CITY OF SANTA CLARA, CALIFORNIA

# Dual-Branded Hotel at Coleman and Brokaw

INITIAL STUDY &
MITIGATED NEGATIVE DECLARATION

MARCH 2021

Douglas Herring & Associates
Environmental, Policy, and Planning Services

# Dual-Branded Hotel at Coleman and Brokaw

## Initial Study/Mitigated Negative Declaration

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# California Environmental Quality Act (CEQA)
# Environmental Checklist Form

**1. Project Title:** Dual-Brand Hotel at Coleman and Brokaw

**2. Lead Agency Name and Address:**

City of Santa Clara
Planning Division
1500 Warburton Avenue
Santa Clara, CA 95050

**3. Contact Person and Phone Number:**

Debby Fernandez, Associate Planner
(408) 615-2457
DFernandez@santaclaraca.gov

**4. Project Location:**

Assessor's Parcel Numbers (APNs): 230-05-049, 230-005-50, 230-05-045

The project site is comprised of three parcels located at 1240 Coleman Avenue, 1290 Coleman Avenue, and 312 Brokaw Road, respectively, in the City of Santa Clara. The site is situated on the northeast corner of the intersection of Coleman Avenue at Brokaw Road, on the eastern edge of the City. Regional access is provided by State Highway 82 (El Camino Real), located about 0.3-mile to the south; Interstate 880 (Nimitz Freeway), located about 1 mile to the south; U.S. Highway 101, located about 1.5 miles to the north; the County Route G4 (San Tomas Expressway), located about 2 miles to the west; and by State Highway 87 (Guadalupe Freeway), located about 1 mile to the east.

**5. Project Sponsor's Name and Address:**

Mogul Capital
210 East Main Street, Suite 109
Midway, Utah 84049

Rachel Lambert, Vice-President of Construction
(602) 885-2342
RachelL@mogulcapital.com

**6. General Plan Designation:**

Santa Clara Station Regional Commercial

**7. Zoning:**

ML (Light Industrial)

## 8. Description of Project:

### *Project Overview*

The applicant, Mogul Capital, is proposing to redevelop a 72,204-square-foot (1.66-acre) site on the eastern edge of the City of Santa Clara with a dual-branded six-story hotel that would provide up to 400 guest rooms, as well as meeting rooms and amenities such as a swimming pool and fitness center.

As shown on Figure 1, the roughly triangular site is situated on the northeast corner of Coleman Avenue and Brokaw Road. An aerial overview of the site and its surroundings is shown on Figure 2. The site is comprised of three separate parcels (Assessor's Parcel Numbers [APNs]: 230-05-49, 230-05-50, 230-05-45) that would be merged as part of the project.

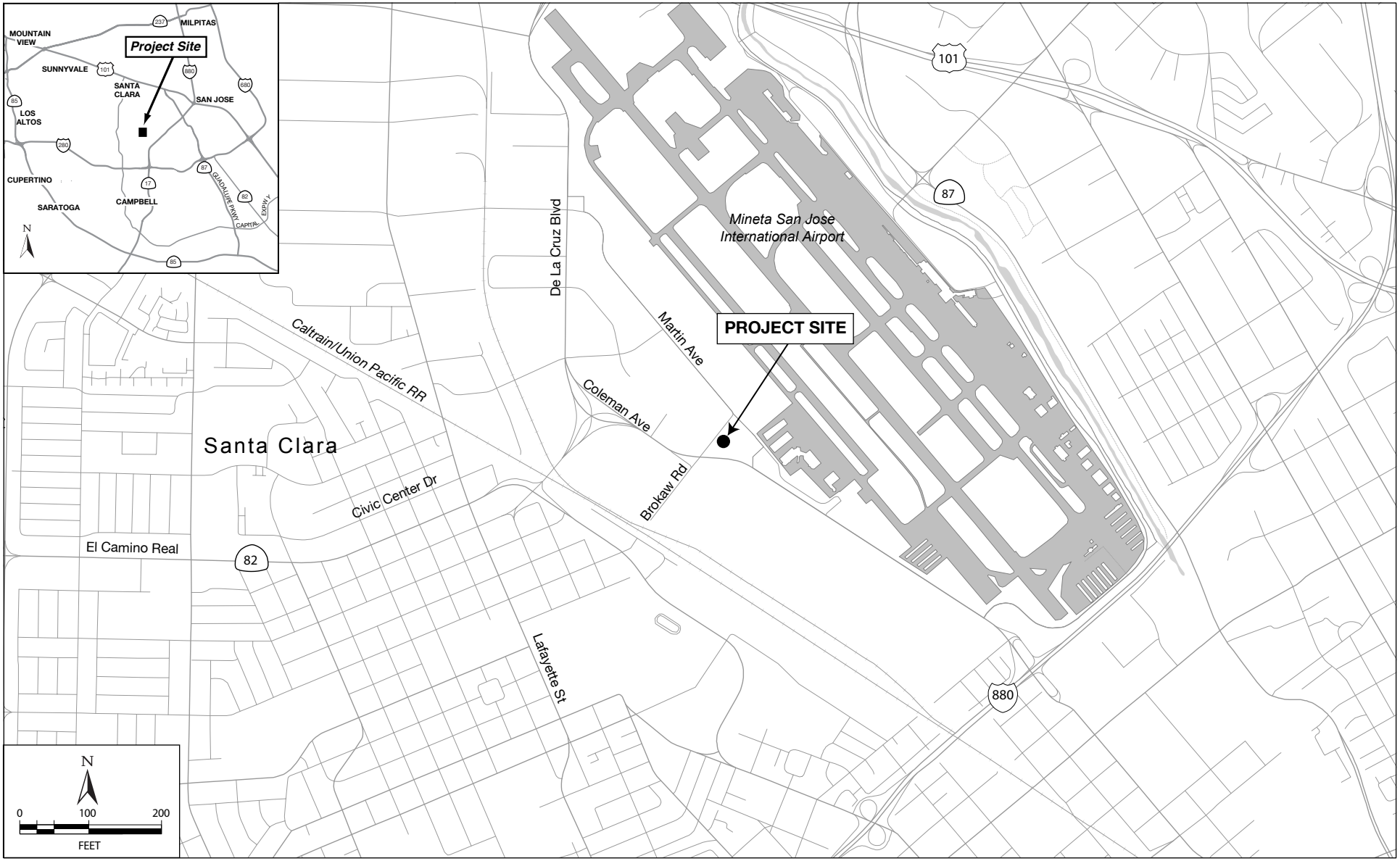
### *Building Details*

The proposed hotel would be developed with a modern architectural style featuring glass panels, steel, and stucco, with generous fenestration. As shown on the conceptual rendering of the project on Figure 3, the proposed building would wrap around a central podium-level courtyard. The six-story component of the building would extend the full length of the northern and western sides of the site, with shorter six-story wings wrapping around the eastern end of the site and, from the western end, partially along the Coleman Avenue frontage. A two-story podium level would continue along the Coleman Avenue frontage until reaching the pedestrian and vehicle entries into the site on Coleman Avenue, approximately 300 feet east of Brokaw Road. Enhanced paving would provide a pedestrian plaza adjacent to the hotel entrance that would be adorned with accent plantings, decorative planter pots, and a yet-to-be-determined focal feature.

The central two-story element of the hotel would be configured as a mezzanine, with a large lobby, reception desk, and administrative offices on the ground floor. The upper mezzanine would be lined with meeting rooms, the hotel laundry, an employee break room, and a maintenance room, while the majority of the space would be open to the hotel lobby below, as shown on the ground-floor and mezzanine floor plans (Figures 4 and 5). A dining room, buffet, and seating area would also be located on the ground floor, adjacent to the hotel lobby. The seating area would open onto an outdoor patio located at the front corner of the site, adjacent to the intersection of Coleman Avenue and Brokaw Road.

The roof of the mezzanine would feature an outdoor swimming pool and hot tub/spa, with landscape trees and seating interspersed around the deck, which may be finished in raised pavers. A fitness gym would be located adjacent to the pool area, inside the second floor of the building. There would also be a guest laundry room next to the gym.

The hotel rooms would be located on the second through sixth floors, with similar configurations on each floor, as shown on Figure 6. The longer northern wing would contain rooms operated by one brand, while the western wing would contain rooms operated by a different brand. Each brand would have its own guest elevators, but the common corridors would be shared in emergency situations. The




# Figure 1

## Project Site Location

Source: Douglas Herring & Associates


**Figure 2**

Aerial Overview of Site and Surroundings

Source: Douglas Herring & Associates; Google Earth


**Figure 3**

Conceptual Rendering

Source: Jensen Design Architects

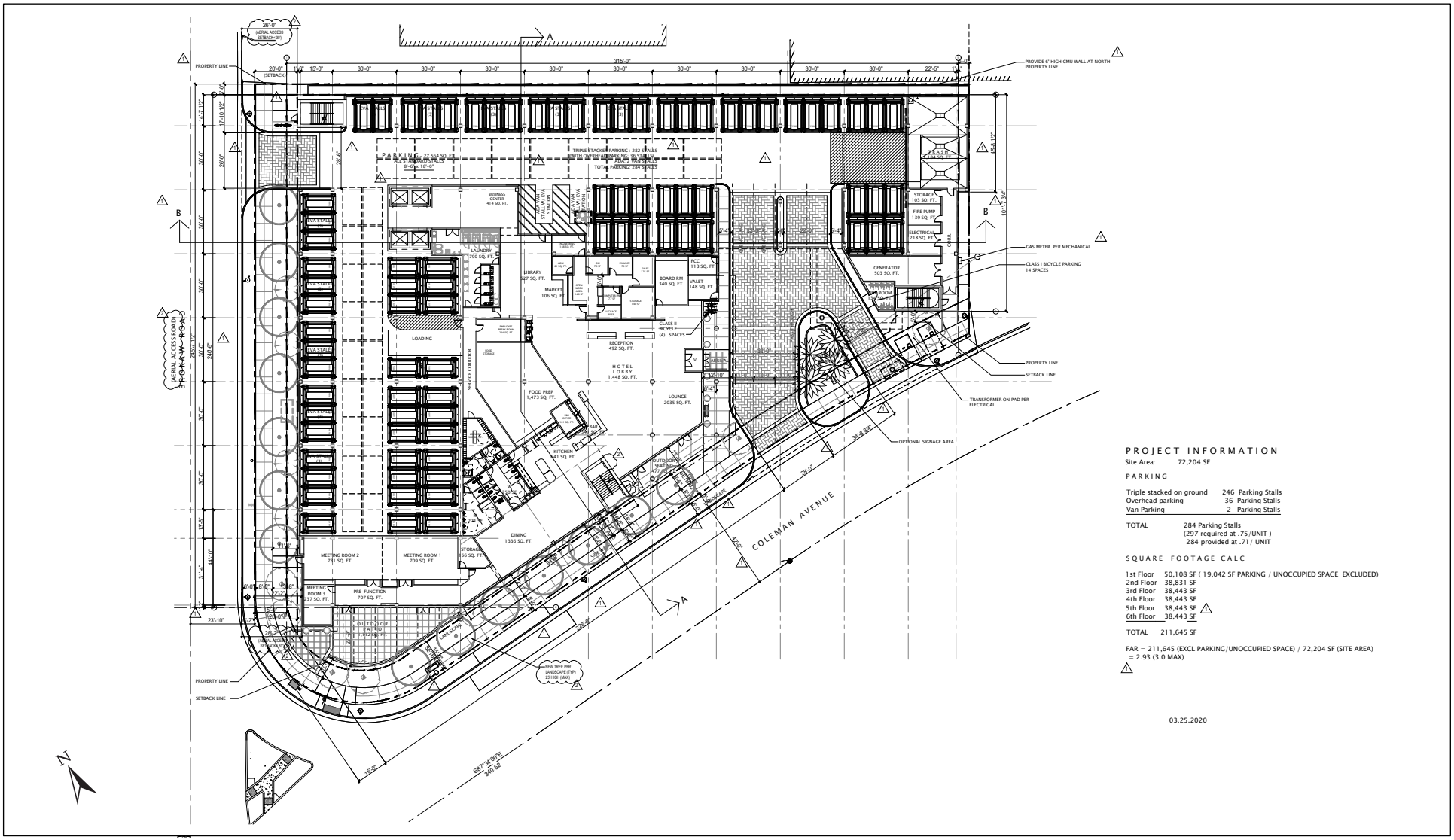
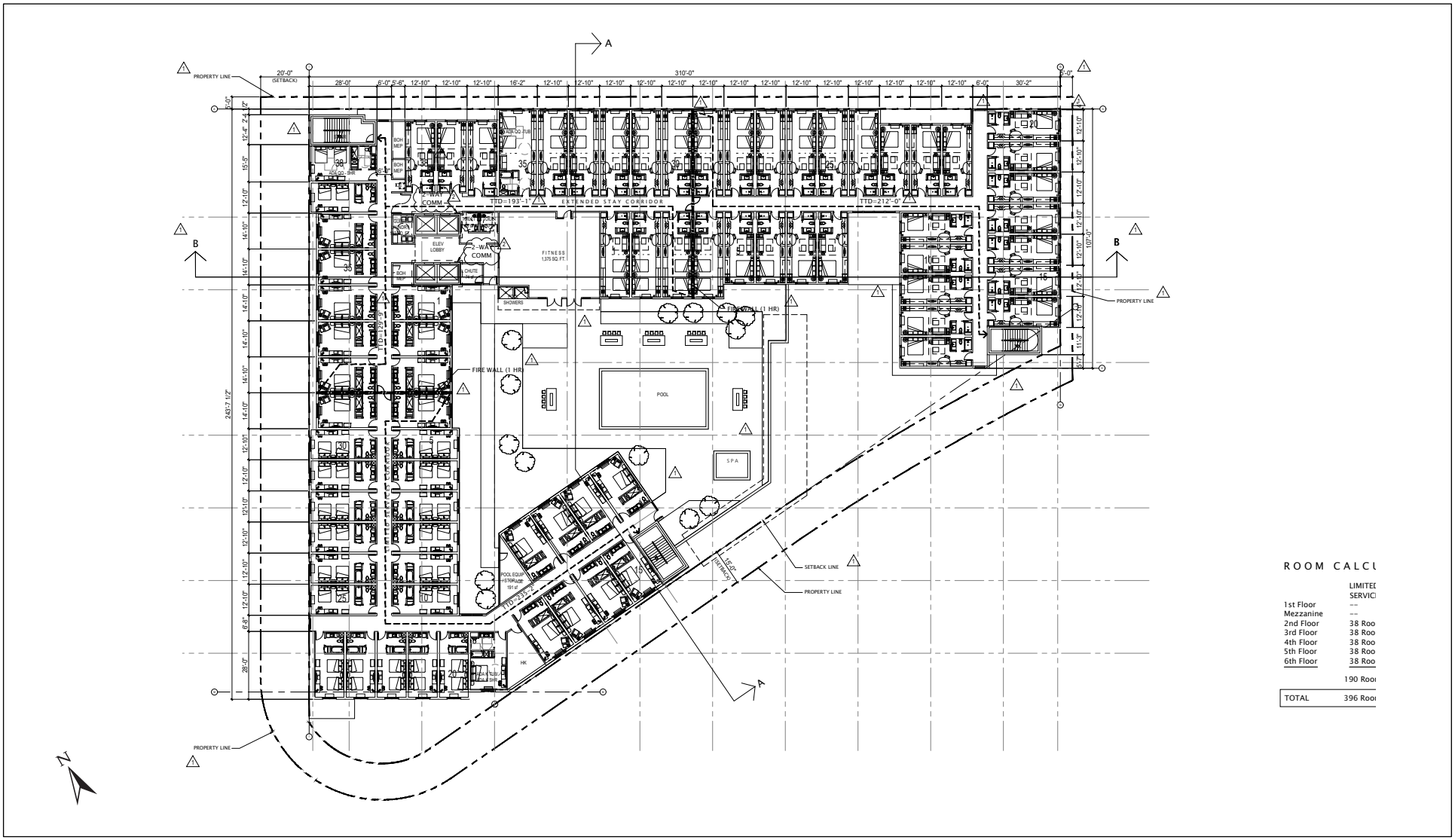



**Figure 4**

## Ground Floor Plan

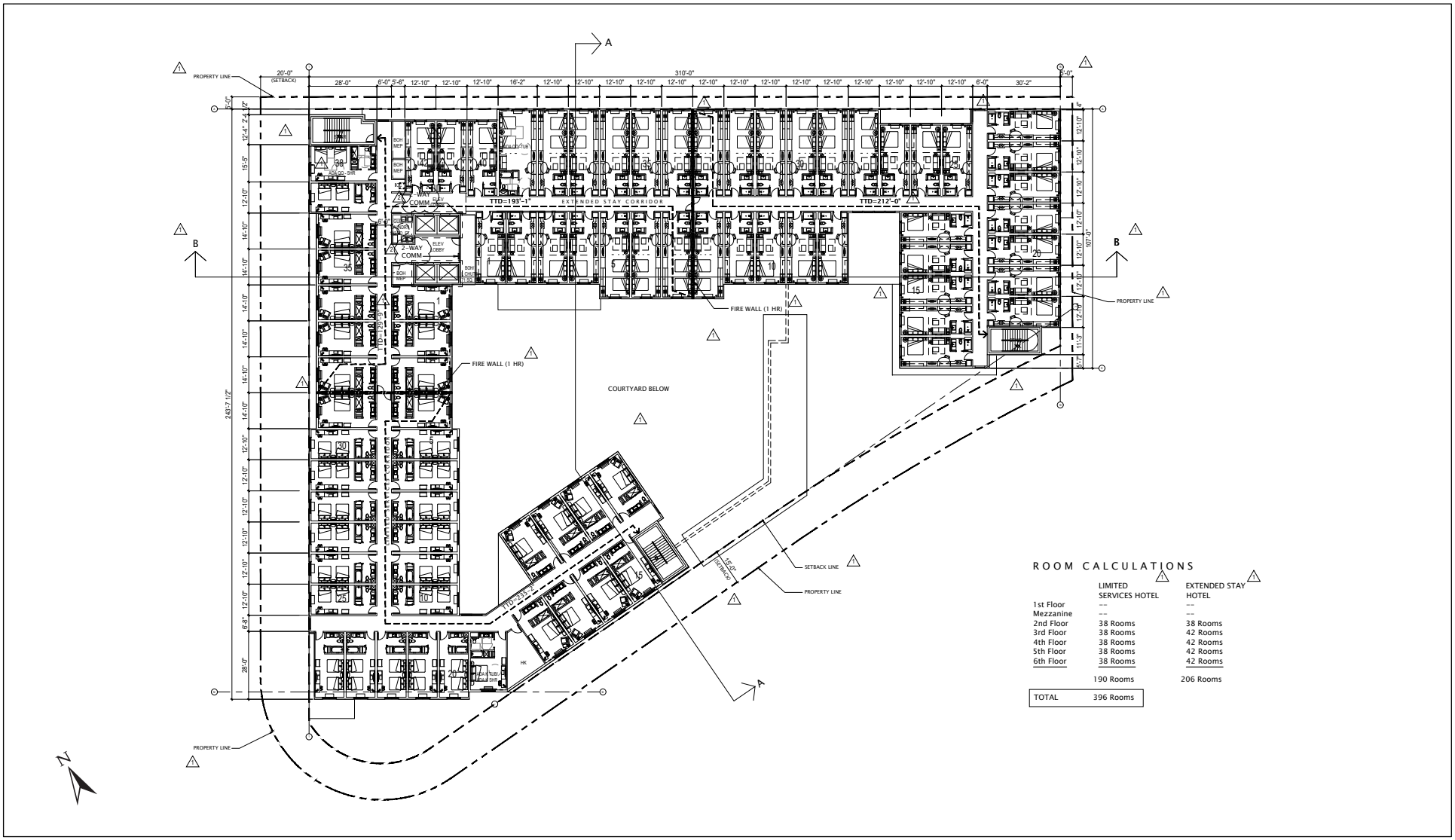
Source: Jensen Design Architects




## Figure 5

## Second Floor Plan

Source: Jensen Design Architects




## Figure 6

## Floor Plan for Third Through Sixth Floors

Source: Conceptual Design & Planning Company

second floor would provide 38 Brand1 hotel rooms and 38 Brand2 hotel rooms. On the third through sixth floors, there would be 42 Brand1 hotel rooms and 38 Brand2 hotel rooms.

Guest and employee parking would be provided on the ground floor and mezzanine levels via triple-stacked mechanical parking lifts, all of which would be accessed from the ground floor. A total of 299 parking stalls are proposed, along with three Americans with Disabilities Act (ADA)-accessible van stalls just inside the site entrance, opposite the hotel lobby. Loading and trash areas would also be located inside the ground-floor parking garage.

The six-story building would provide a total of 216,009 square feet (sf) of building area, not including the parking garage, which would occupy an additional 29,757 sf. The footprint of the building would be 52,960 sf, representing 73.5 percent of the total 72,204-square-foot site.

The project would provide jobs for approximately 70 to 75 full-time employees, including 42 to 44 housekeeping personnel, with positions for managers, guest service providers, engineers, and others also provided. On a typical day shift, with approximately 90-percent occupancy, there would be about 45 employees on site.

### *Landscaping*

As shown on the landscape plan depicted on Figure 7, the project site would be landscaped with a row of evenly-spaced street trees extending the length of the Brokaw Road and Coleman Avenue site frontages. A cluster of Chinese pistache (*Pistacia chinensis*) trees would be located adjacent to the vehicle entrance driveway on Coleman Avenue. The landscape trees would be located in a planting strip that would be vegetated with a variety of shrubs and ground covers, including blue grama (*Bouteloua g.'Blonde Ambition'*), dwarf bottlebrush (*Callistemom v. 'Little John'*), dwarf natal plum (*Carissa m. 'Green Carpet'*), variegata mirror plant (*Coprosma 'Marble Queen'*), flax lily (*Dianella t. 'Vriegata'*), echeveria (*Echeveria 'Afterglow'*), daylily (*Hemerocallis* hybrids), hybrid New Zealand flax (*Phormium tenax*), groundcover rose (*Rosa 'Flower Carpet'*), and Mundi Coast rosemary (*Westringia f. 'Mundi'*).

A strip of screening shrubs would be planted in concrete planter boxes adjacent to the northern and eastern sides of the hotel building. The sides and bottoms of the planter boxes would be formed of concrete walls with a thickness of 6 inches. The proposed shrub species include hopseed bush (*Dodonaea v. 'Purpurea'*), compact cherry laurel (*Prunus carolinaiana 'Compactar'*), dwarf coffeeberry (*Rhamnus californica 'Eve Case'*), and blue gem coast rosemary (*Westringia 'Blue Gem'*).

### *Stormwater Control*

The strips of shrubs described above would be planted in flow-through planter boxes that would provide on-site treatment of stormwater collected from throughout the site, in accordance with regional requirements discussed in Section X, Hydrology and Water Quality. A series of vertical leader pipes


**Figure 7**

Conceptual Landscape Plan

Source: Conceptual Design & Planning Company

spaced a maximum of 10 feet apart would discharge stormwater collected from the building rooftops into the planter boxes, where the water would be treated through biofiltration.

The concrete planter boxes would have a bottom layer, 12 inches deep, of Caltrans Class 2 (or comparable) aggregate drain rock that would surround a 6-inch-diameter high-density polyethylene (HDPE) pipe that would convey stormwater treated by biological filtration in the planter box to the existing stormwater drainage system within Brokaw Road. A waterproof membrane would be installed where the planter boxes meet the hotel building walls to prevent incursion of water into the building.

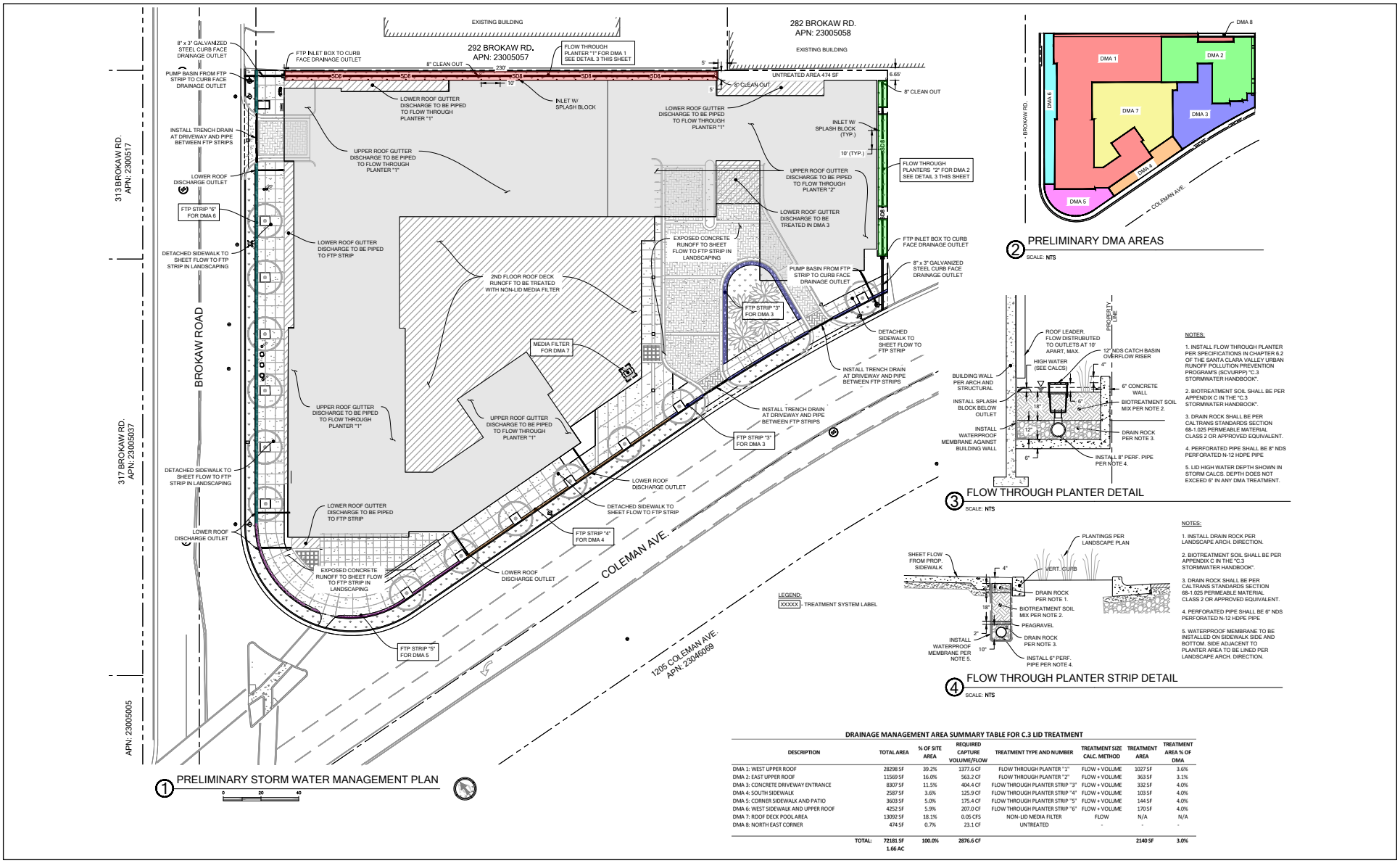
Treatment would be provided by a layer of 18 inches of a biotreatment soil mixture on top of the layer of drain rock. A catch basin overflow riser with a diameter of 12 inches would protrude 8 inches above the biotreatment soil layer, with 12 inches of freeboard between the top of the soil layer and the sides of the planter box, which would provide detention capacity in the planter boxes during peak storm events. When the detained water level exceeded 8 inches above the soil layer, additional water would flow into the overflow riser, which would be connected to the HDPE pipe, providing overflow discharge.

Additional on-site stormwater treatment capacity would be provided by flow-through planter strips that would be located between the sidewalk and the landscape strips lining Brokaw Road and Coleman Avenue that would be planted with the canopy trees and groundcovers. These strips would provide treatment of stormwater collected from the site sidewalks and driveways. Similar to the planter boxes, these flow-through biotreatment planter strips would have 6 inches of Caltrans Class 2 (or comparable) aggregate drain rock underlain by 18 inches of a biotreatment soil mixture, followed by a thin layer of pea gravel. A 6-inch-diameter HDPE pipe surrounded by a 10-inch-thick layer of Caltrans Class 2 aggregate would be plumbed to the existing storm drain under Brokaw Road. A waterproof membrane would be installed on the sidewalk side and bottom of the planter strips to prevent uncontrolled migration of collected stormwater.

The proposed stormwater management plan is depicted on Figure 8.

### *Building Demolition and Site Preparation*

Prior to development of the proposed project, the three extant buildings on the site would be demolished, and the site would be cleared of all existing manmade improvements, including pavements, street trees, landscaping, fencing, trash enclosures, concrete walls, a guardrail, a shed, light posts, signage, and loading docks. A Sprint cellular site in the middle of the property would be removed by Sprint. Although existing street lights and power poles in the public right-of-way would be removed for construction of new sidewalks, they would be replaced. An existing fire hydrant near the northwest corner of the site would be retained and protected, as would a water meter and service in the sidewalk adjacent to Brokaw Road. A chain-link fence extending along the eastern and northern property lines would be demolished. All existing utilities in the public right-of-way would be retained and protected, with service maintained throughout demolition and project construction.




**DRAINAGE MANAGEMENT AREA SUMMARY TABLE FOR C.3 LID TREATMENT**

| DESCRIPTION | TOTAL AREA | % OF SITE AREA | REQUIRED CAPTURE VOLUME/FLOW | TREATMENT TYPE AND NUMBER | TREATMENT SIZE CALC. METHOD | TREATMENT AREA | TREATMENT AREA % OF DMA |
|---|---|---|---|---|---|---|---|
| DMA 1: WEST UPPER ROOF | 28298 SF | 39.2% | 1377.6 CF | FLOW THROUGH PLANTER "1" | FLOW + VOLUME | 1027 SF | 3.6% |
| DMA 2: EAST UPPER ROOF | 11569 SF | 16.0% | 563.2 CF | FLOW THROUGH PLANTER "2" | FLOW + VOLUME | 363 SF | 3.1% |
| DMA 3: CONCRETE DRIVEWAY ENTRANCE | 8307 SF | 11.5% | 404.4 CF | FLOW THROUGH PLANTER STRIP "3" | FLOW + VOLUME | 332 SF | 4.0% |
| DMA 4: SOUTH SIDEWALK | 2587 SF | 3.6% | 125.9 CF | FLOW THROUGH PLANTER STRIP "4" | FLOW + VOLUME | 103 SF | 4.0% |
| DMA 5: CORNER SIDEWALK AND PATIO | 3603 SF | 5.0% | 175.4 CF | FLOW THROUGH PLANTER STRIP "5" | FLOW + VOLUME | 144 SF | 4.0% |
| DMA 6: WEST SIDEWALK AND UPPER ROOF | 4252 SF | 5.9% | 207.0 CF | FLOW THROUGH PLANTER STRIP "6" | FLOW + VOLUME | 170 SF | 4.0% |
| DMA 7: ROOF DECK POOL AREA | 13092 SF | 18.1% | 0.05 CFS | NON-LID MEDIA FILTER | FLOW | N/A | N/A |
| DMA 8: NORTH EAST CORNER | 474 SF | 0.7% | 23.1 CF | UNTREATED | - | - | - |
| TOTAL: | 72181 SF 1.66 AC | 100.0% | 2876.6 CF | | | 2140 SF | 3.0% |

**Figure 8**

## Stormwater Management Plan

Source: Alpha - Omega Engineering

The demolition plan assumes that the soil underlying the existing buildings and pavements would be excavated to a depth of 1 foot to reach uniform subgrade material, with the removal and disposal of the excavated soil. This demolition plan indicates that this would require export of an estimated 2,882 cubic yards of soil, which would result in between 144 and 192 truck trips, assuming a per-truck capacity of 15 to 20 cubic yards.

The grading plan calls for cuts of 83.32 cubic yards and fills of 3,171.57 cubic yards, requiring import of 3,088.26 cubic yards. This would require between 154 and 206 truck trips.

### *Construction Staging and Schedule*

Demolition is expected to commence in mid-April 2020 and require four weeks to complete. Site preparation will follow in June 2020 and last for about six weeks. Building construction is expected to commence in July 2020 and be completed by May 2021, followed by four weeks of hotel inspections. Active construction would thus require approximately 11 months to complete. Staging of construction equipment and materials would occur on the project site, but construction workers may park on Brokaw Road and nearby Martin Avenue until the podium structure is completed, allowing for on-site parking. However, the City will be attempting to enter into an off-site parking agreement with neighboring property owners to allow use of their available parking spaces during project construction, which would eliminate the need for on-street parking.

The anticipated number of construction workers would vary by construction phase. Approximately 30 workers would be on site during the initial site clearing and preparation, increasing to about 80 workers once construction of the building commences. The number of workers would ramp up to 100 workers approximately six months into construction, and would reach a peak of 160 workers during the final six months of construction.

### *Planning Approvals*

Use Permit: Pursuant to City Code Chapter 18.110, the project would require a Use Permit to allow a hotel use in an ML zoning district. Pursuant to City Code Chapter 18.90, the project would require authorization by the Zoning Administrator of a minor modification (up to 25 percent) to the height limit and parking requirements for the ML zoning district.

Variance: Chapter 18.74 of the City Code requires one off-street parking space for each lodging unit in a hotel, which would require 396 parking spaces for the proposed project. As proposed, the project would provide only 284 spaces. Although there is a “minor modification” process by which the Zoning Administrator may deviate from Zoning Ordinance standards by as much as 25 percent, this would still require a minimum of 297 spaces. In addition, the City Code also contains minimum dimensions that each parking space must meet in order to be counted toward the minimum. Although the surface spaces could be counted, there is no provision in the Code that allows for mechanical lifts to substitute for surface spaces, and so a large percentage of the lift “spaces” would not count toward the minimum. As a result, a variance will be necessary to approve the project.

Architectural Review: The design and appearance of the project would require architectural review at a noticed public Development Review Hearing to ensure that it has an orderly and harmonious appearance. To obtain this approval, the project will need to demonstrate conformance to the City's *Community Design Guidelines*.

### *Other Approvals*

City of Santa Clara: The project would require an encroachment permit from the Public Works Department for construction of new driveways on Coleman Avenue and Brokaw Road and utility work within the public rights-of-way. Demolition, grading, and building permit would be required from the Building Department.

State Water Resources Control Board (SWRCB): The project would require filing of a Notice of Intent (NOI) with the SWRCB for coverage under the National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) administered by the SWRCB. This requires preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) that addresses control of stormwater pollution during and after construction through implementation of Best Management Practices (BMPs). See Section X, Hydrology and Water Quality, for additional information.

San Francisco Bay Regional Water Quality Control Board (RWQCB): The project would also require filing of an NOI with the SWRCB for coverage under the NPDES Municipal Regional Stormwater Permit (MRP) administered by the RWQCB. This also requires preparation and implementation of a SWPPP that addresses control of stormwater pollution through implementation of BMPs. See Section X, Hydrology and Water Quality, for additional information.

## 9. Project Setting

The approximately 1.66-acre (72,204-square-foot) project site, roughly triangular in shape, is located on the eastern edge of the City of Santa Clara, about 300 feet west of San Jose International Airport. In addition to the airport, which occupies a large area to the east and northeast of the project, the project site is surrounded by light industrial and commercial development.

The site is comprised of three parcels that would be merged as part of the project. The eastern parcel at 1240 Coleman Avenue, is listed on the City's MAP Santa Clara geographic information system (GIS) as comprising 0.55 acres of land area. The southwestern parcel at 1290 Coleman Avenue has a land area of 0.48 acres. The northwestern parcel at 312 Brokaw Road has a land area of 0.6 acres. All three parcels are located in the Santa Clara Station Focus Area and have a General Plan land use designation of Santa Clara Station Regional Commercial and are zoned ML (Light Industrial).

As shown on Figure 9A, the site is currently developed with commercial buildings and parking areas. A one-story, 10,840-square-foot office building occupies the northwestern parcel at 312 Brokaw Road. This building is currently occupied by AVR Van Rental Solutions, which offers airport mini-van rentals. The southwestern parcel at 1290 Coleman Avenue is developed with a one-story, 2,078-square-foot

a) Existing office building at 312 Brokaw Road.


b) Existing La Costa Del Sol restaurant at 1290 Coleman Avenue.

## Figure 9

## Existing Site Conditions

Source: Douglas Herring & Associates

restaurant currently operated as La Costa Del Sol (Figure 9B). Another one-story restaurant building, comprising 3,500 square feet of floor area, occupies the eastern parcel at 1240 Coleman Avenue (Figure 10A). Previously housing Lillie Mae's House of Chicken & Waffles, this building is currently vacant. As previously noted, all of these buildings, pavements, and other improvements would be demolished prior to developing the proposed project.

Similar development to the building at 312 Brokaw Road surrounds the project site to the north, east, and west. Adjacent to the site's northern boundary is a one-story office/light industrial building occupied by Ralls Construction, shown on Figure 11A. Opposite the site on Brokaw Road is a one-story brick commercial building occupied by the Wig & Hair Piece Outlet and JIF Reprographics, shown on Figure 11B. Just to the south of this building is the 101 Collision Center auto body shop, housed in a one-story light industrial building. To the north of JIF Reprographics are a one-story office building with no identification and a one-story office building occupied by Oliveira Fence. Similar commercial and light industrial buildings and uses are located on other parcels in the project vicinity. This includes a small commercial shopping center located opposite the site on the southwest corner of the intersection of Coleman Avenue and Brokaw Road. This shopping center includes some small casual restaurants, a dental practice, and a nail salon, among other uses.

Just to the south of the project site on the other side of Coleman Avenue is an approximately 24-acre currently vacant site that is planned for development with the Gateway Crossings project. The approved mixed-use project is the phased development of 1,565 multi-family residential units, 45,000 square feet of ground floor supporting retail, 152,000-square-foot hotel with 225 rooms, 2.6 acres of dedicated parkland, surface and structured parking, private streets, and landscaped open landscape,

With respect to sensitive receptors in the project vicinity, where there are concentrations of people who may be sensitive to noise and/or elevated levels of air pollutants, there are no schools or hospitals located within one-quarter mile of the project site. The following schools are located within one mile of the project site:

1) Santa Clara University School of Law
   500 El Camino Real
   0.42-mile southwest of the project site

2) Buchser Middle School
   111 Bellomy Street
   0.92-mile southwest of the project site

Other sensitive receptors within one mile of the project site include:

1) Alumni Park
   0.47-mile south of the project site

2) Larry J. Marsalli Park
   1425 Lafayette Street
   0.49-mile west of the project site

3) Mission Gardens
   Alviso Street at Palm Drive
   0.67-mile southwest of the project site

4) Raymond G. Gamma Dog Park
   888 Reed Street
   0.68-mile west of the project site

5) SafeSplash Swim School
   610 Newhall Drive
   San Jose
   0.83-mile southeast of the project site

6) Santa Clara Senior Center
   1303 Fremont Street
   0.93-mile southwest of the project site

7) Fremont Park
   1303 Fremont Street
   0.93-mile southwest of the project site

There are also various playing fields and a soccer stadium that are part of the Santa Clara University campus, located about 0.4-mile south of the project site.


a) Currently vacant restaurant at 1240 Coleman Avenue.

b) Parking lot occupying the southern portion of the project site.

## Figure 10

## Existing Site Conditions

Source: Douglas Herring & Associates


a) Construction business located immediately to the north of the project site.


b) Businesses located opposite the project site, on the west side of Brokaw Road.

## Figure 11

## Neighboring Land Uses

Source: Douglas Herring & Associates

## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

| | | |
|---|---|---|
| [ ] Aesthetics | [ ] Agricultural Resources | [X] Air Quality |
| [X] Biological Resources | [X] Cultural Resources | [ ] Energy |
| [X] Geology/Soils | [ ] GHG Emissions | [X] Hazards & Haz. Materials |
| [X] Hydrology/Water Quality | [ ] Land Use/Planning | [ ] Mineral Resources |
| [X] Noise | [ ] Population/Housing | [ ] Public Services |
| [ ] Recreation | [ ] Transportation/Traffic | [ ] Tribal Cultural Resources |
| [ ] Utilities/Service Systems | [ ] Wildfire | |
| [X] Mandatory Findings of Significance | | |

## DETERMINATION:

On the basis of the initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

| | |
|---|---|
| Signature | Date |
| Printed name | For |

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## EVALUATION OF ENVIRONMENTAL IMPACTS:

**I. AESTHETICS** — *Would the project:*

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *a) Have a substantial adverse effect on a scenic vista?* | ☐ | ☐ | ☐ | ☒ |

Explanation: There are no scenic vistas available from the project site or anywhere in the vicinity of the site. The site is located in a broad, flat plain with no visible topographic variation for miles in every direction. This entire plain is densely developed with urban uses, including commercial, residential, institutional, industrial, and transportation uses, among others.

All that is visible from the project site or from adjacent areas along Coleman Avenue are roadways and various forms of the urban development described above. The view from Brokaw Road adjacent to the site provides similar views, but when viewing toward the north, the Fremont hills, which are more than 6 miles away, are somewhat visible above the roofs of buildings located on San Jose International Airport property. Since this view is only visible down the length of Brokaw Road, framed by trees and commercial/light industrial development, the distant hillsides form less than 5 percent of the overall viewshed from this location.

When viewing south along Brokaw Road, the partial view of the even more distant Santa Cruz Mountains is even more constrained, with a tiny portion of mountaintops barely visible among the intervening urban development. These mountains are more visible from within the intersection of Coleman Avenue and Brokaw Road, though still quite distant and constrained by intervening development. Additionally. although publicly accessible, the middle of this heavily trafficked intersection is not a safe or desirable location for enjoying a scenic vista, were one present.

Given the highly urban context of these distant and substantially constrained views, most people would not consider the views to constitute a valuable scenic vista. Furthermore, even if currently available views were considered scenic, the proposed project would not adversely affect or interfere with these views. There are no existing scenic views available from public (or private) vantage points that would be blocked by development of the proposed hotel. Although private views are not generally considered in the evaluation of aesthetic impacts under CEQA, it is worth noting that the hotel guests in the upper floors of the proposed project would have much greater visual access to the distant Santa Cruz and Diablo mountain ranges than is currently available from anywhere on or in the vicinity of the site.

Based on the preceding considerations, the proposed project would have ***no impact*** on a scenic vista.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| b) *Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?* | ☐ | ☐ | ☐ | ☒ |

Explanation: There are no eligible or State-designated scenic highways in the vicinity of the project site.[1] Furthermore, there are no scenic resources present on the project site. Therefore, the project would have ***no adverse impact*** on scenic resources within a State scenic highway.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| c) *Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urban area, would the project conflict with applicable zoning and other regulations governing scenic quality?* | ☐ | ☐ | ☒ | ☐ |

Explanation: The existing visual quality of the project site is defined by the low-rise commercial and office development on the site and by the asphalt pavements—used for vehicle parking and storage—that cover more than half of the site. Although the visual appearance of the site is enhanced by approximately a dozen trees growing along the parcel boundaries, including street trees on Brokaw Road, the visual quality of the site is not high, as demonstrated by the site photos presented on Figures 9 and 10. Aside from the trees and limited landscaping in the southeast corner of the site, the property is devoid of natural resources that might enhance its aesthetic appeal. The office building is strictly utilitarian in appearance, and while the two restaurant buildings are more articulated and have a certain rustic appeal, their appearance is rather dated. Given the light industrial character of surrounding properties as well as a significant portion of the project site, the aesthetic quality of the site is quite limited and might be considered of low quality by many viewers.

Although detailed architectural plans have not yet been prepared for the proposed hotel project, the conceptual architectural renderings, one of which is shown on Figure 3, portray a modern architectural style featuring glass panels, steel, and stucco, with generous fenestration. The layout of the building capitalizes on the irregular shape of the site, creating a partially surrounded podium-level pedestrian plaza featuring a swimming pool and hot tub while also providing seating and lounging areas. Trees and other landscaping would enhance the appearance of this plaza, while trees, shrubs, and groundcovers along the site frontages would soften the appearance of the hotel building and help mitigate the large massing of the building.

[1] California Department of Transportation (Caltrans), List of Eligible and Officially Designated State Scenic Highways, Accessed October 30, 2019 at: https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways.

The most appealing view of the project would be presented to the prominent Coleman Avenue frontage of the site, where thousands of vehicles pass every day. The site is opened up from this vantage point, providing a view of the podium-level plaza, ringed by palm trees, and the landscaped and decorated pedestrian entrance into the hotel lobby. As viewed from Coleman Avenue, where the vast majority of offsite viewers would experience the site while traveling past it, the massing of the large structure would be significantly articulated by the open courtyard created by the podium plaza and by recesses, protruding elements, and screened panels in the vicinity of the vehicle entrance into the site, and by the notched southeast corner of the building. The broadly angled planes of the façades in the southwest corner of the building also help to reduce the massing, as does the setback of the corner façade above the glass-faced mezzanine level (see Figure 3).

The visual character of the site would be dramatically transformed by implementation of the proposed project. The conditions described above would be replaced by a modern hotel building that would have unconventional, articulated massing. The appearance of the site would be enhanced and the large building would be softened by the generous placement of trees and other landscaping along the site frontages and in the southeast site entrance area. Although aesthetics impacts are inherently subjective, and some viewers may object to the aesthetic change to the site that would result from implementation of the proposed project, it would be difficult to argue that the project would substantially degrade the visual quality of the site, and many viewers would likely consider the visual changes to be beneficial. Therefore, the City has determined that the project would have a ***less-than-significant impact*** on the visual character of the site and its surroundings.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?* | ☐ | ☐ | ☒ | ☐ |

Explanation: The proposed project would introduce a new source of nighttime lighting to the site that would replace the existing light sources, which include outdoor building security lighting, parking lot light standards, and interior building lighting.

Based on the proposed lighting plan, the amount of exterior lighting of the hotel would be quite limited. A shielded, downward-directed wall light-emitting diode (LED) light would be placed above the secondary vehicle entrance on Brokaw Road. The same type of fixture would be located above the primary garage entrance accessed from the Coleman Avenue site frontage. A single pole-mounted light fixture would illuminate the ADA accessible parking spaces adjacent to the primary site entrance. This would also be a downward-directed LED fixture.

This exterior lighting would provide illumination for guests arriving at or departing from the hotel at night, but it would not be a source of spillover light that could adversely affect adjoining properties. The proposed lighting plan includes a photometric analysis depicting the light values cast by the proposed light fixtures. While the front entrance area would be illuminated with up to 3.4 foot-candles (fc), the light values at the adjacent edge of Coleman Avenue would range from 0.0 to 0.2 fc.[2] The wall light above the secondary vehicle entrance would produce the same range of light values at

[2] A foot-candle is a British unit of illuminance; lux is its metric (SI) counterpart. A foot-candle is the amount of illuminance on a one-square-foot surface that is uniformly distributed with a flux of one lumen. It is equal to approximately 10.764 lux.

the edge of Brokaw Road. These values would quickly fall to 0.0 fc and would not adversely affect offsite receptors.

The proposed hotel would also include interior illumination common to all modern buildings. At night, interior lighting would emanate from some windows, though it is likely that most hotel guests would have their windows covered at night by drapes or blinds for privacy.

The proposed hotel would have interior lighting and a limited amount of exterior security lighting typical of urban development. This would not constitute a new source of substantial light or glare, and would be consistent with existing nighttime lighting of other parcels in the area. The proposed hotel would not be finished in reflective surfaces other than windows, which do not comprise a substantial source of glare. While parked cars can be a source of glare, all of the proposed parking would be concealed from view in the internal parking garages, with the exception of the three accessible parking spaces near the hotel entrance.

Section 18.48.140(c) of the Santa Clara Municipal Code requires lighting in light industrial zoning districts to reflect away from residential areas and public streets. The project will also need to comply with the City's *Community Design Guidelines*, which state that exterior lighting on commercial properties should meet the minimum standard of 1 fc, should minimize uplighting, avoid distracting pedestrians and autos, and avoid contributing to the overall illumination of the nighttime sky. The project would conform to these requirements. As part of the entitlement process, the project applicant will be required to submit a lighting plan as part of the mandatory Development Review Process, which will allow the City to ensure that the proposed lighting does not have any unsightly or undesirable qualities. Given these considerations, the project would have a ***less-than-significant impact*** related to the creation of nighttime lighting and glare.

**II. AGRICULTURAL RESOURCES** — *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment project and the Forestry Legacy Assessment project, and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:*

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?* | ☐ | ☐ | ☐ | ☒ |

Explanation: The project site is designated "Urban and Built-Up Land" on the most current map of important farmland in Santa Clara County prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) by the Department of Conservation (DOC), a department of the California Resources

Agency.[3] As implied by the designation, Urban and Built-Up Land is not one of the categories of important farmland mapped by the FMMP. Therefore, implementation of the project would have ***no impact*** on valuable farmland.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?* | ☐ | ☐ | ☐ | ☒ |

Explanation: The project site is not zoned for agricultural use; it is zoned for residential use and is not under a Williamson Act contract.[4]

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined in Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?* | ☐ | ☐ | ☐ | ☒ |

Explanation: Public Resources Code Section 12220(g) defines forest land as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Neither the project site nor any of the surrounding lands are zoned as forest land.[5] The proposed project would therefore have no impact on forest or timber land.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *d) Result in the loss of forest land or conversion of forest land to a non-forest use?* | ☐ | ☐ | ☐ | ☒ |

Explanation: As discussed above, there is no forest land on the project site as defined in Public Resources Code Section 12220(g).

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[3] California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, "Santa Clara County Important Farmland 2016" (map), September 2018.

[4] City of Santa Clara, Interactive MAP Santa Clara, Parcel Details, accessed September 11, 2019 at: https://map.santaclaraca.gov/public/index.html?viewer=regional.

[5] *Ibid*.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| 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?* | ☐ | ☐ | ☐ | ☒ |

Explanation: As discussed above, the project site does not contain farmland or forest land, and implementation of the proposed project would therefore have no potential to convert such lands to other uses.

**III. AIR QUALITY** — *Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:*

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) *Conflict with or obstruct implementation of the applicable air quality plan?* | ☐ | ☒ | ☐ | ☐ |

Explanation: The Bay Area Air Quality Management District (BAAQMD) adopted the *2017 Clean Air Plan* was adopted in April 2017.[6] The 2017 Clean Air Plan/Regional Climate Protection Strategy (CAP/RCPS) provides a roadmap for BAAQMD's efforts over the next few years to reduce air pollution and protect public health and the global climate. The CAP/RCPS includes the Bay Area's first-ever comprehensive RCPS, which identifies potential rules, control measures, and strategies that BAAQMD can pursue to reduce GHG in the Bay Area. Measures of the 2017 CAP addressing the transportation sector are in direct support of *Plan Bay Area 2040*, which was prepared by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) and includes the region's Sustainable Communities Strategy and the 2040 Regional Transportation Plan. Highlights of the *2017 Clean Air Plan* control strategy include:

- **Limit Combustion:** Develop a region-wide strategy to improve fossil fuel combustion efficiency at industrial facilities, beginning with the three largest sources of industrial emissions: oil refineries, power plants, and cement plants.
- **Stop Methane Leaks:** Reduce methane emissions from landfills, and oil and natural gas production and distribution.
- **Reduce Exposure to Toxics:** Reduce emissions of toxic air contaminants by adopting more stringent limits and methods for evaluating toxic risks at existing and new facilities.
- **Put a Price on Driving:** Implement pricing measures to reduce travel demand.

[6] Bay Area Air Quality Management District, *Final 2017 Clean Air Plan*, April 19, 2017. http://www.baaqmd.gov/~/media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en.

- **Advance Electric Vehicles:** Accelerate the widespread adoption of electric vehicles.
- **Promote Clean Fuels:** Promote the use of clean fuels and low or zero carbon technologies in trucks and heavy-duty vehicles.
- **Accelerate Low-Carbon Buildings:** Expand the production of low-carbon, renewable energy by promoting on-site technologies such as rooftop solar and ground-source heat pumps.
- **Support More Energy Choices:** Support of community choice energy programs throughout the Bay Area.
- **Make Buildings More Efficient:** Promote energy efficiency in both new and existing buildings.
- **Make Space and Water Heating Cleaner:** Promote the switch from natural gas to electricity for space and water heating in Bay Area buildings.

When a public agency contemplates approving a project where an air quality plan consistency determination is required, BAAQMD recommends that the agency analyze the project with respect to the following questions: (1) Does the project support the primary goals of the *2017 Clean Air Plan*; (2) Does the project include applicable control measures from the *2017 Clean Air Plan*; and (3) Does the project disrupt or hinder implementation of any *2017 Clean Air Plan* control measures? If the first two questions are concluded in the affirmative and the third question concluded in the negative, the BAAQMD considers the project consistent with air quality plans prepared for the Bay Area.

Any project that would not support the *2017 Clean Air Plan* goals would not be considered consistent with the *2017 Clean Air Plan*. The recommended measure for determining project support of these goals is consistency with BAAQMD CEQA thresholds of significance. As presented in the subsequent impact discussions in this section, the proposed project would not exceed the BAAQMD significance thresholds; consequently, the proposed project would support the primary goals of the *2017 Clean Air Plan* and would not hinder implementation of any of the *2017 Clean Air Plan* control measures. Therefore, the proposed project with implementation of mitigation measures would have a ***less-than-significant impact with mitigation*** associated with, conflicting with, or obstructing implementation of the applicable air quality plan.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *b) Result in a cumulatively considerable net increase of any criteria pollutant for which the region is non-attainment under an applicable federal or state ambient air quality standard?* | ☐ | ☒ | ☐ | ☐ |

Explanation: Appendix A, Air Quality, GHG Emissions & Energy Supporting Information, provides an overview of the existing air quality conditions at the proposed project site, applicable air quality regulatory framework, and other background information related to air quality.

The air quality analysis is consistent with the methods described in the BAAQMD's *CEQA Air Quality Guidelines*.[7] Mitigation measures are presented to reduce impacts to less than significant, as applicable. The air quality analysis includes a review of criteria pollutant emissions such as carbon

[7] Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, May 2017, http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en

monoxide (CO)[8], nitrogen oxides ($NO_x$), sulfur dioxide ($SO_2$), volatile organic compounds (VOCs) as reactive organic gases (ROGs)[9], particulate matter with a diameter of less than 10 micrometers (coarse or $PM_{10}$), and particulate matter with a diameter of less than 2.5 micrometers (fine or $PM_{2.5}$).[10]

### *Construction Impacts*

Construction activities would occur for approximately one year. Demolition would occur for approximately four weeks and would require approximately 38 haul truck round trips to export demolition materials from the existing structures on-site. Demolition would also require export of an estimated 2,882 cubic yards of soil, which would require approximately 180 haul truck round trips (based on a 16-cubic-yard truck capacity). Site preparation and grading would occur for approximately six weeks and would require import of an estimated 3,088 cubic yards of soil, which would require approximately 193 haul truck round trips (assuming the same truck capacity). Building construction, paving, and architectural coating would follow and would take place for approximately 11 months. Construction activities were assumed to take place 8 hours per day, five days per week. The California Emissions Estimator Model (CalEEMod, Version 2016.3.2) produced by the California Air Resources Board (CARB) was used to quantify construction-related pollutant emissions.[11] CalEEMod results are included in Appendix A, Air Quality, GHG Emissions & Energy Supporting Information.

