



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Planning Commission

SUBJECT: SEE BELOW

DATE: February 5, 2007

COUNCIL DISTRICT: 6
SNI AREA: None

SUBJECT: PDC06-090. PLANNED DEVELOPMENT REZONING FROM A(PD) PLANNED DEVELOPMENT AND R-1-8 SINGLE FAMILY RESIDENCE DISTRICT TO A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO LEGALIZE AN EXISTING PARKING LOT FOR COMMERCIAL AND MEDICAL OFFICE USES ON A 0.89 GROSS ACRE SITE

RECOMMENDATION

The Planning Commission voted 6-0-0 to recommend that the City Council approve the proposed Planned Development Rezoning from A(PD) Planned Development and R-1-8 Single Family Residence District to A(PD) Planned Development Zoning District to legalize an existing parking lot for commercial and medical office uses on a 0.89 gross acre site.

OUTCOME

Should the City Council approve the Planned Development Rezoning, the existing surface parking lot shall be improved and a generator and new trash enclosure added to the subject 0.89 gross acre site, consistent with the development standards for the subject rezoning. This future development would be subject to a Planned Development Permit.

BACKGROUND

On January 17, 2007, the Planning Commission held a public hearing to consider the proposed Planned Development Rezoning. The Director of Planning, Building and Code Enforcement recommended approval of the proposed rezoning. A representative for the applicant, Erik Schoennauer, was present to answer questions regarding the project.

Commissioner Kalra asked about noise levels for the proposed generator given the adjacent surrounding residences. The applicant explained that generator enclosure is being custom-designed to limit noise as required by the Zoning Ordinance and is being located in the middle of site, away from residences.

In response to Commissioner Zito, staff explained that while the parking available is still about three spaces less than the conventional parking requirements of the Zoning Ordinance, the proposed parking lot is a significant improvement to the existing situation. Staff stated that the applicant indicated employees will be parking off-site in another parking lot owned by the applicant to free up on-site parking for customers. Staff indicated that the Draft Development Standards would allow uses of the CO Commercial Office Zoning District; any other uses than those allowed in CO Commercial Office Zoning District would require rezoning of the site.

The Planning Commission voted 6-0-0 to recommend approval of the rezoning of the subject property to A(PD) Planned Development to allow a surface parking lot with improvements, with the Draft Development Standards as recommended by staff.

ANALYSIS

See original staff report (attached).

POLICY ALTERNATIVES

None considered

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Although this item does not meet any of the above criteria, staff followed Council Policy 6-30; Public Outreach Policy. This project was presented at a community meeting on October 26, 2006. A notice of the meeting was sent to all owners and occupants of properties within 1000 feet of the site.

A sign was posted at the site to inform the public of the proposed development. A notice of the public hearing was distributed to the owners and tenants of all properties located within 1000 feet of the project site and posted on the City website. The rezoning was also published in a local newspaper, the Post Record. This staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

COORDINATION

This project was coordinated with the Department of Public Works, Fire Department, Police Department, Environmental Services Department and the City Attorney.

FISCAL/POLICY ALIGNMENT

This project is consistent with applicable General Plan policies and is in substantial conformance to City Council approved design guidelines as further discussed in attached staff report.

COST SUMMARY/IMPLICATIONS

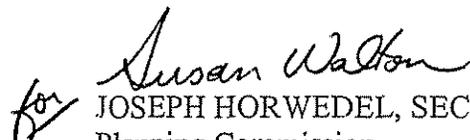
Not applicable.

BUDGET REFERENCE

Not applicable.

CEQA

Exempt.


for JOSEPH HORWEDEL, SECRETARY
Planning Commission

For questions please contact Susan Walton at 408-535-7800.

cc: Paul Nielsen, Nielsen Consulting, P.O. BOX 6712, San Jose CA 95150
Erik Schoennauer, The Schoennauer Company, 2066 Clarmar Way, San Jose, CA 95128
Planned Parenthood Mar Monte, 1691 The Alameda, San Jose CA 95126

CITY OF SAN JOSÉ, CALIFORNIA
Department of Planning, Building and Code Enforcement
200 East Santa Clara Street
San José, California 95113

