the Background and/or Cumulative conditions in the original TIA. These intersections include:

- El Camino Real / Lafayette Street
- Lewis Street / Lafayette Street

The 2017 traffic counts were compared to the original counts collected in 2014. **Table 2** shows that there has been minimal change in the volume of traffic entering the intersections. The volumes at El Camino Real / Lafayette Street increased by 6% in the AM peak hour and 2% in the PM peak hour. The volumes at Lewis Street / Lafayette Street increased by 2% in both the AM and PM peak hours. This level of change is relatively modest and falls within the range of variation that one might expected on a day-to-day basis in a typical week.

The 2017 intersection turning movement count sheets are included as *Attachment B*.

TABLE 2: CHANGE IN VOLUMES 2014 - 2017

Location	2014 Volume	2017 Volume	Change
El Camino Real / Lafayette			
AM Peak Hour	3,820	4,055	+6.0%
PM Peak Hour	4,120	4,215	+2.2%
Lewis Street / Lafayette			
AM Peak Hour	1,710	1,750	+2.2%
PM Peak Hour	2,500	2,555	+2.3%

Source: Fehr & Peers, 2017

LEVEL OF SERVICE EVALUATION

The TRAFFIX model used in the Mission Town Center TIA was used to test what, if any, changes to intersection operations would occur based on the new traffic count and the updated trip generation of the current proposal.

One modification was made to the Mission Town Center TIA TRAFFIX model to match field conditions at the intersection of Lewis Street / Lafayette Street. The modification to the lane configuration of the westbound Lewis Street approach reflects that the roadway lane configuration functions differently between the AM and PM peak hours. In the AM peak hours, the westbound lane configuration has one left, one through and one through-right lane. In the PM peak hours, the westbound lane configuration has one left, one left-through, and one through-right lane. The PM peak period lane configuration provides slightly more capacity for PM left turning volumes when Lafayette Street has two southbound lanes.

The combined effect of the reduction in project trip generation, updated baseline traffic volumes, and the Lewis Street lane configuration modification is that the traffic operations improve for all scenarios studied. **Table 3** presents the updated delay and level of service calculation results under Existing, Background, and Cumulative No Project and Plus Project Conditions.

Significant Impact Criteria

The determination of significance for project impacts is based on applicable policies, regulations, goals, and guidelines defined by the City of Santa Clara and the surrounding jurisdiction of Santa Clara County. The detailed impact criteria presented focus on elements of the CEQA checklist pertaining to roadway system operations and its effects on users, including drivers, pedestrians, bicyclists, transit passengers, and first responders in emergency access vehicles.

City of Santa Clara

Significant impacts at City of Santa Clara intersections would occur when the addition of project traffic causes one of the following:

- Intersection operations to degrade from an acceptable level (LOS D or better) to an unacceptable level (LOS E or F); or
- Exacerbates unacceptable operations (LOS E or F) by increasing the critical delay by more than four seconds and increasing the volume-to-capacity (V/C) ratio by 0.01 or more; or

- An increase in the V/C ratio of 0.01 or more at an intersection with unacceptable operations (LOS E or F) when the change in critical delay is negative (i.e. decrease). This can occur if the critical movements change.

The City of Santa Clara has established a minimum acceptable operation level of LOS D for local streets, and a LOS E standard for CMP designed facilities.

Santa Clara County and Congestion Management Program

The LOS standard for Santa Clara County (VTA Congestion management Program, 2013) expressway and CMP intersections is LOS E. Traffic impacts at these intersections would occur when the addition of traffic associated with a project causes:

- Intersection operations to deteriorate from an acceptable level (LOS E or better) to an unacceptable level (LOS F); or
- Exacerbates unacceptable operations by increasing the average critical delay more than four seconds and increasing the critical volume-to-capacity (V/C) ratio by 0.01 or more at an intersection operating at LOS F; or

The V/C ratio increases by 0.01 or more at an intersection with unacceptable operations (LOS F) when the change in critical delay is negative (i.e. decreases). This can occur if the critical movements change.

Analysis Results

While there are some variations in average delay and LOS from the initial analysis, there are no new impacts with the updated project description and intersection volumes at either intersection. In addition, there are no longer significant impacts at Lafayette Street / Lewis Street in the Background Plus Project PM or the Cumulative Project Plus PM scenarios.

The initial vehicle intersection delay and level of service (LOS) is included as *Attachment C*.

CONCLUSIONS

The revised project description is smaller than the original project with 30 fewer apartment dwelling units and a 5,000 square feet reduction in retail space. As a result, trip generation for the revised project is less than the original project. New turning movement counts show minor (2% to 6%) increases in volumes at Lafayette Street / El Camino Real and Lafayette Street / Lewis Street. TRAFFIX analysis shows that there are no impacts under existing, background, or cumulative conditions with

or without the Project conditions. The analysis results differ from the Mission Town Center TIA (2015) results in that there is no longer a significant impact at Lafayette Street / Lewis Street in the Background Plus Project PM or the Cumulative Plus Project PM scenarios. The change in project impacts is due to the reduction in the project's trip generation during the peak hours and that the original impact was just over the significance threshold.

TABLE 3. UPDATED INTERSECTION OPERATIONS – REVISED PROJECT

Intersection	Int. Control[1]	Jurisdiction	Minimum Acceptable LOS[2]	Peak Hour[3]	Existing Scenarios						Background Scenarios						Cumulative Scenarios					
					Existing		Existing Plus Project		Δ in Crit. V/C [6]	Δ in Crit. Delay[7]	Background		Background Plus Project		Δ in Crit. V/C [6]	Δ in Crit. Delay[7]	Cumulative		Cumulative Plus Project		Δ in Crit. V/C [6]	Δ in Crit. Delay[7]
					Delay[4]	LOS[5]	Delay[4]	LOS[5]			Delay[4]	LOS[5]	Delay[4]	LOS[5]			Delay[4]	LOS[5]	Delay[4]	LOS[5]		
1. Lafayette St / El Camino Real	Signal	Santa Clara CMP	E	AM	45.7	D	46.0	D	0.009	0.7	54.7	D-	55.7	E+	0.009	1.8	117.1	F	119.1	F	0.007	3.1
				PM	41.3	D	41.4	D	0.003	0.1	48.0	D	48.3	D	0.003	0.3	77.4	E-	78.5	E-	0.003	1.2
2. Lafayette St / Lewis St	Signal	City of Santa Clara	D	AM	10.9	B+	11.0	B+	0.004	0.2	9.3	A	9.4	A	0.004	0.2	8.2	A	8.3	A	0.004	0.2
				PM	27.3	C	34.1	C-	0.089	9.4	45.6	D	46.6	D	0.005	1.2	82.1	F	83.7	F	0.005	2.0

Notes:

1. Signal = Signalized Intersection; SSSC = Side-Street Stop Controlled Intersection.
2. Minimum Acceptable Threshold is the threshold between acceptable and unacceptable level of service. For unsignalized intersection, an intersection must be lower than the acceptable LOS threshold and meet a peak hour signal warrant.
3. AM = morning peak hour, PM = afternoon peak hour
4. Whole intersection weighted average control delay expressed in seconds per vehicle for signalized intersections. Total control delay for the worst movement is presented for side-street stop-controlled intersections.
5. LOS = Level of Service calculations conducted using the TRAFFIX level of service analysis software package, which applies the methodology described in the 2000 HCM.
6. Change in critical volume-to-capacity ratio (V/C) between No Project and Plus Project Conditions.
7. Change in critical movement delay between No Project and Plus Project Conditions.

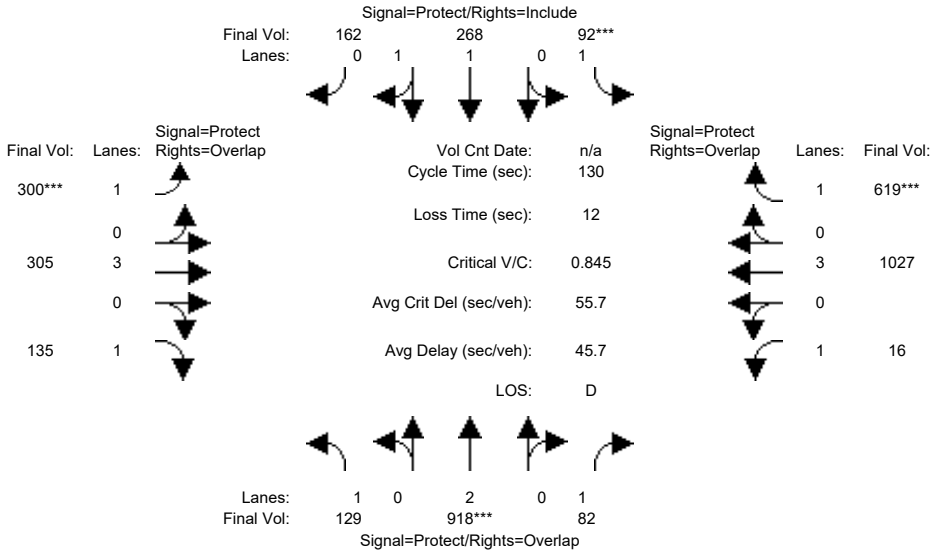
Bold font indicates unacceptable operations. **Bold and highlighted** indicates a significant impact.

Source: Fehr & Peers, 2017.

Mission Town Center TIA
DN15-0483
Existing AM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Existing AM

Intersection #1: LAFAYETTEE & EL CAMINO REAL



Street Name:	Lafayettee Street						El Camino Real					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Min. Green:	7	10	10	7	10	10	7	10	10	7	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	129	918	82	92	268	162	300	305	135	16	1027	619
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	129	918	82	92	268	162	300	305	135	16	1027	619
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	129	918	82	92	268	162	300	305	135	16	1027	619
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	129	918	82	92	268	162	300	305	135	16	1027	619
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	129	918	82	92	268	162	300	305	135	16	1027	619
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	129	918	82	92	268	162	300	305	135	16	1027	619
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	1.00	2.00	1.00	1.00	1.21	0.79	1.00	3.00	1.00	1.00	3.00	1.00
Final Sat.:	1750	3800	1750	1750	2294	1387	1750	5700	1750	1750	5700	1750
Capacity Analysis Module:												
Vol/Sat:	0.07	0.24	0.05	0.05	0.12	0.12	0.17	0.05	0.08	0.01	0.18	0.35
Crit Moves:		****		****			****					****
Green Time:	17.5	37.2	67.0	8.1	27.8	27.8	26.4	42.7	60.2	29.9	46.2	54.2
Volume/Cap:	0.55	0.84	0.09	0.84	0.55	0.55	0.84	0.16	0.17	0.04	0.51	0.85
Delay/Veh:	61.4	51.8	16.2	112.0	48.3	48.3	71.0	31.2	20.8	39.1	33.9	45.9
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	61.4	51.8	16.2	112.0	48.3	48.3	71.0	31.2	20.8	39.1	33.9	45.9
LOS by Move:	E	D-	B	F	D	D	E	C	C+	D	C-	D
HCM2kAvgQ:	5	19	2	6	8	8	15	3	3	1	11	26

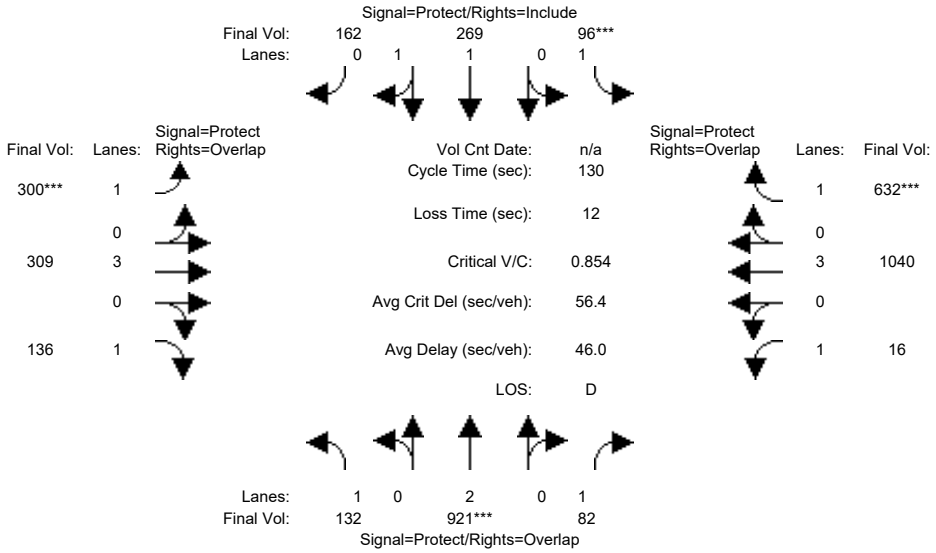
Note: Queue reported is the number of cars per lane.

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Mission Town Center TIA
DN15-0483
Existing AM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Existing Plus Project AM

Intersection #1: LAFAYETTEE & EL CAMINO REAL



Street Name:	Lafayettee Street						El Camino Real					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L -	T -	R	L -	T -	R	L -	T -	R	L -	T -	R
Min. Green:	7	10	10	7	10	10	7	10	10	7	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	129	918	82	92	268	162	300	305	135	16	1027	619
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	129	918	82	92	268	162	300	305	135	16	1027	619
Added Vol:	3	3	0	4	1	0	0	4	1	0	13	13
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	132	921	82	96	269	162	300	309	136	16	1040	632
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	132	921	82	96	269	162	300	309	136	16	1040	632
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	132	921	82	96	269	162	300	309	136	16	1040	632
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	132	921	82	96	269	162	300	309	136	16	1040	632
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	1.00	2.00	1.00	1.00	1.21	0.79	1.00	3.00	1.00	1.00	3.00	1.00
Final Sat.:	1750	3800	1750	1750	2298	1384	1750	5700	1750	1750	5700	1750
Capacity Analysis Module:												
Vol/Sat:	0.08	0.24	0.05	0.05	0.12	0.12	0.17	0.05	0.08	0.01	0.18	0.36
Crit Moves:		****		****			****					****
Green Time:	17.7	36.9	66.9	8.4	27.5	27.5	26.1	42.8	60.5	30.0	46.6	55.0
Volume/Cap:	0.55	0.85	0.09	0.85	0.55	0.55	0.85	0.16	0.17	0.04	0.51	0.85
Delay/Veh:	61.4	52.6	16.3	112.4	48.6	48.6	72.4	31.1	20.6	39.0	33.6	45.9
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	61.4	52.6	16.3	112.4	48.6	48.6	72.4	31.1	20.6	39.0	33.6	45.9
LOS by Move:	E	D-	B	F	D	D	E	C	C+	D	C-	D
HCM2kAvgQ:	5	20	2	6	8	8	15	3	3	1	11	27

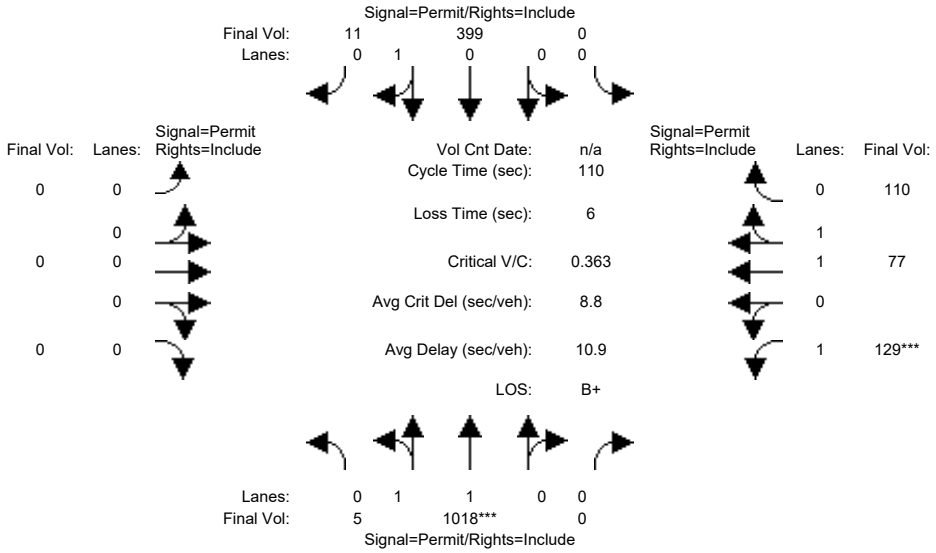
Note: Queue reported is the number of cars per lane.