The BAAQMD *CEQA Air Quality Guideline*s recommend quantification of construction-related exhaust emissions and comparison of those emissions to significance thresholds. For fugitive dust emissions, BAAQMD recommends implementation of best management practices to reduce wind-blown dust.

Table AQ-1 provides the estimated (unmitigated and mitigated) short-term average daily construction emissions that would be associated with the proposed project and compares those emissions to the BAAQMD's significance thresholds for construction exhaust emissions. Per BAAQMD's *CEQA Air Quality Guidelines*, the average daily construction emissions were determined as the total construction emissions divided by the number of construction days (i.e., 270) and then compared to the BAAQMD significance thresholds. As indicated in Table AQ-1, the estimated average daily construction emissions would all be below the BAAQMD's significance thresholds.

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[8] CO is a non–reactive pollutant that is a product of incomplete combustion of organic material, and is mostly associated with motor vehicle traffic, and in wintertime, with wood–burning stoves and fireplaces.

[9] VOC means any compound of carbon—excluding CO, carbon dioxide ($CO_2$), carbonic acid, metallic carbides or carbonates, and ammonium carbonate—which participates in atmospheric photochemical reactions, and is therefore a precursor of ozone formation. ROGs are any reactive compounds of carbon, excluding methane, CO, $CO_2$ carbonic acid, metallic carbides or carbonates, ammonium carbonate, and other exempt compounds. The terms VOC and ROG are often used interchangeably.

[10] $PM_{10}$ and $PM_{2.5}$ consists of airborne particles that measure 10 microns or less in diameter and 2.5 microns or less in diameter, respectively. $PM_{10}$ and $PM_{2.5}$ represent fractions of particulate matter that can be inhaled into the air passages and the lungs, causing adverse health effects.

[11] California Air Resources Board, *California Emissions Estimator Model User's Guide*, November 9, 2017, http://www.caleemod.com/

**Table AQ-1**
**Estimated Daily Construction Emissions (pounds)**

| Condition | ROG | NOx | $PM_{10}$ | $PM_{2.5}$ | CO |
|---|---|---|---|---|---|
| | **Unmitigated** | | | | |
| Construction | 10.29 | 16.08 | 0.62 | 0.59 | 13.91 |
| Significance Threshold | 54 | 54 | 82 | 54 | --- |
| Significant (Yes or No)? | No | No | No | No | No |
| | **Mitigated** | | | | |
| Construction | 10.29 | 16.08 | 0.62 | 0.59 | 13.91 |
| Significance Threshold | 54 | 54 | 82 | 54 | --- |
| Significant (Yes or No)? | No | No | No | No | No |

*SOURCE: CARB CalEEMod Version 2016.3.2.*
*NOTE: Mitigated construction emissions estimates assume implementation of Mitigation Measures AQ-1 through AQ-3. Values reflect rounding.*

Although construction of the proposed project would not exceed the daily significance thresholds for criteria air pollutants, BAAQMD considers construction projects that involve site disturbance to have a potentially significant impact on air quality unless the District's *Construction Mitigation Measures* are implemented during construction. Therefore, for purposes of this analysis, the proposed project would have a ***potentially significant impact*** on air quality due to emissions of criteria air pollutants during proposed project construction. Implementation of the following mitigation measures would reduce the impact to a less-than-significant with mitigation level:

**Mitigation Measure AQ–1:** *BAAQMD Required Fugitive Dust Control Measures.* The construction contractor shall reduce construction-related air pollutant emissions by implementing BAAQMD's basic fugitive dust control measures, including:

- 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. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

- A publicly visible sign shall be posted with the telephone number of the job-site project superintendent to contact 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.

**Mitigation Measure AQ–2:** *BAAQMD Required Exhaust Emissions Reduction Measures.* The construction contractor shall reduce construction-related air pollutant emissions by implementing the following BAAQMD exhaust emissions reduction measures:

- 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.
- All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

**Mitigation Measure AQ–3:** *BAAQMD Regulation 8, Rule 3 for Architectural Coatings.* In order to minimize emissions of volatile organic compounds (VOCs), architectural coatings employed during construction of the proposed project shall comply with BAAQMD Regulation 8: Organic Compounds, Rule 3: Architectural Coatings (Rule 8-3). The Rule 8-3 VOC architectural coating limits specify that the use paints and solvents with a VOC content of 100 grams per liter or less for interior and 150 grams per liter or less for exterior surfaces shall be required.

Based on the CalEEMod and using standard fuel consumption estimates, construction activities would require approximately 41,182 gallons of diesel fuel.[12] For the finishing phase of construction, some electricity may be used (e.g., for power tools and work lighting). While this electricity usage cannot be quantified at this time, it is anticipated to be relatively minor compared to normal building operations. When not in use, electric equipment would be powered off so as to avoid unnecessary energy consumption. Natural gas would not be used during construction.

### *Operational Impacts*

CalEEMod was used to estimate emissions that would be associated with motor vehicle use, space and water heating, and landscape maintenance emissions expected to occur after the proposed construction is complete and the project is operational. The proposed project land use types and size and other project-specific information were input to the model. CalEEMod provides emissions for

[12] Fuel usage is estimated using the CalEEMod output for $CO_2$, and a $kgCO_2$/gallon conversion factor, as cited in the *U.S. Energy Information Administration Voluntary Reporting of Greenhouse Gases Program*, https://www.eia.gov/environment/pdfpages/0608s(2009)index.php.

transportation, area sources,[13] electricity consumption, natural gas combustion, electricity usage associated with water usage and wastewater discharge, and solid waste land filling and transport. CalEEMod results are included in Appendix A.

Existing baseline conditions at the project site include a 10,840-square-foot office building occupied by AVR Van Rental solutions, an airport van rental business (312 Brokaw Road), a 2,078-square-foot restaurant (1290 Coleman Avenue) occupied by La Costa Del Sol, and a 3,500-square-foot restaurant (1240 Coleman Avenue), which is currently vacant. The project site is an existing source of operational emissions; therefore, CalEEMod was used to estimate the existing baseline operational emissions generated by AVR Van Rental solutions and La Costa Del Sol (emissions from the vacant restaurant building on-site were assumed to be zero). The CalEEMod results are included in Appendix A.

Annual operational electricity and natural gas consumption were calculated using the demand factors provided in CalEEMod. The proposed project's building and parking garage electricity consumption was estimated to be approximately 1.65 million kilowatt-hours (kWh) of electricity per year and natural gas consumption was estimated to be approximately 7.01 billion British Thermal Units (BTU) per year. Existing baseline conditions at the project site were estimated to consume approximately 0.28 million kWh of electricity per year and approximately 0.71 billion BTU of natural gas per year. Therefore, the net project electricity consumption would be approximately 1.37 million kWh of electricity per year and the net natural gas consumption would be approximately 6.30 billion BTU per year.

The daily vehicle trip rate of 8.36 weekday trips per hotel room was used to estimate mobile vehicle emissions.[14] The estimated annual vehicle miles traveled for the proposed project would be approximately 4,523,321 miles, requiring approximately 189,226 gallons of gasoline. The estimated annual vehicles miles traveled for the existing baseline condition was estimated to be approximately 1,188,230 miles, requiring approximately 52,220 gallons of gasoline. Thus, the estimated net project annual vehicle miles traveled would be approximately 2,635,091 miles, requiring approximately 137,006 gallons of gasoline.

Estimated net daily and net annual operational emissions (proposed project emissions minus existing baseline conditions) that would be associated with the proposed project are presented in Tables AQ-2 and AQ-3, respectively, and are compared to BAAQMD's thresholds of significance. As indicated in Tables AQ-2 and AQ-3, the estimated proposed project operational emissions would be below the applicable BAAQMD significance thresholds, and would therefore be ***less than significant***.

[13] Area sources include operational emissions associated with hearths (natural gas/propane fireplaces), consumer products (various solvents used in non-industrial applications, which typically include cleaning supplies, kitchen aerosols, and toiletries), area architectural coatings, and landscaping equipment.

[14] Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 10th Edition, 2017.

**Table AQ-2**

**Estimated Net Daily Operational Emissions (pounds)**

| Condition | ROG | NOx | $PM_{10}$ | $PM_{2.5}$ | CO |
|---|---|---|---|---|---|
| | **Proposed Project** | | | | |
| Summer | 9.5 | 13.5 | 10.2 | 2.9 | 35.1 |
| Winter | 8.8 | 14.0 | 10.2 | 2.9 | 36.2 |
| | **Existing Baseline Condition** | | | | |
| Summer | 1.5 | 4.0 | 2.6 | 0.7 | 9.5 |
| Winter | 1.4 | 4.1 | 2.6 | 0.7 | 10.1 |
| | **Net Emissions (Proposed Project minus Existing Baseline Condition)** | | | | |
| **Summer** | **8.0** | **9.5** | **7.6** | **2.2** | **25.6** |
| **Winter** | **7.4** | **9.9** | **7.6** | **2.2** | **26.1** |
| Significance Threshold | 54 | 54 | 82 | 54 | --- |
| Significant (Yes or No)? | No | No | No | No | No |

*SOURCE: CARB CalEEMod Version 2016.3.2.*
*NOTE: Values reflect rounding.*

**Table AQ-3**

**Estimated Net Annual Operational Emissions (tons)**

| Condition | ROG | NOx | PM10 | PM2.5 | CO |
|---|---|---|---|---|---|
| Annual Proposed Project | 1.6 | 2.4 | 1.7 | 0.5 | 6.0 |
| Annual Existing Baseline Condition | 0.2 | 0.7 | 0.4 | 0.1 | 1.7 |
| **Net Proposed Project** | **1.4** | **1.7** | **1.3** | **0.4** | **4.3** |
| Significance Threshold | 10 | 10 | 15 | 10 | --- |
| Significant (Yes or No)? | No | No | No | No | No |

*SOURCE: CARB CalEEMod Version 2016.3.2.*
*NOTE: Values reflect rounding.*

In addition to regional air quality impacts, addressed previously, BAAQMD requires reviewing the proposed project's impacts on localized CO impacts near intersections and other areas with motor vehicles. Increased traffic volumes due to the proposed project operations would result in increased pollutant emissions in the vicinity of the roadways utilized by this traffic, which can cause pollutant levels to exceed the California Ambient Air Quality Standards (CAAQS) or National Ambient Air Quality Standards (NAAQS), especially near congested intersections. The BAAQMD *CEQA Air Quality Guidelines* identify the following screening criteria for determining whether a project's motor vehicle CO emissions would likely cause CAAQS/NAAQS to be exceeded along congested roadways and other areas with motor vehicles. The proposed project would have a less-than-significant impact on localized CO concentrations if the following criteria are met:

- The project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, the regional transportation plan, and local congestion management agency plans.
- The project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour.
- The project traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway).

Existing traffic counts for the De La Cruz Boulevard and Central Expressway intersection (the busiest intersection in the project vicinity) indicate approximately 5,540 trips during the a.m. peak hour and approximately 5,475 trips during the p.m. peak hour.[15] The proposed project would generate new traffic trips (2,394 trips per day with 156 in the a.m. peak hour and 145 in the p.m. peak hour),[16] which would result in intersections being well below the thresholds identified above, and thus would comply with these screening criteria. Based on BAAQMD's screening criteria, project-related traffic would not exceed CO standards and, therefore, no further analysis was conducted for CO impacts. The proposed project's emissions of CO would have a **l*ess-than-significant impact*** on air quality on both a project-level and cumulative basis.

As shown in Tables AQ-1 through AQ-3, the proposed project construction and operational emissions would be less than the BAAQMD significance thresholds per BAAQMD's *CEQA Air Quality Guidelines*. The BAAQMD *CEQA Air Quality Guidelines* recommend that cumulative air quality effects from criteria air pollutants also be addressed by comparison to the mass daily and annual thresholds. These thresholds were developed to identify a cumulatively considerable contribution to a significant regional air quality impact. Project-related construction and operational emissions would be below the significance thresholds. Therefore, the proposed project would not be cumulatively considerable and cumulative impacts would be ***less than significant with mitigation***.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *c) Expose sensitive receptors to substantial pollutant concentrations?* | ☐ | ☒ | ☐ | ☐ |

Explanation: The BAAQMD *CEQA Air Quality Guidelines* require an assessment of air toxics risks and hazards on sensitive receptors[17] within a 1,000-foot radius from the fence line of a proposed source. The operation of heavy-duty equipment during construction of the proposed project would constitute a new emission source of toxic air contaminants (TACs) including diesel particulate matter (DPM) and

[15] Hexagon Transportation Consultants, Inc., Brokaw and Coleman Hotel Development Draft Traffic Impact Analysis, April 3, 2020.

[16] *Ibid*.

[17] Land uses such as schools, children's daycare centers, hospitals, convalescent homes, medical facilities, parks, and playgrounds are considered to be more sensitive than the general public to poor air quality because the population groups associated with these uses have increased susceptibility to poor air quality, and in some cases are more susceptible to respiratory illnesses such as asthma, bronchitis, and chronic respiratory disease. They are referred to by BAAQMD as "sensitive receptors.' However, for purposes of this analysis, residential uses are also considered sensitive receptors.

$PM_{2.5}$.[18] The project site is within an industrial area of the City and the nearest sensitive receptor is greater than 2,000 feet from the fence line of the proposed project. Because construction of the proposed project would be short-term (approximately one year) and the nearest sensitive receptor is greater than 2,000 feet away, it is not anticipated that construction of the proposed project would expose sensitive receptors to substantial pollutant concentrations. The Gateway Crossings Project, south of the project site and opposite of Coleman Avenue, was approved in July 2019. The future Gateway Crossings Project would include a residential component; however, it is unlikely construction would be completed prior to the completion of the proposed project and construction of both projects would likely overlap. Therefore, health impacts associated with the proposed project would be ***less than significant***.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| d) *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?* | ☐ | ☐ | ☒ | ☐ |

Explanation: Though offensive odors from stationary and mobile sources rarely cause any physical harm, they still remain unpleasant and can lead to public distress, generating citizen complaints to local governments. The occurrence and severity of odor impacts depend on the nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of receptors.

The BAAQMD's significance criteria for odors are subjective and are based on the number of odor complaints generated by a project. Generally, the BAAQMD considers any project with the potential to frequently expose members of the public to objectionable odors to cause a significant impact. With respect to the proposed project, diesel-fueled construction equipment exhaust would generate some odors. However, these emissions typically dissipate quickly and would be unlikely to affect a substantial number of people. The proposed project would not involve operational activities that generate odors. Therefore, odor impacts associated with the proposed project would be ***less than significant***.

[18] In 1998, CARB classified diesel particulate matter as a toxic air contaminant, citing its potential to cause cancer and other health problems. The U.S. EPA concluded that long-term exposure to diesel engine exhaust is likely to pose a lung cancer hazard to humans and can also contribute to other acute and chronic health effects.

## IV. BIOLOGICAL RESOURCES — *Would the project:*

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?* | ☐ | ☐ | ☐ | ☒ |

Explanation: Currently developed with three buildings surrounded by paved parking, the project site is entirely devoid of any quality natural habitat. The only natural elements on the site consist of limited landscaping comprised of ornamental landscape trees and shrubs, with a few small areas of patchy grass or exposed soil. Additional street trees located within the public right-of-way line the site frontage on Brokaw Road.

The landscaping on the site provides a limited amount of habitat that could be used for foraging by common urban wildlife species adapted to human environments, such as rats, mice, raccoons, opossums, and a wide variety of passerine birds. Due to the level of disturbance in the vicinity caused by heavy vehicular traffic on Coleman Avenue as well as aviation traffic at San Jose International Airport, whose nearest runway is less than one-quarter mile from the project site, it is unlikely that that birds utilize the trees on or adjacent to the site for nesting, particularly in the smaller on-site trees.

Due to the extent of urban development, with the lack of connection to natural environments, and the amount of regular disturbance in the area, the site is not likely to support even species adapted to urban environments, with the exception of rodents. Any urban wildlife species present on the site would be expected to evacuate the site once demolition of the existing buildings and pavements commences. With no suitable habitat to support them, the project would not adversely affect any special-status species.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *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 Wildlife or U.S. Fish and Wildlife Service?* | ☐ | ☐ | ☐ | ☒ |

Explanation: There is no riparian habitat or other sensitive habitat present on the project site. The project would have ***no impact*** on sensitive habitats.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *c) Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?* | ☐ | ☐ | ☐ | ☒ |

Explanation: There are no wetlands present on the project site. The project would have ***no impact*** on wetlands.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with any established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?* | ☐ | ☒ | ☐ | ☐ |

Explanation: The project site does not appear to provide any habitat that would support migratory wildlife, but such use cannot be ruled out due to the presence of mature trees on and immediately adjacent to the site. Were migratory birds to utilize the site as a movement corridor or nursery site, construction disturbance could adversely affect the success of breeding and active nests could be destroyed by tree removal. This would be a ***potentially significant, adverse impact*** on migratory wildlife. The impact would be reduced to a less-than-significant level through implementation of the following mitigation measure:

**Mitigation Measure BR–1:** If any site grading or project construction will occur during the general bird nesting season (February 1st through August 31st), a bird nesting survey shall be conducted by a qualified raptor biologist prior to any grading or construction activity. If conducted during the early part of the breeding season (January to April), the survey shall be conducted no more than 14 days prior to initiation of grading/construction activities; if conducted during the late part of the breeding season (May to August), the survey shall be performed no more than 30 days prior to initiation of these activities. If active nests are identified, a 250-foot fenced buffer (or an appropriate buffer zone determined in consultation with the California Department of Fish and Wildlife) shall be established around the nest tree and the site shall be protected until September 1st or until the young have fledged. A biological monitor shall be present during earth-moving activity near the buffer zone to make sure that grading does not enter the buffer area.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?* | ☐ | ☒ | ☐ | ☐ |

Explanation: Chapter 12.35 of the Santa Clara City Code requires a permit from the Superintendent of Streets for the removal or alteration of any tree, plant, or shrub on public property. There are five street trees on the Brokaw Road frontage of the project site that are proposed for removal to accommodate the project. The project would be required to comply with General Plan Policy 5.3.1-P10, which requires removed trees to be replaced at a minimum ratio of 2:1; Policy 5.10.1-P3, which requires preservation of trees designated as heritage trees by the City; and Policy 5.10.1-P4, which calls for the protection of all healthy cedars, redwoods, oaks, olives, bay laurel, and pepper trees of any size, and all other trees over 36 inches in circumference as measured at 48 inches above grade. Policies 5.10.1-P3 and 5.10.1-P4 apply to trees on private as well as public property, including the public right-of-way.

A certified arborist surveyed and evaluated all of the trees on the project site, identifying 13 trees with a diameter at breast height (dbh) greater than 4 inches, including four silver dollar gums (*Eucalyptus polyanthemos*), two southern magnolias (*Magnolia grandiflora*), two Italian stone pines (*Pinus pinea*), two xylosmas (*Xylosma congestum*), one deodar cedar (*Cedrus deodara*), one Chinese elm (*Ûlmus parvifolia*), and one Mexican fan palm (*Washingtonia robusta*).[19] The deodar cedar is a protected tree under General Plan Policy 5.10.1-P4. All of the trees were found to be in healthy condition, and only the Mexican fan palm was identified as having high aesthetic value. Taking into consideration appropriate tree protection zones for the species of trees present, the arborist concluded major modifications to the proposed project would be required in order to preserve any of the trees. All 13 of the existing trees are proposed for removal. Because preservation of the deodar cedar is not feasible, implementation of the project would result in a conflict with General Plan Policy 5.10.1-P4, which was adopted for the purpose of reducing an environmental effect. This would therefore be a ***significant adverse impact***. Implementation of Mitigation Measure BR–2, below, would reduce the impact to less than significant.

New City-approved street trees would be planted along the Brokaw Road and Coleman Avenue site frontages of the project site. In addition, a cluster of Chinese pistache trees would be planted adjacent to the vehicle entrance driveway on Coleman Avenue and western redbud trees would be planted in the front corner of the site, adjacent to the Coleman Avenue/ Brokaw Road intersection. A total of 19 new trees would be planted on the project site, as well as sufficient off-site trees to meet the required 2:1 replacement ratio.

The project applicant would be required to obtain a tree removal permit of street trees from the City prior to initiation of demolition activities. The project would therefore not conflict with City Code Chapter 12.35. There are no other local policies or ordinances protecting biological resources that would apply to the project or with which the project could conflict.

**Mitigation Measure BR–2:** The project sponsor shall plant 24-inch box replacement trees at a 2:1 replacement ratio for the deodar cedar proposed for removal.

[19] Aesculus Arboricultural Consulting, *Tree Protection for Proposed Hilton Hotel at 1290 Coleman Avenue, Santa Clara, CA 95050*, January 16, 2020.

Replacement trees shall be of specimen species approved by the City Arborist.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *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?* | ☐ | ☐ | ☐ | ☒ |

Explanation: A habitat conservation plan (HCP) is a document that meets federal Endangered Species Act (ESA) requirements and enables local agencies to approve projects within endangered species' habitats, in exchange for the incorporation of HCP-prescribed measures to avoid, minimize, or compensate for adverse effects on natural communities and endangered species.

A natural community conservation plan (NCCP) is the State counterpart to the federal HCP. It provides a means of complying with the 2003 Natural Community Conservation Plan Act (NCCPA)[20] and obtaining authorization for the "take" of State-protected species.

There is no adopted HCP or other conservation plan applicable to the project site. The only adopted HCP in the project region is the *Santa Clara Valley Habitat Conservation Plan*, adopted by the City of San José on January 29, 2013 and previously approved by the Santa Clara County Board of Supervisors, Santa Clara Valley Water District, City of Gilroy, City of Morgan Hill, and Santa Clara Valley Transportation Authority. The project site is located outside the planning and permit boundaries of this HCP, so the project would not conflict with its provisions.[21]

## V. CULTURAL RESOURCES — *Would the project:*

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?* | ☐ | ☐ | ☒ | ☐ |

Explanation: In order to be considered a significant historical resource as defined in Section 15064.5 of the *CEQA Guidelines*, a building must be at least 50 years old. In addition, Section 15064.5 defines an historical resource as, "… a resource listed in, or determined to be eligible for listing in, the California

[20] California Fish and Game Code, Section 2800.

[21] County of Santa Clara, *et al.*, *Santa Clara Valley Habitat Conservation Plan*, Figure 1-2: Santa Clara Valley Habitat Conservation Plan Study Area and Permit Area, August 2012.

Register of Historical Resources," properties included in a local register of historical resources, or properties deemed significant pursuant to criteria set forth in *Public Resources Code* Section 5024.1(g). According to *CEQA Guidelines* Section 15064.5(a)(3), a lead agency can determine that a resource is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided that the determination is supported by substantial evidence in light of the whole record.

In order to be eligible for listing in the California Register of Historical Resources (CRHR), a property must meet at least one of the following criteria:

- **Criterion 1 (Events):** Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- **Criterion 2 (Persons):** Is associated with the lives of persons important in our past;
- **Criterion 3 (Architecture):** Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- **Criterion 4 (Information Potential):** Has yielded, or may be likely to yield, information important in prehistory or history.[22]

In addition, to be eligible for the California Register, the resource must retain enough of its historic integrity to be recognizable as an historical resource, and typically must be at least 50 years old. Following the National Register of Historic Places integrity criteria, California Register regulations specify that integrity is a quality that applies to historic resources in seven ways: location, design, setting, materials, workmanship, feeling, and association.[23]

Based on a review of historic topographic maps dating to 1889 and historic aerial photographs dating to 1939, the project site was undeveloped and possibly used for agricultural production until at least 1956. Research conducted during preparation of the Phase I Environmental Site Assessment (ESA) summarized in Section IX, Hazards and Hazardous Materials, determined that the site was first developed with a single building on the southwestern corner of the site (1290 Coleman Avenue) in 1963. This building was associated with a gasoline service station that occupied the site from 1965 until approximately 1991. The service station was remodeled and converted to a delicatessen in 1977, followed by several restaurants.

The eastern portion of the property at 1240 Coleman Avenue was first developed with one building in 1965. This building has also been the site of a series of restaurants. The northern portion of the site (312 Brokaw Road) was developed with the current building in 1965, then described as a warehouse. It has been occupied by a variety of commercial and industrial uses over the years.

Due to the age of the buildings in excess of 50 years and the distinctive architecture of the two restaurant buildings, the City commissioned a review of the buildings by an architectural historian to determine whether any of the buildings could be eligible for the California Register of Historical Resources (California Register) and/or the City of Santa Clara Historic Resources Inventory.[24] In addition to an on-site visual assessment and photo documentation of the buildings, the Page & Turnbull architectural historian researched files at the City of Santa Clara Building Division, University

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[22] California Resources Agency, *CEQA Guidelines*, Section 15064.5(a)(3), as amended September 27, 2016.

[23] The definition of integrity under the California Register follows National Register of Historic Places criteria. Detailed definitions of the qualities of historic integrity are in National Register Bulletin 15, *How to Apply National Register Criteria for Evaluation*, published by the National Park Service.

[24] Page & Turnbull, 1240 & 1290 Coleman Avenue – Historic Resource Assessment Memorandum, Project No. 19381, January 9, 2020.

of California Santa Barbara FrameFinder, Online Archive of California, San Jose Public Library, and Ancestry.com.

Page & Turnbull's research determined that the project site was originally inhabited by the Ohlone Native American group of people, and subsequently became part of Mission Santa Clara when the area was colonized by the Spanish. Following the development of nearby San Jose International Airport in 1949 and industrial development around the airport, the project site was used in 1962 as a temporary sales office for the Airport Industrial Park surrounding the airport. The restaurants were then constructed on the site in 1965. Neither of the buildings are currently listed on the National Register of Historic Places (National Register), California Register, or the City of Santa Clara Historic Resources Inventory.

The assessment by Page & Turnbull characterized the vacant restaurant building at 1240 Coleman Avenue as a Midcentury Modern-style commercial building with faux rustic elements designed by architect William W. Johnson for Louis Smith. The currently operating restaurant building at 1290 Coleman Avenue is a one-and-a-half story faux-rustic-style commercial building. The Page & Turnbull report provides a detailed description of the architectural and design elements of the two buildings.

Based on the archival research, the architectural historian found that the two buildings were not associated with the broad patterns of local or regional history or the cultural heritage of California or the United States, do not appear to be the site of any major historical or cultural event or movement, and are not associated with any significant industrial, institutional, commercial, agricultural, or transportation activity. Therefore, they do not meet Criterion 1 (Events) for inclusion on the California Register.

The historic owners do not appear to have contributed substantially to local or regional history, nor were the properties the workplace of a significant person or group. Therefore, neither property appears to be individually eligible under Criterion 2 (Persons). Neither building appears to embody distinctive architectural characteristics of a type, period, region, or method of construction or that represent the work of a master or possess high artistic values. Little information was found on William W. Johnson, the designer of 1240 Coleman Avenue, and only one previous project by Johnson was identified, the Carlmont Chapel (now the Crippen & Flynn Carlmont Chapel) at 1111 Alameda de las Pulgas in Belmont, California. There is no evidence that Johnson was a master architect. The architect of 1290 Coleman Avenue is unknown. However, both properties have been heavily altered with salvaged cladding and building elements, and while they have a distinct appearance, neither building communicates a distinct style. Therefore, Page & Turnbull concluded that neither property appears to be individually eligible under Criterion 3 (Architecture).

Regarding Criterion 4 (Information Potential), Page & Turnbull notes that the "potential to yield information important to the prehistory or history of California" typically relates to archeological resources, rather than built resources. When Criterion 4 does relate to built resources, it is relevant for cases when the building itself is the principal source of important construction-related information. Neither building appears to incorporate construction techniques or materials that, with further research, would contribute to our understanding of history. Therefore, neither property appears individually eligible under Criterion 4.

The evaluation also considered whether the buildings could be eligible for inclusion on the City of Santa Clara Historic Resources Inventory. To be eligible, resources must be at least 50 years of age and meet one of the following criteria:

*Criteria for Historical or Cultural Significance*

*To be historically or culturally significant, a property must meet at least one of the following criteria:*

1. *The site, building or property has character, interest, integrity and reflects the heritage and cultural development of the city, region, state, or nation.*
2. *The property is associated with a historical event.*
3. *The property is associated with an important individual or group who contributed in a significant way to the political, social and/or cultural life of the community.*
4. *The property is associated with a significant industrial, institutional, commercial, agricultural, or transportation activity.*
5. *A building's direct association with broad patterns of local area history, including development and settlement patterns, early or important transportation routes or social, political, or economic trends and activities. Included is the recognition of urban street pattern and infrastructure.*
6. *A notable historical relationship between a site, building, or property's site and its immediate environment, including original native trees, topographical features, outbuildings or agricultural setting.*

Neither building appears to be significant for any historical or cultural association. Both buildings are heavily altered commercial properties that have changed occupants throughout the years. Neither property appears to have been the site of any major historical or cultural event or movement, nor the residence or workplace of a significant person or group. Neither building appears associated with any significant industrial, institutional, commercial, agricultural, or transportation activity. Neither building appears to have contributed to any broad patterns of local history, nor do they retain a notable historical relationship with their site and immediate environment.

*Criteria for Architectural Significance*

*To be architecturally significant, a property must meet at least one of the following criteria:*

1. *The property characterizes an architectural style associated with a particular era and/or ethnic group.*
2. *The property is identified with a particular architect, master builder or craftsman.*
3. *The property is architecturally unique or innovative.*
4. *The property has a strong or unique relationship to other areas potentially eligible for preservation because of architectural significance.*
5. *The property has a visual symbolic meaning or appeal for the community.*
6. *A building's unique or uncommon building materials, or its historically early or innovative method of construction or assembly.*
7. *A building's notable or special attributes of an aesthetic or functional nature. These may include massing, proportion, materials, details, fenestration, ornamentation, artwork or functional layout.*

The buildings at 1240 and 1290 Coleman Avenue do not display any evidence of architectural significance. Both properties have been significantly altered, and do not communicate a definitive architectural style. While the salvaged elements applied to the exterior add visual interest, neither property appears architecturally unique or innovative, nor do they appear to have a visual symbolic

meaning or appeal for the community. As a combination of various styles and materials, neither building incorporates unique or uncommon buildings materials or construction, nor do they have notable or special attributes of an aesthetic or functional nature.

*Criteria for Geographic Significance*

*To be geographically significant, a property must meet at least one of the following criteria:*

1. *A neighborhood, group or unique area directly associated with broad patterns of local area history.*
2. *A building's continuity and compatibility with adjacent buildings and/or visual contribution to a group of similar buildings.*
3. *An intact, historical landscape or landscape features associated with an existing building.*
4. *A notable use of landscaping design in conjunction with an existing building.*

The buildings at 1240 and 1290 Coleman Avenue do not appear to possess geographic significance. Neither properties appear to contribute to a neighborhood, group, or unique area associated with broad patterns of local history. While the buildings were constructed in 1965 at the height of industrial development adjacent to the San Jose International Airport, neither are directly associated with the airport or the industrial development around it. As the subject properties communicate a faux rustic style and a Midcentury Modern style with faux rustic elements, neither retain continuity or compatibility with adjacent buildings. Both properties have minimal landscaping and are surrounded primarily by paved parking lots, and therefore do not display any significance of historical landscape or landscape features.

*Criteria for Archaeological Significance*

*For the purposes of CEQA, an "important archaeological resource" is one which:*

1. *Is associated with an event or person of*
    a. *Recognized significance in California or American history, or*
    b. *Recognized scientific importance in prehistory.*
2. *Can provide information, which is both of demonstrable public interest, and useful in addressing scientifically consequential and reasonable or archaeological research questions;*
3. *Has a special or particular quality such as oldest, best example, largest, or last surviving example of its kind;*
4. *Is at least 100 years old and possesses substantial stratigraphic integrity; or*
5. *Involves important research questions that historical research has shown can be answered only with archaeological methods.*

Although an evaluation of the archaeological significance of 1240 and 1290 Coleman Avenue was outside the scope of assessment performed by Page & Turnbull, a separate evaluation of archaeological resources by Albion Environmental, Inc. is described in the following subsection. Based on their evaluation summarized above, Page & Turnbull concluded that neither of the restaurant buildings on the project site appear to be eligible for the California Register or the City of Santa Clara Historic Resources Inventory. The project would have a ***less-than-significant impact*** on historic resources.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?* | ☐ | ☒ | ☐ | ☐ |

Explanation: The San Francisco Bay area was occupied by Native Americans as far back as 3,000 to 4,000 years ago. Recorded archaeological sites in the region indicate that at the time of initial Euroamerican incursion into the project area (circa 1770), the region was occupied by Native Americans who spoke Tamyen (or Tamien). These people were a subset of the Penutian-speaking Ohlone (referred to as "Costanoans" by the Spanish) residing in northern California at the time the Spanish arrived in the region. The Ohlone territory encompassed much of the San Francisco Bay Area and extended eastward to the Central Valley and southward through Monterey Bay. Previously undiscovered Native American resources are often encountered on the Bay margins and in proximity to historic water sources, among other places.

Many prehistoric archaeological sites have been discovered since the 1960s in the Santa Clara Valley. One area of the valley that has proven especially productive in terms of archaeological resources is what has been termed the "Guadalupe Corridor," the area encompassing the east and west banks of the Guadalupe River. Systematic investigations in this area began in the 1970s and are currently ongoing, including investigations at CA-SCL-128/H, CA-SCL-68, CA-SCL-690, CA-SCL-674, and CA-SCL-478. Many of these sites are relatively large village or residential sites containing rich deposits of artifacts, features, and burials. The data from these sites have played especially prominent roles in the understanding of San Francisco Bay Area cultures.

To evaluate the potential for archaeological resources to be present at the project site, Albion Environmental, Inc., a cultural and natural resource management consulting firm, was retained to conduct a Phase I Archaeological Assessment of the site.[25] The investigation included an archival search of archaeological records at the Northwest Information Center (NWIC) at Sonoma State University to identify any recorded Native American cultural resources in the project vicinity. In addition, a pedestrian survey of the site was performed by an Albion archaeologist on October 3, 2019 to inspect all areas of exposed ground for evidence of archaeological materials.

The archival search revealed that although no previously recorded cultural resources exist within the project site, two resources have been recorded within a quarter-mile of the site. P-43-000433 is located approximately 150 meters west-northwest of the project site. It was first recorded by R. Cartier in 1980 as a precolonial archaeological site of approximately 300 acres that featured a light surficial lithic scatter with projectile points. Surveyors noted that the site is on the edge of the Old Sites of Mission Santa Clara (California Landmark No. 250). P-43-00433 has not been evaluated for inclusion on the National Register of Historic Places (NRHP).

The second archaeological site recorded within a quarter-mile of the project is P-43-001501, recorded by Ward Hill in 2002 as a 120-acre historic industrial complex of buildings related to the Food Machinery Corporation. The complex of buildings located approximately 20 meters south of the project was found to be ineligible for listing on the National Register of Historic Places (NRHP) during the original recording of the site because it did not meet the criteria of "exceptional significance" for a historic district less than 50 years old. The Phase I Archaeological Assessment noted that this should

[25] Albion Environmental, Inc., *Phase I Archaeological Assessment: 1240-1290 Coleman Avenue, Santa Clara, California*, October 2019.

be reevaluated, given how much time has passed, but that is not the responsibility of the hotel project applicant.

The California Historical Resources Information System (CHRIS) records at the NWIC revealed that the project site is part of the historic Rancho Potrero de Santa Clara, land that has been used for a wide variety of activities, including pasturage, cultivation, domestic spaces (squatters), and plant nurseries since the Spanish Mission Period. This piece of property was important economically to the mission and then served as a point of contention during periods of American immigration into this region of California. Finally, the Potrero was owned by two historically significant figures to both California and United States history, James Forbes and Robert Stockton. It is also part of a State Historic Landmark (No. 945), commemorating the first successful introduction of honeybees into California.

The Phase I Archaeological Assessment also identified 21 cultural resources studies that have been conducted within a quarter-mile of the project site, including two conducted for fiber optics installation projects that encompassed the project site. None of the sites were identified as having identified significant cultural resources.

The October 2019 pedestrian survey of the site identified a single piece of igneous rock on the corner of Coleman Avenue and Brokaw Road. Although the rock has several flat surfaces that may be indicative of flaking, the Albion archaeologist was not confident that the piece qualifies as a historical resource under CEQA, and assumes it is part of modern fill used in project area construction. Due to the majority of the site being covered with buildings and pavements, there was very limited surface to scan for other cultural materials.

The Phase I Archaeological Assessment concluded that because the project site is directly adjacent to a known precolonial resource (P-43-000433) and is located within the boundaries of the historic Rancho Potrero de Santa Clara, there is a high likelihood that additional resources may exist within the boundaries of the site. Excavation, grading, or other surface/subsurface disturbance undertaken during the development of the project could encounter and damage or destroy previously unknown archaeological resources that could be present in the subsurface. Any disturbance to such resources, were they to exist, could result in a ***significant, adverse impact*** on archaeological resources. Implementation of the following mitigation measures would reduce the potential impact to a less-than-significant level:

**Mitigation Measure CR–1:** Prior to issuance of a grading permit, the City shall retain the services of a qualified professional archaeologist, to be funded by the project sponsor, to conduct an Extended Phase I Archaeological Assessment that includes subsurface testing for buried cultural resources using manual or mechanical excavation, or a combination of the two. The appropriate locations, methods, and timing of the subsurface testing shall be determined by the archaeologist. If any intact cultural deposits are identified during the subsurface testing that could qualify as a historical or archaeological resource under CEQA, they shall be evaluated for significance, including potential California Register of Historical Resources (CRHR) eligibility or City of Santa Clara Historic Resources Inventory eligibility, and appropriate mitigation measures shall be identified to reduce potential impacts to a less-than-significant level. All recommended mitigation shall be implemented prior to issuance of a building permit.

**Mitigation Measure CR–2:** Throughout site grading and all other ground-disturbing project construction activities, a qualified archaeological monitor shall be present to observe the construction activities in order to identify any

historic or prehistoric cultural resources that could be encountered during the ground-disturbing activities. In the event that any cultural resources are discovered, all ground disturbance within 100 feet of the find shall be halted until the archaeologist can evaluate the resource(s) and, if necessary, recommend mitigation measures to document and prevent any significant adverse effects on the resource(s). (Construction personnel shall not collect any cultural resources.) The results of any additional archaeological effort required through the implementation of this measure and/or Mitigation Measures CR-1 or CR-3 shall be presented in a professional-quality report, to be submitted to the Santa Clara Planning Division and the Northwest Information Center at Sonoma State University in Rohnert Park.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *c) Disturb any human remains, including those interred outside of formal cemeteries?* | ☐ | ☒ | ☐ | ☐ |

Explanation: Similar to the potential to encounter cultural artifacts described in the preceding subsection, there is a possibility that human remains associated with the possible prehistoric occupation of the site by Native Americans. Such remains are considered sacred by Native Americans tribal groups, and their disturbance or destruction during site grading or other project construction activities would be a ***potentially significant impact***. Implementation of the following mitigation measures would reduce the potential impact to a less-than-significant level:

**Mitigation Measure CR–3:** In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and a qualified archaeologist shall notify the Office of the Santa Clara County Coroner and advise that office as to whether the remains are likely to be prehistoric or historic period in date. If determined to be prehistoric, the Coroner's Office will notify the Native American Heritage Commission of the find, which, in turn, will then appoint a "Most Likely Descendant" (MLD). The MLD in consultation with the archaeological consultant and the City, will advise and help formulate an appropriate plan for treatment of the remains, which might include recordation, removal, and scientific study of the remains and any associated artifacts. After completion of analysis and preparation of the report of findings, the remains and associated grave goods shall be returned to the MLD for reburial.

## VI. ENERGY — *Would the project:*

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?* | ☐ | ☐ | ☒ | ☐ |

Explanation: Construction of the proposed project would require consumption of petroleum fuels (primarily diesel) by construction workers travelling to and from the site, by haul trucks importing and exporting construction materials and supplies to the site, and by heavy construction equipment on-site. Once the proposed project is completed and occupied, gasoline and diesel fuel would continue to be consumed by residents, employees, visitors, delivery and repair vehicles, and service providers traveling to and from the site. Electricity and natural gas would be consumed for lighting, space and water heating, and landscape maintenance (i.e., electricity to control irrigation equipment), as well as the operation of appliances and amenities throughout the hotel such as the kitchen, fitness center, laundry, pool/spa, meeting rooms, lobby, elevators, and electric vehicle charging.

The computer modeling of the proposed project's air pollutant emissions described in detail in Section III, Air Quality, utilized standard fuel consumption estimates to determine that project construction activities would require 41,182 gallons of diesel fuel.[26] For the finishing phase of construction, some electricity may be used (e.g., for power tools and work lighting). While this electricity usage cannot be quantified at this time, it is anticipated to be relatively minor compared to normal building operations. When not in use, electric equipment would be powered off so as to avoid unnecessary energy consumption. Natural gas would not be used during construction. Modeling results are included in Appendix A, Air Quality, GHG Emissions & Energy Supporting Information.

During construction of the proposed project, the building contractor would be required by Mitigation Measure AQ–2 (see Section III-b) to limit idling time of equipment and vehicles to 5 minutes or less and maintain construction equipment and vehicles in optimal working condition. These requirements would benefit air quality and would also prevent wasteful or inefficient consumption of fuel during project construction. The building contractor would also be required to comply with the 2019 California Green Building Standards Code (codified in Title 24, Part 11 of the California Code of Regulations (CCR)) Section 5.408 Construction Waste Reduction, Disposal and Recycling, which requires the recycling or salvaging for reuse of a minimum of 65 percent of the nonhazardous construction and demolition waste. The minimum recycling requirements in the City of Santa Clara's Construction and Demolition Debris Recycling Ordinance are not relevant to the proposed project because the requirements in the 2019 California Green Building Standards Code are more restrictive. Compliance with the 2019 California Green Building Standards Code would reduce consumption of energy associated with transport, processing, and disposal of solid waste at landfills.

Annual operational electricity and natural gas consumption were calculated using the demand factors provided in CalEEMod. Modeling results are included in Appendix A. The proposed project's building

[26] Fuel usage is estimated using the CalEEMod output for $CO_2$, and a $kgCO_2$/gallon conversion factor, as cited in the *U.S. Energy Information Administration Voluntary Reporting of Greenhouse Gases Program*, https://www.eia.gov/environment/pdfpages/0608s(2009)index.php.

and parking garage electricity consumption was estimated to be approximately 1.65 million kilowatt-hours (kWh) of electricity per year and natural gas consumption was estimated to be approximately 7.01 billion British Thermal Units (BTU) per year. Existing baseline conditions at the project site were estimated to consume approximately 0.28 million kWh of electricity per year and approximately 0.71 billion BTU of natural gas per year. Therefore, the net project electricity consumption would be approximately 1.37 million kWh of electricity per year and the net natural gas consumption would be approximately 6.30 billion BTU per year.

The daily vehicle trip rate of 8.36 weekday trips per hotel room was used to estimate mobile vehicle emissions.[27] The estimated annual vehicle miles traveled for the proposed project would be approximately 4,523,321 miles, requiring approximately 189,226 gallons of gasoline. The estimated annual vehicles miles traveled for the existing baseline condition was estimated to be approximately 1,188,230 miles, requiring approximately 52,220 gallons of gasoline. The estimated net project annual vehicle miles traveled would be approximately 2,635,091 miles, requiring approximately 137,006 gallons of gasoline.

Once the proposed project is completed and occupied, the City would not have direct control over how hotel staff and guests consume energy, but inefficient use of energy would be minimized through the proposed project's required compliance with the 2019 California Green Building Standards Code codified in Part 11 of Title 24 and with general building energy efficiency standards, also part of Title 24, which require energy-efficient building envelope requirements, such as ceiling and rafter roof insulation, walls, floors, windows, and doors.

The California Energy Code (Part 6 of Title 24) also sets energy/water efficiency standards for HVAC, water heating, indoor lighting for conditioned spaces, indoor lighting for parking garages, outdoor lighting, electric power distribution, pool and spa systems, and solar ready buildings. There are also federal regulations pertaining to appliance efficiency, and in many cases, the California standards are the same as the federal standards. It should be noted that water efficiency contributes to energy efficiency by reducing energy requirements for treating and pumping domestic water.

Compliance with these required regulations would ensure that construction and operation of the proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources. Therefore, the project would have a ***less-than-significant impact*** on energy resources.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?* | ☐ | ☐ | ☒ | ☐ |

Explanation: Additional energy regulatory setting information is included in Appendix A, Air Quality, GHG Emissions & Energy Supporting Information. Senate Bill 1389 requires the California Energy Commission to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing the State's electricity, natural gas, and transportation fuel sectors and provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the State's economy; and protect public health and safety. The 2018

[27] Institute of Transportation Engineers (ITE), *Trip Generation*, 10th Edition, 2017.

*Integrated Energy Policy Report* update is the most recent update.[28] The State's energy system includes energy extraction, transport, conversion (such as combusting natural gas in power plants to generate electricity or producing gasoline and diesel from crude oil in refineries), and consumption for services (such as electricity for lighting, natural gas use in homes and buildings for space and water heating, pumping water to communities and crops, and gasoline and diesel to fuel cars and trucks), as well as electricity from out-of-State plants serving California.

California's electricity generation capacity is composed of multiple fuel sources, including coal, hydroelectric, natural gas, nuclear, oil, petroleum coke, waste heat, biomass, geothermal, solar photovoltaic, solar thermal, and wind. In 2018, the State had an installed generation capacity from these multiple sources of 194,727 gigawatt hours (GWh).[29] The composition of California's in-State generation capacity has shifted since the 2002 passage of Senate Bill 1078, which required that 20 percent of electric production come from renewable resources by 2017. Electricity for the project would be provided by Silicon Valley Power, which was already exceeding the State-mandated targets as of 2017; in that year, SVP achieved a renewable portfolio standard (RPS) of 27 percent in retail sales.[30]

With the passage of SB X1-2 in 2011, the mandatory RPS was increased to 33 percent renewables by 2020; it was raised again to 50 percent renewables by December 31, 2030 by SB 350, passed in 2015. And in 2018, the legislature increased the mandate once again with SB 100, which now requires 60 percent eligible renewable energy compliance by December 31, 2030. According to its Integrated Resource Plan, Silicon Valley Power is well positioned to meet the new renewable energy compliance requirements of these State laws, including SB 100. This would further reduce the amount of nonrenewable fuels consumed to supply electricity to the project site.

Because energy consumption is directly tied to the emissions of GHGs, and in fact, is the source of 80 percent of GHG emissions in the State,[31] the City of Santa Clara's Climate Action Plan (CAP), intended to reduce emissions of GHGs, can be viewed as a local plan for energy efficiency, and in fact it contains GHG reduction measures specifically pertaining to building and energy efficiency as well as measures to conserve water. (As noted above, water conservation has a beneficial effect on energy consumption.) As discussed in more detail in Section VIII-b, below, the proposed project would not conflict with the City's CAP, and therefore would not conflict with a local plan for energy efficiency.

Because the CEC's *Integrated Energy Policy Report* is intended to reduce GHG emissions by transitioning the State's energy portfolio to more renewable energy sources, it can also be viewed as a plan for renewable energy and energy efficiency on the Statewide level. As discussed in Section VI-a, above, the proposed project would be required to comply with a variety of building and appliance energy efficiency standards, which would maximize its energy efficiency. Therefore, the proposed project would have a ***less-than-significant impact*** and would not conflict with a State or local plan for renewable energy or energy efficiency.

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[28] California Energy Commission, *2018 Integrated Energy Policy Report Update Volume II*. https://ww2.energy.ca.gov/2018publications/CEC-100-2018-001/CEC-100-2018-001-V2-CMF.pdf

[29] California Energy Commission, *California Energy Almanac*, Electric Generation Capacity & Energy, In-State Electric Generation by Fuel Type. http://www.energy.ca.gov/almanac/ electricity_data/electric_generation_capacity.html.

[30] Silicon Valley Power, *2018 Integrated Resource Plan*, § 3.4: Renewable Energy Resources Summary. https://www.siliconvalleypower.com/home/showdocument?id=62481.

[31] California Energy Commission, *2016 IEPR Update: Integrated Energy Policy Report*, Publication No. CEC-100-2016-003-CMF, Chapter 1: Environmental Performance of the Electricity Generation System, 2016.

## VII. GEOLOGY AND SOILS — *Would the project:*

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *a) Directly or indirectly cause 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.* | ☐ | ☐ | ☐ | ☒ |

Explanation: No seismically active fault crosses the project site or in proximity to the site, and the site is not located within an Alquist-Priolo fault zone. The nearest active faults are the Hayward, Monte Vista-Shannon, and Calaveras faults, located about 6.5 miles northeast, 7.1 miles west, and 9.5 miles northeast of the site, respectively.[32] Another major fault, the San Andreas Fault, is located about 11 miles southwest of the site. There is no potential for fault rupture at the project site.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *ii) Strong seismic ground shaking?* | ☐ | ☐ | ☒ | ☐ |

Explanation: Similar to most locations throughout the San Francisco Bay Area, the project site is potentially subject to strong seismic ground shaking during an earthquake on one of the major active earthquake faults that transect the region. The project is in an area mapped as having a Very Strong seismic shaking severity potential, equivalent to a Modified Mercalli Intensity of 8,[33] corresponding to moderate structural damage.[34] The major active faults with the potential to affect the project include the Hayward, Calaveras, and San Andreas faults, discussed in the preceding subsection.

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[32] Atlas Geosphere Consultants, Inc., *Geotechnical Engineering Study: New Hotel Development, 312 Brokaw Road and 1240-1290 Coleman Avenue, Santa Clara, California 95050*, July 22, 2019.

[33] The Modified Mercalli Intensity scale, often represented as MM or MMI, is a measure of earthquake intensity employed by the U.S. Geological Survey that describes the effects of an earthquake on natural features, manmade structures, and human beings. It has 12 levels ranging from I (felt by very few people) to XII (total destruction of buildings). It differs from earthquake magnitude, which is a measure of how much energy is released by an earthquake.

[34] Association of Bay Area Governments, Earthquake and Hazards Program, Probabilistic Seismic Hazard Analysis [interactive map], accessed September 13, 2019 at: http://gis.abag.ca.gov/website/Hazards/?hlyr=seismicHazardAnalysis.

In 2015, the Working Group on California Earthquake Probabilities (WGCEP), in conjunction with the United States Geological Survey (USGS), published an updated report evaluating the probabilities of significant earthquakes occurring in the Bay Area over the next three decades. The WGCEP estimated that there is a 72-percent probability that at least one magnitude (M) 6.7 or greater earthquake will occur within the San Francisco Bay region over the next 30 years. This probability is an aggregate value that considered seven principal Bay Area fault systems, including the Hayward, Calaveras, and San Andreas faults, as well as unknown faults.[35]

To evaluate the potential for seismic shaking and ground failure at the project site, a geotechnical investigation was performed by Atlas Geosphere Consultants, Inc.[36] As part of the investigation, Atlas Geosphere conducted subsurface testing at the site consisting of three test borings drilled to depths ranging from 35 feet to 45 feet below the ground surface (bgs). Additionally, three cone penetration test (CPT) probes were advanced to depths ranging from 45 to 65 feet bgs. The test borings and CPT probes were advanced at locations throughout the project site, as shown on Figure GEO-1. The soil borings were used to collect soil samples, while the CPT probes measured parameters such as cone resistance, friction resistance, friction ratio, and pore pressure ratio versus depth. The CPT data was subsequently processed based on generally accepted soil behavior type correlations to interpret soil classification.

The collected soil samples were submitted to laboratory testing to determine some of the physical and engineering properties of the subsurface soils. This included the following tests:

- Dry Density and Moisture Content (ASTM D2216 and ASTM 2937) to measure the in-place dry density and moisture content of the subsurface materials;
- Atterberg Limits (ASTM D4318 and CT204) to determine the Liquid Limit, Plastic Limit, and Plasticity Index in order to evaluate the expansive characteristics of the soil and determine the USCS soil classification;
- Percent Passing USCS No. 200 Sieve (ASTM D1140) to measure the percent passing the No. 200 sieve, or fines content, which is useful in classification of the soil as a granular or cohesive material and in evaluating the liquefaction susceptibility of granular soils or soils of relatively low cohesion;
- Unconsolidated-Undrained Triaxial Compression Test (ASTM D2850m) to measure the undrained shear strength of the tested material, which is useful in evaluating the foundation support characteristics of the soil;
- R-Value Test (ASTM D2844 and CT301) to provide data on prospective pavement subgrade materials for use in new pavement section design; and
- Soil Corrosivity, Redox (ASTM G200), pH (ASTM G51), Resistivity (ASTM G57), Chloride (ASTM D4327), and Sulfate (ASTM D4327) to determine the effects of constituents in the soil on buried steel and concrete. Water-soluble sulfate testing is required by the California Building Code (CBC) and International Building Code (IBC).

Analysis of the soil borings revealed that the site is underlain by stratified alluvial deposits generally composed of stiff to hard clays with varying amounts of sand to approximate depths of 11.5 to 21 feet. These deposits are underlain primarily by granular, loose to very dense sands with varying amounts of clay and gravel to depths ranging from about 30 to 31 feet, which in turn are underlain by very stiff clays to the maximum depth explored of about 40 feet in borings B-2 and B-3. The clay layer in Boring B-1 was underlain by very dense sand to the maximum depth explored of about 45 feet. The soils

[35] Atlas Geosphere Consultants, Inc., *op. cit.*

[36] *Ibid*.


## Figure GEO-1

## Subsurface Testing Locations

Source: Geosphere Consultants, Inc.

encountered in the CPTs were similar to those encountered in the borings. Other results are summarized later in this section. Although undocumented fill soils were not encountered in the subsurface testing of the site, it was noted that they could occur underneath the existing buildings on the site, where test boring was not feasible.

Given the magnitude of seismic ground shaking and related peak ground acceleration that could be experienced at the site, noted above, there is potential for a strong seismic event in the region to result in catastrophic structural failure of the proposed hotel, with potential to severely injure or kill building occupants. However, in accordance with recent CEQA case law (e.g., *California Building Industry Association v. Bay Area Air Quality Management District* (Aug.12, 2016) 2 Cal.App.5$^{th}$ 1057), CEQA generally no longer considers an impact of the environment on a project to be a significant impact. Accordingly, this would be a ***less-than-significant impact***.

Nonetheless, required compliance with other adopted regulations would maximize the ability of the proposed hotel to withstand strong seismic shaking and protect building occupants. Pursuant to Chapter 15.15 of the Santa Clara City Code, the City of Santa Clara has adopted the 2019 California Building Code as its building code, and all new construction within the City is required to comply with its provisions. Non-residential projects must submit plans prepared by an architect or engineer licensed by the State of California that are based on a site-specific geotechnical or soils report prepared by a geotechnical engineer that includes recommendations for site preparation and foundation design.

The California Building Code (CBC) is another name for the body of regulations known as the California Code of Regulations (CCR), Title 24, Part 2, which is a portion of the California Building Standards Code (CBSC). Title 24 is assigned to the California Building Standards Commission, which, by law, is responsible for coordinating all building standards. Under State law, all building standards must be centralized in Title 24 or they are not enforceable.

The CBC contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance. CBC provisions provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures and certain equipment. The CBC incorporates the International Building Code (IBC), with California amendments necessary for seismic safety. In 2000, the IBC replaced the former Uniform Building Code (UBC), which was a widely adopted model building code in the United States.

