

**RESOLUTION NO. 19-8748**

**A RESOLUTION OF THE CITY OF SANTA CLARA,  
CALIFORNIA, APPROVING THE VESTING TENTATIVE  
PARCEL MAP FOR THE PROPERTY LOCATED AT 651, 725  
AND 825 MATHEW STREET, SANTA CLARA**

PLN2018-13564 (Architectural Review)  
PLN2018-13565 (Tentative Parcel Map)

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

**WHEREAS**, on September 18, 2018, Michael Donaldson ("Applicant") filed an application for a Vesting Tentative Parcel Map for 3 commercial condominium units, to allow the development of three four-story data center buildings totaling 541,000 square feet, an electric substation along Mathew Street, mechanical yard support areas, and surface parking lot on a 8.97 acre site, APN(s) 224-40-011, 224-40-002, 224-40-011, located at 651, 725 and 825 Mathew Street, Santa Clara, California ("Project Site");

**WHEREAS**, on June 25, 2019, the Subdivision Committee determined that the application is complete and that the parcel map be reviewed by the City Council in conformance with Section 17.05.400 of the SCCC as a Vesting Tentative Parcel Map;

**WHEREAS**, Section 17.05.400 (d) of the SCCC requires that the City Council hold a public hearing before considering the approval of a Vesting Tentative Parcel Map for the division of land;

**WHEREAS**, Section 17.05.400 (d) of the SCCC further requires that notice of the public hearing before the City Council be given by providing notice to all property owners within three hundred (300) feet of the proposed Tentative Parcel Map area by mail and by posting a notice of public hearing in at least three places within vicinity of the project site;

**WHEREAS**, notice of the public hearing on the Vesting Tentative Parcel Map was published in the *Weekly*, a newspaper of general circulation for the City, on August 14, 2019;

**WHEREAS**, notices of the public hearing on the Vesting Tentative Parcel Map were posted in three conspicuous locations within three hundred (300) feet of the Project Site and were mailed

to all property owners within five hundred (500) feet of the Project Site, according to the most recent assessor's roll, on August 16, 2019;

**WHEREAS**, in conformance with CEQA, at the February 6, 2019 Architectural Committee meeting, the City relied on a Mitigated Negative Declaration (MND) prepared by the California Energy Commission, adopted a Mitigation Monitoring and Reporting Program, and imposed mitigation measures as conditions of approval;

**WHEREAS**, on February 6, 2019, the Architectural Committee held a duly noticed public hearing to consider the architectural review application, at the conclusion of which the Architectural Committee approved the revised project to accommodate three four-story data center buildings totaling 541,000 square feet, electric substation, support areas and parking;

**WHEREAS**, before considering the Vesting Tentative Parcel Map, the City Council reviewed and considered the information contained in the Mitigated Negative Declaration (MND) for the Project and the Mitigation Monitoring and Reporting Program, attached hereto as Exhibit "MMRP", and found that mitigation measures identified for the Project have been imposed and incorporated into the Project and this Vesting Tentative Parcel Map, which mitigate or avoid the significant environmental effects; and

**WHEREAS**, on August 27, 2019, the City Council reviewed the Vesting Tentative Parcel Map and conducted a public hearing, at which time all interested persons were given an opportunity to provide testimony and present evidence, both in support of and in opposition to the proposed Vesting Tentative Parcel Map.

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

1. That this Resolution incorporates, and by this reference makes a part hereof, that certain Vesting Tentative Parcel Map, attached hereto as Exhibit "Tentative Parcel Map".

2. Vesting Tentative Parcel Map Findings. Pursuant to California Government Code Sections 66426 and 66428 and Section 17.05.400(f) of SCCC, the City Council finds and determines that:

A. The Vesting Tentative Parcel Map is consistent with the objectives, policies, general land use and programs specified in the City's General Plan in that the proposed Vesting Tentative Parcel Map would allow for 3 commercial condominium units that closely implements the General Plan's vision for industrial development.

B. The design and improvements of the proposed subdivision are consistent with the City's General Plan in that the Vesting Tentative Parcel Map would allow a construction of three data center buildings on a site that is designated as Heavy Industrial under the General Plan. The Vesting Tentative Parcel Map is subject to the conditions set forth in Exhibit "Conditions of Approval - Map", attached hereto and incorporated by this reference.

C. The site is physically suitable for the proposed type of development in that the project is designed with exterior building materials that include plaster, cement, metal and glass typical of the industrial area. The design of the buildings is visually similar and incorporates the use of varied surface materials and colors consistent with adjacent industrial and commercial development.

D. This site is physically suitable for the proposed intensity of development in that the Project Site allows a redevelopment of an existing industrial property that is comprised of vacant industrial space and surface parking. The project is consistent with the MH Zoning District, which accommodates data center uses, and is served by existing municipal facilities.

E. The design of the subdivision and type of improvements are not likely to cause serious health problems in that the site is surrounded by industrial and commercial development and does not propose the use of hazardous chemicals or materials. There are no residential developments immediately adjacent that would be impacted with privacy concerns.

F. The design of the subdivision and type of improvements are not likely to cause substantial environmental damage and will not substantially or unavoidably injure fish or wildlife or their habitat in that the project is located in an urbanized setting, on a previously developed site, and includes mitigation measures, as identified in the Mitigated Negative Declaration, that reduce impacts to wildlife habitat to less-than-significant levels.

G. The design of the subdivision and type of improvements will not conflict with easements acquired by the public at large or use of property within the proposed subdivision in that, the project is designed to avoid encroachments and conflicts with public easements in the site design. The proposed data center use and associated parking are self-contained within the limits of the property.

H. The Vesting Tentative Parcel Map provides, to the extent feasible, for future passive or natural heating or cooling opportunities, in that it would allow flexibility in the development standards to maximize the benefits of green building standards for site and building design. The development is for a modern data center facility.

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3. Based on the findings set forth in this Resolution and the evidence in the Staff Report and such other evidence as received at the public hearings on this matter, the City Council hereby approves the Vesting Tentative Parcel Map, substantially in the form on file as shown in the "Tentative Parcel Map" attached hereto, subject to conditions of approval attached as "Conditions of Tentative Parcel Map Approval" and hereby incorporated by this reference.

