

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  
C.C. 03/04/08

11.3

File Number  
PDC07-070

Application Type  
Conforming Planned Development  
Rezoning

Council District  
8

Planning Area  
Evergreen

Assessor's Parcel Number  
491-04-046, 491-04-046, 491-04-040

## STAFF REPORT

### PROJECT DESCRIPTION

Completed by: Sanhita Mallick

Location: South side of Tully Road 500 feet westerly of Capitol Expressway

Gross Acreage: 5.5

Net Acreage: 5.5

Net Density: N/A

Existing Zoning: A-Agricultural, IP-Industrial Park,

Existing Use: Vacant, commercial (bank)

Proposed Zoning A(PD) Planned Development

Proposed Use: Parking lot & open space

### GENERAL PLAN

Land Use/Transportation Diagram Designation  
Industrial Park

Project Conformance:  
 Yes  No  
 See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

North: Reid-Hillview Airport

IP-Industrial Park

South: Eastridge Mall

CG-Commercial General

East: Car Dealership

CG-Commercial General

West: Commercial

IP-Industrial Park

### ENVIRONMENTAL STATUS

Environmental Impact Report found complete  
 Negative Declaration circulated on  
 Negative Declaration adopted on

Exempt  
 Addendum to Mitigated Negative Declaration

### FILE HISTORY

Annexation Title: Amos No.27

Date: 2/20/1979

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval  
 Approval with Conditions  
 Denial  
 Uphold Director's Decision

Date: February 13, 2008

Approved by: *Susan Walton*  
 Action  
 Recommendation

OWNER

APPLICANT

General Growth Properties  
110 North Wacker Drive  
Chicago, IL 60606

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**PUBLIC AGENCY COMMENTS RECEIVED**

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Department of Public Works  
No Comments.

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Fire  
N/A

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**OTHER CORRESPONDENCE**

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See attached memoranda from Airport Land Use Commission

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**ANALYSIS AND RECOMMENDATIONS**

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## **BACKGROUND**

The applicant, General Growth Properties, is requesting a Conforming Planned Development Rezoning of the subject 5.5 gross-acre site from the A-Agricultural and IP-Industrial Park Zoning Districts to the A(PD) Planned Development Zoning District to allow a parking lot (1.4 acres) for an adjacent automobile dealership and open space/private road (4.1 acres).

Per section 20.120.100, the Planning Director may refer a rezoning that conforms to the General Plan Land Use/Transportation Diagram designation to the City Council without review and recommendation by the Planning Commission. Per Section 20.120.110 of the Zoning Ordinance, a Planned Development Rezoning conforms to the General Plan designation when the uses permitted by the General Development Plan for such proposed district conform to the General Plan Designation and where the base zone thereof conforms to said designation in accordance with Table 20-270 of Zoning Ordinance. As explained in the "General Plan Conformance" section below, the proposal is in conformance with the General Plan land use designation of the parcel. The base zone, A-Agricultural, is also in conformance with any General Plan designation.

### Site and Surroundings

The existing site is currently vacant except for a portion of the site, described as "Area C" on the attached General Development Plan, which is occupied by a freestanding 3,600 square-foot building currently occupied by a bank, built in the 1970's. The site has several large non-native trees, mostly Eucalyptus and Pepper trees. Eastridge Loop Road, an existing private street, bisects the site and provides one of several access points to the Eastridge Mall. Reid-Hillview Airport is located to the north of the site across Tully Road. Eastridge Mall is located to the west and south. A previously-approved automobile dealership (Beshoff Infiniti) is under construction to the east.

### Land Use Permit History

In 2005, the applicant proposed a rezoning of the project site (excluding the bank site), but also proposed to include the auto dealership site to the east. The original proposal included two parts: 1) a rezoning of the corner at Capitol Expressway to the CG-Commercial General Zoning District to facilitate an auto dealership (now under construction), and 2) rezoning the balance of the site to the IP-Industrial Park Zoning District. The original zoning of the entire site was A-Agriculture.

The western portion of the original site, outside the area of the auto dealership now under construction, is within the Airport Land Use Commission's (ALUC) South Safety Area I for the Reid Hillview Airport. At the time of this original rezoning proposal, the ALUC made the determination that the rezoning was not in conformance with their safety policies due to its location and the proposed use within an ALUC safety area. On August 8, 2006, the City Council was scheduled to consider the original rezoning proposal, but it could only be approved if the City Council first adopted a resolution to override the ALUC's determination. The City Council voted on whether to override the ALUC determination, but the override did not get sufficient votes for approval. Therefore, the original proposed rezoning of property was never considered by City Council.

This rezoning application was subsequently modified to rezone only the easternmost 2.4 acres of the parcel from A-Agricultural to CG Commercial General District. This 2.4 acre area is located entirely outside of any ALUC safety area, and therefore did not require an override of any ALUC action. This rezoning was approved on October 3, 2006. A Conditional Use Permit (File No. CP06-062) was subsequently approved for a new automobile dealership on this portion of the site, now under construction, for Beshoff Motors Infiniti.

### Project Description

The applicant is now proposing an approximately 1.4-acre parking lot for staff parking and car inventory parking to serve the approved Beshoff Infiniti automobile dealership next door (see Area A on Sheet LU-1A in attached plan set). Per the approved Conditional Use Permit (CP06-062) for the dealership, 30 staff parking spaces were conditioned to be located off-site in the area because of lack of on-site parking availability. The applicant is proposing to locate the parking area adjacent to the approved dealership facility and to keep the remaining area (Area B) as undeveloped open space. The Eastridge Mall access road will remain unchanged.

A small area to the west of the access road, Area C, is currently developed with a 3,600 square foot commercial building currently leased by a bank. Once the term of the lease expires in 2010, the applicant has proposed to demolish this building and has not proposed any new development of this site. The building has been evaluated and has been found to not be an historic resource. The ALUC has expressed interest in removal of the building from the airport safety zone, and has indicated that a surface parking lot for employees and car inventory is a preferable use.

### **ENVIRONMENTAL REVIEW**

The City of San Jose adopted a Mitigated Negative Declaration (MND) in May 2006 which evaluated the environmental impacts of the General Plan Amendment and previous Conventional Rezoning, (File Nos. GP05-08-02 & C05-125) proposed to facilitate Beshoff Motors.

The environmental impacts of *this* project were addressed by an Addendum to the Mitigated Negative Declaration, entitled, "General Growth Properties Inc. Rezoning," and adopted on February 13, 2008, by the Director of Planning, Building, and Code Enforcement. This addendum was prepared to address the project specific impact related to trees, hazardous materials and water quality issues which were not addressed in the previously adopted Mitigated Negative Declaration for the General Plan Amendment and rezoning on the site. The addendum concludes that no additional mitigations are required, and that the Negative Declaration provides environmental clearance for this new project.

## GENERAL PLAN CONFORMANCE

The site is designated Industrial Park on the San Jose 2020 General Plan Land Use/Transportation Diagram. This designation was established as part of a privately-initiated General Plan Amendment in 2005. This was also evaluated as part of a General Plan Amendment for the adjacent auto dealership site which changed the land use designation on that site to General Commercial.

The subject rezoning proposes a parking lot to primarily serve as inventory storage and employee parking for the adjacent automobile dealership. This use is consistent with this industrial designation. The use of the subject property for commercial/automobile-related structures or sales display of vehicles would not be consistent with the Industrial Park designation; therefore, the draft Development Standards (attached) for this Planned Development Rezoning preclude that use of the property for that purpose. The proposed project will also support the intent of economic development strategies of the General Plan by facilitating this automobile dealership, under construction, that will generate revenue for the City.

## ANALYSIS

The Analysis section of this report addresses the following key issues: 1) airport safety issues, and 2) site design considerations.

### Airport Safety Issues

The project site is fully within the Airport Land Use Commission's (ALUC) South Safety Area I for the Reid Hillview Airport. However, the recently approved Beshoff Infiniti auto dealership site is just outside the safety area boundary. The ALUC has reviewed the subject proposal and has concluded that the project is in conformance with the adopted safety policies established for this safety zone. In short, uses in this portion of the ALUC safety zone are very limited under ALUC policies in that new buildings are not allowed. The removal of the bank building, which does not conform to the ALUC policies, will improve the site's conformance to the ALUC safety policies. Uses such as parking lots are permitted in this ALUC safety zone. Therefore, the applicant's proposal would be consistent with ALUC policies in this area.

### Site Design Considerations

The proposed rezoning would allow a 61,000 square foot parking lot for the already-approved automobile dealership that is compatible with surrounding uses. This parking lot will primarily facilitate vehicle inventory storage, but also provide staff parking for 30 cars to fulfill the requirements of the approved Conditional Use Permit for the adjacent dealership.

The applicant is proposing to remove the trees on the site only in the area where the parking lot is proposed. None of these are native species trees, but many are ordinance size. No trees are proposed for removal on the balance of the site. Staff will be working with the applicant at the Planned Development Permit stage to evaluate whether the final grading design for the parking lot can enable the preservation of some of the existing trees. The parking layout and circulation plan may be further modified at the Planned Development Permit stage to ensure that the proposed parking lot is used in accordance with the General Plan designation of Industrial Park (i.e., parking and inventory storage rather than sales display of vehicles). The display of vehicles along the perimeter area of the site, as is traditional with auto dealerships, is only allowed on parcels within commercial zoning districts and General Plan designations. Ample opportunities for the display of vehicles on the adjacent dealership site were provided as part of the approval of the previous Conditional Use Permit.

The applicant is proposing to leave the remainder of the site to the west of the proposed parking lot vacant, with no proposed development. The applicant has indicated their intention to make an irrevocable offer for an easement to the County that restricts the uses on the site and construction of new buildings. This agreement is a separate instrument between the applicant and the County in which the City is not a party. The applicant has stated that the timing of the execution of this easement would occur subsequent to the City Council's approval of this Planned Development Rezoning, but prior to the second reading. At the time of the preparation of this report, said offer has not yet been formally made nor accepted by County. However, the applicant's proposed rezoning application reflects their intent to offer such an easement. Given the applicant's intent to self-impose restrictions for the development of new buildings, this rezoning proposal by the applicant reflects the applicant's intent by allowing only non-structural uses of the OS-Open Space Zoning District for the area of the site beyond the proposed parking lot (Areas B and C). Such a proposal would conform to the General Plan in that the uses proposed would be allowed under any General Plan designation.

## **PUBLIC OUTREACH**

A notice of the public hearing was published, posted on the City's website and distributed to the owners and tenants of all properties located within 500 feet of the project site. Further, copies of this staff report have been posted on the City's website. Staff has been available to discuss the proposal with members of the public. The Airport Land Use Commission (ALUC) discussed this item at a public meeting on September 26, 2007. The Airport Land Use Commission indicated support of this proposal as noted in their memorandum (attached).

## **COORDINATION**

This project was coordinated with the Airport Land Use Commission, Department of Public Works, Fire Department, Building Division, Environmental Services Department and the City Attorney.

## **RECOMMENDATION**

Planning staff recommends approval of the proposed zoning for the following reasons:

1. The proposed rezoning is in conformance with the General Plan Land Use/Transportation Diagram designation of Industrial Park.
2. The proposed rezoning will facilitate development of this site with a use that is consistent with the General Plan and compatible with the surrounding land uses.
3. The proposed project is consistent with ALUC airport safety policies.

### **Attachments:**

- Draft Development Standards
- Location Map
- Public Works memorandum
- ALUC correspondence and memorandum
- Reid-Hillview Airport Safety Areas and Maps
- Addendum to Negative Declaration
- Plan Set

The following development standards shall be placed on the General Development Plan after the first reading by the City Council. All other development standards shall be removed from the plan set.

## PLANNED DEVELOPMENT ZONING PDC 07-070

### **EXHIBIT C: LAND USE PLAN AND DEVELOPMENT STANDARDS**

#### **LAND USE**

**Area A:** Inventory parking, service customer parking and provision for 30 required parking spaces for employees of the adjacent automobile dealership approved under CP06-062. Display of vehicles for sale is not permitted.

**Area B, Area D:** In accordance with the private easement granted by the applicant to the County of Santa Clara uses shall include non-structural uses of the OS-Open Space Zoning District.

**Area C:** Private or public street with easements to provide access to Eastridge Mall and other businesses served by Eastridge Loop Road.