The section of the CBC referred to as ASCE Standard 7-10, Minimum Design Loads for Buildings and Other Structures, published by the American Society of Civil Engineers (ASCE), establishes the seismic design criteria and requirements for buildings and other structures subject to earthquake-induced ground motions. The design recommendations presented in the geotechnical report for the proposed project were made in accordance with ASCE Standard 7-10.

ASCE 7-10 specifies the use of Peak Ground Acceleration (PGA) for use in liquefaction analyses. Atlas Geosphere, the geotechnical consultant for the project, used a PGA of 0.5g and a Mean Magnitude of 6.88, based on the return period of 10 percent in 50 years listed in the Unified Hazard Tool Deaggregation Report. Measured groundwater depth of 8 feet was assumed in the analyses, which calculated post-earthquake liquefaction-induced ground settlements at the project site ranging from 0.75 to 1.5 inches. The calculated liquefaction settlements were found to generally occur within discontinuous granular soil layers at depths primarily between 20 and 30 feet bgs.

The recommendations presented in the Atlas Geosphere report include over-excavating the site and backfilling it with properly compacted engineered fill, scarified to a depth of at least 8 inches, moisture conditioned, and compacted to the requirements for engineered fill stipulated in Table 7 of the geotechnical report, which vary by location and proposed development (e.g., building pad, retaining

wall, pavement, utility trench, etc.). Due to the potential for liquefaction and/or settlement, the buildings should be supported on a deep foundation system, either an auger-cast pile (ACP) foundation system or driven piles. However, the geotechnical report also stated that a shallow spread-footing foundation bearing on soils strengthened through ground improvement methods—such as aggregate piers, drill displacement columns, or soil-cement mixed columns—would be suitable.

Atlas Geosphere stipulated that on-site soils having an organic content of less than 3 percent by weight and Plasticity Index of less than 15 can be reused as fill, upon approval by the Geotechnical Engineer. Imported soil should be relatively non-expansive, having a Plasticity Index of 15 or less, an R-Value greater than 40, and contain sufficient fines so the soil can bind together. Imported materials should be free of environmental contaminants, organic materials and debris, and should not contain rocks or lumps greater than 3 inches in diameter. Import fill materials must be approved by the Geotechnical Engineer prior to use on site.

The geotechnical investigation report contains a lengthy list of additional recommendations pertaining to site preparation, site grading, utility trench excavation and backfills, foundation excavation, site drainage, pavement design, and more. A geotechnical engineer should be present during all site preparation, grading, utility construction, and foundation excavation in order to observe and ensure compliance with the design concepts, specifications, and recommendations, and to allow for possible changes in the event that subsurface conditions differ from those currently anticipated.

The Santa Clara Building Division will ensure that the project design incorporates the recommendations in the geotechnical report and that it complies with the 2019 California Building Standards Code, which includes detailed structural design requirements intended to provide adequate structural integrity to withstand the maximum credible earthquake and the associated ground motion acceleration. Compliance with the applicable building codes will maximize the structural stability of the proposed building and minimize the potential for damage and injury during a strong seismic event.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *iii) Seismic-related ground failure, including liquefaction?* | ☐ | ☐ | ☒ | ☐ |

Explanation: Liquefaction occurs when clean, loose, saturated, uniformly graded, fine-grained soils are exposed to strong seismic ground shaking. The soils temporarily lose shear strength and cohesion, thereby causing the soil to flow as a liquid. This can result in a loss of ground stability that can cause building foundations to fail. Because of the higher intergranular pressure of the soil at greater depths, the potential for liquefaction is generally limited to the upper 40 feet of the soil.

The project site is within an area mapped by the California Geological Survey as having liquefaction potential.[37] Pursuant to Public Resources Code Section 2697(a), a geotechnical report defining and delineating any seismic hazard is required before a city or county can approve a project located in a seismic hazard zone. The Atlas Geosphere geotechnical investigation discussed above fulfills this requirement for the proposed project.

Based on the CPT data collected during the geotechnical investigation, potentially liquefiable granular soils were encountered in each of three CPTs conducted at the project site by Atlas Geosphere. As

[37] California Geological Survey, Seismic Hazard Zones, San Jose West Quadrangle [map], 2002.

previously noted, the liquefaction susceptibility study performed by Atlas Geosphere estimated post-earthquake liquefaction-induced ground settlements at the project site could range from 0.75 to 1.5 inches, and these settlements would be expected to generally occur between 20 and 30 feet bgs.

Seismically-induced soil liquefaction can cause other ground failure, including lateral spreading, sand boils, and areal and differential settlement. Lateral spreading, where soil spreads laterally on top of the liquefied soil layer, can happen on relatively flat sites with slopes of less than 2 percent; it generally occurs when the liquefied layer is in relatively close proximity to an open, free slope face such as the bank of a creek channel. Lateral spreading can lead to surficial ground tension cracking (i.e., lurch cracking) and settlement. Since no significant free slope faces or significant, continuous liquefaction-susceptible soils were encountered at the project site, Atlas Geosphere concluded that there is little to no potential for significant lateral spreading to occur at the site.

Another type of potential seismic-related ground failure is dynamic densification or settlement, which is a process in which unsaturated, relatively clean sands and silts are densified by the vibratory motion of a strong seismic event. No significant layers of loose, clean sands or silts were encountered at the project site within the uppermost 10 feet of the soil profile. Atlas Geosphere also utilized CLiq v 2.2.1.11 software developed by Geologismiki to evaluate the potential for liquefaction settlement. The calculation of soil resistance against liquefaction revealed no significant dynamic densification potential at the site.

Yet another form of potential seismic-related ground failure is consolidation, which is the densification of soil into a more dense arrangement from additional loading, such as from new fills or foundation loads. On clayey soils, consolidation is usually a long-term process, whereby the water is squeezed out of the soil matrix over time. In contrast, sandy soils tend to consolidate relatively rapidly with the introduction of a load. Consolidation of soft and loose soil layers and lenses can cause settlement of the ground surface or buildings. Given the type of soils at the site and the depth to groundwater, the potential for substantial consolidation settlement at the project site is estimated to be moderate to high for relatively high loads on shallow foundations such as spread footings, and could result in consolidation settlements exceeding 2 inches. Consequently, Atlas Geosphere recommended against the use of shallow foundations such as spread footings for the proposed hotel project unless supporting soils are strengthened through ground improvement methods such as aggregate piers, drill displacement columns, or soil-cement mixed columns, as previously noted.

Despite the potential for various forms of seismic-related ground failure at the project site, for the reasons set forth in Section VII(a)(ii), this would be a ***less-than-significant impact***. Moreover, the required compliance with the California Building Code as well as the recommendations in the geotechnical investigation report by Atlas Geosphere would ensure that the site preparation and building design requirements would minimize threats from seismic-related ground failure and the potential for structural failure and associated threat to human health and safety.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *iv) Landslides?* | ☐ | ☐ | ☐ | ☒ |

Explanation: A landslide is a slope failure created by down-slope slippage of a mass of earth or rock that typically occurs as a planar or rotational feature along single or multiple surfaces. Landslides can range from slow-moving, deep-seated slumps to rapid, shallow debris flows. The hazard is greatest

on steep slopes with gradients of 15 percent or more, but can occur on shallower slopes with unstable soils, particularly when saturated.

The project site is essentially level, as are all of the parcels surrounding the site. There are no steep slopes located in close proximity to the site. Consequently, the potential for landslides is non-existent. There would be ***no impact*** due to landslides.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *b) Result in substantial soil erosion or the loss of topsoil?* | ☐ | ☒ | ☐ | ☐ |

Explanation: Any construction project that exposes surface soils creates a potential for erosion from wind and stormwater runoff. The potential for erosion increases on large, steep, or windy sites; it also increases significantly during rainstorms. Although the proposed project would occur on a level site, construction is expected to occur during the rainy season, which increases the potential for erosion at the site. In addition, approximately 2.18 acres of land would be disturbed, increasing the potential for exposure of soils to the erosional effects of wind and rain. Therefore, the potential for erosion during project construction would be fairly high and would be considered a ***potentially significant impact*** on the environment. The impact would be reduced to a less-than-significant level through implementation of the Erosion Control Plan required by Mitigation Measure WQ–1 and additional erosion controls required by Mitigation Measure WQ–2 (see Section X).

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *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?* | ☐ | ☐ | ☒ | ☐ |

Explanation: As discussed in Sections VII-a-ii and VII-a-iii, above, there is no potential for landslide at the site and there is very low potential for lateral spreading, but there is potential for liquefaction and for consolidation. As previously noted, the project would be required to meet engineering and structural requirements and comply with all applicable building codes and seismic requirements, which would ensure that the proposed hotel building would not be exposed to unstable ground that could result in structural failure. This would therefore be a ***less-than-significant impact***.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *d) Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2019), creating substantial direct or indirect risks to life or property?* | ☐ | ☐ | ☒ | ☐ |

Explanation: Expansive soils can undergo significant volume change with changes in moisture content. They shrink and harden when dried and expand and soften when wetted. The risks associated with expansive soils generally occur within approximately 5 feet of the ground surface, where substantial changes in soil volume can damage building foundations and pavements. The subsurface testing that was conducted as part of the geotechnical investigation of the site, discussed in Section VII-a-iii, determined that the clayey alluvial soils within the upper 5 feet of the site are of medium plasticity, and such soils typically exhibit a moderate expansion potential with moisture variation. To address this potential hazard, the geotechnical investigation report recommends that interior floor slabs and critical exterior flatwork be supported on a layer of non-expansive engineered fill. It also recommends constructing bottoming footings slightly deeper than normal, and moisture conditioning subgrades prior to the construction of pavement sections and exterior concrete slabs. Implementation of this recommendation, which will be required by the Santa Clara Building Division, would eliminate the risk of expansive soils adversely affecting the structural stability of the proposed foundations, building, and pavements. This would be a ***less-than-significant impact***.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *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?* | ☐ | ☐ | ☐ | ☒ |

Explanation: The project would utilize the existing sanitary sewer system that serves the project area; septic tanks or alternative wastewater disposal systems would not be required.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?* | ☐ | ☐ | ☐ | ☒ |

Explanation: Paleontological resources are the fossilized remains of vertebrate or invertebrate organisms from prehistoric environments found in geologic strata. They are valued for the information they yield about the history of the earth and its past ecological settings. They are most typically

embedded in sedimentary rock foundations, and may be encountered in surface rock outcroppings or in the subsurface during site grading.

Based on the subsurface geological testing of the project site, no sedimentary rock foundations are present to depths of 40 to 65 feet bgs. Site grading would not come close to these depths and is therefore not expected to encounter paleontological resources during project construction. The project would have ***no impact*** on paleontological resources.

## VIII. GREENHOUSE GAS EMISSIONS — *Would the project:*

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?* | ☐ | ☒ | ☐ | ☐ |

Explanation: Greenhouse gases (GHGs) refer to gases that trap heat in the atmosphere and contribute to global warming. GHGs are typically reported in "carbon dioxide-equivalent" measures ($CO_2e$).[38] The primary GHGs are carbon dioxide ($CO_2$), methane ($CH_4$), nitrous oxide ($NO_x$), sulfur hexafluoride ($SF_6$), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor ($H_2O$). The majority of GHG emissions in the Bay Area come from transportation (39.7 percent), followed by industrial/commercial sources (35.7 percent) and electricity generation (14.0 percent). Construction equipment and other off-road equipment contribute 1.5 percent of the total GHG emissions.[39] The majority of GHG emissions in the City of Santa Clara come from industrial/commercial sources (60 percent), followed by transportation (30 percent) and residential sources (8 percent). Solid waste and water/wastewater conveyance contribute approximately 2 percent of total GHG emissions.[40] Additional GHG emission setting information is provided in Appendix A, Air Quality, GHG Emissions & Energy Supporting Information

For quantifying a project's GHG emissions, the Bay Area Air Quality Management District (BAAQMD) recommends that all GHG emissions from a project be estimated, including a project's direct and indirect GHG emissions from operations. Direct emissions refer to emissions produced from on-site combustion of energy, such as natural gas used in furnaces and boilers, emissions from industrial processes, and fuel combustion from mobile sources. Indirect emissions are emissions produced offsite from energy production and water conveyance due to a project's energy use and water consumption.

For projects that will be constructed and operational before January 1, 2021, the BAAQMD *CEQA Air Quality Guidelines* identify a project-specific threshold of either a bright line threshold of 1,100 metric

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[38] Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalents," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

[39] Bay Area Air Quality Management District, *Bay Area Emissions Inventory, Summary Report: Greenhouse Gases, Base Year 2011*, Table F: 2011 Bay Area GHG Emissions by Sector, updated January 2015.

[40] City of Santa Clara, *Climate Action Plan 2018 Annual Report*, July 2018. http://santaclaraca.gov/home/showdocument?id=62433.

tons of $CO_2e$ per year or an "efficiency threshold" of 4.6 metric tons of $CO_2e$ per year per service population (i.e., the number of guests plus the number of employees). Projects exceeding this threshold would result in a cumulatively considerable contribution of GHG emissions and a cumulatively significant impact. Alternatively, a project that is found to be consistent with a Qualified Greenhouse Gas reduction strategy, such as a Climate Action Plan (CAP), would have a less-than-significant impact to global climate change. However, the City's 2013 CAP does not address development subsequent to 2020, and so cannot be used for the proposed project, since the first full year of operation would be 2023 at the earliest. Consequently, this analysis applies the "efficiency threshold" of $CO_2e$ per year per service population significance criterion while also reviewing the goals, policies, and measures within the City of Santa Clara CAP.

These numeric thresholds, however, were to achieve the State's 2020 target of 1990 GHG levels. The proposed project is not anticipated to be completed until 2022 and the first full year of operation would not be until 2023, and so the 2020 target is not appropriate for this proposed project. On September 8, 2016, Governor Brown signed Senate Bill (SB) 32 into law, amending the California Global Warming Solution Act. SB 32 requires the California Air Resources Board (CARB) to ensure that statewide GHG emissions are reduced to 40 percent below 1990 levels by 2030, and CARB adopted an updated Climate Change Scoping Plan in December 2017 to provide a framework for achieving this more stringent 2030 target. BAAQMD has yet to publish a threshold for 2030 in response to SB 32 and the CARB Scoping Plan. So, in the interim, the City has been utilizing a threshold of significance that is 40 percent below the 2020 BAAQMD targets in its environmental documents. Consequently, for the purposes of this Initial Study, a bright-line threshold of 660 MT $CO_2e$ per year, and an efficiency threshold of 2.8 metric tons of $CO_2e$ per year per service population, is utilized based on the GHG reduction goals of SB 32.

Because BAAQMD has not established separate thresholds of significance for construction-related emissions of GHG, the assessment of potential GHG impacts presented below addresses both construction and operational GHG emissions together, and applies the operational standards of significance to both emissions sources. CalEEMod was used to quantify GHG emissions associated with construction activities, as well as long-term operational emissions produced by motor vehicles, natural gas combustion for space and water heating, electricity use, and landscape maintenance equipment.

CalEEMod incorporates GHG emission factors for the central electric utility serving the Bay Area. Default rates for energy consumption were assumed in the model. Emissions rates associated with electricity consumption were adjusted to account for Silicon Valley Power's (SVP's) projected $CO_2e$ intensity rate, which is not included in CalEEMod's default assumptions. SVP's projected $CO_2e$ intensity rate of 271 pounds of $CO_2e$ per megawatt of electricity produced for 2023 (the first full year of project operations) was used.[41] CalEEMod was also adjusted to account for compliance with the 2019 California Green Building Standards Code and the State's recycling goals. CalEEMod also accounted for the transportation benefits of the proposed project as the project site is in an urban setting within one-quarter mile of the Downtown Santa Clara Caltrain Station.

Project construction would generate GHG emissions of approximately 419 metric tons of $CO_2e$. There is no BAAQMD CEQA significance threshold for construction-related GHG emissions, so this analysis (similar to many other analyses prepared in the San Francisco Bay Area Air Basin) amortizes the construction emissions over the lifetime of the proposed project (30 years).[42] The 30-year amortized annual construction-related GHG emissions would be approximately 14 metric tons of $CO_2e$. The

[41] ICF, *Air Quality and Greenhouse Gas Technical Report for the LS1 Data Center Project*, August 2019, https://www.santaclaraca.gov/home/showdocument?id=64697

[42] For CEQA documents within the BAAQMD and the City of Santa Clara, it is customary for construction GHG emissions be amortized over a 30-year project lifetime and then added to the annualized operational GHG emissions. These total emissions are then compared to the significance threshold.

combined GHG construction and operational emissions would be 2,328 metric tons of $CO_2e$ per year. CalEEMod results are included in Appendix A.

Existing baseline conditions at the project site include a 10,840-square foot office building occupied by AVR Van Rental solutions, an airport van rental business (312 Brokaw Road), a 2,078-square-foot restaurant (1290 Coleman Avenue) occupied by La Costa Del Sol, and a 3,500 square foot restaurant (1240 Coleman Avenue), which is currently vacant. The project site is an existing source of operational emissions; therefore, CalEEMod was used to estimate the existing baseline operational emissions generated by AVR Van Rental solutions and La Costa Del Sol (emissions from the vacant restaurant building on the site were assumed to be zero). CalEEMod results are included in Appendix A. Existing baseline operational GHG emissions attributed to the project site are approximately 564 metric tons of $CO_2e$ per year.

The proposed project's estimated net construction and operational GHG emissions are presented in Table GHG-1. The proposed project's net annual GHG emissions would be approximately 1,764 metric tons of $CO_2e$ per year, or 2.6 metric tons of $CO_2e$ per year per service population (600 hotel guests[43] plus 75 employees), which is below the threshold used by the City of 2.8 metric tons per year per service population. Therefore, the proposed project would have a ***less-than-significant impact***.

**Table GHG-1**

**Estimated Net Annual Greenhouse Gas Emissions (metric tons)**

| Source | Annual $CO_2e$ Metric Tons |
|---|---|
| **Proposed Project Construction (30-year amortized)** | 14.0 |
| **Proposed Project Operations** | |
| Area Sources | 0.01 |
| Energy | 579.3 |
| Mobile | 1,686.3 |
| Solid Waste | 27.5 |
| Water | 21.0 |
| **Total Proposed Project Emissions (Construction plus Operations)** | **2,328** |
| **Existing Conditions** | **564** |
| **Net Proposed Project Emissions (Project minus Existing)** | **1,764** |
| Service Population (guests plus employees) | 675 |
| **Net Proposed Project Emissions Per Service Population** | **2.6** |
| BAAQMD Significance Threshold (adjusted for 2030) | 2.8 |
| Significant (Yes or No)? | No |

*SOURCE: CARB CalEEMod Version 2016.3.2.*

[43] American Hotel & Lodging Association, *Lodging Industry Trends 2015*, https://www.ahla.com/sites/default/files/Lodging_Industry_Trends_2015.pdf.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?* | ☐ | ☐ | ☒ | ☐ |

Explanation: The City of Santa Clara adopted its *Climate Action Plan* (CAP) in 2013.[44] The CAP identifies how the City will achieve the State-recommended GHG emissions reduction target of 15 percent below 2008 levels by the year 2020 (equivalent to 1990 emissions). The CAP provides goals and emissions reduction measures to address energy use, transportation, land use, water, solid waste, and off-road equipment. However, the City's 2013 CAP does not address development subsequent to 2020, therefore the proposed project would not conflict with the CAP. Nonetheless, Table GHG-2 discusses the project's consistency with relevant CAP measures.

AB 32, which is the principal State law adopted for the purpose of reducing GHG emissions, includes a quantitative goal of reducing GHG emissions to 1990 levels by 2020. Statewide plans and regulations such as GHG emissions standards for vehicles and the low carbon fuel standard are being implemented at the statewide level, and compliance at the specific plan or project level is not addressed. In September of 2016, AB 32 was extended to achieve reductions in GHG of 40 percent below 1990 levels by 2030. The new plan, outlined in SB 32, involves increasing renewable energy use, putting more electric cars on the road, improving energy efficiency, and curbing emissions from key industries. Additional GHG emissions setting information is provided in Appendix A.

The assumption is that SB 32 and other regulations will be successful in reducing the cumulative GHG emissions 40 percent below 1990 levels statewide by 2030. The State has taken these measures, because no project individually could have a major impact (either positively or negatively) on the global concentration of GHGs. Therefore, the proposed project would result in a significant impact if it would be in conflict with SB 32. Since the proposed project is below the City's GHG efficiency threshold, which accounts for GHG reductions per SB 32, the proposed project would not conflict with SB 32 and other State regulations for reducing GHG emissions.

Under the requirements of SB 375, the MTC and ABAG developed a Sustainable Communities Strategy, along with the adopted *Plan Bay Area 2040*, to achieve the Bay Area's regional GHG reduction target. Targets for the San Francisco Bay Area, approved in March 2018 by CARB, include a 10-percent reduction in per-capita GHG emissions from passenger vehicles by 2020 compared with emissions in 2005. The adopted target for 2035 is a 19-percent reduction in per-capita GHG emissions from passenger vehicles compared with emissions in 2005. The emission reduction targets are associated with land use and transportation strategies only.

SB 743 aligns with *Plan Bay Area 2040* strategies for focusing growth through the Priority Development Area framework, investing in multi-modal transportation programs and infrastructure, and reducing GHG emissions. SB 743's intent is to "more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of GHG emissions." The OPR guidelines and Section 15064.3(b) of the revised *CEQA Guidelines* state that transit-oriented development projects located within ½-mile of an existing major transit stop would have a less-than-significant impact on VMT. The

[44] City of Santa Clara, *Santa Clara Climate Action Plan*, December 2013. http://santaclaraca.gov/home/showdocument?id=10170.

proposed project is within ¼ mile of the Downtown Santa Clara Caltrain Station and would have a less-than-significant impact on VMT per OPR guidelines. Therefore, the proposed project would reduce VMT and GHG emissions consistent with SB 743 requirements and would not conflict with SB 743 and *Plan Bay Area 2040*. Therefore, the proposed project would have a ***less-than-significant impact*** related to a conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHG.

**Table GHG-2**

**Summary of Applicable Climate Action Plan Measures and Project Consistency**

| Applicable Climate Action Plan Measures | Notes/Comments |
|---|---|
| **3.1 Urban Water Management Plan Targets** | The proposed project would include water conservation measures consistent with Title 24 and the 2019 California Green Building Standards Code. |
| **4.2 Increased Waste Diversion** | The proposed project would recycle construction and demolition waste consistent with the requirements of Title 24 and the 2019 California Green Building Standards Code, as well as City Code Section 8.25.285. The proposed project operations would include waste diversion consistent with State and City regulations. |
| **5.1 Lawn and Garden Equipment** | The proposed project would include limited landscaping (mostly trees) and it would be highly speculative to assume what type of equipment would be used/needed. |
| **5.2 Alternative Construction Fuels/ BAAQMD Best Management Practices** | BAAQMD basic mitigation measures for construction have been implemented that include limiting idling times to 5 minutes or less, limiting vehicle speeds to 15 miles per hour or less, and proper equipment maintenance and tuning in accordance with manufacturer specifications. |
| **6.1 Transportation Demand Management Program** | The project site is in an urban setting within one-quarter mile of the Downtown Santa Clara Caltrain Station. |
| **6.3 Electric Vehicle Parking** | The proposed project will comply with the City's parking standards. |
| **7.1 Urban Forestry** | The proposed project's landscaping includes a number of new trees. |
| **7.2 Urban Cooling** | The proposed project will comply with all building code requirements related to parking. |

*SOURCE: City of Santa Clara, Santa Clara Climate Action Plan, 2013.*

## IX. HAZARDS AND HAZARDOUS MATERIALS — *Would the project:*

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?* | ☐ | ☐ | ☒ | ☐ |

Explanation: The proposed project would not involve the routine transport, use, or disposal of hazardous materials. While construction of the project could entail transport and use of hazardous materials for equipment operation and maintenance, such as motor oil, transmission fluid, or solvents, such use would not be in quantities large enough to pose an environmental hazard, nor would it constitute routine, ongoing use. Such us is typical of most construction projects and does not represent a significant hazard. Once construction is complete and the project is occupied, operators of the hotel would be expected to store and use small containerized quantities of cleaning products, swimming pool and spa cleaning chemicals, and other similar hazardous products for cleaning and maintenance of the proposed facilities. This type of usage is typical of most commercial and residential development, and would not constitute a significant hazard to the public or the environment. The project would have a ***less-than-significant impact*** from the transport, use, or disposal of hazardous materials.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *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?* | ☐ | ☒ | ☐ | ☐ |

Explanation: As discussed in Section IX-a above, the proposed project would not introduce hazardous materials beyond those generally found within hotels for cleaning and maintenance purposes. To evaluate the possible presence of currently existing hazardous materials within the soil or groundwater underlying the site, a Phase I Environmental Site Assessment (ESA) was performed for the project by EarthCon Consultants CA, Inc., the results of which are summarized herein.[45] A Phase I ESA is intended to identify recognized environmental conditions on the site, including the presence or likely presence of any hazardous substances that could create a significant hazard to the public or the environment, whether through an existing release, past release, or threat of a release into structures, into the ground, or into surface or groundwater.

### *Previous Use of the Project Property*

Based on a review of historic City directories, topographic maps dating to 1889, and historic aerial photographs dating to 1939, the project property was undeveloped, vacant, and/or agricultural land until

[45] EarthCon Consultants CA, Inc., *Phase I Environmental Site Assessment: The Coleman Still Hotel Site, 1240 Coleman Avenue, 1290 Coleman Avenue, and 312 Brokaw Road, Santa Clara, California 95050*, EarthCon Project No. 04.20190015.00, June 3, 2019.

at least 1956. The first development on the site occurred in 1963 at the southwestern corner, where a single building was constructed at 1290 Coleman Avenue. This building was associated with an unspecified business named Fritz and Burns Associates. However, it was noted that this parcel was used as a service station beginning in 1965 until approximately 1991. The service station was remodeled and converted to a deli in 1977, and various restaurants have occupied the site in the intervening years. It is currently occupied by the La Costa del Sol restaurant. Although the Phase I ESA did not address the apparent discrepancy between the use of the site as a service station until 1991 and the conversion to a deli in 1977, it did state that it is unknown when the service station fully stopped operating.

The eastern parcel on the site, at 1240 Coleman Avenue, was first developed with a single building in 1965 that has been in use since that time as a restaurant, occupied by a variety of different businesses. The northern parcel, at 312 Brokaw Road, was developed with a warehouse building starting in 1965. The historic City Directories reviewed as part of the Phase I ESA indicate that various commercial or industrial occupants have occupied this extant building, including Lematex, Inc.; Electronics/Toffey FJ Associates (1970); CSI, Inc. Electronic Calculator Service (1974); Kimmey & Associates Inc (1980); Metalmatix, Inc. (1986); and B&B Landscape Contractors, Inc. (1996). A machine shop occupied the building for approximately 20 years, and an auto body shop occupied the building for about one year. In 2017, the occupants of the building at that time relocated to a new facility and the Santa Clara Fire Department requested a "HAZMAT Closure Review." However, the Phase I ESA reports that the building at 312 Brokaw Road is currently occupied by Airport Van Rental (AVR).

The adjoining properties to the east and west of the project site were developed with commercial and light industrial facilities beginning in the 1960s, and continue to be used for such purposes. The property immediately to the north was first listed on City directories with commercial/industrial uses in 1974. The property to the south, at 1205 Coleman Avenue, was listed in the 1991 City directory with Corporate Technology Center/F&M Towing. (As discussed below, regulatory database searches indicate that two other business names were at one time associated with this property: FMC Corporate Technology Center and BAE Systems.) Historical aerial photographs of the area show that this property was at least partially developed in 1968. It is currently vacant and the site of the planned Gateway Crossings mixed-use project.

Given the apparent historical use of the property for agricultural use followed by an automotive service station, the Phase I ESA identified a suspected Recognized Environmental Condition (REC) associated with each of these prior uses. In the case of the historic agricultural use, there is the potential for residual pesticides to be present in the soil on the project site. In the case of the prior use as an automotive service station, as well as potential hazardous materials storage associated with various industrial occupants, the suspect REC is possible soil and/or groundwater contamination. In addition, records reviewed identified a suspect REC in connection with the chlorinated groundwater plume associated with properties in the vicinity (both up-gradient and down-gradient) of the project site, which are discussed below.

### *Hazardous Materials Sites On Or In the Vicinity of the Project*

As part of the Phase I ESA, EarthCon Consultants reviewed more than 60 publicly available local, State, and federal environmental databases to identify hazardous waste and hazardous materials release sites in the project vicinity. The search results revealed that the northern project parcel at 312 Brokaw Road is listed on numerous databases as generating photo processing waste from 2000 to 2002 and waste oil and mixed oil in 2010. In 2014, during a routine inspection by the Santa Clara Fire Department—the Certified Unified Program Agency (CUPA) for hazardous materials in Santa Clara—the Fire Department identified various violations, including failures to obtain a registered identification from the U.S. Environmental Protection Agency (EPA), close hazardous waste containers, provide employee training, post emergency information, and label hazardous materials. Based on this information, additional agency review was performed, discussed below.

In addition to the project site, the Phase I ESA identified the following eight hazardous materials sites within the applicable search radii around the project site—which varied from one-quarter mile to one mile—listed on one or more of the regulatory databases searched, with potential to adversely affect groundwater at the project site:

1. **290 Brokaw Road:** Identified as Texturonic Painting, this property is immediately to the north of the project site. The facility was listed as a Small-Quantity Generator (SQG) of hazardous wastes in 1996. No violations were found, and the Phase I ESA concluded that this property does not represent a significant environmental concern to the proposed project.

2. **292 Brokaw Road:** Identified as Greenmouse, Inc., this address is also associated with the property immediately to the north of the project site. The facility was listed as a non-generator of hazardous wastes in 2009. No violations were found, and the Phase I ESA concluded that this property does not represent a significant environmental concern to the proposed project.

3. **313 Brokaw Road:** This property is opposite the project site on the west side of Brokaw Road. Vantage Point Photography was listed as an SQG of photo processing waste from 1994 to 1998. No violations were found, and the Phase I ESA concluded that this property does not represent a significant environmental concern to the proposed project.

4. **317 Brokaw Road:** Identified as FMC Corp./Twin Technology, Inc., this property is also opposite the project site on the west side of Brokaw Road. It was listed as an SQG in 1988. No violations were found, and the Phase I ESA concluded that this property does not represent a significant environmental concern to the proposed project.

5. **1530 Coleman Avenue:** The Discount Tire Center opposite the project site on the west side of Brokaw Road was listed as an SQG, with no date. No violations were found, and the Phase I ESA concluded that this property does not represent a significant environmental concern to the proposed project.

6. **1205 Coleman Avenue:** This is the location of the planned Gateway Crossings project, just to the south of the project site. FMC Corporate Technology/BAE Systems was listed as a Large- Quantity Generator (LQG) of hazardous wastes in 1999 and 2010 for wastes classifications including: ignitable, pH less than 2, reactive, spent halogenated solvents, chromium, lead, mercury, methyl ethyl ketone (MEK), 2-butanone, and methyl benzene. In 1997 and 2013 reports were made associated with a temporary Freon leak and an emissions leak from the air conditioning unit and/or its compressor. Emission inventories were listed for 1987 and from 1995 to 2004. Asbestos-related material was noted as being removed from the facility and transported to a landfill in 2016. In 2017 the Spills, Leaks, Investigations, and Cleanup (SLIC) case was closed associated with former soil investigation for chlorinated compounds and total petroleum hydrocarbons (TPH).

7. **282 Brokaw Road:** This property is located about 240 feet north of the project site. Stanford Applied Engineering, a printed circuit board manufacturing facility operating from mid-1970s to 1992, was identified in 2009 as a Cleanup Program Site with status of “Open –Verification Monitoring.” A release was documented in 1991 when three sumps were removed as part of the facility closure. Indoor air, groundwater, and soil may be contaminated with 1,1,1-trichloroethane, trichloroethylene, and other chlorinated hydrocarbons. Additional investigation to define extent of contamination was scheduled to be conducted in 2017. Additional information regarding status of investigation was not available.

8. **328 Brokaw Road:** This property is located about 750 feet south of the project site. A former factory with numerous associated business names, including FMC Corporate Engineering, the facility was identified in 2016 as a Cleanup Program Site with status of “Open – Verification

Monitoring." Historical site operations included manufacturing of military tracked vehicles and other machinery until 1996. Site remediation activities have occurred in support of future site redevelopment (it is part of the site of the planned Gateway Crossings project). Potential media affected include groundwater, indoor air, and soil, with potential contaminants including chlorinated hydrocarbons, tetrachloroethylene, and trichloroethylene (TCE). Partial remediation using dual-phase extraction with pneumatic fracturing of source area soils was previously completed, while operation of a groundwater extraction and treatment system to contain downgradient migration of hazardous constituents continued until 2015, when groundwater monitoring was reduced to quarterly events. In 2017 the on-site structures were demolished in preparation for redevelopment. Additional investigation is being conducted to further assess the nature and extent of volatile organic compounds (VOCs) (mainly TCE), in the southeast portion of the site.

Given the database findings for the project site (312 Brokaw Road) as well as the listings for 282 Brokaw Road and 328 Brokaw Road, EarthCon identified these properties as potential sources of impact to the project site. To further assess potential impacts, EarthCon obtained additional records from the local CUPA and the State Water Resources Control Board (SWRCB) GeoTracker website. The following summarizes the information provided by these sources:

1. **312 Brokaw Road:** The historical chemical inventory at the site has included, but was not limited to: acetylene, coolant, carbon dioxide, hydrogen, cutting oil, oily debris, lube oil, degreasing solvent, tetrahydrofuran, trichloroethane, ABS cement, hexane, kerosene, methylene chloride, paint thinner, petroleum spirits, sodium hypochlorite, TCE, 1,2-propanediol, butylated hydroxytoluene, petroleum distillates, solvoil solvent, acetone, isopropyl alcohol, clausing oil, hydraulic oil, spindle oil, and used oil. Several inspections were conducted from 1998 through 2014. In 2007, an inspection indicated the presence of "oily staining runoff." In addition, the owner at that time noted that printing operations had been conducted within the building for approximately 37 years. An inspection in 2014 noted that oil leaking from machines needed to be contained and they should not have "oil contaminating the ground through cracks in the floor." In June 2017, a final permit was issued for a Hazardous Materials Site Closure from the City of Santa Clara Fire Department due to relocation of the occupant to a new address.

2. **282 Brokaw Road:** A soil and groundwater investigation was conducted in June 2017 that concluded that the TCE concentrations display a clear down-gradient migration from the former Stanford Applied Engineering source area. The investigation also concluded that TCE concentrations in groundwater are insignificant up-gradient from the former source area. Recommendations included continuing with regularly scheduled groundwater monitoring and further evaluation of the site for case closure, but no remedial action was recommended. In response to a subsequent request for site closure, the regulator responded in an email (dated 2/27/19) stating: (1) If indoor air chemicals of concern (COCs) estimates exceed ESLs, indoor air sampling may be required. Please provide calculations for review. (2) I concur that groundwater data indicate that plumes are shrinking. (3) Regarding "if the site presents no significant risk to human health or the environment" is yet to be determined, based on indoor air COC estimates. The COCs for this site include the following VOCs: 1,1-dichloroethane; 1,2-dichloroethane; 1,1,1-trichloroethane; 1,1-dichloroethene; cis-1,2-dichloroethene; trichloroethene; and tetrachloroethene.

3. **328 Brokaw Road:** A hazardous materials incident report was filed in 1963 for the release of perchloroethylene (PCE), TCE, and other chlorinated hydrocarbons. Pump and Treat was utilized for groundwater in which approximately 993 million gallons were extracted from 1993 to 2014. Groundwater monitoring frequency was reduced to quarterly in 2015. As of June 6, 2017 additional investigations were being conducted to determine the extent of VOCs in the southeast portion of site.

### *Site Reconnaissance*

A site reconnaissance was conducted by a Registered Environmental Assessor (REA) on April 24, 2019 in order to identify any signs of a REC at the project site. The inspection included both building interiors and the surrounding site. Materials observed inside the building at 312 Brokaw Road included approximately four 55-gallon drums of new or used motor oil stored on secondary containment pallets, and smaller containers (approximately 5 gallons or less) of power steering fluid, brake fluid, motor oil, and antifreeze. Evidence of releases from these containers was not observed.

A pad-mounted electrical transformer was observed on the southwestern corner of the property where Coleman Avenue meets Brokaw Road. The transformer was unlabeled regarding polychlorinated biphenyls (PCBs) content; however, the transformer appeared to be intact and evidence of leakage of oil was not observed.

The site reconnaissance did not identify any evidence of residual impacts from petroleum products or hazardous substances. EarthCon did not observe any evidence of suspect RECs at the site.

### *Phase I ESA Findings*

Due to the historical uses of the project site as a gasoline service station (at 1290 Coleman Avenue) and machine shop (at 312 Brokaw Road), the Phase I ESA concluded that petroleum products and hazardous substances were likely associated with these uses. Although no evidence of a release of petroleum products or hazardous substances was identified for either address during the investigation, EarthCon also found no records related to the complete closure of the gas service station and removal of the underground storage tanks (USTs) and associated fuel dispensers during the agency file review. Since these would have been necessary components of a gasoline station, the lack of records led EarthCon to identify the historical uses of the property as a REC.

The Phase I ESA also found that the groundwater plumes contaminated with chlorinated solvents in the vicinity of the project site have not been fully delineated with respect to the project site boundary. The plume identified north of the site (associated with 282 Brokaw Road) was delineated to less than 100 feet of the northern boundary the project site. The plume identified south and down-gradient of the site (associated with 328 Brokaw Road) was delineated to the south side of Coleman Avenue. Although the plume is mapped both north and south of the project site, suggesting it does not extend into the site, the records reviewed did not provide sufficient data to support this conclusion. Furthermore, given the shallow groundwater at the site, at a depth of 10 to 12 feet, elevated groundwater contaminant concentrations could potentially contribute to an indoor air health hazard for the proposed project. Accordingly, the Phase I ESA concluded that presence of the chlorinated solvent-impacted groundwater plumes in the vicinity of the project site constitute a REC.

Given these findings, a Phase II ESA was subsequently conducted at the project site, as discussed below.

### *Phase II ESA*

A Phase II ESA was conducted at the project site by EarthCon Consultants in July 2019 that included the advancement of three soil borings (B-3, B-4, and B-5, shown on Figure HM-1) in the vicinity of the former gasoline fuel system and associated UST. The borings were advanced to depths of up to 20 feet below the ground surface (bgs), with collected soil samples submitted to laboratory analysis at a State-certified laboratory.[46] Two additional borings (B-1 and B-2) were drilled for the collection of grab groundwater samples, and a grab groundwater sample was also collected from soil boring B-4. The

[46] EarthCon Consultants CA, Inc., *Phase II Environmental Site Assessment: 1240-1290 Coleman Avenue and 312 Brokaw Road, Santa Clara, California 95050*, EarthCon Project No. 04.20190024.00, July 19, 2019.


## Figure HM-1

### Soil and Groundwater Sampling Locations

Source: EarthCon Consulants, Inc.

depth to groundwater was approximately 15 feet bgs in each boring. The soil and groundwater samples were laboratory tested for VOCs and TPH using approved U.S. EPA methods.

The Phase II ESA also included the placement of soil gas probes at eight locations spaced throughout the site; each was pushed to a depth of approximately 5 feet bgs. The locations of the borings are shown on Figure HM-1. Soil vapor samples were laboratory tested for VOCs.

The laboratory analysis produced the following results:

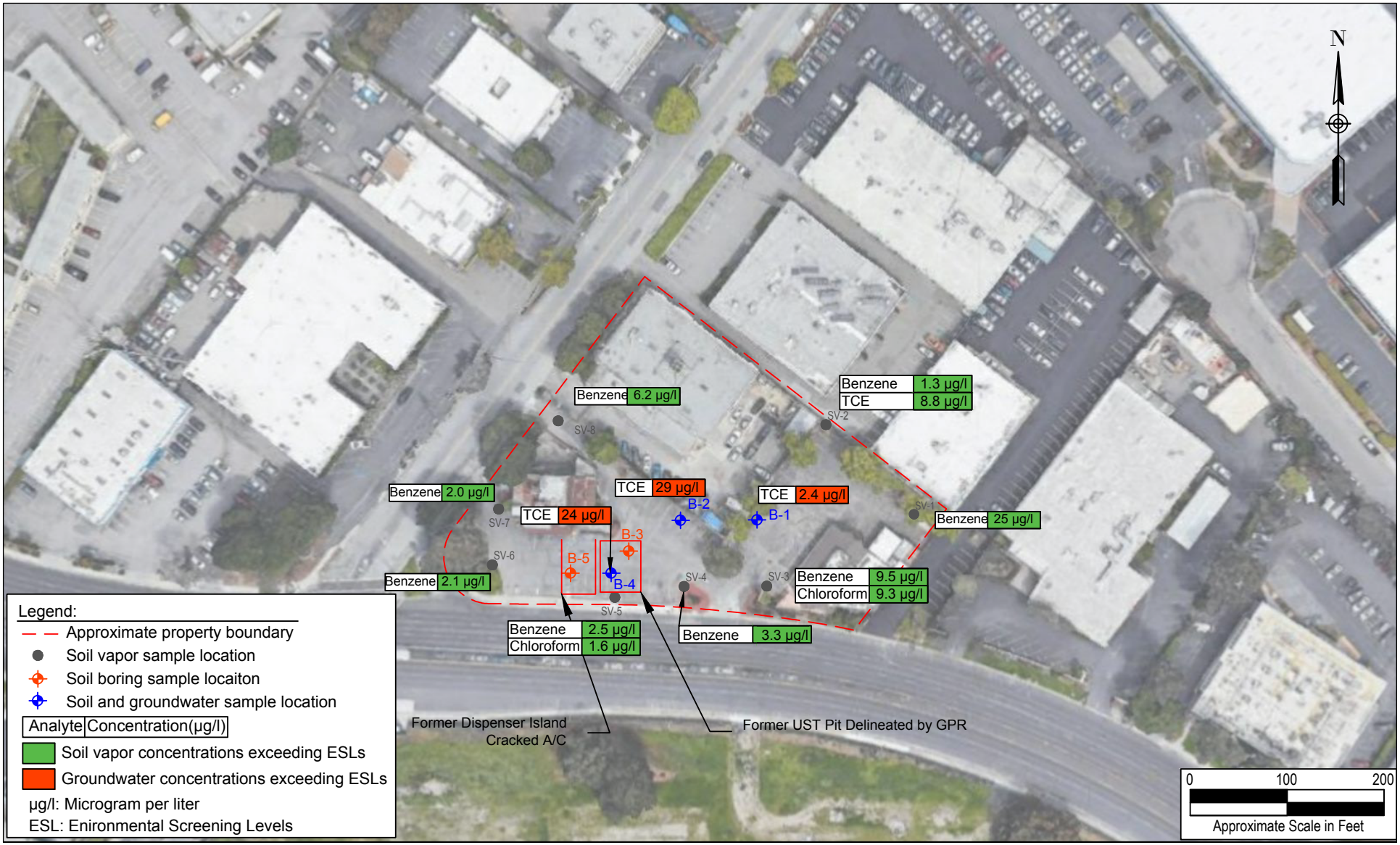
**Soil:** The reported VOC and TPH concentrations in the soil samples were all well below the applicable Environmental Screening Levels (ESLs) for residential use established by the San Francisco Bay Regional Water Quality Control Board (RWQCB). The TPH concentration from sample B-3, collected at a depth of 8 feet bgs, was 14 milligrams per kilogram (mg/kg), significantly below the ESL of 100 mg/kg, while the concentration was non-detect (ND) in the other soil samples. Maximum VOC concentrations included TCE at 8.1 micrograms per kilogram (μg/kg) in the soil sample collected from boring B-4 at 14 feet bgs, and benzene at 0.83 μg/kg in the sample collected from boring B-5 at 4 feet bgs. The ESLs for these contaminants are 85 μg/kg and 25 μg/kg, respectively. VOCs were not detected above reporting limits in the other soil samples.

**Soil Vapor:** Benzene concentrations exceeded the residential ESL of 1.0 parts per billion (ppb) in all eight soil vapor samples. The concentrations ranged from 1.3 ppb in sample SV-2 to 25 ppb in sample SV-1. With an ESL of 0.84 ppb, chloroform concentrations of 1.6 ppb in sample SV-5 and 9.3 ppb in sample SV-3 exceeded the ESL. TCE exceeded the ESL of 2.98 ppb in one soil vapor sample, SV-2. All other VOC concentrations were either non-detect or below the applicable ESL.

**Groundwater:** TPH was not detected in any of the groundwater samples tested. Although TCE and cis-1,2-dichloroethene (cis-1,2-DCE) were reported in each of the groundwater samples, the cis-1,2-DCE concentrations ranged from 1.0 micrograms per liter (μg/L) to 3.0 μg/L, below the residential ESL of 6.0 μg/L. However, the TCE concentrations exceeded the ESL of 1.2 μg/L in samples B-1 (2.4 μg/L), B-2 (29 μg/L), and B-4 (24 μg/L).

Based on the testing results described above, which are also shown on Figure HM-2, the Phase II ESA concluded that the chlorinated groundwater plume from off-site properties likely extends beneath the project site. Due to the elevated concentrations of TCE in the site's shallow groundwater, it is expected to be exposed during project construction, which would pose a threat to the environment and to the health and safety of construction workers. It would also pose a health threat to the general public if dewatering effluent generated during construction is not appropriately handled, transported, and disposed of. This would be a ***potentially significant impact***. Implementation of the following mitigation measure would reduce the impact to a less-than-significant level:

**Mitigation Measure HM–1:** Prior to the issuance of a grading permit, the project sponsor shall retain the services of a qualified environmental professional to prepare a Site Management Plan (SMP) to govern construction work at the project site. The SMP shall establish management practices for handling contaminated groundwater, soil vapor, soil, and other materials during project construction, including proper offsite disposal. A copy of the SMP shall be provided to all construction contractors prior to the initiation of work at the site and construction contracts shall require all contractors to adhere to the provisions of the SMP. Prior to its implementation, the SMP shall be reviewed and approved by the California Department of Toxic Substances Control (DTSC), San Francisco Bay Regional Water Quality Control Board (RWQCB), and/or the Santa Clara Fire Department (the Certified Unified Program




## Figure HM-2

### Locations Where Hazardous Constituents in Soil Vapor and Groundwater Exceed Environmental Screening Levels

Source: EarthCon Consulants, Inc.

Agency (CUPA) for hazardous materials in Santa Clara), whichever of these agencies claims jurisdiction.

The SMP shall include the following provisions, as well as any other requirements deemed appropriate by the regulatory agencies:

- Establish procedures for dewatering of construction excavations and excavated soils, consistent with applicable federal, State, and local regulations, specifying methods of sampling and testing, water collection, handling, transport, on-site or offsite treatment, discharge, and disposal for all water produced by dewatering activities.
- Establish procedures for sampling and testing site soils to ensure construction workers are not exposed to hazardous levels of residual petroleum hydrocarbons and/or volatile organic compounds (VOCs).
- Establish contingency measures to be followed if soils with contaminant levels in excess of the applicable Environmental Screening Levels (ESLs) for residential use established by the RWQCB are encountered. These measures shall include procedures for excavation, containment, and/or treatment of the contaminated soils to achieve contaminant levels below their ESLs. Any soils requiring offsite disposal shall be submitted to laboratory analysis for hazardous materials by a State-certified laboratory. If contaminant levels do not exceed established limits for non-hazardous waste, the soil may be disposed of at a Class II or III solid waste landfill. If the soil is classified as a hazardous waste, it shall be handled and hauled in accordance with State and federal regulations for hazardous waste and disposed of at a licensed Class I hazardous waste disposal facility.
- Identify measures to protect future occupants of the site from exposure to groundwater contaminants at the site, including intrusion of soil-gas vapors emitted from the groundwater plume. Such measures may include vapor intrusion barriers or vapor extraction systems.

**Mitigation Measure HM–2:** Prior to the issuance of a grading permit, the project sponsor shall prepare and implement during site preparation and grading activities a Health and Safety Plan (HASP). The HASP shall identify the measures necessary to protect workers and to prevent their exposure to petroleum hydrocarbons and volatile organic compounds (VOCs) that may occur in soils and groundwater at the site. The HASP shall be prepared in accordance with the Occupational Safety and Health Administration's (OSHA) Hazardous Waste Operations and Emergency Response (HAZWOPER) Standard promulgated at 29 CFR 1910.120. It shall be prepared and implemented in accordance with all other applicable State and federal occupational safety and health standards.

The Phase II ESA also identified elevated soil vapor concentrations of benzene, chloroform, and TCE. These VOCs are likely to affect indoor air quality in the proposed hotel, posing a health risk to workers

and guests. This would be a ***potentially significant impact***, which would be reduced to a less-than-significant level through Implementation of the following mitigation measure:

**Mitigation Measure HM–3:** In order to prevent the potential accumulation of VOC vapors within the habitable spaces of the proposed hotel, no subsurface spaces below the hotel structure shall be constructed. A continuous vapor barrier shall be constructed below the building's concrete slab to prevent the migration of VOC vapors into the building. Prior to constructing the vapor barrier, the applicant shall implement Mitigation Measures HM-1 and HM-2.

### *Asbestos, Lead, and PCBs*

Based on the age of the existing buildings on the site, there is a possibility that lead-based paint (LBP), asbestos-containing building materials (ACBM), and/or polychlorinated biphenyls (PCBs) are present in the buildings. Lead is a highly toxic metal that was a common ingredient in paint until it was banned from residential paint in 1978. Exposure to LBP has been linked to learning disabilities and behavioral problems in children, who are particularly susceptible. Lead may also cause brain damage, kidney damage, seizures, and even death in extreme cases.

Asbestos was common in a variety of construction materials until the late 1970s, and can be found in building insulation (both spray-on and blanket types), pipe wraps, floor and ceiling tiles, tile mastics (adhesives), wallboard, joint compound, mortar, roofing materials, and more. Asbestos is a known human carcinogen, and inhalation exposure to asbestos fibers or dust, known as friable asbestos, has been linked to an increase risk of lung cancer and mesothelioma, which is a relatively rare cancer of the thin membranes that line the chest and abdomen. Inconclusive evidence has also linked asbestos exposure to a variety of other cancers. With cumulative exposure, asbestos fibers can cause inflammation and scarring of the lungs, resulting in breathing difficulties and/or death.

Prior to being banned by the U.S. EPA in 1979, PCBs were widely used in fluorescent light ballasts. In addition, PCBs were widely used in caulking and elastic sealant materials used in or around windows, door frames, stairways, building joints, masonry columns, and other masonry building materials, particularly between about the 1950s through the 1970s. From 1950 to 1979, PCBs were also added to some specialty paints and coatings to improve their performance. Other older building materials such as window glazing, ceiling tiles, spray-on fireproofing, and floor finish may also contain PCBs. The U.S. EPA reports that PCBs have been identified as probable human carcinogens and may cause a variety of non-cancer health effects.[47]

During the proposed demolition of the existing buildings, friable asbestos, lead, and/or PCBs could be released into the environment, posing a health hazard to workers and the environment. If not addressed properly, the potential health hazards to construction workers and/or environmental hazards posed by these hazardous materials that may be present on the site would represent a ***potentially significant adverse impact***. Implementation of the following mitigation measures would reduce the impact to a less-than-significant level:

**Mitigation Measure HM–4:** Prior to issuance of a demolition permit for the existing buildings on the site, a comprehensive survey for asbestos-containing building materials (ACBM) shall be conducted by a qualified asbestos abatement contractor. Sampling for ACBM shall be performed in

[47] United States Environmental Protection Agency, Questions and Answers About Polychlorinated Biphenyls (PCBs) in Building Materials, July 28, 2015, accessed November 21, 2019 at: https://www.epa.gov/pcbs/questions-and-answers-about-polychlorinated-biphenyls-pcbs-building-materials.

accordance with the sampling protocol of the Asbestos Hazard Emergency Response Act (AHERA). If ACBM is identified, all friable asbestos shall be removed prior to building demolition by a State-certified Asbestos Abatement Contractor, in accordance with all applicable State and local regulations, including Bay Area Air Quality Management District (BAAQMD) Regulation 11, Rule 2 pertaining to demolition, removal, and disposal of ACBM. BAAQMD shall be notified at least ten business days in advance of building demolition, in compliance with Regulation 11, Rule 2. To document compliance with the applicable regulations, the project sponsor shall provide the City of Santa Clara Building Division with a copy of the notice required by BAAQMD for asbestos abatement work, prior to and as a condition of issuance of the demolition permit.

**Mitigation Measure HM–5:** Prior to issuance of a demolition permit for the existing buildings on the site, a survey for lead-based paint (LBP) shall be conducted by a qualified lead assessor. If LBP is identified, lead abatement shall be performed in compliance with all federal, State, and local regulations applicable to work with LBP and disposal of lead-containing waste. A State-certified Lead-Related Construction Inspector/Assessor shall provide a lead clearance report after the lead abatement work in the buildings is completed. The project sponsor shall provide a copy of the lead clearance report to the City of Santa Clara Building Division prior to issuance of a demolition permit.

**Mitigation Measure HM–6:** Prior to issuance of a demolition permit for the existing buildings on the site, the applicant shall retain the services of a qualified environmental assessor to conduct a Priority Building Materials Screening Assessment to evaluate the potential presence of PCBs-containing building materials in the buildings proposed for demolition. The assessment shall be performed in accordance with the guidance provided in the *Polychlorinated Biphenyls (PCBs) Screening Assessment Applicant Package* (May 2019) prepared by the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP). If PCBs are present at a concentration equal to or greater than 50 parts per million (ppm) in building materials, the applicant shall submit a completed and certified PCBs Screening Assessment Form (included in SCVURPPP's PCBs Screening Assessment Applicant Package) to SCVURPPP for review and inclusion in reporting required in its annual reports on compliance with the Municipal Regional Stormwater Permit issued to Bay Area agencies by the San Francisco Bay Regional Water Quality Control Board (RWQCB).

Assessing the concentrations of PCBs on site must be performed according to the *Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition* (August 2018) prepared by Bay Area Stormwater Management Agencies Association (BASMAA) unless prior sampling data is available in existing building records.

If PCBs are present at a concentration equal to or greater than 50 ppm, they shall be disposed of in accordance with the federal Toxic Substances Control Act (Code of Federal Regulations Title 40, Part

761, Subpart D). The demolition of the buildings on the site shall also comply with all other federal, State, and local regulations pertaining to the handling and disposal of PCBs.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?* | ☐ | ☐ | ☐ | ☒ |

Explanation: There are no schools located within one-quarter mile of the project site. The closest primary or secondary school is located nearly a mile away. Furthermore, the proposed hotel would not emit hazardous emissions, handle hazardous materials, or generate hazardous waste. There would be ***no impact*** on schools related to hazardous materials as a result of project implementation.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| 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?* | ☐ | ☒ | ☐ | ☐ |

Explanation: The list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 actually consists of several lists, including:

- A list of hazardous waste sites compiled by the California Department of Toxic Substances Control (DTSC);
- A list of contaminated water wells compiled by the California Department of Health Services (DHS) (subsequently reorganized into the California Department of Health Care Services and the California Department of Public Health);
- A list of leaking underground storage tank sites and solid waste disposal facilities from which there is a migration of hazardous waste, compiled by the State Water Resources Control Board (SWRCB); and
- A list of solid waste disposal facilities from which there is a migration of hazardous waste, compiled by the Local Enforcement Agency (LEA). These lists are consolidated by the Department of Resources Recycling and Recovery (CalRecycle).