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Mission Town Center TIA
DN15-0483
Existing AM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Existing AM

Intersection #2: Lafayette Street & Lewis Street



Street Name:	Lafayette Street						Lewis Street					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L -	T -	R	L -	T -	R	L -	T -	R	L -	T -	R
Min. Green:	10	10	0	0	10	10	0	0	0	10	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	5	1018	0	0	399	11	0	0	0	129	77	110
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	5	1018	0	0	399	11	0	0	0	129	77	110
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	5	1018	0	0	399	11	0	0	0	129	77	110
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	5	1018	0	0	399	11	0	0	0	129	77	110
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	5	1018	0	0	399	11	0	0	0	129	77	110
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	5	1018	0	0	399	11	0	0	0	129	77	110
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	0.01	1.99	0.00	0.00	0.97	0.03	0.00	0.00	0.00	1.00	1.00	1.00
Final Sat.:	19	3780	0	0	1845	51	0	0	0	1750	1900	1750
Capacity Analysis Module:												
Vol/Sat:	0.27	0.27	0.00	0.00	0.22	0.22	0.00	0.00	0.00	0.07	0.04	0.06
Crit Moves:		****								****		
Green Time:	81.7	81.7	0.0	0.0	81.7	81.7	0.0	0.0	0.0	22.3	22.3	22.3
Volume/Cap:	0.36	0.36	0.00	0.00	0.29	0.29	0.00	0.00	0.00	0.36	0.20	0.31
Delay/Veh:	5.1	5.1	0.0	0.0	4.8	4.8	0.0	0.0	0.0	38.3	36.5	37.6
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	5.1	5.1	0.0	0.0	4.8	4.8	0.0	0.0	0.0	38.3	36.5	37.6
LOS by Move:	A	A	A	A	A	A	A	A	A	D+	D+	D+
HCM2kAvgQ:	6	6	0	0	4	4	0	0	0	4	2	4

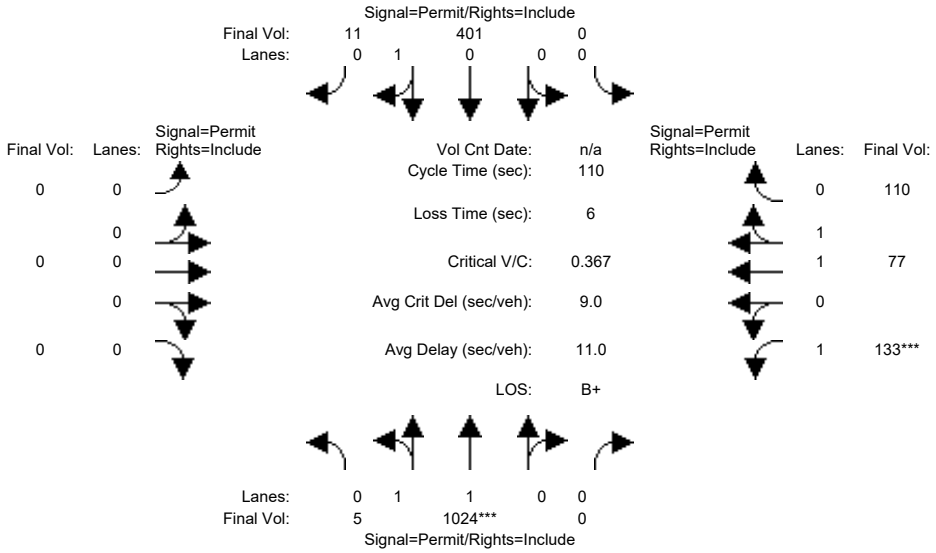
Note: Queue reported is the number of cars per lane.

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Mission Town Center TIA
DN15-0483
Existing AM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Existing Plus Project AM

Intersection #2: Lafayette Street & Lewis Street



Street Name:	Lafayette Street						Lewis Street					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L -	T -	R	L -	T -	R	L -	T -	R	L -	T -	R
Min. Green:	10	10	0	10	10	10	0	0	0	10	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	5	1018	0	0	399	11	0	0	0	129	77	110
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	5	1018	0	0	399	11	0	0	0	129	77	110
Added Vol:	0	6	0	0	2	0	0	0	0	4	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	5	1024	0	0	401	11	0	0	0	133	77	110
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	5	1024	0	0	401	11	0	0	0	133	77	110
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	5	1024	0	0	401	11	0	0	0	133	77	110
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	5	1024	0	0	401	11	0	0	0	133	77	110
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	0.01	1.99	0.00	0.00	0.97	0.03	0.00	0.00	0.00	1.00	1.00	1.00
Final Sat.:	18	3780	0	0	1845	51	0	0	0	1750	1900	1750
Capacity Analysis Module:												
Vol/Sat:	0.27	0.27	0.00	0.00	0.22	0.22	0.00	0.00	0.00	0.08	0.04	0.06
Crit Moves:		****								****		
Green Time:	81.2	81.2	0.0	0.0	81.2	81.2	0.0	0.0	0.0	22.8	22.8	22.8
Volume/Cap:	0.37	0.37	0.00	0.00	0.29	0.29	0.00	0.00	0.00	0.37	0.20	0.30
Delay/Veh:	5.2	5.2	0.0	0.0	4.9	4.9	0.0	0.0	0.0	38.1	36.1	37.2
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	5.2	5.2	0.0	0.0	4.9	4.9	0.0	0.0	0.0	38.1	36.1	37.2
LOS by Move:	A	A	A	A	A	A	A	A	A	D+	D+	D+
HCM2kAvgQ:	6	6	0	0	5	5	0	0	0	4	2	4

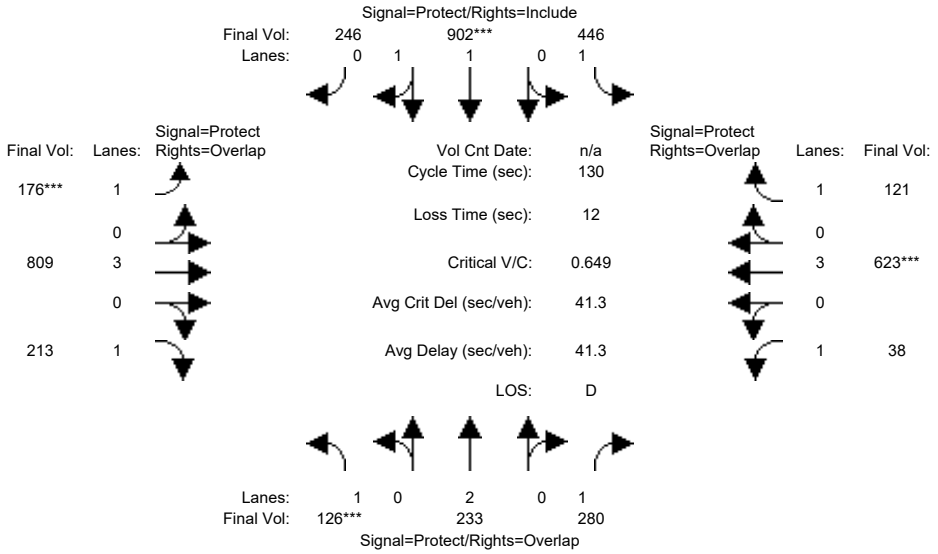
Note: Queue reported is the number of cars per lane.

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Mission Town Center TIA
DN15-0483
Existing PM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Existing PM

Intersection #1: LAFAYETTEE & EL CAMINO REAL



Street Name:	Lafayettee Street						El Camino Real					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Min. Green:	7	10	10	7	10	10	7	10	10	7	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	126	233	280	446	902	246	176	809	213	38	623	121
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	126	233	280	446	902	246	176	809	213	38	623	121
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	126	233	280	446	902	246	176	809	213	38	623	121
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	126	233	280	446	902	246	176	809	213	38	623	121
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	126	233	280	446	902	246	176	809	213	38	623	121
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	126	233	280	446	902	246	176	809	213	38	623	121
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	1.00	2.00	1.00	1.00	1.54	0.46	1.00	3.00	1.00	1.00	3.00	1.00
Final Sat.:	1750	3800	1750	1750	2932	800	1750	5700	1750	1750	5700	1750
Capacity Analysis Module:												
Vol/Sat:	0.07	0.06	0.16	0.25	0.31	0.31	0.10	0.14	0.12	0.02	0.11	0.07
Crit Moves:	****				****		****				****	
Green Time:	14.4	26.7	38.3	49.3	61.6	61.6	20.1	30.5	44.9	11.6	21.9	71.1
Volume/Cap:	0.65	0.30	0.54	0.67	0.65	0.65	0.65	0.61	0.35	0.24	0.65	0.13
Delay/Veh:	71.0	44.7	42.6	39.0	27.9	27.9	63.1	46.5	33.4	58.9	53.9	14.6
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	71.0	44.7	42.6	39.0	27.9	27.9	63.1	46.5	33.4	58.9	53.9	14.6
LOS by Move:	E	D	D	D	C	C	E	D	C-	E+	D-	B
HCM2kAvgQ:	6	4	10	17	18	18	8	10	7	2	9	2

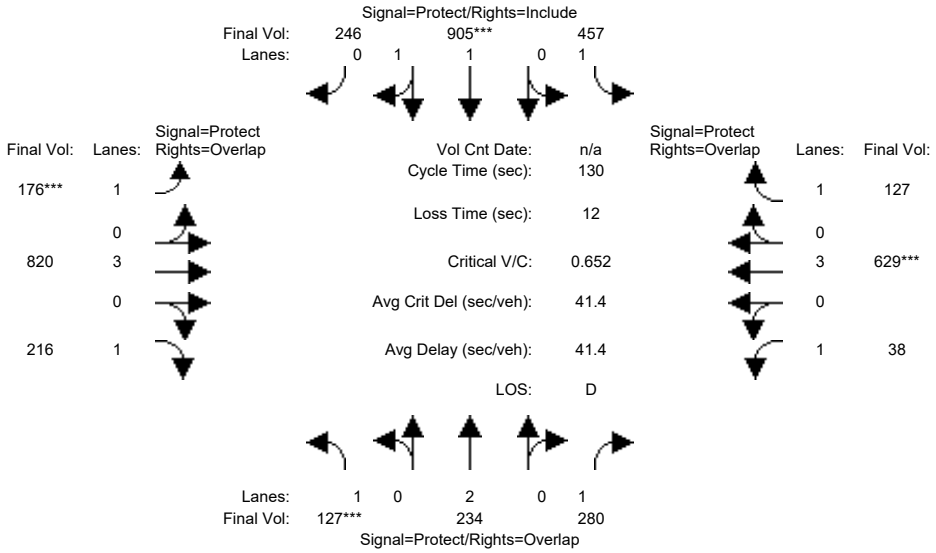
Note: Queue reported is the number of cars per lane.

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Mission Town Center TIA
DN15-0483
Existing PM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Existing Plus Project PM

Intersection #1: LAFAYETTEE & EL CAMINO REAL



Street Name:	Lafayettee Street						El Camino Real					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L -	T -	R	L -	T -	R	L -	T -	R	L -	T -	R
Min. Green:	7	10	10	7	10	10	7	10	10	7	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	126	233	280	446	902	246	176	809	213	38	623	121
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	126	233	280	446	902	246	176	809	213	38	623	121
Added Vol:	1	1	0	11	3	0	0	11	3	0	6	6
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	127	234	280	457	905	246	176	820	216	38	629	127
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	127	234	280	457	905	246	176	820	216	38	629	127
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	127	234	280	457	905	246	176	820	216	38	629	127
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	127	234	280	457	905	246	176	820	216	38	629	127
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	1.00	2.00	1.00	1.00	1.54	0.46	1.00	3.00	1.00	1.00	3.00	1.00
Final Sat.:	1750	3800	1750	1750	2934	798	1750	5700	1750	1750	5700	1750
Capacity Analysis Module:												
Vol/Sat:	0.07	0.06	0.16	0.26	0.31	0.31	0.10	0.14	0.12	0.02	0.11	0.07
Crit Moves:	****				****		****				****	
Green Time:	14.5	26.3	37.7	49.7	61.5	61.5	20.0	30.6	45.1	11.5	22.0	71.7
Volume/Cap:	0.65	0.30	0.55	0.68	0.65	0.65	0.65	0.61	0.36	0.25	0.65	0.13
Delay/Veh:	71.1	45.1	43.2	39.2	28.0	28.0	63.3	46.5	33.3	59.0	53.9	14.4
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	71.1	45.1	43.2	39.2	28.0	28.0	63.3	46.5	33.3	59.0	53.9	14.4
LOS by Move:	E	D	D	D	C	C	E	D	C-	E+	D-	B
HCM2kAvgQ:	6	4	10	17	18	18	8	10	7	2	9	3

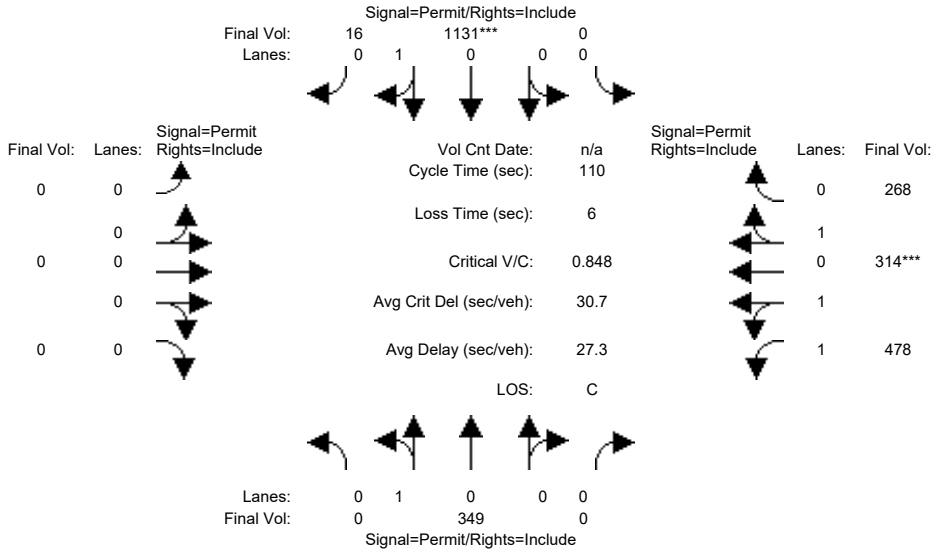
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Mission Town Center TIA
DN15-0483
Existing PM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Existing PM

Intersection #2: Lafayette Street & Lewis Street



Street Name:	Lafayette Street						Lewis Street					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L -	T -	R	L -	T -	R	L -	T -	R	L -	T -	R
Min. Green:	10	10	0	0	10	10	0	0	0	10	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	0	349	0	0	1131	16	0	0	0	478	314	268
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	0	349	0	0	1131	16	0	0	0	478	314	268
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	0	349	0	0	1131	16	0	0	0	478	314	268
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	0	349	0	0	1131	16	0	0	0	478	314	268
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	0	349	0	0	1131	16	0	0	0	478	314	268
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	0	349	0	0	1131	16	0	0	0	478	314	268
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	0.00	1.00	0.00	0.00	0.98	0.02	0.00	0.00	0.00	1.38	0.84	0.78
Final Sat.:	0	1900	0	0	1871	26	0	0	0	2424	1592	1359
Capacity Analysis Module:												
Vol/Sat:	0.00	0.18	0.00	0.00	0.60	0.60	0.00	0.00	0.00	0.20	0.20	0.20
Crit Moves:					****						****	
Green Time:	0.0	78.4	0.0	0.0	78.4	78.4	0.0	0.0	0.0	25.6	25.6	25.6
Volume/Cap:	0.00	0.26	0.00	0.00	0.85	0.85	0.00	0.00	0.00	0.85	0.85	0.85
Delay/Veh:	0.0	5.7	0.0	0.0	16.7	16.7	0.0	0.0	0.0	46.0	46.0	46.0
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	0.0	5.7	0.0	0.0	16.7	16.7	0.0	0.0	0.0	46.0	46.0	46.0
LOS by Move:	A	A	A	A	B	B	A	A	A	D	D	D
HCM2kAvgQ:	0	4	0	0	29	29	0	0	0	15	15	15

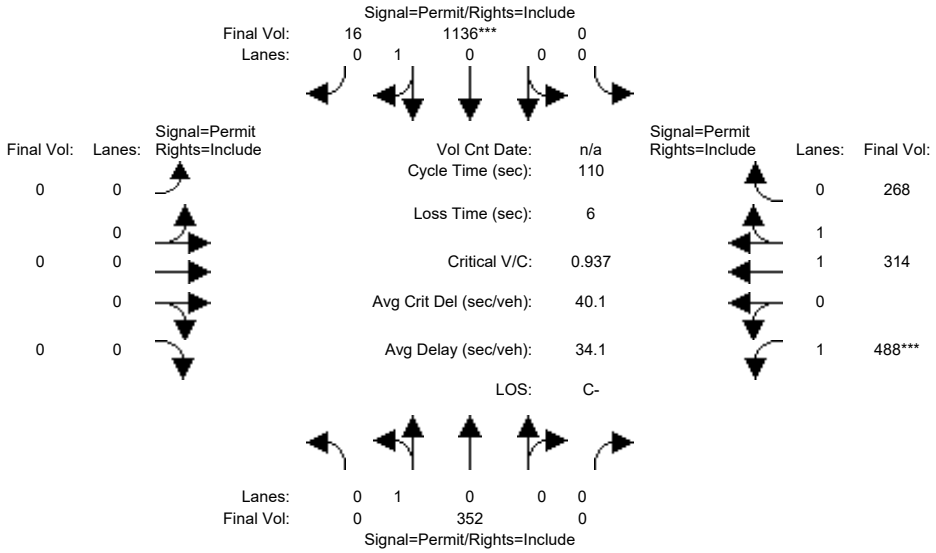
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Mission Town Center TIA
DN15-0483
Existing PM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Existing Plus Project PM

Intersection #2: Lafayette Street & Lewis Street



Street Name:	Lafayette Street						Lewis Street					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L -	T -	R	L -	T -	R	L -	T -	R	L -	T -	R
Min. Green:	10	10	0	0	10	10	0	0	0	10	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	0	349	0	0	1131	16	0	0	0	478	314	268
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	0	349	0	0	1131	16	0	0	0	478	314	268
Added Vol:	0	3	0	0	5	0	0	0	0	10	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	0	352	0	0	1136	16	0	0	0	488	314	268
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	0	352	0	0	1136	16	0	0	0	488	314	268
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	0	352	0	0	1136	16	0	0	0	488	314	268
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	0	352	0	0	1136	16	0	0	0	488	314	268
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	0.00	1.00	0.00	0.00	0.98	0.02	0.00	0.00	0.00	1.00	1.04	0.96
Final Sat.:	0	1900	0	0	1871	26	0	0	0	1750	1972	1683
Capacity Analysis Module:												
Vol/Sat:	0.00	0.19	0.00	0.00	0.61	0.61	0.00	0.00	0.00	0.28	0.16	0.16
Crit Moves:					****					****		
Green Time:	0.0	71.3	0.0	0.0	71.3	71.3	0.0	0.0	0.0	32.7	32.7	32.7
Volume/Cap:	0.00	0.29	0.00	0.00	0.94	0.94	0.00	0.00	0.00	0.94	0.53	0.53
Delay/Veh:	0.0	8.5	0.0	0.0	30.7	30.7	0.0	0.0	0.0	62.3	32.8	32.8
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	0.0	8.5	0.0	0.0	30.7	30.7	0.0	0.0	0.0	62.3	32.8	32.8
LOS by Move:	A	A	A	A	C	C	A	A	A	E	C-	C-
HCM2kAvgQ:	0	5	0	0	37	37	0	0	0	22	9	9

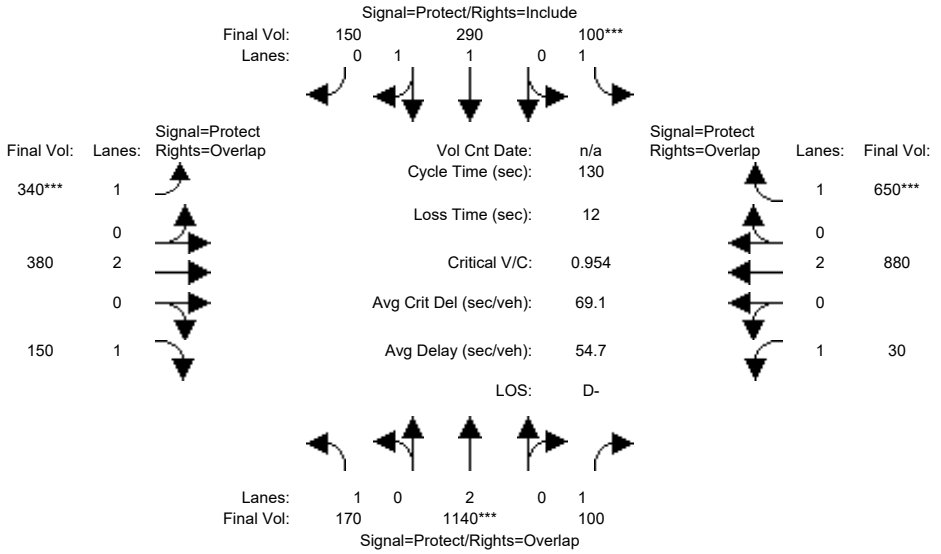
Note: Queue reported is the number of cars per lane.