Hearing Date/Agenda Number **4b**
P.C. 01-17-07 Item # .
C.C. 02-27-07

File Number
PDC06-090

Application Type
Planned Development Rezoning

Council District
6

Planning Area
Central

Assessor's Parcel Number(s)
261-18-047

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Sanhita Mallick

Location: Southwest corner of The Alameda and Naglee Avenue

Gross Acreage: 0.89 ac

Net Acreage: 0.89 ac Net Density: N/A

Existing Zoning: A(PD) Planned Development,
R-1-8 Single Family Residence District

Existing Use: Commercial and Medical Office

Proposed Zoning: A (PD) Planned
Development

Proposed Use: Commercial and Medical Office

GENERAL PLAN

Land Use/Transportation Diagram Designation
Office and Medium Low Density Residential (8 DU/AC)

Project Conformance:
 Yes No
 See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

North: Naglee Avenue, Commercial

A(PD) Planned Development(File No. PDC86-002)

East: The Alameda, Commercial

A(PD) Planned Development(File No. PDC85-081)

South: Multi Family Attached Residences

A(PD) Planned Development (File No. PDC85-081)

West: Single Family Detached Residences

R-1-8 Single Family Residence District

ENVIRONMENTAL STATUS

Environmental Impact Report found complete (GP 2020 EIR certified
8/16/1994)
 Negative Declaration circulated
 Negative Declaration adopted on

Exempt
 Environmental Review Incomplete

FILE HISTORY

Annexation Title: College Park/Burbank Sunol

Date: 12/08/1925

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval
 Approval with Conditions
 Denial
 Uphold Director's Decision

Date **January 11, 2007**

Approved by: **Susan Walton**
 Action
 Recommendation

APPLICANT/OWNER/DEVELOPER

Erik Schoennauer The Schoennauer Company 2066 Clarmar Way San Jose, CA 95128	Planned Parenthood Mar Monte 1691 The Alameda San Jose CA 95126
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PUBLIC AGENCY COMMENTS RECEIVED

Completed by: SM

Department of Public Works

See attached memorandum

Other Departments and Agencies

See attached memoranda from the Fire Department.

GENERAL CORRESPONDENCE

None received.

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicant, Planned Parenthood Mar Monte, requests a Planned Development Rezoning from A(PD) Planned Development and R-1-8 Single Family Residence district to A (PD) Planned Development to allow commercial use on the entire site.

Site and Surrounding Uses

The project site is rectangular in shape, totaling approximately 0.89 gross acres. The site is relatively flat and currently developed with a 21,126 square foot medical clinic and ancillary office building, and associated parking and landscaping. The site has split zoning. The existing office building is located on the eastern side of the parcel, that is zoned A(PD) Planned Development (File No. PDC 85-081). The western portion of the parcel, approximately 0.32 acres in area, is currently zoned R-1-8-Single Family Residence District and is developed with a parking lot.

There are eleven trees on the site. The species include London Plane, Chinese Elm and Coast Redwood. Five of the trees, four Redwoods and one Chinese Elm, are ordinance-sized.

There is currently a mix of commercial and residential uses in the project vicinity. The site is surrounded by commercial uses on the north (Y.M.C.A.) across Naglee Avenue, commercial uses (office and bank) across The Alameda to the east, a multi-family residential building to the south and single-family detached homes to the west. The adjoining single-family detached residences are zoned R-1-8 Single Family Residence District, and the rest of the parcels are all zoned A(PD) Planned Development.

The uses along The Alameda are predominantly commercial with some occasional multi-family residences, whereas the uses along the inner streets parallel and perpendicular to The Alameda to the east and west are overwhelmingly single-family detached residences.

Site History

The approximately 21,000 square foot, two-story office building with a basement, was originally approved with a City of San Jose building permit in 1957, with 19 parking spaces on a 0.5 acre site located at the corner of The Alameda and Naglee Avenue. At that time, the building and the site were owned by Seventh Day Adventist Church. Three individual residential lots fronting on Naglee Avenue, located to the west of this site, with a combined area of approximately 0.3 acres, were converted to a parking lot for this building in the 1970's.

Planned Parenthood, the current owner and the applicant, occupied the building in the early 1980's. A Site Development Permit filed in 1983 (File No. H83-280), which was eventually withdrawn, shows 57 parking spaces on the larger site. The four lots were combined to create one lot in 1984. Although a Conditional Use Permit is required to convert a residentially-zoned parcel to a parking lot, no record of a Use Permit was found for the site. In 1985, the commercial portion of the site was rezoned to A(PD) Planned Development (File No. PDC 85-081), in a rezoning initiated by the City Council.