Each of these lists must be updated at least annually, and must be submitted to the Secretary for Environmental Protection, the head of the California Environmental Protection Agency (CalEPA). DTSC maintains the EnviroStor database for purposes of complying with Section 65962.5, while the SWRCB maintains the GeoTracker database. These databases were searched during preparation of the Phase I ESA discussed in Section IX-b. As discussed in more detail in that section, implementation

of the project could potentially expose construction workers or project occupants to elevated concentrations of VOCs, but with implementation of Mitigation Measures HM-1 through HM-3, potential impacts from such exposure would be reduced to a less-than-significant level. All other impacts related to hazardous materials sites compiled pursuant to Government Code Section 65962.5 were found to be less than significant.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *e) For a project within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?* | ☐ | ☐ | ☒ | ☐ |

Explanation: The project site is located in close proximity to the Norman Y. Mineta San Jose International Airport; the closest runway at this airport is less than one-quarter mile to the northeast of the project site. Due to this proximity, the project site is located within the Airport Influence Area (AIA) established by the Santa Clara County Airport Land Use Commission (ALUC) around the San Jose International Airport, and is therefore subject to the provisions of the *Norman Y. Mineta San Jose International Airport Comprehensive Land Use Plan: Santa Clara County* (CLUP), which was adopted for the purpose of safeguarding the health and safety of the people living within the vicinity of the airport. In particular, the CLUP seeks to protect the public from the adverse effects of aircraft noise, to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and to ensure that no structures or activities adversely affect navigable airspace.[48]

The CLUP establishes a number of safety zones around the airport for the purposes of minimizing the number of people exposed to potential aircraft accidents. (The potential for exposure to excessive aircraft noise is addressed separately in Section XIII, Noise.) The safety zones were determined in accordance with thresholds established by the Federal Aviation Administration (FAA) as well as the *California Airport Land Use Planning Handbook* published by Caltrans' Division of Aeronautics.[49] The Runway Protection Zone (RPZ) has the highest exposure to potential aircraft accidents, followed (in descending order of exposure) by the Inner Safety Zone (ISZ), Turning Safety Zone )TSZ), Outer Safety Zone (OSZ), Sideline Safety Zone (SSZ), and Traffic Pattern Zone (TPZ). The safety zones are intended not only to protect the safety of people living and working in the vicinity of an airport, but also to protect aircraft passengers and crews by maintaining space for emergency landings.

The airport safety zones established in the CLUP are depicted on Figure 7 of the CLUP, reproduced herein as Figure HM-3. This figure shows that the project site is located outside all of the San Jose Airport safety zones except the TPZ. The Traffic Pattern Zone (TPZ) is that portion of the airport area routinely overflown by aircraft operating in the airport traffic pattern. The CLUP states that the potential for aircraft accidents is relatively low within the TPZ, and the need for land use restrictions is minimal. The TPZ excludes all of the other safety zones listed above.

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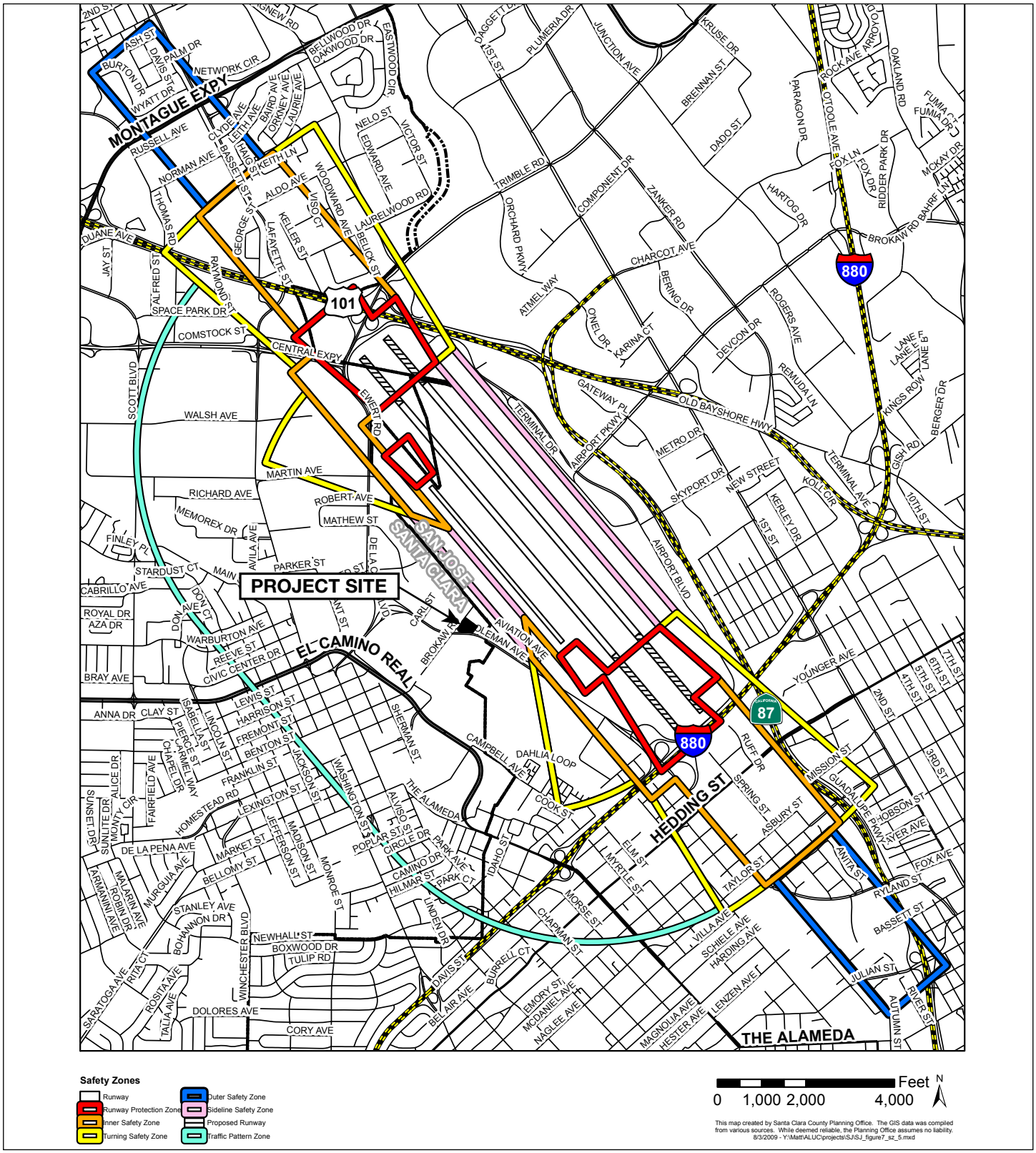
[48] Santa Clara County Airport Land Use Commission, *Norman Y. Mineta San Jose International Airport Comprehensive Land Use Plan: Santa Clara County*, May 25, 2011.

[49] California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, January 2002.




## Figure HM-3

## Airport Safety Zones

Source: Santa Clara County Planning Office

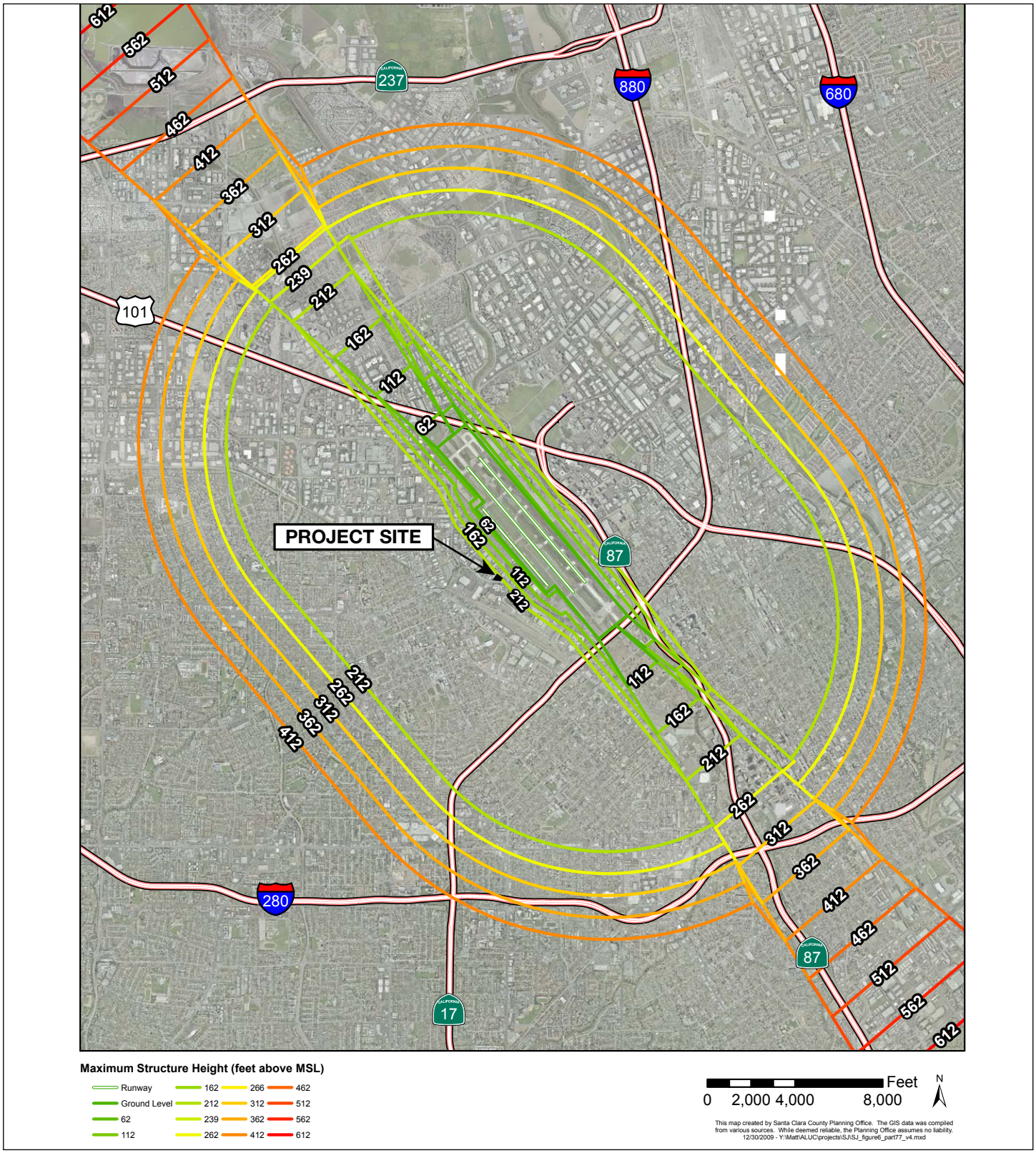
Proposed development projects that are located within the AIA must be evaluated for compatibility with the CLUP, which promulgates policies intended to prevent future conflicts between airport operations and surrounding land uses. The local jurisdictions encompassed within the San Jose Airport AIA—the City of Santa Clara, City of San Jose, and Santa Clara County—have responsibility for implementing the CLUP for those areas within the AIA under their jurisdiction. The role of the Santa Clara ALUC is to provide policy direction, advice, and technical assistance to the local jurisdictions as needed to facilitate implementation of the CLUP.

As part of the City of Santa Clara's adoption of the current 2010-2035 General Plan, the ALUC reviewed the General Plan and determined that it was consistent with the CLUP. The proposed project does not fall within any of the categories of development proposals that should be referred to the ALUC for review for consistency with the CLUP.

The policies set forth in the CLUP are based on the following primary criteria:

- **Noise Restriction Area.** The Noise Restriction Area is defined as the 65-decibel (dB) Community Noise Equivalent Level (CNEL) contour, inside which an acoustical analysis is required by the local agency with land use jurisdiction demonstrating how low-density, single-family, multi-family, and mobile home dwelling units and schools have been designed to meet an interior noise level of 45 dBA CNEL. As discussed in more detail in Section XIII, Noise, the project site is outside the airport's 65-dBA contour.
- **Height Restriction Area.** The Height Restriction Area is designed to protect the airspace around the airport. Comprised of a variety of imaginary three-dimensional spaces extending around the airport runways, the sloping surfaces establish height limits that increase as distance from the airport runways increases. These imaginary surfaces have been codified in Federal Aviation Regulations (FAR) Part 77, *Objects Affecting Navigable Airspace*. Any penetrations of the FAR Part 77 surface are subject to review by the FAA to determine whether or not a hazard to air navigation would be created by the penetration. As shown on Figure HM-4, the project site appears to be within an area where the maximum allowable height of a structure is 162 feet above mean sea level (MSL). With a proposed maximum height of 85 feet 5-1/4 inches, the proposed hotel would be well within the allowable building height for this area.
- **Safety Restriction Area.** The Safety Restriction Area is to intended to ensure land use safety for people and property on the ground as well as the occupants of aircraft. The composite of the safety zones previously identified and shown on Figure HM-3 constitutes the Safety Restriction Area. The project site is within the least hazardous safety zone within the AIA, the TPZ. The only limitation on land uses in the TPZ is that no sports stadiums with greater than 20,000 people are allowed, nor similar uses with a very high concentration of people.
- **Overflight Restriction Area.** The Overflight Restriction Area is a composite of the areas surrounding the airport that are potentially affected by noise, height, and safety considerations, addressed in the three preceding criteria. The CLUP states that all areas within the AIA should be regarded as potentially subject to aircraft overflights.

All of the San Jose Airport CLUP policies were reviewed as part of this environmental review, and no potential conflicts were identified for the proposed project. One policy was identified that would apply to the project. Policy N-4 states that no residential or transient lodging construction shall be permitted within the 65-dBA CNEL contour boundary unless it can be demonstrated that the resulting interior sound levels will be less than 45 dBA CNEL and there are no outdoor patios or outdoor activity areas associated with the residential portion of a mixed-use residential project or a multi-unit residential project. The project will be required to demonstrate compliance with the 45-dBA interior noise limit, as discussed in Section XIII, Noise, and the restriction on outdoor activity areas would not apply to the proposed hotel project.




## Figure HM-4

## FAR Part 77 Surfaces

Source: Santa Clara County Planning Office

As previously noted, the project would not conflict with the applicable provisions of the noise, height, and safety restriction areas established around the airport. However, pursuant to FAR Part 77, any structure proposed within an airport's safety zones—defined by the Part 77 imaginary surfaces discussed above—that is more than one-story in height above ground must be submitted to the FAA for airspace safety review via the filing of a Notice of Proposed Construction or Alteration (FAA Form 7460-1). Such filings with the FAA should be made at the time a formal use permit application is under review by the City. A separate Form 7460-1 should be submitted for each corner of a proposed building and any additional higher points (such as mechanical overruns or screens). The location and elevation data on the forms should be prepared by a licensed civil engineer or surveyor using NAD83 latitude/longitude coordinates out to hundredths of seconds and NAVD88 elevations rounded off to next highest foot. The San Jose International Airport recommends that the City not approve the requested Use Permit for the project until the applicant has provided a copy of a No-Hazard Determination from the FAA.[50] Additionally, in accordance with ALUC policy, use permit approval should require the property owner to dedicate an Avigation Easement to the City of San Jose as a condition to be fulfilled prior to issuance of a building permit.

Because the proposed hotel building would not exceed the airport's height restriction area applicable to the project site or otherwise conflict with the CLUP, the proposed project would not result in a safety hazard for people residing or working in the project area. This would be a ***less-than-significant impact***.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?* | ☐ | ☐ | ☐ | ☒ |

Explanation: In June 2016 the Santa Clara City Council adopted a new comprehensive emergency response plan to replace the prior plan adopted in 2008.[51] The plan provides a legal framework for the management of emergencies and guidance for the conduct of business in the City's Emergency Operations Center (EOC), including collaboration and coordination between different responsible agencies. The *Emergency Operations Plan* (EOP) establishes responsibilities and procedures for addressing potential emergencies related to natural disasters such as earthquakes, flooding, and dam failure; technological incidents; hazardous materials spills or releases; and incidents of domestic terrorism involving weapons of mass destruction, such as Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) devices. The EOP conforms to the requirements of the National Incident Management System (NIMS) mandated by the U.S. Department of Homeland Security. The Santa Clara EOP also builds on and coordinates with the State's Standardized Emergency Management System (SEMS) and the California *State Emergency Plan*.

The EOP does not identify specific emergency shelters or evacuation routes in Santa Clara, though schools are identified as preferred facilities for lodging large numbers of people, with churches, hotels, and motels also likely to function as mass care facilities during large-scale disasters. The proposed project could potentially be used as a mass care facility in the event of an earthquake, hazardous materials spill, or other emergency condition. The project would not interfere with operation of any emergency shelters and would not close off or otherwise alter any existing streets, and therefore would

[50] Cary Green, Airport Planner, San Jose International Airport, personal communication, September 24, 2019.

[51] City of Santa Clara, *Emergency Operations Plan: All Risk/Multi-Hazard Functional Plan*, adopted June 21, 2016.

not create any obstructions to potential evacuation routes that might be used in the event of an emergency. Development of the site with the proposed hotel would not impair implementation of or physically interfere with the Santa Clara EOP.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| g) *Expose people or structures, either directly or indirectly, to significant risk of loss, injury, or death involving wildland fires?* | ☐ | ☐ | ☐ | ☒ |

Explanation: Government Code Section 51178 directs the California Department of Forestry and Fire Protection (CAL FIRE) to identify areas of high fire hazard within Local Responsibility Areas (LRAs) that are not under the direct jurisdiction of CAL FIRE, where local fire-fighting agencies have primary responsibility for fire response. CAL FIRE's mapping of Very High Fire Hazard Severity Zones (VHFHSZs) is based on data and models of potential fuels over a 30- to 50-year time horizon and their expected fire behavior and burn probabilities. All of the City of Santa Clara is within an LRA and is designated as a non-VHFHSZ.[52] The project site is located in an urbanized area and there are no wildlands in close proximity to the site. Therefore, there is no potential for wildfire at the project site.

## X. HYDROLOGY AND WATER QUALITY — *Would the project:*

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?* | ☐ | ☒ | ☐ | ☐ |

Explanation:

### *Construction Impacts*

Construction activities could potentially affect water quality as a result of erosion of sediment. Once construction sites become disturbed by clearing, grading, excavation, and other site preparation activities, site soils become particularly susceptible to erosion from wind and rain water. Wind-blown soils adversely affect air quality, as discussed in more detail in Section III-b, while soil entrained by flowing stormwater becomes transported off-site, flowing into downstream receiving waters, such as storm drains and drainage ditches. Because the City's stormwater drainage system ultimately discharges to San Francisco Bay, this water body is susceptible to increased sedimentation from uncontrolled erosion from construction sites. In addition, leaks from construction equipment; accidental spills of fuel, oil, or hazardous liquids used for equipment maintenance; and accidental spills of

[52] California Department of Forestry and Fire Protection (CAL FIRE), Santa Clara County Very High Fire Hazard Severity Zones in LRA, As Recommended by CAL FIRE [map], October 8, 2008.

construction materials are all potential sources of pollutants that could degrade water quality during construction.

Demolition of buildings also has the potential to release polychlorinated biphenyls (PCBs) into surface waters. This potential impact is addressed in Section IX-b.

Stormwater runoff from the site is ultimately discharged, without treatment, to San Francisco Bay, which is on the list of impaired water bodies compiled by the San Francisco Bay Regional Water Quality Control Board (RWQCB) pursuant to the federal Clean Water Act. Because the State is required to develop action plans and establish Total Maximum Daily Loads (TMDLs) to improve water quality within these water bodies, uncontrolled discharge of pollutants into them is considered particularly detrimental.

Generally, new development that entails "land disturbance" of 1 acre or more requires the project sponsor to obtain coverage under Construction General Permit (CGP) Order 2009-0009-DWQ, administered by the RWQCB. With a site area of 1.66 acres, the project would be required to obtain coverage under the CGP. Order 2009-0009-DWQ requires project sponsors to implement construction Best Management Practices (BMPs) at the project site and comply with numeric action levels (NALs) in order to achieve minimum federal water quality standards. The CGP requires control of non-stormwater discharges as well as stormwater discharges. Measures to control non-stormwater discharges such as spills, leakage, and dumping must be addressed through structural as well as non-structural BMPs.

Construction stormwater BMPs are intended to minimize the migration of sediments off-site. They can include covering soil stockpiles, sweeping soil from streets or other paved areas, performing site-disturbing activities in dry periods, and planting vegetation or landscaping quickly after disturbance to stabilize soils. Other typical stormwater BMPs include erosion-reduction controls such as hay bales, water bars, covers, sediment fences, sensitive area access restrictions (for example, flagging), vehicle mats in wet areas, and retention/settlement ponds.

To obtain coverage, the applicant must electronically file a number of permit-related compliance documents referred to as Permit Registration Documents (PRDs). The required PRDs include a Notice of Intent (NOI), a risk assessment, site map, signed certification, Stormwater Pollution Prevention Plan (SWPPP), Notice of Termination (NOT), numeric action level (NAL) exceedance reports, and other site-specific PRDs that may be required. The PRDs must be prepared by a Qualified SWPPP Practitioner (QSP) or Qualified SWPPP Developer (QSD) and filed by a Legally Responsible Person (LRP) on the RWQCB's Stormwater Multi-Application Report Tracking System (SMARTS). Once filed, these documents become immediately available to the public for review and comment.

Although project construction effects on surface water quality could result in a ***potentially significant impact*** on water quality, implementation of Mitigation Measures WQ-1 and WQ-2 would ensure that construction impacts on water quality remain less than significant.

**Mitigation Measure WQ–1:** Prior to issuance of a grading permit the project sponsor shall obtain National Pollutant Discharge Elimination System (NPDES) construction coverage as required by Construction General Permit (CGP) No. CAS000002, as modified by State Water Resources Control Board (SWRCB) Order No. 2009-0009-DWQ. Pursuant to the Order, the project applicant shall electronically file the Permit Registration Documents (PRDs), which include a Notice of Intent (NOI), a risk assessment, site map, signed certification, Stormwater Pollution Prevention Plan (SWPPP), and other site-specific PRDs that may be required. At a minimum the SWPPP shall incorporate the standards provided in the Bay Area Stormwater Management

Agencies Association's (BASMAA) *Best Management Practices to Prevent Stormwater Pollution from Construction-Related Activities* (2004), the California Stormwater Quality Association's *California Stormwater Best Management Practices Handbook* (December 2019), the prescriptive standards included in the CGP, or as required by the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP), whichever are applicable and more stringent. Implementation of the plan will help stabilize graded areas and reduce erosion and sedimentation. The SWPPP shall identify Best Management Practices (BMPs) that shall be adhered to during construction activities. Erosion-minimizing efforts such as hay bales, water bars, covers, sediment fences, sensitive area access restrictions (for example, flagging), vehicle mats in wet areas, and retention/settlement ponds shall be installed before extensive clearing and grading begins. Mulching, seeding, or other suitable stabilization measures shall be used to protect exposed areas during and after construction activities. The SWPPP shall also be reviewed and approved by the Santa Clara Public Works Department.

**Mitigation Measure WQ–2:** All cut-and-fill slopes shall be stabilized as soon as possible after completion of grading. No site grading shall occur between October 15th and April 15th unless approved erosion control measures are in place.

### *Operational Impacts*

The primary source of water pollutants from residential and office development is from automotive vehicles traveling on-site roadways. Moving vehicles deposit oil and grease, fuel residues, heavy metals (e.g. lead, copper, cadmium, and zinc), tire particles, and other pollutants. They emit polycyclic aromatic hydrocarbons (PAHs) from their exhaust, resulting from incomplete combustion of gasoline, which settles to the ground. Although parked vehicles can also deposit oil, metals, and other pollutants that can be washed into the storm drain system by rain water, the parking for the proposed project would be fully enclosed, with the exception of three parking spaces located near the hotel lobby, so there would be minimal potential for vehicles parked at the project site to contribute additional stormwater pollutants in this manner. Wash water used to clean the interior parking garage and enclosed trash collection area would be collected in floor drains plumbed to the sanitary sewer. Such water would be treated at the wastewater treatment plant serving the City of Santa Clara.

All of the pollutants described above collect on roofs, pavements, and other impervious surfaces, where they can be washed by stormwater into downstream surface waters, thereby degrading water quality. Pesticides that may be used on landscaping or around buildings can potentially contribute to the depletion of dissolved oxygen and/or toxic concentrations of dissolved ammonia in downstream receiving waters, creating acute toxicity for aquatic wildlife. Fertilizers can similarly degrade water quality.

Buildings and equipment enclosures also provide potential sources of water pollutants because weathered paint and eroded metals from painted and unpainted surfaces can be washed away by stormwater. In addition, mercury and polychlorinated biphenyls (PCBs) that get deposited on roofs and other impervious surfaces as airborne pollutants can be washed into surface waters during storm events. PCBs can also be released during demolition of buildings, posing another threat to surface water quality. Microbial pathogens are yet another pollutant that can be entrained in stormwater coming in contact with poorly protected trash collection areas, though these areas would be covered in the proposed project.

Operational stormwater discharges from new development are regulated under the National Pollutant Discharge Elimination System (NPDES), administered by the RWQCB under authority of the U.S. Environmental Protection Agency. In accordance with the NPDES, the RWQCB regulates stormwater discharges via municipal stormwater permits issued to the cities, counties, water districts, and flood control districts under its jurisdiction in the San Francisco Bay Area. In the City of Santa Clara, development projects must comply with NPDES Permit No. CAS612008, issued to the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) and other Bay Area jurisdictions by the RWQCB (NPDES Order No. R2-2015-0049). The revised Municipal Regional Stormwater Permit (MRP) was adopted on November 19, 2015 and became effective on January 1, 2016. This permit replaced the previous permit issued on October 14, 2009, which was formally rescinded by the RWQCB. The current MRP consolidates the multiple countywide permits previously issued to member agencies in the San Francisco Bay Area under a single MRP regulating stormwater discharges from municipalities and local agencies in Alameda, Contra Costa, San Mateo, and Santa Clara counties and the cities of Fairfield, Suisun City, and Vallejo.

Although the MRP imposes a variety of responsibilities for monitoring and protecting stormwater quality on member agencies, it also includes requirements for individual development projects. Specifically, Provision C.3 of the MRP requires any private or public development project that would create or modify 10,000 square feet or more of impervious surfaces to take measures to improve water quality of stormwater discharges from the project site (i.e., stormwater runoff), including providing treatment of 100 percent of the stormwater runoff from the site. The size threshold is reduced to 5,000 square feet for certain special land use categories, which include auto service facilities, retail gasoline outlets, restaurants, and uncovered parking lots. Where a redevelopment project would alter 50 percent or more of the impervious surfaces of a previously existing project that was not subject to Provision C.3 requirements, the entire project must be designed and operated in compliance with Provision C.3. The Provision C.3 requirements also pertain to construction or widening of roads, trails, and sidewalks.

Projects subject to Provision C.3 must include low-impact development (LID) measures to capture and perform on-site treatment of all stormwater from the site prior to its discharge, including rainwater falling on building rooftops. (Treatment may also occur offsite at an approved joint stormwater treatment facility.) LID treatment is defined as the removal of pollutants from stormwater using infiltration, evapotranspiration, rainwater harvesting and use, and biotreatment. LID techniques reduce water quality impacts by preserving and recreating natural landscape features, minimizing imperviousness, maximizing opportunities for infiltration and evapotranspiration, and using stormwater as a resource.

Project applicants are required to implement appropriate source control and site design measures and to design and implement stormwater treatment measures in order to reduce the discharge of stormwater pollutants to the *maximum extent practicable* (MEP), a standard established by the 1987 amendments to the federal Clean Water Act. LID treatment measures include harvesting and reuse, infiltration, evapotranspiration, and biotreatment.

Provision C.3 LID requirements include source controls and site design and stormwater treatment requirements. Examples of source control requirements that could be relevant to the proposed project include:

- Landscaping that minimizes irrigation and runoff, promotes surface infiltration, minimizes the use of pesticides and fertilizers, and incorporates other appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping;[53]

[53] Bay-Friendly Landscape Guidelines were originally developed under the direction of StopWaste.Org, a public agency whose mission is to reduce waste in Alameda County. The Guidelines are now managed and published by ReScape California (formerly the BayFriendly Landscaping & Gardening Coalition), a California non-profit

- Efficient irrigation systems;
- Properly designed trash storage areas; and
- Storm drain system stenciling or signage.

The MRP states that permitees (i.e., the cities and counties) should encourage projects that do not meet the Provision C.3 size thresholds to still implement these source control measures to the extent feasible.

Examples of site design and stormwater treatment requirements that could be relevant to the proposed project include:

- Minimization of impervious surfaces;
- Construction of sidewalks, walkways, patios, and/or parking lots with pervious pavements;
- Inclusion of self-treating areas and self-retaining areas;
- Rainwater harvesting and reuse;
- Minimization of stormwater runoff by directing runoff from roofs, sidewalks, walkways, driveways, and/or uncovered parking lots onto vegetated areas; and
- Treatment of 100 percent of the site's stormwater runoff with on-site LID treatment measures (or with LID treatment measures at a joint stormwater treatment facility) through harvesting and re-use, infiltration, evapotranspiration, or biotreatment.

Biotreatment (or bioretention) systems must be designed to have a surface area no smaller than what is required to accommodate a 5 inches/hour stormwater runoff surface loading rate, and infiltrate runoff at a minimum of 5 inches per hour during the life of the facility. The planting and soil media for biotreatment (or bioretention) systems must be designed to sustain healthy, vigorous plant growth and maximize stormwater runoff retention and pollutant removal. Biotreatment soil media must meet minimum specifications. Green roofs may be considered biotreatment systems provided they meet the criteria for treatment capacity stipulated in the MRP and have a sufficient depth of planting media to support the long-term health of the vegetation selected for the green roof.

The size and capacity of required stormwater treatment systems is determined in part on historical rainfall records for the project area. Systems may be based on the volume of runoff, the peak flow rate of runoff, or a combination of the two, with numeric hydraulic design criteria stipulated in the MRP for each method.

In certain cases where an applicant can demonstrate the infeasibility of treating 100 percent of the runoff from a project site, there are provisions for payment of an in-lieu fee for treatment of the untreated portion of stormwater at a regional or municipal treatment facility. Provision C.3 also defines three categories of "special projects" (Category A, B, and C) that may be eligible for a reduction in the amount of stormwater they are required to treat via Incentive LID Treatment Reduction Credits that must be approved by the RWQCB. Special projects are generally land development projects that can be characterized as infill, smart growth, high-density, or transit-oriented development that can either reduce existing impervious surfaces or create less "accessory" impervious areas and automobile-related pollutant impacts. The LID Treatment Reduction Credits allow the treatment of a stipulated portion of the site's runoff with non-LID treatment systems, such as tree box high-flow-rate bio-filters or vault-based high-flow-rate media filters.

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organization that promotes sustainable landscaping and gardening practices in the San Francisco Bay Area. www.bayfriendlycoalition.org.

Due to its proximity to the Santa Clara Transit Center and future BART terminus, both located approximately a quarter-mile south of the project site, the proposed project meets the criteria for Category C special projects defined in Section C.3.e.ii of the MRP. Category C projects must qualify as transit-oriented development, which must be located in close proximity[54] to rail stations, ferry terminals, or bus stops offering access to frequent, high-quality transit services. Auto-related uses such as gas stations, car washes, parking lots, car dealerships, or fast-food restaurants with drive-through lanes, among others, do not qualify for the Category C reduction credits. For commercial projects, such as the proposed hotel, they must achieve a floor area ratio (FAR) of 2.0 or greater to qualify for the Category C reduction credits.[55]

The reduction credits for Category C projects are determined based on location factors, the density of the project, and the amount of surface parking, with credits for each of these categories ranging from 10 percent up to 50 percent for a project located within one-quarter mile of a transit hub. Based on completion of a Special Projects Worksheet, the project engineer has calculated that the proposed project qualifies for a 35-percent reduction in the LID treatment requirements.[56]

Provision C.3 of the MRP also includes hydromodification management (HM) requirements for certain projects located in areas susceptible to hydrograph modification. Hydrograph modification occurs when an undeveloped site is developed with impervious surfaces such as buildings and pavements, which prevents natural infiltration by rain water, and which results in an increase in the volume and rate of stormwater runoff from the site. Hydrograph modification has the undesirable effect of increasing erosion of natural creeks and earthen channels, which can cause flooding, property damage, degradation of stream habitat, and deterioration of water quality.

Projects that create or replace 1 acre or more of impervious surfaces on sites within a designated "susceptible area"[57] as mapped by the SCVURPPP must implement HM measures to minimize changes in the rate and flow of stormwater runoff in comparison with pre-project conditions. The MRP includes provisions for compliance with the HM requirements in cases where meeting the HM standard is not practical due to excessive cost (more than 2 percent of project construction costs) or extreme space limitations. Projects that can demonstrate via stream-specific field and modeling studies that there will be no increase in potential for erosion or other adverse impact to beneficial uses can receive an exemption from the HM control requirements. There are additional provisions for exemptions stipulated in the MRP.

For Santa Clara permitees, the HM controls must be designed such that the post-project discharge rates and durations match pre-project discharge rates and durations from 10 percent of the pre-project 2-year peak flow up to the pre-project 10-year peak flow. HM measures can include site design and hydrologic source control measures, on-site structural HM measures, regional HM control structures, in-stream restorative measures, or a combination thereof. However, in-stream measures may only be used when the receiving stream is in a hardened channel or already shows evidence of excessive sediment, erosion, or deposition.

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[54] Projects located within one-quarter mile of a transit hub qualify for a 50-percent location credit. Projects located within one-half mile of a transit hub qualify for a 25-percent location credit.

[55] Projects with an FAR of at least 2.0 may qualify for a 10-percent density credit. Projects with an FAR of at least 4.0 may qualify for a 20-percent density credit. Projects with an FAR of at least 6.0 may qualify for a 30-percent density credit.

[56] Alpha Omega Engineering, *Hilton, Santa Clara, CA Draft Stormwater Management Plan Report*, September 24, 2019.

[57] Susceptible areas generally drain to unconfined, non-hardened streams or drainage channels, while areas draining to continuously hardened channels or underground storm drains discharging directly to San Francisco Bay are considered non-susceptible areas.

The HMP Susceptibility Map for Santa Clara County shows that the project site is located in an area developed with 65 percent or more impervious surfaces. The SCVURPPP's C.3 Stormwater Handbook states that for projects located in these areas, HM controls are encouraged but not required.[58] Accordingly, the project does not propose to include HM controls in the on-site stormwater management system.

The proposed project would replace approximately 65,591 square feet of existing impervious surfaces on the site and create 72,204 square feet of new impervious surfaces, for a total of 72,204 square feet of new and replaced impervious surfaces, well in excess of the 10,000-square-foot Provision C.3 threshold.[59] However, the calculated impervious surface area, subject to confirmation by the City, does not include the proposed pervious surfaces devoted to landscaping.

Based on the proposed impervious surfaces, the project engineer has determined that an LID treatment area of 2,156 square feet is required, subject to confirmation by the City on behalf of the SCVURPPP.[60] The required treatment volume is based on a mean annual precipitation (MAP) of 14 inches, with an adjustment factor of 1.01 based on the site location. Required storage volume is based on the San Jose Airport unit basin storage volume of 0.58 inches. A rainfall intensity of 0.2 inches per hour and a rainfall event of 2.92 hours in duration were assumed, resulting in flow through the treatment media of 5 inches per hour.

The stormwater management plan for the project identifies seven drainage management areas (DMAs), with all but one of them (a small area in the northeast corner of the site) requiring LID treatment areas to treat the site's runoff. The two DMAs capturing runoff from the hotel roofs would be treated in flow-through planter boxes. The DMAs capturing runoff from the patio, sidewalks, and entrance driveway would be treated in flow-through planter strips that would be located between the sidewalk and the landscape strips lining Brokaw Road and Coleman Avenue that would be planted with the City-approved street trees and groundcovers. Details about the design and function of these stormwater treatment facilities are provided in the Project Description. The flow-through planter boxes and planting strips that would provide on-site treatment of stormwater collected from throughout the site would also serve to detain runoff from the site such that the post-project peak discharge from the site would be reduced in comparison to existing conditions.[61]

Prior to issuance of a grading permit, the project applicant will be required to obtain coverage under the current MRP, which will require approval of the project's C.3 Stormwater Control Plan and the proposed stormwater treatment facilities. Compliance with these requirements would prevent the substantial contribution of pollutants to downstream surface waters, including San Francisco Bay. Operation of the proposed project would therefore have a ***less-than-significant impact*** on water quality.

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[58] Santa Clara Valley Urban Runoff Pollution Prevention Program, *C.3 Stormwater Handbook: Guidance for Implementing Stormwater Requirements for New Development and Redevelopment Projects*, Table 7-1: HM Applicability, June 2016.

[59] Santa Clara Valley Urban Runoff Pollution Prevention Program, Provision C.3 Data Form, completed by Brooke Rhodes, Alpha Omega Engineering, [undated].

[60] Alpha Omega Engineering, *op. cit.*

[61] Michael R. Limakka, Registered Civil Engineer, Alpha Omega Engineering, personal communication, November 18, 2019.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| b) *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?* | ☐ | ☐ | ☐ | ☒ |

Explanation: The project site is underlain by the Santa Clara Valley Sub-Basin that is part of the Santa Clara Valley Basin groundwater aquifer that underlies the City of Santa Clara and surrounding South Bay cities.[62] Although the Santa Clara Valley Water District (SCVWD) manages this groundwater basin for domestic water supplies, the project would not affect the basin. Because the project site is covered almost entirely with impervious surfaces (buildings and pavements), it does not provide for an appreciable amount of groundwater recharge. In addition to the amount of pervious surfaces being very limited, infiltration rates are extremely low (0.02 inches per hour) due to the hard, clayey soils underlying the site.[63] Following implementation of the project, the site would remain largely covered with impervious surfaces, though there would continue to be landscaped pervious areas. The project would not affect recharge of Santa Clara Valley Basin groundwater aquifer.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river of through the addition of impervious surfaces, in a manner which would:* | | | | |
| i) *Result in substantial erosion or siltation on- or off-site?* | ☐ | ☐ | ☒ | ☐ |

Explanation: Construction-related impacts relating to erosion or siltation both on and off-site are discussed in Section X-a. The proposed project would not alter the course of a stream or river, but it would increase the amount of impervious surfaces on the site, which would result in changes to existing surface drainage patterns. Absent appropriate controls, the additional impervious surface area would result in an increased rate and volume of stormwater discharge from the site, which could increase erosion and siltation in downstream receiving waters. However, with implementation of the Stormwater Pollution Prevention Plan (SWPPP) and stormwater treatment features discussed in Section X-a, above, the project would not cause substantial erosion or siltation on or off the site.

[62] California Department of Water Resources, Sustainable Groundwater Management Act (SGMA) Portal, Accessed November 22, 2019 at: https://sgma.water.ca.gov/webgis/index.jsp?appid=gasmaster&rz=true.

[63] Alpha Omega Engineering, *op. cit.*

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?* | ☐ | ☐ | ☐ | ☒ |

Explanation: As discussed in Section X-a, above, implementation of the proposed project is not expected to increase the rate or volume of stormwater discharged from the site during peak storm events in comparison to existing conditions. Therefore, there is no potential for storm runoff from the site to increase flooding on or off the site.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *iii) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?* | ☐ | ☐ | ☒ | ☐ |

Explanation: Stormwater runoff from the project site flows into the City's stormwater collection system located under public streets. Because the proposed on-site stormwater treatment facilities would serve to retard the discharge of stormwater runoff from the site, such that the amount and rate of stormwater discharged from the site would not increase in comparison to existing conditions, the project therefore would not have the potential to exceed the capacity of the existing storm drainage facilities. The on-site treatment of stormwater would ensure that water subsequently discharged from the site would not carry substantial amounts of pollutants. The project would therefore have a ***less-than-significant impact*** on the stormwater drainage system.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?* | ☐ | ☐ | ☐ | ☒ |

Explanation: The project site is not located within a flood hazard area, as mapped by the Federal Emergency Management Agency (FEMA). The site is in an area designated as Zone X, Area With Reduced Flood Risk Due to Levee.[64] Zone X areas are generally outside the inundation zone for the 0.2-percent chance flood (i.e., the 500-year flood). Given its distance from San Francisco Bay, it is not

[64] Federal Emergency Management Agency, Flood Insurance Rate Map, Santa Clara County, California and Incorporated Areas, Map Number 06085C0231H, Effective Date May 18, 2009.

located within a potential tsunami runup area.[65] There is no potential for inundation of the site due to seiche, which is a free or standing wave oscillation(s) of the surface of water in an enclosed or semi-enclosed basin that may be initiated by an earthquake, because there is no surface water body near the project site. Because there is virtually no potential for the site to become inundated by flooding, tsunami, or seiche, there is no risk of pollutants to be released from the project site into flood waters.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?* | ☐ | ☐ | ☒ | ☐ |

Explanation:

### *Water Quality Control Plan*

The *Water Quality Control Plan for the San Francisco Bay Basin* (Basin Plan) is the master water quality control planning document adopted by the San Francisco Bay Regional Water Quality Control Board (RWQCB) in accordance with the Porter-Cologne Water Quality Control Act of 1969.[66] It designates beneficial uses and water quality objectives for waters of the State, including surface waters and groundwater. It also includes programs of implementation to achieve water quality objectives. The Basin Plan has been adopted and approved by the State Water Resources Control Board, U.S. Environmental Protection Agency (U.S. EPA), and the Office of Administrative Law, where required.

Among other provisions, the Basin Plan establishes conditions (discharge prohibitions) that must be met at all times. These include restrictions on discharge of wastewater, wastewater sludge, biocides (i.e., pesticides, herbicides, copper, etc.), oils, and a wide range of solid materials, including silt, sand, and clay. Point source discharges must be made in accordance with waste discharge requirements (WDRs) established by the RWQCB in accordance with the NPDES program described in Section X-a.

The Basin Plan is a large and complex document with many specific provisions, policies, and implementation plans all with the overarching goal of protecting water quality for beneficial uses, such as:

- agricultural, municipal, domestic, and industrial supply;
- marine, estuarine, and warm and cold freshwater wildlife habitats;
- commercial and sport fishing;
- navigation;
- preservation of rare and endangered species;
- contact and non-contact water recreation;

[65] California Emergency Management Agency, California Geological Survey, and University of Southern California, Tsunami Inundation Map for Emergency Planning, San Francisco Bay Area [map], December 9, 2009.

[66] California Regional Water Quality Control Board, San Francisco Bay Region, *San Francisco Bay Basin (Region 2) Water Quality Control Plan (Basin Plan)*, May 4, 2017.

- shellfish harvesting;
- fish spawning;
- and more.

Many of the programs and other provisions described in the Basin Plan are not applicable to the proposed project. However, the proposed project would be required to comply with the NPDES regulations pertaining to construction and operation of new development sites, described in detail in Section X-a, above. By complying with the applicable provisions of these regulations, potential water pollutants generated by construction and operation of the project would be minimized and would not adversely affect surface or groundwater quality. Therefore, the project would not conflict with or obstruct implementation of the applicable water quality control plan. This would be a ***less-than-significant*** impact.

### *Sustainable Groundwater Management Plan*

Despite California's heavy reliance on groundwater, the extraction of groundwater was never regulated until the 2014 passage of a package of bills that collectively formed the Sustainable Groundwater Management Act (SGMA). Senate Bill (SB) 1168, Assembly Bill (AB) 1739, and SB 1319 (which amended AB 1739) established a comprehensive Statewide groundwater management program with the primary goal of achieving sustainable groundwater basins over the next 20 years. Improved groundwater management is intended to provide a water supply buffer during periods of drought.

Rather than regulating groundwater at the State level, the SGMA allocates responsibility for local management of groundwater basins. The basins are to be managed by Groundwater Sustainability Agencies (GSAs), which can be formed by any local agency or coordinated group of agencies for purpose of complying with the SGMA. If no agency is formed, the county is presumed to be the local GSA unless the county explicitly opts out. In some cases, the legislation lists new special districts, which have exclusive authority for managing groundwater within their jurisdictional boundaries.

GSAs have authority to acquire land and water for purposes of recharging the groundwater basin and storing and transporting water. The GSAs must submit annual reports to the California Department of Water Resources (DWR), listing groundwater elevation data, amount of groundwater storage, use of surface water for groundwater recharge (or as water supply), and total use of water within the GSA's boundaries.

The DWR was required by prior legislation to rank the priority of each of the State's 515 groundwater basins and sub-basins as either high, medium, low, or very low priority by January 31, 2015. These rankings were made in accordance with the California Statewide Groundwater Elevation Monitoring (CASGEM) program. The CASGEM program considers such factors as the number of public wells in the basin, population served, acreage of land above the basin, reliance on groundwater, history of overdrafting, occurrence of subsidence, degradation in water quality, and other factors.

The SGMA requires Groundwater Sustainability Agencies (GSAs) to form in the State’s high- and medium-priority basins and sub-basins by June 30, 2017. For groundwater basins designed as medium or high priority, the SGMA requires the responsible GSA to prepare and adopt a Groundwater Sustainability Plan (GSP). Under certain conditions, including where a GSA has performed an analysis that demonstrates the groundwater basin under its purview has been operated within its sustainable yield over a period of at least 10 years, the GSA may prepare an Alternative to a GSP. The GSPs or Alternative GSPs must encompass an entire basin or sub-basin and must demonstrate that the basin can achieve sustainable groundwater management within 20 years of adoption of the plan.

The Santa Clara Valley Basin and sub-basin groundwater aquifer that underlies the City of Santa Clara is designated by DWR as a high-priority basin.[67] The Santa Clara Valley Water District (SCVWD) has been designated as the exclusive GSA for the Santa Clara groundwater basin.[68] In 2016 the SCVWD adopted the 2016 *Groundwater Management Plan* (GWMP) for the Santa Clara and Llagas Sub-Basins, which describes the District's groundwater sustainability goals, and the strategies, programs, and activities that support those goals. The GWMP was developed under authority granted by the Santa Clara Valley Water District Act. Following a public hearing and after considering public comments, the District Board of Directors adopted the 2016 GWMP on Nov. 22, 2016. The GWMP was submitted to DWR as an Alternative to a GSP on Dec. 21, 2016.

The GWMP concludes that Countywide water supplies, including groundwater, are sufficient to meet demands in normal years through 2040, but additional investments will be required to meet demand during multiple drought years. It notes that to meet this challenge, it planned to update its Water Supply Master Plan in 2017 to identify future projects and programs to ensure a continued long-term water supply. As discussed in more detail in Section XIX-b, the District subsequently adopted the *Water Supply Master Plan 2040* in November 2019, which sets forth its strategies for ensuring a sufficient water supply to meet 100 percent of demand through the first five years of an extended drought similar to the one that occurred from 1987 to 1992, and supplies that would meet more than 90 percent of demand in a sixth year of drought.

The proposed project would be required to comply with California Plumbing Code and California Green Building Standards Code (CalGreen) requirements pertaining to water efficiency, including requirements for low-flow toilets, showers, faucets, and other plumbing fixtures. CalGreen also requires new construction projects that include at least 500 square feet of outdoor landscape areas to comply with the California Department of Water Resources Model Efficient Landscape Ordinance (MWELO) or with a local water-efficient landscape ordinance that is at least as effective as the updated MWELO. With at least 715 square feet of landscaped area in the proposed planting strips, the proposed project would be subject to the water-efficient landscape requirements. The project would also be required to comply with the City of Santa Clara's Water Service and Use Rules and Regulations, which prohibit the wasteful use of water (the rules include a list of specific uses of water that are prohibited) and require water-efficient design of landscaping projects of 500 square feet or more.

The proposed project would not conflict with or obstruct the implementation of the GWMP. Furthermore, as discussed in Section X-b, no groundwater would be pumped at the project site, and development of the project would have a negligible effect on groundwater recharge at the site. Consequently, there is no potential for the project to substantially interfere with the management of groundwater supplies. This would be a ***less-than-significant*** impact.

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[67] California Department of Water Resources, Public Affairs Office, Statewide Map of SGMA 2019 Basin Prioritization Results [map], April 30, 2019.

[68] California Department of Water Resources, Groundwater Sustainability Agencies, GSA Map Viewer [interactive map], Accessed November 21, 2019 at: https://sgma.water.ca.gov/webgis/index.jsp?appid=gasmaster&rz=true.

## XI. LAND USE AND PLANNING — *Would the project:*

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *a) Physically divide an established community?* | ☐ | ☐ | ☐ | ☒ |

Explanation: The project would redevelop an existing commercial site currently occupied by two restaurants (one vacant) and an office/light industrial building with a six-story hotel with parking and amenities. While the three parcels comprising the property would be merged as part of the proposed project, development of the project would not block off any existing streets or pedestrian paths connecting different areas of a community, and the project does not include the creation of any new streets. The project would not divide an established community or interfere in any way with access to an established community.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?* | ☐ | ☐ | ☒ | ☐ |

Explanation:

### *General Plan Consistency*

The project site is located within the City of Santa Clara and development of the site is subject to the provisions of the *City of Santa Clara 2010-2035 General Plan*, adopted November 16, 2010 and amended December 9, 2014. The General Plan land use designation of the site is Santa Clara Station Area, and Figure 5.4-4 of the General Plan further designates the site as Santa Clara Station Regional Commercial (with an emphasis on office and hotel uses). The General Plan has land use maps for three different phases of future development (Phase I: 2010-2015; Phase II: 2015-2023; and Phase III: 2023-2035); the same land use designations are assigned to the project site under all three phases of the General Plan.

The project site is located in the Santa Clara Station Focus Area, one of six existing focus areas in the City (in addition to three potential future focus areas) that have the potential to significantly define the City's identity. They include major corridors and destinations, new centers of activity around transit stations, and new residential neighborhoods that, due to their integral location, provide an opportunity to enhance the City's quality of life and foster economic vitality. The General Plan includes design and land use policies particular to each focus area that are in addition to the City-wide land use policies presented in the General Plan. All relevant policies were reviewed during this environmental review, and the project's consistency with the applicable policies was evaluated.

The allowed residential and commercial densities within the Santa Clara Station Focus Area are defined on Figure 5.4-4 of the General Plan. This figure indicates that the allowable density on the project site is a maximum floor area ratio (FAR) of 3.0. As proposed, the project would have an FAR of 2.99, and therefore would be consistent with the density allowed by the 2010-2035 General Plan.

The City's more general Regional Commercial land use designation is intended retail and commercial developments that serve both Santa Clara residents and the surrounding region. A broad range of retail uses is allowed, including regional shopping centers, local-serving offices, medical facilities, home improvement/durable goods sales and services, warehouse membership clubs, new and used auto sales and services, and travel-related services such as hotels, gas stations, restaurants, convention centers, amusement parks and sports venues. The proposed hotel is consistent with these allowed uses.

The following discussion of General Plan policies applicable to the proposed project begins with the more focused policies that pertain specifically to the Santa Clara Station Focus Area. The proposed hotel project would not conflict with any of the two dozen Santa Clara Station Focus Area goals and policies. On the other hand, the project would be supportive of the following goals and policies:

> **Goal 5.4.3-G1:** Development in proximity to the Santa Clara Station that capitalizes on transit and results in high intensity uses.
>
> **Goal 5.4.3-G2:** A mix of uses, with emphasis on office, hotel and residential development.
>
> **Policy 5.4.3-P1:** Allow a range of development intensities, with the potential for up to 3.0 Floor Area Ratio, for the area northeast of El Camino Real.
>
> **Policy 5.4.3-P8:** Facilitate the implementation of development and infrastructure improvements using Figure 5.4-5 as a guide for projects and streetscapes in the Santa Clara Station Focus Area.
>
> **Policy 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.
>
> **Policy 5.4.3-P10:** Orient building street frontages to the ground level with residential entries, stoops and windows, and commercial store fronts.
>
> **Policy 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.
>
> **Policy 5.4.3-P12:** Minimize surface parking by requiring below-grade or structured parking facilities with active uses along street frontages.

Although this is not an exhaustive list, other General Plan policies are listed below that especially pertain to the proposed project:

General Land Use

> **Policy 5.3.1-P14:** Encourage Transportation Demand Management strategies and the provision of bicycle and pedestrian amenities in all new development greater than 25 housing units or more than 10,000 non-residential square feet, and for City employees, in order to decrease use of the single-occupant automobile and reduce vehicle miles traveled, consistent with the CAP.
>
> **Policy 5.3.1-P16:** Consolidate curb cuts with new development on arterial roadways to minimize pedestrian/vehicle conflicts at driveway locations and improve traffic flow.

**Policy 5.3.1-P18:** Meter net new industrial and commercial development excluding "Approved/Not Constructed and Pending Projects" identified on Figure 2.1-1 so as not to exceed 2.75 million square feet in Phase I, 5.5 million square feet in Phase II and 5.5 million square feet in Phase III in order to maintain the City's jobs/housing balance and ensure adequate infrastructure and public services.

Commercial Land Use

**Policy 5.3.3-P8:** Require quality design for new and redeveloped commercial uses to support the City's economic development objectives.

**Policy 5.3.3-P9:** Encourage below-grade parking in higher intensity commercial centers.

Transit Network

**Policy 5.8.3-P8:** Require new development to include transit stop amenities, such as pedestrian pathways to stops, benches, traveler information and shelters.

**Policy 5.8.3-P9:** Require new development to incorporate reduced on-site parking and provide enhanced amenities, such as pedestrian links, benches and lighting, in order to encourage transit use and increase access to transit services.

**Policy 5.8.3-P10:** Require new development to participate in public/private partnerships to provide new transit options between Santa Clara residences and businesses.

Bicycle and Pedestrian Network

**Policy 5.8.4-P7:** Require new development to provide sidewalks, street trees and lighting on both sides of all streets in accordance with City standards, including new developments in employment areas.

**Policy 5.8.4-P8:** Require new development and public facilities to provide improvements, such as sidewalks, landscaping and bicycling facilities, to promote pedestrian and bicycle use.

Transportation Demand Management

**Policy 5.8.5-P1:** Require new development and City employees to implement transportation demand management programs that can include site-design measures, including preferred carpool and vanpool parking, enhanced pedestrian access, bicycle storage and recreational facilities.

**Policy 5.8.5-P2:** Require development to offer on-site services, such as ATMs, dry cleaning, exercise rooms, cafeterias and concierge services, to reduce daytime trips.

**Policy 5.8.5-P3:** Encourage all new development to provide on-site bicycle facilities and pedestrian circulation.

**Policy 5.8.5-P4:** Encourage new development to participate in shuttle programs to access local transit services within the City, including buses, light rail, Bay Area Rapid Transit, Caltrain, Altamont Commuter Express Yellow Shuttle and Lawrence Caltrain Bowers/Walsh Shuttle services.

Parking

**Policy 5.8.6-P5:** Allow alternative parking techniques, such as parking lifts, automated and tandem parking, in order to reduce the land area devoted to parking.

**Policy 5.8.7-P12:** Encourage below-grade or structured parking with active uses along street frontages.

Energy

**Policy 5.10.3-P4:** Encourage new development to incorporate sustainable building design, site planning and construction, including encouraging solar opportunities.

**Policy 5.10.3-P5:** Reduce energy consumption through sustainable construction practices, materials and recycling.

**Policy 5.10.3-P6:** Promote sustainable buildings and land planning for all new development, including programs that reduce energy and water consumption in new development.