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Mission Town Center TIA
DN15-0483
Background AM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Background AM

Intersection #1: LAFAYETTEE & EL CAMINO REAL



Street Name:	Lafayettee Street						El Camino Real					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Min. Green:	7	10	10	7	10	10	7	10	10	7	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	170	1140	100	100	290	150	340	380	150	30	880	650
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	170	1140	100	100	290	150	340	380	150	30	880	650
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	170	1140	100	100	290	150	340	380	150	30	880	650
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	170	1140	100	100	290	150	340	380	150	30	880	650
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	170	1140	100	100	290	150	340	380	150	30	880	650
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	170	1140	100	100	290	150	340	380	150	30	880	650
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	1.00	2.00	1.00	1.00	1.28	0.72	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	1750	3800	1750	1750	2433	1259	1750	3800	1750	1750	3800	1750
Capacity Analysis Module:												
Vol/Sat:	0.10	0.30	0.06	0.06	0.12	0.12	0.19	0.10	0.09	0.02	0.23	0.37
Crit Moves:		****		****			****					****
Green Time:	21.9	40.9	65.2	7.8	26.8	26.8	26.5	45.1	66.9	24.3	42.8	50.6
Volume/Cap:	0.58	0.95	0.11	0.95	0.58	0.58	0.95	0.29	0.17	0.09	0.70	0.95
Delay/Veh:	57.8	60.7	17.4	137.0	49.7	49.7	88.4	31.4	17.1	44.3	41.3	63.4
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	57.8	60.7	17.4	137.0	49.7	49.7	88.4	31.4	17.1	44.3	41.3	63.4
LOS by Move:	E+	E	B	F	D	D	F	C	B	D	D	E
HCM2kAvgQ:	7	27	2	7	9	9	19	5	3	1	16	32

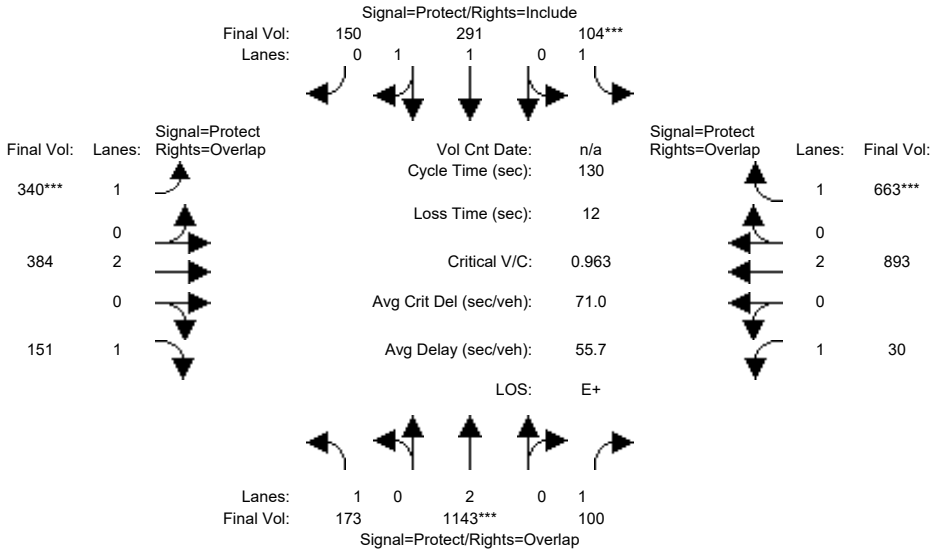
Note: Queue reported is the number of cars per lane.

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Mission Town Center TIA
DN15-0483
Background AM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Background Plus Project AM

Intersection #1: LAFAYETTEE & EL CAMINO REAL



Street Name:	Lafayettee Street						El Camino Real					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L -	T -	R	L -	T -	R	L -	T -	R	L -	T -	R
Min. Green:	7	10	10	7	10	10	7	10	10	7	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	170	1140	100	100	290	150	340	380	150	30	880	650
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	170	1140	100	100	290	150	340	380	150	30	880	650
Added Vol:	3	3	0	4	1	0	0	4	1	0	13	13
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	173	1143	100	104	291	150	340	384	151	30	893	663
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	173	1143	100	104	291	150	340	384	151	30	893	663
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	173	1143	100	104	291	150	340	384	151	30	893	663
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	173	1143	100	104	291	150	340	384	151	30	893	663
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	1.00	2.00	1.00	1.00	1.28	0.72	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	1750	3800	1750	1750	2436	1256	1750	3800	1750	1750	3800	1750
Capacity Analysis Module:												
Vol/Sat:	0.10	0.30	0.06	0.06	0.12	0.12	0.19	0.10	0.09	0.02	0.24	0.38
Crit Moves:		****		****			****					****
Green Time:	22.0	40.6	64.7	8.0	26.6	26.6	26.2	45.3	67.3	24.1	43.1	51.2
Volume/Cap:	0.58	0.96	0.11	0.96	0.58	0.58	0.96	0.29	0.17	0.09	0.71	0.96
Delay/Veh:	57.9	62.5	17.6	137.9	50.0	50.0	90.8	31.3	17.0	44.4	41.3	64.8
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	57.9	62.5	17.6	137.9	50.0	50.0	90.8	31.3	17.0	44.4	41.3	64.8
LOS by Move:	E+	E	B	F	D	D	F	C	B	D	D	E
HCM2kAvgQ:	7	27	2	8	9	9	19	5	3	1	16	33

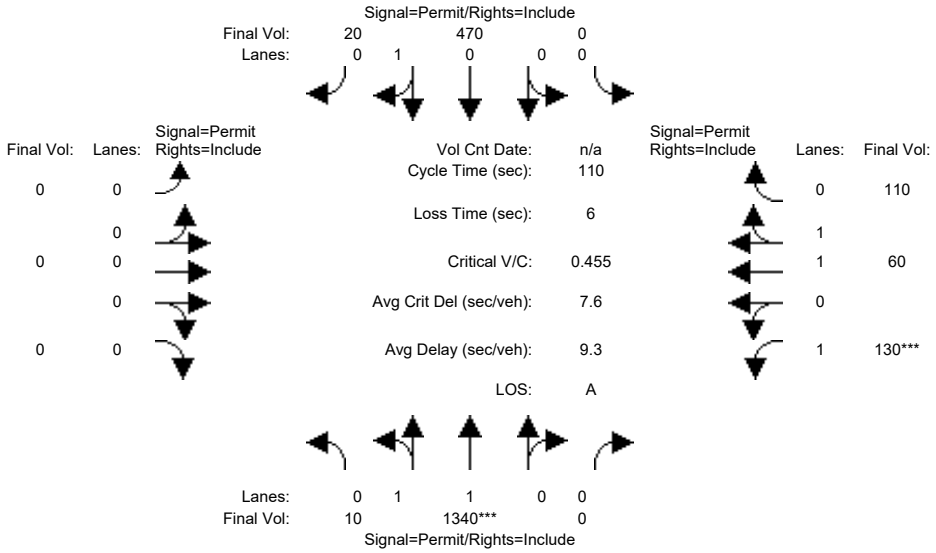
Note: Queue reported is the number of cars per lane.

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Mission Town Center TIA
DN15-0483
Background AM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Background AM

Intersection #2: Lafayette Street & Lewis Street



Street Name:	Lafayette Street						Lewis Street					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L -	T -	R	L -	T -	R	L -	T -	R	L -	T -	R
Min. Green:	10	10	0	0	10	10	0	0	0	10	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	10	1340	0	0	470	20	0	0	0	130	60	110
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	10	1340	0	0	470	20	0	0	0	130	60	110
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	10	1340	0	0	470	20	0	0	0	130	60	110
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	10	1340	0	0	470	20	0	0	0	130	60	110
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	10	1340	0	0	470	20	0	0	0	130	60	110
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	10	1340	0	0	470	20	0	0	0	130	60	110
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	0.02	1.98	0.00	0.00	0.96	0.04	0.00	0.00	0.00	1.00	1.00	1.00
Final Sat.:	28	3769	0	0	1816	77	0	0	0	1750	1900	1750
Capacity Analysis Module:												
Vol/Sat:	0.36	0.36	0.00	0.00	0.26	0.26	0.00	0.00	0.00	0.07	0.03	0.06
Crit Moves:		****								****		
Green Time:	86.0	86.0	0.0	0.0	86.0	86.0	0.0	0.0	0.0	18.0	18.0	18.0
Volume/Cap:	0.45	0.45	0.00	0.00	0.33	0.33	0.00	0.00	0.00	0.45	0.19	0.38
Delay/Veh:	4.2	4.2	0.0	0.0	3.7	3.7	0.0	0.0	0.0	42.7	39.9	41.6
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	4.2	4.2	0.0	0.0	3.7	3.7	0.0	0.0	0.0	42.7	39.9	41.6
LOS by Move:	A	A	A	A	A	A	A	A	A	D	D	D
HCM2kAvgQ:	8	8	0	0	5	5	0	0	0	5	2	4

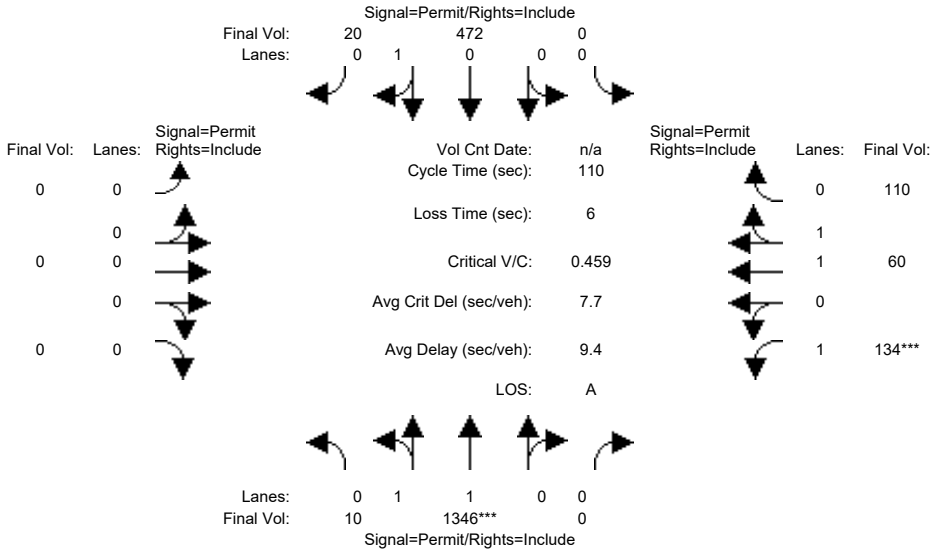
Note: Queue reported is the number of cars per lane.

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Mission Town Center TIA
DN15-0483
Background AM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Background Plus Project AM

Intersection #2: Lafayette Street & Lewis Street



Street Name:	Lafayette Street						Lewis Street					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L -	T -	R	L -	T -	R	L -	T -	R	L -	T -	R
Min. Green:	10	10	0	10	10	10	0	0	0	10	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	10	1340	0	0	470	20	0	0	0	130	60	110
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	10	1340	0	0	470	20	0	0	0	130	60	110
Added Vol:	0	6	0	0	2	0	0	0	0	4	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	10	1346	0	0	472	20	0	0	0	134	60	110
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	10	1346	0	0	472	20	0	0	0	134	60	110
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	10	1346	0	0	472	20	0	0	0	134	60	110
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	10	1346	0	0	472	20	0	0	0	134	60	110
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	0.02	1.98	0.00	0.00	0.96	0.04	0.00	0.00	0.00	1.00	1.00	1.00
Final Sat.:	28	3770	0	0	1816	77	0	0	0	1750	1900	1750
Capacity Analysis Module:												
Vol/Sat:	0.36	0.36	0.00	0.00	0.26	0.26	0.00	0.00	0.00	0.08	0.03	0.06
Crit Moves:		****								****		
Green Time:	85.6	85.6	0.0	0.0	85.6	85.6	0.0	0.0	0.0	18.4	18.4	18.4
Volume/Cap:	0.46	0.46	0.00	0.00	0.33	0.33	0.00	0.00	0.00	0.46	0.19	0.38
Delay/Veh:	4.3	4.3	0.0	0.0	3.8	3.8	0.0	0.0	0.0	42.5	39.5	41.3
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	4.3	4.3	0.0	0.0	3.8	3.8	0.0	0.0	0.0	42.5	39.5	41.3
LOS by Move:	A	A	A	A	A	A	A	A	A	D	D	D
HCM2kAvgQ:	8	8	0	0	5	5	0	0	0	5	2	4

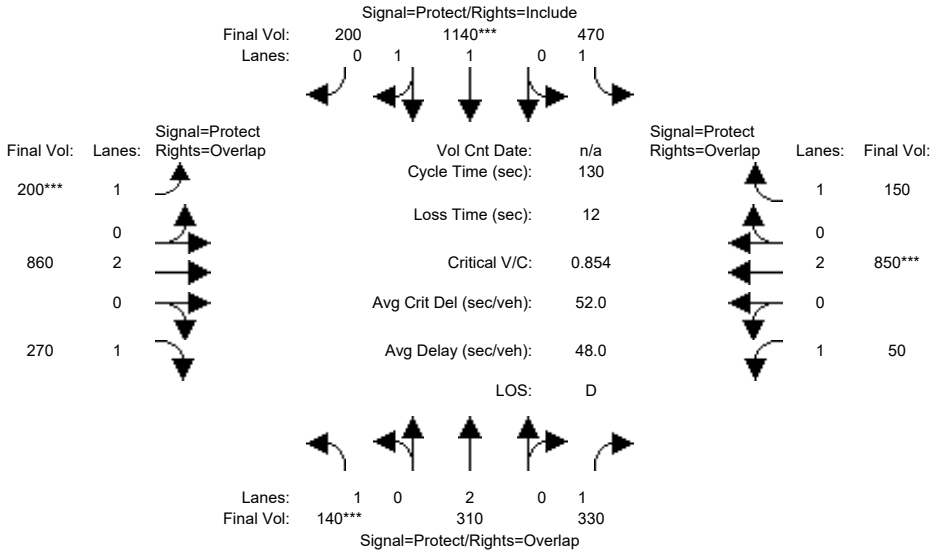
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Mission Town Center TIA
DN15-0483
Background PM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Background PM

Intersection #1: LAFAYETTEE & EL CAMINO REAL



Street Name:	Lafayettee Street						El Camino Real					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Min. Green:	7	10	10	7	10	10	7	10	10	7	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	140	310	330	470	1140	200	200	860	270	50	850	150
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	140	310	330	470	1140	200	200	860	270	50	850	150
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	140	310	330	470	1140	200	200	860	270	50	850	150
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	140	310	330	470	1140	200	200	860	270	50	850	150
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	140	310	330	470	1140	200	200	860	270	50	850	150
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	140	310	330	470	1140	200	200	860	270	50	850	150
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	1.00	2.00	1.00	1.00	1.68	0.32	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	1750	3800	1750	1750	3192	560	1750	3800	1750	1750	3800	1750
Capacity Analysis Module:												
Vol/Sat:	0.08	0.08	0.19	0.27	0.36	0.36	0.11	0.23	0.15	0.03	0.22	0.09
Crit Moves:	****				****		****				****	
Green Time:	12.2	24.8	34.7	41.7	54.4	54.4	17.4	41.6	53.7	9.9	34.1	75.8
Volume/Cap:	0.85	0.43	0.71	0.84	0.85	0.85	0.85	0.71	0.37	0.38	0.85	0.15
Delay/Veh:	98.0	48.1	51.7	54.9	40.4	40.4	85.7	42.4	27.9	65.0	54.9	12.7
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	98.0	48.1	51.7	54.9	40.4	40.4	85.7	42.4	27.9	65.0	54.9	12.7
LOS by Move:	F	D	D-	D-	D	D	F	D	C	E	D-	B
HCM2kAvgQ:	7	5	14	21	27	27	11	16	8	2	19	3