#### **DEVELOPMENT STANDARDS**

##### **Setbacks for building and parking;**

**Area A:**       **Front Setback: 25 feet**  
                  **Side Setback: 0**  
                  **Rear Setback: 0**

**Area B& D:** **Front Setback: 25 feet**  
                  **Side Setback: 0**  
                  **Rear Setback: 0**

#### **GENERAL NOTES**

##### **Water Pollution Control Plant Notice**

Pursuant to part 2.75 of chapter 15.12 of the San Jose Municipal Code, no vested right to a building permit shall accrue as the result of the granting of any land development approvals and applications when and if the City Manager makes a determination that the cumulative sewage treatment demand on the San Jose – Santa Clara water plant will cause the total sewage treatment demand to meet or exceed the capacity of the San Jose – Santa Clara water pollution control plant to treat such sewage adequately and within the discharge standards imposed on the city by the state of California regional water control board for the San Francisco Bay region. Substantive conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approving authority.

**Environmental Mitigation:****TREE MITIGATION:** Removal of trees shall be mitigated at the following ratios:

Trees larger than 18" in diameter (ordinance size) - 4:1 24" box trees

Trees between 12" and 18" - 2:1 24" box trees

Trees less than 12" in diameter - 1:1 15 gallon trees

**Mitigation measure for raptors**

If possible, construction should be scheduled between October and December (inclusive) to avoid the raptor nesting season. If this is not possible, pre-construction surveys for nesting raptors shall be conducted by a qualified ornithologist to identify active raptor nests that may be disturbed during project implementation. Between January and April (inclusive) pre-construction surveys shall be conducted no more than 14 days prior to the initiation of construction activities or tree relocation or removal. Between May and August (inclusive), pre-construction surveys no more than thirty (30) days prior to the initiation of these activities. The surveying ornithologist shall inspect all trees in and immediately adjacent to the construction area for raptor nests. If an active raptor nest is found in or close enough to the construction area to be disturbed by these activities, the ornithologist, shall, in consultation with the State of California, Department of Fish & Game (CDFG), designate a construction-free buffer zone (typically 250 feet) around the nest. The applicant shall submit a report to the City's Environmental Principal Planner indicating the results of the survey and any designated buffer zones to the satisfaction of the Director of Planning prior to the issuance of any grading or building permit.

**Mitigation measure for burrowing owls**

The developer shall have a qualified biologist conduct a survey and prepare a report not more than one month prior to construction activities to determine the presence of burrowing owls on the site. If owls are present on the site, a mitigation program shall be developed in conformance with the requirements of the California Department of Fish and Game and the U.S. Wildlife Service. If mitigation includes relocation, owls shall not be relocated during the nesting season (March through August). Prior to the issuance of any grading or building permits, the developer shall submit a biologist's report to the City's Environmental Principal Planner to the satisfaction of the Director of Planning indicating that no owls were found on the site or that owls were present and that mitigation has been implemented in conformance with the requirements of the above regulatory agencies.

**Mitigation Measures for temporary air quality impacts**

- Water all active construction areas at least twice daily and more often during windy periods to prevent visible dust from leaving the site; active areas adjacent to windy periods; active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers or dust palliatives.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard;

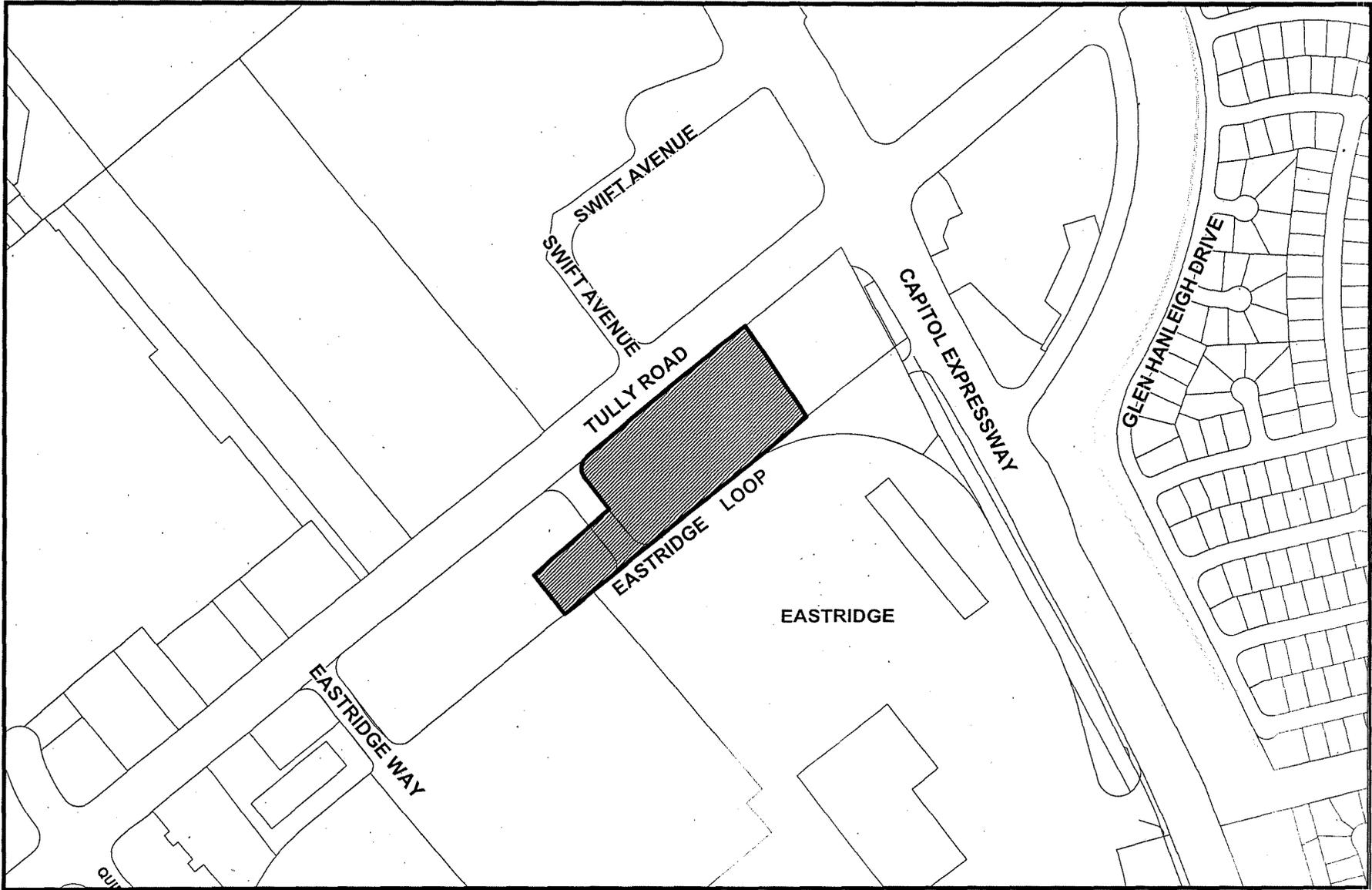
- Pave, apply water at least three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- Sweep daily (or more often if necessary) to prevent visible dust from leaving the site (preferably with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; water sweepers shall vacuum up excess water to avoid runoff-related impacts to water quality; and
- Sweep streets daily, or more often if necessary (preferably with water sweepers) if visible soil material is carried onto adjacent public streets.

**Mitigation measure for Cultural Resources:**

There shall be monitoring of site excavation activities to the extent determined by a qualified professional archaeologist to be necessary to insure accurate evaluation of potential impacts to prehistoric resources.

- 1) If no resources are discovered, the archaeologist shall submit a report to the City's Environmental Principal Planner verifying that the required monitoring occurred and that no further mitigation is necessary.
- 2) If evidence of any archaeological, cultural, and/or historical deposits are found, hand excavation and/or mechanical excavation will proceed to evaluate the deposits for determination of significance as defined by CEQA guidelines. The archaeologist shall submit reports, to the satisfaction of the City's Environmental Principal Planner, describing the testing program and subsequent results. These reports shall identify any program mitigation that the Developer shall complete in order to mitigate archaeological impacts (including resource recovery and/or avoidance testing and analysis, removal, reburial, and curation of archaeological resources.)
- 3) In the event that human remains and/or cultural materials are found, all project-related construction shall cease within a 50-foot radius in order to proceed with the testing and mitigation measures required. Pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code of the State of California:
  - a) In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.
  - b) A final report shall be submitted to the City's Environmental Principal Planner prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results including a description of the monitoring and testing program, a list of the resources found, a summary of the resources analysis

methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Environmental Principal Planner.

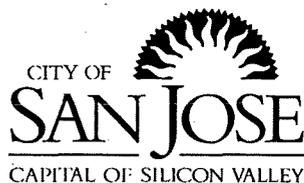


Approx. Scale: 1" = 400'  
Map Created On: 02/11/2008  
Noticing Radius: 500 feet

File No: PDC07-070

District: 8

Quad No: 84



# Memorandum

**TO:** Sanhita Mallick  
Planning and Building

**FROM:** Ebrahim Sohrabi  
Public Works

**SUBJECT:** FINAL RESPONSE TO  
DEVELOPMENT APPLICATION

**DATE:** 02/12/08

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**PLANNING NO.:** PDC07-070  
**DESCRIPTION:** Planned Development Rezoning from A-Agricultural Zoning District to A(PD) Planned Development Zoning District to allow parking lot use and a designated "no-build" area on a 5.5 gross acre site  
**LOCATION:** southwest corner of Capitol Expressway and Tully Road  
**P.W. NUMBER:** 3-06839

Public Works received the subject project on 02/04/08 and submits the following comments and requirements.

## Project Conditions:

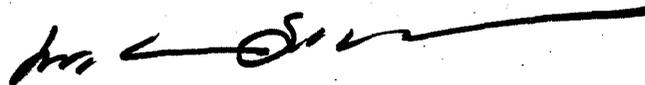
**Public Works Clearance for Building Permit(s) or Map Approval:** Prior to the approval of the Tract or Parcel Map (if applicable) by the Director of Public Works, or the issuance of Building permits, whichever occurs first, the applicant will be required to have satisfied all of the following Public 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:** A traffic report was prepared and approved for a proposed commercial building (car dealership) under Planning permit CP06-062 on the same parcel. This permit is for an adjacent vehicle storage lot and does not include any additional building square footage. This project will not generate any additional peak hour trips. We conclude that the subject project is in conformance with both the Evergreen Development Policy and the Santa Clara County Congestion Management Program. Therefore, a determination for a negative declaration can be made with respect to traffic impacts.
3. **Grading/Geology:**
  - a) A grading permit is required prior to the issuance of a Public Works Clearance.

- b) If the project proposes to haul more than 10,000 cubic yards of cut/fill to or from the project site, a haul route permit is required. Prior to issuance of a grading permit, contact the Department of Transportation at (408) 535-3850 for more information concerning the requirements for obtaining this permit.
  - c) Because this project involves a land disturbance of one or more acres, the applicant is required to submit a Notice of Intent to the State Water Resources Control Board and to prepare a Storm Water Pollution Prevention Plan (SWPPP) for controlling storm water discharges associated with construction activity. Copies of these documents must be submitted to the City Project Engineer prior to issuance of a grading permit.
  - d) The Project site is within the State of California Seismic Hazard Zone. A soil investigation report addressing the potential hazard of liquefaction must be submitted to, reviewed and approved by the City Geologist prior to issuance of a grading permit or Public Works Clearance. The investigation should be consistent with the guidelines published by the State of California (CDMG Special Publication 117) and the Southern California Earthquake Center ("SCEC" report). A recommended depth of 50 feet should be explored and evaluated in the investigation.
4. **Stormwater Runoff Pollution Control Measures:** This project must comply with the City's Post-Construction Urban Runoff Management Policy (Policy 6-29) which requires implementation of Best Management Practices (BMPs) that include site design measures, source controls, and stormwater treatment controls to minimize stormwater pollutant discharges. Post-construction treatment control measures, shown on the project's Stormwater Control Plan, shall meet the numeric sizing design criteria specified in City Policy 6-29.
- a) The project's preliminary Stormwater Control Plan and numeric sizing calculations have been reviewed. At PD stage, submit the final Stormwater Control Plan and numeric sizing calculations.
  - b) Final inspection and maintenance information on the post-construction treatment control measures must be submitted prior to issuance of a Public Works Clearance.
  - c) A post construction Final Report is required by the Director of Public Works from a Civil Engineer retained by the owner to observe the installation of the BMPs and stating the all post construction storm water pollution control BMPs have been installed as indicated in the approved plans and all significant changes have been reviewed and approved in advance by the Department of Public Works.
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. **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.