Water

**Policy 5.10.4-P1:** Promote water conservation through development standards, building requirements, landscape design guidelines, education, compliance with the State Water Conservation Landscaping Ordinance, incentives, and other applicable City-wide policies and programs.

**Policy 5.10.4-P6:** Maximize the use of recycled water for construction, maintenance, irrigation and other appropriate applications.

**Policy 5.10.4-P7:** Require installation of native and low-water-consumption plant species when landscaping new development and public spaces to reduce water usage.

Safety

**Policy 5.10.5-P6:** Require that new development is designed to meet current safety standards and implement appropriate building codes to reduce risks associated with geologic conditions.

**Policy 5.10.5-P7:** Implement all recommendations and design solutions identified in project soils reports to reduce potential adverse effects associated with unstable soils or seismic hazards.

**Policy 5.10.5-P11:** Require that new development meet stormwater and water management requirements in conformance with State and regional regulations.

**Policy 5.10.5-P15:** Require new development to minimize paved and impervious surfaces and promote on-site Best Management Practices for infiltration and retention, including grassy swales, pervious pavement, covered retention areas, bioswales, and cisterns, to reduce urban water run-off.

**Policy 5.10.5-P16:** Require new development to implement erosion and sedimentation control measures to maintain an operational drainage system, preserve drainage capacity and protect water quality.

**Policy 5.10.5-P17:** Require that grading and other construction activities comply with the Association of Bay Area Governments' Manual of Standards for Erosion and Sediment Control Measures and with the California Stormwater Quality Association (CASQA), Stormwater Best Management Practice Handbook for Construction.

**Policy 5.10.5-P21:** Require that storm drain infrastructure is adequate to serve all new development and is in place prior to occupancy.

**Policy 5.10.5-P22:** Regulate development on sites with known or suspected contamination of soil and/or groundwater to ensure that construction workers, the public, future occupants and the environment are adequately protected from hazards associated with contamination, in accordance with applicable regulations.

**Policy 5.10.5-P26:** Survey pre-1980 buildings and abate any lead-based paint and asbestos prior to structural renovation and demolition, in compliance with all applicable regulations.

**Policy 5.10.5-P29:** Continue to refer proposed projects located within the Airport Influence Area to the Airport Land Use Commission.

**Policy 5.10.5-P30:** Review the location and design of development within Airport Land Use Commission jurisdiction for compatibility with the Airport Land Use Compatibility Plan.

**Policy 5.10.5-P32:** Encourage all new projects within the Airport Influence Area to dedicate an avigation easement.

Noise

**Policy 5.10.6-P1:** Review all land use and development proposals for consistency with the General Plan compatibility standards and acceptable noise exposure levels defined on Table 5.10-1.

**Policy 5.10.6-P2:** Incorporate noise attenuation measures for all projects that have noise exposure levels greater than General Plan "normally acceptable" levels, as defined on Table 5.10-1.

**Policy 5.10.6-P3:** New development should include noise control techniques to reduce noise to acceptable levels, including site layout (setbacks, separation and shielding), building treatments (mechanical ventilation system, sound-rated windows, solid core doors and baffling) and structural measures (earthen berms and sound walls).

Although there was not sufficient project information available at the time of this environmental review to make a definitive determination regarding consistency with every applicable General Plan policy, no conflicts with the policies listed above were identified, and in numerous instances, the project would clearly be consistent with and supportive of the policies. Although the current project plans do not include bicycle lockers or other bicycle facilities, the applicant will be revising the plans to include 14 Class 1 and Class 4 bicycle parking spaces in accordance with Santa Clara Valley Transportation Authority (VTA) Bicycle Design Guidelines. Therefore, the project is expected to be found supportive of Transportation Demand Management Policy 5.8.5-P3. It is noted that the policy encourages but does not require the provision of such facilities.

### *Zoning Ordinance*

The project site is located in an ML (Light Industrial) zoning district, and the adjoining properties have the same zoning. The intent of the ML district is to provide an optimum general industrial environment while protecting adjacent properties from noise, smoke, odor, dust, noxious gases, vibrations, glare, heat, fire hazards, or industrial wastes emanating from the ML property.

The regulations for the ML district are codified in Chapter 18.48 of the Santa Clara City Code. Permitted uses in the ML district are generally those of a light industrial nature, including processing and manufacturing facilities, equipment repair facilities, warehouses, etc. Conditional uses, subject to approval of a Use Permit, can include retail commercial and service uses, restaurants, cocktail lounges, service stations, kennels, etc. City Code Section 18.48.040(e) lists "other uses not normally permitted, but that are . . . appropriate for an industrial area, such as lodges and bingo halls." Based on Section 18.48.040(e), the proposed hotel appears to be a conditionally permitted use in the ML district. The proposed project includes a request for approval of a Use Permit, which would render the project consistent with the permitted uses in the ML district.

The development regulations for the ML district include the following requirements: 1) a minimum lot area of 20,000 square feet 2) a minimum lot width of 100 feet; 3) a maximum height of 70 feet; 4) minimum front and corner side yards of 15 feet; 5) a minimum side yard of 10 feet; and 6) maximum building coverage of 75 percent. The proposed hotel would have a height of 85 feet 5-1/4 inches, exceeding the height restriction by approximately 22 percent. City Code Chapter 18.90 allows the

Zoning Administrator to authorize a minor modification of up to 25 percent from the height limit; the proposed project includes a request for this authorization. The required front and side setbacks would be provided by the sidewalk and landscaped planting strip along the site frontages. The project readily conforms to the other standards listed above.

Off-street parking requirements are established in Chapter 18.74 of the City Code. Hotels are required to provide one parking space for each lodging unit. With 396 hotel rooms, a minimum of 396 parking spaces would be required. The proposed project site plan shows 282 parking spaces in mechanical stackers and 2 ADA van stalls for a total of 284 parking spaces, which does not meet the City code requirement. The project is planning to provide valet parking and shuttle service to the airport and other local destinations. Although there is a "minor modification" process by which the Zoning Administrator may deviate from Zoning Ordinance standards by as much as 25 percent, this would still require a minimum of 297 spaces. In addition, the City Code also contains minimum dimensions that each parking space must meet in order to be counted toward the minimum. Although the surface spaces could be counted, there is no provision in the Code that allows for mechanical lifts to substitute for surface spaces, and so a large percentage of the lift "spaces" would not count toward the minimum. As a result, a variance will be necessary to approve the project.

The general plan and zoning analysis summarized above did not find any conflicts with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, the project would have a ***less-than-significant impact*** due to planning or zoning conflicts.

## XII. MINERAL RESOURCES — *Would the project:*

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?* | ☐ | ☐ | ☐ | ☒ |

Explanation: The project site and all lands in the vicinity of the site are classified as Mineral Resource Zone (MRZ) category MRZ-1 by the California Department of Conservation's Division of Mines and Geology (DMG).[69] The MRZ-1 designation is assigned to areas where adequate information is available to make a determination that no significant mineral deposits are present, or where it is judged by DMG that there is little likelihood that they are present. It can therefore be assumed that mineral resources that would be of value to the region and the residents of the State are absent from the site. In addition, the site is located in a developed urbanized area, where extraction of minerals from the site would be impractical and highly disruptive to surrounding established land uses. This is reinforced by a statement in the DMG report published with the MRZ maps for the Bay Area that mineral lands located within areas that have already been urbanized are not considered viable for extraction, and

[69] California Department of Conservation, Division of Mines and Geology, Generalized Mineral Land Classification Map of the South San Francisco Bay Production-Consumption Region, Newark Quadrangle [map] (Plate 1 of 29), 1996.

are deemed incompatible.[70] Therefore, the project would have **no impact** on the availability of mineral resources.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *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?* | ☐ | ☐ | ☐ | ☒ |

Explanation: No locally significant mineral resources are designated in the City's General Plan, and the Santa Clara General Plan EIR reports that the City is not known to support significant aggregate resources or mineral resources of any other type. As noted above, the proposed project would not have an adverse effect on the availability of significant mineral resources.

## XIII. NOISE — *Would the project result in:*

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?* | ☐ | ☒ | ☐ | ☐ |

Explanation:

### *Noise Descriptors*

Similar to most jurisdictions, Santa Clara's regulation of noise is based on commonly-employed noise parameters that are based on the fundamental metric of a decibel (dB), which is a unit of sound energy intensity caused by rapid fluctuation of air pressure as sound waves travel outward from a source. Decibels are logarithmic units that compare the wide range of sound intensities to which the human ear is sensitive, with 0 dB corresponding roughly to the threshold of hearing.

A frequency weighting measure, which simulates human perception, is commonly used to describe noise environments and to assess impacts on noise-sensitive areas. A-weighting of sound levels best reflects the human ear's reduced sensitivity to low and extremely high frequencies, and correlates well with human perceptions of the annoying aspects of noise. An A-weighted decibel (dBA) is a decibel

[70] California Department of Conservation, Division of Mines and Geology, *Update of Mineral Land Classification: Aggregate Materials in the South San Francisco Bay Production-Consumption Region*, Concepts Used in Identifying Available Aggregate Resources (page 7), 1996.

corrected for the variation in frequency response to the typical human ear at commonly encountered noise levels. The A-weighted decibel scale (dBA) is cited in most noise criteria, including Santa Clara's.

Several time-averaged scales represent noise environments and consequences of human activities. The most commonly used noise descriptors are the equivalent A-weighted sound level over a given time period ($L_{eq}$);[71] average day-night 24-hour average sound level ($L_{dn}$)[72] with a nighttime increase of 10 dBA to account for sensitivity to noise during the nighttime; and community noise equivalent level (CNEL),[73] also a 24-hour average that includes both an evening and a nighttime weighting. Peak noise levels, such as train pass-bys or operation of heavy-duty construction equipment, are often described as the highest instantaneous noise measurement during any measurement period ($L_{max}$).

Noise levels are generally considered low when ambient levels are below 45 dBA, moderate in the 45-60 dBA range, and high above 60 dBA. Outdoor day/night sound levels ($L_{dn}$) vary over 50 dBA, depending on the specific type of land use. The $L_{dn}$ noise levels average approximately 35 dBA in wilderness areas, 40 to 50 dBA in small towns or wooded residential areas, 75 dBA in major metropolis downtown areas, and 85 dBA near major freeways and airports. Although people often accept the higher levels associated with very noisy urban residential and residential-commercial zones, they nevertheless are considered to be adverse levels of noise with respect to public health.

### *Existing Noise Levels*

Due to its location adjacent to a busy principal arterial (Coleman Avenue), the Caltrain rail line, and the Norman Y. Mineta San Jose International Airport (SJC), existing ambient noise levels at the site are high. To accurately characterize existing noise levels, one long-term (24-hour) and two short-term (10-minute) noise measurements were conducted by Acoustics Group, Inc. (AGI) at three locations distributed across the project site (see Figure NOI-1). The results of the noise measurements are presented in Table NOI-1.

As shown in the table, hourly $L_{eq}$ at the project site ranges from 53 to 67 dBA $L_{eq}$. These short-term sound levels vary, increasing with passing aircraft, passing of loud trucks or motorcycles, large concentrations of traffic, back-up beepers from service vehicles, etc. The 24-hour CNEL was measured at 67 dBA.

### *Noise Exposure*

The State of California and City of Santa Clara General Plan establishes interior noise levels attributable to exterior sources to a maximum of 45 dBA CNEL in any habitable room or 50 dBA $L_{eq}$ for offices, retail, or less sensitive indoor spaces. In areas subject to exterior noise levels greater than 55 dBA CNEL, an acoustical analysis demonstrating that dwelling units have been designed to meet the interior standard is required by the City.

As a result of a December 2015 ruling by the California Supreme Court,[74] with certain exceptions, CEQA no longer considers impacts of the environment (such as elevated levels of existing ambient noise) on a project to be a significant impact unless the project would exacerbate existing environmental hazards. However, if a project would conflict with a policy, ordinance, or regulation

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[71] The Equivalent Sound Level ($L_{eq}$) is a single value of a constant sound level for the same measurement period duration, which has sound energy equal to the time-varying sound energy in the measurement period.

[72] $L_{dn}$ is the day-night average sound level that is equal to the 24-hour A-weighted equivalent sound level with a ten-decibel penalty applied to night between 10:00 p.m. and 7:00 a.m.

[73] CNEL is the average A-weighted noise level during a 24-hour day, obtained by addition of 5 decibels in the evening from 7:00 to 10:00 p.m., and an addition of a 10-decibel penalty in the night between 10:00 p.m. and 7:00 a.m.

[74] California Building Industry Association v. Bay Area Air Quality Management District (2015) 62 Cal.4th 369.


**Figure NOI-1**

Noise Measurement Locations

Source: Acoustics Group, Inc.

adopted by a public agency for the purpose of avoiding or mitigating an environmental effect, such a conflict would still represent a significant impact under CEQA.

The noise standards established in Santa Clara's General Plan (as well as the State standards) were adopted to avoid exposure of residents to excessive noise levels, and can therefore be seen as a policy adopted to avoid an environmental effect. Consequently, any conflict with the City's noise standards is considered a significant environmental impact in this analysis. Because the proposed hotel project would be exposed to ambient noise levels greater than 55 dBA CNEL, the project would have a ***potentially significant impact*** related to noise exposure. Implementation of the following mitigation measure would reduce the impact to a less-than-significant level:

**Mitigation Measure NOI–1:** Prior to the issuance of a building permit, the City shall retain the services of a qualified noise consultant or acoustical engineer (to be paid for by the applicant) to conduct a detailed noise analysis to determine any special noise insulation features necessary to ensure that interior noise levels in the proposed hotel rooms, lobby, and dining room would not exceed 45 dBA CNEL with all doors and windows closed. The noise analysis should stipulate required Sound Transmission Class (STC) ratings for window, door, wall, and floor/ceiling assemblies to be employed in the project in order to achieve the required level of sound insulation. The acoustical design recommendations shall be incorporated into project plans and implemented during project construction.

**Table NOI-1**

**Short- and Long-Term Noise Measurements at the Project Site**

| Location | Time Period | Noise Levels (dBA) | Noise Sources |
|---|---|---|---|
| LT1: Center of Project Site | 7/9/19 1:00 p.m. to 7/10/19 1:00 p.m. | Hourly $L_{eq}$'s ranged from: 53-67<br>CNEL: 67 | Vehicular Traffic, Aircraft, Train Horn |
| ST1: Project Site (North) | 7/10/19 11:52 a.m. to 11:57 a.m. | 5-min $L_{eq}$: 67 | Aircraft |
| ST2: Project Site (Northeast) | 7/10/19 11:59 a.m. to 12:04 p.m. | 10-min $L_{eq}$: 53 | Aircraft |

Source: AGI, 2019

### *Operational Noise Impacts*

Santa Clara also regulates noise with its Community Noise Ordinance, promulgated at City Code Chapter 9.10. The ordinance declares it to be the policy of the City that the peace, health, safety and welfare of the citizens of Santa Clara require protection from excessive, unnecessary, and unreasonable noises from any and all sources in the community. The ordinance empowers the City to investigate complaints of noise disturbance and enforce violations of the noise limits as administrative, civil, or criminal actions, or through the nuisance abatement process. City Code Section 9.10 requires that exterior noise levels at light industrial land uses are maintained at or below 70 dBA during both daytime and nighttime hours, and at commercial uses they must be maintained at or below 65 dBA during the daytime and 60 dBA during the nighttime. The limit for multiple-family residential uses is 55 dBA during the daytime and 50 dBA during the nighttime.

The City of Santa Clara General Plan establishes noise and land use compatibility guidelines for land uses, which are shown on Figure NOI-2.[75] For residential land uses, an ambient noise level up to 70 dBA CNEL is considered compatible with appropriate design and inclusion of insulation features. For commercial land uses, an ambient noise level up to 75 dBA CNEL is considered compatible with appropriate design and inclusion of insulation features.

A significant impact would be identified if traffic generated by the project or project improvements/operations would substantially increase noise levels at sensitive receivers in the vicinity. A substantial increase would occur if: a) the noise level increase is 5 dBA CNEL or greater where the future noise level is compatible in terms of noise and land use compatibility, or b) the noise level increase is 3 dBA CNEL or greater where the future noise level exceeds the compatibility threshold.

Operation of the project would generate a negligible amount of noise, primarily by passenger vehicles of hotel guests, employees, delivery trucks, and maintenance/service vehicles arriving to and departing from the hotel property. These noise sources are common to all commercial development, and are not considered noise disturbances subject to regulation.

Operation of outdoor mechanical equipment would produce a $L_{eq}$ as high as 43 dBA at the project site property line, which would comply with the City of Santa Clara Noise Standards at the adjacent light-industrial and mixed-use commercial/residential land uses.

Based on the considerations discussed above, operation of the project would not have the potential to exceed noise limits established in the Santa Clara General Plan or the City's Community Noise Ordinance. The proposed project would have a ***less-than-significant operational noise impact***.

### *Construction Noise Impacts*

A significant noise impact would be identified if construction-related noise would temporarily increase ambient noise levels at sensitive receptors. The City of Santa Clara does not consider light industrial land uses to be noise-sensitive, and construction of the project would not be subject to temporary mobile construction noise regulations that could apply in more noise-sensitive areas, such as residential neighborhoods. The nearest commercial land use (located approximately 250 feet away) is located within the City of Jose. The City of San Jose does not establish a construction noise limit for commercial land uses.

Equipment that would be operated during project construction would include rubber-tired dozers, tractors, loaders, backhoes, graders, cranes, forklifts, generator sets, welders, cement and mortar

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[75] City of Santa Clara, *City of Santa Clara 2010-2035 General Plan*, Section 8.14: Noise, Table 8.14-1: General Plan Noise Standards, November 2010.

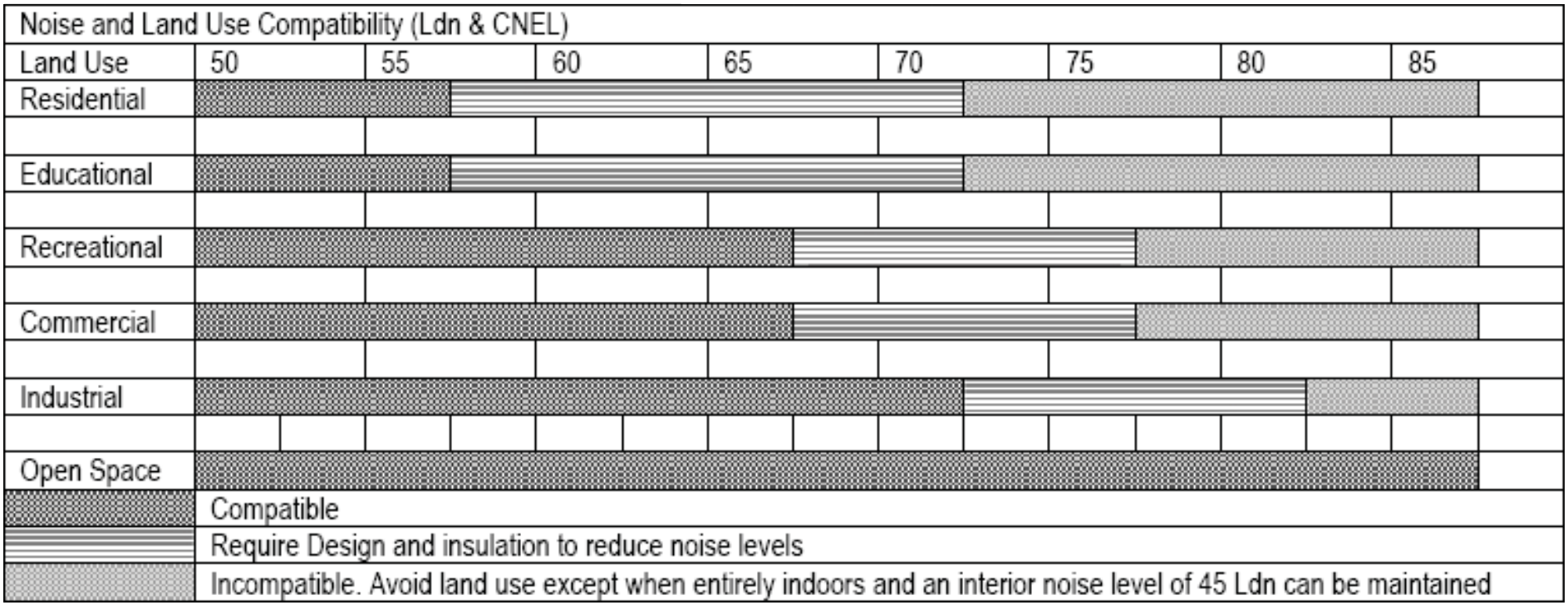



**Figure NOI-2**

Noise Standards for General Land Use Categories

Source: Santa Clara General Plan

mixers, pavers, rollers, and air compressors. It has not been determined if pile driving or use of impact hammers would be required during project construction. The majority of noise emitted from the equipment that would be used originates from their internal combustion engines—typically diesel-fueled—and is emitted during the air intake and exhaust cycles. Based on data provided by the Federal Highway Administration, this equipment would emit noise levels of 74 to 90 dBA at a distance of 50 feet.[76]

At the nearest industrial property line (within approximately 25 feet of construction), noise levels from typical construction equipment used during project construction would range from 86 to 96 dBA. At the nearest commercial property line (approximately 250 feet from the site, in the City of San Jose), the typical construction $L_{eq}$ would range from 63 to 77 dBA. If pile driving or impact hammers would be used during project construction, noise levels would be as high as 107 and 87 dBA at the nearest industrial and commercial property lines, respectively.

As the City of Santa Clara and San Jose do not establish construction noise limits for light industrial or commercial land uses, the project would have a ***less-than-significant construction noise impact***. However, the construction noise and potentially pile driving/impact hammers would be as source of annoyance.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *b) Generation of excessive groundborne vibration or groundborne noise levels?* | ☐ | ☒ | ☐ | ☐ |

Explanation: To avoid structural damage, the California Department of Transportation recommends a vibration limit of 0.5 inches per second (in/sec) of peak particle velocity (PPV) for buildings structurally sound and designed to modern engineering standards, which typically consist of buildings constructed since the 1990s. A conservative vibration limit of 0.3 in/sec PPV has been used for buildings that are found to be structurally sound but where structural damage is a major concern. For historical buildings or buildings that are documented to be structurally weakened, a conservative limit of 0.08 in/sec PPV is often used to provide the highest level of protection. This analysis assumes that buildings adjoining the site were constructed prior to the 1990s and are structurally sound. Therefore, ground-borne vibration levels exceeding the conservative 0.3 in/sec PPV limit would have the potential to result in a significant vibration impact.[77]

The nearest building to the construction is located approximately 15 feet north of the project site. At this distance, vibration generated from the use of pile driving would be as high as 3.27 in/sec PPV, which is above 0.3 in/sec PPV threshold. Vibratory rollers during the paving construction phase would generate vibration as high as 0.45 in/sec PPV which is above the 0.3 in/sec PPV threshold. Operation of other construction equipment (not pile driver or vibratory roller) would not exceed 0.3 in/sec PPV and not cause structural damage. For example, operation of a large bulldozer produces a vibration

[76] U.S. Department of Transportation, Federal Highway Administration, *Construction Noise Handbook*, Roadway Construction Noise Model (RCNM) Inventory, Table 9.1: RCNM Default Noise Emission Reference Levels and Usage Factors, August 2006.

[77] California Department of Transportation (Caltrans), *Transportation and Construction Vibration Guidance* Manual, Table 14: Dowding Building Structure Vibration Criteria, September 2013.

level at 25 feet of 0.089 in/sec PPV.[78] Furthermore, groundborne vibration falls off quickly with distance, and vibration levels would be lower at structures located further from construction.

Following completion of construction, there would be no operational generation of vibration. However, as indicated above, vibration levels from vibratory roller activities and possibly from pile driving would have the potential to cause architectural and structural damage to the nearest building. This would be a ***potentially significant*** impact. Implementation of the following mitigation measure would reduce the impact to a less-than-significant level:

**Mitigation Measure NOI–2:** The construction contractor shall avoid the use of pile driving, impact hammers, vibratory rollers and other vibration-generating construction equipment (hoe rams, large bulldozers, caisson drillings, loaded trucks, jackhammers) where possible. Auger cast piles should be used in lieu of impact techniques. A construction vibration monitoring plan shall be prepared and implemented to document conditions prior to, during, and after vibration-generating construction activities. All plan tasks shall be undertaken under the direction of a licensed Professional Structural Engineer in the State of California and be in accordance with industry-accepted standard methods. The construction vibration monitoring plan shall be implemented to include the following tasks:

- Identification of the sensitivity of nearby structures to groundborne vibration. Vibration limits shall be applied to all vibration-sensitive structures located within 100 feet of any vibratory roller activities and 25 feet of other construction activities identified as sources of high vibration levels.
- Performance of a photo survey, elevation survey, and crack monitoring survey for each structure of normal construction within 100 feet of vibratory roller activities and/or within 25 feet of other construction activities identified as sources of high vibration levels. Surveys shall be performed prior to any construction activity, at regular intervals during construction, and after project completion, and shall include internal and external crack monitoring in structures, settlement, and distress, and shall document the condition of foundations, walls, and other structural elements in the interior and exterior of said structures.
- Development of a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies shall be identified for when vibration levels approach the limits.
- At a minimum, vibration monitoring shall be conducted during demolition, grading, and paving activities. Monitoring results

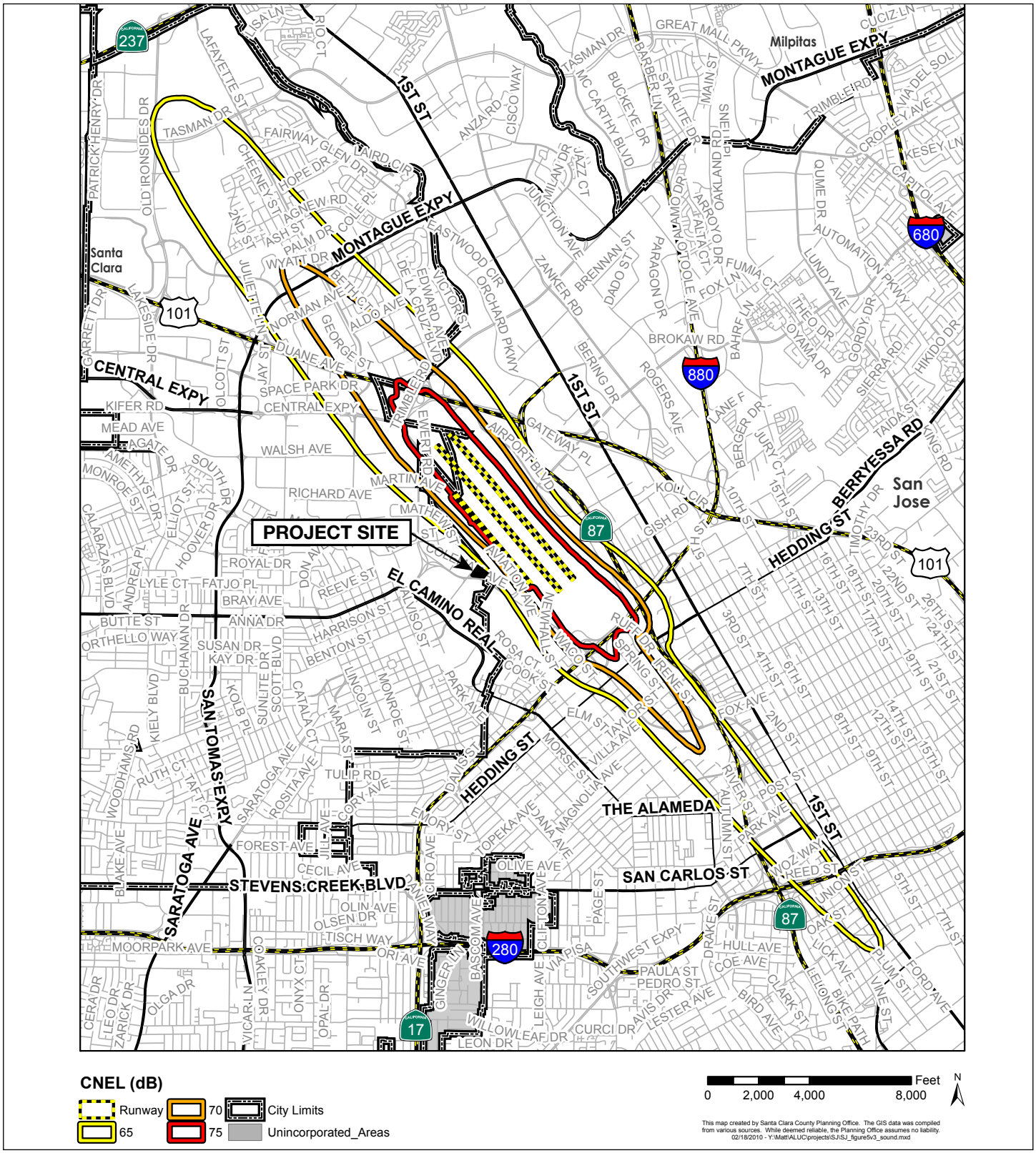
[78] Federal Transit Administration (FTA), *Transit Noise and Vibration Impact Assessment Manual*, Table 7-4: Vibration Source Levels for Construction Equipment, FTA Report No. 0123, September 2018.

may indicate the need for more or less intensive measurements.

- If vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures.
- Designate a person (developer's representative or job-site superintendent) responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.
- Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage have been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.
- The results of all vibration monitoring shall be summarized and submitted in a report to the Santa Clara Planning Department shortly after substantial completion of each phase identified in the project schedule. The report shall include a description of measurement methods, equipment used, calibration certificates, and graphics as required to clearly identify vibration-monitoring locations. An explanation of all events that exceeded vibration limits shall be included together with proper documentation supporting any such claims.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| c) *For a project located within the vicinity of a private airstrip or 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?* | ☐ | ☒ | ☐ | ☐ |

Explanation: The nearest airport to the project site is Norman Y. Mineta San Jose International Airport (SJC), located approximately 350 feet northeast of the site. During the ambient noise survey, aircraft noise was observed contributing to the ambient noise environment. Future airport operations would continue to contribute to the existing and future noise at the project site. The project site is located between the Airport's 60- and 65-dBA CNEL noise contours, as shown on Figure NOI-3, and has an approximate CNEL of 64 dBA. Project occupants would not be exposed to excessive noise above the compatibility guideline of 70 dBA from operations at this airport. However, because the proposed hotel project would be exposed to aircraft noise levels greater than 55 dBA CNEL, the project would require design and noise insulation features per the compatibility guidelines. Thus, the Project would be a ***potentially significant impact***. Implementation of Mitigation Measure NOI–1 (see Section XIII-a) would reduce the impact to a less-than-significant level.




## Figure NOI-3

San Jose Airport Noise Contours

Source: Santa Clara County Planning Office

## XIV. POPULATION AND HOUSING — *Would the project:*

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *a) Induce substantial unplanned 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)?* | ☐ | ☐ | ☒ | ☐ |

Explanation: The proposed project would not directly induce population growth in the City of Santa Clara by creating new homes. However, the proposed hotel would create 70 to 75 new jobs for clerks, managers, housekeeping personnel, and other positions. The majority of these jobs, particularly lower-paid positions, would most likely be filled by existing residents in Santa Clara or one of the nearby neighboring cities.

Based on California Department of Finance date, Santa Clara has an average household size of 2.71 persons.[79] If it is conservatively assumed that 25 of the future hotel employees represented new Santa Clara residents, then including other household members, the City's population could be increased by approximately 68 persons. With a 2010 population of 129,104 residents,[80] this would represent a 0.05-percent increase in the City's population which, by any measure, would not constitute substantial unplanned growth. Furthermore, the City's General Plan assumes and plans for continued growth in the City's population. The General Plan projects that the City's population will increase from 115,500 residents in 2008 to 154,825 residents in 2035, the planning horizon of the General Plan, representing an increase of 34 percent over this time period.[81]

Under current conditions, the project site is underdeveloped relative to the density allowed on the site under the General Plan. The project site has a General Plan land use designation of Santa Clara Station Focus Area, and Figure 5.4-4 of the General Plan further designates the site as Santa Clara Station Regional Commercial (with an emphasis on office and hotel uses). The General Plan indicates that the allowable density on the site is a maximum floor area ratio (FAR) of 3.0. As proposed, the project would have an FAR of 2.99, and therefore would be consistent with the density allowed by the 2010-2035 General Plan. Consequently, the proposed development can be seen as envisioned and planned for in the General Plan.

For all of the foregoing considerations, implementation of the project would have a ***less-than-significant impact*** on population growth.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|

[79] California Department of Finance, Table 2: E-5 City/County Population and Housing Estimates, 1/1/2020, May 2020.

[80] *Ibid*.

[81] City of Santa Clara, *City of Santa Clara Draft 2010-2035 General Plan Integrated Final Environmental Impact* Report, SCH #2008092005, Table 2-2: Summary of General Plan Development Potential 2008-2035, January 2011.

| | | | | |
|---|---|---|---|---|
| *b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?* | ☐ | ☐ | ☐ | ☒ |

Explanation: There is no housing on the project site, so no housing would be displaced as a result of the project. There are two existing businesses on the site that would be required to relocate, but this would not result in a need for constructing new housing. There would be ***no impact***.

**XV. PUBLIC SERVICES** - *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 following public services:*

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *a) Fire protection?* | ☐ | ☐ | ☐ | ☒ |

Explanation: Fire protection services in Santa Clara are provided by the Santa Clara Fire Department (SCFD), which also provides emergency medical response. The Fire Department has 10 fire stations distributed throughout its service area of approximately 18.4 square miles and is equipped with eight engines, two aerial ladder trucks, one rescue/light unit, two ambulances, one hazardous materials unit, and one command vehicle. The fleet was expanded by two new fire engines in 2019. The Department currently has 167 personnel supplemented by 40 Reserve Firefighters when fully staffed.[82] The fire station nearest to the project site is Station No. 1, located at 777 Benton Street, about one mile southwest of the site. The City of Santa Clara also participates in the Santa Clara County Fire and Rescue Mutual Aid Response Plan to further ensure that fires and other emergencies are handled efficiently.

With a service population of about 129,600 residents, the SCFD received 9,050 calls for service in 2018, 6,406 (70.8 percent) of which were for emergency medical response. Just 2.1 percent of the total calls (187 calls) were for structure fires and other fires.[83] Other calls were related to alarm activation (1,405 calls), hazardous materials response (164 calls), service (unspecified) (848 calls), and tech rescue (40 calls).[84]

In 2018 the SCFD completed a complete upgrade of the Computer-Aided Dispatch system, which provides reduced call processing time for emergency calls and provides new technology, including automated call routing and detailed location identification of cellular callers, which will reduce overall response times to emergencies. The SCFD responded to 90 percent of structure fire calls in 2018 within 5 minutes and 58 seconds. In the same year, the Department responded to emergency medical calls within 5 minutes and 51 seconds on 90 percent of the calls.

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[82] City of Santa Clara Fire Department, *Annual Report 2018*, accessed November 11, 2019 at http://santaclaraca.gov/home/showdocument?id=64140.

[83] *Ibid*.

[84] *Ibid*.

The Environmental Impact Report (EIR) for the 2010-2035 General Plan determined that buildout of the General Plan would increase the demand for fire protection and emergency medical response services, but existing SCFD facilities would have the capacity to absorb additional fire-fighting personnel without expanding existing stations or requiring construction of new fire stations. Consequently, there would be no impacts associated with the construction of new facilities.[85] The proposed project is consistent with the land use assumptions in the 2010-2035 General Plan, which included approximately 1.49 million square feet of commercial development, including hotel development, within the Santa Clara Station Focus Area in which the project is located. Therefore, implementation of the proposed project would not require construction of new or expanded fire stations, and there would be ***no impact*** related to such construction.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *b) Police protection?* | ☐ | ☐ | ☐ | ☒ |

Explanation: Police protection services in Santa Clara are provided by the Santa Clara Police Department (SCPD), which operates out of headquarters located at the Police Building (601 El Camino Real), approximately one mile southwest of the site. The SCPD currently has a staff of 239 full-time personnel, consisting of 159 sworn police officers and 80 non-sworn personnel, with a staffing ratio of 1.25 sworn officers per 1,000 residents.[86] The Department also has more than 200 as-needed employees to support its operations, such as crossing guards and per-diem special event police officers, traffic control officers, and dispatchers. In addition, approximately 21 police reserves and an estimated 45 volunteers (community volunteers, explorers, cadets, chaplains, etc.) are available to serve the SCPD. The City of Santa Clara is divided into six police beats. The project site is located within Beat 5.

In 2018, the SCPD handled 4,421 calls for Part I crimes (i.e., homicide, rape, robbery, assault, burglary, larceny/theft, vehicle theft, and arson).[87] There were a total of 58,912 calls for police service in 2018. In Fiscal Year 2018/2019, the Department had a Citywide average response time of 4 minutes 15 seconds for Priority One calls.[88]

Implementation of the proposed project could cause an increase in the number of calls to the SCPD for police services, both in terms of disturbances, theft, or other incidents at the hotel as well as a potential increase in vehicular accidents by hotel guests and workers driving to and from the hotel. However, the General Plan EIR concluded that the increased demand for police protection services that would result from buildout of the General Plan would require increased police officer staffing that would be housed in the SCPD's existing facilities, requiring no construction of new or expanded police facilities. As noted above, the proposed project is consistent with the land use assumptions in the 2010-2035 General Plan, which included approximately 1.49 million square feet of commercial development, including hotel development, within the Santa Clara Station Focus Area in which the

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[85] City of Santa Clara, *City of Santa Clara Draft 2010-2035 General Plan Integrated Final Environmental Impact* Report, SCH #2008092005, Section 4.6.5.1, Fire and Police Protection, January 2011.

[86] Carolyn McDowell, Management Analyst, Santa Clara Police Department, personal communication, September 24, 2019.

[87] Santa Clara Police Department, Crimes Statistics, accessed November 12, 2019 at: http://santaclaraca.gov/government/departments/police-department/crime.

[88] *Ibid*.

project is located. Therefore, implementation of the proposed project would not require construction of new or expanded police stations, and there would be ***no impact*** related to such construction.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *c) Schools?* | ☐ | ☐ | ☒ | ☐ |

Explanation: Although public school services in Santa Clara are provided by six different school districts, the majority of the City, including the project area, is served by the Santa Clara Unified School District (SCUSD), which also serves part of the City of San Jose. The SCUSD has 16 elementary schools, three middle schools, five high schools, a K-8 school, and two continuation high schools.

The proposed project would not have a direct effect on schools by creating new homes. The hotel would serve a transient population of short-term visitors who would have no effect on the demand for school services. While the jobs created by the project could attract new residents to the City of Santa Clara with families that could include school-age children requiring accommodation in the area's schools, the majority of the hotel employees would likely be existing residents in Santa Clara or the surrounding cities. To the limited extent that project jobs could attract new residents to the area, they would likely be dispersed throughout the area, and any resulting new students would similarly be distributed among the numerous schools serving Santa Clara and the nearby communities of San Jose, Cupertino, Sunnyvale, Fremont, Campbell, Milpitas, and San Jose. The number of new students at any particular school in the region that would be generated by implementation of the project, if any, would be expected to be a few students at most, which would be unlikely to cause enrollment to exceed capacity at the receiving schools.

In any event, pursuant to Senate Bill 50 (1998), with payment of applicable school impact fees, the State has determined that proposed development projects would have a less-than-significant impact on schools.[89] The current school impact fee for commercial development within the SCUSD is $0.66 per square foot.[90] The project would be required to pay these fees, which would ensure that the project would have a ***less-than-significant impact*** on schools.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *d) Parks?* | ☐ | ☐ | ☒ | ☐ |

Explanation: The Santa Clara Parks and Recreation Department (Department) provides parks and recreational services in the City. The Department is responsible for maintaining and programming the various parks and recreation facilities and works cooperatively with public agencies in coordinating all recreational activities within the City. Overall, as of June 2020, the Department maintains and operates Central Park, a 45.04-acre community park (45.04 acres improved and Central Park North 34.93 acres unimproved, resulting in 79.97 acres), 27 neighborhood parks (121.261 acres improved and 9.389

[89] Senate Bill (SB 50), Leroy F. Greene School Facilities Act of 1998, Statutes 1998, Chapter 407.

[90] Michal Healy, Director of Facility Development and Planning, Santa Clara Unified School District, personal communication, November 9, 2020.

acres unimproved resulting in 130.65 acres), 13 mini parks (2.59 acres improved and 3.189 acres unimproved resulting in 5.779 acres), public open space (16.13 acres improved and 40.08 acres unimproved resulting in 56.21 acres), recreational facilities (14.86 acres improved, 9.038 acres unimproved and excluding the Santa Clara Golf and Tennis Club/BMX track resulting in 23.898 acres), recreational trails (7.59 acres improved and 0.20 acres unimproved resulting in 7.79 acres), and joint use facilities (47.52 acres improved and 1.068 acres unimproved resulting in 48.588 acres) throughout the City totaling approximately 254.991 improved acres.

There are 38 parks, playgrounds, and open spaces in Santa Clara, encompassing a land area of approximately 450 acres. In the project vicinity, there is Larry J. Marsalli Park, at 1425 Lafayette Street (0.49-mile west of the project site); City Plaza Park, at Lexington and Main Street (0.84-mile southwest of the project site); Raymond G. Gamma Dog Park, at 888 Reed Street (0.68-mile west of the project site); and Fremont Park 1303 Fremont Street (0.93-mile southwest of the project site). In addition, a new sports park is proposed at the intersection of Reed Street and Grant Street (0.52-mile west of the project site) that would include five lighted soccer fields and other facilities.

Similar to the discussion of schools, above, the proposed project would not directly induce population growth in Santa Clara, and would therefore have a minimal effect, if any, on the demand for parks in the area. A presumably small percentage of the approximately 75 employees of the proposed hotel could be induced to move to Santa Clara or one of the nearby surrounding cities, and these new residents and their family members could generate an incremental increase in the visitation at area parks. Any potential increase is usage would be negligible, and would not have the potential to exceed the capacity of the parks or cause a substantial deterioration in the park facilities such that construction of new or expanded park facilities would be required.

Although Santa Clara City Code Chapter 17.35 requires new residential development to provide adequate park and recreational land and/or pay an in-lieu fee pursuant to the Quimby Act and/or Mitigation Fee Act (MFA), it does not apply these requirements to new commercial development such as hotels.

Because the proposed project is expected to generate little if any demand for parks and construction of new or expanded park facilities would not be required to meet this demand, the project would have a ***less-than-significant impact*** on parks.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *e) Other public facilities?* | ☐ | ☐ | ☒ | ☐ |

Explanation: This category of other public facilities typically includes library facilities and nothing else. As previously discussed, the proposed project would not directly induce population growth in Santa Clara and would likely, through the creation of new jobs, indirectly generate a very small increase in the population of Santa Clara or one of the nearby surrounding cities. These new residents and their family members could generate an incremental increase in the demand for library services at Santa Clara libraries and/or libraries in nearby jurisdictions. Any minor incremental increase in demand for library services would not have the potential to require the construction of new or expanded library facilities, so the proposed project would have a ***less-than-significant impact*** on other public facilities.

## XVI. RECREATION —

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?* | ☐ | ☐ | ☒ | ☐ |

Explanation: The proposed project's potential impact on parks is discussed in Section XV-d, above. Other recreational facilities in Santa Clara include the Community Recreation Center, Senior Center, Youth Activity Center, International Swim Center, Reed Street Dog Park, and Skate Park. Only the dog park is located within any proximity to the project site.

Similar to parks, the additional population that would be indirectly generated by the proposed project could result in a minor incremental increase in demand for the services and programs provided by the City's other recreational facilities. However, the number of new residents that could potentially be generated by the project would be quite small, as discussed in Section XIV, Population and Housing, and the number of those new residents who would frequently utilize the City's recreational facilities would be even smaller. The City requires new residential development to provide new park and recreational land or pay an in-lieu fee. These fees help the City to maintain and expand the availability of park and recreational facilities. The minor incremental increase in demand for parks and other recreational facilities would not cause a substantial physical deterioration of the facilities. The project would have a ***less-than-significant impact*** on recreation facilities.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?* | ☐ | ☒ | ☐ | ☐ |

Explanation: The proposed project would include an outdoor swimming pool and hot tub/spa on the roof of the hotel's mezzanine level, and a fitness gym would be located adjacent to the pool area, inside the second floor of the building. Construction of these facilities would cause short-term environmental effects that have been addressed elsewhere in this Initial Study. Potential construction impacts on air quality, cultural resources, energy, geology and soils (erosion), greenhouse gases, water quality, and noise are addressed in the sections devoted to those environmental resources. While construction of the recreation facilities could result in a ***significant, adverse impact*** on the environment, with implementation of mitigation measures identified in some of the sections listed above, the impact would be reduced to less than significant.

## XVII. TRANSPORTATION/TRAFFIC — *Would the project:*

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?* | ☐ | ☐ | ☐ | ☒ |

Explanation: No conflicts with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, were identified for the proposed project. The discussion presented in the remainder of this subsection is provided for informational purposes.

Transportation impacts are now evaluated using a "vehicle miles traveled (VMT)" metric, which is addressed below in Section XVII-b, as established in City Council Resolution No. 20-8861 "Transportation Analysis Policy." The traffic analysis presented in this section is based on a traffic study prepared by Hexagon Transportation Consultants in April 2020.[91] This analysis addresses the project's consistency with traffic level of service (LOS) standards as an operational measure of intersection efficiency established in City Council Resolution No. 20-8861 "Transportation Analysis Policy." A detailed evaluation of the project's conformance with LOS standards is provided below, but any conflicts with the City's LOS standard are not considered significant impacts. Where conflicts have been identified, improvement measures are recommended to address operational deficiencies.

### *Project-Level Operational Deficiencies Not Covered Under CEQA*

The data required for the traffic analysis were obtained from new traffic counts, previous traffic studies, the Cities of Santa Clara, San Jose, the CMP, and field observations. The following data were collected from these sources:

- Existing traffic volumes
- Existing lane configurations
- Signal timing and phasing
- A list of approved and pending projects provided by the cities

### *Traffic Scenarios*

The intersection analysis was performed for the following scenarios:

Existing Conditions. Existing traffic volumes were obtained from the 2018 Santa Clara County Congestion Management Program (CMP) count data, recently completed traffic studies, and new traffic counts conducted in October 2019.

Existing-Plus-Project Conditions. Existing-plus-project conditions represent existing peak-hour traffic volumes with the addition of traffic generated by the project. Existing-plus-project conditions were evaluated relative to existing conditions in order to identify potential deficiencies associated solely with the proposed project.

[91] Hexagon Transportation Consultants, *Brokaw and Coleman Hotel Development Draft Traffic Impact Analysis*, April 3, 2020.

Background Conditions. Background traffic volumes were estimated by adding to existing peak-hour volumes the projected volumes from approved but not yet constructed developments in the study area. The added traffic from approved but not yet constructed developments was based on the list of approved projects provided by the City of Santa Clara and the approved project traffic data provided by the City of San Jose, which include Phase 1 of the North San Jose Development Policy. Background conditions represent the baseline conditions to which project conditions are compared for the purpose of determining project operational deficiencies.

Background-Plus-Project Conditions. Background-plus-project conditions were estimated by adding to the background traffic volumes the new traffic estimated to be generated by the project. Background-plus-project conditions were evaluated relative to background conditions in order to determine potential project operational deficiencies.

Cumulative Conditions. Cumulative conditions represent future traffic volumes on the future roadway network. Cumulative conditions include traffic growth projected to occur due to the approved development projects and other proposed but not yet approved (pending) development projects in the study area. The added traffic from pending projects was based on lists provided by Santa Clara and San Jose, which include traffic generated by Phases 1-3 of the City Place development and Phase 2 of the North San Jose Development Policy. Traffic volumes from pending projects were added to background conditions peak-hour volumes to obtain volumes for cumulative no-project conditions.

Cumulative-Plus-Project Conditions. Cumulative-Plus-Project conditions were estimated by adding to the cumulative no-project traffic volumes the new traffic estimated to be generated by the project. Cumulative-plus-project conditions were evaluated relative to cumulative conditions in order to determine potential project operational deficiencies on cumulative conditions.

### *Study Intersections*

The study intersections were selected in accordance with Santa Clara Valley Transportation Authority's (VTA's) *Transportation Impact Analysis Guidelines* (October 2014) and in consultation with City of Santa Clara staff. The study includes those intersections that provide primary access to the project site and intersections that would experience a traffic increase of 10 or more peak-hour trips per lane. The study intersections are listed below and shown on Figure TRA-1. All study intersections are signalized. Two of the study intersections are CMP intersections.

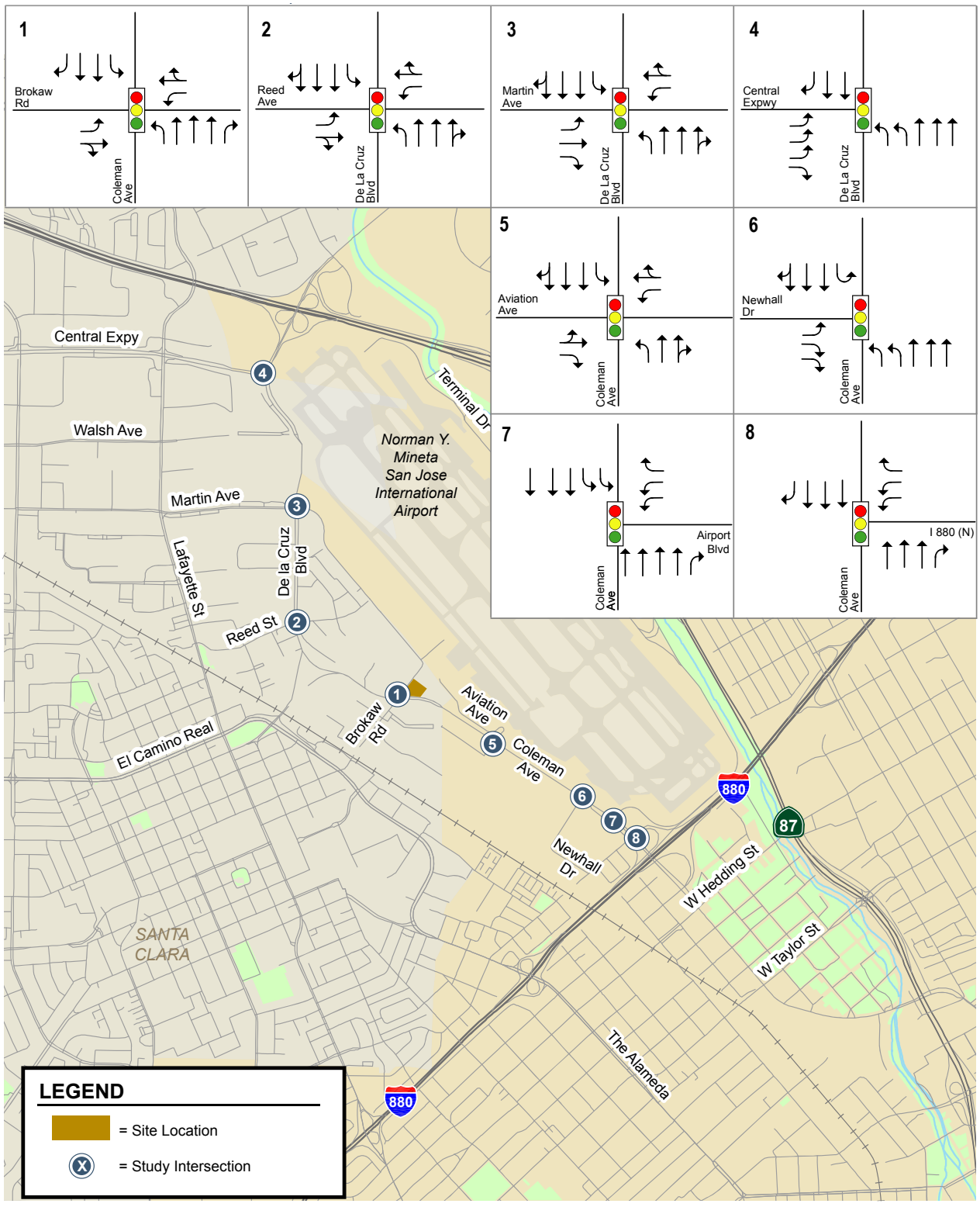
City of Santa Clara Intersections

1. Coleman Avenue and Brokaw Road
2. De La Cruz Boulevard and Reed Street
3. De La Cruz Boulevard and Martin Avenue
4. De La Cruz Boulevard and Central Expressway*

City of San Jose Intersections

5. Coleman Avenue and Aviation Avenue
6. Coleman Avenue and Newhall Drive
7. Coleman Avenue and Airport Boulevard
8. Coleman Avenue and I 880 (N)*

* Denotes CMP intersection




## Figure TRA-1

Traffic Study Intersections and Lane Configurations

Source: Hexagon

| Freeway Segment | | Dir | Peak Hour | Existing Conditions: Mixed-Flow # of Lanes[1] | Ave. Speed | Capacity[2] | LOS[3] | HOV Lane # of Lanes | Capacity | LOS[3] | Project Trips: Net Project Trips | Mixed-Flow Project Trips | % of Capacity | HOV Lane Project Trips | % of Capacity |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| I-880 | from The Alameda to Coleman Avenue | N | AM | 3 | N | 6,900 | **F** | 0 | 0 | -- | 13 | 13 | 0.2% | -- | -- |
| | | | PM | 3 | N | 6,900 | **F** | 0 | 0 | -- | 14 | 14 | 0.2% | -- | -- |
| I-880 | from Coleman Avenue to SR 87 | N | AM | 3 | N | 6,900 | **F** | 0 | 0 | -- | 14 | 14 | 0.2% | -- | -- |
| | | | PM | 3 | N | 6,900 | **F** | 0 | 0 | -- | 12 | 12 | 0.2% | -- | -- |
| I-880 | from SR 87 to Coleman Avenue | S | AM | 3 | S | 6,900 | E | 0 | 0 | -- | 16 | 16 | 0.2% | -- | -- |
| | | | PM | 3 | S | 6,900 | **F** | 0 | 0 | -- | 17 | 17 | 0.2% | -- | -- |
| I-880 | from Coleman Avenue to The Alameda | S | AM | 3 | S | 6,900 | D | 0 | 0 | -- | 11 | 11 | 0.2% | -- | -- |
| | | | PM | 3 | S | 6,900 | **F** | 0 | 0 | -- | 9 | 9 | 0.1% | -- | -- |
| US-101 | from SR 87 to De La Cruz Boulevard | N | AM | 3 | N | 6,900 | **F** | 1 | 1,650 | **F** | 4 | 2 | 0.0% | 2 | 0.1% |
| | | | PM | 3 | N | 6,900 | D | 1 | 1,650 | A | 4 | 3 | 0.0% | 1 | 0.1% |
| US-101 | from De La Cruz Boulevard to San Tomas Expressway | N | AM | 3 | N | 6,900 | **F** | 1 | 1,650 | **F** | 15 | 6 | 0.1% | 9 | 0.6% |
| | | | PM | 3 | N | 6,900 | D | 1 | 1,650 | A | 12 | 8 | 0.1% | 4 | 0.3% |
| US-101 | from San Tomas Expressway to De La Cruz Boulevard | S | AM | 3 | S | 6,900 | D | 1 | 1,650 | A | 17 | 12 | 0.2% | 5 | 0.3% |
| | | | PM | 3 | S | 6,900 | **F** | 1 | 1,650 | **F** | 17 | 7 | 0.1% | 10 | 0.6% |
| US-101 | from De La Cruz Boulevard to SR 87 | S | AM | 3 | S | 6,900 | D | 1 | 1,650 | A | 5 | 4 | 0.1% | 1 | 0.1% |
| | | | PM | 3 | S | 6,900 | **F** | 1 | 1,650 | E | 2 | 1 | 0.0% | 1 | 0.1% |

Notes:
HOV = high-occupancy vehicle; LOS = level of service.
Source: Santa Clara Valley Transportation Authority Congestion Management Program Monitoring Report, 2018.
1. Number of lanes on each segment are taken from the Google Earth software.
2. Capacity is based on the capacities cited in VTA's *Transportation Impact Analysis Guidelines (2014)*.
3. Level of service (LOS) of each segment are taken from VTA's *2018 CMP Monitoring Report*.
**Bold** indicates a substandard level of service.