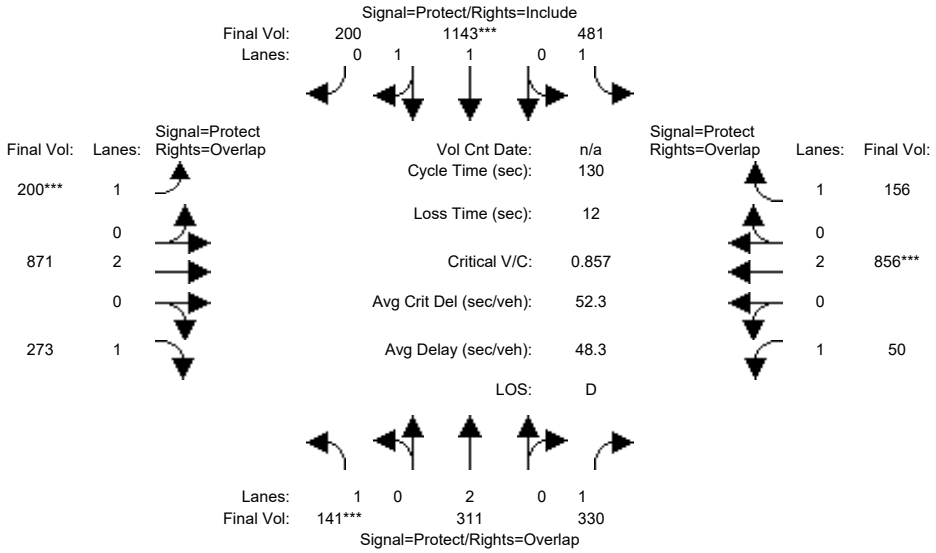
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Mission Town Center TIA
DN15-0483
Background PM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Background Plus Project PM

Intersection #1: LAFAYETTEE & EL CAMINO REAL



Street Name:	Lafayettee Street						El Camino Real					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L -	T -	R	L -	T -	R	L -	T -	R	L -	T -	R
Min. Green:	7	10	10	7	10	10	7	10	10	7	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	140	310	330	470	1140	200	200	860	270	50	850	150
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	140	310	330	470	1140	200	200	860	270	50	850	150
Added Vol:	1	1	0	11	3	0	0	11	3	0	6	6
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	141	311	330	481	1143	200	200	871	273	50	856	156
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	141	311	330	481	1143	200	200	871	273	50	856	156
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	141	311	330	481	1143	200	200	871	273	50	856	156
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	141	311	330	481	1143	200	200	871	273	50	856	156
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	1.00	2.00	1.00	1.00	1.68	0.32	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	1750	3800	1750	1750	3193	559	1750	3800	1750	1750	3800	1750
Capacity Analysis Module:												
Vol/Sat:	0.08	0.08	0.19	0.27	0.36	0.36	0.11	0.23	0.16	0.03	0.23	0.09
Crit Moves:	****				****		****				****	
Green Time:	12.2	24.5	34.3	42.0	54.3	54.3	17.3	41.7	53.9	9.8	34.2	76.2
Volume/Cap:	0.86	0.43	0.72	0.85	0.86	0.86	0.86	0.71	0.38	0.38	0.86	0.15
Delay/Veh:	98.4	48.6	52.6	55.8	40.6	40.6	86.3	42.5	27.9	65.3	55.0	12.5
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	98.4	48.6	52.6	55.8	40.6	40.6	86.3	42.5	27.9	65.3	55.0	12.5
LOS by Move:	F	D	D-	E+	D	D	F	D	C	E	E+	B
HCM2kAvgQ:	7	5	14	22	27	27	11	16	8	2	19	3

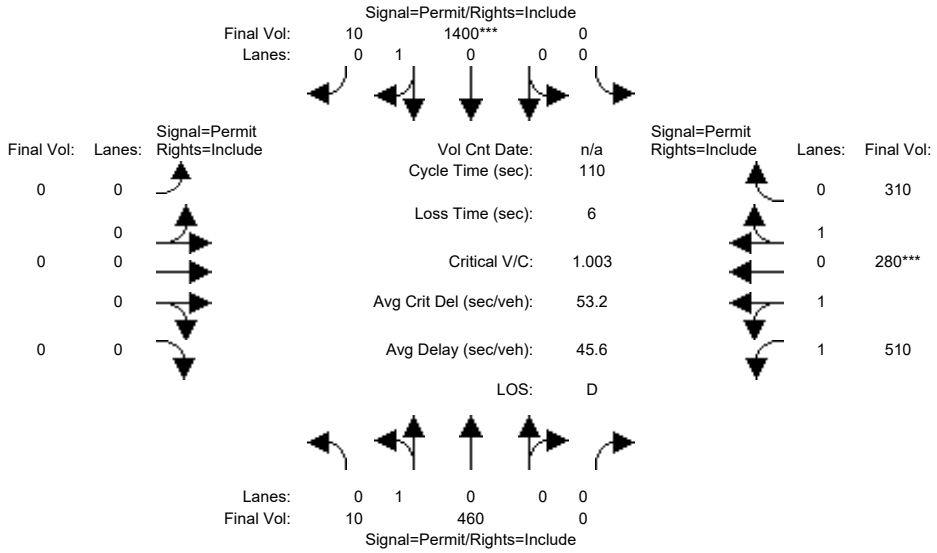
Note: Queue reported is the number of cars per lane.

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Mission Town Center TIA
DN15-0483
Background PM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Background PM

Intersection #2: Lafayette Street & Lewis Street



Street Name:	Lafayette Street						Lewis Street					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L -	T -	R	L -	T -	R	L -	T -	R	L -	T -	R
Min. Green:	10	10	0	0	10	10	0	0	0	10	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	10	460	0	0	1400	10	0	0	0	510	280	310
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	10	460	0	0	1400	10	0	0	0	510	280	310
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	10	460	0	0	1400	10	0	0	0	510	280	310
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	10	460	0	0	1400	10	0	0	0	510	280	310
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	10	460	0	0	1400	10	0	0	0	510	280	310
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	10	460	0	0	1400	10	0	0	0	510	280	310
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	0.02	0.98	0.00	0.00	0.99	0.01	0.00	0.00	0.00	1.42	0.72	0.86
Final Sat.:	40	1856	0	0	1885	13	0	0	0	2484	1364	1510
Capacity Analysis Module:												
Vol/Sat:	0.25	0.25	0.00	0.00	0.74	0.74	0.00	0.00	0.00	0.21	0.21	0.21
Crit Moves:					****						****	
Green Time:	81.5	81.5	0.0	0.0	81.5	81.5	0.0	0.0	0.0	22.5	22.5	22.5
Volume/Cap:	0.33	0.33	0.00	0.00	1.00	1.00	0.00	0.00	0.00	1.00	1.00	1.00
Delay/Veh:	5.1	5.1	0.0	0.0	38.9	38.9	0.0	0.0	0.0	71.5	71.5	71.5
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	5.1	5.1	0.0	0.0	38.9	38.9	0.0	0.0	0.0	71.5	71.5	71.5
LOS by Move:	A	A	A	A	D+	D+	A	A	A	E	E	E
HCM2kAvgQ:	5	5	0	0	52	52	0	0	0	19	19	19

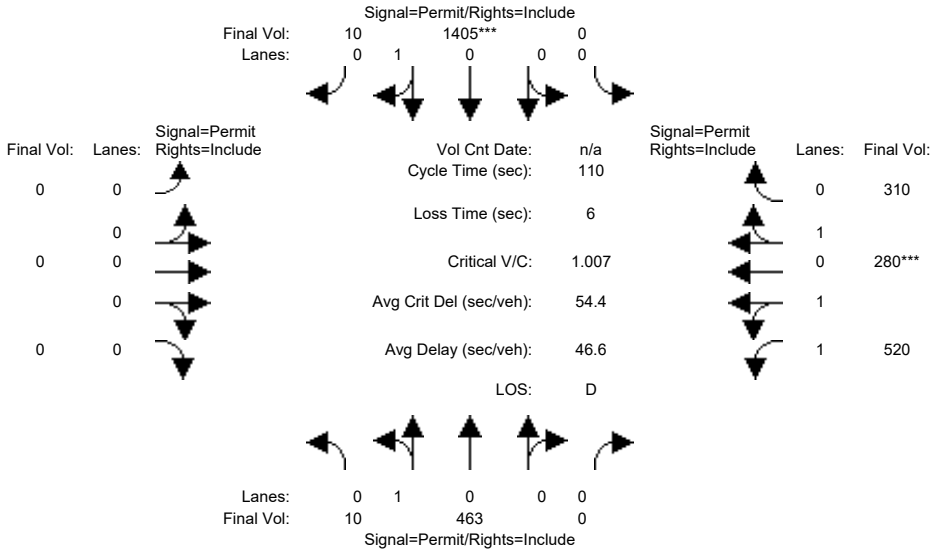
Note: Queue reported is the number of cars per lane.

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Mission Town Center TIA
DN15-0483
Background PM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Background Plus Project PM

Intersection #2: Lafayette Street & Lewis Street



Street Name:	Lafayette Street						Lewis Street					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L -	T -	R	L -	T -	R	L -	T -	R	L -	T -	R
Min. Green:	10	10	0	0	10	10	0	0	0	10	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	10	460	0	0	1400	10	0	0	0	510	280	310
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	10	460	0	0	1400	10	0	0	0	510	280	310
Added Vol:	0	3	0	0	5	0	0	0	0	10	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	10	463	0	0	1405	10	0	0	0	520	280	310
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	10	463	0	0	1405	10	0	0	0	520	280	310
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	10	463	0	0	1405	10	0	0	0	520	280	310
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	10	463	0	0	1405	10	0	0	0	520	280	310
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	0.02	0.98	0.00	0.00	0.99	0.01	0.00	0.00	0.00	1.44	0.71	0.85
Final Sat.:	40	1856	0	0	1885	13	0	0	0	2509	1351	1496
Capacity Analysis Module:												
Vol/Sat:	0.25	0.25	0.00	0.00	0.75	0.75	0.00	0.00	0.00	0.21	0.21	0.21
Crit Moves:					****						****	
Green Time:	81.4	81.4	0.0	0.0	81.4	81.4	0.0	0.0	0.0	22.6	22.6	22.6
Volume/Cap:	0.34	0.34	0.00	0.00	1.01	1.01	0.00	0.00	0.00	1.01	1.01	1.01
Delay/Veh:	5.1	5.1	0.0	0.0	40.1	40.1	0.0	0.0	0.0	72.6	72.6	72.6
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	5.1	5.1	0.0	0.0	40.1	40.1	0.0	0.0	0.0	72.6	72.6	72.6
LOS by Move:	A	A	A	A	D	D	A	A	A	E	E	E
HCM2kAvgQ:	5	5	0	0	52	52	0	0	0	19	19	19

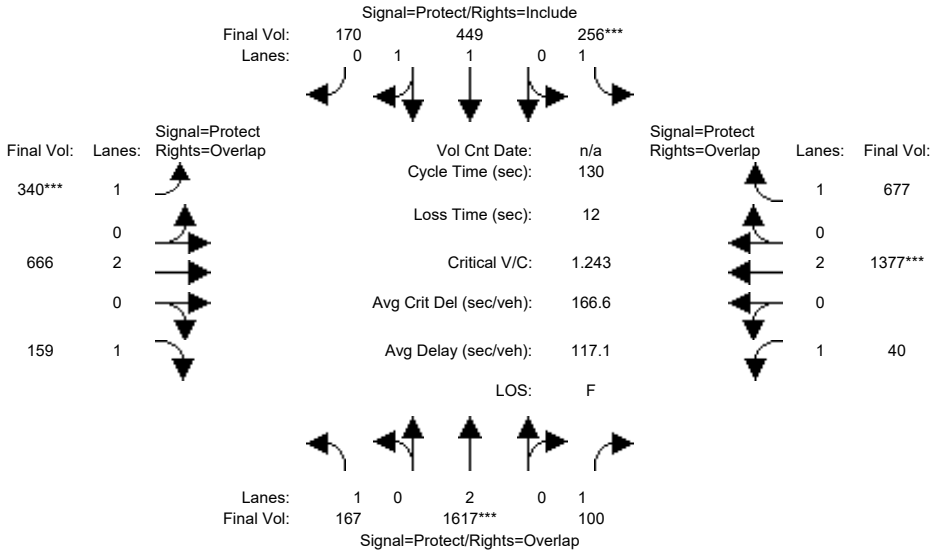
Note: Queue reported is the number of cars per lane.

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Mission Town Center TIA
DN15-0483
Cumulative AM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Cumulative AM

Intersection #1: LAFAYETTEE & EL CAMINO REAL



Street Name:	Lafayettee Street						El Camino Real					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Min. Green:	7	10	10	7	10	10	7	10	10	7	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	170	1620	100	260	450	170	340	670	160	40	1390	690
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	170	1620	100	260	450	170	340	670	160	40	1390	690
Added Vol:	-3	-3	0	-4	-1	0	0	-4	-1	0	-13	-13
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	167	1617	100	256	449	170	340	666	159	40	1377	677
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	167	1617	100	256	449	170	340	666	159	40	1377	677
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	167	1617	100	256	449	170	340	666	159	40	1377	677
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	167	1617	100	256	449	170	340	666	159	40	1377	677
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	1.00	2.00	1.00	1.00	1.42	0.58	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	1750	3800	1750	1750	2693	1020	1750	3800	1750	1750	3800	1750
Capacity Analysis Module:												
Vol/Sat:	0.10	0.43	0.06	0.15	0.17	0.17	0.19	0.18	0.09	0.02	0.36	0.39
Crit Moves:		****			****			****			****	
Green Time:	21.8	44.5	58.2	15.3	38.0	38.0	20.3	44.5	66.3	13.7	37.9	53.2
Volume/Cap:	0.57	1.24	0.13	1.24	0.57	0.57	1.24	0.51	0.18	0.22	1.24	0.95
Delay/Veh:	57.6	159	21.4	200.9	41.2	41.2	191.3	35.5	17.6	55.9	163	59.7
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	57.6	159	21.4	200.9	41.2	41.2	191.3	35.5	17.6	55.9	163	59.7
LOS by Move:	E+	F	C+	F	D	D	F	D+	B	E+	F	E+
HCM2kAvgQ:	7	53	2	20	11	11	26	11	4	2	46	33

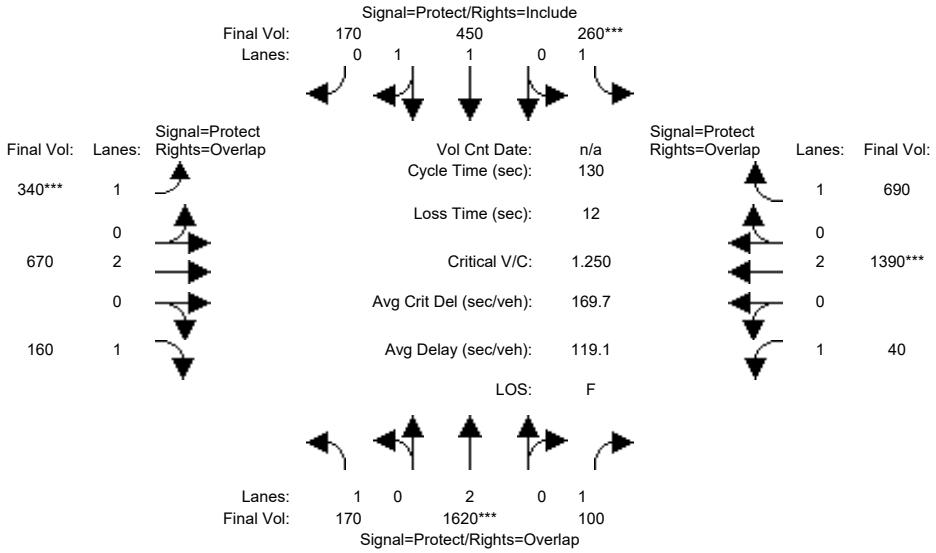
Note: Queue reported is the number of cars per lane.

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Mission Town Center TIA
DN15-0483
Cumulative AM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Cumulative Plus Project AM

Intersection #1: LAFAYETTEE & EL CAMINO REAL



Street Name:	Lafayettee Street						El Camino Real					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L -	T -	R	L -	T -	R	L -	T -	R	L -	T -	R
Min. Green:	7	10	10	7	10	10	7	10	10	7	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	170	1620	100	260	450	170	340	670	160	40	1390	690
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	170	1620	100	260	450	170	340	670	160	40	1390	690
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	170	1620	100	260	450	170	340	670	160	40	1390	690
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	170	1620	100	260	450	170	340	670	160	40	1390	690
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	170	1620	100	260	450	170	340	670	160	40	1390	690
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	170	1620	100	260	450	170	340	670	160	40	1390	690
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	1.00	2.00	1.00	1.00	1.42	0.58	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	1750	3800	1750	1750	2695	1018	1750	3800	1750	1750	3800	1750
Capacity Analysis Module:												
Vol/Sat:	0.10	0.43	0.06	0.15	0.17	0.17	0.19	0.18	0.09	0.02	0.37	0.39
Crit Moves:		****		****			****				****	
Green Time:	22.0	44.3	57.9	15.4	37.8	37.8	20.2	44.6	66.6	13.6	38.0	53.5
Volume/Cap:	0.57	1.25	0.13	1.25	0.57	0.57	1.25	0.51	0.18	0.22	1.25	0.96
Delay/Veh:	57.6	162	21.5	203.3	41.5	41.5	194.3	35.5	17.5	56.0	166	62.0
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	57.6	162	21.5	203.3	41.5	41.5	194.3	35.5	17.5	56.0	166	62.0
LOS by Move:	E+	F	C+	F	D	D	F	D+	B	E+	F	E
HCM2kAvgQ:	7	53	2	21	11	11	26	11	4	2	47	34

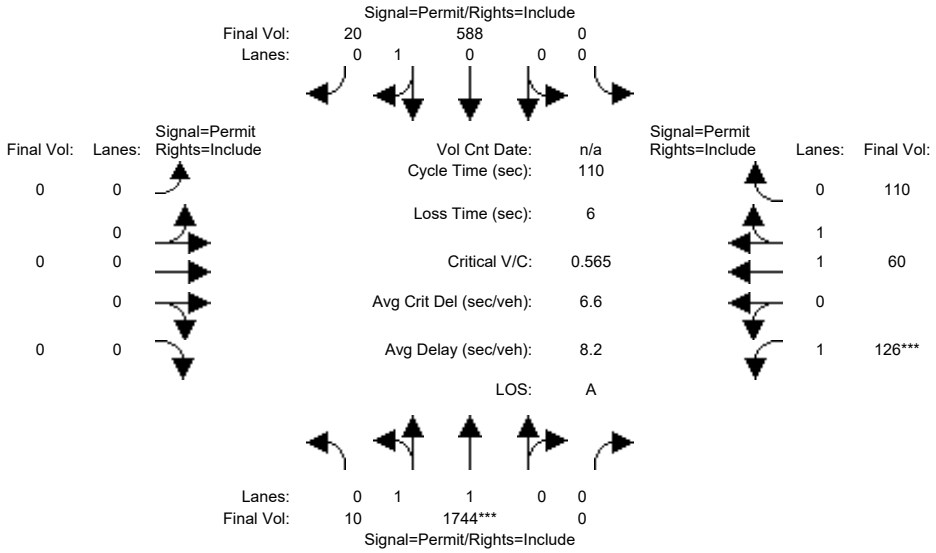
Note: Queue reported is the number of cars per lane.