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 CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 27<sup>TH</sup> DAY OF AUGUST, 2019 BY THE FOLLOWING VOTE:


AYES: COUNCILORS: Chahal, Davis, Hardy, Mahan, O'Neill, and Watanabe, and Mayor Gillmor

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST:

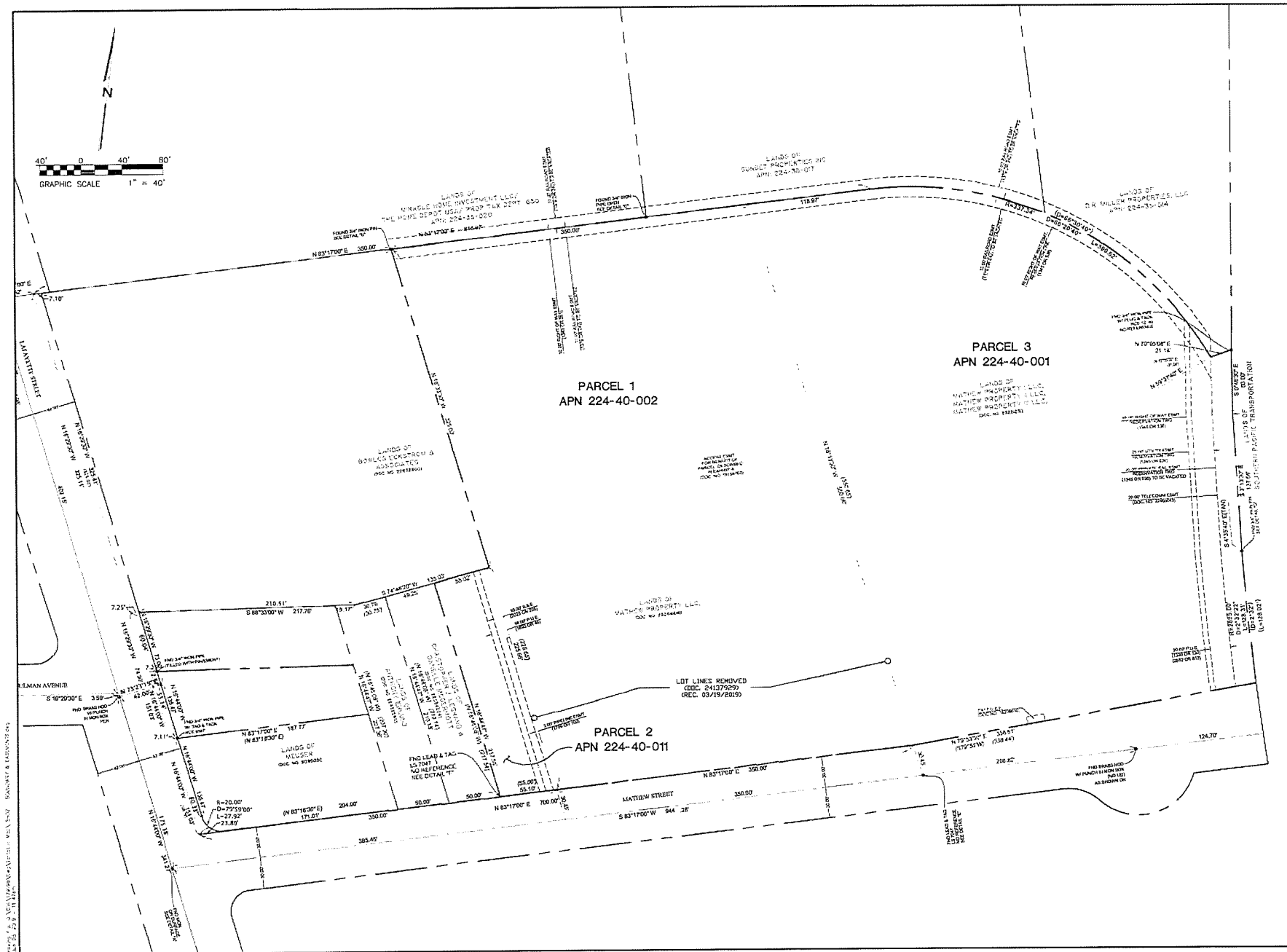


NORA PIMENTEL, MMC  
ASSISTANT CITY CLERK  
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Tentative Parcel Map
2. Conditions of Approval Tentative Parcel Map
3. Mitigation Monitoring and Reporting Program

Working file: C:\CM\171105\Dep\rentative Map\ 2101 -- COVER 9.637 deg

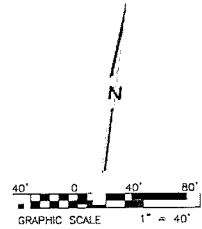


EXISTING BOUNDARY & EASEMENTS		VESTING TENTATIVE MAP		RUTH AND GOING, INC.		Revisions	
VANTAGE - MCLAREN DATA CENTER		R+G		Civil Engineering, Land Surveying, Planning, etc.		Description, Date, By	
SANTA CLARA, CALIFORNIA		SANTA CLARA, CALIFORNIA		SANTA CLARA, CALIFORNIA		SANTA CLARA, CALIFORNIA	
Scale AS SHOWN		Scale AS SHOWN		Scale AS SHOWN		Scale AS SHOWN	
Date 2019-06-05		Date 2019-06-05		Date 2019-06-05		Date 2019-06-05	
2 of 8 Sheets		2 of 8 Sheets		2 of 8 Sheets		2 of 8 Sheets	
Job No. 17919B		Job No. 17919B		Job No. 17919B		Job No. 17919B	
Drawing		Drawing		Drawing		Drawing	

Surveyed by: J. A. VANTAGE & MCLAREN, INC. 2019-06-05. Surveyed by: J. A. VANTAGE & MCLAREN, INC. 2019-06-05.

NOTICE: This map is a tentative map and is not a final map. It is subject to change without notice. It is not a legal document and should not be used for legal purposes. It is for informational purposes only.