7. **Municipal Water:** In accordance with City Ordinance #23975, Major Water Facilities Fee is due and payable. Contact Tim Town at (408) 277-3671 for further information.
8. **Undergrounding:** The In Lieu Undergrounding Fee shall be paid to the City for all frontage adjacent to Tully Road prior to issuance of a Public Works clearance. One hundred percent (100%) of the base fee in place at the time of payment will be due. (Currently, the base fee is \$224 per linear foot of frontage.)
9. **Street Improvements:**
  - a) Remove and replace curb, gutter, and sidewalk along project frontage. Provide a 10' attached sidewalk with tree wells.
  - b) Proposed driveway width to be 26'.
  - c) Repair, overlay, or reconstruction of asphalt pavement may be required. The existing pavement will be evaluated with the street improvement plans and any necessary pavement restoration will be included as part of the final street improvement plans. (To assist the Applicant in better understanding the potential cost implications resulting from these requirements, existing pavement conditions can be evaluated during the Planning permit review stage. The Applicant will be required to submit a plan and the applicable fees to the PW Project Engineer for processing. The plan should show all project frontages and property lines. Evaluation will require approximately 20 working days.)
10. **Electrical:** Existing electroliers along the project frontage will be evaluated at the public improvement stage and any street lighting requirements will be included on the public improvement plans.
11. **Street Trees:** Install street trees within public right-of-way along entire project street frontage per City standards; refer to the current "Guidelines for Planning, Design, and Construction of City Streetscape Projects". Street trees shall be installed in cut-outs at the back of curb. Obtain a DOT street tree planting permit for any proposed street tree plantings. Contact the City Arborist at (408) 277-2756 for the designated street tree.

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

  
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December 7, 2007

Deborah Ungo-McCormick, AICP  
Land Use Planner  
Berliner Cohen  
10 Almaden Boulevard, 11th Floor  
San Jose, CA 95113

**Re: Rezoning request from the City of San Jose, to rezone a 4.53 gross-acre site from A- (Agriculture) to A (PD) (Planned Development) to allow a parking lot for the Beshoff-Infinity Auto Dealership on a 1.3-acre portion of the parcel. The site is located at the Southwest corner of Capitol Expressway and Tully Road. (City of San Jose No. PDC07 -70, APN 491 -04 -046).**

Dear Deborah:

At the meeting of October 24, 2007, the Airport Land Use Commission (ALUC) considered the application. At the meeting, the proposed project was determined to be consistent with the ALUC policies, as defined in the Land Use Plan for Areas Surrounding Santa Clara County Airports.

The following is the recommended conditions of approval for the Project:

1. An Avigation Easement shall be granted to the County of Santa Clara for Reid Hillview Airport in accordance with Policy G-5, on parcel 491-04-046, located at the Southwest corner of Capitol Expressway and Tully Road.
2. All new exterior lighting on the property shall be designed so as to create no interference with aircraft operations in accordance with Policy G-7. Such lighting shall be constructed and located so that only the intended area is illuminated and off-site glare is fully controlled. The lighting shall be arrayed in such a manner that it cannot be mistaken for airport approach or runway lights by pilots.
3. Future development of the 1.3-acre portion of the site shall be in conformance with the Noise Policies in the County Clara County CLUP.
4. The area designated on drawing LU-1, which shows Zone B, as a No-Build Zone, shall not be used for any building, paving or temporary use of that portion of the site. The area will be designated for the equivalent of open space, with the option of adding appropriate low landscaping with no trees.

**ALUC**

SANTA CLARA  
COUNTY AIRPORT LAND  
USE COMMISSION

**Airport Land Use Commission**

County Government Center, 70 W. Hedding Street, East Wing, 7<sup>th</sup> Fl., San Jose, CA  
95110  
(408) 299-5786 FAX (408) 288-9198

For your records the ALUC file number 8969-07R-09. If you have any questions, please feel free to contact ALUC staff, Mark Connolly, at 408-299-5786 or via e-mail at [mark.connolly@pln.sccgov.org](mailto:mark.connolly@pln.sccgov.org).

Sincerely,

Mark J Connolly  
ALUC Staff Coordinator

CC: City of San Jose Planning Office

Tms/MJC

County of Santa Clara  
Airport Land Use Commission

Wednesday, September 26, 2007  
Minutes

**Regular Meeting**

**1. Call to Order/ Roll Call.**

The regular meeting of the Airport Land Use Commission is called to order by Chairperson Sturdivant at 6:10 p.m. in the Isaac Newton Senter Auditorium, County Government Center, 70 West Hedding Street, San Jose. A quorum is present.

**Members Present:**

Ralph Britton

Rolayne Edwards, Alternate for E. Ronald Blake

Arthur Knopf

Jack Morton

Barbara Spector

Robert Sturdivant, Chairperson

Walter Windus

**2. Public Presentations**

There are no public presentations.

**3. Approve minutes of July 25, 2007.**

Commissioner Windus advises that page 7, second paragraph, should be amended to read "Mr. Connolly provides an overview of anticipated changes to the appearance of the maps. Commissioner Windus informs the Commission that the lack of symmetry in the map of the runway protection zones (RPZ) is due to runway 3 1 Right being an instrument approach runway. He explains that this causes the RPZ to be larger than the other runway because aircraft using instruments to land need more area for the pilots to safely prepare to land."

On motion of Commissioner Morton, seconded by Commissioner Spector, it is unanimously ordered that the minutes of July 25, 2007 be approved, as amended.

4. **Elect Chairperson and Vice-Chairperson for Fiscal Year 2007 -2008.**

Chairperson Sturdivant notes that the bylaws of the ALUC indicate that officer elections will be held in January each year. He reports that he was elected in March 2006, and an election should have taken place in January 2007. He advises that the Commission can elect new officers at the meeting this date, or they can hold the elections until January 2008.

On motion of Commissioner Windus, seconded by Commissioner Spector, it is unanimously ordered that the election of officers be held to January 2008.

5. **Adopt Reid Hillview Comprehensive Land Use Plan (CLUP) and amendments to the Santa Clara County Airport Land Use Commission's Land Use Plan for Areas Surrounding Santa Clara County Airports ("County CLUP") by the Airport Land Use Commission. The project location consists of all of the public use airports in Santa Clara County, (Palo Alto, San Jose International, South County, Reid Hillview), and areas surrounding these airports.**

Chairperson Sturdivant advises that the Commission may adopt the Negative Declaration, the Reid-Hillview Airport CLUP, and several amendments to the County CLUP. He reports that the City of San Jose has requested that adoption of the CLUP and amendments be held to October 2007. He inquires about how the Commission would like to proceed.

Commissioner Spector suggests that the Commission consider public comments prior to determining its action, and Mark Connolly, Planner III, County of Santa Clara Planning Department, provides an overview of proposed changes. He reminds the Commission that the Federal Aviation Administration (FAA) Part 77 maps will be incorporated by reference so that any changes to the maps are automatically incorporated into the CLUPs. He recommends striking the reference to Part 77 as a height restriction in the County CLUP if it is approved at the meeting this date, because the City of San Jose has not had an opportunity to fully review this item. He advises that minor project reviews will be handled by staff in compliance with the CLUP.

Mr. Connolly continues by narrating a presentation relating to the proposed revisions to

maps included in the CLUP. He references the safety policy chart on page 4.8, table 4.2 and notes that there is no maximum population density for turning protection safety zones (tpsz). He clarifies that a high population density venue such as a sports stadium would not be allowed, and that there are no residential restrictions in the tpsz. Mr. Connolly informs the Commission that part of the Negative Declaration included analyzing vacant land and the impact of development restrictions, including other impacts if development is moved elsewhere, such as increased traffic or urban sprawl. He advises that the City of San Jose is required to review its General Plan and determine if any amendments are needed within 180 days of the adoption of this CLUP. He reports that the overall analysis indicates that there is no significant impact on development.

Mr. Connolly further reports that the City of San Jose received the Negative Declaration in a timely manner, however, the Initial Study was not received and the City is requesting additional time to review and respond. He notes that the requirements for noticing the documents include providing them to the City, and direct mailing, or publishing in a newspaper. He informs the Commission that extensive additional outreach was conducted in the County, including presentations at Strong Neighborhoods Initiative meetings, and distributing to the affected school districts, libraries, and posting on City and County websites.

Mr. Connolly reports that the Reid-Hillview Airport Influence Area (AIA) increased, however, there is no vacant land in the expanded area on which future development would be impacted. Chairperson Sturdivant explains the process for determining the AIA. Commissioner Windus reports that there is a significant increase in the safety zones, with the largest addition being approximately 2800 acres added to the tpsz. He notes that there are minimal restrictions in this area. He further advises that approximately 489 acres have been added to other safety zones, including approximately 30 acres of sideline safety zone and approximately 100 additional acres of turning safety zone. He notes that in the previous CLUP the safety zone ended 200 feet beyond the end of the runway, and the proposed amendments will create a safety zone that runs with the runway.

Commissioner Spector thanks Mr. Connolly for his work on these documents. She requests clarification relating to his recommendation to strike the requirement that Part 77 Surfaces be made the new height restriction in the County CLUP. Mr. Connolly explains that this amendment was not circulated as widely as the Reid-Hillview CLUP and the City of San Jose did not have sufficient time to review this. Commissioner Spector inquires whether the circulation was legally insufficient and so the ALUC cannot adopt the County CLUP, or Mr. Connolly recommends against adopting it even though the legal requirement was met. Mr. Connolly responds that the circulation was sufficient per the legal requirements, however, the specific details may not have been discussed sufficiently. Commissioner Windus points out that incorporating the Part 77 surfaces into the Reid-Hillview CLUP is a separate issue from redefining the height restriction in the County CLUP, because the County CLUP impacts San Jose International Airport (SJC) as well. Commissioners and staff discuss the proposed amendment, utilizing Part 77 surfaces as a height restriction, and No Hazard Determinations from the FAA.

Commissioner Windus explains that the existing County CLUP does not contain any policy that establishes height restrictions. He notes that the position of the ALUC has historically been that any proposed development which exceeds the Part 77 surfaces is not consistent with ALUC policies, however, this has never been documented in the CLUP.

Stan Ketchum, City of San Jose Planning Department, thanks Mr. Connolly and the Commissioners for the meetings and negotiation that has taken place. He states that the project description took City staff by surprise relating to Part 77 surfaces being applied as a height restriction for SJC. He requests that consideration of adoption of the County CLUP be continued in order for a dialogue to take place similar to the one relating to the RHV CLUP. He notes that the City is currently in the process of conducting an analysis of One Engine Inoperative (OEI) Surfaces for SJC. He requests that any surfaces affecting SJC be discussed and incorporated into the CLUP amendment for 2008. He further advises that City staff believe that the City of San Jose should be included in the Environmental Analysis as a "Responsible Agency" because the CLUP amendment will trigger a review of the City General Plan. He notes that the California Environmental Quality Act (CEQA)

requires that the County complete an Initial Study to project future impacts of any changes to the County CLUP, and he states that the height restrictions are not referenced in the Initial Study. He asserts that the height restrictions could affect future housing in San Jose.

Commissioner Morton inquires if adopting the amendments to the County CLUP and excluding SJC from any height restriction requirements at this time would address the concerns expressed by Mr. Ketchum, and Mr. Ketchum responds that it would.

Commissioner Spector states that the City of San Jose is approving the construction of tall buildings and has plans for additional high rises. She requests clarification about how the City intends to make consistent a request for continuance in light of the ongoing construction of high rises. Mr. Ketchum responds that the inconsistency is between the San Jose General Plan, which states that a proposed project that receives a No Hazard Determination from the FAA will be approved, and the Part 77 surface requirement. He expresses the opinion that establishing the Part 77 surfaces as the height restriction is premature. Commissioners and staff discuss timelines for making any necessary amendments and negotiating with the City of San Jose for a mutually acceptable alternative.

Chairperson Sturdivant requests public comments relating to the CLUP amendments. There are no public comments. Mr. Ketchum states that he continues to have a concern that the Initial Study does not reflect the City of San Jose as a Responsible Agency under CEQA. Mr. Connolly expresses the opinion that the City is not a Responsible Agency in the CLUP amendment, however, pursuant to the requirements of CEQA the City will have to take action to review the General Plan. He states that the review of the General Plan will provide an opportunity to address any issues. Commissioners and Mr. Ketchum discuss the number and seriousness of the issues Mr. Ketchum believes remain outstanding.

Commissioner Britton moves that further consideration of the Item be held to October 2007 and a special meeting be requested for October 24, 2007. Commissioner Knopf seconds the motion.

Commissioner Windus states that it is important that the amended Initial Study be published

quickly. He recommends amending the Initial Study to exclude SJC and to include the Part 77 Surfaces as a height restriction for areas surrounding the other airports in the County. Commissioner Britton and Commissioner Knopf agree to amend the motion accordingly.

On motion of Commissioner Britton, seconded by Commissioner Knopf, it is unanimously ordered that the Item be held to October 2007 and a special meeting be requested for October 24, 2007.

Further, it is ordered that the Initial Study be amended to exclude San Jose International Airport from the requirement that FAA Part 77 surfaces be utilized as the height restriction.