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Mission Town Center TIA
DN15-0483
Cumulative AM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Cumulative AM

Intersection #2: Lafayette Street & Lewis Street



Street Name:	Lafayette Street						Lewis Street					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L -	T -	R	L -	T -	R	L -	T -	R	L -	T -	R
Min. Green:	10	10	0	0	10	10	0	0	0	10	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	10	1750	0	0	590	20	0	0	0	130	60	110
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	10	1750	0	0	590	20	0	0	0	130	60	110
Added Vol:	0	-6	0	0	-2	0	0	0	0	-4	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	10	1744	0	0	588	20	0	0	0	126	60	110
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	10	1744	0	0	588	20	0	0	0	126	60	110
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	10	1744	0	0	588	20	0	0	0	126	60	110
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	10	1744	0	0	588	20	0	0	0	126	60	110
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	0.01	1.99	0.00	0.00	0.96	0.04	0.00	0.00	0.00	1.00	1.00	1.00
Final Sat.:	22	3776	0	0	1832	62	0	0	0	1750	1900	1750
Capacity Analysis Module:												
Vol/Sat:	0.46	0.46	0.00	0.00	0.32	0.32	0.00	0.00	0.00	0.07	0.03	0.06
Crit Moves:		****								****		
Green Time:	90.0	90.0	0.0	0.0	90.0	90.0	0.0	0.0	0.0	14.0	14.0	14.0
Volume/Cap:	0.56	0.56	0.00	0.00	0.39	0.39	0.00	0.00	0.00	0.56	0.25	0.49
Delay/Veh:	3.6	3.6	0.0	0.0	2.8	2.8	0.0	0.0	0.0	48.4	43.4	45.8
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	3.6	3.6	0.0	0.0	2.8	2.8	0.0	0.0	0.0	48.4	43.4	45.8
LOS by Move:	A	A	A	A	A	A	A	A	A	D	D	D
HCM2kAvgQ:	10	10	0	0	6	6	0	0	0	5	2	4

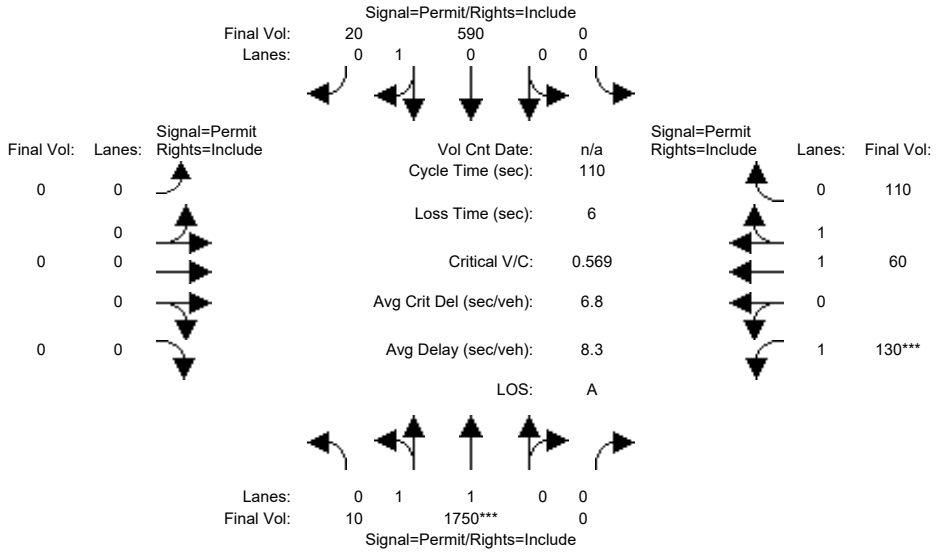
Note: Queue reported is the number of cars per lane.

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Mission Town Center TIA
DN15-0483
Cumulative AM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Cumulative Plus Project AM

Intersection #2: Lafayette Street & Lewis Street



Street Name:	Lafayette Street						Lewis Street					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L -	T -	R	L -	T -	R	L -	T -	R	L -	T -	R
Min. Green:	10	10	0	10	10	10	0	0	0	10	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	10	1750	0	0	590	20	0	0	0	130	60	110
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	10	1750	0	0	590	20	0	0	0	130	60	110
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	10	1750	0	0	590	20	0	0	0	130	60	110
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	10	1750	0	0	590	20	0	0	0	130	60	110
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	10	1750	0	0	590	20	0	0	0	130	60	110
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	10	1750	0	0	590	20	0	0	0	130	60	110
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	0.01	1.99	0.00	0.00	0.96	0.04	0.00	0.00	0.00	1.00	1.00	1.00
Final Sat.:	22	3777	0	0	1833	62	0	0	0	1750	1900	1750
Capacity Analysis Module:												
Vol/Sat:	0.46	0.46	0.00	0.00	0.32	0.32	0.00	0.00	0.00	0.07	0.03	0.06
Crit Moves:		****								****		
Green Time:	89.6	89.6	0.0	0.0	89.6	89.6	0.0	0.0	0.0	14.4	14.4	14.4
Volume/Cap:	0.57	0.57	0.00	0.00	0.40	0.40	0.00	0.00	0.00	0.57	0.24	0.48
Delay/Veh:	3.8	3.8	0.0	0.0	2.9	2.9	0.0	0.0	0.0	48.3	43.1	45.4
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	3.8	3.8	0.0	0.0	2.9	2.9	0.0	0.0	0.0	48.3	43.1	45.4
LOS by Move:	A	A	A	A	A	A	A	A	A	D	D	D
HCM2kAvgQ:	10	10	0	0	6	6	0	0	0	5	2	4

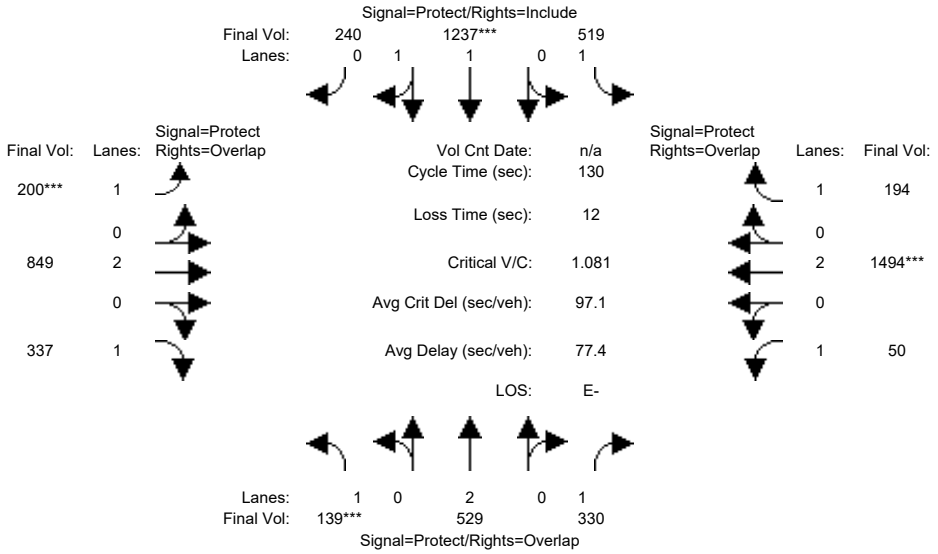
Note: Queue reported is the number of cars per lane.

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Mission Town Center TIA
DN15-0483
Cumulative PM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Cumulative PM

Intersection #1: LAFAYETTEE & EL CAMINO REAL



Street Name:	Lafayettee Street						El Camino Real					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Min. Green:	7	10	10	7	10	10	7	10	10	7	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	140	530	330	530	1240	240	200	860	340	50	1500	200
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	140	530	330	530	1240	240	200	860	340	50	1500	200
Added Vol:	-1	-1	0	-11	-3	0	0	-11	-3	0	-6	-6
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	139	529	330	519	1237	240	200	849	337	50	1494	194
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	139	529	330	519	1237	240	200	849	337	50	1494	194
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	139	529	330	519	1237	240	200	849	337	50	1494	194
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	139	529	330	519	1237	240	200	849	337	50	1494	194
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	1.00	2.00	1.00	1.00	1.65	0.35	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	1750	3800	1750	1750	3139	609	1750	3800	1750	1750	3800	1750
Capacity Analysis Module:												
Vol/Sat:	0.08	0.14	0.19	0.30	0.39	0.39	0.11	0.22	0.19	0.03	0.39	0.11
Crit Moves:	****				****		****				****	
Green Time:	9.6	20.0	31.8	37.0	47.4	47.4	13.7	49.2	58.7	11.9	47.3	84.3
Volume/Cap:	1.08	0.91	0.77	1.04	1.08	1.08	1.08	0.59	0.43	0.31	1.08	0.17
Delay/Veh:	162.9	74.3	58.3	98.2	90.6	90.6	147.4	34.1	25.9	60.3	90.6	9.4
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	162.9	74.3	58.3	98.2	90.6	90.6	147.4	34.1	25.9	60.3	90.6	9.4
LOS by Move:	F	E	E+	F	F	F	F	C-	C	E	F	A
HCM2kAvgQ:	9	12	14	30	41	41	14	14	10	2	41	3

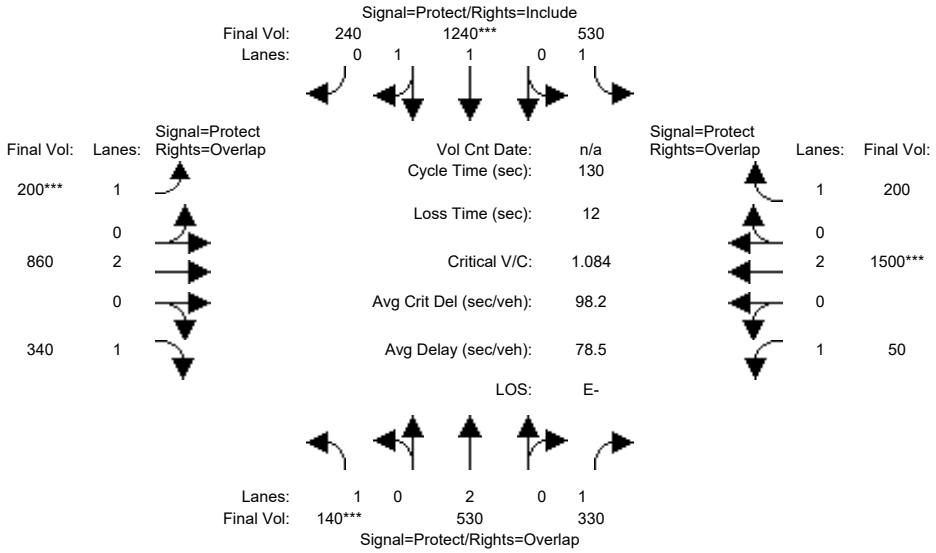
Note: Queue reported is the number of cars per lane.

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Mission Town Center TIA
DN15-0483
Cumulative PM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Cumulative Plus Project PM

Intersection #1: LAFAYETTEE & EL CAMINO REAL



Street Name:	Lafayettee Street						El Camino Real					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L -	T -	R	L -	T -	R	L -	T -	R	L -	T -	R
Min. Green:	7	10	10	7	10	10	7	10	10	7	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	140	530	330	530	1240	240	200	860	340	50	1500	200
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	140	530	330	530	1240	240	200	860	340	50	1500	200
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	140	530	330	530	1240	240	200	860	340	50	1500	200
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	140	530	330	530	1240	240	200	860	340	50	1500	200
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	140	530	330	530	1240	240	200	860	340	50	1500	200
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	140	530	330	530	1240	240	200	860	340	50	1500	200
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	1.00	2.00	1.00	1.00	1.65	0.35	1.00	2.00	1.00	1.00	2.00	1.00
Final Sat.:	1750	3800	1750	1750	3140	608	1750	3800	1750	1750	3800	1750
Capacity Analysis Module:												
Vol/Sat:	0.08	0.14	0.19	0.30	0.39	0.39	0.11	0.23	0.19	0.03	0.39	0.11
Crit Moves:	****				****		****				****	
Green Time:	9.6	19.7	31.4	37.3	47.4	47.4	13.7	49.3	58.9	11.7	47.3	84.6
Volume/Cap:	1.08	0.92	0.78	1.06	1.08	1.08	1.08	0.60	0.43	0.32	1.08	0.18
Delay/Veh:	163.7	76.8	59.4	102.3	91.8	91.8	148.6	34.2	25.8	60.6	91.7	9.3
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	163.7	76.8	59.4	102.3	91.8	91.8	148.6	34.2	25.8	60.6	91.7	9.3
LOS by Move:	F	E-	E+	F	F	F	F	C-	C	E	F	A
HCM2kAvgQ:	9	12	14	31	41	41	14	14	10	2	41	3

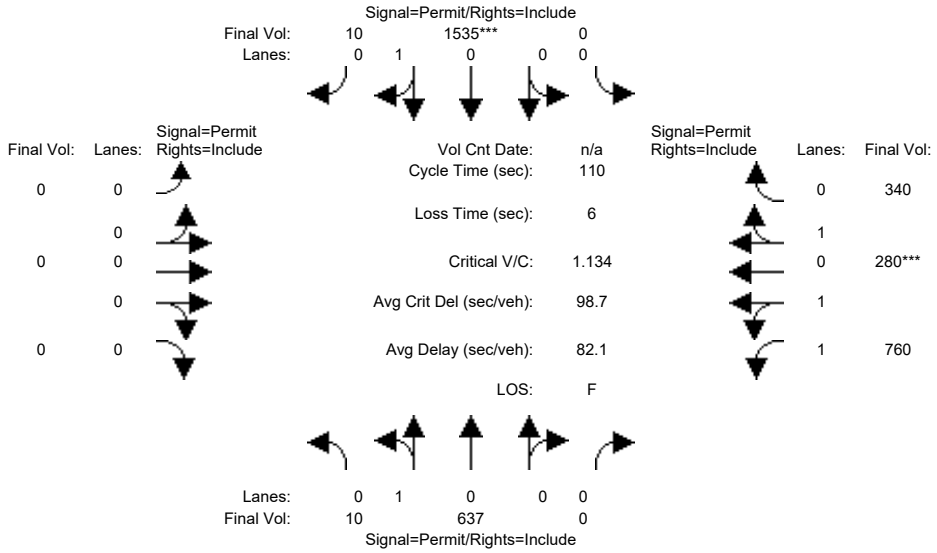
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Mission Town Center TIA
DN15-0483
Cumulative PM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Cumulative PM

Intersection #2: Lafayette Street & Lewis Street



Street Name:	Lafayette Street						Lewis Street					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L -	T -	R	L -	T -	R	L -	T -	R	L -	T -	R
Min. Green:	10	10	0	0	10	10	0	0	0	10	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	10	640	0	0	1540	10	0	0	0	770	280	340
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	10	640	0	0	1540	10	0	0	0	770	280	340
Added Vol:	0	-3	0	0	-5	0	0	0	0	-10	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	10	637	0	0	1535	10	0	0	0	760	280	340
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	10	637	0	0	1535	10	0	0	0	760	280	340
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	10	637	0	0	1535	10	0	0	0	760	280	340
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	10	637	0	0	1535	10	0	0	0	760	280	340
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	0.02	0.98	0.00	0.00	0.99	0.01	0.00	0.00	0.00	1.68	0.57	0.75
Final Sat.:	29	1868	0	0	1887	12	0	0	0	2938	1083	1315
Capacity Analysis Module:												
Vol/Sat:	0.34	0.34	0.00	0.00	0.81	0.81	0.00	0.00	0.00	0.26	0.26	0.26
Crit Moves:					****						****	
Green Time:	78.9	78.9	0.0	0.0	78.9	78.9	0.0	0.0	0.0	25.1	25.1	25.1
Volume/Cap:	0.48	0.48	0.00	0.00	1.13	1.13	0.00	0.00	0.00	1.13	1.13	1.13
Delay/Veh:	6.9	6.9	0.0	0.0	85.5	85.5	0.0	0.0	0.0	113.4	113	113.4
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	6.9	6.9	0.0	0.0	85.5	85.5	0.0	0.0	0.0	113.4	113	113.4
LOS by Move:	A	A	A	A	F	F	A	A	A	F	F	F
HCM2kAvgQ:	9	9	0	0	71	71	0	0	0	27	27	27

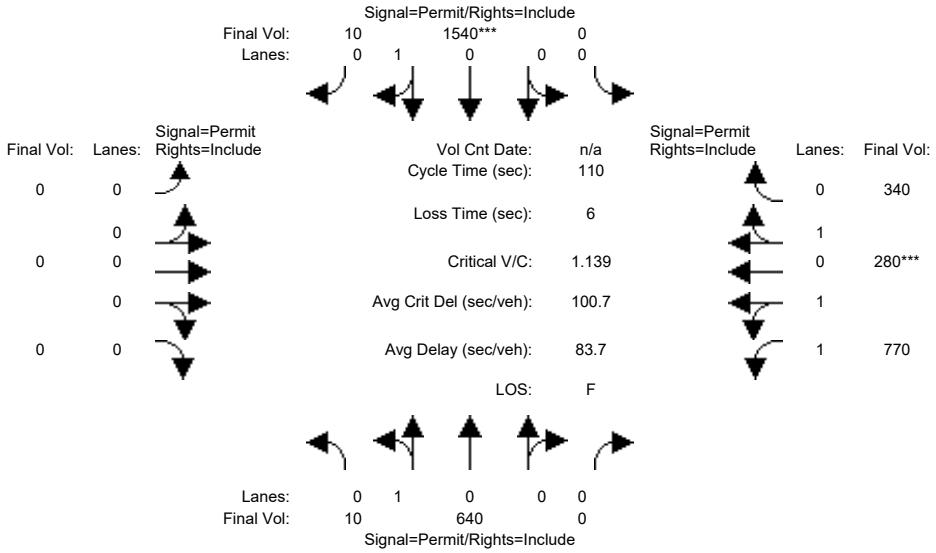
Note: Queue reported is the number of cars per lane.