DATE: 2019-06-05 11:42:12 AM BY: MCLAREN ENGINEERING



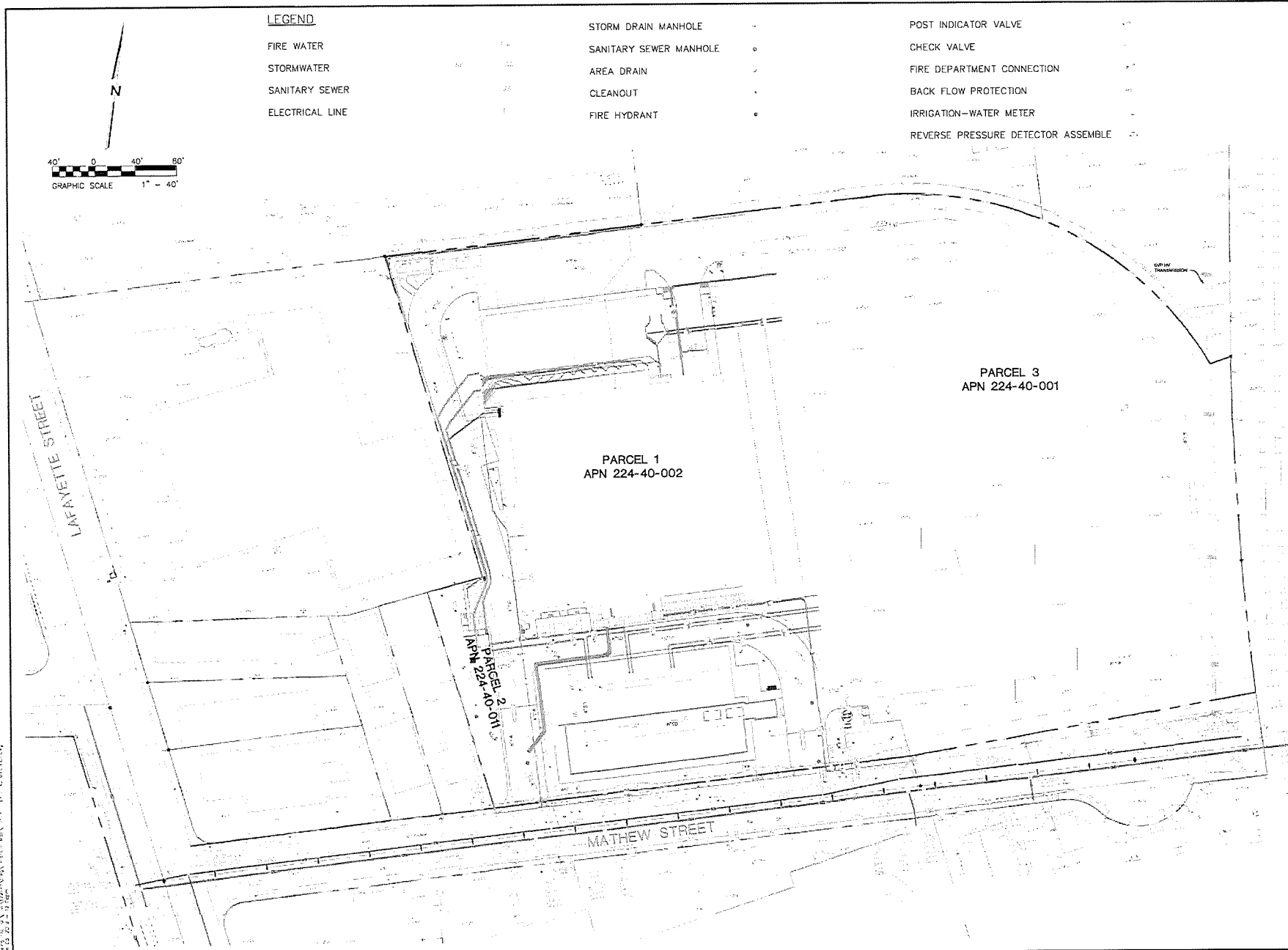
- LEGEND**
- VERTICAL CURB
  - CURB & GUTTER
  - STRESS PAD
  - RETAINING WALL
  - SIDEWALK

- NOTES:**
1. SEE SHEET 2 FOR BOUNDARY/EASEMENT INFORMATION.
  2. SPOT ELEVATIONS AND 1 FOOT CONTOUR INTERVAL BASED ON CSC BENCHMARK (SEE SHEET 1).
  3. CONTOURS SHOWN ARE BASED ON AERIAL PHOTOMETRICS DATED OCTOBER 2017 AND SUPPORTED WITH GROUND SURVEY.

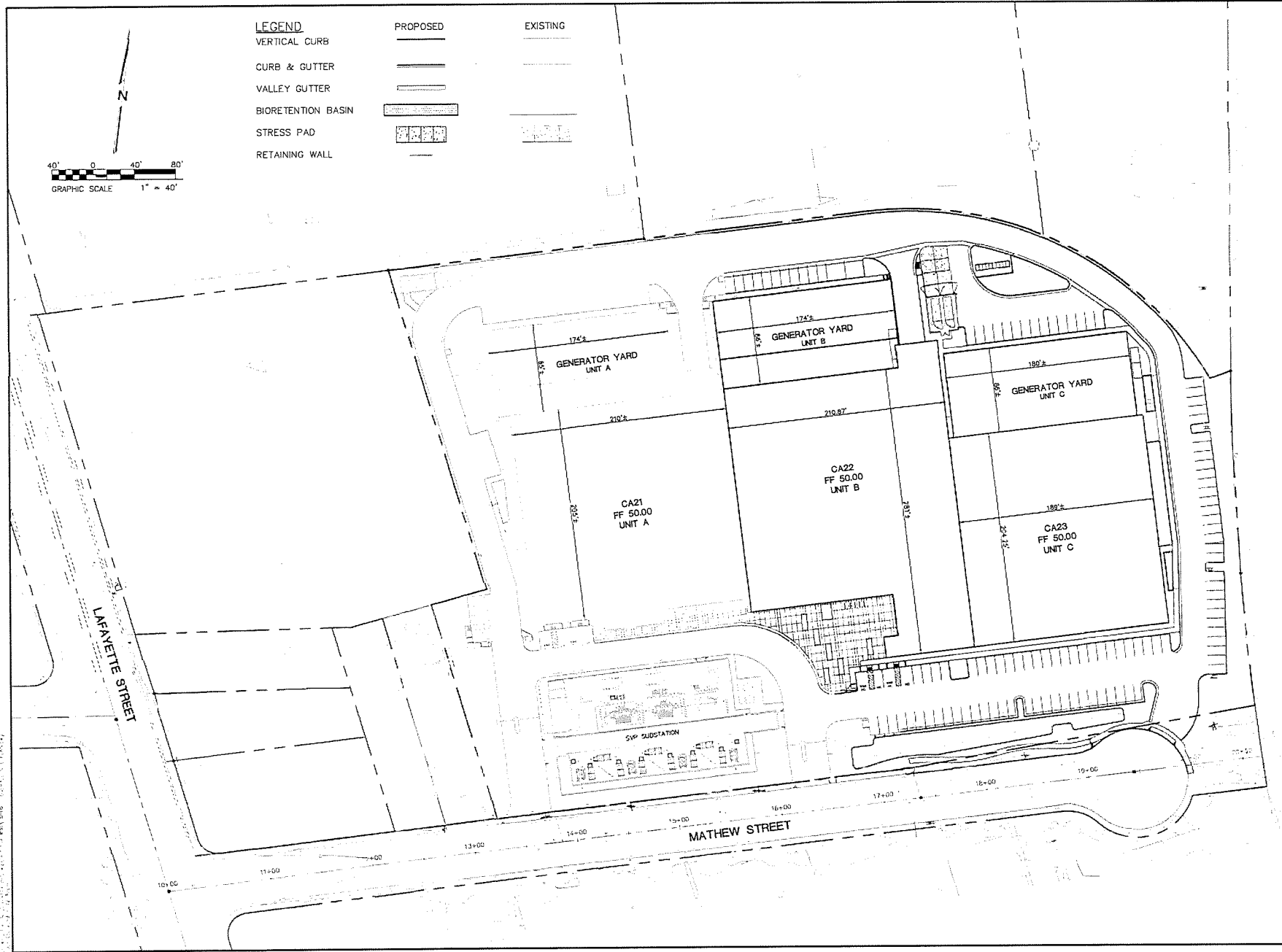


Scale AS SHOWN	
Date 2019-06-05	
3 of 8 Sheets	
Job No. 1791318	
Drawing	
NOTICE	
EXISTING CONDITIONS	
VANTAGE - MCLAREN DATA CENTER	
SANTA CLARA CALIFORNIA	
VESTING TENTATIVE MAP	
<b>R+G</b> RUTH AND GOING, INC. Civil Engineering Land Surveying Planning 378 N. ZIMMERMAN AVE., SUITE 200, SAN JOSE, CA 95131 (408) 281-1000 FAX (408) 281-1001	
Designed By	Drawn By
SPS	SPS
Checked By	Checked By
1/17/2020	1/17/2020
1/17/2020	1/17/2020
Description	
Work	Done
By	By
Revisions	