6. **Consider recommendations relating to a Rezoning request from the City of San Jose to rezone a 4.53 gross-acre site from A- (Agriculture) to A(PD) (Planned Development) to allow a parking lot for the Beshoff-Infinity Auto Dealership on a 1.3 acre portion of the parcel. The site is located at the Southwest corner of Capitol Expressway and Tully Road. (City of San Jose No. PDC07 -70, APN 491 -04 -046).**

Mr. Connolly clarifies that this application needs to be reviewed in accordance with the existing County CLUP. He notes that the recommended conditions reflect the RHV CLUP policy, and that the recommended conditions may still be utilized provided that references to specific RHV CLUP policies are removed.

Andrew Faber, attorney for Eastridge Mall, reminds the Commission that he spoke at the July ALUC meeting relating to this application, and advises that he has now applied to the City of San Jose for rezoning. He directs attention to the plans for the project, as well as a letter he sent to the Commission. He states that he is pleased with the rezoning request and feels that it provides a win-win solution for the ALUC and Eastridge Mall.

Mr. Faber notes that a straight zoning request was submitted for this property more than one year ago, and the ALUC recommended against that request. He continues by advising that Eastridge Mall asked the City of San Jose to craft custom zoning, identified as Planned Development (PD) zoning. He explains that the proposal is to zone four and a half acres as

PD, which restricts the uses of the property, and to allow 1.3 acres to be utilized as a parking lot only. He notes that the remaining 70 percent of the lot would be restricted by a no-build restriction in the zoning. He clarifies that the lot may have landscaping added to it; however, no structures and no uses would be allowed. Additionally, he states that the zoning request specifies that the World Savings building will be removed when the current lease expires, which is in four years.

Mr. Faber informs the Commission that the letter mentions that this rezoning request is allowed under the existing County CLUP; however, he believes that it is also compatible with the proposed RHV CLUP. He points out that a portion of the lot is in the proposed safety zone and that parking is an allowable use. He requests that the Commission find this rezoning application to be consistent with ALUC policies under the existing County CLUP. He expresses the opinion that it will be helpful to note that the application is also consistent with the RHV CLUP, as it is currently proposed. He concludes by stating that timing is important because this request must also go to the Planning Commission.

Chairperson Sturdivant states that he would not want to consider an application that was inconsistent with the proposed RHV CLUP and expresses appreciation for the demonstration by Mr. Faber that the proposed project is consistent with both. He inquires about the portion of the lot labeled Zone B on the map, which will contain the no-build restriction, and requests clarification about uses allowed under this zoning. Mr. Faber responds that no parking is allowed under a no-build restriction of this type, in addition to no structures. He notes that there may be low landscaping. Commissioners and Mr. Faber discuss dedication as an open space easement and issues relating to maintenance and ownership of the land. Further, they discuss the Limited Use (LU) 1 zoning and the binding zoning restrictions under this type of zoning.

Ken Ronssie, Valley Transportation Authority (VTA), states that the project is not in conflict with the proposed extension of the Light Rail to the Eastridge Mall. He advises that the proposal being presented at the meeting this date eliminates the need of the Eastridge Mall to acquire the VTA property adjacent to the lot. He notes that VTA is looking for

property on which to store trains and that the property adjacent to RHV is not suitable for this use.

Eric Peterson, Assistant Director, County Airports, states that he would like for the property in Zone B of the subject site and the VTA property adjacent to RHV transferred to the County. He further advises that the Airports Department would like the trees in the Eastridge Mall parking lot to be removed, as three aircraft have landed in this parking area.

Chairperson Sturdivant asks Mr. Ketchum for clarification relating to the no-build restriction in the proposed rezoning. Mr. Ketchum advises that PD zoning can be as specific as the City chooses, and that the recommendation of the ALUC will be forwarded to the City Planning Commission for consideration. He clarifies that removal of the World Savings building is a condition of the approval of this application.

On motion of Commissioner Windus, seconded by Chairperson Sturdivant, it is unanimously ordered that the rezoning request of the City of San Jose PDC 07-70 be found to be consistent with the ALUC height, noise and safety policies as defined in the Santa Clara County Land Use Plan for Areas Surrounding Santa Clara County Airports (CLUP), and is expected to be consistent with the proposed Reid-Hillview Airport Comprehensive Land Use Plan when adopted, with the following conditions:

1. An Avigation Easement shall be granted to the County of Santa Clara for Reid-Hillview Airport in accordance with the applicable avigation easement policy, on parcel 491-04-046, located at the Southwest corner of Capitol Expressway and Tully Road.
2. All new exterior lighting on the property shall be designed so as to create no interference with aircraft operations in accordance with applicable policy. Such lighting shall be constructed and located so that only the intended area is illuminated and off-site glare is fully controlled. The lighting shall be arrayed in such a manner that it cannot be mistaken for airport approach or runway lights by pilots, and all lighting plans shall be verified by the Airport Manager.

3. Future development of the 1.3-acre portion of the site shall be in conformance with the Noise Policies in the Santa Clara County CLUP.
4. The area designated on the drawing as LU-1 showing Zone B as a No-Build Zone is interpreted to mean that there will not be any building, paving, or temporary use of the site. The area will be designated for the equivalent of open space uses with the option of adding appropriate low landscaping and no trees.
7. **Consider recommendations relating to request to rezone a 2.4 gross-acre site from CO(PD) (Commercial Office Planned Development), LI (Light Industrial), CG (Commercial General) to A(PD), (Planned Development), to allow up to 340 single-family attached residences and 15,000 square feet of retail and commercial uses. The site is located at the southwest corner of North First Street and Century Center (City of San Jose No. PDC05 -114, APN 230 -29 -022).**

Mr. Connolly advises that the City of San Jose is currently reviewing an application to rezone the subject site. He states that the subject site is outside of the safety zone and the noise contours, and that the staff recommendation is to include two conditions, as amended, if the project is approved. Commissioner Spector suggests that the second condition be amended to read "...whatever standard is more restrictive at the time of permit issuance." Mr. Connolly agrees that this amendment should be made.

Ex-Officio Commissioner Greene, Airport Planner, San Jose International Airport, states that SJC has no objection to the staff recommendation. He notes that the maximum height of the proposed project is less than the Part 77 surface.

On motion of Commissioner Morton, seconded by Commissioner Spector, it is unanimously ordered that the rezoning request PDC 05 -114 be found to be consistent with the ALUC height and noise policies, as defined in the Land Use Plan for Areas Surrounding Santa Clara County Airports, with the following two conditions:

1. An Avigation Easement shall be granted to the City of San Jose for San Jose International Airport on parcel 230 -29 -022, located at the southwest corner of North

First Street and Century Center.

2. If the development proposal changes as a result of City Council action, the specific development project shall have the height restrictions imposed in conformance with FAA Part 77 restrictions or if the City of San Jose adopts height restrictions as a result of the Airport Obstruction Study for the Downtown Area, the project shall be in conformance with whatever standard is more restrictive at the time of permit issuance.

8. **Accept verbal staff report.**

a. **Minor project referral report.**

Mr. Connolly reports that there are no minor project referrals at this time.

On Commission consensus, it is ordered that the report be accepted.

9. **Accept verbal reports from Ex-Officio Commissioners**

a. **Airport Planner, San Jose International Airport**

Ex-Officio Commissioner Greene directs attention to the report entitled FAA Obstruction Evaluation Actions within SJC Referral Area, noting that it contains the same four projects that were listed at the last meeting. He advises that there are changes to the first two projects listed, and that both projects received a No Hazard Determination from the FAA. He reminds the Commissioners that these two projects will be omitted from the next report. He concludes by stating that the second project will be referred to the ALUC if it involves a rezoning application or a General Plan amendment.

b. **Director of County Airports**

Mr. Peterson distributes copies of a pilot handout for each of the three County airports. He notes that the handout was designed by Airports staff member Ken Betts, and that a space was created for Fixed Base Operators to place their own label on the handout for advertisement. The Commissioners compliment the Department on the handouts.

On Commission consensus, it is ordered that the reports be accepted.

10. **Accept Chairperson's verbal report.**

There is no report.

11. **Correspondence/Announcements**

- a. Boards and Commissions agendas and minutes are now available on the County of Santa Clara website at <http://www.sccgov.org/portal/site/bnc>. Commissioners are requested to provide any comments/feedback to the Deputy Clerk.

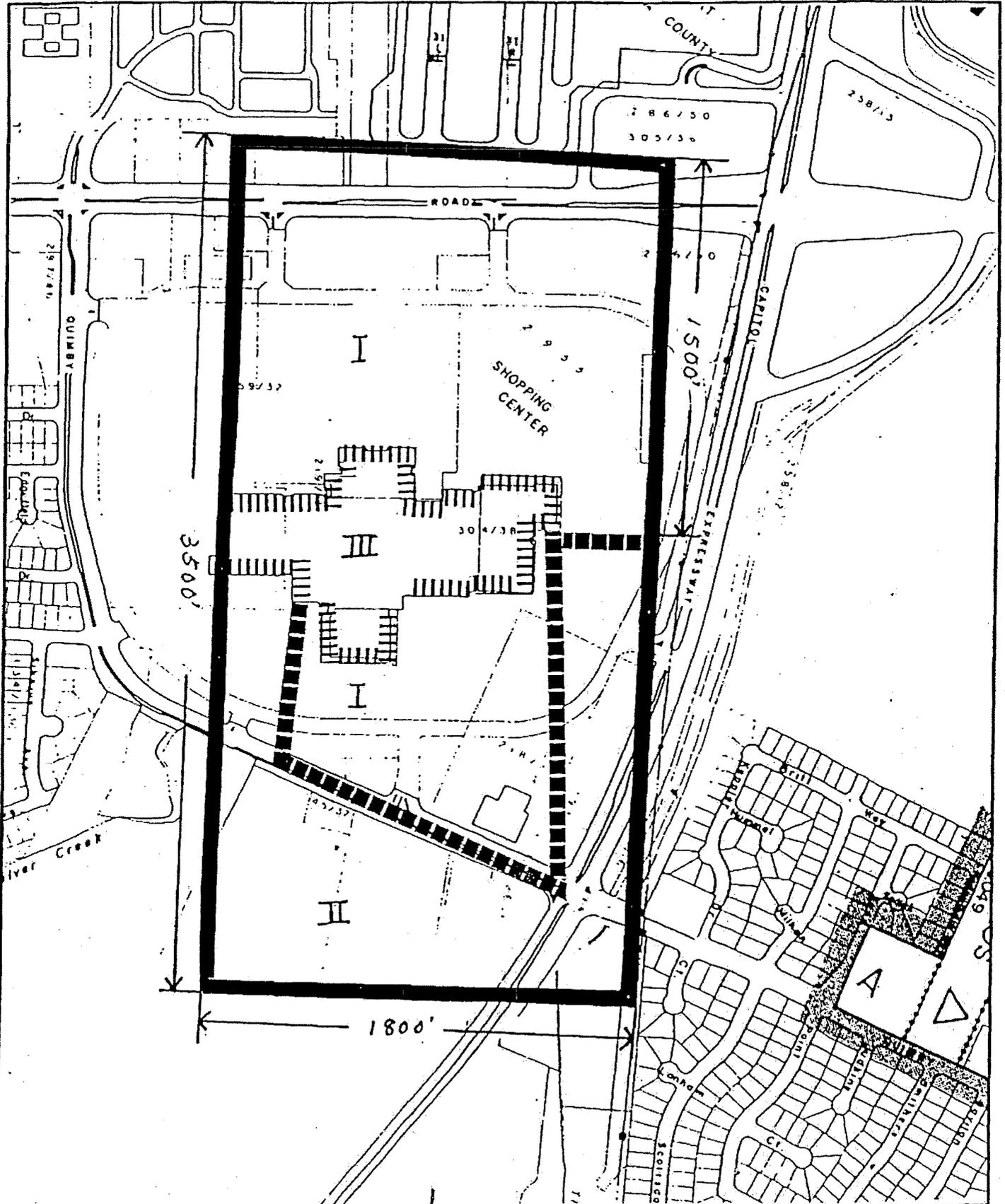
12. **Adjournment**

On order of the Chairperson, there being no objection, it is ordered that the meeting be adjourned at 9:02 p.m. to the next regular meeting on October 24, 2007 at 6:00 p.m. in Room 157, County Government Center, 70 West Hedding Street, San Jose.

Respectfully submitted,

JoLene Mittelsteadt

Deputy Clerk



**SOUTH SAFETY AREA  
REID-HILLVIEW AIRPORT**

See Safety Policies for Specific Restrictions in areas I, II, and III  
September 1991

**POLICIES RELATED TO AIRPORT SAFETY**

- S-1. The Santa Clara County ALUC shall designate "safety zones," which are generally rectangular in shape, contiguous to the ends of each airport in Santa Clara County. The designated safety zones are shown on the maps in the appendix.