Project Description

The project proposes repaving and re-striping of the approximately 20,000 square-foot existing parking lot, and associated landscaping and other site modifications of the parking lot, for the use of the 21,126 square feet medical clinic and office building located on the site. The re-striped parking lot will provide 43 parking spaces. Three additional parking spaces already exist in front of the building along The Alameda. An 8-foot landscaped setback is proposed along the southern and western property lines of the site that would act as a buffer for the existing multi-family and single-family residences. A seven-foot tall Redwood fence is proposed along these two property lines. A wide landscaped setback area is provided along Naglee Avenue, ranging from nine to twelve feet in width. A six-foot tall decorative, open metal fence is proposed within this landscaped setback area, at an approximate distance of six feet from the back of sidewalk.

The project proposes the removal of six trees, due to conflict with proposed site plan, and poor health of the trees. The trees to be removed will be replaced according to City's standard tree replacement ratio. The landscaped setback on all three sides will be landscaped with a variety of trees and shrubs as indicated in the Conceptual Planting Plan.

Vehicular access to this parking lot is provided by means of two existing 26-foot wide driveways located on Naglee Avenue. The two driveways are not gated.

No modifications are proposed for the existing medical clinic building, landscaping on Naglee and the Alameda along the frontage of this building, and parking along the Alameda as part of this project.

ENVIRONMENTAL REVIEW

Under the provisions of Section 15311(b) of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) as stated below, this project is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended.

PUBLIC OUTREACH

A community meeting was held at the Planned Parenthood Office at 1691, The Alameda on October 26, 2006. Approximately 12 members of the community attended the meeting. Project related comments included: overflow of parking on nearby residential streets due to lack of on-site parking, noise created by the use of trash bins during garbage collection and by unauthorized use, potential noise concern regarding the proposed generator and concern regarding loitering in the parking lot at night.

Notices of the public hearing were distributed to the owners and tenants of all properties located within 500 feet of the project site. The staff report has been posted on the City's web site. Staff has been available to discuss the project with members of the public.

GENERAL PLAN CONFORMANCE

The project site has two General Plan Land Use Designations: Medium Low Density Residential (8 dwelling units/acre) and Office. The 0.5 acre eastern portion of the site, where the building is located, is designated as Office, and the subject use conforms to the Office designation.

The 0.3-acre western portion of the site, where the proposed parking lot is located, has the designation of Medium Low Density Residential (8 dwelling units/acre). This use may be supported by the following Land Use Policies of the General Plan:

- Per Residential Land Use Policy No. 10, parking facilities to serve adjacent nonresidential uses may be allowed in areas designated for residential use if such parking facilities are adequately landscaped and buffered, and if the only permitted access to neighborhood streets is for emergency vehicles.
- Per Commercial Land Use Policy No. 5, commercial development should be allowed within established residential neighborhoods only when such development is compatible with the residential development and is primarily neighborhood serving. The proposed rezoning would allow minor expansion of an existing commercial use located at the fringe of a residential area, and although the use is not exclusively neighborhood serving, it is compatible with the surrounding uses.
- Per Commercial Land Use Policy No. 14, existing commercial development within residential neighborhoods may expand when such development is small scale and is compatible with the adjacent residential neighborhood.

From the above analysis, Planning staff concludes that the project is in conformance with the San Jose 2020 General Plan.

ANALYSIS

The key issue for the proposed project is parking and the compatibility with the surrounding uses.

Parking

There are 46 parking spaces on the entire site for the use of the commercial building, of which 19 were constructed with benefit of City permit. Per Table 20.190 of the Zoning Ordinance, medical and business/administrative offices generate a parking demand of 1 space per 250 net square feet of building area. However, per Section 20.90.210 of the Zoning Ordinance, no structure constructed or use instituted, prior to November 10, 1965 shall be required to meet the off-street parking requirements of the Zoning Ordinance, unless there is a substantial change in the structure or in the use of the structure or the land. "Substantial change" is defined as more than a forty (40) percent difference between (a) and (b), as follows: (a) the number of parking spaces required under current Code for the structure or use, as it existed on November 10, 1965, and (b) the number of parking spaces required under the current Code for the proposed structure or use.

As indicated earlier, the current building was originally approved as an office building in 1957 via a City building permit. The current use of the building is office and medical clinic, which generates the same parking demand same as office uses. Therefore it can be concluded that per Section 20.90.210 of the Municipal Code, the existing commercial use is not required to provide additional parking to meet the requirements of the current Code.