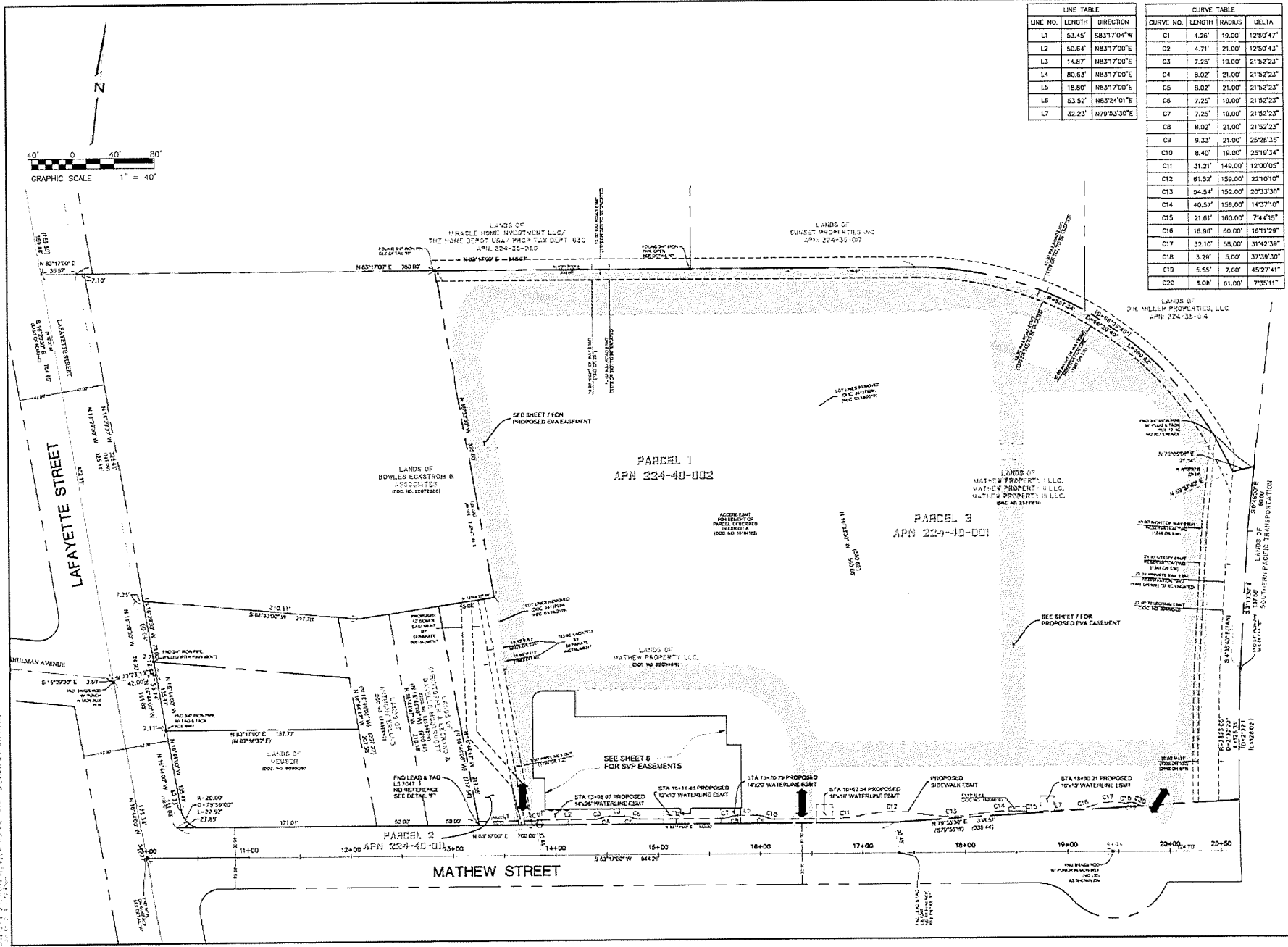
[illegible]

SALES	SANTA CLARA	CALIFORNIA	TEL (408) 235-2420 FAX (408) 236-7450
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<b>VESTING TENTATIVE MAP</b> 		<b>OVERALL SITE PLAN</b> <b>VANTAGE - MCLAREN DATA CENTER</b> SANTA CLARA, CALIFORNIA									
RUTH AND GOING, INC. Civil Engineering Land Surveying Planning 2210 W. ALAMIDA, SANTA CLARA, CA 95050 TEL: 408.293.1000 FAX: 408.293.1001		Scale AS SHOWN Date 2019-06-05									
Revisions <table border="1"> <thead> <tr> <th>Description</th> <th>Rev.</th> <th>Date</th> <th>By</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		Description	Rev.	Date	By					5 of 8 Sheets Job No. 179198 Drawing	
Description	Rev.	Date	By								

NOTICE: This drawing is the property of Ruth and Going, Inc. and is not to be reproduced, copied, or used in any manner without the written consent of Ruth and Going, Inc. The user of this drawing assumes all liability for the accuracy and completeness of the information contained herein.



LINE TABLE		
LINE NO.	LENGTH	DIRECTION
L1	53.45'	S83°17'04"W
L2	50.64'	N83°17'00"E
L3	14.87'	N83°17'00"E
L4	80.63'	N83°17'00"E
L5	18.80'	N83°17'00"E
L6	53.52'	N83°24'01"E
L7	32.23'	N70°53'30"E

CURVE TABLE			
CURVE NO.	LENGTH	RADIUS	DELTA
C1	4.26'	18.00'	12°50'47"
C2	4.71'	21.00'	12°50'43"
C3	7.25'	18.00'	21°52'23"
C4	8.02'	21.00'	21°52'23"
C5	8.02'	21.00'	21°52'23"
C6	7.25'	18.00'	21°52'23"
C7	7.25'	18.00'	21°52'23"
C8	8.02'	21.00'	21°52'23"
C9	9.33'	21.00'	25°26'35"
C10	8.40'	18.00'	25°19'34"
C11	31.21'	149.00'	12°00'05"
C12	61.52'	159.00'	22°10'10"
C13	54.54'	152.00'	20°33'30"
C14	40.57'	159.00'	14°37'10"
C15	21.61'	160.00'	7°44'15"
C16	18.96'	60.00'	16°11'29"
C17	32.10'	58.00'	31°42'38"
C18	3.28'	5.00'	37°38'30"
C19	5.55'	7.00'	45°27'41"
C20	8.08'	61.00'	7°35'11"

Scale AS SHOWN  
Date: 2019-06-05  
6 of 8 Sheets  
Job No. 179198  
Drawing

PROPOSED  
BOUNDARY & EASEMENTS  
VANTAGE - MCLAREN  
DATA CENTER

VESTING TENTATIVE MAP

**RUTH AND GOING, INC.**  
Civil Engineering Land Surveying  
Planning  
2718 N. Hollywood Blvd., Suite 200  
Los Angeles, CA 90028  
(310) 440-2500  
www.ruthandgoing.com

DESIGNED  
Drawn  
Checked  
Reviewed  
Date  
By

REVISIONS

DATE: 2019-06-05  
DRAWN BY: J. B. BUNNEY & ASSOCIATES, INC.