## Table TRA-1

### Freeway Segment Level of Service Summary

Source: Hexagon

### *Study Freeway Segments*

Per VTA's Guidelines, freeway segment level-of-service analysis should be conducted on all segments to which the project is projected to add 1 percent or more to the segment capacity. Based on the trip generation and trip distribution estimates discussed below, the project is not projected to add 1 percent to any freeway segments in the area. The percentage of traffic projected to be added by the project to freeway segments in the project area is summarized in Table TRA-1. Since the number of project trips on the freeway segments would be less than the 1-percent threshold, the project would not cause a significant increase in traffic on the freeway segments in the study area, and a freeway level-of-service analysis was not required.

### *Level-of-Service Criteria*

The Level of Service (LOS) criteria from the 2010 *Highway Capacity Manual* (HCM) were utilized for local roadway analysis. LOS primarily describes traffic flow conditions. LOS varies from LOS A to LOS F, and ranges from LOS A (indicating free-flow traffic conditions with little or no delay at intersections) to LOS F (representing over-saturated conditions where traffic flows exceed design capacity, resulting in long queues and delays). The relationship between LOS and control delay (in seconds per vehicle) is summarized in Table TRA-2.

The cities of Santa Clara and San Jose evaluate level of service at signalized intersections based on the 2000 HCM level of service methodology using TRAFFIX software. The HCM method evaluates signalized intersection operations on the basis of average control delay time for all vehicles at the intersection.

Signalized study intersections that are not part of the CMP roadway network are subject to the local municipalities' level-of-service standards. The City of Santa Clara has established LOS D as the minimum standard, except on CMP and expressway facilities, which have a standard of LOS E. The City of San Jose's level-of-service standard is LOS D or better for all signalized intersections, including CMP intersections.

City of Santa Clara Intersection LOS Standards

According to the City of Santa Clara level-of-service guidelines, a development is said to impair intersection efficiency at a signalized intersection if for either peak hour:

1. The level of service at the intersection degrades from an acceptable level (LOS D or better at all City-controlled intersections and LOS E or better at all CMP and expressway intersections) under no-project conditions to an unacceptable level (LOS E or F at City-controlled intersections and LOS F at CMP and expressway intersections) under project conditions, or

| Level of Service | Description | Average Control Delay Per Vehicle (sec.) |
|---|---|---|
| A | Signal progression is extremely favorable. Most vehicles arrive during the green phase and do not stop at all. Short cycle lengths may also contribute to the very low vehicle delay. | 10.0 or less |
| B+<br>B<br>B- | Operations characterized by good signal progression and/or short cycle lengths. More vehicles stop than with LOS A, causing higher levels of average vehicle delay. | 10.1 to 12.0<br>12.1 to 18.0<br>18.1 to 20.0 |
| C+<br>C<br>C- | Higher delays may result from fair signal progression and/or longer cycle lengths. Individual cycle failures may begin to appear at this level. The number of vehicles stopping is significant, though may still pass through the intersection without stopping. | 20.1 to 23.0<br>23.1 to 32.0<br>32.1 to 35.0 |
| D+<br>D<br>D- | The influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable signal progression, long cycle lenghts, or high volume-to-capacity (V/C) ratios. Many vehicles stop and individual cycle failures are noticeable. | 35.1 to 39.0<br>39.1 to 51.0<br>51.1 to 55.0 |
| E+<br>E<br>E- | This is considered to be the limit of acceptable delay. These high delay values generally indicate poor signal progression, long cycle lengths, and high volume-to-capacity (V/C) ratios. Individual cycle failures occur frequently. | 55.1 to 60.0<br>60.1 to 75.0<br>75.1 to 80.0 |
| F | This level of delay is considered unacceptable by most drivers. This condition often occurs with oversaturation, that is, when arrival flow rates exceed the capacity of the intersection. Poor progression and long cycle lengths may also be major contributing causes of such delay levels. | greater than 80.0 |

Source: Transportation Research Board, *2000 Highway Capacity Manual* (Washington, D.C., 2000) p10-16.
VTA Traffic Level of Service Analysis Guidelines (June 2003), Table 2.

## Table TRA-2

### Signalized Intersection Level of Service Definitions

Source: Hexagon

2. The level of service at the intersection is an unacceptable level (LOS E or F at City-controlled intersections and LOS F at expressway intersections) under no-project conditions and the addition of project trips causes the average critical delay to increase by 4 or more seconds *and* the volume-to-capacity ratio (V/C) to increase by 1 percent (0.01) or more.

An exception to this rule applies when the addition of project traffic reduces the amount of average delay for critical movements (i.e., the change in average delay for critical movements is negative). In this case, a negative effect on intersection efficiency would result if there is an increase in the critical V/C value by 0.01 or more.

City of San Jose Definition of Adverse Intersection Operations Effects

In alignment with SB 743, the City of San Jose adopted a new Transportation Analysis Policy (Council Policy 5-1) to replace the Transportation Level of Service Policy (Council Policy 5-3). The new policy establishes the thresholds for transportation impacts under CEQA based on vehicle miles traveled (VMT) instead of intersection level of service. Therefore, intersection levels of service are no longer used to determine a project's transportation impacts, but are used to identify whether a project would cause adverse effects on intersection operations. According to the City of San Jose's *Transportation Analysis Handbook* (2018), an adverse effect on intersection operations would occur if for either peak hour:

1. The level of service at the intersection degrades from an acceptable LOS D or better under background conditions to an unacceptable LOS E or F under background-plus-project conditions, or
2. The level of service at the intersection is an unacceptable LOS E or F under background conditions and the addition of project trips causes both the critical-movement delay at the intersection to increase by 4 or more seconds and the V/C ratio to increase by 1 percent (.01) or more.

The *Transportation Analysis Handbook* does not require analyzing intersection operations under cumulative conditions. Therefore, the adverse effects on intersection operations under cumulative conditions was evaluated according to the City of Santa Clara criteria. An adverse effect on intersection operations would occur if during either the AM or PM peak hour:

1. The level of service at the intersection degrades from an acceptable LOS D or better under cumulative no-project conditions to an unacceptable LOS E or F under cumulative conditions, or
2. The level of service at the intersection is an unacceptable LOS E or F under cumulative no-project conditions and the addition of project trips causes both the critical-movement delay at the intersection to increase by 4 or more seconds and the V/C ratio to increase by 1 percent (.01) or more.

An exception to this rule applies when the addition of project traffic reduces the amount of average stopped delay for critical movements (i.e., the change in average stopped delay for critical movements is negative). In this case, the adverse effect is an increase in the critical V/C value by 0.01 or more.

CMP Definition of Impaired Intersection Efficiency

Impaired efficiency at a CMP intersection is defined the same as it is by the City of Santa Clara, except that the CMP standards for acceptable level of service at a CMP intersection is LOS E or better. Implementation of appropriate improvement measures may restore intersection conditions to an acceptable level, or no worse than no-project conditions.

### *Existing Conditions*

Road Network

Regional access to the project site is provided by U.S. 101, Interstate 880 (I-880), and State Route 87 (SR 87). Local access to the site is provided by Coleman Avenue, De La Cruz Boulevard and Brokaw Road. The roadways that would serve the project are described below:

**US 101** is a north/south freeway with six mixed-flow lanes and two high-occupancy-vehicle (HOV) lanes through most of Santa Clara and San Jose. US 101 extends northward through San Francisco and southward through Gilroy. Access to and from the site is provided via interchanges at I-880 and De La Cruz Boulevard/Trimble Road.

**Interstate 880 (I–880)** is a north/south freeway providing regional access from East Bay cities to San Jose, where it ultimately becomes SR 17 and extends southward into Santa Cruz. Within the project vicinity, I-880 primarily is a six-lane freeway. Access to the project site from I-880 is provided via an interchange at Coleman Avenue.

**Coleman Avenue** is a four- to six-lane arterial that begins at its intersection with De La Cruz Boulevard in Santa Clara and terminates where it becomes North Market Street in San Jose. Adjacent to the project site, Coleman Avenue is a five- to six-lane facility. Coleman Avenue narrows from three lanes to two lanes in the northbound direction midway between Newhall Drive and Aviation Avenue, and then widens back to three lanes just north of Aviation Avenue. In the southbound direction, Coleman Avenue narrows from three lanes to two lanes at Brokaw Road and then widens back to three lanes just north of Aviation Avenue. The posted speed limit is 40 mph. Coleman Avenue has bicycle lanes from Santa Teresa Street to Taylor Street and from I-880 to Aviation Avenue. Coleman Avenue has sidewalks along both sides of the street. However, in the vicinity of the project site, there are discontinuous sidewalks on the project frontage. Coleman Avenue provides direct access to the project site.

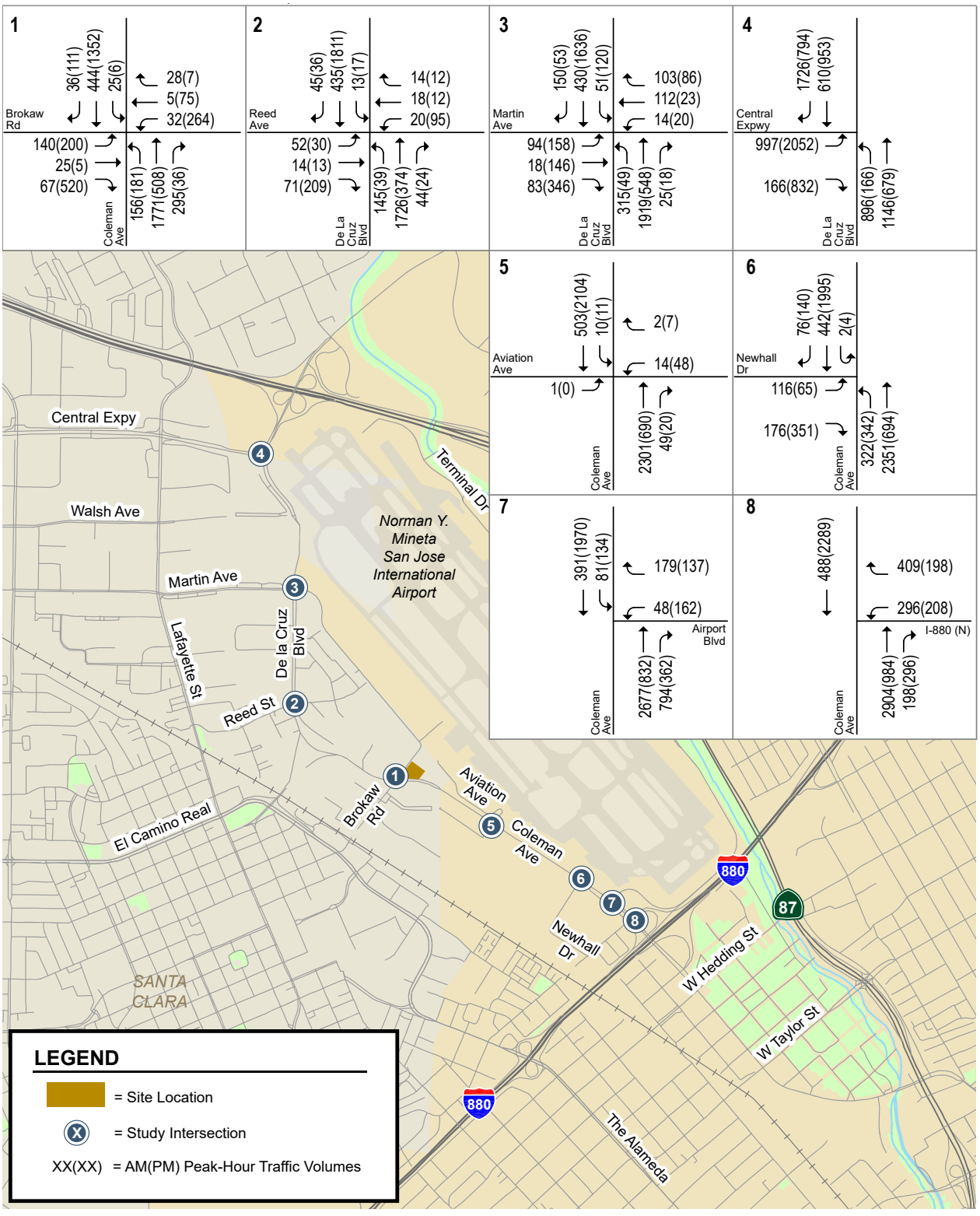
**De La Cruz Boulevard** is a four-to-six lane roadway that extends from US 101 to Lewis Street, where it connects to Coleman Avenue. North of US 101, De La Cruz Boulevard transitions to Trimble Road to North San Jose. De La Cruz Boulevard has a posted speed limit of 40 mph. De La Cruz Boulevard has mostly discontinuous sidewalks throughout the segment. De la Cruz Boulevard provides direct access to the site via its connection to Coleman Avenue.

**Brokaw Road** is a two-lane east-west roadway that begins at the Caltrain railroad tracks and ends just east of Coleman Avenue, where it becomes Martin Avenue. Brokaw Road has a posted speed limit of 25 mph and mostly discontinuous sidewalks throughout the segment. Brokaw Road provides direct access to the project site.

Measured Existing Intersection Operations

The existing lane configurations at the study intersections were determined by observations in the field and are shown on Figure TRA-1. Existing peak-hour traffic volumes, shown on Figure TRA-2, were obtained from previously completed traffic studies, the 2018 CMP Annual Monitoring Report, and new traffic counts conducted in October 2019. Intersection turning-movement counts conducted for this analysis are presented in Appendix B-1 and peak-hour intersection turning-movement volumes for all intersections and study scenarios are tabulated in Appendix B-2.

The results of the intersection level of service analysis under existing conditions are summarized Table TRA-3. The results show that, measured against the applicable municipal and CMP level of service standards, the intersections of Coleman Avenue at Brokaw Road and De La Cruz Boulevard at Central Expressway currently operate at unacceptable levels of service during the PM peak hour under existing conditions. The results of the analysis show that the remaining study intersections




## Figure TRA-2

## Existing Study Intersection Levels of Service

Source: Hexagon

| Study Number | Intersection | Peak Hour | Count Date | Avg Delay | LOS |
|---|---|---|---|---|---|
| 1 | Coleman Avenue and Brokaw Road | AM | 10/02/19 | 17.7 | B |
| | | PM | 10/02/19 | **63.4** | **E** |
| 2 | De La Cruz Boulevard and Reed Street | AM | 10/02/19 | 13.1 | B |
| | | PM | 10/02/19 | 18.4 | B- |
| 3 | De La Cruz Boulevard and Martin Avenue | AM | 11/27/18 | 28.3 | C |
| | | PM | 11/27/18 | 29.1 | C |
| 4 | De La Cruz Boulevard and Central Expressway * | AM | 11/27/18 | 40.6 | D |
| | | PM | 11/13/18 | **99.4** | **F** |
| 5 | Coleman Avenue and Aviation Avenue | AM | 10/02/19 | 7.3 | A |
| | | PM | 10/02/19 | 5.2 | A |
| 6 | Coleman Avenue and Newhall Drive | AM | 10/02/19 | 14.8 | B |
| | | PM | 10/02/19 | 22.8 | C+ |
| 7 | Coleman Avenue and Airport Boulevard | AM | 10/02/19 | 14.1 | B |
| | | PM | 10/02/19 | 14.2 | B |
| 8 | Coleman Avenue and I-880 (N) * | AM | 11/27/18 | 21.7 | C+ |
| | | PM | 12/11/18 | 9.9 | A |

Note:
Bold indicates a substandard level of service.
* Denotes the CMP designated Intersection

## Table TRA-3

### Existing Study Intersection Levels of Service

Source: Hexagon

currently operate at acceptable levels of service during the AM and PM peak hours of traffic. The intersection level of service calculation sheets are included in Appendix B-3.

Observed Existing Intersection Operations

Traffic conditions were observed in the field in order to identify existing operational conditions and to confirm the accuracy of calculated levels of service. The purpose of this effort was (1) to identify any existing traffic problems that may not be directly related to intersection level of service, and (2) to identify any locations where the level of service calculation does not accurately reflect level of service in the field.

Overall most study intersections operated adequately during both the AM and PM peak hours of traffic, and the level of service analysis appears to accurately reflect actual existing traffic conditions. However, field observations showed that some operational problems currently occur during the peak commute hours. These issues are described below.

**Central Expressway/De La Cruz Boulevard:** During the AM peak hour, there was a long vehicle queue in the northbound left-turn lanes on De La Cruz Boulevard due to high traffic volume. Typically, the last one or two vehicles in the left-turn queue were observed to take more than one cycle to get through the intersection. In addition, the northbound left-turn lanes exceed the maximum storage length. During the PM peak hour, there were long vehicle queues in the eastbound left-turn lanes on Central Expressway due to high traffic volume. The eastbound left-turn traffic spilled back due to vehicles heading to the US 101 southbound on-ramp. However, there was enough green time given to allow the queued vehicles to cross through the intersection.

**Coleman Avenue/Brokaw Road:** During the PM peak hour, there was a long queue in the westbound left-turn lane on Brokaw Road. The long vehicle queue extended beyond the Brokaw Road/Martin Avenue bend. Typically, there were four to five vehicles that required more than one cycle to clear the intersection

### *Background Conditions*

Background conditions are defined as conditions just prior to completion of the proposed development. Traffic volumes for background conditions comprise volumes from existing traffic counts plus traffic generated by other approved developments in the vicinity of the project site. This section describes the procedure used to determine background traffic volumes and the resulting traffic conditions. It is assumed that the transportation network under background conditions would include the following improvements identified by the City of Santa Clara and the Santa Clara Valley Transportation Authority (VTA) to be completed in the study area.

Coleman Avenue and Brokaw Road – The minimum green time for the through movements during the PM peak hour at this intersection would be revised to 20 seconds for northbound through traffic, 21 seconds for southbound through traffic, 37 seconds for eastbound through traffic, and 36 seconds for westbound through traffic. The information on the signal timing revision was provided by Mr. Jonathan Yee from the City of Santa Clara (see Appendix E).

De La Cruz Boulevard and Central Expressway – The change will comprise the conversion of two exclusive left turn lanes and three through lanes on northbound De La Cruz Boulevard into three left turn lanes and two through lanes. Also, the addition of one more right turn lane on eastbound Central Expressway would change the lane configuration to three left turn lanes and two right turn lanes. Finally, the addition of one more right turn lane and one through lane on southbound De La Cruz Boulevard would change the lane configuration to two right turn lanes and three through lanes (see Appendix E).

Background Traffic Volumes

The background peak-hour traffic volumes shown on Figure TRA-3 were estimated by adding to existing volumes the estimated traffic from approved but not yet constructed developments. The added traffic from approved but not yet constructed developments in Santa Clara was estimated based on the list of approved projects provided by the City of Santa Clara. Hexagon considered both the location and size of the approved projects in order to eliminate those that were too far away or too small to affect traffic conditions at the selected study intersections. The approved project traffic provided by the City of San Jose in the form of the Approved Trips Inventory (ATI) was also included. The approved developments considered for the study are listed in Appendix B-4.

Vehicle trips from the approved developments were obtained from the City of Santa Clara's TRAFFIX network, which was updated with the latest list of approved projects based on the projects' TIA/environmental document (initial study or EIR), if available. For projects without a traffic study, trip estimates were developed using rates published in the Institute of Transportation Engineers' (ITE) *Trip Generation Manual*. The estimated trips were assigned to the study intersections according to distributions identified in the development traffic studies, if available, or knowledge of the study area. Background conditions include trips associated with development of Phase 1 of the approved North San Jose Development Policy. A tabular summary of approved trips and background traffic volumes at each study intersection is contained in Appendix B-2.

Background Intersection Operations

The results of the intersection level of service analysis under background conditions are summarized in Table TRA-4. The results show that the intersections of Coleman Avenue at Brokaw Road and De La Cruz Boulevard at Central Expressway that currently operate at unacceptable levels of service under existing conditions would have changed delay under background conditions. The delay at De La Cruz Boulevard and Central Expressway during both the AM and PM peak hours would be decreased under background conditions due to the change in lane configuration. The remaining study intersections would operate at acceptable levels of service during the AM and PM peak hours of traffic under background conditions. The intersection level of service calculation sheets are included in Appendix B-3.

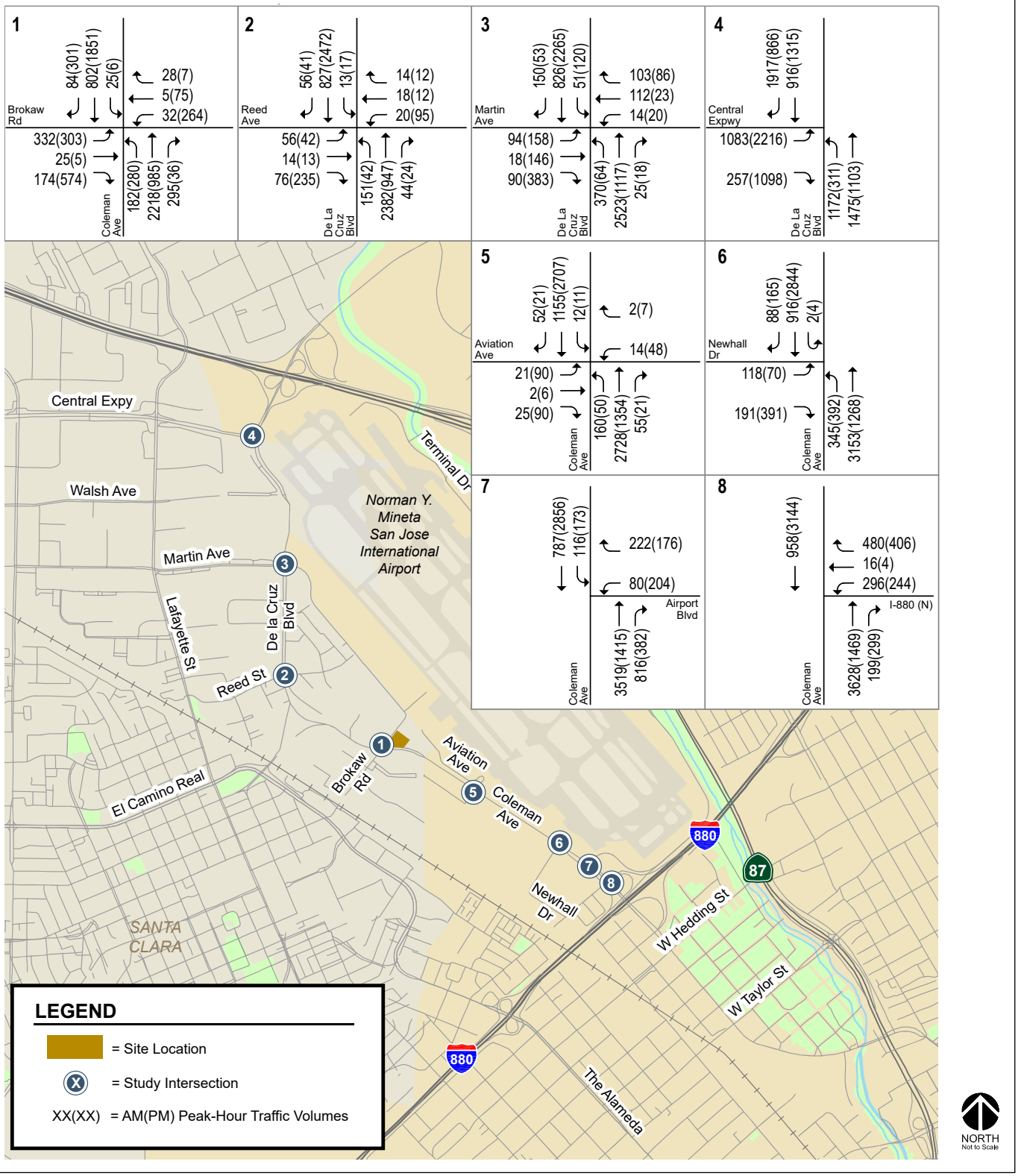
### *Project Traffic*

This section describes the roadway traffic operations under existing-plus-project conditions and background-plus-project conditions, and any adverse effects on intersection efficiency caused by the project. Although existing-plus-project traffic conditions could potentially occur if the project were to be occupied prior to the other approved projects in the area, it is unlikely that this traffic condition would occur, since some of the other approved projects expected to add traffic to the study area would likely be built and occupied during the time the project is going through the development review process.

The roadway network under existing-plus-project conditions would be the same as described under existing conditions and background-plus-project conditions would be the same as described under background conditions because the project would not alter the existing intersection lane configurations.

Trip Generation

The magnitude of traffic produced by the project and the locations where that traffic would appear were estimated using a three-step process: (1) trip generation, (2) trip distribution, and (3) trip assignment. In determining project trip generation, the magnitude of traffic entering and exiting the site is estimated for the AM and PM peak hours. As part of the project trip distribution, an estimate is made of the directions to and from which the project trips would travel. In the project trip assignment, the




## Figure TRA-3

## Background AM and PM Peak-Hour Intersection Traffic Volumes

Source: Hexagon

| Study Number | Intersection | Peak Hour | Existing Avg Delay | Existing LOS | Background Avg Delay | Background LOS |
|---|---|---|---|---|---|---|
| 1 | Coleman Avenue and Brokaw Road | AM | 17.7 | B | 26.5 | C |
| | | PM | **63.4** | **E** | **119.8** | **F** |
| 2 | De La Cruz Boulevard and Reed Street | AM | 13.1 | B | 11.7 | B+ |
| | | PM | 18.4 | B- | 17.5 | B |
| 3 | De La Cruz Boulevard and Martin Avenue | AM | 28.3 | C | 28.3 | C |
| | | PM | 29.1 | C | 28.7 | C |
| 4 | De La Cruz Boulevard and Central Expressway * | AM | 40.6 | D | 74.0 | E |
| | | PM | **99.4** | **F** | **132.6** | **F** |
| 5 | Coleman Avenue and Aviation Avenue | AM | 7.3 | A | 16.7 | B |
| | | PM | 5.2 | A | 10.2 | B+ |
| 6 | Coleman Avenue and Newhall Drive | AM | 14.8 | B | 14.3 | B |
| | | PM | 22.8 | C+ | 24.1 | C |
| 7 | Coleman Avenue and Airport Boulevard | AM | 14.1 | B | 15.7 | B |
| | | PM | 14.2 | B | 13.8 | B |
| 8 | Coleman Avenue and I-880 (N) * | AM | 21.7 | C+ | 27.6 | C |
| | | PM | 9.9 | A | 16.5 | B |

Note:
* Denotes the CMP designated Intersection
**Bold** indicates a substandard level of service.

## Table TRA-4

### Background Study Intersection Levels of Service

Source: Hexagon

project trips are assigned to specific streets and intersections, and the effects of project traffic at these intersections is calculated. These procedures are described below.

Through empirical research, data have been collected that show trip generation rates for many types of land uses. The research is compiled in the ITE publication *Trip Generation* (10th Edition). Project trip generation was estimated by applying the average trip generation rates for Hotel up to 400 rooms (Land Use 310) from the ITE manual. Based on the ITE trip generation rates, it is estimated that the proposed project would generate 3,344 daily trips, with 188 trips (111 inbound and 77 outbound) occurring during the AM peak hour and 240 trips (122 inbound and 118 outbound) occurring during the PM peak hour, as shown in Table TRA-5.

The project site is currently developed with a van rental office and two restaurants, although one restaurant is vacant. Trips associated with the existing uses on the project site were subtracted from the roadway system. The trips generated by the existing buildings on the site were estimated based on driveway counts conducted in October 2019. Based on the driveway counts, existing uses at the project site generated 32 trips during the AM peak hour and 95 trips during PM peak hour.

Based on the ITE trip generation rates and credit for former use of the project site, it is estimated that the proposed project would generate an additional 2,394 net new daily vehicle trips, with 156 trips (82 inbound and 74 outbound) occurring during the AM peak hour and 145 trips (86 inbound and 59 outbound) occurring during the PM peak hour.

Trip Distribution

The trip distribution pattern for the project was estimated based on existing travel patterns on the surrounding roadway network and the locations of complementary land uses. The peak-hour trips generated by the project were assigned to the roadway network in accordance with the project trip distribution pattern. The trip distribution pattern for the project is shown on Figure TRA-4. Figure TRA-5 shows the assignment of net project trips at each study intersection. In addition to the net project trips, trips generated by the valet parking service provided by the hotel would pass through the Coleman Avenue and Brokaw Road intersection. These trips are also shown on Figure TRA-5. A detailed description of the planned valet parking operation is provided later in this section.

### *Existing and Background Plus Project Conditions*

Project trips associated with the proposed project, as represented in the above project trip assignment, were added to the existing traffic volumes to obtain existing-plus-project traffic volumes, shown on Figure TRA-6. Project trips were also added to the background traffic volumes to obtain background-plus-project traffic volumes, shown on Figure TRA-7. Traffic volumes for all components of traffic are tabulated in Appendix B-2.

Intersection Operations

The results of the intersection level of service analysis under existing-plus-project conditions are summarized in Table TRA-6. The results show that the project would add 6.0 seconds of delay to the intersection of Coleman Avenue and Brokaw Road and would increase the V/C ratio by 0.018 at the intersection. Since the intersection already operates at LOS E, this would result in an unacceptable operating condition at this intersection. An improvement measure to address this is identified below; implementation of this measure may be recommended by staff as a condition of approval. Level of service calculation sheets are included in Appendix B-3.

The results of the intersection level of service analysis under background-plus-project conditions are summarized in Table TRA-7. The results show that the project would add 7.9 seconds of delay to the intersection of Coleman Avenue and Brokaw Road and would increase the V/C ratio by 0.018 at the intersection. Therefore, under background-plus-project conditions the project would also cause this

| Land Use | Size | Unit | Daily | | AM Peak Hour | | | | PM Peak Hour | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | Rate[1] | Trips | Rate | In | Out | Total | Rate | In | Out | Total |
| **Proposed Uses** | | | | | | | | | | | | |
| Hotel[2] | 400 | rooms | 8.36 | 3,344 | 0.47 | 111 | 77 | 188 | 0.60 | 122 | 118 | 240 |
| **Existing Uses** | | | | | | | | | | | | |
| Airport Van Rental[3] | 10.865 | ksf | 6.44 | 70 | - | 0 | 0 | 0 | - | 2 | 5 | 7 |
| 1290 Coleman Avenue Restaurant[4] | 2.547 | ksf | 345.50 | 880 | - | 29 | 3 | 32 | - | 34 | 54 | 88 |
| 1240 Coleman Avenue Restaurant[5] | 3.929 | ksf | - | - | - | - | - | - | - | - | - | - |
| **Total Project Trips** | | | | **950** | | **29** | **3** | **32** | | **36** | **59** | **95** |
| **Total Project Trips** | | | | **2,394** | | **82** | **74** | **156** | | **86** | **59** | **145** |

Notes:

[1] Rates expressed in trips per room or 1,000 square feet (ksf).

[2] Hotel (Land Use 310) daily and peak-hour average rates published in ITE's *Trip Generation Manual, 10th Edition, 2017.*

[3] Daily trips were estimated assuming PM peak hour trips comprise 10% of daily trips; Peak-hour trips based on driveway counts and adjacent on-street parking usage on Brokaw Road counted on Tuesday, October 1st, 2019.

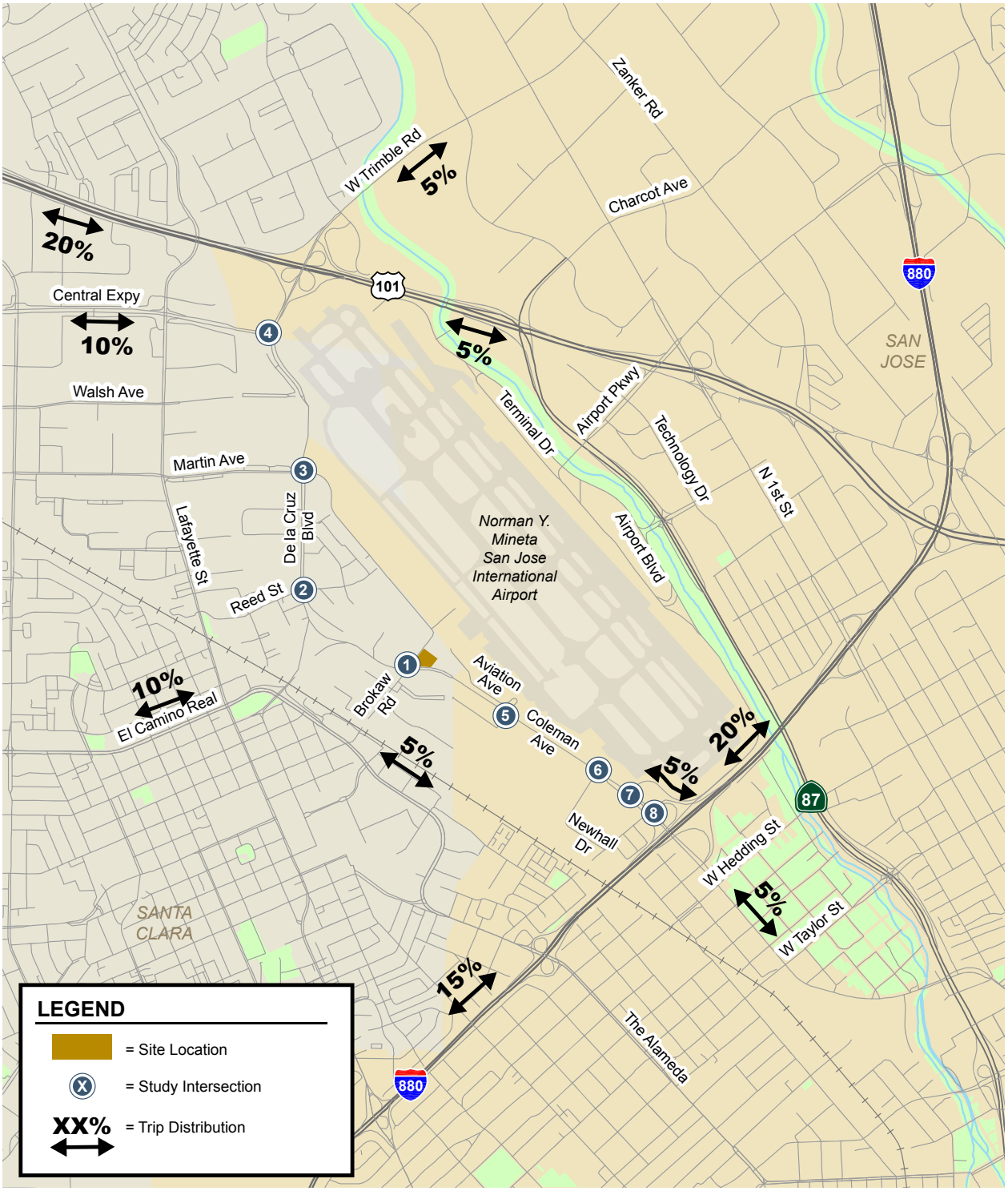
[4] Daily trips were estimated assuming PM peak hour trips comprise 10% of daily trips; Peak-hour trips based on driveway counts counted on Tuesday, October 1st, 2019.

[5] No trip credits for the vacant restaurant.

## Table TRA-5

## Project Trip Generation Estimates

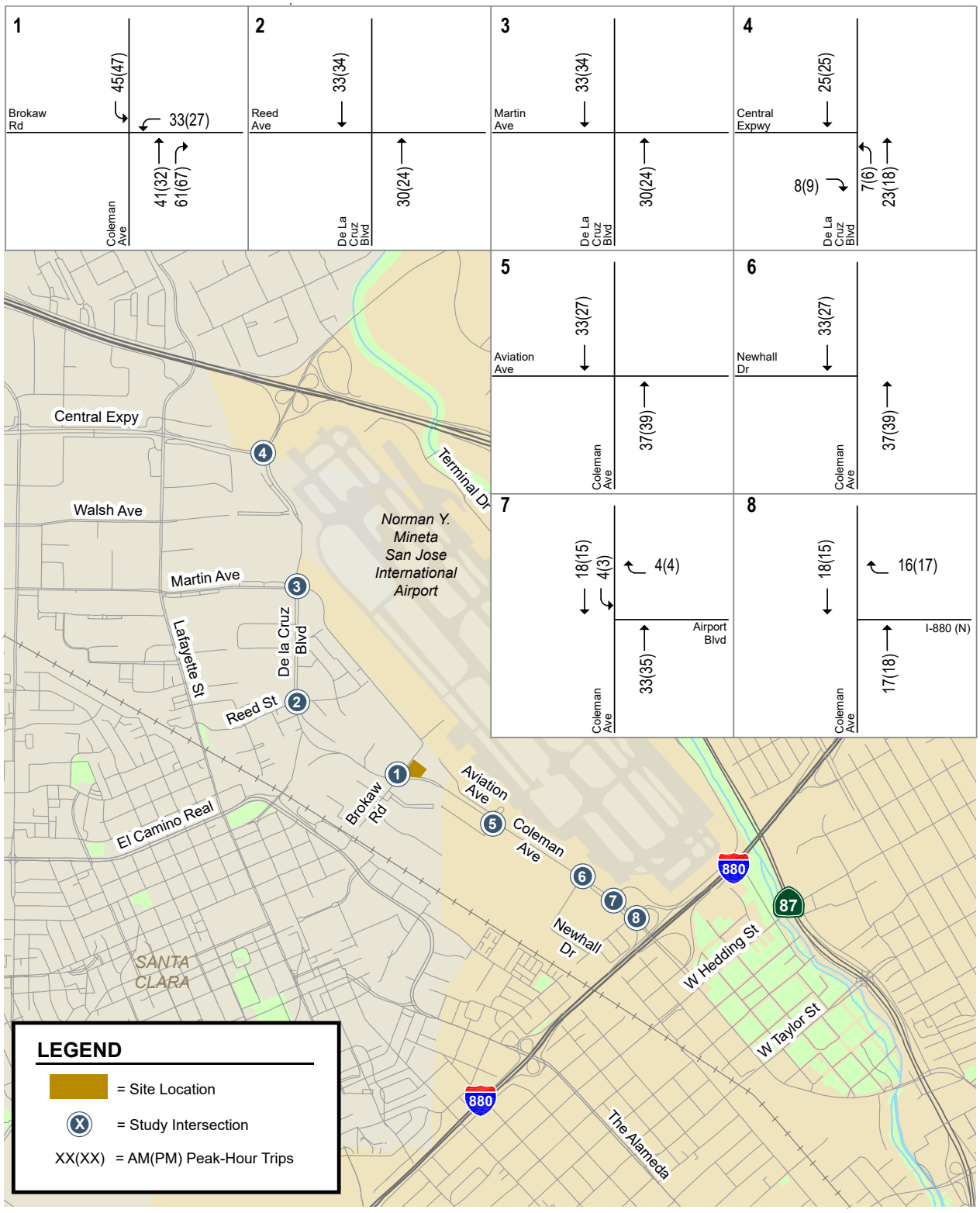
Source: Hexagon




## Figure TRA-4

## Project Trip Distribution

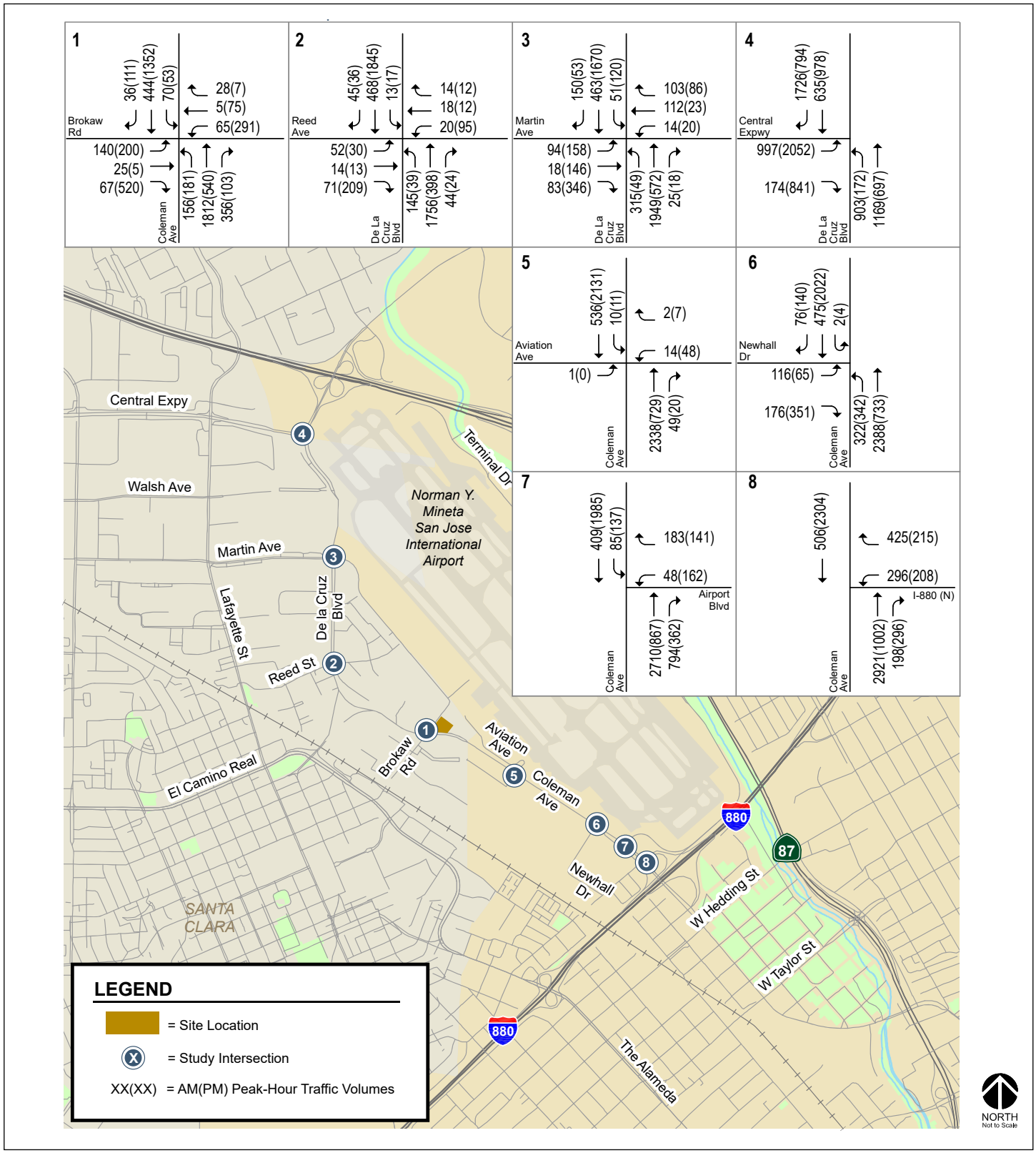
Source: Hexagon




# Figure TRA-5

## Project Trip Assignment

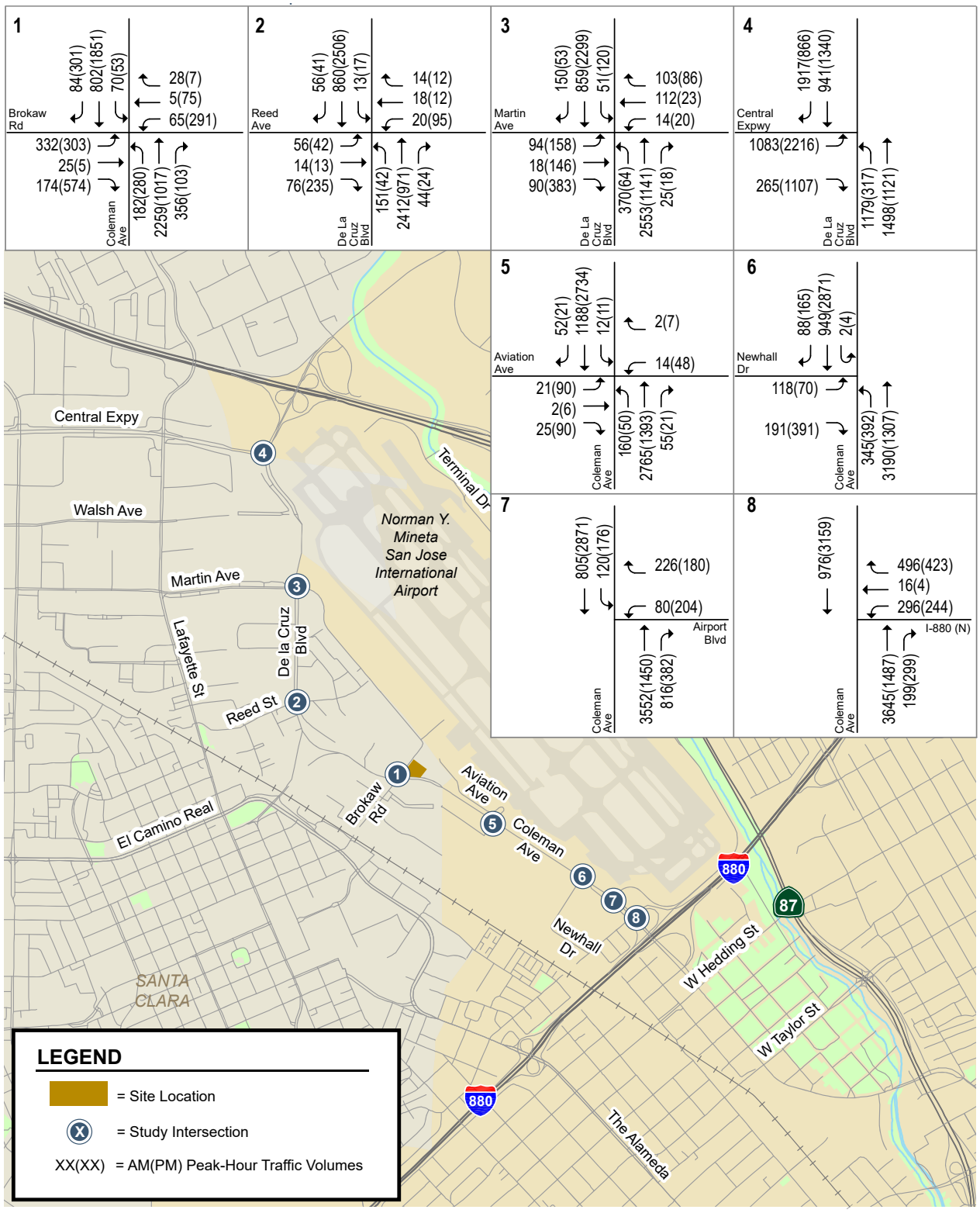
Source: Hexagon




## Figure TRA-6

## Existing Plus Project AM and PM Peak-Hour Intersection Traffic Volumes

Source: Hexagon




## Figure TRA-7

## Background Plus Project AM and PM Peak-Hour Intersection Traffic Volumes

Source: Hexagon

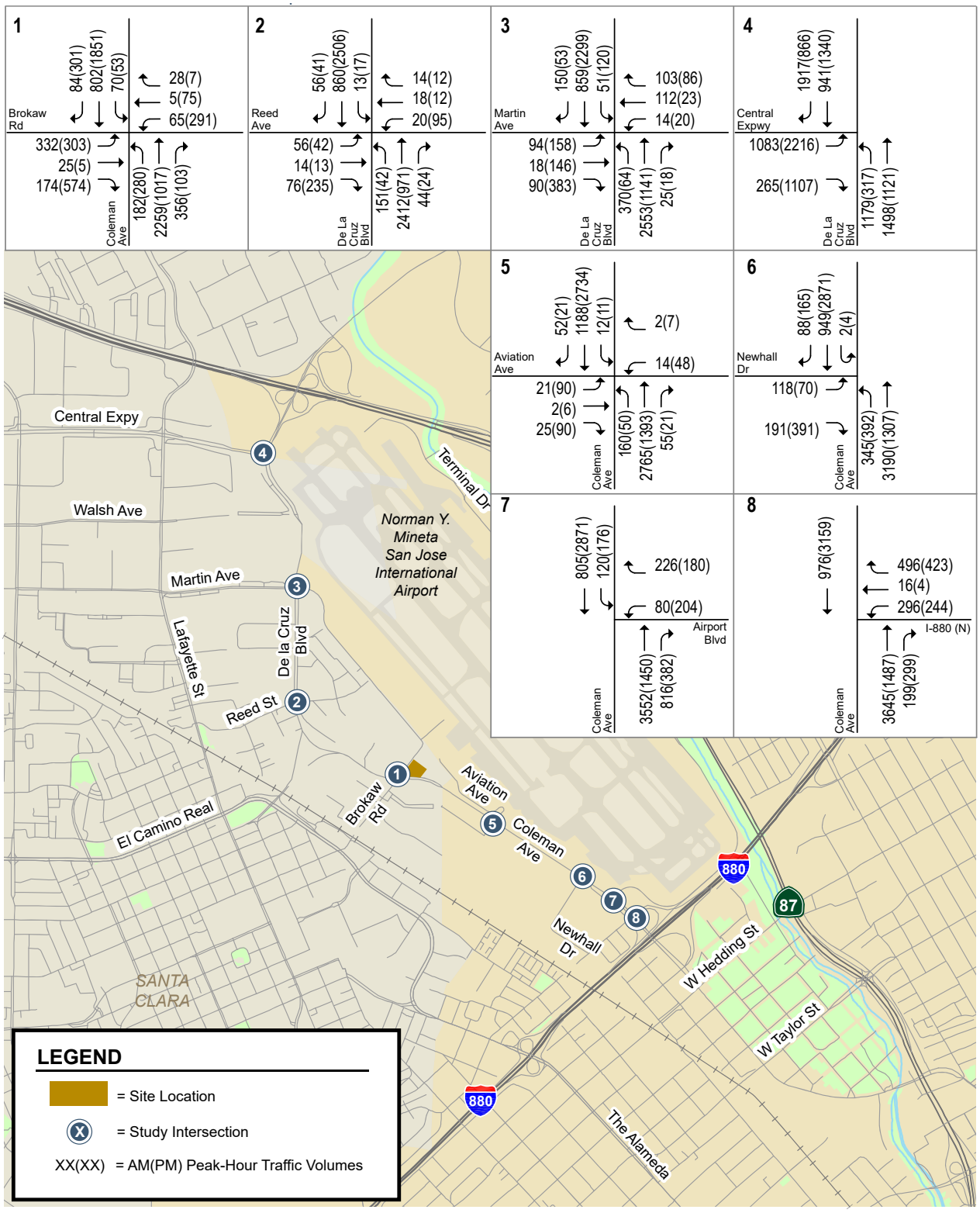
| Study Number | Intersection | Peak Hour | Existing Avg Delay | Existing LOS | Existing + Project Avg Delay | Existing + Project LOS | Incr. In Crit. Delay | Incr. In Crit. V/C |
|---|---|---|---|---|---|---|---|---|
| 1 | Coleman Avenue and Brokaw Road | AM | 17.7 | B | 18.2 | B- | 0.6 | 0.038 |
| | | PM | **63.4** | **E** | **66.0** | **E** | **6.0** | **0.018** |
| 2 | De La Cruz Boulevard and Reed Street | AM | 13.1 | B | 13.0 | B | -0.1 | 0.006 |
| | | PM | 18.4 | B- | 18.4 | B- | -0.1 | 0.007 |
| 3 | De La Cruz Boulevard and Martin Avenue | AM | 28.3 | C | 28.3 | C | -0.1 | 0.006 |
| | | PM | 29.1 | C | 29.0 | C | -0.1 | 0.007 |
| 4 | De La Cruz Boulevard and Central Expressway * | AM | 40.6 | D | 41.1 | D | 0.9 | 0.009 |
| | | PM | **99.4** | **F** | **99.2** | **F** | **0.1** | **0.002** |
| 5 | Coleman Avenue and Aviation Avenue | AM | 7.3 | A | 7.5 | A | 0.3 | 0.011 |
| | | PM | 5.2 | A | 5.1 | A | 0.0 | 0.005 |
| 6 | Coleman Avenue and Newhall Drive | AM | 14.8 | B | 14.8 | B | 0.0 | 0.007 |
| | | PM | 22.8 | C+ | 22.6 | C+ | -0.1 | 0.005 |
| 7 | Coleman Avenue and Airport Boulevard | AM | 14.1 | B | 14.4 | B | 0.3 | 0.008 |
| | | PM | 14.2 | B | 14.3 | B | 0.2 | 0.005 |
| 8 | Coleman Avenue and I-880 (N) * | AM | 21.7 | C+ | 22.4 | C+ | 0.9 | 0.013 |
| | | PM | 9.9 | A | 10.5 | B+ | 0.8 | 0.013 |

Note:
* Denotes the CMP designated Intersection
**Bold** indicates a substandard level of service.
**Bold** and boxed indicate significant project impact.

## Table TRA-6

### Existing Plus Project Study Intersection Levels of Service

Source: Hexagon




## Figure TRA-7

## Background Plus Project AM and PM Peak-Hour Intersection Traffic Volumes

Source: Hexagon

intersection to operate unacceptably, based on City of Santa Clara's level of service standards previously identified. (Level of service calculation sheets are included in Appendix B-3.) Implementation of the following improvement would reduce the operational deficiency to a less-than-significant level:

**Improvement Measure 1:** The signal control for the east and west legs of the intersection of Coleman Avenue and Brokaw Road should be changed from protected left-turn phasing to protected plus permissive phasing. A shared through/left-turn lane should be added to the east and west approaches within the existing right-of-way. This will provide one left-turn lane, one shared left and through lane, and one right-turn lane to both the eastbound and westbound approaches to the intersection. In addition, no U-turns should be allowed on northbound Coleman Avenue. A third southbound through lane on Coleman Avenue should be added by restriping the existing right turn lane into separate through and right-turn lanes. The recommended improvements are shown on Figure TRA-8.

With implementation of the improvements listed in Improvement Measure 1 and a cycle length of 140 seconds, the intersection would operate at an acceptable LOS E (average delay 72 seconds/vehicle) during the PM peak hour under background-plus-project conditions. This improvement measure would not require Brokaw Road to be widened. The improvement measure conditioned for approval of the Gateway Crossings development located on the west side of Coleman Avenue is one left-turn lane, one shared left and through lane, and one right-turn lane with split phase on the east and west legs and the addition of a third southbound through lane. The mitigation measure proposed for this project would require restriping of the shared left and through lane to an exclusive through lane along the east and west legs and change the signal control from split phase to protected plus permissive phasing.