However, Planning staff recognizes that the site provides inadequate parking per the current Zoning Ordinance. Concerns from the neighborhood regarding parking overflow on residential streets such as on Morse Street, have been expressed at the community meeting. An analysis of the variety of uses housed in the building indicated that approximately 4,000 net square feet is used for medical clinic and 5,443 square feet for office use. The rest of the building has less intensive uses such as warehouse/storage and laboratory. Thus it can be concluded that the actual parking demand generated by the building is approximately 49, close to the actual number of parking spaces provided on the site. Additionally, in order to alleviate the parking problem, the applicant has designated a portion of the parking lot for customer use only, and has instructed the staff members to park at Planned Parenthood's site at 1746 The Alameda. The proposed Development Standards include conditions restricting future change or expansion of use on the site that reflects the lack of sufficient on-site parking for all-office use.

Compatibility with the Surrounding Uses

The proposed project provides an 8-foot wide landscaped setback along the southerly and westerly side from adjoining residential uses. Given the constraint of the lot size, and scarcity of parking, Planning staff believes that this setback substantially conforms to the 10-foot setback recommended by the Commercial Design Guidelines. The proposed 7-foot tall Redwood fences along these property lines do not meet the recommended masonry fence by the Commercial Design Guidelines, however, the location of a tree trunk of an existing Redwood Tree to be preserved located on the southern property line presents hardship for constructing a new masonry wall along this property line. A fence is more appropriate along this edge to preserve the tree. Staff will work with the applicant in the Development permit stage to include masonry wall along the westerly property line.

The setbacks for the existing commercial building remain unchanged per this project. The lack of parking on the site limits opportunity for any future expansion of the building. For redevelopment of the site with newly constructed building, a new Planned Development Permit

would be necessary, which would be reviewed by the Director of Planning for compatibility with surrounding uses.

As part of this Planned Development Rezoning and subsequent Development Permit, the site will provide better amenities such as a covered trash enclosure and landscaping along Naglee Avenue.

From the above discussion, Planning staff concludes that the project is compatible with the surrounding uses.

Conclusion

As previously discussed, staff believes that the proposed development, per staff's recommended Draft Development Standards, proposes adequate setbacks and other measures to minimize the impact of the use on the surrounding residential uses. Further, the rezoning will facilitate the use of the commercial building which is compatible with the other uses along The Alameda.

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend that the City Council approve the rezoning of the site from A(PD) Planned Development and R-1-8 Single Family Residence district to A (PD) Planned Development to allow commercial use for the following reasons:

1. The proposed project is consistent with the San José 2020 General Plan Land Use/Transportation Diagram designation of Office and Medium Low Density Residential (8DU/AC) and Office.
2. The proposed project is in substantial conformance with the Commercial Design Guidelines.

Attachments:

Location Map

Memorandum from Department of Public Works, Fire Department

Correspondence from the Applicant

Statement of Exemption

Plan Set

c. Paul Nielsen, Nielsen Consulting, P.O. BOX 6712, San Jose CA 95150.