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Mission Town Center TIA
DN15-0483
Cumulative PM

Level Of Service Computation Report
2000 HCM Operations (Future Volume Alternative)
Cumulative Plus Project PM

Intersection #2: Lafayette Street & Lewis Street



Street Name:	Lafayette Street						Lewis Street					
Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L -	T -	R	L -	T -	R	L -	T -	R	L -	T -	R
Min. Green:	10	10	0	0	10	10	0	0	0	10	10	10
Y+R:	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Volume Module:												
Base Vol:	10	640	0	0	1540	10	0	0	0	770	280	340
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	10	640	0	0	1540	10	0	0	0	770	280	340
Added Vol:	0	0	0	0	0	0	0	0	0	0	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	10	640	0	0	1540	10	0	0	0	770	280	340
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	10	640	0	0	1540	10	0	0	0	770	280	340
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	10	640	0	0	1540	10	0	0	0	770	280	340
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
FinalVolume:	10	640	0	0	1540	10	0	0	0	770	280	340
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92	0.92	1.00	0.92
Lanes:	0.02	0.98	0.00	0.00	0.99	0.01	0.00	0.00	0.00	1.69	0.56	0.75
Final Sat.:	29	1868	0	0	1887	12	0	0	0	2955	1075	1305
Capacity Analysis Module:												
Vol/Sat:	0.34	0.34	0.00	0.00	0.82	0.82	0.00	0.00	0.00	0.26	0.26	0.26
Crit Moves:					****						****	
Green Time:	78.8	78.8	0.0	0.0	78.8	78.8	0.0	0.0	0.0	25.2	25.2	25.2
Volume/Cap:	0.48	0.48	0.00	0.00	1.14	1.14	0.00	0.00	0.00	1.14	1.14	1.14
Delay/Veh:	7.0	7.0	0.0	0.0	87.5	87.5	0.0	0.0	0.0	115.3	115	115.3
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	7.0	7.0	0.0	0.0	87.5	87.5	0.0	0.0	0.0	115.3	115	115.3
LOS by Move:	A	A	A	A	F	F	A	A	A	F	F	F
HCM2kAvgQ:	9	9	0	0	72	72	0	0	0	28	28	28

Note: Queue reported is the number of cars per lane.

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CONDITIONS OF REZONING APPROVAL

In addition to complying with all applicable codes, regulations, ordinances and resolutions, the following **conditions of approval** are recommended:

GENERAL

G1. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.

G2. Comply with all applicable codes, regulations, ordinances and resolutions.

ATTORNEY'S OFFICE

A1. The Developer agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed by a third party against the City by reason of its approval of developer's project.

COMMUNITY DEVELOPMENT

C1. Obtain required permits and inspections from the Building Official and comply with the conditions thereof. If this project involves land area of 1 acre or more, the developer shall file a Notice of Intent (NOI) with the State Water Resources Control Board prior to issuance of any building permit for grading, or construction; a copy of the NOI shall be sent to the City Building Inspection Division. A storm water pollution prevention plan is also required with the NOI.

C2. Submit plans for final architectural review to the Architectural Committee and obtain architectural approval prior to issuance of building permits. Said plans to include, but not be limited to: site plans, floor plans, elevations, landscaping, lighting and signage. Landscaping installation shall meet City water conservation criteria in a manner acceptable to the Director of Planning and Inspection.

C3. A complete landscape plan that includes type, size and location of all plant species shall be required as part of architectural review of the project. Review and approval of the complete landscape plan, including water conservation calculations and irrigation plan shall be required prior to issuance of building permits. Installation of landscaping is required prior to occupancy permits.

C4. A master sign program shall be required as part of architectural review of the project.

C5. A master outdoor seating plan shall be required as part of architectural review of the project.

C6. Construction activity shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 6:00 p.m. Saturdays for projects within 300 feet of a residential use and shall not be allowed on recognized State and Federal holidays.

C7. Prior to issuance of a demolition permit, Developer/Owner shall have an asbestos survey of the proposed site performed by a certified individual. Survey results and notice of the proposed demolition are to be sent to the Bay Area Air Quality Management District (BAAQMD). No demolition shall be performed without a demolition permit and BAAQMD approval and, if necessary, proper asbestos removal.

C8. Incorporate Best Management Practices (BMPs) into construction plans and incorporate post construction water runoff measures into project plans in accordance with the City's Urban Runoff Pollution Prevention Program standards prior to the issuance of permits. Proposed BMPs shall be submitted to and thereafter reviewed and approved by the Planning Division and the Building Inspection Division for incorporation into construction drawings and specifications.

C9. An erosion control plan shall be prepared and copies provided to the Planning Division and to the Building Inspection Division for review and approval prior to the issuance of grading permits or building permits that involve substantial disturbance of substantial ground area.

C10. Commercial, industrial, and multi-family residential buildings must have enclosures for solid waste and recycling containers. The size and shape of the enclosure(s) must be adequate to serve the estimated solid waste and recycling needs and size of the building(s) onsite, and should be designed and located on the property so as to allow ease of access by collection vehicles. As a general rule, the size of the enclosure(s) for the recycling containers should be similar to the size of the trash enclosure(s) provided onsite. Roofed enclosures with masonry walls and solid metal gates are the preferred design. Any required enclosure fencing (trash area, utility equipment, etc.) if not see-thru, shall have a six (6) inch opening along the bottom for clear visibility. Any gates or access doors to these enclosures shall be locked.

C11. The Final Storm Water Management Plan (SWMP) must be certified by a third-party consultant from SCVURPP's current list of qualified consultants. Five copies of the approval letter from the certified third party review (wet stamped and signed) must be submitted prior to the issuance of grading or building permit.

C12. Prior to the issuance final occupancy, the applicant shall enter into Operations and Maintenance (O&M) agreement with the City. The project operator is responsible for the operations and maintenance of the SWMP and stormwater BMPs consistent with the O&M agreement throughout the life of the project.

C13. Prior to the issuance of building permit, the Developer shall submit to the Planning Division all draft covenant, joint-maintenance, and/or shared-access agreements, for review and approval. Such agreements shall ensure consistent maintenance of all landscaped areas and shared access between adjacent parcels.

C14. The applicant shall comply with the Conditions of Approval and Mitigations Monitoring and Reporting Program (MMRP) identified in the addendum to the Mission Town Center Final Environmental Impact Report.

C15. The Developer/ Owner shall comply with the conditions set forth in the Development Agreement, as may be amended from time to time in accordance with the terms of the Development Agreement.

C16. Prior to issuance of the occupancy permit, the applicant shall prepare and receive approval on a 20 percent vehicle miles traveled (VMT) reduction strategy, 10 percent of which would come from a Transportation Demand Management program (TDM).

C17. Each calendar year following final occupancy of the building, an annual review of the TDM plan shall be completed by a qualified third-party consultant, and the third-party consultant shall submit the TDM annual report covering the prior calendar year to the Planning Division for review and approval on or before February 28th of each year, to the satisfaction of the Director of Community Development. The Director of Community Development shall have the authority and discretion to require modification of the TDM measures as a means to achieve the identified overall trip reduction targets. If the annual targets are being met or exceeded, the Director of Community Development would have the discretion to require less frequent annual reporting. The Developer/ Owner shall develop and implement a Transportation Demand Management (TDM) program and Transportation Management Association program.

C18. The project shall implement the Complete Streets improvements as part of the development which includes minimum 10' sidewalk separated from the face of the curb with minimum 4' landscape strip with shade trees along El Camino Real and Benton Street. In front of retail and commercial uses minimum 4' tree wells with shade trees shall be provided.

C19. The project shall implement the Complete Streets improvements as part of the development which includes minimum 5' sidewalk separated from the face of the curb with minimum 4' landscape strip with shade trees along The Alameda.
C20. The applicant shall incorporate shared parking strategies within the project. At least ten percent of the parking spaces shall be conveniently arranged and assigned to visitors and the general use of the residents and be available for flexible use.
C21. Corner of Benton Street and The Alameda shall provide retail/commercial uses with an integrated public space to enhance the connection to the Downtown. Retail use at this location would provide an appropriate transition between new development and the adjacent retail uses across the intersection of Benton Street and The Alameda.
C22. Any existing or proposed SVP above ground equipment shall be removed from the intersection of The Alameda and Benton Street. There shall not be any transformers or above ground equipment on the corner of The Alameda and Benton Street.
C23. Comply with all requirements current at the time of application for building permit (CBC, Cal Green, California Energy Conservation Code (Title 24), CPC, CMC and CEC).
C24. Provide Code analyses with application to Building Inspection. The expanded assembly use has many Building Code and Building Code related requirements which can only be reviewed in detail after permit application is submitted and deemed complete.
C25. It shall be the developer's responsibility through his engineer to provide written certification that the drainage design for the subject property will prevent flood water intrusion in the event of a storm of 100-year return period. The developer's engineer shall verify that the site will be protected from off-site water intrusion by designing the on-site grading and storm water collection system using the 100-year hydraulic grade line elevation provided by the City's Engineering Department or the Federal Flood Insurance Rate Map, whichever is more restrictive. Said certification shall be submitted to the City Building Inspection Division prior to issuance of building permits.
C26. Submit as-built on-site plans prepared by a registered civil engineer showing all utilities serving the subject property.
C27. Provide trash enclosure, the location and design of which shall be approved by the Director of Planning and Inspection prior to issuance of any building permits.
C28. Prior to the issuance of building permits, the Developer shall submit a plan to minimize construction vehicle trips during peak hour traffic conditions to the Planning Division for review and approval.
C29. At the time of the Building Department submittal for plan check, conditions of approval and (MMRP) shall be included in the construction drawing sets.
C30. The Developer/ Owner shall permanently relocate the historic single family home located at 3370 The Alameda adjacent to the exiting historic home on site located at 3410 The Alameda.
C31. Minimum size planted trees shall be 36" box.
C32. On street parking shall not be counted towards on-site parking requirements.
C33. The applicant shall provide a percentage, to be determined as part of the Development Agreement, of affordable units as part of the project.
C34. There is a concern about the proposed fence separating courtyard B from the public The Alameda courtyard. It must not be a solid fence.
C35. The minimum parking requirement for retail/commercial is 4 spaces for each 1000 square feet.

ENGINEERING

E1. Obtain site clearance through Engineering Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified

for compliance during the site clearance process. Contact Engineering Department at (408) 615-3000 for further information.

E2. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a Single Encroachment Permit issued by the City Engineering Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.

E3. The sanitary sewer (SS) discharge information (i.e., building use, square footage, point of connection to the public system, and 24-hour average and peak SS flow graphs for the peak day, showing average daily and peak daily SS flows) submitted by the developer was added to the City's Sanitary Sewer Hydraulic Model (SSHM) to determine if there is enough SS conveyance capacity in the SS trunk system to accommodate the proposed development. The SSHM output indicates that there should be enough SS conveyance capacity to accommodate the proposed development (RMC Report dated May 5, 2015). The SSHM output may change based on pending development applications and future projects. The SSHM output does not guarantee or in any way reserve or hold SS conveyance capacity until developer has Final Approval for the project. For purposes of this condition, "Final Approval" shall mean the final vote of the City Council necessary for all entitlements to be approved, unless a legal challenge is brought to the Council decisions, in which case the Final Approval shall mean the final disposition of the legal challenge.

E4. Parts of the sidewalk and driveway along El Camino Real will encroach into private property. Property owner will be required to dedicate a sidewalk easement for the sidewalk and driveway portions within private property and pay the easement preparation fee. For more information regarding the easement dedication process and fee please call Hung Luu of our staff at (408) 615-3047.

E5. An Encroachment Agreement is needed for any non-standard private improvements in the public right of way and City easements.

E6. All work with the El Camino Right of Way will require an Encroachment Permit from Caltrans.

E7. Provide a 72" new storm drain main on Benton Street outside the sidewalk and along the alignment of the existing 27'' storm drain main and along El Camino Real to connect to the new manhole south of Harrison Street. The 72'' storm drain main is required to maintain the capacity of the existing 60" storm drain main on Sherman which is proposed to be removed. The new 72'' storm drain line will replace the existing 27" storm drain line along Benton Street. The new 72'' storm drain line will need to be in operation before the existing 60'' storm drain main along Sherman Street is vacated.

E8. Developer shall provide a complete storm drain study for the 10-year and 100-year storm events. The grading plans shall include the overland release for the 100-year storm event and any localized flooding areas. System improvements, if needed, will be at developer's expense.

E9. Proposed trees shall be 5' minimum clear of sidewalks. Provide root barrier if trees are planted such that the drip line of the mature trees covers the sidewalk. Root barriers shall be 12' long x 2' deep, and centered on trees.

E10. Sanitary sewer and storm drain mains and laterals to be removed shall be removed to City standards.

E11. Sanitary sewer and storm drain mains and laterals shall be outside the drip line of mature trees or 10' clear of the tree trunk whichever is greater.

E12. Damaged curb, gutter, and sidewalk within the public right-of-way along property's frontage shall be repaired or replaced (to the nearest score mark) in a manner acceptable to the City Engineer or his designee. The extents of said repair or replacement within the property frontage shall be at the discretion of the City Engineer or his designee.

E13. Existing non-standard or non-ADA compliant frontage improvements shall be replaced with current City standard frontage improvements as directed by the City Engineer or his designee.
E14. Dedicate, as required on-site easements for new public utilities and/or sidewalk by means of a parcel/Final map or approved instrument at time of development.
E15. Show and comply with City's Driveway Triangle of Safety requirement at all existing and proposed driveways and City's intersection visibility requirements at all intersections including the intersections of El Camino Real/Benton and Alameda. Visual obstructions over three feet in height will not be allowed within the driver's sight triangle near driveways and intersections in order to allow an unobstructed view of oncoming traffic. Contact Traffic Engineering at (408) 615-3000 for further information.
E16. Submit public improvement plans prepared in accordance with City Engineering Department procedures which provide for the installation of public improvements. Plans shall be prepared by a Registered Civil Engineer and approved by the City Engineer prior to approval and recordation of final map and/or issuance of building permits.
E17. File and record parcel map for proposed development and pay all appropriate fees prior to Building Permit issuance.
E18. Obtain release of all applicable covenants and pay appropriate processing fees.
E19. Obtain Council approval of a resolution ordering vacation of the portion of street right-of-way proposed to be abandoned, through the Engineering Department, and pay all appropriate processing fees, prior to start of construction within said proposed to be abandoned street right-of-way. Street Vacation Notification to nearby properties and Public hearing shall be required for Fremont Street and Sherman Street vacation.
E20. Obtain Council approval of a resolution ordering vacation of existing public easement(s) proposed to be abandoned, through Engineering Department, and pay all appropriate fees, prior to start of construction.
E21. Two ADA City Standard curb ramps per corner shall be provided at the northwest and southwest corners of El Camino Real/Benton, southwest and southeast corners of Benton/Sherman, northeast corner of Benton/The Alameda, and northwest and southwest corners of The Alameda/Fremont intersection. Two ADA City Standard curb ramps shall be provided at north side of Benton at Sherman and one curb ramp east side of The Alameda at Fremont. New curb ramps shall be City Standard ST-14 or ST-15.
E22. Standard crosswalks shall be provided to connect/align with existing and new curb ramps. Existing continental style crosswalk at the south side of The Alameda/Fremont intersection shall be removed and replaced with standard crosswalk.
E23. All proposed on-site driveways and paths shall accommodate fire truck/engine turning template.
E24. All traffic striping, messages, and symbols shall be thermoplastic.
E25. Existing non-ADA compliant frontage shall be replaced with current City Standard frontage improvements.
E26. All proposed walkway, sidewalk, driveways and curb ramps shall be ADA compliant.
E27. Provide ADA walkway connecting the buildings to the public sidewalks.
E28. On street parking shall not be counted towards on-site parking requirements.
E29. Show and comply with City's Driveway Triangle of Safety requirement at all existing and proposed driveways and City's intersection visibility requirements at all intersections including the intersections of El Camino Real/Benton and Alameda/Benton.
E30. Provide minimum 4' 6" wide Class II bicycle lane not including the gutter pan width along Benton Street.
E31. The northwest corner of the intersection of El Camino Real/Benton shall be squared off so that the west side face of curb on Benton aligns with the east side face of curb and to reduce crossing distance for

pedestrians. Modify and upgrade the traffic signal system at the northwest corner of El Camino/Benton to current standards. Restripe crosswalks to align with the new curb ramps and to make the crossing distance shorter.

E32. All proposed driveways shall be City standard driveways per ST-8 or ST-9.

E33. Two ADA City Standard curb ramps per corner shall be provided at the northwest and southwest corners of El Camino Real/Benton.

E34. Two ADA curb ramps shall be provided at the southeast and southwest corners of Benton/Sherman. One ADA curb ramp each shall be provided at both the northeast and northwest corners of Benton/Sherman for crossing across Benton Street.