# SUBSTATION (SVP)

LINE TABLE			LINE TABLE			LINE TABLE		
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N 6°43'00" W	31.90'	L7	N 0°43'00" W	28.49'	L13	N 0°43'00" W	4.00'
L2	N 83°17'00" E	11.70'	L8	N 83°17'00" E	13.00'	L14	N 83°17'00" E	131.85'
L3	N 6°43'00" W	75.86'	L9	N 6°43'00" W	82.50'	CURVE TABLE		
L4	N 83°17'00" E	32.12'	L10	N 6°43'00" W	49.81'			
L5	N 6°43'00" W	25.37'	L11	N 6°43'00" W	4.90'	C1	9.50'	80°00'00" 14.92'
L6	N 83°17'00" E	147.75'	L12	N 83°17'00" E	10.00'			

# 60KV TRANSMISSION POLE, STATION SERVICE AND UNDERGROUND UTILITIES (UGEE)

LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			CURVE TABLE			LNG
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BCARING	DISTANCE	LINE	BCARING	DISTANCE	CURVE	RADIUS	DELTA	
L15	N 03°17'00" E	35.00'	L21	N 0°43'00" W	16.50'	L27	N 83°17'00" E	27.72'	L33	N 63°17'00" E	8.77'	C2	32.00'	27°44'00"	25.17'
L16	N 28°52'10" E	16.03'	L22	N 83°17'00" E	194.00'	L28	N 6°43'00" W	33.50'	L34	N 6°43'00" W	13.60'				
L17	N 6°43'00" W	10.00'	L23	S 38°15'34" W	2.34'	L29	N 83°17'40" E	14.88'	L35	N 83°17'00" E	7.80'				
L18	S 83°17'00" W	11.70'	L24	N 6°43'00" W	88.37'	L30	S 8°45'40" E	20.00'	L36	N 6°43'00" W	5.76'				
L19	N 6°43'00" W	18.02'	L25	N 83°17'00" E	13.00'	L31	S 83°17'48" W	14.88'	L37	S 51°41'34" E	34.34'				
L20	S 83°17'00" W	3.90'	L26	N 6°43'00" W	26.00'	L32	N 6°43'00" W	5.37'	L38	N 83°17'00" E	70.71'				

**CONDITIONS OF APPROVAL MAP**  
**McLaren Data Center Project – 651, 725 and 825 Mathew St.**

**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 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 Planning Division prior to issuance of building permits.
- C3. The Developer shall comply with the Mitigations Monitoring and Reporting Program identified in the McLaren Data Center Project Initial Study / Mitigated Negative Declaration, and shall be incorporated in the Conditions of Approval for this project.

**ENGINEERING**

- E1. Obtain site clearance through Engineering Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees prior to issuance of the Building Permit. 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, 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. Developer is required to reconstruct westerly portion of the existing Mathew Street pavement that has not been reconstructed along the property frontage. The portion that has been reconstructed is required to be slurry sealed.
- E4. 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.
- E5. Developer shall construct sidewalk to the centerline (middle) of Mathew Street.

- E6. Maintain City access to utilities located in the public right-of-way along Mathew Street. No raised curbs will be allowed in portion of driveway within public right-of-way.
- E7. 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.
- E8. 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.
- E9. Dedicate, as required, on-site easements for new and existing utilities and new sidewalks by Subdivision Map or approved instrument at time of development. Developer shall pay applicable easement preparation/processing fee.
- E10. After City Council approval of the Tentative Map, submit 10 copies of the Subdivision 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.
- E11. File and record Subdivision Map to create parcels for proposed development and pay all appropriate fee(s) prior to Building Permit issuance.
- E12. Private improvements within public easements included as part of the approved plans shall be approved as part of the Subdivision Map. Details shall be required as part of the approved plans. Private improvements not included as part of the approved plans shall require an easement encroachment agreement after Subdivision Map recordation.
- E13. All proposed sidewalk, walkway, and driveways shall be ADA compliant City Standard.
- E14. All proposed driveways shall be ADA compliant driveways per City Standard ST-8 or as approved by the City Traffic Engineer.
- E15. Protect in place all street signs along the property frontage.

I:\PLANNING\2018\Project Files Active\PLN2018-13565 651 Mathew St\Updated COAs McClaren Map v3.doc

**MITIGATION MONITORING and REPORTING PROGRAM**  
**McLaren Data Center Project**  
**City File No. PLN2016-12246 / CEQ2016-01023**

This Mitigation Monitoring and Reporting Program (MMRP) incorporates the mitigation measures included in the Mitigated Negative Declaration (MND) prepared for the McLaren Data Center Project (“project”) by the California Energy Commission (CEC-800-2018-003-CMF, State Clearinghouse #2018062057) in November 2018. As the agency with local approval authority over the project, the City of Santa Clara has adopted this MMRP and assumed responsibility for monitoring implementation of the mitigation measures included in the MND.

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<b>AIR QUALITY</b>				
<p><b>AIR-1.1:</b> <i>Implement BAAQMD Basic Construction Mitigation Measures to Reduce Construction-Related Emissions.</i> The project applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by BAAQMD, which would reduce fugitive dust emissions to a less-than-significant level. Emission reduction measures shall include, at a minimum, the following measures. Additional measures may be identified by BAAQMD or contractor as appropriate.</p> <ul style="list-style-type: none"> <li>• All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.</li> <li>• All haul trucks transporting soil, sand, or other loose material offsite shall be covered.</li> <li>• 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.</li> <li>• All vehicle speeds on unpaved surfaces shall be limited to 15 mph.</li> <li>• All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</li> <li>• Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</li> <li>• All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be</li> </ul>	Project sponsor to provide to City applicable provisions of construction contracts requiring the use of BAAQMD basic construction mitigation measures to reduce construction-related dust and exhaust emissions.	Project sponsor/project contractor	City Planning & Inspection Division	Prior to issuance of a grading permit

<sup>1</sup> Where the timing of an action is specified as taking place before a permit is issued, that action must be taken with respect to the action underlying the permit, except where otherwise specifically noted.



Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>checked by a certified visible emissions evaluator.</p> <ul style="list-style-type: none"> <li>A publicly visible sign shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.</li> </ul>				
<b>BIOLOGICAL RESOURCES</b>				
<p><b>BIO-1.1:</b> The following measures shall be implemented prior to and during ground disturbance and preliminary grading activities at the project site.</p> <ul style="list-style-type: none"> <li>Avoidance of Nesting Bird Season. To the extent feasible, construction shall be scheduled outside the avian nesting season to avoid impacts on nesting birds (including raptors) protected under the MBTA and CFGC. The nesting season for birds in Santa Clara County generally extends from January 1 through September 1.</li> <li>Pre-construction/Pre-disturbance Surveys for Nesting Birds. If construction activities cannot be scheduled outside of the nesting season noted above, pre-construction surveys for nesting birds shall be completed by a qualified biologist to identify any active nests that could be disturbed during project implementation. Surveys shall be completed no more than 7 days prior to the initiation of ground disturbance and preliminary grading. During this survey, the biologist shall inspect the volunteer shrubs along the eastern perimeter of the project site. If an active nest is found sufficiently close to work areas to be disturbed by these activities, the biologist shall determine the extent of a disturbance-free buffer zone to be established around the nest (typically 250 feet for raptors and 50 to 100 feet for other species), to ensure that no nests of species protected by the MBTA and CFGC will be disturbed during project construction.</li> <li>A report indicating the result of the survey and any designated buffer zones shall be submitted to the satisfaction of the Director of Community Development prior to the start of ground disturbance, grading, and/or tree removal activities.</li> </ul>	Project sponsor to provide to City applicable provisions of construction contracts including schedule. If construction will occur in the nesting season, project sponsor to submit to City pre-construction surveys.	Project sponsor/ project contractor/ qualified biologist	City Planning & Inspection Division	Prior to and during ground disturbance and preliminary grading activities.
<b>CULTURAL RESOURCES</b>				
<p><b>CR-1.1:</b> A Secretary of the Interior-qualified archaeologist and a Native American cultural resources monitor shall be on site to monitor grading of native soil once all</p>	Archaeologist and Native American	Project sponsor/	Director of Community	Prior to issuance of a

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>pavement is removed from the project site. The project applicant shall submit the name and qualifications of the selected archeologist and Native American monitor to the Director of Community Development prior to the issuance of a grading permit. Preference in selecting Native American monitors shall be given with:</p> <ol style="list-style-type: none"> <li>1. Traditional ties to the area being monitored.</li> <li>2. Knowledge of local historic and prehistoric Native American village sites.</li> <li>3. Knowledge and understanding of Health and Safety Code, Section 7050.5 and Public Resources Code, Section 5097.9 et seq.</li> <li>4. Ability to effectively communicate the requirements of Health and Safety Code, Section 7050.5 and Public Resources Code, Section 5097.9 et seq.</li> <li>5. Ability to work with law enforcement officials and the Native American Heritage Commission to ensure the return of all associated grave goods taken from a Native American grave during excavation.</li> <li>6. Ability to travel to project sites within traditional tribal territory.</li> <li>7. Knowledge and understanding of Title 14, California Code of Regulations, Section 15064.5.</li> <li>8. Ability to advocate for the preservation in place of Native American cultural features through knowledge and understanding CEQA mitigation provisions.</li> <li>9. Ability to read a topographical map and be able to locate site and reburial locations for future inclusions in the Native American Heritage Commission's Sacred Lands Inventory.</li> <li>10. Knowledge and understanding of archaeological practices, including the phases of archaeological investigation.</li> </ol> <p>After removal of pavement and prior to grading, the archaeologist shall conduct a pedestrian survey over the exposed soils to determine if any surface archaeological manifestations are present. The archaeologist will monitor full-time all grading and ground disturbing activities in native soils associated with construction of the proposed project. If the archaeologist and Native American monitor believe that a reduction in monitoring activities is prudent, then a letter report detailing the rationale for making such a reduction and summarizing the monitoring results shall be provided to the Director of Community Development prior. Department of Recreation 523 forms shall be submitted along with the report for any cultural resources encountered over 50 years old.</p>	<p>monitor(retained by the project sponsor) to monitor grading and ground disturbing activities after removal of pavement. Project sponsor shall provide name and qualifications of archaeologist and Native American monitor prior to issuance of a grading permit.</p>	<p>qualified archaeologist/ Native American monitor</p>	<p>Development</p>	<p>grading permit</p>
<p><b>CR-1.2:</b> In the event that prehistoric or historic resources are encountered during on-site construction activities, all activity within a 50-foot radius of the find shall be stopped, the Director of Community Development shall be notified, and a Secretary of</p>	<p>Archaeologist and Native American monitor (retained by the project</p>	<p>Project sponsor/qualified</p>	<p>Director of Community Development</p>	<p>During construction</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
the Interior-qualified archaeologist shall examine the find and record the site, including field notes, measurements, and photography for a Department of Parks and Recreation 523 Primary Record form. The archaeologist shall make a recommendation regarding eligibility for the California Register of Historical Resources, data recovery, curation, or other appropriate mitigation. Ground disturbance within the 50-foot radius can resume once these steps are taken and the Director of Community Development has concurred with the recommendations. Within 30 days of the completion of construction or cultural resources monitoring, whichever comes first, a report of findings documenting cultural resource finds, recommendations, data recovery efforts, and other pertinent information gleaned during cultural resources monitoring shall then be submitted to the Director of Community Development. Once finalized, this report shall be submitted to the Northwest Information Center at Sonoma State University.	sponsor) shall make recommendations and report of findings, if necessary.	archaeologist/Native American monitor		
<b>CR-1.3:</b> In the event that human remains are discovered during on-site construction activities, all activity within a 50-foot radius of the find shall be stopped. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) immediately. All actions taken under this mitigation measure shall comply with Health and Safety Code 7050.5 (b).	County Coroner make determination of remains. If remains are to be Native American, Coroner shall notify NAHC to identify descendants to make recommendations regarding proper burial.	Project sponsor/project contractor	County Coroner/NAHC	During construction
<b>CR-1.4:</b> Prior to and for the duration of ground disturbance, the project owner shall provide Worker Environmental Awareness Program training to all existing and any new employees. This training should include: a discussion of applicable laws and penalties under the laws; samples or visual aids of artifacts that could be encountered in the project vicinity, including what those artifacts may look like partially buried, or wholly buried and freshly exposed; and instructions regarding halt to work in the vicinity of any potential cultural resources discovery, and notify the city-approved archaeologist and Native American cultural resources monitor.	Project sponsor/project contractor to provide a Worker Environmental Awareness Program training to all workers.	Project sponsor/project contractor	City Planning & Inspection Division	Prior to, and during, ground disturbing activities
<b>CR-2.1:</b> Prior to the start of any subsurface excavations that would extend beyond previously disturbed soils, all construction forepersons and field supervisors shall receive training by a qualified professional paleontologist, as defined by the Society of Vertebrate Paleontology, who is experienced in teaching non-specialists, to ensure they can recognize fossil materials and shall follow proper notification procedures in the event any are uncovered during construction. Procedures to be conveyed to workers include halting construction within 50 feet of any potential fossil find and	Paleontologist (retained by the project sponsor) shall develop and implement an excavation and salvage plan, if necessary.	Project sponsor/qualified paleontologist	City Planning & Inspection Division	Prior to the start of any subsurface excavations