Each safety zone shall be comprised of two parts:

- 1) The inner safety area which is the off-airport area adjacent to the runway, and which should preferably remain undeveloped
- 2) The outer safety area, a second rectangular area separated from the runway by the first area, in which land use and population density are restricted to specified non-residential land uses. These non-residential land uses are exemplified by the following:
  - a. Agriculture or its equivalent.
  - b. Recreational parks.
  - c. Storage of seasonal equipment.
  - d. Parking of automobiles
  - e. Single-story warehousing.
  - f. Municipal activities, such as sewage-treatment plants.

- S-2. The outer portion of the safety zone is further limited to the presence of no more than ten persons on an annual average and no more than 25 persons at any one time on each net acre. This population density is hereinafter designated as the "10/25 population density" rule.

Note: This policy means that no more than 10 employees can be located on any net acre at any one time, with provisions for up to 25 people (allowing for customers and deliveries) in the building on a temporary basis. In other words, a large building, such as a warehouse, where the employees are distributed widely could be constructed, but not an office building that would concentrate a group of people in one small area.

- S-3. Above ground storage of more than 100 gallons of flammable liquids or toxic materials on any one net acre in a designated safety zone is prohibited.

S-4. No object shall be permitted to be erected or grow above the primary surface of the runway within designated inner safety areas, directly adjacent to the ends of the runway.

S-5. At Reid-Hillview Airport, the safety zones shall be restricted as follows:

a. North Safety Areas:

Area I - No new objects should be permitted to be erected above the elevation of the primary runway surface.

Area II - Only non-residential uses permitted, with a population density that does not exceed the "10/25 rule" described in policy S-2.

Area III - The bleachers in the baseball facility in Hillview Park shall not be expanded to seat more than 100 people. No new trees are to be placed in the central 300 foot wide corridor running northward from Ocala Avenue to Alfred Way, with the exception of those trees which are planted in the immediate vicinity of the library and recreation center and along the edges of the park to provide a buffer.

b. South Safety Areas:

Area I - The Airport Land Use Commission will not consider the construction of any new buildings in Area I. Parking lots, preferably covered, are permissible uses in this zone.

Area II - Only non-residential uses permitted, with a population density that does not exceed the "10/25 rule" described in policy S-2.

Area III - Includes all land within the existing Eastridge Shopping Center. Any future building onto the main structure will be reviewed on a case-by-case basis, and will not be considered if it exceeds the highest present roof line elevation.

S-6. The minimal total length of a safety zone, beyond the end of a takeoff runway, shall be as follows:

- a 2,000 feet for single-engine general-aviation aircraft weighing no more than 5,000 lbs.

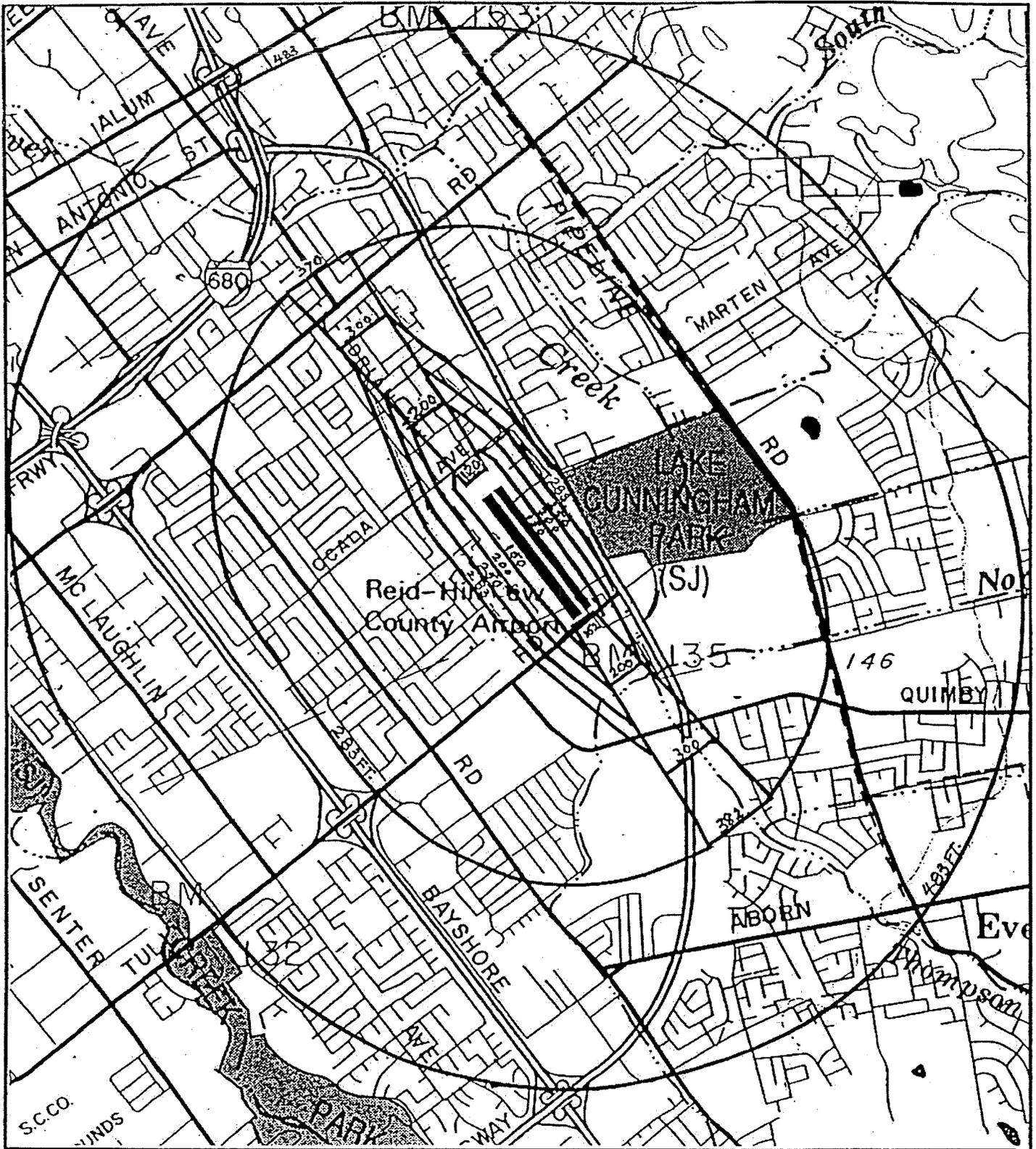
- b. 3,500 feet for two-engine general-aviation aircraft weighing no more than 12,500 lbs.
  - c. 5,000 feet for a preferential take-off runway or 3,500 feet for a runway other than the preferential take-off runway for aircraft weighing more than 12,500 lbs. and all jet-propelled aircraft.
- S-7. The width of a safety zone, in general, shall be 1,500 feet for a single runway. For dual parallel runways, the width of the safety zone, in general, shall be 1,500 feet plus the distance between the centerlines of the dual runways. The width of a safety zone may be permitted to be less than 1,500 feet upon a hearing and the presentation of evidence showing that the reduced width affords adequate safety as determined by the ALUC.
- S-8. No land should be used for the erection or growth of objects which rise above an approach surface, unless supported by evidence presented at a public hearing and deemed by the ALUC to not create a safety hazard.
- S-9. No land outside of airport property shall be used for the erection or operation of objects which, pursuant to a final determination of the Federal Aviation Administrator, would cause the weather minimums (a combination of horizontal and vertical visibility) to be raised at any airport within Santa Clara County.
- S-10. No land outside of airport property shall be used for the erection of, or operation of, any object that could reflect the light of the sun toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport in Santa Clara County.
- S-11. Exemptions to the safety zone policies will be considered by the ALUC on a case-by-case basis. The ALUC may grant special approval if the application is to replace a structure of the same use and density as the previously existing land use. Application will be denied if the ALUC finds that the character and land uses in the area can more appropriately be converted to uses conforming with ALUC policies.
- S-12. When a non-conforming use ceases operation, any new use of the site subject to a discretionary approval, such as a use permit, shall be subject to the current ALUC policies and density restrictions.

#### SAFETY ZONE VARIANCE POLICIES FOR GENERAL AVIATION AIRPORTS

- SV-1. Variances granted from the basic requirements established herein for a standard safety zone shall be based on the dynamic performance criteria outlined on pages 20-21 of the ALUC plan, rather than structural materials criteria or equivalent static load criteria.
- SV-2. The proponent of such a specialized type of building shall submit to the ALUC, a specific design, accompanied by proof of feasibility and compliance with specific design performance criteria. The report should include :
- a. Specifications stating the type (e.g. steel, concrete, etc.) and quality of material to be used in the structure of a building.
  - b. Specifications stating the static load (e.g. stationary force in pounds per square inch) equivalent to predetermined dynamic load (e.g. force on impact of an aircraft) which a structure must withstand.
  - c. Specifications stating the required response (performed of a structure upon the occurrence of a certain action (e.g. impact of an aircraft with a building).