E35. Provide bulbout at the northeast corner of The Alameda and Benton St. Two ADA curb ramps shall be provided at the northeast corner of Benton/The Alameda.

E36. Provide one curb ramp at the southeast corner of Alameda and Fremont St for crossing across Alameda St. and one curb ramp at the northwest corner.

E37. Remove existing high visibility crosswalk south of Fremont St. across Alameda St. and replace with standard crosswalk.

E38. Seal pavement cracks and slurry seal entire Benton Street from El Camino Real to The Alameda prior to final striping.

E39. Remove existing PCC pavement on The Alameda between Harrison and Benton St. and replace with AC pavement.

E40. Provide 10 min. sidewalk separated from face of curb by a 4' landscape buffer along El Camino Real and Benton St. property frontages. Provide 5' minimum sidewalk along The Alameda property frontages.

E41. Development shall comply with and implement EIR and TIA identified mitigation measures.

E42. Provide bus duckout/bus pad, passenger pad and bench per VTA standards along Benton St. property frontage just west of El Camino Real.

E43. Provide minimum 11’6” wide vehicle lanes along Benton St.

E44. For currently proposed apartment units and retails, the following minimum bicycle facilities shall be provided at the main entrance or high visible areas:

- 355 Apartments: 118 Class I and 24 Class II bicycle parking spaces.
- 22,078 SF of retail: 1 Class I and 4 Class II bicycle parking spaces.

ELECTRICAL

EL1. Prior to submitting any project for Electric Department review, applicant shall provide a site plan showing all existing utilities, structures, easements and trees. Applicant shall also include a “Load Survey” form showing all current and proposed electric loads. A new customer with a load of 500KVA or greater or 100 residential units will have to fill out a “Service Investigation Form” and submit this form to the Electric Planning Department for review by the Electric Planning Engineer. Silicon Valley Power will do exact design of required substructures after plans are submitted for building permits.

EL2. The Developer shall provide and install electric facilities per Santa Clara City Code chapter 17.15.210.

EL3. Electric service shall be underground. See Electric Department Rules and Regulations for available services.

EL4. Installation of underground facilities shall be in accordance with City of Santa Clara Electric Department standard UG-1000, latest version, and Santa Clara City Code chapter 17.15.050.

EL5. Underground service entrance conduits and conductors shall be “privately” owned, maintained, and installed per City Building Inspection Division Codes. Electric meters and main disconnects shall be installed per Silicon Valley Power Standard MS-G7, Rev. 2.

EL6. The developer shall grant to the City, without cost, all easements and/or right of way necessary for serving the property of the developer and for the installation of utilities (Santa Clara City Code chapter 17.15.110).

EL7. All electric meters and services disconnects shall be grouped at one location, outside of the building or in a utility room accessible directly from the outside. A double hasp locking arrangement shall be provided on the main switchboard door(s). Utility room door(s) shall have a double hasp locking arrangement or a lock box shall be provided. Utility room door(s) shall not be alarmed.

EL8. If transformer pads are required, City Electric Department requires an area of 17' x 16'-2", which is clear of all utilities, trees, walls, etc. This area includes a 5'-0" area away from the actual transformer pad. This area in front of the transformer may be reduced from a 8'-0" apron to a 3'-0", providing the apron is back of a 5'-0" min. wide sidewalk. Transformer pad must be a minimum of 10'-0 from all doors and windows, and shall be located next to a level, drivable area that will support a large crane or truck.

EL9. All trees, existing and proposed, shall be a minimum of five (5) feet from any existing or proposed Electric Department facilities. Existing trees in conflict will have to be removed. Trees shall not be planted in PUE's or electric easements.

EL10. Any relocation of existing electric facilities shall be at Developer's expense.

EL11. Electric Load Increase fees may be applicable.

EL12. The developer shall provide the City, in accordance with current City standards and specifications, all trenching, backfill, resurfacing, landscaping, conduit, junction boxes, vaults, street light foundations, equipment pads and subsurface housings required for power distribution, street lighting, and signal communication systems, as required by the City in the development of frontage and on-site property. Upon completion of improvements satisfactory to the City, the City shall accept the work. Developer shall further install at his cost the service facilities, consisting of service wires, cables, conductors, and associated equipment necessary to connect a customer to the electrical supply system of and by the City. After completion of the facilities installed by developer, the City shall furnish and install all cable, switches, street lighting poles, luminaries, transformers, meters, and other equipment that it deems necessary for the betterment of the system (Santa Clara City Code chapter 17.15.210 (2).

EL13. Electrical improvements (including underground electrical conduits along frontage of properties) may be required if any single non-residential private improvement valued at $200,000 or more or any series of non-residential private improvements made within a three-year period valued at $200,000 or more (Santa Clara City Code Title 17 Appendix A (Table III)).

EL14. Non-Utility Generator equipment shall not operate in parallel with the electric utility, unless approved and reviewed by the Electric Engineering Division. All switching operations shall be "Open-Transition-Mode", unless specifically authorized by SVP Electric Engineering Division. A Generating Facility Interconnection Application must be submitted with building permit plans. Review process may take several months depending on size and type of generator. No interconnection of a generation facility with SVP is allowed without written authorization from SVP Electric Engineering Division.

EL15. Encroachment permits will not be signed off by Silicon Valley Power until Developers Work substructure construction drawing has been completed.

EL16. All SVP-owned equipment is to be covered by an Underground Electric Easement (U.G.E.E.) This is different than a PUE. Only publically-owned dry utilities can be in a UGEE. Other facilities can be in a joint trench configuration with SVP, separated by a 1' clearance, providing that they are constructed simultaneously with SVP facilities. See UG 1000 for details.

EL17. Proper clearance must be maintained from all SVP facilities, including a 5' clearance from the outer wall of all conduits. This is in addition to any UGEE specified for the facilities. Contact SVP before making assumptions on any clearances for electric facilities.
EL18. Transformers and Switch devices can only be located outdoors. These devices MAY be placed 5' from an outside building wall, provided that the building wall in that area meets specific requirements. (See UG 1000 document for specifics) EXAMPLE: If there are any doors, windows, vents, overhangs or other wall openings within 5' of the transformer, on either side, then the transformer MUST be 10' or more away from the building. These clearances are to be assumed to be clear horizontally 5' in either direction and vertically to the sky.
EL19. All existing SVP facilities, onsite or offsite, are to remain unless specifically addressed by SVP personnel by separate document. It is the Developers responsibility to maintain all clearances from equipment and easements. Developer to contact SVP outside of the PCC process for clear definitions of these clearance requirements. Developer should not assume that SVP will be removing any existing facilities without detailed design drawings from SVP indicating potential removals. Simply indicating that SVP facilities are to be removed or relocated on conceptual plans does not imply that this action has been approved by SVP.
EL20. SVP does not utilize any sub-surface (below grade) devices in its system. This includes transformers, switches, etc.
EL21. All interior meter rooms are to have direct, outside access through only ONE door. Interior electric rooms must be enclosed in a dedicated electric room and cannot be in an open warehouse or office space.
EL22. In the case of podium-style construction, all SVP facilities and conduit systems must be located on solid ground (aka "real dirt"), and cannot be supported on parking garage ceilings or placed on top of structures.
EL23. Applicant is advised to contact SVP (CSC Electric Department) to obtain specific design and utility requirements that are required for building permit review/approval submittal. Please provide a site plan to Leonard Buttitta at 408-615-6620 to facilitate plan review.
EL24. Electric frontage improvements are required around the entire project.
EL25. A minimum of 4 transformer and 2-3 switches will be required.

WATER

W1. Applicant shall note that Caltrans has indicated that they will be paving El Camino Real from Lawrence Expressway to The Alameda in summer 2019. Applicant shall note that Caltrans may have a moratorium on pavement cuts after the pavement project.
W2. If the applicant would like to inquire about recycled water use, the applicant shall coordinate with Mike Vasquez, Water Compliance Manager. Mike may be reached at (408)-615-2006.
W3. The City recommends the applicant to install sanitary sewer cleanout(s) at the property line.
W4. Prior to issuance of Building Permits, the applicant shall submit plan details for all water features (including but not limited to fountains and ponds) designed to include provisions for operating the system without City potable water supply and capable of being physically disconnected from source of potable water supply during City declared water conservation periods, to the satisfaction of the Director of the Water & Sewer Utilities. Decorative water features may be permanently connected to the City's recycled water supply.
W5. Prior to issuance of Building Permit, the applicant shall verify and coordinate with the fire department on the location and number of proposed fire hydrants.

W6. Applicant shall submit plans showing proposed water, sanitary sewer, and fire service connected to a public main in the public right-of-way to the satisfaction of the Director of Water & Sewer Utilities. Different types of water use (domestic, fire) shall be served by separate water services, each separately tapped at the water main.

W7. Approved reduced pressure detector assembly device(s) are required on all fire services. The applicant shall submit plans showing existing and proposed fire service upgraded with reduced pressure detector assembly device, as per city standard 17, to the satisfaction of the Director of Water & Sewer Utilities.

W8. Approved backflow prevention device(s) are required on all potable water services. The applicant shall submit plans showing the location of the approved backflow prevention device(s). Note that all new water meters and backflow prevention devices shall be located behind the sidewalk in a landscape area.

W9. Prior to City's issuance of Building or Grading Permits, the applicant shall provide a dedicated water utility easement around the backflow prevention device onsite. The water utility easement for the water services and all other public water appurtenances shall be a minimum 15 feet wide and be adjacent to the public right-of-way without overlapping any public utility easement. Additionally, the applicant shall submit plans defining existing easements so Water Division can verify if there are any conflicts with proposed easements and water utilities.

W10. The applicant shall adhere to and provide a note indicating all horizontal and vertical clearances. The applicant shall maintain a minimum 12" of vertical clearance at water service crossing with other utilities, and all required minimum horizontal clearances from water services: 10' from sanitary sewer utilities, 10' from recycled water utilities, 8' from storm drain utilities, 5' from fire and other water utilities, 3' from abandoned water services, 5' from gas utilities, and 5' from the edge of the propose or existing driveway. For sanitary sewer, water, and recycled water utilities, the applicant shall maintain a minimum horizontal clearance of 10' from existing and proposed trees. If applicant installs tree root barriers, clearance from tree reduces to 5' (clearance must be from the edge of tree root barrier to edge of water facilities).

W11. The applicant shall submit a composite utility plan showing all utilities (including electrical) and landscaping (trees/shrubbery) so that the Water Department can verify conflicts for proposed water services. Note that all new water meters and backflow prevention devices shall be located behind the sidewalk in a landscape area.

W12. The applicant shall note that the new storm drain mains currently designed/shown on El Camino Real and on Benton Street are too close to the existing water mains on these streets. The designer shall note that the 8' horizontal clearance is measured from the outside edge of the water main to the outside edge of the other main.

W13. Prior to issuance of Building Permits, the applicant shall submit landscape and irrigation plans consistent with City's Rules and Regulations for Water Service to the satisfaction of the Director of Planning. Approved backflow prevention device is required on all irrigation services. Dedicated irrigation service shall be installed for irrigation purposes.

W14. The applicant shall clearly label all water services with the size and the building/use that it is serving. This will allow Water and Sewer Utilities to adequately verify that there is a water service for each of the proposed buildings.

W15. In order to vacate the public streets, applicant must provide a design plan for relocating the existing water mains in the project area and the area surrounding the project. The design shall demonstrate that the revised layout will maintain a looped water distribution system.

W16. The applicant shall bear the cost of any relocation of existing Water Department facilities required for project construction to the satisfaction of the Director of Water and Sewer Utilities.

W17. Prior to the issuance of Building Permits, the applicant shall provide documentation of water usage so the Water Division can verify the appropriate size of all proposed water meters. Please note that if the existing water services are incapable of supplying the water needs to the site, the existing services shall be abandoned and new separate dedicated water services shall be provided for each use (domestic and irrigation).

POLICE

GENERAL EXTERIOR CONSIDERATIONS

PD1. The property should be fenced off during demolition and construction as a safety barrier to the public and deterrent to theft and other crime. Consider not having any screening material on the fence so passing Police Patrol checks will be able to see into the site.

PD2. Address numbers of the individual residential buildings shall be clearly visible from the street and shall be a minimum of six (6) inches in height and a color contrasting with the background material. Ideally, numbers would be illuminated during hours of darkness so first responders can easily identify the address. Individual apartment numbers shall be a minimum of six (6) inches in height and a color contrasting to the background material, and either visible from the street or from the center area of the project. Where multiple units/buildings occupy the same property, unit/building addresses shall be clearly visible. A monument sign, preferably at all dedicated entrances to the property, shall be prominently displayed, showing all unit/building numbers, addresses, etc. A map is recommended for large complexes with multiple streets or walkways.

PD3. Each distinct unit within the building shall have its address displayed on or directly above both front and rear doors.

PD4. Landscaping should follow the National Institute of Crime Prevention standards. That standard describes bushes/shrubs not exceeding 2' in height at maturity, or maintained at that height, and the canopies of trees should not be lower than 6' in height. Hostile vegetation is encouraged along the fence and property lines and under vulnerable windows.

PD5. Lighting for the project to be at the IES (Illuminating Engineering Society of North America) standards and include the features listed below:

White light source	Pedestrian Scale
Full cut-off or shoebox design	Unbreakable exterior
Tamperproof Housings	Wall mounted lights/10' high

These features increase natural surveillance, support and/or enhance security camera capabilities, and increase Police Patrol effectiveness.

PD6. Any required enclosure fencing (trash area, utility equipment, etc.) would preferably be see-thru. If for aesthetic reasons prohibit that, the fencing should have a six (6) inch opening along the bottom for clear visibility. Any gates or access doors to these enclosures should be locked.

PD7. If there is outdoor seating associated with a restaurant or similar business which is near vehicle parking stalls, the outdoor space will be designed to ensure the safety of the public from possible vehicular related incidents.

PD8. If the development includes any benches, these benches should not be longer than 5 feet in length, and should have arm rests at both ends. If the benches are longer than 5 feet in length, there should be a divider (arm rest or similar) in the middle of the bench in addition to the arm rests on both ends. This helps prevent unlawful lodging and/or skateboarding.
Another option to benches could be cubes, knee walls, or other creative types of seating possibilities.

PD9. The developer should install skate stoppers on any low clearance wall of 36 inches in height or lower to prevent vandalism/damage to the wall from skateboarding or similar activities.

PD10. All exterior doors should be adequately illuminated at all hours with their own light source.
PD11. All construction of dwelling units shall conform to the requirements of the Uniform Building Security Code as adopted by the City of Santa Clara City Council.
PD12. Exterior stairs shall be open style whenever structurally possibly, and should be well lit.
PD13. Consider convex mirrors for elevator cabs and at stairwell landings in order to enhance natural surveillance for the user of the elevator.
PD14. Other line of sight obstructions (including recessed doorways, alcoves, etc.) should be avoided on building exterior walls and interior hallways.

RADIO COMMUNICATIONS

PD15. The developer shall meet the City of Santa Clara's guidelines established for radio signal penetration, detailed in the Communications Department's Public Safety Radio System Building Penetration Guidelines. The intended use of telecommunications sites shall be clearly and accurately stated in the use permit. The signal, of whatever nature, of any communications facility or system, shall in no way whatsoever interfere with or affect any police communication or police communication system.
PD16. Public Safety Radio Systems Penetration Guidelines have been established by the city of Santa Clara Communications Department for radio signal penetration during emergencies. The developer is advised that the project may be required to install equipment for adequate radio coverage for the City Of Santa Clara Radio communications System, including but not limited to Police & Fire emergency services. The developer should contact the director of communications at (408) 615-5571. (for high rises)
PD17. When in the opinion of the fire code official, a new structure obstructs the line of sight of emergency radio communications to existing buildings or to any other locations, the developer of the structure shall provide and install the radio retransmission equipment necessary to restore communications capabilities. The equipment shall be located in an approved space or area within the new structure.

PARKING STRUCTURES

PD18. The parking structure/site should be equipped with a centrally located emergency panic alarm system that reports to a central office. If more than one button/call station is installed, the emergency system should always be in visual distance from another emergency call station.
PD19. "White" light meeting the IES standard should be considered. There should be no "dark" areas inside the structure.
PD20. The interior of the parking structure should be painted a light, highly reflective color. This increases the natural lighting available and can help prevent dark areas that attract criminal activity.
PD21. All entrances to the parking areas (structure, surface, subterranean, etc.) shall be posted with appropriate signage to discourage trespassing, unauthorized parking, etc. (See California Vehicle Code section 22658(a) for guidance).
PD22. Alcoves and other visual obstructions that might constitute a hiding place should be eliminated whenever structurally possible. Pillars, columns, and other open construction should be considered over a solid wall design.
PD23. Consider storage, maintenance, and trash rooms within the parking garage having doors which cannot be locked from the inside and that close and lock quickly and automatically upon exit.

ADDITIONAL INFORMATION

PD24. A Coded Entry System is required for police access to enclosed parking lots and gated communities. This can be accomplished with a coded key pad system or the Police Department Knox Box key system.

PD25. We understand security is a prime concern for the tenants of the project, which necessitates some sort of secure building and admittance process. By having either of these secure access systems for law enforcement, it will allow us to better respond to emergency situations should they arise in the development. Examples of these systems can be reviewed at the following projects:
2585 El Camino Real (Coded key pad access)
3555 Monroe Street (Knox box key access)

FIRE

Approval Granted with Conditions

F1. Prior to Building Permit Issuance, provide documentation to show the minimum required fire-flow for the building based on the construction type and square footage in accordance with the California Fire Code. Note: Spacing and number of hydrants are based on total fire flow before reduction.