PDC06-090: Draft Development Standards

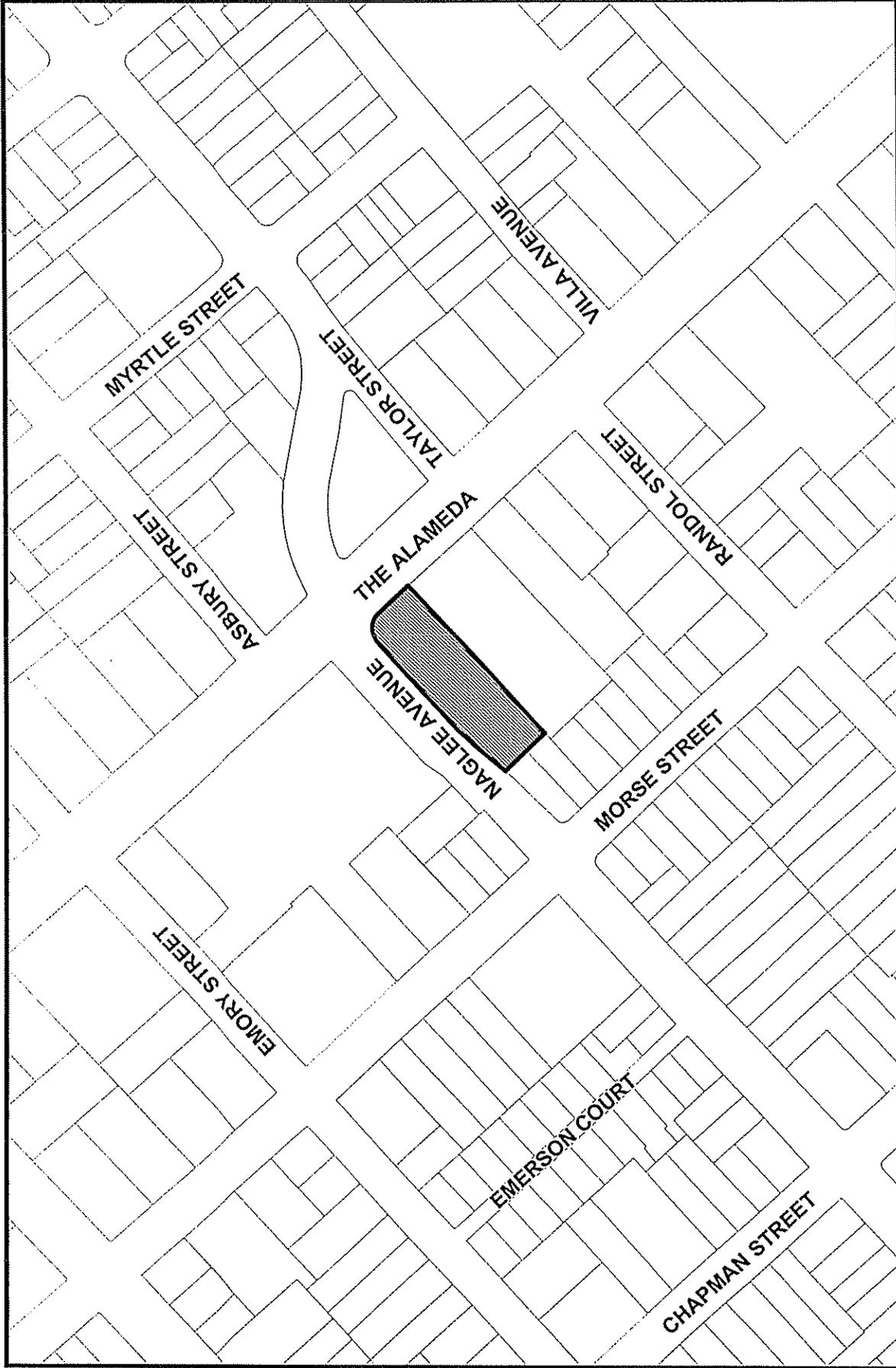
***Where these standards conflict with the information on the plan set, these development standards take precedence.**

Uses*

1. PERMITTED USES. Permitted Uses of the CO- Commercial Office Zoning District of the City of San Jose Zoning Ordinance, *as amended*.
2. CONDITIONAL AND SPECIAL USES. Conditional and Special Uses of the CO- Commercial Office Zoning District of the City of San Jose Zoning Ordinance, *as amended*, shall be allowed subject to approval of a Planned Development Permit(s)/Amendment(s). These uses included:
 - a. *After Midnight Uses*. Commercial uses operating between the hours of 12 midnight and 6 a.m. shall be allowed subject to approval of a Planned Development Permit.

Physical Development Standards*

1. MINIMUM LOT AREA
 - 38,000 square feet.
2. SETBACKS:
 - *Building Setbacks*. Setbacks of CO-Commercial Office district, as amended.
 - *Landscaped Setbacks for the Parking lot*. A minimum of 8-foot wide landscaped area shall be maintained on south (adjoining the apartment building) and west (adjoining single-family homes) side.
 - *Exceptions*. Minor architectural projections such as chimneys and bay windows, not exceeding 10'-0" in length, may project into the building setback on north, east and west side by no more that 2'-0" for a horizontal distance, no more than 20% of the building elevation length. Porches located on the second floor or above may extend up to 2 feet into the setback areas on north, east and west sides.
3. NO. OF STORIES. Per CO-Commercial Office district, as amended.
4. HEIGHT. Per CO-Commercial Office district, as amended.
5. OFF-STREET PARKING AND LOADING STANDARDS.
 - A minimum of 46 parking spaces for the current use. **For any expansion of use or structure, or for change of use, parking shall be provided per standards of the City of San Jose Zoning Ordinance, as amended.**
 - Bicycle parking shall be provided in conformance with the requirements of the Zoning Ordinance, as amended.