## MAPS

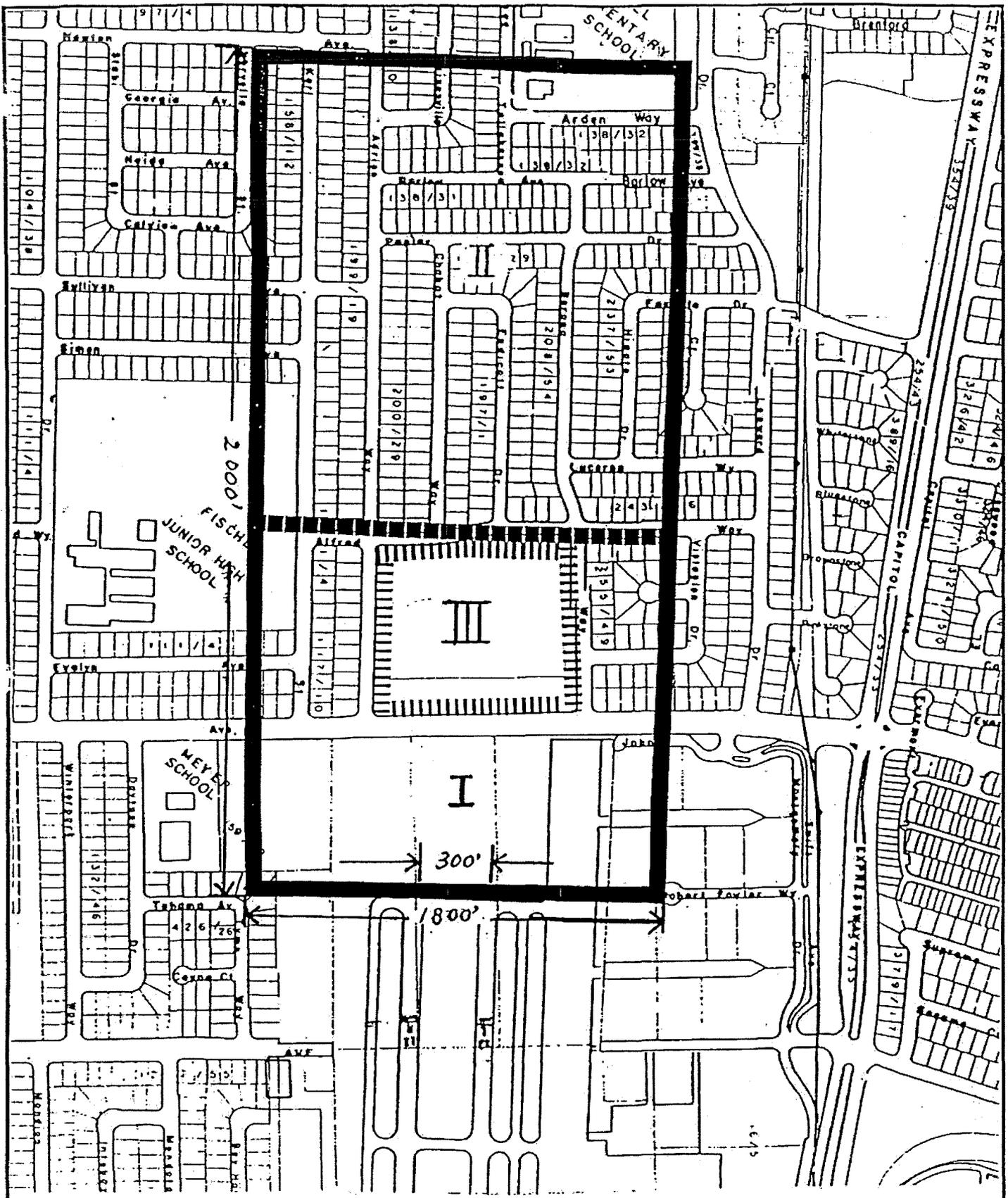




**ALUC HEIGHT RESTRICTION BOUNDARY  
REID-HILLVIEW AIRPORT**



ELEVATIONS ARE ABOVE MEAN SEA LEVEL  
NOTE BEGINNING ELEVATION

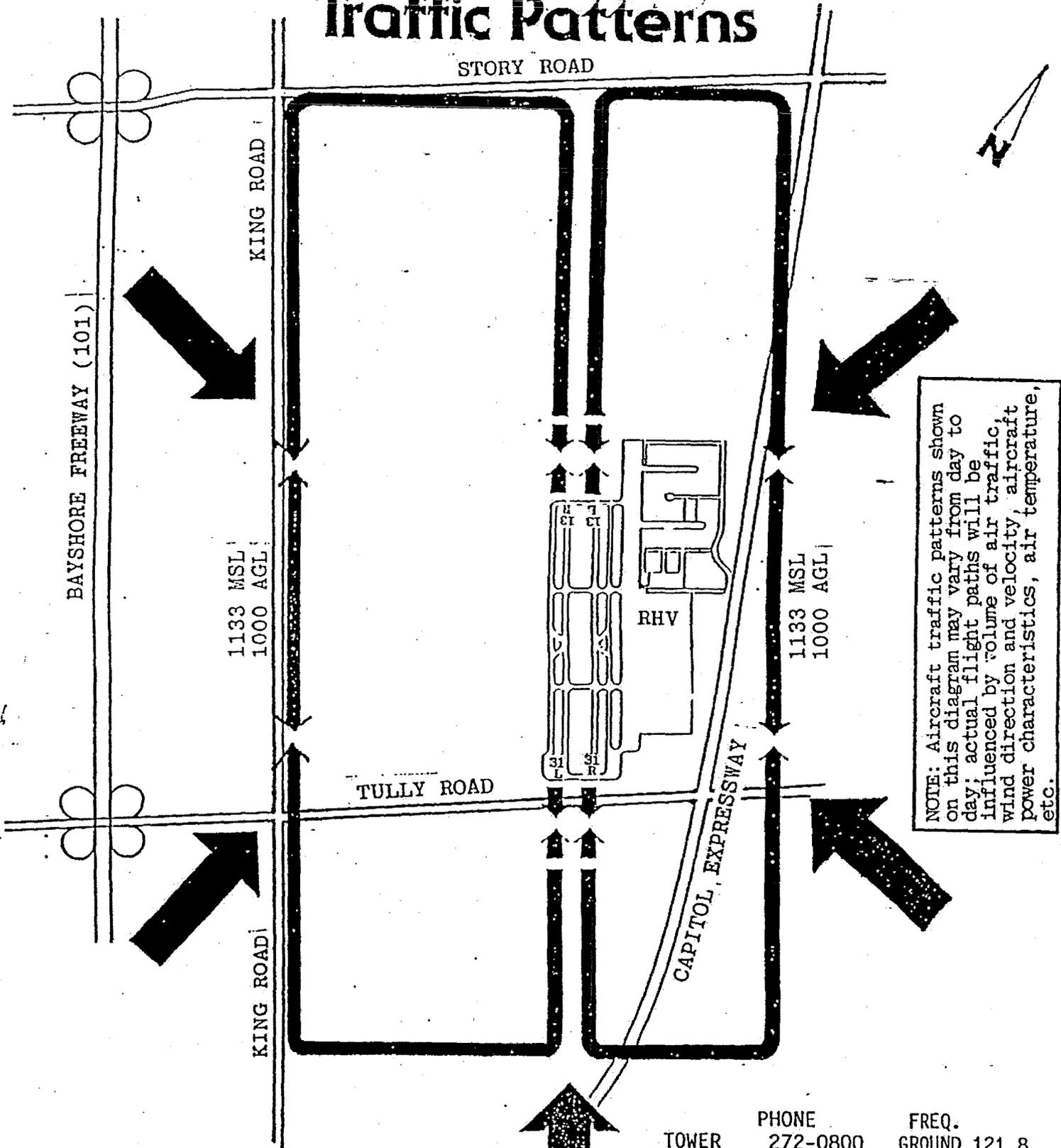


**NORTH SAFETY AREA  
REID-HILLVIEW AIRPORT**

See Safety Policies for Specific Restrictions in areas I, II and III  
September 1991



# Reid-Hillview Airport Traffic Patterns



NOTE: Aircraft traffic patterns shown on this diagram may vary from day to day; actual flight paths will be influenced by volume of air traffic, wind direction and velocity, aircraft power characteristics, air temperature, etc.

**GOOD NEIGHBOR POLICIES**

- NO TURNS BELOW 500 FEET
- NO TOUCH-AND-GO OPERATIONS BETWEEN 9PM AND 7AM
- NO TURBO-JET OPERATIONS EXCEPT THOSE MEETING FAR 36

	PHONE	FREQ.
TOWER	272-0800	GROUND 121.8
ATIS	923-7100	125.2
TEXACO	926-4030	122.85
CHEVRON	259-3360	123.3

 **Santa Clara County  
Transportation Agency**  
REID HILLVIEW OPERATIONS

**ADDENDUM TO A NEGATIVE DECLARATION**

Pursuant to Section 15164 of the CEQA Guidelines, the City of San Jose has prepared an Addendum to a Negative Declaration (ND) adopted for a previous project. Because minor changes made to the project described below do not raise important new issues about the effects on the environment, this project is adequately covered by this Addendum to the Negative Declaration from the previous project.

**PROJECT DESCRIPTION AND LOCATION**

PDC07-070 and subsequent permits. Planned Development Rezoning from IP-Industrial Park to A(PD) Planned Development for a project located at the southwest corner of Tully Road and Capitol Expressway on a 5.5-gross-acre site in the IP-Industrial Park Zoning District for allowing an approximately 61,000 square feet parking lot for an already approved automobile dealership. Council District 8. County Assessor's Parcel Number 491-04-046, 491-04-046, 491-04-040

**CERTIFICATION**

The environmental impacts of this project were addressed by an Initial Study and documented by a Negative Declaration for a proposed General Plan Amendment and Rezoning, File No. GP05-08-02 & C05-125, and certified as final on May, 2006. Specifically, the following impacts were reviewed and found to be adequately considered by the ND:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Traffic and Circulation       | <input checked="" type="checkbox"/> Soils and Geology      | <input checked="" type="checkbox"/> Noise                       |
| <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Hazardous Materials    | <input checked="" type="checkbox"/> Land Use                    |
| <input checked="" type="checkbox"/> Urban Services     | <input checked="" type="checkbox"/> Biotics                | <input checked="" type="checkbox"/> Air Quality                 |
| <input checked="" type="checkbox"/> Aesthetics         | <input checked="" type="checkbox"/> Airport Considerations | <input checked="" type="checkbox"/> Microclimate                |
| <input checked="" type="checkbox"/> Energy             | <input checked="" type="checkbox"/> Relocation Issues      | <input checked="" type="checkbox"/> Construction Period Impacts |
| <input type="checkbox"/> Transportation                | <input checked="" type="checkbox"/> Utilities              | <input checked="" type="checkbox"/> Facilities and Services     |
| <input type="checkbox"/> Water Quality                 | <input checked="" type="checkbox"/> Flooding               | <input type="checkbox"/>  |

**ANALYSIS:**  
 See attached analysis.

Sanhita Mallick  
 Project Manager

Joseph Horwedel, Director  
 Planning, Building and Code Enforcement

February 13, 2008  
 Date  
 2/13/08

Susan Walton  
 Deputy

# PLANNED DEVELOPMENT ZONING FOR LANDS OF GENERAL GROWTH PROPERTIES, INC.

AS ESTABLISHED IN ORDINANCE \_\_\_\_\_, ESTABLISHING A PLANNED DEVELOPMENT DISTRICT

## PROJECT INFORMATION

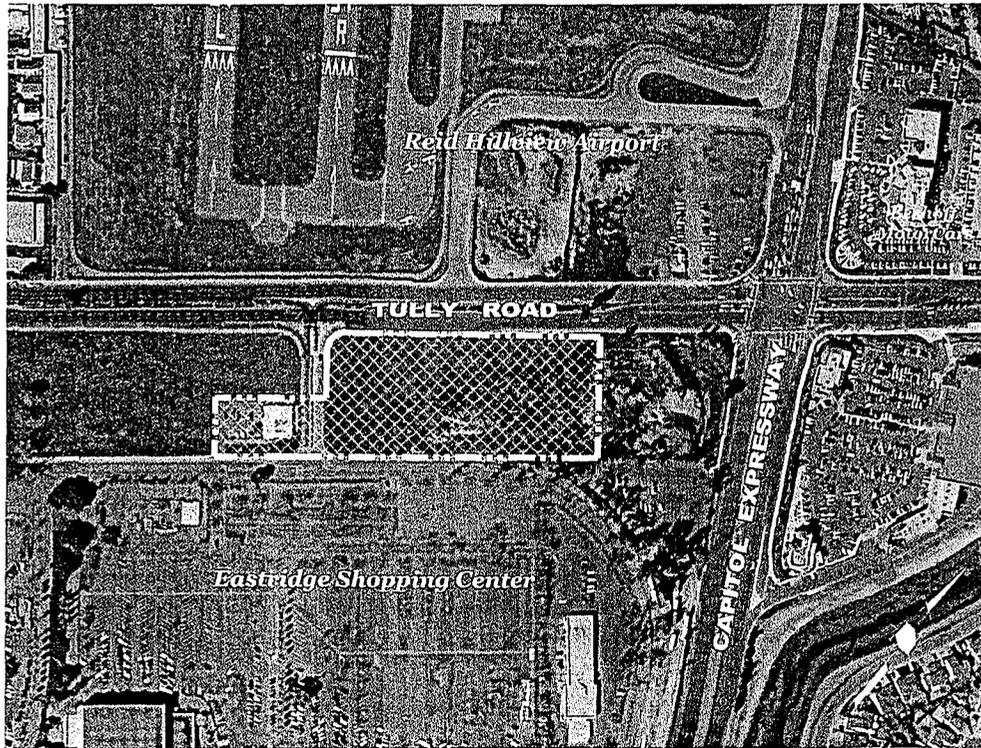
PROJECT ADDRESS: 2198 TULLY ROAD  
 APN: 491-04-030, 050, 046  
 GENERAL PLAN DESIGNATION: INDUSTRIAL PARK  
 EXISTING ZONING: INDUSTRIAL PARK, AGRICULTURE  
 PROJECT AREA: 5.5 ACRES

## DEVELOPMENT TEAM

PROPERTY OWNER:  
 GENERAL GROWTH PROPERTIES, INC.  
 1 EASTRIDGE MALL  
 SAN JOSE, CA 95122  
 (408)238-3600 EXT. 14  
 CONTACT: JOHN PETERSON

LAND USE CONSULTANT:  
 BERLINER COHEN  
 10 ALMADEN BLVD, 11th FLOOR  
 SAN JOSE, CA 95113  
 (408)268-5800  
 CONTACT: ANDY FABER

PLANNER/CIVIL ENGINEER:  
 HMM ENGINEERS  
 1570 OAKLAND ROAD  
 SAN JOSE, CA 95131  
 (408)487-2200  
 CONTACT: MIKE KEANEY



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## PROJECT DESCRIPTION

PD ZONING TO ALLOW A SURFACE PARKING LOT ON 1.4 ACRES OF A 4.5 ACRE SITE TO SUPPORT THE ADJACENT COMMERCIAL USE WITH THE REMAINDER OF THE AREA TO BE DESIGNATED AS "NO-BUILD AREA" AND TO ALLOW THE REMOVAL OF AN EXISTING BUILDING ON A 0.7 ACRE SITE ACROSS EASTRIDGE LANE.