F2. F1 In lieu of providing fire access per Section 503.1.1, as well an lieu of aerial apparatus access, the following is required in the form of an AMMR: A) Provide one additional Class I exterior standpipe connection running down the exterior wall of the building; (2) 2-1/2" FHV's at 3'0" A.F.F. as indicated on the attached exhibit. This is part of the overall standpipe system. B) Fire sprinkler density for all residential unit fire sprinkler calculations shall be increased to 0.15 gpm/ft^2 (up from 0.10 gpm/ft^2). C) Provide Four (4) access points to the roof level. D) Provide a class "B", single channel voice evacuation system throughout the property in place of the code required temporal 3 horn tone. This variance does not need to meet the survivability requirements of a class "A" system, a two hour rated audio riser or the emergency two way communication system, The modified voice evacuation and notification system shall be an extension of the building fire alarm system in accordance with California Fire Code and the project design documents.

F3. Prior to Building Permit Issuance, construction documents for proposed fire apparatus access, location of fire lanes and construction documents and hydraulic calculations for fire hydrant systems shall be submitted to the Fire Prevention and Hazardous Materials Division.

F4. Prior to the Start of Construction Fire protection water supplies shall be installed and made serviceable prior to the time of construction or prior to combustible materials being moved onsite, unless an approved alternative method of protection is approved by the Fire Prevention and Hazardous Materials Division.

F5. Provisions shall be made for Emergency Responder Radio Coverage System (ERRCS) equipment, including but not limited to pathway survivability in accordance with Santa Clara Emergency Responder Radio Coverage System Standard.

F6. Traffic calming devices are not permitted on any designated fire access roadway, unless approved by the Fire Prevention & Hazardous Materials Division.

Hazardous Materials Closure, Site Mitigation, Demolition Application:

F7. Facility closure permit(s) shall be obtained from the Fire Department. Copies of Phase I and Phase II environmental reports to be provided. Plan of removal of any hazardous materials, hazardous waste, and tanks shall be provided. Final report to be completed at the end of this scope of work.

F8. Demolition permit(s) and plans for the existing structures will need to be obtained from the Fire Department and the Building Department, respectively. Final report with manifests to be provided at the end of this scope of work.

F9. There is currently an active assessment and remedial action case that is being overseen by the San Francisco Bay Regional Water Quality Control Board (SARWQCB, Case #43S1197). Assessment and remediation work to be coordinated with the future development work (including grading activities, foundation, utilities, etc.). Please continue the communication with the Fire Department on the status of the remedial activities.

STREETS

STORMWATER

ST1. Projects that create and/or replace 10,000 sq. ft. or more of impervious area (Regulated Projects) shall develop a Stormwater Management Plan and complete the SCVURPPP C.3 Data Form.

ST2. Stormwater Management Plans and any associated calculations shall be reviewed and certified by a qualified 3rd party consultant from the SCVURPPP List of Qualified Consultants. A copy of the consultant's approval letter shall be provided to the Public Works Department, Street Division.

ST3. Stormwater Control Measures shall be inspected upon installation for conformance to plans by a qualified 3rd party consultant from the SCVURPPP List of Qualified Consultants. A copy of the consultant's approval letter shall be provided to the Public Works Department, Street Division.

ST4. Property owners shall enter into an Inspection and Maintenance (I&M) Agreement with the City for all installed Stormwater Control Measures in perpetuity. Applicants shall contact Karin Hickey at 408-615-3097 to complete the agreement. The most recent version of the I&M Agreement can be found on the City's website at http://santaclaraca.gov/government/departments/public-works/environmental-programs/urban-runoff-pollution-prevention/stormwater-resources

ST5. Project proponents shall purchase and install full trash capture devices on the property, which must be maintained by the property owner in perpetuity. Maintenance of full trash capture devices shall be addressed in the Inspection and Maintenance agreement.

ST6. Developer shall install an appropriate stormwater pollution prevention message such as "No dumping – flows to bay" on any storm drains on private property upon construction.

ST7. Projects claiming LID reduction credits for Special Project status shall provide a narrative description of the technical, economic, or other infeasibility of treating 100% of the project's stormwater runoff via on-site LID treatment measures.

ST8. Projects with active building permits over 1 acre in size shall file a Notice of Intent (NOI) with the California State Water Resources Control Board and develop a Stormwater Pollution Prevention Plan (SWPPP). Active projects will be inspected by the City once a month during the wet season (October - April).

SOLID WASTE

ST9. Projects greater than 5,000sqft shall recycle at least 50% of construction and demolition waste. Applicant shall track and report on project recycling. This may be done through the City's online tracking tool at http://santaclara.wastetracking.com.

ST10. In the event of new zoning designation, project proponents shall contact the Street Division at 408-615-3080 to verify if property falls within exclusive franchise area. If so, this may result in having to use the City's exclusive franchise hauler and rate structure for solid waste services.

ST11. Pre-treatment devices and tallow bins shall be installed at all food establishments. Tallow bins shall be placed within a trash enclosure when possible. If enclosure is not sized to include the tallow bin(s), a separate dedicated enclosure with drainage to sanitary sewer shall be provided.

PARKS AND RECREATION

PR1. Neighborhood & Community Parkland Dedication. Santa Clara City Code Chapter 17.35 requires new residential developments to provide adequate park and recreational land and/or pay a fee in-lieu of parkland dedication pursuant to the Quimby Act (Quimby) and/or Mitigation Fee Act (MFA). Any in lieu fees imposed under this Chapter shall be due and payable to the City prior to issuance of a building permit for each dwelling unit. The General Plan parks, open space and recreation goals that apply to this development include 5.9.1G-1 through G-4 that recommend that new parks and recreational opportunities be provided with the new development. Policies 5.9.1 P-1 through P-21 also apply particularly those that indicate new parks should serve the needs of the surrounding neighborhood and overall community.

PR2. Mitigation Fee Act. This memo assumes the Project is not a subdivision and the Mitigation Fee Act provisions will apply. The project will generate an estimated 795 new residents (2.24 persons/household x 355 units). Based on the Mitigation Fee Act standard of 2.53 acres/1000 residents, the amount of public parkland required for this Project to mitigate impact of the new resident demand is approximately 2.0119 acres. The equivalent fee due in lieu of parkland dedication is therefore $7,457,306.

PR3. Application for Credit. According to City Code Chapter 17.35, projects may submit a written request for up to 50% credit for eligible on-site private parkland and recreation amenities dedicated to Active Recreational Uses provided all requirements of Chapter 17.35 are met and provided such amenities are found to be in the public interest. The development must contain at least four (4) of the eight (8) elements itemized in Chapter 17.35. The combined area of these Active Recreational Uses must equal a minimum of 0.75 acres, or 32,670sf per Section 17.35.070(g)(1). The calculation shall not include features required to be included by zoning and building codes and other applicable laws, including but not limited to yards, court areas, setbacks, decorative landscape area required with residential site design, etc. Said facilities and improvements shall be constructed prior to the issuance of a certificate of use and occupancy for the units that are receiving the credit.

PR4. Dwelling Unit Tax Calculation. According to City Code Chapter 3.15, a dwelling unit tax is also due based upon the number of units and additional bedrooms. The tax is due upon application and refundable if Project is not approved. The Project mix includes 192 one bedroom units, and 163 two bedroom units: [$15 x 355 bedrooms) + ($5 x 163 additional bedrooms)] for a total DUT of $6,140. The loft & den spaces are not included as bedrooms. If these spaces are converted to bedrooms at a later date, additional Tax is required prior to occupancy.

PR5. Public Parkland Dedication. The proposed mini park does not include a minimum of 4 of the 8 elements contained in City Code Chapter 17.35. Based on size, shape and location criteria, it does not meet the definition of a neighborhood park nor is it of a size that would be conducive to active recreational uses. Be that as it may, the community in this neighborhood is requesting a public space in this development. The preference would be to have, at a minimum, a 1 acre neighborhood park. However, due to the size, shape and location of the proposed public space, the City may be agreeable to accept the developer proposed space as a **public park easement should Developer agree to maintain the 0.1428 acre space in perpetuity**. Language will be needed for the easement, as well as for public access to the easement.

PR6. Private Parkland & Recreation Amenities. According to City Code 17.35, projects may submit a written request for up to 50% credit for eligible on-site private parkland and recreational amenities dedicated to active community recreational uses provided the development contains at least four (4) of the eight (8) elements itemized in the City Code, are of the acceptable size(s), shape(s), and location(s), and the

elements equal a minimum of 0.75 acres, or 32,670sf of space. The calculation of these private areas cannot include features required to be included by zoning, building codes and other applicable laws such as court areas, setbacks, decorative landscape, etc. The on-site private parkland and recreational amenities eligible for 50% credit is 0.8514 acres, or **0.4257 acres**. Final calculations will depend upon the actual number and type of units and the mix of parkland dedicated, on-site private parkland & recreational amenities, and remaining fee due, at the discretion of the City.

PR7. Fees Due In Lieu of Parkland Dedication. The remaining fee equivalent to the parkland dedication deficit, after credit (see item #2 above) is: **$5,572,832**. In Lieu fees imposed under this Chapter shall be due and payable to the City prior to issuance of a building permit for each dwelling unit.

PR8. Dwelling Unit Tax. The amount due upon application is **$6,140**. The loft and den spaces are not included as bedrooms. If these spaces are converted to bedrooms at a later date, additional DUT is required prior to occupancy.

PR9. This department requests an updated Sheet L-4.0 to reflect the current square footage as discussed with Developer today (10-24.2017).

PR10. Plans for the proposed public park easement space shall be presented to the Parks & Recreation Commission. It is advised that his happen prior to the proposed City Council meeting.

PR11. **Summary of Total Fees Due:** $5,572,832 + $6,140 = **$5,578,972**

CONDITIONS OF TENTATIVE PARCEL MAP APPROVAL

In addition to complying with all applicable codes, regulations, ordinances and resolutions, the following **conditions of approval** are recommended:

GENERAL

G1. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.

G2. Comply with all applicable codes, regulations, ordinances and resolutions.

ATTORNEY'S OFFICE

A1. The Developer agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed by a third party against the City by reason of its approval of developer's project.

COMMUNITY DEVELOPMENT

C1. The project shall comply with the Conditions of Rezone and Architectural Review Approval.

ENGINEERING

E1. Obtain site clearance through Engineering Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Engineering Department at (408) 615-3000 for further information.

E2. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a Single Encroachment Permit issued by the City Engineering Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.

E3. The sanitary sewer (SS) discharge information (i.e., building use, square footage, point of connection to the public system, and 24-hour average and peak SS flow graphs for the peak day, showing average daily and peak daily SS flows) submitted by the developer was added to the City's Sanitary Sewer Hydraulic Model (SSHM) to determine if there is enough SS conveyance capacity in the SS trunk system to accommodate the proposed development. The SSHM output indicates that there should be enough SS conveyance capacity to accommodate the proposed development (RMC Report dated May 5, 2015). The SSHM output may change based on pending development applications and future projects. The SSHM output does not guarantee or in any way reserve or hold SS conveyance capacity until developer has Final Approval for the project. For purposes of this condition, "Final Approval" shall mean the final vote of the City Council necessary for all entitlements to be approved, unless a legal challenge is brought to the Council decisions, in which case the Final Approval shall mean the final disposition of the legal challenge.

E4. Parts of the sidewalk and driveway along El Camino Real will encroach into private property. Property owner will be required to dedicate a sidewalk easement for the sidewalk and driveway portions within private property and pay the easement preparation fee. For more information regarding the easement dedication process and fee please call Hung Luu of our staff at (408) 615-3047.

E5. An Encroachment Agreement is needed for any non-standard private improvements in the public right of way and City easements.

E6. All work with the El Camino Right of Way will require an Encroachment Permit from Caltrans.

E7. Provide a 72” new storm drain main on Benton Street outside the sidewalk and along the alignment of the existing 27’’ storm drain main and along El Camino Real to connect to the new manhole south of Harrison Street. The 72’’ storm drain main is required to maintain the capacity of the existing 60” storm drain main on Sherman which is proposed to be removed. The new 72’’ storm drain line will replace the existing 27” storm drain line along Benton Street. The new 72’’ storm drain line will need to be in operation before the existing 60’’ storm drain main along Sherman Street is vacated.

E8. Developer shall provide a complete storm drain study for the 10-year and 100-year storm events. The grading plans shall include the overland release for the 100-year storm event and any localized flooding areas. System improvements, if needed, will be at developer’s expense.

E9. Proposed trees shall be 5’ minimum clear of sidewalks. Provide root barrier if trees are planted such that the drip line of the mature trees covers the sidewalk. Root barriers shall be 12' long x 2' deep, and centered on trees.

E10. Sanitary sewer and storm drain mains and laterals to be removed shall be removed to City standards.

E11. Sanitary sewer and storm drain mains and laterals shall be outside the drip line of mature trees or 10’ clear of the tree trunk whichever is greater.

E12. Damaged curb, gutter, and sidewalk within the public right-of-way along property’s frontage shall be repaired or replaced (to the nearest score mark) in a manner acceptable to the City Engineer or his designee. The extents of said repair or replacement within the property frontage shall be at the discretion of the City Engineer or his designee.

E13. Existing non-standard or non-ADA compliant frontage improvements shall be replaced with current City standard frontage improvements as directed by the City Engineer or his designee.

E14. Dedicate, as required on-site easements for new public utilities and/or sidewalk by means of a parcel/Final map or approved instrument at time of development.

E15. Show and comply with City’s Driveway Triangle of Safety requirement at all existing and proposed driveways and City’s intersection visibility requirements at all intersections including the intersections of El Camino Real/Benton and Alameda. Visual obstructions over three feet in height will not be allowed within the driver's sight triangle near driveways and intersections in order to allow an unobstructed view of oncoming traffic. Contact Traffic Engineering at (408) 615-3000 for further information.

E16. Submit public improvement plans prepared in accordance with City Engineering Department procedures which provide for the installation of public improvements. Plans shall be prepared by a Registered Civil Engineer and approved by the City Engineer prior to approval and recordation of final map and/or issuance of building permits.

E17. After City Council approval of the Tentative Subdivision, submit 10 copies of the Final Map, prepared by a Licensed Land Surveyor or a Registered Civil Engineer with Land Surveyor privileges to the Engineering Department. The submittal shall include a title report, closure calculations, and all appropriate fees. The City approved Final Map shall be recorded by developer prior to building permit issuance.

E18. File and record parcel map for proposed development and pay all appropriate fees prior to Building Permit issuance.

E19. Obtain release of all applicable covenants and pay appropriate processing fees.

E20. Obtain Council approval of a resolution ordering vacation of the portion of street right-of-way proposed to be abandoned, through the Engineering Department, and pay all appropriate processing fees, prior to start of construction within said proposed to be abandoned street right-of-way. Street Vacation Notification to nearby properties and Public hearing shall be required for Fremont Street and Sherman Street vacation.

E21. Obtain Council approval of a resolution ordering vacation of existing public easement(s) proposed to be abandoned, through Engineering Department, and pay all appropriate fees, prior to start of construction.

E22. All proposed on-site driveways and paths shall accommodate fire truck/engine turning template.

E23. All proposed walkway, sidewalk, driveways and curb ramps shall be ADA compliant.
E24. Provide ADA walkways connecting the buildings to public sidewalks.
E25. Two ADA City Standard curb ramps per corner shall be provided at the northwest and southwest corners of El Camino Real/Benton, southwest and southeast corners of Benton/Sherman, northeast corner of Benton/The Alameda, and northwest and southwest corners of The Alameda/Fremont intersection. Two ADA City Standard curb ramps shall be provided at north side of Benton at Sherman and one curb ramp east side of The Alameda at Fremont. New curb ramps shall be City Standard ST-14 or ST-15.
E26. Standard crosswalks shall be provided to connect/align with existing and new curb ramps. Existing continental style crosswalk at the south side of The Alameda/Fremont intersection shall be removed and replaced with standard crosswalk.
E27. The northwest corner of the intersection of El Camino Real/Benton shall be squared off so that the west side face of curb on Benton aligns with the east side face of curb and to reduce crossing distance for pedestrians. Modify and upgrade the traffic signal system at the northwest corner of El Camino Real/Benton to current standards. Restripe crosswalks to align with the new curb ramps and to make the crossing distance shorter.
E28. Provide space for loading/unloading zones on-site.
E29. Provide space for trash pick-up on-site
E30. All proposed driveways shall be City standard driveways per ST-8 or ST-9
E31. Two ADA City Standard curb ramps per corner shall be provided at the northwest and southwest corners of El Camino Real/Benton.
E32. Two ADA curb ramps shall be provided at the southeast and southwest corners of Benton/Sherman. One ADA curb ramp each shall be provided at both the northeast and northwest corners of Benton/Sherman for crossing across Benton Street.
E33. Provide bulbout at the northeast corner of The Alameda and Benton St. Two ADA curb ramps shall be provided at the northeast corner of Benton/The Alameda.
E34. Provide one curb ramp at the southeast corner of Alameda and Fremont St for crossing across Alameda St. and one curb ramp at the northwest corner.
E35. Remove existing high visibility crosswalk south of Fremont St. across Alameda St. and replace with standard crosswalk.
E36. All proposed traffic striping, messages, and symbols shall be thermoplastic.
E37. Seal pavement cracks and slurry seal entire Benton Street from El Camino Real to The Alameda prior to final striping.
E38. Remove existing PCC pavement on The Alameda between Harrison and Benton St. and replace with AC pavement.
E39. Development shall comply with and implement EIR and TIA identified mitigation measures.
E40. Provide bus duckout/bus pad, passenger pad, and bench per VTA standards along Benton St. property frontage just west of El Camino Real.
E41. Provide 4' 6” wide Class II bicycle lane not including the gutter pan width along Benton Street.
E42. Provide minimum 11’6” wide vehicle lanes along Benton St.



RECEIVED
MAY 15 2018
BUILDING INSPECTION DIVISION
CITY OF SANTA CLARA

PO Box 814, Saratoga, CA 95071

Santa Clara Planning Commission May 15, 2018

I am the owner of the property at 3505-3515 the Alameda and would like you to not have so many units on the 575 Benton St project.

Do not allow 355 Apt. units in this area because there would be too many people and too much traffic. have no more than 150 units. because more would be bad for the neighborhood.

thank you

Fredc Zillmer, owner
408) 930-8070

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MAY 15 2018
PLANNING DIVISION