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
notifying a qualified paleontologist, who shall evaluate its significance.				
<p>If a fossil is found and determined by the qualified paleontologist to be significant and avoidance is not feasible, the paleontologist shall develop and implement an excavation and salvage plan in accordance with Society of Vertebrate Paleontology standards. Construction work in these areas shall be halted or diverted to allow recovery of fossil remains in a timely manner. Fossil remains collected during the monitoring and salvage portion of the mitigation program shall be cleaned, repaired, sorted, and cataloged. Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall then be deposited in a scientific institution with paleontological collections. A final Paleontological Mitigation Plan Report shall be prepared that outlines the results of the mitigation program. The City shall be responsible for ensuring that the paleontologist's recommendations regarding treatment and reporting are implemented.</p>				
<b>GEOLOGY AND SOILS</b>				
<b>GEO-1.1:</b> All excavation and grading work shall be scheduled in dry weather months, or the construction sites shall be weatherized to withstand or avoid erosion.	Project sponsor to submit to City applicable provisions of construction contracts including applicable requirements.	Project sponsor/ project contractor	City Planning & Inspection Division	During construction
<b>GEO-1.2:</b> Stockpiles and excavated soils shall be covered with secured tarps or plastic sheeting.	Project sponsor to submit to City applicable provisions of construction contracts including applicable requirements.	Project sponsor/ project contractor	City Planning & Inspection Division	During construction
<b>GEO-1.3:</b> Vegetation in disturbed areas shall be replanted as quickly as possible.	Project sponsor to submit to City applicable provisions of construction contracts including applicable requirements.	Project sponsor/ project contractor	City Planning & Inspection Division	During construction
<b>HAZARDS AND HAZARDOUS MATERIALS</b>				
<b>HAZ-1.1:</b> In accordance with federal, state, and local regulations, ACM and ACCM	Asbestos abatement	Project	City Planning	Prior to

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
must be removed by a licensed asbestos abatement contractor from the structures prior to renovation/demolition.	contractor to remove ACM and ACCM	sponsor/ licensed asbestos abatement contractor	& Inspection Division	renovation/ demolition
<b>HAZ-1.2:</b> Disturbance to unidentified suspect ACMs not mentioned in this report should be avoided until a certified asbestos building inspector can survey and assess the disposition of such materials.	Certified asbestos building inspector to survey and assess the disposition of unidentified suspect ACMs.	Project sponsor/ certified asbestos building inspector	City Planning & Inspection Division	Prior to renovation/ demolition
<b>HAZ-1.3:</b> During demolition activities, all building materials containing LBP should be performed by a contractor who has the experience and expertise in LBP abatement, handling, and disposal. Construction work where an employee may be occupationally exposed to lead in any amount must comply with 29 CFR 1926.62 (8 CCR 1532.1 in California). Additionally, lead containing waste must be characterized and profiled for proper disposal according to applicable federal, State and local regulations.	Contractor to perform LBP abatement, handling, and disposal.	Project sponsor/project contractor	City Planning & Inspection Division	During demolition activities

#### HYDROLOGY AND WATER QUALITY

<p><b>HYDRO-1.1:</b> Prior to construction of the project, the City shall require the project applicant and/or contractors for the project to submit a Storm Water Pollution Prevention Plan (SWPPP) and a Notice of Intent (NOI) to the State of California Water Resource Quality Control Board to control the discharge of storm water pollutants including sediments associated with construction activities. Along with these documents, the project applicant may also be required to prepare an Erosion Control Plan. The Erosion Control Plan may include Best Management Practices (BMPs) as specified in the California Storm Water Best Management Practice Handbook (such as silt fences/straw waddles around the perimeter of the site, regular street cleaning, and inlet protection) for reducing impacts on the City's storm drainage system from construction activities. The SWPPP shall include control measures during the construction period for:</p> <ul style="list-style-type: none"> <li>• Soil stabilization practices,</li> <li>• Sediment control practices,</li> <li>• Sediment tracking control practices,</li> <li>• Wind erosion control practices, and</li> <li>• Non-storm water management and waste management and disposal control practices.</li> </ul>	Project sponsor to submit SWPPP and NOI to State of California Water Resource Quality Control Board.	Project sponsor/ project contractor	Department of Public Works	Prior to construction
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Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<b>HYDRO-1.2:</b> Prior to issuance of a grading permit, the project applicant and/or contractors shall be required to submit copies of the NOI and Erosion Control Plan (if required) to the Department of Public Works. The project applicant and/or contractors shall also be required to maintain a copy of the most current SWPPP on-site and provide a copy to any City representative or inspector on demand.	Project sponsor to submit NOI and Erosion Control Plan to the Department of Public Works.	Project sponsor/ project contractor	Department of Public Works	Prior to issuance of grading permit
<b>HYDRO-1.3:</b> The project shall comply with City of Santa Clara ordinances, including erosion- and dust-control during site preparation and grading, and maintaining adjacent streets free of dirt and mud during construction.	Project sponsor to comply with City of Santa Clara ordinances and maintain adjacent streets free of dirt and mud.	Project sponsor/ project contractor	Department of Public Works	During construction
<b>HYDRO-1.4:</b> The project shall comply with the municipal NPDES permit issued to the City of Santa Clara.	Project sponsor to comply with the municipal NPDES permit issued to the City.	Project sponsor/ project contractor	Department of Public Works	During construction
<b>HYDRO-2.1:</b> When the construction phase is complete, a Notice of Termination (NOT) for the General Permit for Construction shall be filed with the RWQCB and the City of Santa Clara. The NOT shall document that all elements of the SWPPP have been executed, construction materials and waste have been properly disposed of, and a post-construction stormwater management plan is in place as described in the SWPPP for the project site.	Project sponsor shall file a NOT with the San Francisco Bay RWQCB and the City.	Project sponsor	Department of Public Works	Upon completion of construction
<b>HYDRO-2.2:</b> All post-construction Treatment Control Measures (TCMs) shall be installed, operated, and maintained by qualified personnel. On-site inlets shall be cleaned out a minimum of once per year, prior to the wet season.	Project sponsor to install, operate, and maintain TCMs and clean out on-site inlets.	Project sponsor/ project contractor	Department of Public Works	During operation
<b>HYDRO-2.3:</b> The property owner/site manager shall keep a maintenance and inspection schedule and record to ensure the TCMs continue to operate effectively for the life of the project. Copies of the schedule and record must be provided to the City upon request and must be made available for inspection on-site at all times.	Project sponsor to keep a maintenance and inspection schedule and record.	Project sponsor/ project contractor	Department of Public Works	During operation
<b>NOISE</b>				
<b>NOI-1.1:</b> The project applicant shall prepare and implement measures to ensure that	Project sponsor to	Project sponsor	Director of	Prior to