NO.	DATE	REVISIONS
1	11.20.07	PER CITY COMMENTS & ADDITIONAL LOT
2	1.23.08	PER CITY COMMENTS
3	7.28.08	PER PUBLIC WORKS COMMENTS

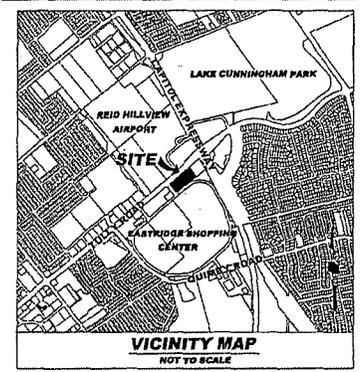
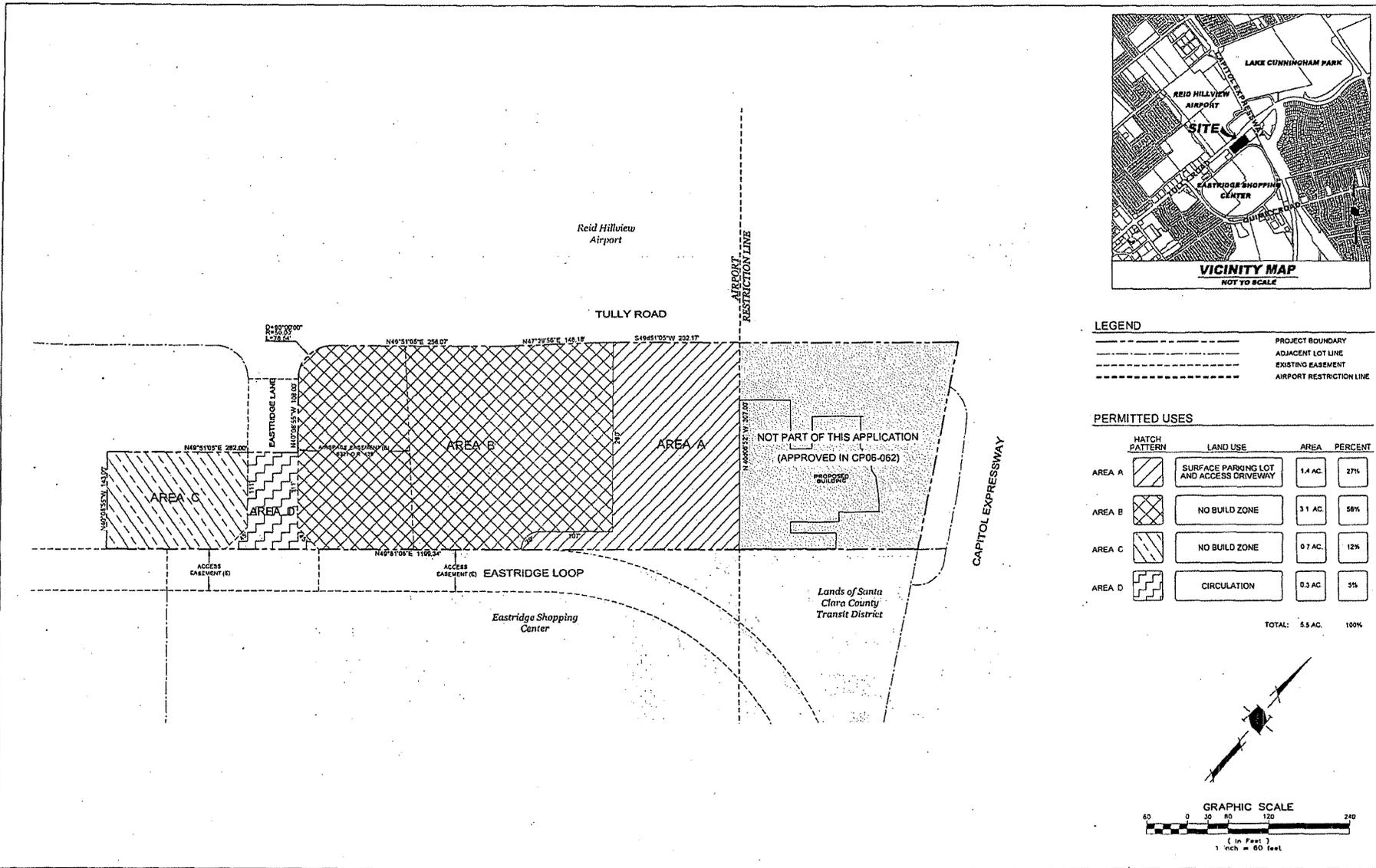
General Growth Properties, Inc.  
 1 Eastridge Mall  
 San Jose, CA 95122

DATE: 8.20.07  
 SCALE: NTS  
 DESIGNED: MJC  
 DRAWN: MJC  
 CHECKED: MKC  
 PROJ. ENGR: ZJJ  
 FILE: 301205.dwg

**HMM**  
 ENGINEERS  
 San Jose  
 (408) 487-3300  
 Gilroy  
 (408) 846-0757  
 www.hmmengineers.com

GENERAL DEVELOPMENT PLAN - EXHIBIT C  
 PDC07-070  
 COVER SHEET

SHEET  
**C-1**  
 JOB NUMBER  
 3032.10

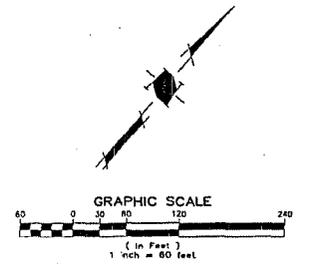


**LEGEND**

--- (dashed line)	PROJECT BOUNDARY
--- (dash-dot line)	ADJACENT LOT LINE
--- (dotted line)	EXISTING EASEMENT
--- (long-dashed line)	AIRPORT RESTRICTION LINE

**PERMITTED USES**

HATCH PATTERN	LAND USE	AREA	PERCENT
[Diagonal Hatch]	SURFACE PARKING LOT AND ACCESS DRIVEWAY	1.4 AC.	27%
[Cross Hatch]	NO BUILD ZONE	3.1 AC.	58%
[Diagonal Hatch]	NO BUILD ZONE	0.7 AC.	12%
[Square Hatch]	CIRCULATION	0.3 AC.	5%
		<b>TOTAL: 5.5 AC.</b>	<b>100%</b>



Δ		
Δ		
Δ	ML	2.29.06 PER PUBLIC WORKS COMMENTS
Δ	ML	1.22.05 PER CITY COMMENTS
Δ	ML	11.20.07 PER CITY COMMENTS & ADDITIONAL LOT
BY	DATE	REVISIONS

**General Growth Properties, Inc.**  
 1 Eastridge Mall  
 San Jose, CA 95122

DATE:	8.30.07	<p>San Jose        (408) 447-2200        Gilroy        (408) 846-4707  <a href="http://www.hmh-engineers.com">www.hmh-engineers.com</a></p>
SCALE:	1"=60'	
DESIGNED:	ML/BSG	
DRAWN:	ML/BSG	
CHECKED:	ML	
PROJ. ENGR:	JJJ	
FILE:	10332MLUR2	

GENERAL DEVELOPMENT PLAN - EXHIBIT C  
 PDC07-070  
 LAND USE PLAN

SHEET  
 LU-1A  
 JOB NUMBER  
 3032.10

DEVELOPMENT STANDARDS

MITIGATION NOTES

Δ		
Δ		
Δ		
Δ	2.26.05	PER PUBLIC WORKS COMMENTS
Δ	1.23.08	PER CITY COMMENTS
Δ	11.20.07	PER CITY COMMENTS & ADDITIONAL LOT
Δ	DATE	REVISIONS

General Growth Properties, Inc.  
 1 Eastridge Mall  
 San Jose, CA 95122

DATE: 8.30.07  
 SCALE: NTS  
 DESIGNED: ML/YBG  
 DRAWN: ML/YBG  
 CHECKED: MN  
 PROJ. ENGR: IJJ  
 FILE: 303206LURZ



GENERAL DEVELOPMENT PLAN - EXHIBIT C  
 PDC07-070  
 LAND USE NOTES

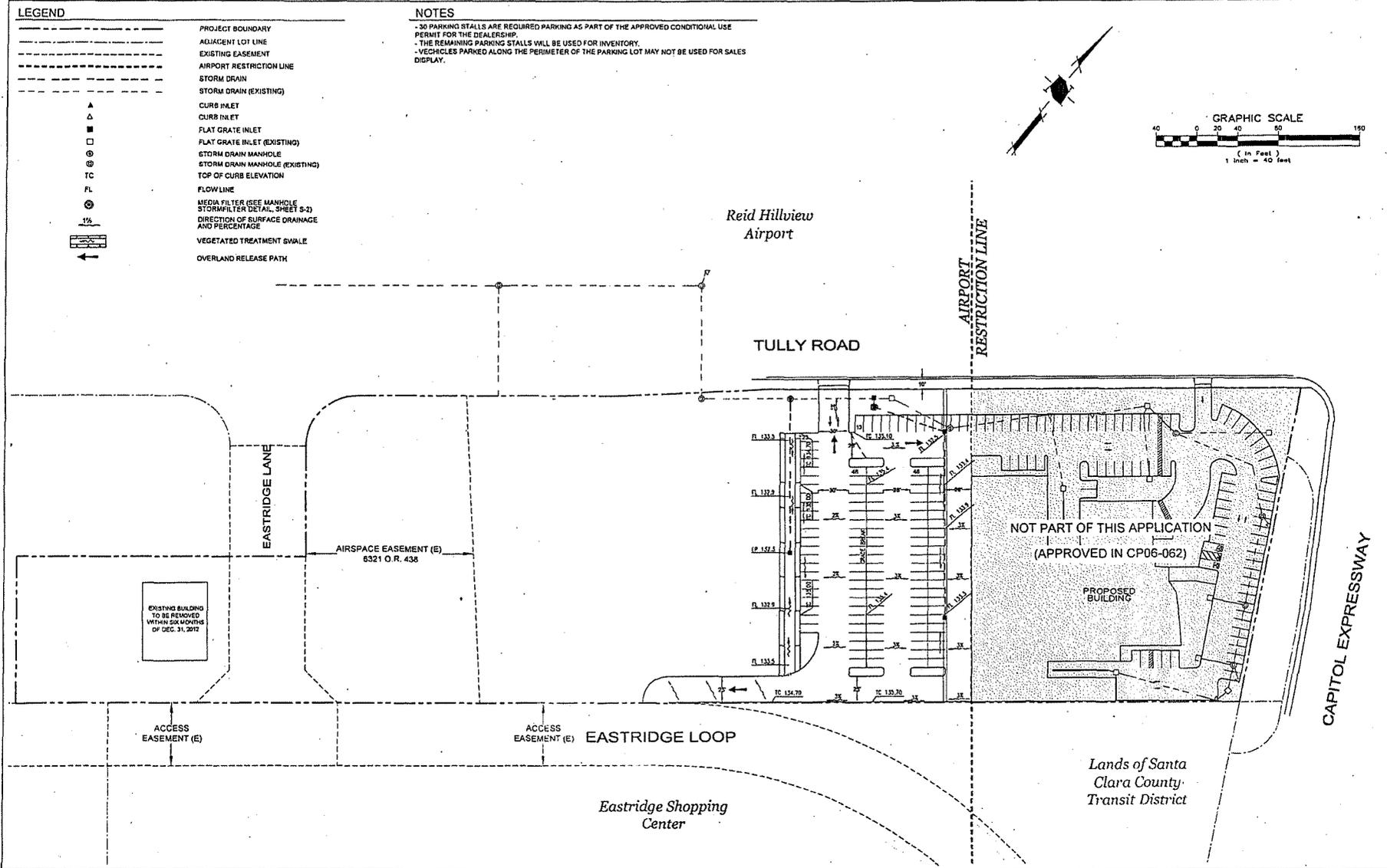
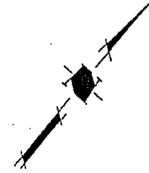
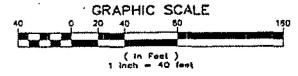
SHEET  
 LU-1B  
 JOB NUMBER  
 3032.10

**LEGEND**

- PROJECT BOUNDARY
- ADJACENT LOT LINE
- EXISTING EASEMENT
- AIRPORT RESTRICTION LINE
- STORM DRAIN
- STORM DRAIN (EXISTING)
- ▲ CURB INLET
- △ CURB INLET
- FLAT GRATE INLET
- FLAT GRATE INLET (EXISTING)
- ⊙ STORM DRAIN MANHOLE
- ⊙ STORM DRAIN MANHOLE (EXISTING)
- TC TOP OF CURB ELEVATION
- FL FLOW LINE
- ⊙ MEDIA FILTER (SEE MANHOLE STORMFILTER DETAIL, SHEET S-4)
- DIRECTION OF SURFACE DRAINAGE AND PERCENTAGE
- ▭ VEGETATED TREATMENT SWALE
- ← OVERLAND RELEASE PATH

**NOTES**

- 30 PARKING STALLS ARE REQUIRED PARKING AS PART OF THE APPROVED CONDITIONAL USE PERMIT FOR THE DEALERSHIP.
- THE REMAINING PARKING STALLS WILL BE USED FOR INVENTORY.
- VEHICLES PARKED ALONG THE PERIMETER OF THE PARKING LOT MAY NOT BE USED FOR SALES DISPLAY.