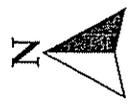


File No: PDC06-090

District: 6

Quad No: 82

Scale: 1"= 250'
Map Created On: 08/14/2006
Noticing Radius: 500 feet



Memorandum

TO: Sanhita Mallick
Planning and Building

FROM: Ebrahim Sohrabi
Public Works

**SUBJECT: FINAL RESPONSE TO
DEVELOPMENT APPLICATION**

DATE: 1/10/07

PLANNING NO.: PDC06-090
DESCRIPTION: Planned Development Rezoning from R-1-8 Residence and A(PD) Planned Development Zoning Districts to A(PD) Planned Development Zoning District to allow expansion of a parking lot implemented without permits, modification of the existing parking lot and installation of a 240 horse-power and 150 KW stand-by/backup generator for existing commercial and medical office uses on a 0.893 gross acre site
LOCATION: southwest corner of The Alameda and Taylor Street
P.W. NUMBER: 3-05719

Public Works received the subject project on 12/08/06 and submits the following comments and requirements.

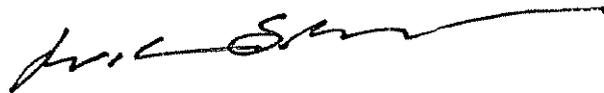
Project Conditions:

Public Works Clearance for Building Permit(s): Prior to the issuance of Building permits, the applicant will be required to have satisfied all of the following Public Works conditions. The applicant is strongly advised to apply for any necessary Public Works permits prior to applying for Building permits.

1. **Minor Improvement Permit:** The public improvements conditioned as part of this permit require the execution of a Minor Street Improvement Permit that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. This permit includes privately engineered plans, insurance, surety deposit, and engineering and inspection fees.
2. **Transportation:** This project is exempt from the Level of Service (LOS) Policy, and no further LOS analysis is required. The project proposes no additional increase in building square footage.
3. **Grading/Geology:** A grading permit may be required prior to the issuance of a Public Works Clearance. The construction operation shall control the discharge of pollutants (sediments) to the storm drain system from the site. An erosion control plan may be required with the grading application.

4. **Flood Zone D:** The project site is not within a designated Federal Emergency Management Agency (FEMA) 100-year floodplain. Flood Zone D is an unstudied area where flood hazards are undetermined, but flooding is possible. There are no City floodplain requirements for Zone D.
5. **Sewage Fees:** In accordance with City Ordinance all storm sewer area fees, sanitary sewer connection fees, and sewage treatment plant connection fees, less previous credits, are due and payable.
6. **Street Improvements:**
 - a) Remove and replace broken or uplifted curb, gutter, and sidewalk along project frontages.
 - b) Close unused driveway cuts.
 - c) Proposed driveway width to be 26' minimum and conform to current City standards.
 - d) Improvement of the public streets shall be to the satisfaction of the Director of Public Works.
7. **Street Trees:** Replace any missing street trees in empty tree wells on Naglee Avenue or in park strips along The Alameda and match existing trees per City standards; refer to the current "Guidelines for Planning, Design, and Construction of City Streetscape Projects". Obtain a DOT street tree planting permit for any proposed street tree plantings.
8. **Referrals:** This project should be referred to the California Department of Transportation (Caltrans). The Alameda is Caltrans right-of-way and any proposed public improvements will require an encroachment permit.

Please contact the Project Engineer, Ryan Do, at (408) 535-6897 if you have any questions.



Ebrahim Sohrabi
Senior Civil Engineer
Transportation and Development Services Division


ES:rd:kg
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DATE: 08/29/06

TO: Sanhita Mallick

FROM: Nadia Naum-Stoian

Re: Plan Review Comments

PLANNING NO: PDC06-090

DESCRIPTION: Planned Development Rezoning from R-1-8 Residence and A(PD) Planned Development Zoning Districts to A(PD) Planned Development Zoning District to allow expansion of a parking lot implemented without permits, modification of the existing parking lot and installation of a 240 horse-power and 150 KW stand-by/backup generator for existing commercial and medical office uses on a 0.893 gross acre site

LOCATION: southwest corner of The Alameda and Taylor Street

ADDRESS: southwest corner of The Alameda and Taylor Street (1691 THE ALAMEDA)

FOLDER #: 06 023710 ZN

The Fire Department's review was limited to verifying compliance of the project to Article 9, Appendix III-A, and Appendix III-B of the 2001 California Fire Code with City of San Jose Amendments (SJFC). Compliance with all other applicable fire and building codes and standards relating to fire and panic safety shall be verified by the Fire Department during the Building Permit process.