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>outdoor mechanical equipment does not generate noise levels in excess of the City's applicable noise standard for the applicable zoning category (i.e. 75 dBA noise standard at the nearest heavy industrial uses, 65 dBA at the nearest commercial land uses, and 55 dBA at the nearest residential land uses). All sound, noise, or vibration measurements shall be taken at the closest point to the noise or vibration source on the adjacent real property, or on any other property, affected by the noise or vibration. Measures included in this noise control plan that could help to accomplish this standard include, but are not limited to:</p> <ul style="list-style-type: none"> <li>Installing sound enclosures or barriers around noise-generating mechanical equipment (including but not limited to emergency generators and pumps). The generators may need to be fully enclosed to meet the applicable noise standards.</li> <li>Reducing the number of generators tested at once.</li> <li>Utilizing mufflers to reduce noise from mechanical equipment, and</li> <li>Utilizing quieter equipment (e.g. smaller, quieter generators) that meets this standard.</li> </ul> <p>Prior to the issuance of an occupancy permit, the project applicant shall prepare a report, identifying measures that shall be implemented to ensure that exterior noise levels from mechanical equipment comply with the City's noise standards, to the satisfaction of the Director of Community Development.</p>	<p>submit report identifying measures that will be implemented to ensure that exterior noise levels from mechanical equipment will comply with the City's noise standards (i.e. 75 dBA noise standard at the nearest heavy industrial uses, 65 dBA at the nearest commercial land uses, and 55 dBA at the nearest residential land uses).</p>		Community Development	issuance of occupancy permit

#### TRIBAL CULTURAL RESOURCES

<p><b>TCR-1.1:</b> A Secretary of the Interior-qualified archaeologist and a Native American cultural resources monitor shall be on site to monitor grading of native soil once all pavement is removed from the project site. The project applicant shall submit the name and qualifications of the selected archaeologist and Native American monitor to the Director of Community Development prior to the issuance of a grading permit. Preference in selecting Native American monitors shall be given to Native Americans with:</p> <ul style="list-style-type: none"> <li>Traditional ties to the area being monitored.</li> <li>Knowledge of local historic and prehistoric Native American village sites.</li> <li>Knowledge and understanding of Health and Safety Code, Section 7050.5 and Public Resources Code, Section 5097.9 et seq.</li> <li>Ability to effectively communicate the requirements of Health and Safety Code, Section 7050.5 and Public Resources Code, Section 5097.9 et seq.</li> <li>Ability to work with law enforcement officials and the Native American</li> </ul>	<p>Archaeologist and Native American monitor (retained by the project sponsor) to monitor grading and ground disturbing activities after removal of pavement. Project sponsor shall provide name and qualifications of archaeologist and Native American monitor prior to issuance of a grading permit.</p>	<p>Project sponsor/qualified archaeologist/Native American monitor</p>	<p>Director of Community Development</p>	<p>Prior to issuance of a grading permit</p>
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Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>Heritage Commission to ensure the return of all associated grave goods taken from a Native American grave during excavation.</p> <ul style="list-style-type: none"> <li>• Ability to travel to project sites within traditional tribal territory.</li> <li>• Knowledge and understanding of Title 14, California Code of Regulations, Section 15064.5.</li> <li>• Ability to advocate for the preservation in place of Native American cultural features through knowledge and understanding CEQA mitigation provisions.</li> <li>• Ability to read a topographical map and be able to locate site and reburial locations for future inclusions in the Native American Heritage Commission's Sacred Lands Inventory.</li> <li>• Knowledge and understanding of archaeological practices, including the phases of archaeological investigation.</li> </ul> <p>After removal of pavement and prior to grading, the archaeologist shall conduct a pedestrian survey over the exposed soils to determine if any surface archaeological manifestations are present. The archaeologist shall monitor full-time all grading and ground disturbing activities in native soils associated with construction of the proposed project. If the archaeologist and Native American monitor believe that a reduction in monitoring activities is prudent, then a letter report detailing the rationale for making such a reduction and a summary of monitoring results shall be provided to the Director of Community Development. Department of Recreation 523 forms shall be submitted along with the report for any cultural resources encountered over 50 years old.</p> <p><b>TCR-1.2:</b> In the event that prehistoric or historic resources are encountered during on-site construction activities, all activity within a 50-foot radius of the find shall be stopped, the Director of Community Development shall be notified, and a Secretary of the Interior-qualified archaeologist shall examine the find, and record the site, including the field notes, measurements, and photography for a Department of Recreation 523 Primary Record form. The archaeologist, in consultation with the Native American monitor, shall make a recommendation regarding eligibility for the California Register of Historical Resources, a determination if the resource is also a tribal cultural resource, data recovery, curation, or other appropriate mitigation. Ground disturbance within the 50-foot radius can resume once these steps are taken and the Director of Community Development has concurred with the recommendations. Within 30 days of the completion of construction or cultural resources monitoring, whichever comes first, a report of findings documenting any cultural resource finds, recommendations, data recovery efforts, and other pertinent information gleaned during cultural resources monitoring shall be submitted to the</p>	Archaeologist or Native American Monitor (retained by the project sponsor) shall make recommendations and report of findings, if necessary.	Project sponsor/qualified archaeologist/Native American monitor	Director of Community Development	During Construction



Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
Director of Community Development. Once finalized, this report shall be submitted to the Northwest Information Center at Sonoma State University.				
<b>TCR-1.3:</b> In the event that human remains are discovered during on-site construction activities, all activity within a 50-foot radius of the find shall be stopped. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission. All actions taken under this mitigation measure shall comply with Health and Human Safety Code 7050.5 (b).	County Coroner to make determination of remains. If remains are to be Native American, Coroner shall notify NAHC to identify descendants to make recommendations regarding proper burial.	Project sponsor/ project contractor	County Coroner/ NAHC	During construction
<b>TCR-1.4:</b> Prior to and for the duration of ground disturbance, the project owner shall provide Worker Environmental Awareness Program training to all existing and any new employees. This training should include: a discussion of applicable laws and penalties under the laws; samples or visual aids of artifacts that could be encountered in the project vicinity, including what those artifacts may look like partially buried, or wholly buried and freshly exposed; and instructions to halt work in the vicinity of any potential cultural resources discovery.	Project sponsor/ project contractor to provide a Worker Environmental Awareness Program training to all workers.	Project sponsor/ project contractor	City Planning & Inspection Division	Prior to, and during, ground disturbing activities.