***Cumulative Conditions***

Cumulative Roadway Assumptions

Cumulative conditions represent future traffic conditions with expected growth in the area. The expected future traffic growth conditions include approved and pending projects in Santa Clara and San Jose. The analysis of cumulative conditions is required by the CMP and is in conformance with the requirements of CEQA. It is assumed in this analysis that the roadway network under cumulative conditions would be the same as described under background conditions.

Cumulative Traffic Forecasts

Traffic volumes under cumulative conditions were estimated by adding the trips from proposed but not yet approved (pending) developments within the cities of Santa Clara and San Jose to the background traffic volumes and background-plus-project traffic volumes previously described. The pending projects considered for the study are listed in Appendix B-4. Cumulative conditions include trips associated with development of Phases 1– 3 of the approved City Place project and Phases 2 of the approved North San Jose Development Policy. Vehicle trips from the pending projects were estimated using the methods previously described for background conditions. Figures TRA-9 and TRA-10 show the cumulative no-project and cumulative-plus-project traffic volumes, respectively.

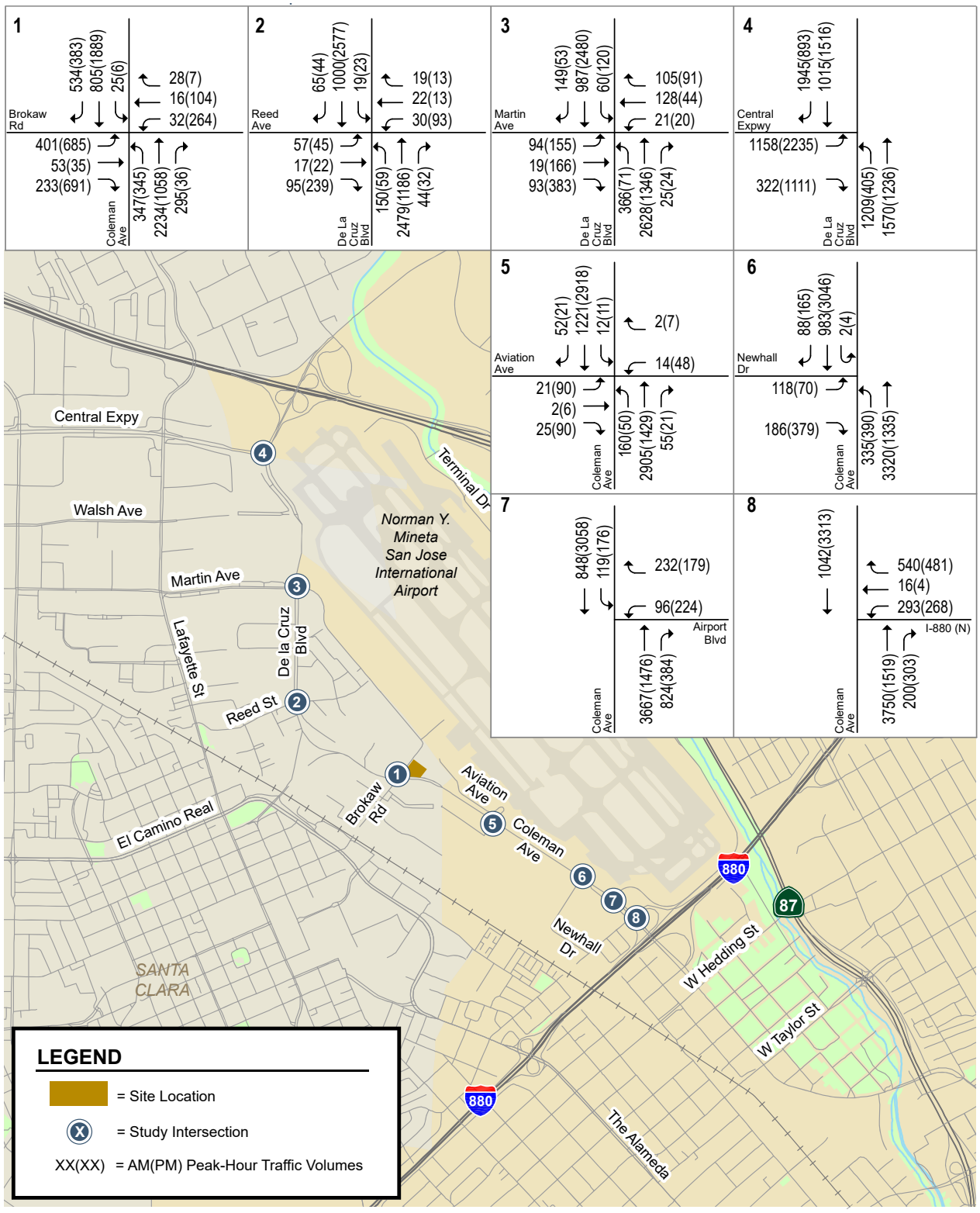
Cumulative Conditions Intersection Operations

Cumulative-plus-project conditions were evaluated relative to cumulative conditions in order to determine potential adverse effects on intersection efficiency. Level of service results for cumulative


**Figure TRA-8**

Recommended Coleman Avenue/Brokaw Road Intersection Improvements

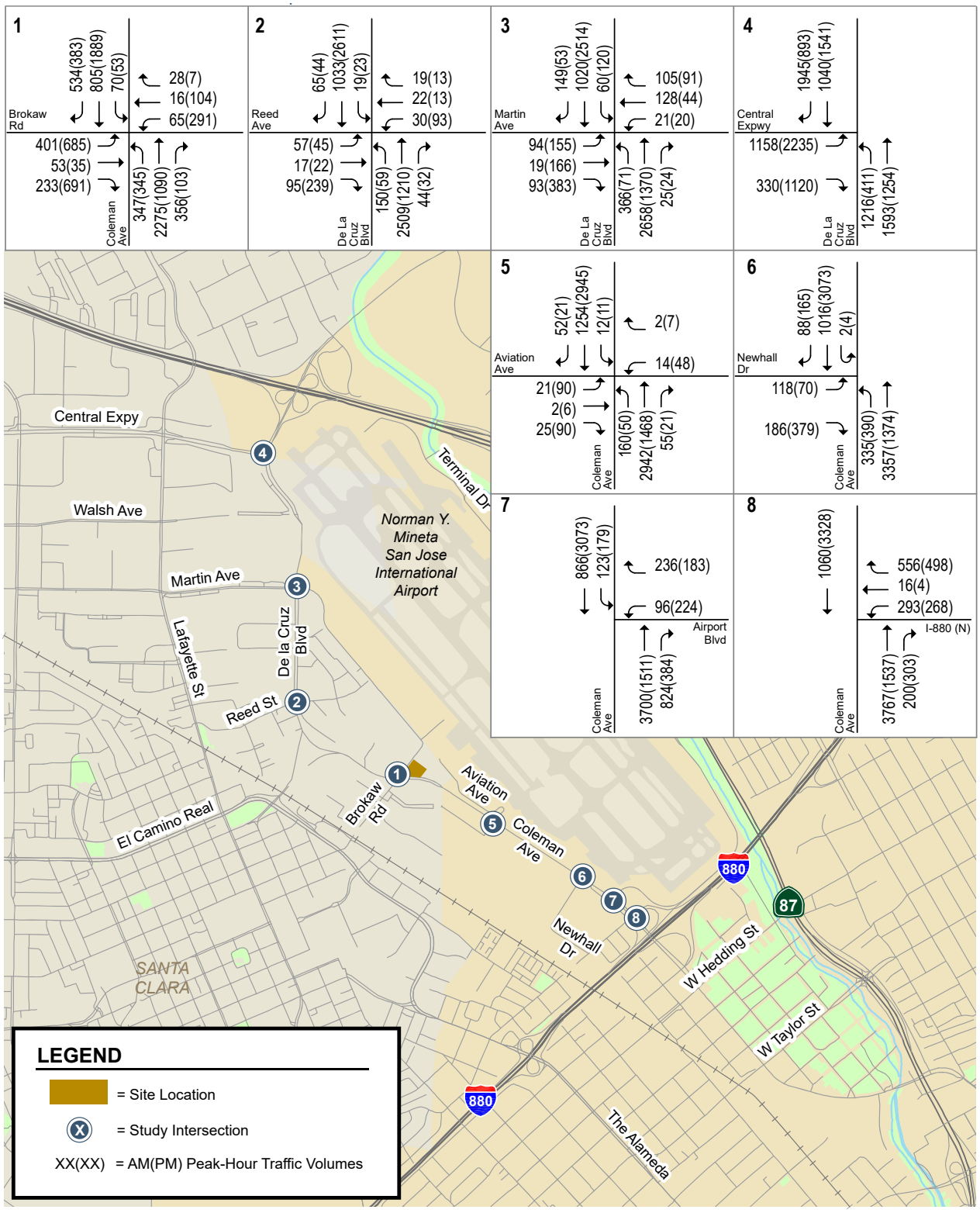
Source: Hexagon




## Figure TRA-9

## Cumulative AM and PM Peak-Hour Intersection Traffic Volumes

Source: Hexagon




# Figure TRA-10

## Cumulative Plus Project AM and PM Peak-Hour Intersection Traffic Volumes

Source: Hexagon

conditions are summarized in Table TRA-8. The results show that the project would have an adverse effect at the Coleman Avenue and Brokaw Road intersection under cumulative conditions.

As shown in Table TRA-8, the Coleman Avenue and Brokaw Road intersection would already operate unacceptably at LOS F during the PM peak hour under cumulative no-project conditions, and the addition of project traffic would increase delay at the intersection by more than 4 seconds and would increase the critical V/C ratio by 0.01 or more. These changes would exceed Santa Clara's level of service guidelines under cumulative traffic conditions at this intersection. Implementation of the following improvement would reduce the operational deficiency to a less-than-significant level:

**Improvement Measure 2:** Implement Improvement Measure 1.

With implementation of these improvements, the Coleman Avenue and Brokaw Road intersection would operate at an acceptable LOS D (average delay 54.6 seconds/vehicle) during the AM peak hour and LOS F (average delay 141.4 seconds/vehicle) during the PM peak hour under cumulative-plus-project conditions, which is still better than cumulative no-project conditions.

### *Intersection Queuing Analysis*

The analysis of intersection levels of service was supplemented with a vehicle queuing analysis at intersections where the project would add a substantial number of trips to the left-turn movements. The analysis provides a basis for estimating future left-turn pocket storage requirements at the intersections under existing plus project, background, and background plus project conditions. The queuing analysis is presented for informational purposes only, since neither the City of Santa Clara nor the CMP have defined any policies related to queuing. Vehicle queues were calculated using a Poisson probability distribution, which estimates the probability of "n" vehicles for a vehicle movement using the following formula:

$$P(x = n) = \frac{\lambda^n e^{-(\lambda)}}{n!}$$

Where:

P (x = n) = probability of "n" vehicles in queue per lane

n = number of vehicles in the queue per lane

$\lambda$ = Average number of vehicles in the queue per lane (vehicles per hour per lane/signal cycles per hour)

The basis of the analysis is as follows: (1) the Poisson probability distribution is used to estimate the 95$^{th}$-percentile maximum number of queued vehicles per signal cycle for a particular movement; (2) the estimated maximum number of vehicles in the queue is translated into a queue length, assuming 25 feet per vehicle; and (3) the estimated maximum queue length is compared to the existing or planned available storage capacity for the movement. This analysis thus provides a basis for estimating future left-turn storage requirements at intersections. The 95$^{th}$-percentile queue length value indicates that during the peak hour, a queue of this length or less would occur on 95 percent of the signal cycles. Likewise, a queue length longer than the 95th percentile queue would only occur on 5 percent of the signal cycles (about 3 cycles during the peak hour for a signal with a 60-second cycle length). Therefore, left-turn storage pocket designs based on the 95$^{th}$-percentile queue length would ensure that storage space would be exceeded only 5 percent of the time. The 95$^{th}$-percentile queue length is also known as the "design queue length".

Based on the project trip generation and trip distribution pattern, the following movements were evaluated as part of the queuing analysis for this project:

- Coleman Avenue and Brokaw Road: southbound left turn and westbound left turn movements

| Study Number | Intersection | Location | Peak Hour | Background Avg Delay | Background LOS | Cumulative No Project Avg Delay | Cumulative No Project LOS | Cumulative With Project Avg Delay | Cumulative With Project LOS | Cumulative With Project Incr. In Crit. Delay | Cumulative With Project Incr. In Crit. V/C |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Coleman Avenue and Brokaw Road | Santa Clara | AM | 26.5 | C | 32.1 | C- | 32.5 | C- | 1.1 | 0.038 |
| | | | PM | **126.7** | **F** | **201.3** | **F** | **197.3** | **F** | **7.7** | **0.017** |
| 2 | De La Cruz Boulevard and Reed Street | Santa Clara | AM | 11.7 | B+ | 12.6 | B | 12.6 | B | 0.0 | 0.006 |
| | | | PM | 17.5 | B | 17.8 | B | 17.8 | B | 0.0 | 0.007 |
| 3 | De La Cruz Boulevard and Martin Avenue | Santa Clara | AM | 28.3 | C | 29.6 | C | 29.6 | C | 0.1 | 0.006 |
| | | | PM | 28.7 | C | 29.0 | C | 29.0 | C | 0.1 | 0.007 |
| 4 | De La Cruz Boulevard and Central Expressway * | Santa Clara | AM | 34.2 | C- | 35.7 | D+ | 36.1 | D+ | 0.5 | 0.006 |
| | | | PM | **83.7** | **F** | **92.0** | **F** | **92.5** | **F** | **1.3** | **0.001** |
| 5 | Coleman Avenue and Aviation Avenue | San Jose | AM | 16.7 | B | 22.8 | C+ | 24.8 | C | 3.2 | 0.011 |
| | | | PM | 10.2 | B+ | 10.2 | B+ | 10.1 | B+ | 0.0 | 0.005 |
| 6 | Coleman Avenue and Newhall Drive | San Jose | AM | 14.3 | B | 14.0 | B | 13.9 | B | 0.0 | 0.007 |
| | | | PM | 24.1 | C | 24.7 | C | 24.7 | C | 0.3 | 0.005 |
| 7 | Coleman Avenue and Airport Boulevard | San Jose | AM | 15.7 | B | 16.3 | B | 16.6 | B | 0.4 | 0.008 |
| | | | PM | 13.8 | B | 13.9 | B | 14.0 | B | 0.2 | 0.005 |
| 8 | Coleman Avenue and I-880 (N) * | San Jose | AM | 27.6 | C | 37.4 | D+ | 40.1 | D | 3.5 | 0.012 |
| | | | PM | 16.5 | B | 20.4 | C+ | 21.4 | C+ | 1.3 | 0.013 |

Note:
* Denotes the CMP designated Intersection
**Bold** indicates a substandard level of service.
**Bold** indicates an adverse effect.

## Table TRA-8

## Cumulative Study Intersection Levels of Service

Source: Hexagon

As shown in Table TRA-9, the westbound left-turn at the intersection of Coleman Avenue and Brokaw Road is the only movement expected to have a queue storage deficiency. The queuing analysis indicates that the maximum vehicle queues for the westbound left-turn pocket at the Coleman Avenue and Brokaw Road intersection would exceed the existing vehicle storage capacity under existing conditions during the PM peak hour and under existing and background-plus-project conditions during both the AM and PM peak hours.

The westbound left-turn pocket currently provides only 50 feet of vehicle storage, which can accommodate only two vehicles. The estimated 95$^{th}$-percentile vehicle queue for the westbound left-turn movement is approximately two vehicles (or 50 feet) during the AM peak hour and 11 vehicles (or 275 feet) during the PM peak hour under existing and background conditions. Field observations confirm that westbound left-turn vehicles queue out of the turn pocket during the PM peak hour. Implementation of Improvement Measure 1 at this intersection to address the degradation in level of service would change the lane striping on this leg by adding another lane and changing the left-turn signal control to protected plus permissive phasing. This would provide additional time for left-turn vehicles to clear the intersection and reduce the queue lengths.

### *Site Access and Circulation*

Site access and on-site circulation were evaluated using commonly accepted transportation planning principles. This review is based on the project site plan prepared by Jensen Design Architects dated February 28, 2020 (see Figure 4).

Site Access Evaluation

Vehicular access to the project site would be provided via one driveway along Coleman Avenue and one driveway along Brokaw Road (see Figure TRA-11). Although nothing on Coleman Avenue would physically prevent left turns in and out of the project driveway, the traffic and queuing on Coleman Avenue would make these turns very difficult. Hexagon recommends a “right turn only” sign at the Coleman Avenue driveway on the project site. The driveway on Brokaw Road could accommodate all turning movements.

According to the City of Santa Clara City Code, Chapter 18.74 (Parking Regulations), two-way driveways providing access to all properties other than residential should be at least a minimum width of 22 feet (20-feet pavement with one-foot clearance on each side) and one-way should be minimum width of at least 14 feet (12 feet of pavement with one foot clearance on each side). Based on the site plan, the one-way driveways on Coleman Avenue are measured to be approximately 15 feet and 10 inches wide and 20 feet wide, which satisfies the City requirements. The project driveway on Brokaw Road is measured to be approximately 24 feet wide, which also satisfies the City requirements.

The project driveways would be designed to be free and clear of any obstructions to optimize sight distance, thereby ensuring that exiting vehicles can see pedestrians on the sidewalk and other vehicles traveling on adjacent roadways. Any landscaping and signage would be located in such a way as to ensure an unobstructed view for drivers entering and exiting the site. Adequate corner sight distance (sight distance triangles) would be provided at all site access points in accordance with the City’s standards. Sight distance triangles would be measured in accordance with City standards. The Caltrans recommended stopping sight distance for Coleman Avenue is 360 feet and for Brokaw Road is 200 feet. On-street parking is not allowed along Coleman Avenue. Therefore, the proposed driveway on Coleman Avenue would have adequate sight distance to the south. On-street parking would be disallowed along the project frontage on Brokaw Road to provide queuing space at the Coleman Avenue signal and adequate sight distance at the Brokaw Road driveway.

| Measurement | Coleman Avenue and Brokaw Road | | | |
|---|---|---|---|---|
| | SBL | | WBL | |
| | AM | PM | AM | PM |
| ***Existing*** | | | | |
| Cycle length(sec) | 90 | 90 | 90 | 90 |
| Volume (vphpl ) | 25 | 6 | 32 | 264 |
| 95th %. Queue (veh/ln.) | 2 | 1 | 2 | 11 |
| 95th %. Queue (ft./ln)[1] | 50 | 25 | 50 | 275 |
| Storage (ft./ ln.) | 125 | 125 | 50 | 50 |
| Adequate (Y/N) | Y | Y | Y | **N** |
| ***Existing Plus Project*** | | | | |
| Cycle length(sec) | 90 | 90 | 90 | 90 |
| Volume (vphpl ) | 70 | 53 | 65 | 291 |
| 95th %. Queue (veh/ln.) | 4 | 3 | 4 | 12 |
| 95th %. Queue (ft./ln)[1] | 100 | 75 | 100 | 300 |
| Storage (ft./ ln.) | 125 | 125 | 50 | 50 |
| Adequate (Y/N) | Y | Y | **N** | **N** |
| ***Background*** | | | | |
| Cycle length(sec) | 140 | 140 | 140 | 140 |
| Volume (vphpl ) | 25 | 6 | 32 | 264 |
| 95th %. Queue (veh/ln.) | 3 | 1 | 3 | 16 |
| 95th %. Queue (ft./ln)[1] | 75 | 25 | 75 | 400 |
| Storage (ft./ ln.) | 125 | 125 | 50 | 50 |
| Adequate (Y/N) | Y | Y | **N** | **N** |
| ***Background Plus Project*** | | | | |
| Cycle length(sec) | 90 | 90 | 140 | 140 |
| Volume (vphpl ) | 70 | 53 | 65 | 291 |
| 95th %. Queue (veh/ln.) | 4 | 3 | 5 | 17 |
| 95th %. Queue (ft./ln)[1] | 100 | 75 | 125 | 425 |
| Storage (ft./ ln.) | 125 | 125 | 50 | 50 |
| Adequate (Y/N) | Y | Y | **N** | **N** |
| ***Background Plus Project with Mitigation*** | | | | |
| Cycle length(sec) | | | 90 | 90 |
| Volume (vphpl ) | | | 33 | 146 |
| 95th %. Queue (veh/ln.) | | | 3 | 7 |
| 95th %. Queue (ft./ln) | | | 75 | 175 |
| Storage (ft./ ln.) | | | 50 | 50 |
| Adequate (Y/N) | | | **N** | **N** |

Notes:
[1] Assumes 25 Feet Per Vehicle Queued.

## Table TRA-9

## Coleman Avenue/Brokaw Road Intersection Queuing Analysis Summary

Source: Hexagon

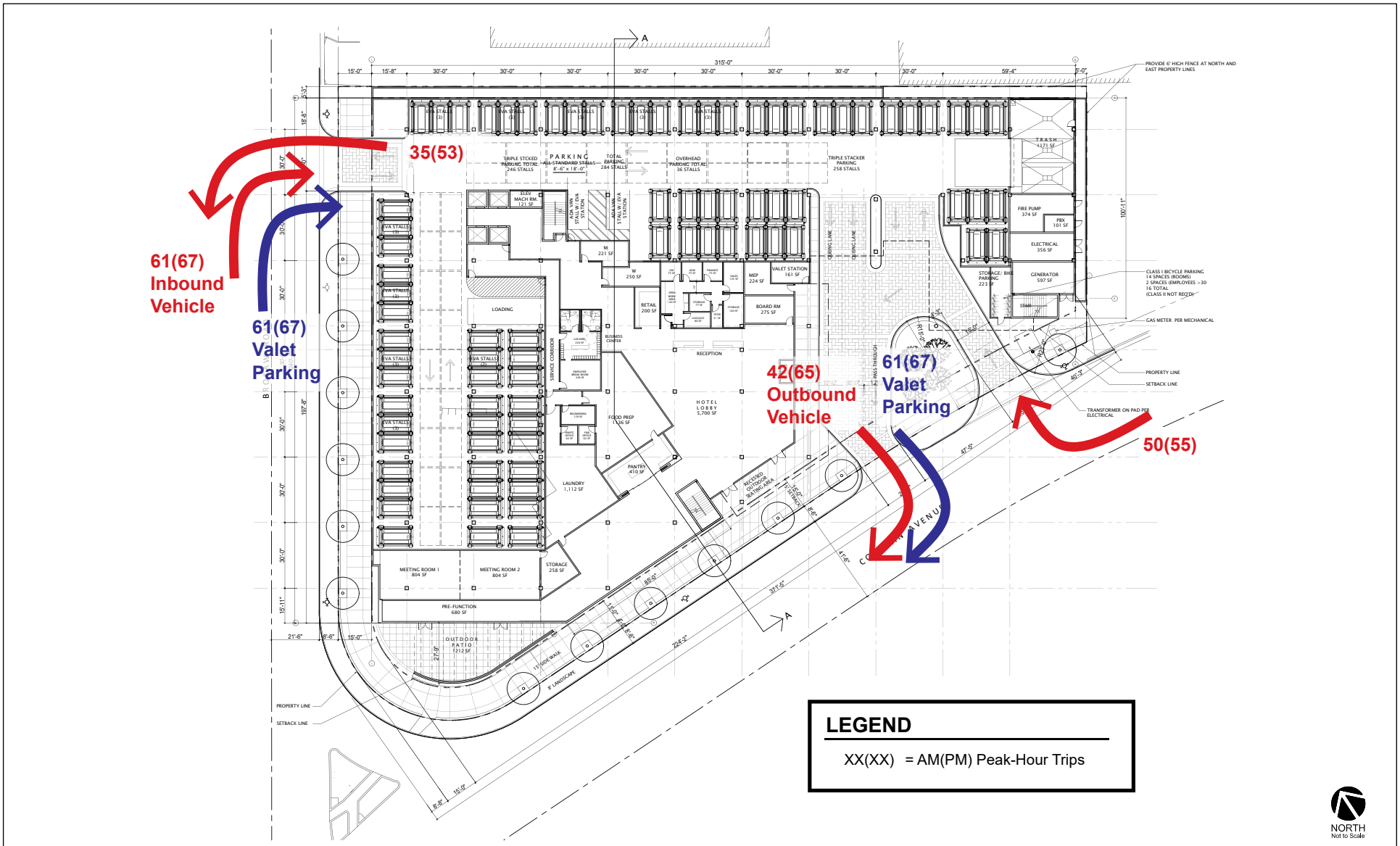



**Figure TRA-11**

Trip Assignment to Project Driveways

Source: Hexagon

Traffic Operations at Project Driveways

The estimated project-generated trips at the project driveways are shown on Figure TRA-11. The new project-generated trips that are estimated to occur at the Coleman Avenue inbound driveway are 50 trips during the AM peak hour and 55 trips during the PM peak hour, which is one inbound vehicle every 1 minute during the AM and PM peak hour. There is approximately 95 feet of storage (room for four vehicles) available at the inbound driveway, which would be adequate for inbound queuing within the project site. Based on the trip distribution and assignment on the surrounding roadway network, the project would generate 42 outbound trips during the AM peak hour, and 65 outbound trips during the PM peak hour using the Coleman Avenue driveway see Figure TRA-11). In addition to that, there would be 61 outbound valet vehicles during the AM peak hour and 67 outbound valet vehicles during the PM peak hour. Including the valet vehicles, the project trips that would occur at the Coleman driveway would be 103 outbound trips during the AM peak hour and 132 outbound trips during the PM peak hour, which is about two outbound vehicles every minute during the AM and PM peak hours. There would be approximately 200 feet of storage (room for 8 vehicles) available at the outbound driveway, which would be adequate for outbound queuing within the project site.

The project-generated trips that are estimated to occur at the Brokaw Road driveway are 122 inbound trips and 134 inbound trips during the AM and PM peak hours, respectively, and 35 outbound trips 53 outbound trips during the AM and PM peak hours, respectively. Based on this analysis, delay or queuing issues are not expected at the Brokaw Road driveway.

On-Site Circulation

All parking for the hotel would be valet only; self-parking would not be provided, except for the three surface parking spaces on-site. Except for the three surface parking spaces, all other parking spaces would be in mechanical lifts. Guests could enter the site from either Coleman Avenue or Brokaw Road and drop off their vehicles at the front entrance to the hotel building. Guests entering from Brokaw Road would need to drive through the garage to get to the valet station. Valets would move the vehicles from the valet station into the garage. When the owner returns to retrieve their vehicle, a member of the valet team would drive it back to the valet station in front of the hotel.

The site plan shows an island in the entry court off Coleman Avenue. The island would prevent exiting vehicles from circling back to use the Brokaw Road driveway. Having all vehicles exit to Coleman Avenue would be problematic because of the difficulty southbound vehicles would have accessing the left-turn pocket at Brokaw Road to make a U-turn. The project site plan was reviewed for U-turn access for passenger cars at the Coleman Avenue garage entrance from the passing lane and the queuing lane (see Figures TRA-12 and TRA-13). Based on the site plan configuration and turn around template, Hexagon recommends that the island in the entry court be removed. With the island removed, exiting vehicles could turn around in the court area to access the Brokaw Road driveway. Also, the valet drivers could turn vehicles around and access the garage from in front of the hotel. The traffic study assumes that about half the valet trips would turn around in the court area and half would exit to Coleman Avenue and drive “around the block” to enter the parking garage from Brokaw Road to avoid queuing issues in front of the Coleman Avenue garage entrance.

Pedestrian On-Site Circulation

The site plan shows sidewalks along the project site's frontage on Coleman Avenue and Brokaw connecting to all on-site facilities and facilitating pedestrian circulation within the site. No issues or constraints to adequate pedestrian circulation were identified by Hexagon.

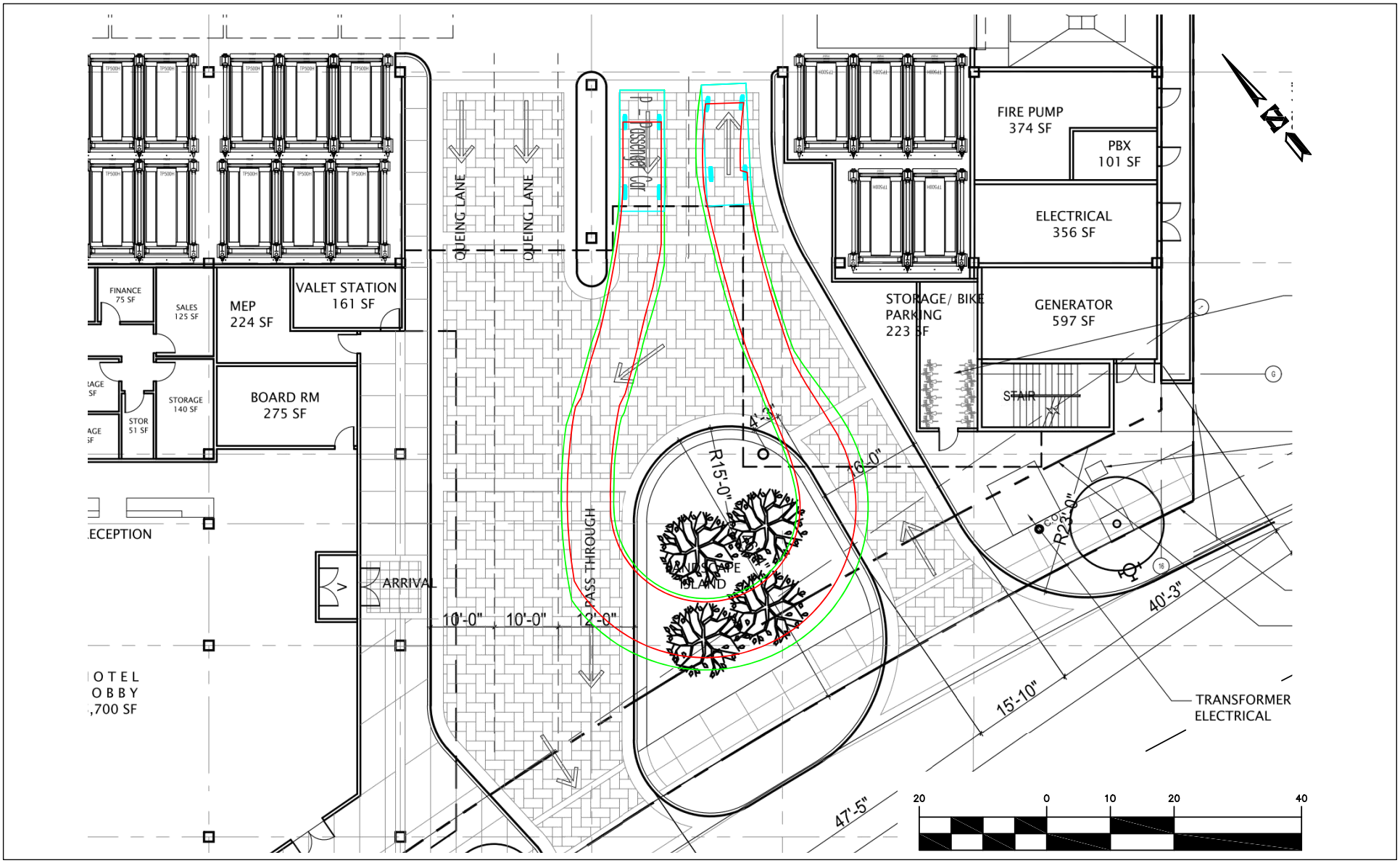



**Figure TRA-12**

Coleman Avenue Entrance U-Turn Turning Template (from Passing Lane)

Source: Hexagon

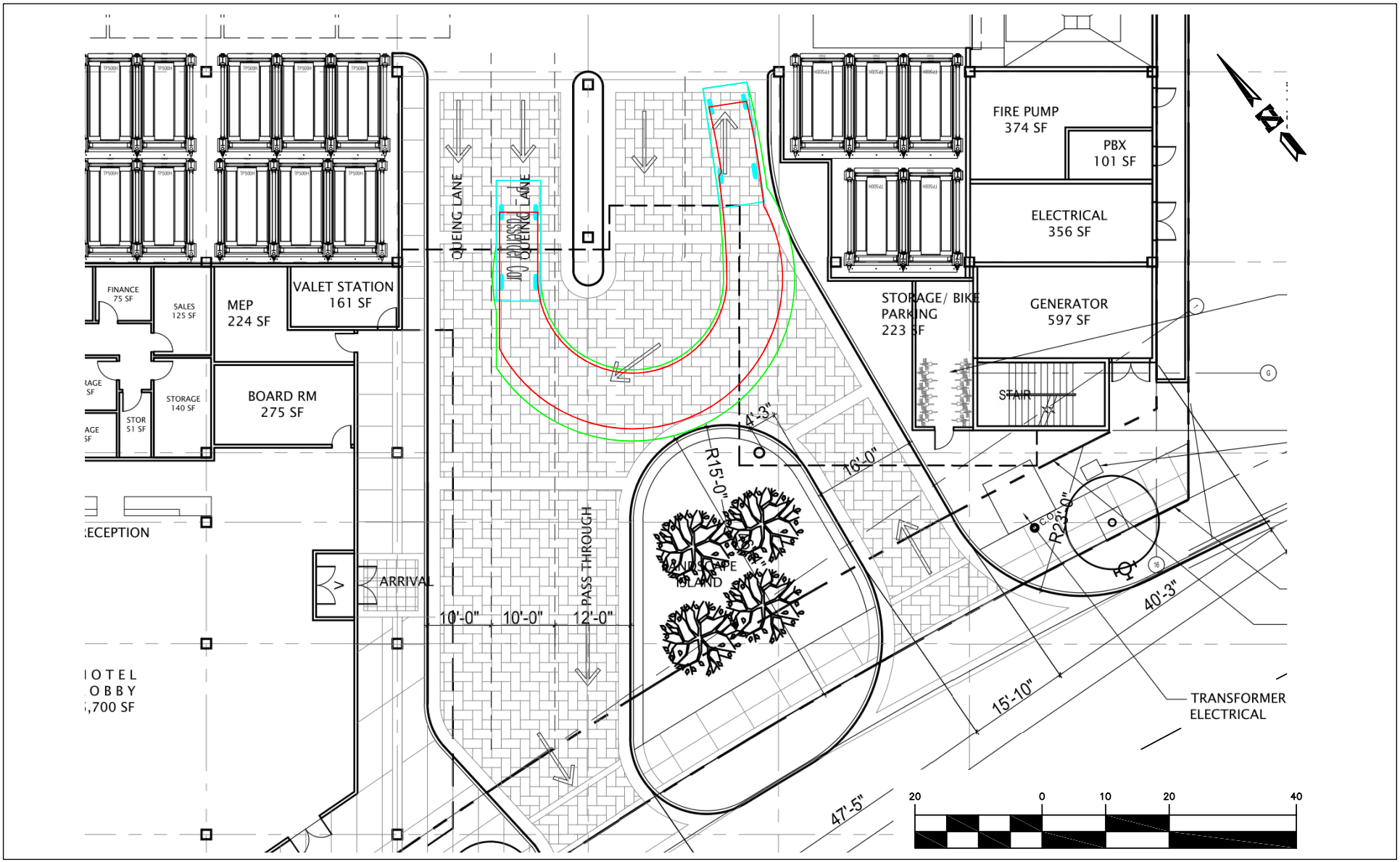



**Figure TRA-13**

Coleman Avenue Entrance U-Turn Turning Template (from Queuing Lane)

Source: Hexagon

Passenger Loading

There are many free and commercial applications offering carpooling or discounted taxi services. Some of the carpooling applications include Waze Carpool and Scoop, and discounted taxi services include Uber and Lyft Valet. The valet parking area along Coleman Avenue would provide a loading area for shuttles, rideshare, and discounted taxi services.

Loading and Garbage Truck Access

Truck activities (e.g., deliveries and garbage collection) for the proposed hotel are expected to occur within the garage. The project plans show the trash room located at the northeast corner of the parking garage. The garbage loading zone is designed such that Mission Trail trucks from both directions could enter and exit the loading zone from either the Brokaw Road driveway or the Coleman Avenue driveway. The site plan shows 16 feet of vertical clearance for the garbage trucks.

Truck loading and unloading is expected to occur within the proposed freight loading zone at the west side of the garage, with access to the elevators and the service corridor. The designated loading zone is shown to be 35 feet long, which would be adequate to serve all delivery trucks. The site plan shows 16 feet of vertical clearance for the loading trucks. The loading trucks would enter and exit through the Brokaw Road driveway. The project site plan was reviewed for truck access using truck turning-movement templates for a SU-30 (single-unit) truck type, which represents small- to medium-sized emergency vehicles, garbage trucks, delivery trucks and moving trucks. The inbound and outbound templates are shown on Figures TRA-14 and TRA-15, respectively. Based on the site plan configuration, SU-30 trucks would have adequate space to maneuver in and out of the loading area.

### *Transit Service*

Existing transit service to the study area is provided by the VTA. Regional transit is provided by Caltrain, the Altamont Commuter Express (ACE) train service, and the Capitol Corridor train service. The Coleman and Brokaw VTA bus stop is the closest bus stop located along the project frontage. The Santa Clara Caltrain Station is located approximately 1,500 feet south of the project site. The Santa Clara Transit Center is located on Railroad Avenue just across from the Caltrain Station. A pedestrian/bicycle undercrossing provides connection from Brokaw Road on the north side of the Caltrain tracks to the Santa Clara Transit Center on the south side of the Caltrain tracks, in proximity to the planned future BART station. These services are described below and shown on Figure TRA-16.

VTA Bus Service

The study area is served directly by one VTA bus route 60 and other routes through the bus stop at the Santa Clara Transit Center. The VTA existing bus services are summarized in Table TRA-10.

Caltrain

Caltrain operates commuter rail service seven days a week between San Jose and San Francisco. During weekday commuting hours, Caltrain also serves the South County including Gilroy, San Martin and Morgan Hill. Caltrain provides shuttle service to businesses in the Silicon Valley and on the Peninsula.

The Santa Clara Caltrain Station is located on Railroad Avenue within the Santa Clara Transit Center. The Santa Clara Caltrain Station provides service to the Santa Clara area via connections with local bus routes 21, 53 and 59, frequent route 22 ,and frequent rapid route 522, listed in Table TRA-10, in addition to frequent route 60 and ACE/Capitol Corridor connections. Caltrain provides service with 15- to 30-minute headways during commute hours.

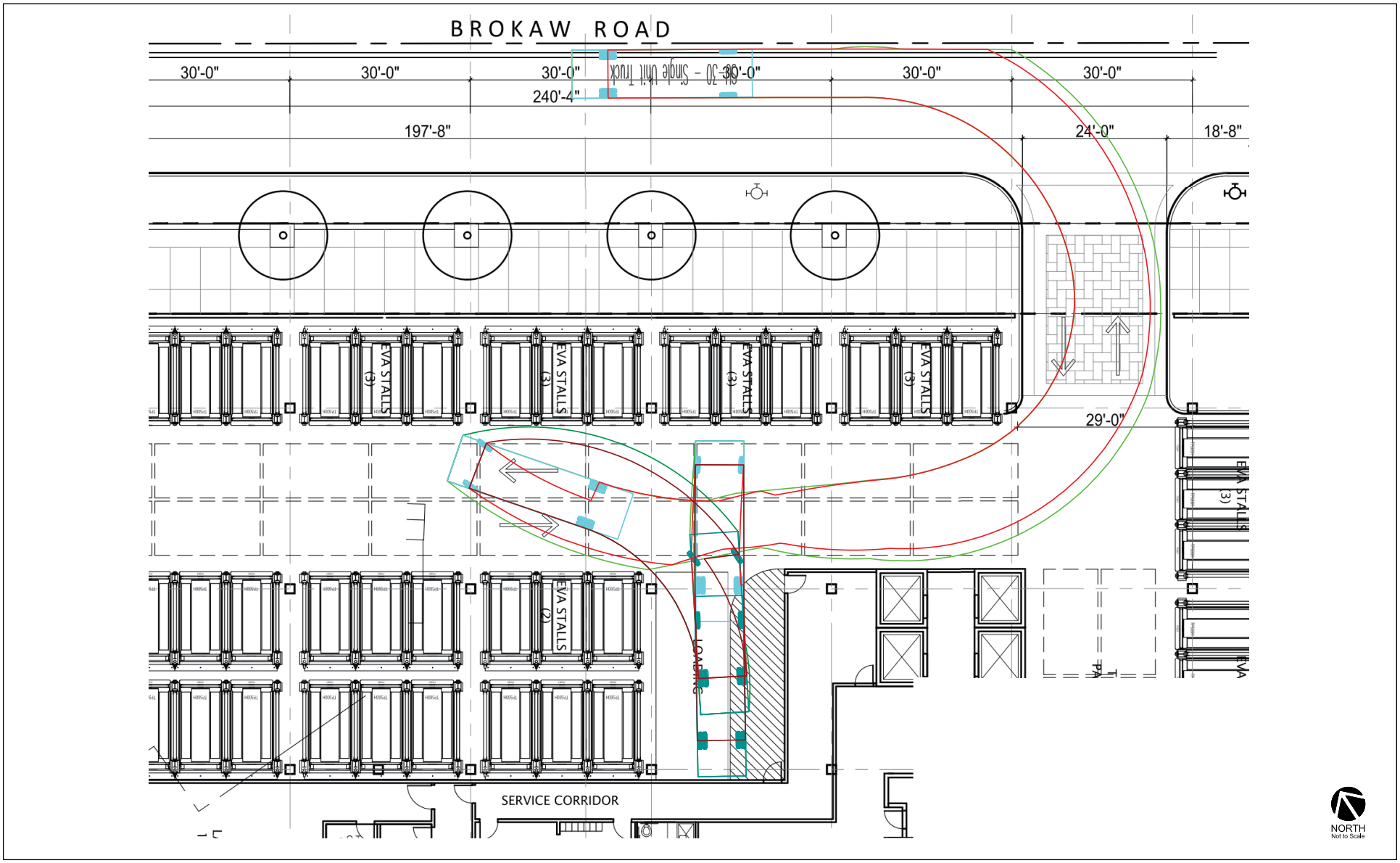



**Figure TRA-14**

Truck Turning Template (Inbound) at Project Loading Zone

Source: Hexagon

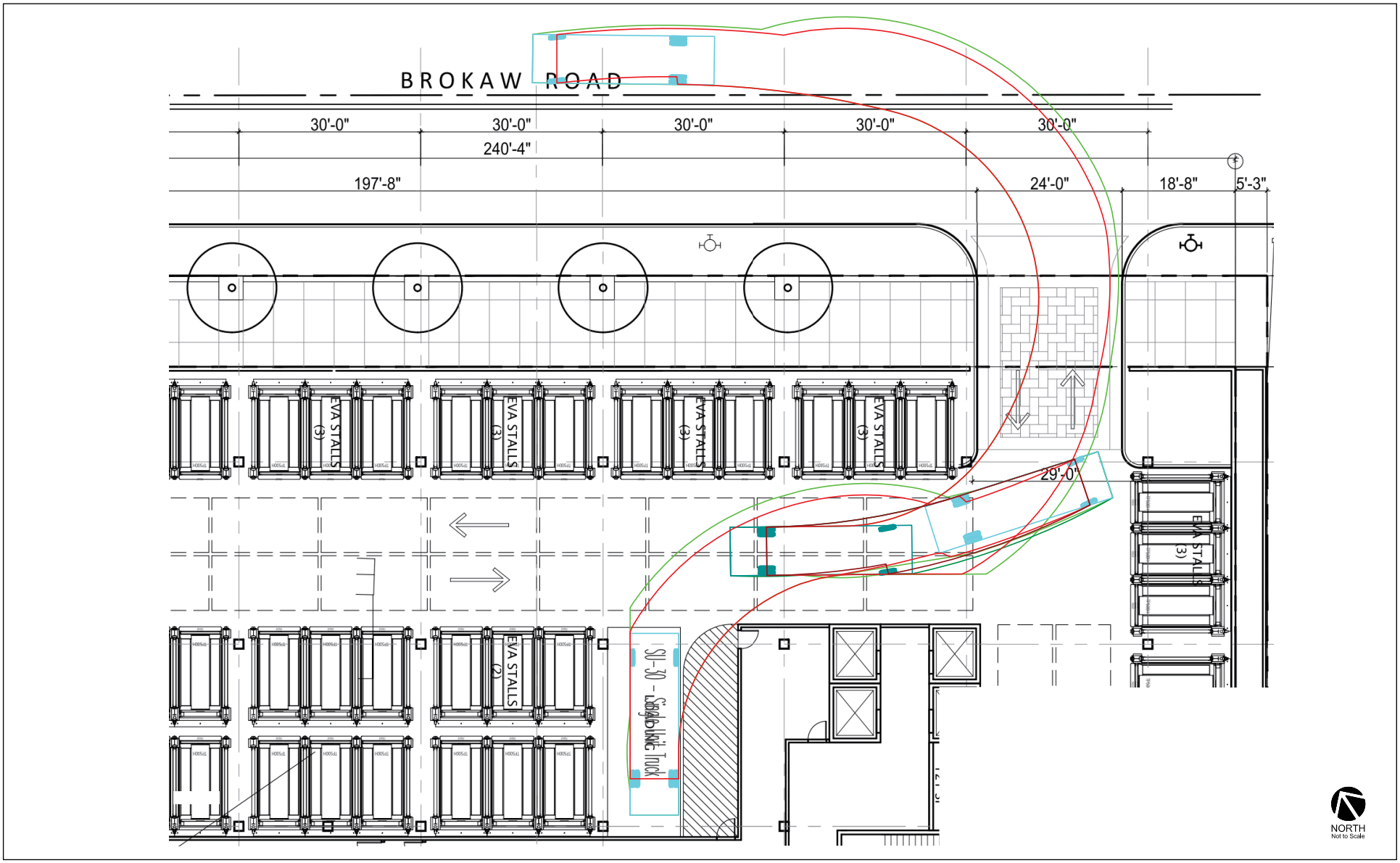



**Figure TRA-15**

Truck Turning Template (Outbound) at Project Loading Zone

Source: Hexagon


## Figure TRA-16

## Existing Transit Services in Project Vicinity

Source: Hexagon

| Route[1] | Route Description |
|---|---|
| Frequent Route 60 | Milpitas BART - Winchester Station via SJC Airport |
| Frequent Route 22 | Palo Alto Transit Center - Eastridge Transit Center |
| Local Route 21 | Stanford Shopping Center - Santa Clara Transit Center |
| Local Route 53 | Sunnyvale Transit Center - Santa Clara Transit Center |
| Local Route 59 | Valley Fair - Baypointe Station via Alviso |
| Frequent Rapid Route 522 | Palo Alto Transit Center - Eastridge Center |

Notes:
Source: VTA Service Schedule and Map, December 2019
1. Closest bus stop to bus route 60 is located at Brokaw Road and Coleman Avenue, along the project frontage and for all other routes are at the Santa Clara Transit Center, Railroad Avenue.

**Table TRA-10**

**VTA Bus Services in Project Vicinity**

Source: Hexagon

ACE

ACE provides commuter rail service between Stockton and San Jose. ACE shares the Santa Clara Caltrain Station at the Santa Clara Transit Center. ACE operates four westbound trains heading to San Jose in the morning and four eastbound trains heading to Stockton in the evening with 60-minute headways on weekdays.

Capitol Corridor

The Capitol Corridor train provides commuter rail service between Sacramento and San Jose. The Capitol Corridor train shares the Santa Clara Caltrain Station at the Santa Clara Transit Center. Capitol Corridor operates seven westbound and seven eastbound trains on weekdays with more westbound trains in the morning and more eastbound trains in the afternoon/evening. At the Santa Clara Station, there are two westbound trains during the AM commute periods and two eastbound train during the PM commute period with 60- to 90-minute headways.

Project's Effect on Transit Services

Due to the proximity of airport, bus stops, and the Caltrain Station to the project site, it is likely that hotel guests and employees would utilize the existing transit services. Assuming up to a 6-percent transit mode share, the project would generate up to 11 and 14 new transit riders during the AM and PM peak hours, respectively, based on the trip generation estimates previously reported in Table TRA-5. Given that the project site is served by 3 local bus routes, one frequent rapid route, two frequent routes, Caltrain, ACE, and Capitol Corridor, it is anticipated that the projected transit riders associated with the project could be accommodated by the existing transit services.

To assess the project's effect on transit vehicle delay, the delay experienced by each route running through the study intersections was estimated based on the average vehicle delay that is calculated as part of the intersection level of service analysis. Only VTA Route 60 passes through one of the traffic study intersections, i.e., the intersection of Coleman Avenue and Brokaw Road. Using the TRAFFIX software, it was estimated that the project would increase transit vehicle delay by 11.4 seconds per vehicle on the northbound direction in the PM peak hour, while delay in the AM peak hour would decline by 0.6 seconds per vehicle. In the southbound direction, transit vehicle delay would increase by 2.0 seconds in the AM peak hour and by 0.6 seconds in the PM peak hour. VTA does not have significance thresholds to determine impacts on transit vehicle delay. Therefore, this analysis is presented for information purposes only.

The results show that the project would result in minor increases in delay for some transit movements. The decreases in delay are attributed to the fact that the addition of the project traffic sometimes causes a reallocation of green time, which results in less delay for certain movements and more delay for others. The maximum increase in travel time would be by less than 9 seconds, which would not be noticeable to transit riders.

Potential Future BART Station

The BART Phase II Extension Project will include a 5-mile-long subway tunnel through downtown San Jose and will extend the BART system from the future Phase I terminus for approximately 6 miles to the City of Santa Clara. The Santa Clara BART station is being proposed to be located adjacent to the Santa Clara Transit Center, with access to a planned new parking garage on Brokaw Road. With implementation of the proposed BART extension project, the project site would be directly served by BART. Overall, the new BART station would offer another mode of travel and decrease the amount of traffic on the surrounding roadways due to the transportation demand mode shift from driving to taking BART.

### *Pedestrian Facilities*

Pedestrian facilities near the project site consist of sidewalks along the streets and crosswalks at the intersections in the study area. Sidewalks are found along both sides of Coleman Avenue, with a short discontinuity just south of Brokaw Road. East of the project site, there is no sidewalk along Brokaw Road. Other pedestrian facilities in the project area include crosswalks and pedestrian push buttons at all signalized study intersections. The Coleman Avenue and Brokaw Road bus stop is located along the project frontage on Coleman Avenue. Overall, the existing network of sidewalks and crosswalks provides good connectivity and provides pedestrians with safe routes to transit services and other points of interest in the area.

A pedestrian connection is present between Brokaw Road and the Santa Clara Transit Center (located on El Camino Real, west of the project site). It consists of an underground pedestrian pathway that begins at the western end of Brokaw Road and ends at the Transit Center, on the west side of the railroad tracks. This pedestrian connection provides a direct connection between the project site and the Transit Center and other existing services along El Camino Real. Additionally, the intersection of Coleman Avenue and Brokaw Road provides marked crosswalks and pedestrian signal heads that would facilitate pedestrian access from the project site to the adjacent shopping center located north of the project site.

### *Bicycle Facilities*

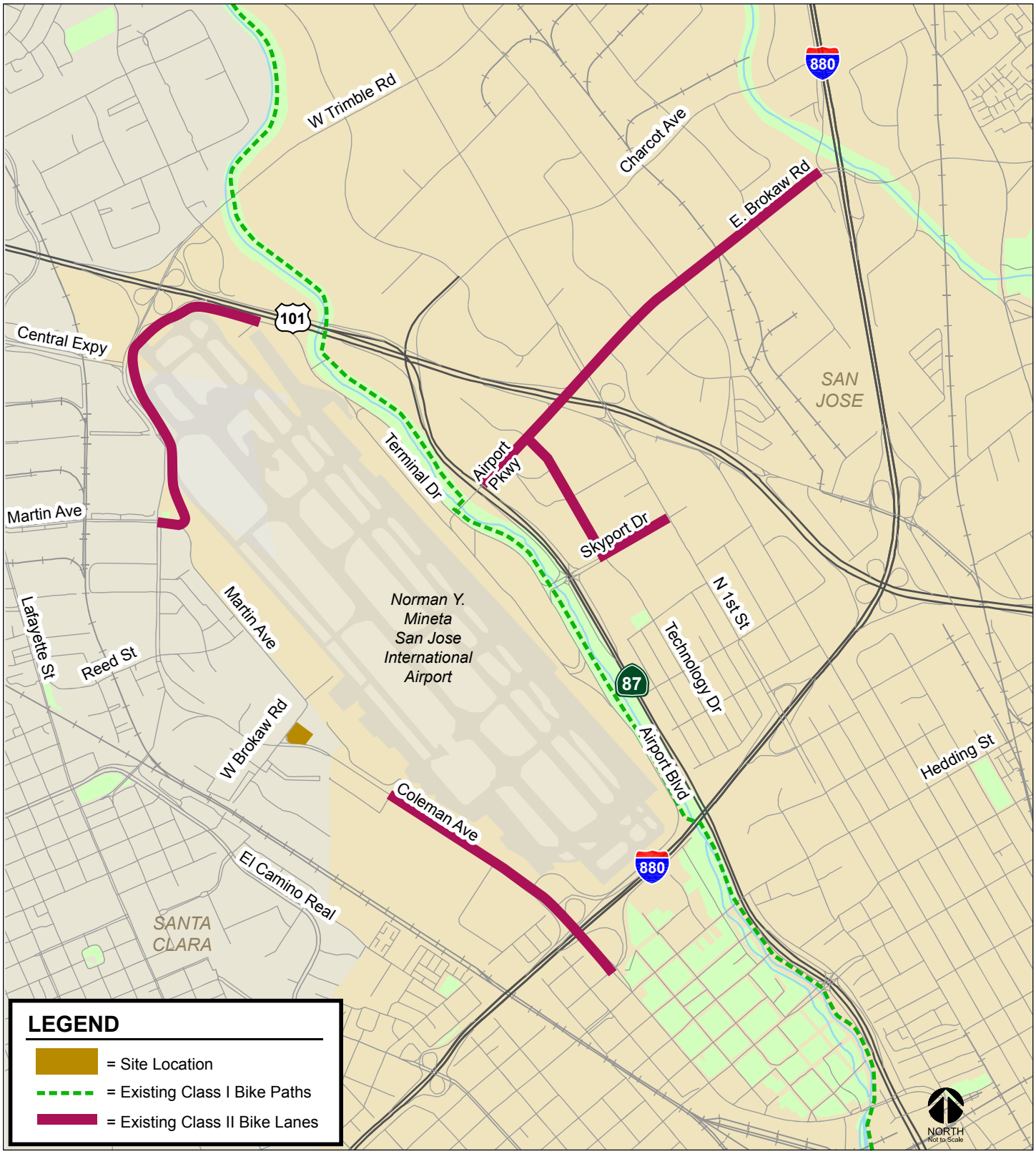
Bicycle facilities are divided into three classes of relative significance. Class I bikeways are bike paths that are physically separated from motor vehicles and offer two-way bicycle travel on a separate path. Class II bikeways are striped bike lanes on roadways that are marked by signage and pavement markings. Class III bikeways are bike routes on roadways, with only signs to help guide bicyclists on recommended routes to certain locations.