- These comments are based on information from drawings dated 7/31/06 by Nielsen Cons.

Access as shown on drawing #3 is in compliance as long as all the curbs are red with marking as follows:

- **Curbs are required to be painted red and marked as "Fire Lane - No Parking" under the following conditions: (show exact locations on plan)**
 - i) **Roads, streets, avenues, and the like that are 20 to less than 26 feet wide measured from face-of-curb to face-of-curb shall have curbs on both sides of the road painted and marked**

Hydrant location and fire flow requirements are met through existing public hydrants on The Alameda: A-00713 by the property, and A-00968 across the property.

The applicant should contact the Hazardous Materials Division at (408) 535-7750 as soon as possible to initiate the process.

Nadia Naum-Stoian
Fire Protection Engineer
Bureau of Fire Prevention
Fire Department
(408) 535-7699

**CITY OF SAN JOSÉ, CALIFORNIA
DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT
STATEMENT OF EXEMPTION**

FILE NO. PDC06-090 and PD06-039

LOCATION OF PROPERTY Southwest corner of The Alameda and Taylor Street
(1691 THE ALAMEDA)

PROJECT DESCRIPTION Planned Development Rezoning request from R-1-8
Single-Family Residence and A(PD) Planned
Development Zoning Districts to A(PD) Planned
Development Zoning District to legalize an existing
parking lot for commercial and medical office uses on
a 0.893 gross acre site

ASSESSOR'S PARCEL NUMBER 261-18-047

CERTIFICATION

- **Legalization of Parking Lot:** Under the provisions of Section 15311(b) of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) as stated below, this project is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended.
 - Class 11 consists of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to small parking lots. The project qualifies as Class 11 in that the project proposes legalization of an existing 0.3 acres parking lot for commercial use.

- **Installation of Generator and Relocation of Trash Enclosure:** Under the provisions of Section 15303 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) as stated below, this project is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended.
 - 15303. New Construction. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.
 - The proposed project is consistent with this section in that the project consists of (1) the installation of one 249 HP stationary standby diesel generator and associated visual and acoustical screening, and (2) relocation and modifications of an existing trash enclosure.
 - The project will be conditioned to secure an "Authority to Construct" permit from Bay Area Air Quality Management District (BAAQMD), which indicates that the

generators conform to the BAAQMD air quality criteria. Additionally, according to a manufacturer's specification provided by Jack De Bella of Power Generation & Engineering, Inc., the noise level at the closest property line (located 62feet 5 inches away) will be less than 55 DB.

Joseph Horwedel, Director
Planning, Building and Code Enforcement

A handwritten signature in cursive script, appearing to read "Tom Morris", written over a horizontal line.

Deputy

Date January 05, 2007

Project Manager: Sanhita Mallick

(Rev. 10/23/02)

Planned Parenthood
Mar Monte

1691 The Alameda
San Jose, CA 95126

T: 408-287-7532
F: 408-971-6935
www.ppmarmonte.org

Planned Parenthood
Mar Monte

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Our mission is to ensure
that everyone has the
knowledge, opportunity and
freedom to make every
child a wanted child and
every family a healthy family

November 30, 2006

Planned Parenthood Mar Monte
1691 The Alameda
San Jose, CA 95126

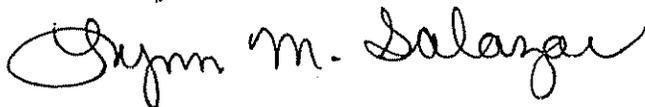
City of San Jose
Planning Division
200 East Santa Clara Street
San Jose, CA 95113-1905
Attn: Erin Morris, Senior Planner

RE: 1691 The Alameda Parking Lot Policy

Dear Erin:

Currently at the Planned Parenthood Mar Monte Health Center located at 1691 The Alameda we have stenciled 28 parking spaces for patient use only. Formal notice has gone out to staff instructing them to park at our 1746 The Alameda location where we have recently acquired an adjacent parcel and have added 28 parking spaces. If an employee car is noticed parking in the patient only area, they are asked to relocate to the parking lot across the street.

Sincerely,



Lynn M. Salazar
Manager, Facilities & Security