There is a Class I bike path approximately 1 mile east of the project site. It is part of the multi-use trail system that runs along the Guadalupe River and is shared between pedestrians and bicyclists and separated from motor vehicle traffic. The Guadalupe River trail is an 11-mile continuous Class I bikeway from Curtner Avenue in the south to Alviso in the north. This trail system can be accessed via Airport Boulevard in the project vicinity. Within the project vicinity, Class II bikeways are present on Coleman Avenue between Earthquake Way and SR 87 with a short discontinuity between Hedding Street and Taylor Street. There is a bicycle and pedestrian tunnel connection from the west end of Brokaw Road, under the Caltrain tracks, to the Santa Clara Caltrain station. The distance is about 1,500 feet from the project site. Bicycles are also permitted on Coleman Avenue and De La Cruz Boulevard. However, due to high speeds and traffic volumes, it is recommended for use only by bicyclists of advanced skills. The existing bicycle facilities within the study area are shown on Figure TRA-17.

The project is not located near any existing bike lanes. However, the Cities of Santa Clara and San Jose bicycle plans identify bike lanes on Coleman Avenue and De La Cruz Boulevard that will connect to other existing bike lanes. With the planned bicycle improvements, the proposed project would be served directly by bicycle facilities. Santa Clara may also wish to stripe bike lanes on Brokaw Road to serve the future BART station. It should be noted that bikes can also use the Brokaw Road pedestrian underpass to access the Santa Clara Transit Center.

### *Parking*

Effects on parking are not considered significant environmental impacts under CEQA; this discussion on parking is provided for informational purposes. The parking analysis for the proposed hotel development is based on the City of Santa Clara's zoning code requirements and the *VTA Bicycle Technical Guidelines*.




## Figure TRA-17

## Existing Bicycle Facilities in Project Vicinity

Source: Hexagon

For hotels in the City of Santa Clara, the Zoning Ordinance requires parking to be provided at the rate of a minimum of 1 parking space for each room. The project proposes 396 hotel rooms. Thus, the project is required to provide a minimum of 396 parking spaces. The project site plan shows 282 parking spaces in mechanical stackers and 2 ADA van stalls for a total of 284 parking spaces, which does not meet the City code requirement. The project is planning to provide shuttle service to the airport and other local destinations. As per the 2010 Santa Clara Station Area Plan section 3-P-26, the project can request a parking reduction in conjunction with the shuttle program. The project is planning to request a reduction in the parking requirement to 0.71 stalls per room. The project is planning to provide valet parking. As shown on the site plan, the project is planning to provide two van accessible parking spaces. Since self-parking is not permitted, the ADA parking proposed at the site would be adequate.

Based on the VTA Bicycle Technical Guidelines bicycle parking requirements, the project should provide one Class I bicycle parking space per 30 rooms and one Class I bicycle parking space per 30 employees (long-term parking). As per the VTA guidelines, the minimum number of required Class II bicycle parking spaces is 4 (short-term parking). Assuming that the project would have 30 to 60 employees, the project should provide 14 long-term bicycle spaces for hotel guests, two long-term bicycle spaces for employees, and four short-term bicycle spaces. The site plan shows a bicycle storage room with 16 long-term spaces near the Coleman driveway entrance. The site plan does not show any short-term bicycle spaces. Four spaces should be provided near the building entrance.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subsection (b)?* | ☐ | ☐ | ☒ | ☐ |

Explanation: Pursuant to SB 743, the Governor's Office of Planning and Research (OPR) adopted revisions to the *CEQA Guidelines* on December 28, 2018 stating that adverse effects on Level of Service will no longer be considered to be a significant environmental impact under CEQA. The revised Guidelines have replaced LOS with vehicle-miles-travelled (VMT) as the most appropriate measure of transportation impact.[92] The *Technical Advisory on Evaluating Transportation Impacts in CEQA* published by OPR in December 2018 provided recommendations regarding VMT evaluation methodology, significance thresholds, and screening thresholds for land use projects. The OPR guidelines, Section 15064.3(b) of the revised *CEQA Guidelines*, and City of Santa Clara City Council Resolution No. 20-8861 "Transportation Analysis Policy" adopted on June 23, 2020 all state that transit-oriented development projects located within ½-mile of an existing major transit stop would have a less-than-significant impact on VMT and will not require a VMT analysis. Projects that do not meet the screening criteria for VMT analysis would have a less than significant impact if they result in a 15-percent VMT reduction compared to the baseline. The proposed project is located within 1,500 feet of the Santa Clara Caltrain station, which qualifies as a major transit stop, and the project would therefore have a ***less-than-significant impact on VMT*** per OPR and City of Santa Clara policy.

[92] California Public Resources Code, Section 21099(b)(2) and *CEQA Guidelines* Section 15064.3(a).

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?* | ☐ | ☐ | ☐ | ☒ |

Explanation: No traffic safety hazards were identified by Hexagon Transportation Consultants in the traffic analysis summarized in Section XVII-a, above. As reported in Section XVII-a, the sight distance analysis performed by Hexagon determined that there would be adequate sight distance at the project driveways. There would be ***no impact*** from the creation of traffic safety hazards.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *d) Result in inadequate emergency access?* | ☐ | ☐ | ☐ | ☒ |

Explanation: The surrounding streets adjoining the project site—Coleman Avenue and Brokaw Road—would continue to provide emergency access to the site. The traffic assessment performed by Hexagon, summarized in the preceding subsections, included a site plan review, and did not identify any constraints to adequate emergency access to the site following implementation of the proposed project. There would be ***no impact*** on emergency access.

## XVIII. TRIBAL CULTURAL RESOURCES — *Would the project:*

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:* | | | | |
| *a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?* | ☐ | ☒ | ☐ | ☐ |

Explanation: In 2004 the California legislature passed Senate Bill (SB) 18, which requires local governments to contact and consult with California Native American tribes prior to adoption or amendment of a general plan, specific plan, or designation of open space. This requirement was expanded with the passage in 2014 of Assembly Bill (AB) 52, which established a consultation process with all California Native American tribes included on a list maintained by the Native American Heritage Commission (NAHC). For a specific development project, the consultation must be with a tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.

AB 52 established a new class of cultural resources, Tribal Cultural Resources. A Tribal Cultural Resource (TCR) is a site feature, place, cultural landscape, sacred place, or object that is of cultural value to a Native American tribe and is either on or eligible for the California Register of Historical Resources (CRHR) or a local historic register, or the lead agency chooses, at its discretion, to treat the resource as a TCR.

For any development project application deemed complete by a lead agency after July 1, 2015, the lead agency must provide written notification within 14 days to all tribes that have requested placement on the agency's notification list. The notification must provide the project location, a brief description of the project, the lead agency contact information, and notice that the tribe has 30 days to request consultation. If a tribe requests consultation, it must begin within 30 days.

Pursuant to AB 52, the City sent a Tribal Consultation List Request to the Native American Heritage Commission (NAHC) on September 10, 2019 in order to identify Native American tribal groups who may be traditionally and culturally affiliated with the geographic area of the proposed project site. As of the publication of this Initial Study, no response letter from the NAHC had been received by the City.

The lead agency must conduct an assessment of potential TCR impacts. In general, potentially significant impacts to prehistoric archaeological resources may be considered potential significant impacts to TCRs. As discussed further in Section V, a Phase I archaeological investigation of the project site by a professional archaeologist concluded that undiscovered cultural resources may lie buried within the site. Such resources could potentially include TCRs. Were any TCRs present, any disturbance to such resources during project construction could result in a ***significant, adverse***

***impact*** on tribal cultural resources. Implementation of Mitigation Measures CR-1 through CR-3, set forth in Section V, would reduce the potential impact to a less-than-significant level:

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| 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.* | ☐ | ☒ | ☐ | ☐ |

Explanation: Public Resources Code Section 5024.1 establishes the California Register of Historical Resources and defines the criteria for inclusion on the California Register. As discussed in Section V-a, no historic resources are known or suspected to be present at the project site. However, their potential presence cannot be completely ruled out. Were such resources to be present, disturbance of the subsurface during construction could damage or destroy the resource(s), which would be a ***potentially significant impact*** on historic resources. Implementation of Mitigation Measures CR-1 through CR-3 (see Section V) would reduce the impact to a less-than-significant level.

## XIX. UTILITIES AND SERVICE SYSTEMS — *Would the project:*

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?* | ☐ | ☐ | ☒ | ☐ |

Explanation:

### *Water Treatment Facilities*

As discussed in more detail in Section XIX-b, below, water would be supplied to the project by the Santa Clara Water Utility. The Water Utility's water system infrastructure includes 335 miles of water mains, 26 wells, and 7 storage tanks with a total storage capacity of approximately 28.8 million gallons.

The City's potable water supply comes from three sources: local groundwater and imported surface water provided by two wholesale water agencies, the Santa Clara Valley Water District (SCVWD) and

the San Francisco Public Utilities Commission (SFPUC). The quality of the groundwater, which comprises 62 percent of the City's water supply, is such that no treatment is required prior to its delivery to residential and business customers. Water from the wholesalers is treated at their own water treatment plants. Recycled water makes up a fourth source of the water supplied by the Water Utility, but use of this water is restricted to landscape irrigation and certain industrial uses.[93]

The SCVWD operates three water treatment facilities that have a combined daily treatment capacity of 220 million gallons per day (mgd). Major upgrades were completed at the Santa Teresa and Penitencia plants in 2006, and both plants now use ozone as the primary disinfectant, which is more effective than chlorine at inactivating microbial contaminants like giardia and cryptosporidium and at removing unpleasant tastes and odors caused by seasonal algae blooms in source waters. Plans are underway to upgrade the Rinconada Treatment Plant, the SCVWD oldest treatment plant, with replaced infrastructure and seismic improvements. The planned improvements will also increase the plant's treatment capacity from 80 mgd to 100 mgd.

Although District-wide consumption is currently well over 220 mgd, as discussed below in Section XVII(b), only about 100 to 120 mgd is treated; the remainder is groundwater and recycled water use.[94] In 2018, the SCVWD used a total of 303,000 acre-feet (AF),[95] but just 108,500 AF was treated, while 120,000 AF was pumped groundwater.[96] This demonstrates that the existing SCVWD water treatment capacity is more than adequate for existing and projected demand, and the project would have no appreciable effect on water treatment capacity.

The primary source of the SFPUC's water is surface water from the Hetch Hetchy watershed in the Sierra Nevada. The Hetch Hetchy water supply is supplemented with surface water from local watersheds and upcountry non-Hetch Hetchy sources. Rainfall and runoff from the 35,000-acre Alameda Watershed in Alameda and Santa Clara counties are first collected in Calaveras Reservoir and San Antonio Reservoir for storage followed by delivery to the Sunol Valley Water Treatment Plant (SVWTP) for treatment. Rainfall and runoff from the 23,000-acre Peninsula Watershed in San Mateo County are stored in Crystal Springs Reservoir, San Andreas Reservoir, and Pilarcitos Reservoir, and are delivered to the Harry Tracy Water Treatment Plant. Water delivered to the two treatment plants is subject to filtration, disinfection, fluoridation, optimum corrosion control, and taste and odor removal. Although Hetch Hetchy water quality is very high and does not require treatment, a U.S. EPA regulation that took effect in 2012 requires all unfiltered drinking water systems to control the waterborne parasite cryptosporidium through secondary disinfection. To comply with this regulation, the SFPUC constructed the Tesla Treatment Facility that provides ultraviolet treatment, with a capacity of 315 mgd. Hetch Hetchy water is also disinfected for bacteria control and the pH is adjusted to compensate for delivery pipeline corrosion.[97]

The treatment capacity of the Sunol Valley Water Treatment Plant was previously expanded in 2013 from 120 mgd to 160 mgd. Other improvements completed at the facility included construction of a 40-mgd sedimentation and flocculation basin, modification of the existing flow distribution structure, upgrade of mixed-media filters, new filtered water and backwash water piping, a new 3-million-gallon

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[93] City of Santa Clara Water and Sewer Utilities, *2015 Urban Water Management Plan,* Section 1.2: Water Quality, adopted November 22, 2016.

[94] Michael Martin, Associate Water Resources Specialist, Water Supply Planning and Conservation, Santa Clara Valley Water District, personal communication, November 20, 2019.

[95] An acre-foot is the amount of water necessary to cover 1 acre of land to a depth of 1 foot, and is equivalent to 325,851.43 gallons, or 43,560 cubic feet.

[96] Santa Clara Valley Water District, Protection and Augmentation of Water Supplies, 48th Annual Report: FY 2019-2020, page iv, February 2019.

[97] San Francisco Public Utilities Commission, *2015 Urban Water Management Plan for the City and County of San Francisco*, Section 3.1.3: Water Treatment, April 2016.

chlorine contact tank, a new 17.5-million-gallon treated water reservoir, new chemical feed systems with tanks, pumps and piping, new standby generator and fuel tanks, upgrade of the electrical system and instrumentation and controls, replacement of large butterfly valves, and construction of a new 78-inch-diameter pipeline and tunnel.

In 2015, the SFPUC also completed upgrades to the Harry Tracy Water Treatment Plant, expanding emergency water supply capacity to 140 mgd, replacing 6.5- and 8-million-gallon reservoirs, and constructing a new 11-million-gallon treated water reservoir. The improvements will allow the SFPUC to provide 140 mgd of water for 60 days within 24 hours of a major earthquake. The treatment has a peak capacity of 180 mgd and a sustainable capacity of 140 mgd.[98] Treatment processes at this plant include ozonation, coagulation, flocculation, filtration, disinfection, fluoridation, corrosion control treatment, and chloramination.

Based on total system water demand projected through 2040, the existing SFPUC water treatment is more than sufficient to treat projected demand. Actual demand in 2015 was 70.1 mgd, while projected water demand in 2020 and 2040 is 77.5 and 89.9 mgd, respectively.[99] With combined treatment capacity at the two treatment plants operated by the SFPUC of 340 mgd, available treatment capacity is far in excess of projected demand. Implementation of the proposed project would not require construction of new water treatment facilities, and the project would have a ***less-than-significant impact*** on water treatment capacity.

### *Wastewater Treatment Facilities*

Wastewater from the project would be treated at the San Jose-Santa Clara Water Regional Wastewater Facility (RWF) water pollution control plant, owned jointly by the cities of San Jose and Santa Clara, and operated by the San Jose Department of Environmental Services. The WPCP is located in San Jose at 700 Los Esteros Road, near San Francisco Bay, about 5 miles north of the project site. The WPCP is permitted by the Regional Water Quality Control Board (RWQCB) and effluent from the plant is regularly monitored to ensure that water quality standards are not violated.

The WPCP treats wastewater generated by more than 1.4 million residents and over 17,000 businesses located in eight South Bay cities and four sanitation districts. The wastewater treatment plant provides primary, secondary, and tertiary treatment, utilizing a three-step treatment process to remove solids, pollutants, and harmful bacteria. The majority of treated effluent from the WPCP is discharged into an outfall channel that flows to Coyote Creek via Artesian Slough, and ultimately discharges into South San Francisco Bay. About 20 percent of the plant's effluent is diverted to South Bay Water Recycling, a recycled water wholesaler that distributes the water through a network of dedicated purple pipes for irrigation of food crops, parks, schools, golf courses, street medians, and business park landscaping.

The current capacity is 167 mgd and average daily flows are approximately 110 mgd.[100] There is substantial excess capacity at the treatment plant, and no potential for the incremental increase in wastewater treatment demand that would be generated by the project to exceed existing treatment capacity or require the construction of new or expanded treatment facilities.

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[98] *Ibid*.

[99] San Francisco Public Utilities Commission, *2015 Urban Water Management Plan for the City and County of San Francisco*, Table 4-1: Retail Demands (mgd), April 2016.

[100] City of San Jose, San Jose-Santa Clara Regional Wastewater Facility, accessed November 18, 2019 at: http://www.sanjoseca.gov/index.aspx?nid=1663.

### *Stormwater Drainage Facilities*

The City's stormwater drainage system consists of roadway curb inlets that collect and channel surface water from rainfall and other sources into a series of pipelines beneath City roadways. Stormwater is conveyed through these underground pipelines to the channelized creeks within the City, which then direct flow into San Francisco Bay. Stormwater discharged from the project site would flow into the existing storm drain lines under Coleman Avenue and Brokaw Road that are part of the Citywide system.

Although the draft Stormwater Management Plan Report indicates that implementation of the proposed project would increase the amount of impervious surfaces on the project site from 91 percent under existing conditions to 100 percent, this is a conservative assumption that does not take into account the proposed planting strips that would extend along both the Coleman Avenue and Brokaw Road site frontages.[101] The flow-through planter boxes and planting strips that would provide on-site treatment of stormwater collected from throughout the site would also serve to detain runoff from the site such that the post-project peak discharge from the site would be reduced in comparison to existing conditions.[102] Therefore, the project would have no impact on the City's stormwater drainage capacity, and implementation of the project would not require the construction of new or expanded stormwater drainage facilities.

### *Electric Power Facilities*

Electric service would be provided to the proposed hotel project by the City's electric utility, Silicon Valley Power (SVP), which has over 57,000 electric customer accounts in Santa Clara and has provided electric service to the City since 1896. Although 85 percent of SVP's customers are residential, industrial usage accounts for 90.5 percent of the utility's monthly electricity sales. In 2019 SVP generated 742,631,209 kilowatt-hours (kWh) its own generation facilities and it purchased an additional 2,986,714,445 kWh of electric power from other agencies.[103] Outside power was provided by the Western Area Power Administration (WPA) (8.2 percent), Northern California Power Agency (NCPA) (25.3 percent), and other joint power agencies and providers (46.6 percent). The WPA provides hydroelectric power from the Central Valley Project, while the NCPA provides hydroelectric, geothermal, and natural gas-derived power.[104]

In 2018 SVP began providing 100-percent carbon-free power to all of its residential customers. Solar and wind sources comprised 45 percent of power delivered to residential customers, with the remainder provided by large hydroelectric power plants. In the non-residential sector, 32 percent of delivered power was from renewable sources, including biomass/biowaste (2 percent), geothermal (5 percent), eligible hydroelectric (13 percent), and wind (11 percent), while 34 percent was from natural gas power plants, 11 percent was from large hydroelectric plants, and the remainder was unspecified. Electricity is delivered through its 19-square-mile service area in a network of approximately 557 circuit miles of electric distribution lines, 66 percent of which are underground, and approximately 55 circuit miles of electric transmission lines.[105]

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[101] Michael R. Limakka, Registered Civil Engineer, Alpha Omega Engineering, personal communication, November 18, 2019.

[102] *Ibid*.

[103] Silicon Valley Power, Utility Fact Sheet: January–December 2019, Accessed December 9, 2020 at: https://www.siliconvalleypower.com/svp-and-community/about-svp/utility-fact-sheet.

[104] Silicon Valley Power, *2018 Integrated Resource Plan,* Section 3.0: Existing Resources and System Description, November 12, 2018.

[105] Silicon Valley Power, 2019, *op cit*.

The project's annual operational electricity consumption was calculated using CalEEMod, as described in more detail in Section VI, Energy. Although electricity usage during construction was not quantified, it is anticipated to be relatively minor compared to normal building operations. The modeling results estimated that the project's building and parking garage net electricity consumption would be approximately 1.54 million kilowatt-hours (kWh) of electricity per year. This level of consumption would be readily accommodated by existing electric power infrastructure and would not require the construction or expansion of electric power generation or transmission facilities. As discussed in Section VI, the project would be required to comply with Title 24 energy efficiency standards, which would ensure that operation of the proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources. The project would therefore have a less-than-significant impact on electric power facilities.

### *Natural Gas Facilities*

The proposed project would receive natural gas from PG&E, which has approximately 42,500 miles of natural gas distribution pipelines, 6,700 miles of backbone and local gas transmission pipelines, and various gas storage facilities.[106] In 2014, PG&E delivered 914 billion cubic feet of natural gas to its 4.4 million natural gas customers.[107]

Similar to the preceding discussion on electric power facilities, the project's natural gas consumption was calculated using CalEEMod, which determined that the project would consume approximately 8.86 billion British Thermal Units (BTU) per year, which would be provided and delivered by existing facilities. Given the existing capacity of PG&E, there is no reason to believe that construction of new or expanded natural gas facilities would be required to accommodate the proposed project. This would be confirmed by a will-serve letter from PG&E to the applicant once they submit a request for service.

### *Telecommunications Facilities*

Internet, telephone, and cellular phone service in the City of Santa Clara are provided by a wide range of private companies such as AT&T, Xfinity, Sonic, Sprint, T-Mobile, Verizon, Spectrum, and others. In the competitive telecommunications market, such companies strive to provide capacity to meet the demands of their customers, and are continually expanding and upgrading their facilities. Demand from a single development project such as the proposed hotel would not have the potential to exceed the capacity of one of these companies or require the construction of new facilities or distribution infrastructure. While the project would require the construction of new on-site telecommunication lines and connection to existing off-site lines, the impacts of such construction are included in the construction impacts discussed in other technical sections of this Initial Study, including the sections on air quality, energy, greenhouse gases, water quality, and noise.

Based on the preceding discussions, the proposed project would have a ***less-than-significant impact*** on electric power, natural gas, and/or telecommunications facilities.

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[106] *Ibid*.

[107] *Ibid*.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?* | ☐ | ☐ | ☒ | ☐ |

Explanation: Implementation of the proposed project would temporarily consume water for suppression of dust during site grading activities. Water would also be used during project construction for production of concrete, washing equipment, and for other miscellaneous purposes. Following project construction, domestic water would be consumed by project guests and employees, and water would be used for maintaining the swimming pool and spa, irrigating the proposed landscaping, and for cleaning common areas, such as the parking garage and trash collection area.

### *Water Supply and Demand*

As noted in Section XIX-a, water would be supplied to the project by the Santa Clara Water Utility, which derives 62 percent of its water supply from local groundwater and the remainder is purchased wholesale from the Santa Clara Valley Water District (SCVWD) and the San Francisco Public Utilities Commission (SFPUC). Each of these agencies is required by State law to prepare and adopt an Urban Water Management Plan (UWMP) every five years that demonstrates water supply reliability in normal, single dry, and multiple dry years. The 1983 Urban Water Management Planning Act[108] requires urban water suppliers providing water to more than 3,000 customers or delivering more than 3,000 acre-feet per year (AFY) of water to prepare an UWMP that identifies and quantifies projected water demand and water supplies in 5-year increments for 20 years, or as far as data is available. Although both the SCVWD and the SFPUC have adopted UWMPs, this discussion focuses on the UWMP adopted by the Santa Clara Water Utility because it also addresses the supplies provided by SCVWD and SFPUC.

The water supply system in Santa Clara is separated into four interconnected zones in order to provide optimum pressures throughout the City. The source of the water delivered within these zones varies. For example, there are no groundwater wells in a northern area of the City, so all of the water delivered in this zone (Zone IA) is provided by SFPUC. Most of the City, including the project site, is located in Zone I, which relies on groundwater. The groundwater is pumped from 26 wells, drawing water from the Santa Clara Valley groundwater sub-basin, which spreads over 225 square miles (144,000 acres) and is the largest of three interconnected groundwater basins in Santa Clara County. Together, they cover a total of 240,000 acres. The operational storage capacity of the sub-basin is estimated to be 350,000 AF.[109] It is not listed as overdrafted by the California Department of Water Resources, and was not approaching overdraft even during the historic peak for groundwater production in fiscal year 1986/87.

The allowable withdrawal, or safe yield, of groundwater by the City of Santa Clara is dependent upon a number of factors, including withdrawals by other water agencies, quantity of water recharged, and the carry over storage from the previous year. The City's 26 production wells are strategically distributed around the City in order to minimize the possibility of localized subsidence due to localized over-drafting. The City monitors groundwater levels and meters the groundwater pumping to ensure

[108] California Water Code, Sections 10610-10657.

[109] City of Santa Clara Water and Sewer Utilities, *2015 Urban Water Management Plan,* Section 6.2: Groundwater, adopted November 22, 2016.

that the sub-basin's safe yield is not exceeded. To further ensure that over-drafting does not occur, the City operates a recycled water system and requires new development along the recycled water distribution system to use recycled water for approved irrigation and industrial uses, thus reducing demand for potable water. The SCVWD also recharges the groundwater basins to bank water locally and protect against drought or emergency outages.

In 2015, the City pumped a total of 11,450 acre-feet (3,730.9 million gallons) of water from the 26 production wells within Santa Clara. That year, groundwater from wells accounted for 54.1 percent of all water used in Santa Clara (including recycled water) and 65.0 percent of the total potable water supply. Total consumption by Water Utility customers in 2015 was 17,620 AF, with residential uses accounting for about 50 percent, commercial/industrial sectors accounting for about 44 percent, and municipal and institutional uses accounting for 6 percent of the total. Recycled water comprised 17.7 percent of water used in the City and totaled 3,529 AF (1,149.8 mgd).

The UWMP projected total water demand in 2020 to increase to 23,532 AF, reflecting population growth projected by the Association of Bay Area Governments (ABAG), with comparison to projections in the City's General Plan. The water demand projections also assume reductions in average per-capita consumption in response to conservation measures and improved efficiency of plumbing fixtures and appliances such as washing machines and dishwashers. Citywide demand, not including recycled water demand, is projected to rise to 25,947 AF by 2030 and to 27,037 AF by 2040.[110]

The City's future water supply will continue to be from groundwater, SCVWD, SFPUC, and recycled water. The recycled water is supplied by the RWF discussed in Section XIX-a, above, provided by the South Bay Water Recycling (SBWR) Program. The UWMP provides projections of future water supplies both with and without water supplied by the SFPUC because, according to engineering studies, a major earthquake could interrupt the delivery of water from the San Francisco Hetch-Hetchy system for up to two months. The UWMP reported that the SFPUC was currently (in 2015) undertaking a multi-billion dollar capital improvement program to improve seismic reliability, and is in its final stages of completion; that program is now 96 percent complete.[111] A similar review of the SCVWD's potable and raw water delivery systems indicates the potential for a 30-day interruption of potable treated water deliveries to the City. However, there are current planned projects that include major capital improvements to both regional water systems for increased reliability. In addition, the City's groundwater source can sustain the entire City's water demand for several months.

The UWMP concludes that the City has the ability to meet the water supply, water quality, and system reliability, needs of the community for the foreseeable future. With or without SFPUC water, supply is projected to exceed demand through 2040 during normal rainfall conditions. Excess supply, including SFPUC water, would be as high as 10,292 AF in 2020, decreasing to 6,287 AF in 2040. Without SFPUC water, the surplus would range from 5,252 AF in 2020 to 1,247 AF in 2040.[112] Under single dry year conditions, the UWMP projects supply to exceed demand in all years, with or without SFPUC water. Even without SFPUC water, the surplus would range from 5,252 AF in 2020 to 723 AF in 2040.[113] This scenario also assumes a 10-percent reduction in surface water supply only in 2040, but for planning purposes the same reduction was assumed for prior years.

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[110] City of Santa Clara Water and Sewer Utilities, *2015 Urban Water Management Plan,* Table 4-2: Retail Demands for Potable and Raw Water – Projected, adopted November 22, 2016.

[111] San Francisco Water/Power/Sewer, Completed Projects, Accessed November 10, 2020 at: https://www.sfwater.org/index.aspx?page=968.

[112] City of Santa Clara Water and Sewer Utilities, *2015 Urban Water Management Plan,* Tables 7-2A and 7-2B: Retail Normal Year Supply and Demand Comparison, adopted November 22, 2016.

[113] City of Santa Clara Water and Sewer Utilities, *2015 Urban Water Management Plan,* Tables 7-3A and 7-3B: Retail Single Dry Year Supply and Demand Comparison, adopted November 22, 2016.

In multiple dry years, the availability of surface water is expected to be reduced, but groundwater supplies are expected to remain constant. For planning purposes, the UWMP assumed supply reductions of 30 percent in the 2020 projections (a worst-case scenario), 15 percent in the 2025 projections, 25 percent in the 2030 projections, 35 percent in the 2035 projections, and 40 in the 2040 projections, based on SCVWD demand reductions. SFPUC has indicated that during multiple critical dry years the City can expect a maximum reduction of SFPUC water supplies of 33 percent of normal.

Factoring in these supply reductions, the Water Utility would have sufficient water to meet City demand during all years under multiple dry year conditions, for all years modeled through 2040, assuming the availability of SFPUC water. The lowest surplus supply would be 846 AF during the second and third years of drought in 2040, while the surplus would be as high as 5,682 AF. Without SFPUC water, there would be sufficient water during the first, second, and third years under the multiple dry year scenario through 2030, but there would be a shortage in all three years of 113 AF in 2035, increasing to 847 AF in 2040, when there would be 33,090 AF of supply but 33,937 AF of demand.[114] However, the UWMP concluded that the difference in supply can be made-up through water provided by projected future water supply projects.

With the uncertainties inherent in future imported water supplies, the City plans to meet future demand growth by pumping additional groundwater, relying on more recycled water, and increased conservation. In addition to improved water efficiency of plumbing fixtures and appliances, the City will implement programs to encourage drought-tolerant landscaping both on private property and on City properties. The City also anticipates imposing mandatory conservation measures during a multiple-year drought, including prohibitions on outdoor use (irrigation, car washing, washing down pavement, etc.) and water rationing.

Regarding potential adverse environmental effects that could result from increased groundwater pumping during multiple dry years, a safe yield from the Santa Clara Sub-Basin has not been established by SCVWD, the agency responsible for managing the groundwater basin. In addition, there is not a detailed groundwater budget for the Santa Clara Sub-Basin, nor have groundwater rights in the basin been adjudicated by a court. Santa Clara, in conjunction with other water retailers utilizing groundwater from the Santa Clara Sub-Basin, works with the SCVWD to operate groundwater wells in a manner which will prevent subsidence from occurring and preserve the integrity of the groundwater basin.

Because aquifer conditions vary across the sub-basin, with differences in elevation, recharge conditions, and pumping activity, groundwater pumping from a specific location will not necessarily affect groundwater levels at other locations. If portions of the sub-basin were to go into overdraft conditions, the likely environmental consequences would be land subsidence, unproductive wells, water loss from rivers and creeks as the groundwater table drops, and associated riparian impacts as the vegetation loses access to sufficient water. However, recharging the groundwater basin to prevent overdraft is a primary responsibility of the SCVWD. And, as previously noted, even when the City was at the historic peak for groundwater production in FY1986/87, the basin did not approach overdraft conditions. At the time the current UWMP was prepared, some of the City's groundwater wells were being used as less than 10 percent of their rated capacity, and the citywide utilization factor was just 23 percent.

Because the City's projected increased pumping during multiple dry years would fall within the range of historically sustainable pumping, the UWMP concluded that the increased pumping would not result in overdraft of the sub-basin, assuming the continued recharge and groundwater management programs overseen by the SCVWD. It also noted that the City's progressively phased 2010-2035

[114] City of Santa Clara Water and Sewer Utilities, *2015 Urban Water Management Plan,* Tables 7-4A and 7-4B: Retail Multiple Dry Year Supply and Demand Comparison, adopted November 22, 2016.

General Plan will allow reconsideration of available water supplies concurrent with each phase of planned development, coordinated with each successive five-year update to the UWMP, which in turn would be based on the SCVWD's regional wholesale UWMP, also updated every five years, including adjusted imported water quantities to account for pumping restrictions and climate change. Therefore, the City's land use planning processes will serve to prevent potential future overdraft conditions by specifically addressing Santa Clara's contribution to cumulative pumping demands on the aquifer.

The Water Utility's UWMP includes a Water Shortage Contingency Plan in the event there is an unanticipated failure or disruption in one of its water supplies. It has four stages for implementing varying levels of demand reduction. In Stage 1, representing a 10-percent reduction in normal supply, reduction measures are advisory, becoming voluntary with a 20-percent reduction (Stage 2) and mandatory in Stage 3, with a 49-percent reduction. Emergency curtailment is required in Stage 4, which occurs with a 50-percent or greater reduction in supply. Different water use restrictions kick in at each stage of a water shortage, which are in addition to a list of water use restrictions and prohibitions that were adopted in 1989 and are in effect at all times. The Contingency Plan identifies enforcement actions that kick in with Stage 1 and increase at Stage 3.

The UWMP also identifies a variety of demand management measures to promote conservation and reduce demand on water supply, including metering of all water connections, conservation pricing, active conservation planning and implementation, public information and outreach, school education programs, water audits and incentives, residential plumbing retrofits, and financial incentives to commercial and industrial businesses that implement permanent water reduction measures. There are also residential rebate programs for high-efficiency clothes washers, toilets, and landscapes.

The UWMP concludes that the Water Utility has adequate water supplies are available to meet the water demand projected until 2040. Its demand projections are based on development assumed by ABAG and the Santa Clara General Plan. The proposed project is consistent with the land use type and density assumed for the site in the General Plan and, therefore, the water demand that would be generated by the proposed project was included in the Water Utility's water supply and demand projections. Consequently, the project would not result in the need for new water supplies or infrastructure that was not already planned. The project's impact on water supply and water treatment and distribution facilities would be ***less than significant***.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *c) 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?* | ☐ | ☐ | ☒ | ☐ |

Explanation: See Section XIX-b, above.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?* | ☐ | ☐ | ☒ | ☐ |

Explanation: Solid waste collection service would be provided to the project by Mission Trail Waste System. Collected non-recyclable waste would be disposed of at the Newby Island Landfill, located in San Jose. The General Plan EIR evaluated potential impacts on waste disposal capacity that would result from implementation of the 2010-2035 General Plan. Although the City has a waste disposal contract to dispose of the City's waste at Newby Island Landfill through 2024, and the landfill has sufficient available capacity to operate through 2024. The City of San Jose approved expansion of Newby Island Landfill in August 2012 and the landfill could continue to provide disposal capacity to Santa Clara beyond 2024. Prior to 2024, the City would need to amend their contract with Newby Island or contract with another landfill operator, which would be subject to separate environmental review. Newby Island Landfill is currently in the process of seeking authorization from San Jose to expand the permitted capacity and accept an additional 15.1 million cubic yards and extend its closure date to 2041. If the landfill is not available to accept waste, the City will prepare a contract with another landfill, such as Guadalupe Mines in San Jose, which is anticipated to close in 2048.[115]

Solid waste would be generated at the site during project construction, which would include demolition debris from the removal of the existing buildings, pavements, landscaping, and other improvements on the site. The project would be required to comply with the City's Construction and Demolition Debris (C&DD) Ordinance, which requires the recycling of at least 50 percent of construction and demolition debris generated by a project, or the amounts, criteria and requirements specified in the applicable California Green Building Standards Code, whichever is more restrictive.[116]

City ordinances also require recycling of waste generated during the operation of commercial projects. The Mandatory Recycling Ordinance, codified at Section 8.25.286 of the Santa Clara City Code, requires all commercial business customers with four or more cubic yards of weekly solid waste service to subscribe to recycling services. The Mandatory Organics Recycling Ordinance (City Code Section 8.25.286) requires all commercial business customers with four or more cubic yards of weekly solid waste service to also subscribe to organics recycling services. It is expected that the proposed hotel project would be subject to both of these ordinances, and compliance would reduce the project's impact on solid waste disposal capacity.

Given the uncertainty of the future availability of solid waste disposal capacity through the entire planning horizon of the General Plan (i.e., through 2035), the General Plan EIR concluded that implementation of the 2010-2035 General Plan would have a significant and unavoidable impact on solid waste disposal capacity. Because this impact was previously disclosed, and the proposed project is consistent with the land use type and density evaluated in the General Plan EIR, no further analysis of this impact is required.

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[115] City of Santa Clara, *3625 Peterson Way Office Project Draft Environmental Impact Report*, File Numbers PLN2018-13144 and CEQ2018-01050, Section 3.19: Utilities and Service Systems, February 2020.

[116] City of Santa Clara, City Code, Section 8.25.285.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| e) *Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?* | ☐ | ☐ | ☒ | ☐ |

Explanation: The 2010-2035 General Plan EIR identified General Plan policies intended to ensure adequate solid waste disposal capacity through source reduction, promotion of recycling, and waste diversion. This included the following policies:

> **Policy 5.1.1-P3:** Prior to the implementation of Phase II and of Phase III of the General Plan, undertake a comprehensive assessment of water, sanitary sewer conveyance, wastewater treatment, solid waste disposal, storm drain, natural gas, and energy demand and facilities in order to ensure adequate capacity and funding to implement the necessary improvements to support development in the next phase.
>
> **Policy 5.1.1-P8:** Prior to approval of residential development for Phase II and for Phase III in any Future Focus Area, complete a comprehensive plan for each area that specifies: Infrastructure and Utilities, with provisions for sufficient storm drain, sanitary sewer conveyance, wastewater treatment, water, solid waste disposal and energy capacity.
>
> **Policy 5.1.1-P22:** Prior to 2025, identify and secure adequate solid waste disposal facilities to serve development in Phase III.

Although these policies must be implemented by the City, development and operation of the proposed hotel would not impede implementation of the policies. Furthermore, the proposed project would be required to comply with the City's solid waste ordinances discussed in the preceding subsection, as well as any other applicable policies and regulations intended to reduce solid waste generation in effect at the time of project approval. Therefore, the project would have a ***less-than-significant impact*** due to conflicts with solid waste management statutes and regulations.

**XX. WILDFIRE** — *If located in or near a State Responsibility Area or lands classified as a Very High Fire Hazard Severity Zone, would the project:*

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?* | ☐ | ☐ | ☐ | ☒ |

Explanation: As discussed in more detail in Section IX-f, the project would not block or impede access to emergency evacuation routes, and would not interfere with implementation of the City's *Emergency Operations Plan* or emergency response procedures adopted by any local service providers.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire of the uncontrolled spread of a wildfire?* | ☐ | ☐ | ☐ | ☒ |

Explanation: As discussed in more detail in Section IX-g, the project site is not located within a Very High Fire Hazard Severity Zone (VHFHSZ), as mapped by the California Department of Forestry and Fire Protection (CAL FIRE). The site is not adjacent to or near wildlands or slopes, and is located in an urbanized area substantially developed with pavements and buildings. As concluded in Section IX-g, there is no potential for wildfire at the project site. The project would have ***no impact*** due to increased risk of wildfire.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?* | ☐ | ☐ | ☐ | ☒ |

Explanation: The project site is fully served by existing roads, water supply, and fire-fighting services. No new infrastructure construction would be required to provide fire-fighting services to the project, so there would be no associated construction impacts to the environment.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| *d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?* | ☐ | ☐ | ☐ | ☒ |

Explanation: As discussed in Sections X and VII, respectively, there is no potential for flooding or landslide at the project site. As discussed in Section XX-b, above, there is no risk of wildfire at or near the project site, and there are no nearby slopes, so secondary effects such as post-fire slope instability would not occur. The project would have ***no impact*** related to the exposure of people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

## XXI. MANDATORY FINDINGS OF SIGNIFICANCE —

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?* | ☐ | ☒ | ☐ | ☐ |

Explanation: Operational air quality impacts would be less than significant and mitigation measures have been identified in this Initial Study to ensure that construction-related air quality impacts remain less than significant. There is no special habitat present on the project site, which is predominantly developed with buildings and pavements, with a minor amount of landscaping. The project would have a less-than-significant impact, with mitigation incorporated, on biological resources. There is a possibility for prehistoric or historic cultural resources to be buried under the site, and subsurface disturbance of the site during construction could damage or destroy any buried cultural resources that may be present. Similarly, if paleontological resources are present, they could also be damaged or destroyed during construction activities. However, mitigation measures have been identified to ensure that these potential impacts would be less than significant.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| b) *Does the project have impacts that are individually limited but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)* | ☐ | ☐ | ☐ | ☒ |

Explanation: No significant cumulative impacts were identified for the proposed project.

| | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| c) *Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?* | ☐ | ☒ | ☐ | ☐ |

Explanation: Residual volatile organic compound (VOC) contamination in offsite groundwater may extend under the project site; this contamination could pose a significant health risk impact to construction workers and the public during project construction. Elevated soil vapor concentrations of VOCs could accumulate in the habitable spaces of the proposed hotel, potentially endangering hotel guests and workers. Demolition of existing buildings could expose construction workers to asbestos-containing building materials (ACBM), lead-based paint, or polychlorinated biphenyls (PCBs). Implementation of the identified mitigation measures would ensure that impacts from exposure to hazardous materials would remain less than significant. No other environmental effects of the project were identified that could cause substantial adverse effects on human beings, either directly or indirectly.

## REPORT PREPARATION

This Initial Study/Mitigated Negative Declaration was prepared under the direction of Douglas Herring & Associates, with assistance from the City of Santa Clara.

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|---|---|
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## MITIGATION MEASURES

Air Quality

**Mitigation Measure AQ–1:** *BAAQMD Required Fugitive Dust Control Measures.* The construction contractor shall reduce construction-related air pollutant emissions by implementing BAAQMD's basic fugitive dust control measures, including:

- 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. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- A publicly visible sign shall be posted with the telephone number of the job-site project superintendent to contact 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.

**Mitigation Measure AQ–2:** *BAAQMD Required Exhaust Emissions Reduction Measures.* The construction contractor shall reduce construction-related air pollutant emissions by implementing the following BAAQMD exhaust emissions reduction measures:

- 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.
- All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

**Mitigation Measure AQ–3:** *BAAQMD Regulation 8, Rule 3 for Architectural Coatings.* In order to minimize emissions of volatile organic compounds (VOCs), architectural coatings employed during construction of the proposed

project shall comply with BAAQMD Regulation 8: Organic Compounds, Rule 3: Architectural Coatings (Rule 8-3). The Rule 8-3 VOC architectural coating limits specify that the use paints and solvents with a VOC content of 100 grams per liter or less for interior and 150 grams per liter or less for exterior surfaces shall be required.

Biological Resources

**Mitigation Measure BR–1:** If any site grading or project construction will occur during the general bird nesting season (February 1st through August 31st), a bird nesting survey shall be conducted by a qualified raptor biologist prior to any grading or construction activity. If conducted during the early part of the breeding season (January to April), the survey shall be conducted no more than 14 days prior to initiation of grading/construction activities; if conducted during the late part of the breeding season (May to August), the survey shall be performed no more than 30 days prior to initiation of these activities. If active nests are identified, a 250-foot fenced buffer (or an appropriate buffer zone determined in consultation with the California Department of Fish and Wildlife) shall be established around the nest tree and the site shall be protected until September 1st or until the young have fledged. A biological monitor shall be present during earth-moving activity near the buffer zone to make sure that grading does not enter the buffer area.

**Mitigation Measure BR–2:** The project sponsor shall plant 24-inch box replacement trees at a 2:1 replacement ratio for the deodar cedar proposed for removal. Replacement trees shall be of specimen species approved by the City Arborist.

Cultural Resources

**Mitigation Measure CR–1:** Prior to issuance of a grading permit, the City shall retain the services of a qualified professional archaeologist, to be funded by the project sponsor, to conduct an Extended Phase I Archaeological Assessment that includes subsurface testing for buried cultural resources using manual or mechanical excavation, or a combination of the two. The appropriate locations, methods, and timing of the subsurface testing shall be determined by the archaeologist. If any intact cultural deposits are identified during the subsurface testing that could qualify as a historical or archaeological resource under CEQA, they shall be evaluated for significance, including potential California Register of Historical Resources (CRHR) eligibility or City of Santa Clara Historic Resources Inventory eligibility, and appropriate mitigation measures shall be identified to reduce potential impacts to a less-than-significant level. All recommended mitigation shall be implemented prior to issuance of a building permit.

**Mitigation Measure CR–2:** Throughout site grading and all other ground-disturbing project construction activities, a qualified archaeological monitor shall be present to observe the construction activities in order to identify any

historic or prehistoric cultural resources that could be encountered during the ground-disturbing activities. In the event that any cultural resources are discovered, all ground disturbance within 100 feet of the find shall be halted until the archaeologist can evaluate the resource(s) and, if necessary, recommend mitigation measures to document and prevent any significant adverse effects on the resource(s). (Construction personnel shall not collect any cultural resources.) The results of any additional archaeological effort required through the implementation of this measure and/or Mitigation Measures CR-1 or CR-3 shall be presented in a professional-quality report, to be submitted to the Santa Clara Planning Division and the Northwest Information Center at Sonoma State University in Rohnert Park.

**Mitigation Measure CR–3:** In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and a qualified archaeologist shall notify the Office of the Santa Clara County Coroner and advise that office as to whether the remains are likely to be prehistoric or historic period in date. If determined to be prehistoric, the Coroner's Office will notify the Native American Heritage Commission of the find, which, in turn, will then appoint a "Most Likely Descendant" (MLD). The MLD in consultation with the archaeological consultant and the City, will advise and help formulate an appropriate plan for treatment of the remains, which might include recordation, removal, and scientific study of the remains and any associated artifacts. After completion of analysis and preparation of the report of findings, the remains and associated grave goods shall be returned to the MLD for reburial.

Hazards and Hazardous Materials

**Mitigation Measure HM–1:** Prior to the issuance of a grading permit, the project sponsor shall retain the services of a qualified environmental professional to prepare a Site Management Plan (SMP) to govern construction work at the project site. The SMP shall establish management practices for handling contaminated groundwater, soil vapor, soil, and other materials during project construction, including proper offsite disposal. A copy of the SMP shall be provided to all construction contractors prior to the initiation of work at the site and construction contracts shall require all contractors to adhere to the provisions of the SMP. Prior to its implementation, the SMP shall be reviewed and approved by the California Department of Toxic Substances Control (DTSC), San Francisco Bay Regional Water Quality Control Board (RWQCB), and/or the Santa Clara Fire Department (the Certified Unified Program Agency (CUPA) for hazardous materials in Santa Clara), whichever of these agencies claims jurisdiction.

The SMP shall include the following provisions, as well as any other requirements deemed appropriate by the regulatory agencies:

- Establish procedures for dewatering of construction excavations and excavated soils, consistent with applicable federal, State, and local regulations, specifying methods of

sampling and testing, water collection, handling, transport, on-site or offsite treatment, discharge, and disposal for all water produced by dewatering activities.

- Establish procedures for sampling and testing site soils to ensure construction workers are not exposed to hazardous levels of residual petroleum hydrocarbons and/or volatile organic compounds (VOCs).
- Establish contingency measures to be followed if soils with contaminant levels in excess of the applicable Environmental Screening Levels (ESLs) for residential use established by the RWQCB are encountered. These measures shall include procedures for excavation, containment, and/or treatment of the contaminated soils to achieve contaminant levels below their ESLs. Any soils requiring offsite disposal shall be submitted to laboratory analysis for hazardous materials by a State-certified laboratory. If contaminant levels do not exceed established limits for non-hazardous waste, the soil may be disposed of at a Class II or III solid waste landfill. If the soil is classified as a hazardous waste, it shall be handled and hauled in accordance with State and federal regulations for hazardous waste and disposed of at a licensed Class I hazardous waste disposal facility.
- Identify measures to protect future occupants of the site from exposure to groundwater contaminants at the site, including intrusion of soil-gas vapors emitted from the groundwater plume. Such measures may include vapor intrusion barriers or vapor extraction systems.

**Mitigation Measure HM–2:** Prior to the issuance of a grading permit, the project sponsor shall prepare and implement during site preparation and grading activities a Health and Safety Plan (HASP). The HASP shall identify the measures necessary to protect workers and to prevent their exposure to petroleum hydrocarbons and volatile organic compounds (VOCs) that may occur in soils and groundwater at the site. The HASP shall be prepared in accordance with the Occupational Safety and Health Administration's (OSHA) Hazardous Waste Operations and Emergency Response (HAZWOPER) Standard promulgated at 29 CFR 1910.120. It shall be prepared and implemented in accordance with all other applicable State and federal occupational safety and health standards.

**Mitigation Measure HM–3:** In order to prevent the potential accumulation of VOC vapors within the habitable spaces of the proposed hotel, no subsurface spaces below the hotel structure shall be constructed. A continuous vapor barrier shall be constructed below the building's concrete slab to prevent the migration of VOC vapors into the building. Prior to constructing the vapor barrier, the applicant shall implement Mitigation Measures HM-1 and HM-2.

**Mitigation Measure HM–4:** Prior to issuance of a demolition permit for the existing buildings on the site, a comprehensive survey for asbestos-containing building materials (ACBM) shall be conducted by a qualified asbestos

abatement contractor. Sampling for ACBM shall be performed in accordance with the sampling protocol of the Asbestos Hazard Emergency Response Act (AHERA). If ACBM is identified, all friable asbestos shall be removed prior to building demolition by a State-certified Asbestos Abatement Contractor, in accordance with all applicable State and local regulations, including Bay Area Air Quality Management District (BAAQMD) Regulation 11, Rule 2 pertaining to demolition, removal, and disposal of ACBM. BAAQMD shall be notified at least ten business days in advance of building demolition, in compliance with Regulation 11, Rule 2. To document compliance with the applicable regulations, the project sponsor shall provide the City of Santa Clara Building Division with a copy of the notice required by BAAQMD for asbestos abatement work, prior to and as a condition of issuance of the demolition permit.

**Mitigation Measure HM–5:** Prior to issuance of a demolition permit for the existing buildings on the site, a survey for lead-based paint (LBP) shall be conducted by a qualified lead assessor. If LBP is identified, lead abatement shall be performed in compliance with all federal, State, and local regulations applicable to work with LBP and disposal of lead-containing waste. A State-certified Lead-Related Construction Inspector/Assessor shall provide a lead clearance report after the lead abatement work in the buildings is completed. The project sponsor shall provide a copy of the lead clearance report to the City of Santa Clara Building Division prior to issuance of a demolition permit.

**Mitigation Measure HM–6:** Prior to issuance of a demolition permit for the existing buildings on the site, the applicant shall retain the services of a qualified environmental assessor to conduct a Priority Building Materials Screening Assessment to evaluate the potential presence of PCBs-containing building materials in the buildings proposed for demolition. The assessment shall be performed in accordance with the guidance provided in the *Polychlorinated Biphenyls (PCBs) Screening Assessment Applicant Package* (May 2019) prepared by the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP). If PCBs are present at a concentration equal to or greater than 50 parts per million (ppm) in building materials, the applicant shall submit a completed and certified PCBs Screening Assessment Form (included in SCVURPPP's PCBs Screening Assessment Applicant Package) to SCVURPPP for review and inclusion in reporting required in its annual reports on compliance with the Municipal Regional Stormwater Permit issued to Bay Area agencies by the San Francisco Bay Regional Water Quality Control Board (RWQCB).

Assessing the concentrations of PCBs on site must be performed according to the *Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition* (August 2018) prepared by Bay Area Stormwater Management Agencies Association (BASMAA) unless prior sampling data is available in existing building records.

If PCBs are present at a concentration equal to or greater than 50 ppm, they shall be disposed of in accordance with the federal Toxic

Substances Control Act (Code of Federal Regulations Title 40, Part 761, Subpart D). The demolition of the buildings on the site shall also comply with all other federal, State, and local regulations pertaining to the handling and disposal of PCBs.

Hydrology/Water Quality

**Mitigation Measure WQ–1:** Prior to issuance of a grading permit the project sponsor shall obtain National Pollutant Discharge Elimination System (NPDES) construction coverage as required by Construction General Permit (CGP) No. CAS000002, as modified by State Water Resources Control Board (SWRCB) Order No. 2009-0009-DWQ. Pursuant to the Order, the project applicant shall electronically file the Permit Registration Documents (PRDs), which include a Notice of Intent (NOI), a risk assessment, site map, signed certification, Stormwater Pollution Prevention Plan (SWPPP), and other site-specific PRDs that may be required. At a minimum the SWPPP shall incorporate the standards provided in the Bay Area Stormwater Management Agencies Association's (BASMAA) *Best Management Practices to Prevent Stormwater Pollution from Construction-Related Activities* (2004), the California Stormwater Quality Association's *California Stormwater Best Management Practices Handbook* (December 2019), the prescriptive standards included in the CGP, or as required by the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP), whichever are applicable and more stringent. Implementation of the plan will help stabilize graded areas and reduce erosion and sedimentation. The SWPPP shall identify Best Management Practices (BMPs) that shall be adhered to during construction activities. Erosion-minimizing efforts such as hay bales, water bars, covers, sediment fences, sensitive area access restrictions (for example, flagging), vehicle mats in wet areas, and retention/settlement ponds shall be installed before extensive clearing and grading begins. Mulching, seeding, or other suitable stabilization measures shall be used to protect exposed areas during and after construction activities. The SWPPP shall also be reviewed and approved by the Santa Clara Public Works Department.

**Mitigation Measure WQ–2:** All cut-and-fill slopes shall be stabilized as soon as possible after completion of grading. No site grading shall occur between October 15th and April 15th unless approved erosion control measures are in place.

Noise

**Mitigation Measure NOI–1:** Prior to the issuance of a building permit, the City shall retain the services of a qualified noise consultant or acoustical engineer (to be paid for by the applicant) to conduct a detailed noise analysis to determine any special noise insulation features necessary to ensure that interior noise levels in the proposed hotel rooms, lobby, and dining room would not exceed 45 dBA CNEL with all doors and windows closed. The noise analysis should stipulate required Sound

Transmission Class (STC) ratings for window, door, wall, and floor/ceiling assemblies to be employed in the project in order to achieve the required level of sound insulation. The acoustical design recommendations shall be incorporated into project plans and implemented during project construction.

**Mitigation Measure NOI–2:** The construction contractor shall avoid the use of pile driving, impact hammers, vibratory rollers and other vibration-generating construction equipment (hoe rams, large bulldozers, caisson drillings, loaded trucks, jackhammers) where possible. Auger cast piles should be used in lieu of impact techniques. A construction vibration monitoring plan shall be prepared and implemented to document conditions prior to, during, and after vibration-generating construction activities. All plan tasks shall be undertaken under the direction of a licensed Professional Structural Engineer in the State of California and be in accordance with industry-accepted standard methods. The construction vibration monitoring plan shall be implemented to include the following tasks:

- Identification of the sensitivity of nearby structures to groundborne vibration. Vibration limits shall be applied to all vibration-sensitive structures located within 100 feet of any vibratory roller activities and 25 feet of other construction activities identified as sources of high vibration levels.
- Performance of a photo survey, elevation survey, and crack monitoring survey for each structure of normal construction within 100 feet of vibratory roller activities and/or within 25 feet of other construction activities identified as sources of high vibration levels. Surveys shall be performed prior to any construction activity, at regular intervals during construction, and after project completion, and shall include internal and external crack monitoring in structures, settlement, and distress, and shall document the condition of foundations, walls, and other structural elements in the interior and exterior of said structures.
- Development of a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies shall be identified for when vibration levels approach the limits.
- At a minimum, vibration monitoring shall be conducted during demolition, grading, and paving activities. Monitoring results may indicate the need for more or less intensive measurements.
- If vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures.

- Designate a person (developer's representative or job-site superintendent) responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.
- Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage have been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.
- The results of all vibration monitoring shall be summarized and submitted in a report shortly after substantial completion of each phase identified in the project schedule. The report shall include a description of measurement methods, equipment used, calibration certificates, and graphics as required to clearly identify vibration-monitoring locations. An explanation of all events that exceeded vibration limits shall be included together with proper documentation supporting any such claims.

## RECOMMENDED IMPROVEMENT MEASURES

Transportation

**Improvement Measure 1:** The signal control for the east and west legs of the intersection of Coleman Avenue and Brokaw Road should be changed from protected left-turn phasing to protected plus permissive phasing. A shared through/left-turn lane should be added to the east and west approaches within the existing right-of-way. This will provide one left-turn lane, one shared left and through lane, and one right-turn lane to both the eastbound and westbound approaches to the intersection. In addition, no U-turns should be allowed on northbound Coleman Avenue. A third southbound through lane on Coleman Avenue should be added by restriping the existing right turn lane into separate through and right-turn lanes. The recommended improvements are shown on Figure TRA-8.

**Improvement Measure 2:** Implement Improvement Measure 1.