▲			
△			
■			
□			
⊙			
⊙			
TC			
FL			
⊙			
→			
▭			
←			

**General Growth Properties, Inc.**  
 1 Eastridge Mall  
 San Jose, CA 95122

DATE:	8.20.07
SCALE:	1"=40'
DESIGNED:	ML/7/07
DRAWN:	ML/7/07
CHECKER:	WML
PRD. ENGR:	WML
FILE:	30321.10/07

**HMH**  
**ENGINEERS**

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Gilroy  
 (408) 848-0707

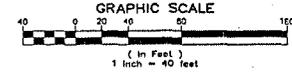
www.hmh-engineers.com

GENERAL DEVELOPMENT PLAN - EXHIBIT C  
 PDC07-070  
 CONCEPTUAL SITE PLAN & GRADING PLAN

SHEET	C-2
JOB NUMBER	3032.10

**LEGEND**

---	PROJECT BOUNDARY
---	ADJACENT LOT LINE
---	EXISTING EASEMENT
---	AIRPORT RESTRICTION LINE
---	STORM DRAIN
---	STORM DRAIN (EXISTING)
▲	CURB INLET
■	CURB INLET
□	FLAT GRATE INLET
○	FLAT GRATE INLET (EXISTING)
⊙	STORM DRAIN MANHOLE
⊙	STORM DRAIN MANHOLE (EXISTING)
⊕	CURB CUT (SEE CURB CUT DETAIL ON SHEET S-2)
TC	TOP OF CURB ELEVATION
FL	FLOW LINE
⊕	MEDIA FILTER (SEE MANHOLE STORMFILTER DETAIL, SHEET S-3)
→	DIRECTION OF SURFACE DRAINAGE AND PERCENTAGE
→	OVERLAND RELEASE PATH
▨	VEGETATED TREATMENT SWALE (SEE DETAIL B ON SHEET S-3)
⊕	MEDIA FILTER DRAINAGE AREA BOUNDARY
⊕	VEGETATED SWALE DRAINAGE AREA BOUNDARY
▨	IMPERVIOUS DRIVEWAY AREA DRAINING TO PERVIOUS SURFACE (SELF-TREATING)



Reid Hillview Airport

AIRPORT RESTRICTION LINE

TULLY ROAD

EASTRIDGE LANE

AIRSPACE EASEMENT (E)  
6321 O.R. 438

ACCESS EASEMENT (E)

ACCESS EASEMENT (E) EASTRIDGE LOOP

Eastridge Shopping Center

NOT PART OF THIS APPLICATION  
(APPROVED IN CP06-062)

PROPOSED BUILDING

Lands of Santa Clara County  
Transit District

CAPITOL EXPRESSWAY

▲		
▲		
▲	ML	2.28.08 PER PUBLIC WORKS COMMENTS
▲	ML	1.23.09 PER CITY COMMENTS
▲	ML	11.20.07 PER CITY COMMENTS & ADDITIONAL LOT
BY	DATE	REVISIONS

General Growth Properties, Inc.  
1 Eastridge Mall  
San Jose, CA 95122

DATE: 8.30.07  
SCALE: 1"=40'  
DESIGNED: ML/MS  
DRAWN: ML/BC  
CHECKED: MC/HR  
PROJ. ENGR: ZJJ  
FLC: 30321059472



GENERAL DEVELOPMENT PLAN - EXHIBIT C

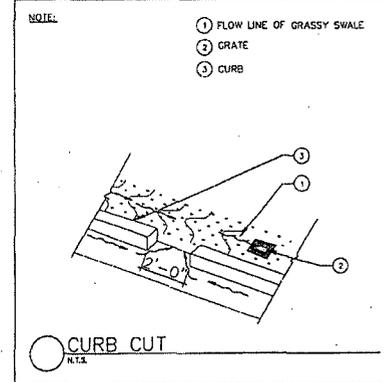
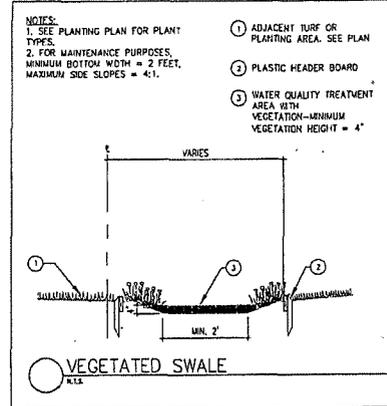
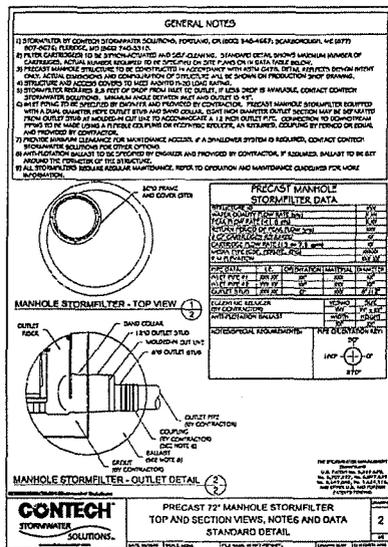
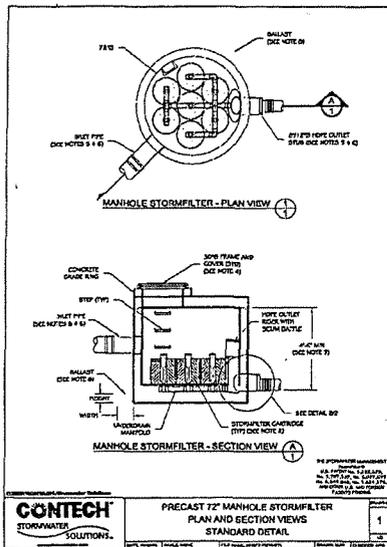
PDC07-070

CONCEPTUAL STORMWATER CONTROL PLAN

SHEET

S-1

JOB NUMBER  
3032.10



**StormFilter Unit Sizing**

The following steps for sizing the proposed StormFilter units are taken from the *Product Design Manual, Version 3.3*, released September 2005 by Stormwater Management, Inc. (product manufacturer). The Rational Method information contained in Step 1 is based on the methodology provided by the Santa Clara Valley Urban Runoff Pollution Prevention Program for calculating peak flow rates.

**Drainage Area A**

Step 1. Calculate the peak flow rate from the water quality storm ( $Q_{peak}$ ) for min site.

Use the Rational Method  $Q=CIA$  to solve for  $Q$ , given a rainfall intensity of 0.180 inches/hour, where  $Q$  = Flow (cubic feet/second),  $C$  = Runoff Coefficient,  $I$  = Rainfall Intensity (inches/hour), and  $A$  = Total Site Area (acres).

$C = .90$   
 $I = .180 \text{ in./hr.}$   
 $A = 45,500 \text{ sq. ft.} = 1.04 \text{ ac.}$

$Q = CIA = .90 \times .180 \text{ in/hr} \times 1.04 \text{ ac} = 0.17 \text{ cfs}$

Step 2 Calculate the number of cartridges required to treat the peak water quality flow rate ( $N_{car}$ ) for the site.

$N_{car} = Q_{peak} (440 \text{ gpm}) / Q_{car} (15 \text{ gpm})$

Note:

- Assume  $Q_{car} = 15 \text{ gpm}$ , which is the maximum flow rate that an individual cartridge can treat.
- If the number of cartridges is not a whole number, round the number of cartridges up to the next whole number.

$N_{car} = (0.17 \text{ cfs}) \times (440 \text{ gpm} / 15 \text{ gpm}) = 5.1 \approx 6 \text{ cartridges}$

Summary: Total Number of Cartridges = 6  
 StormFilter Configuration = 72" Manhole StormFilter unit

**Vegetated Treatment Swales**

Sizing calculations were prepared in order to establish the minimum required treatment flow in the vegetated swales for maximum pollutant removal. The calculation method used is consistent with the flow hydraulic design method contained in Provision C.3 of the NPDES Permit and the City of San Jose Post-Construction Urban Runoff Management Policy No. 6-29, which is based on rainfall produced by a rain event equal to at least two times the 85<sup>th</sup> percentile hourly rainfall intensity for the applicable area, based on historical records of hourly rainfall depth (copies of the swale design criteria and methodology from the Santa Clara Valley Urban Runoff Pollution Prevention Program's C.3 Handbook are contained in Appendix B). The calculations include the following assumptions:

Runoff Coefficient (C) 0.90  
 Rainfall Intensity (I) 0.180 in/hr (based on a correction factor of 1.08 applied to the SCURPPP rainfall intensity of .17 in./hr. for the San Jose Airport gage)

Swale Longitudinal Slope 1%  
 Manning's n Value 0.20  
 Vegetation Height (Treatment Depth) 4'

**Drainage Area 1**

Total Site Area = 11,025 sq. ft. = .25 ac.

- Runoff Determination: Use the Rational Method  $Q=CIA$  to solve for  $Q$ , given a rainfall intensity of 0.180 inches/hour, where  $Q$  = Flow (cubic feet/second),  $C$  = Runoff Coefficient,  $I$  = Rainfall Intensity (inches/hour), and  $A$  = Total Site Area (acres).
- Swale Longitudinal Slope: 1% or 0.01
- Vegetation Cover: Assume grass-lined swale
- Vegetation Height: Assume swale depth of 4 inches (0.34 feet)
- Manning's n Value: 0.20 (routinely-mowed grass-lined channels)
- Cross-sectional Shape of Swale: Typical swale cross-section is parabolic or trapezoidal in shape. 4-inch (0.34ft.) flow depth allows a rectangular cross-sectional approximation.
- Use Manning's Equation  $Q = 1.49/n \times R^{2/3} \times S^{1/2} \times A$  to determine minimum swale width (B), where  $Q$  = Flow,  $n$  = Manning's n,  $R$  = Hydraulic Radius ( $= A/[D+2y]$ ) for rectangular channels, and  $y$  = Flow Depth.
- Flow Velocity = Runoff / Cross-sectional Area =  $Q / A = .038 \text{ cfs} / (0.34 \text{ ft.} \times .52 \text{ ft}) = 0.20 \text{ ft/sec.}$
- Minimum Swale Length = Velocity x Detention Time (Using Urban Runoff Quality Management Manual Guidelines - p. 195), assume detention time of 7 minutes ( $\approx 20$  seconds) =  $.20 \text{ ft/sec.} \times 420 \text{ seconds} = 84 \text{ ft.}$
- Swale Size (surface area) = swale length x swale width =  $84 \text{ ft.} \times .52 \text{ ft.} = 43.7 \text{ sq. ft.}$

**Drainage Area 2**

Total Site Area = 9,750 sq. ft. = .22 ac.

- Runoff Determination: Use the Rational Method  $Q=CIA$  to solve for  $Q$ , given a rainfall intensity of 0.180 inches/hour, where  $Q$  = Flow (cubic feet/second),  $C$  = Runoff Coefficient,  $I$  = Rainfall Intensity (inches/hour), and  $A$  = Total Site Area (acres).
- Swale Longitudinal Slope: 1% or 0.01
- Vegetation Cover: Assume grass-lined swale
- Vegetation Height: Assume swale depth of 4 inches (0.34 feet)
- Manning's n Value: 0.20 (routinely-mowed grass-lined channels)
- Cross-sectional Shape of Swale: Typical swale cross-section is parabolic or trapezoidal in shape. 4-inch (0.34ft.) flow depth allows a rectangular cross-sectional approximation.
- Use Manning's Equation  $Q = 1.49/n \times R^{2/3} \times S^{1/2} \times A$  to determine minimum swale width (B), where  $Q$  = Flow,  $n$  = Manning's n,  $R$  = Hydraulic Radius ( $= A/[D+2y]$ ) for rectangular channels, and  $y$  = Flow Depth.
- Flow Velocity = Runoff / Cross-sectional Area =  $Q / A = .038 \text{ cfs} / (0.34 \text{ ft.} \times .52 \text{ ft}) = 0.20 \text{ ft/sec.}$
- Minimum Swale Length = Velocity x Detention Time (Using Urban Runoff Quality Management Manual Guidelines - p. 195), assume detention time of 7 minutes ( $\approx 20$  seconds) =  $.20 \text{ ft/sec.} \times 420 \text{ seconds} = 84 \text{ ft.}$
- Swale Size (surface area) = swale length x swale width =  $84 \text{ ft.} \times .52 \text{ ft.} = 43.7 \text{ sq. ft.}$

DATE	03/30/07
SCALE	AS SHOWN
DESIGNED BY	ML/BC
DRAWN BY	ML/BD
CHECKED BY	MC/WJR
PROJECT NUMBER	324
FILE	

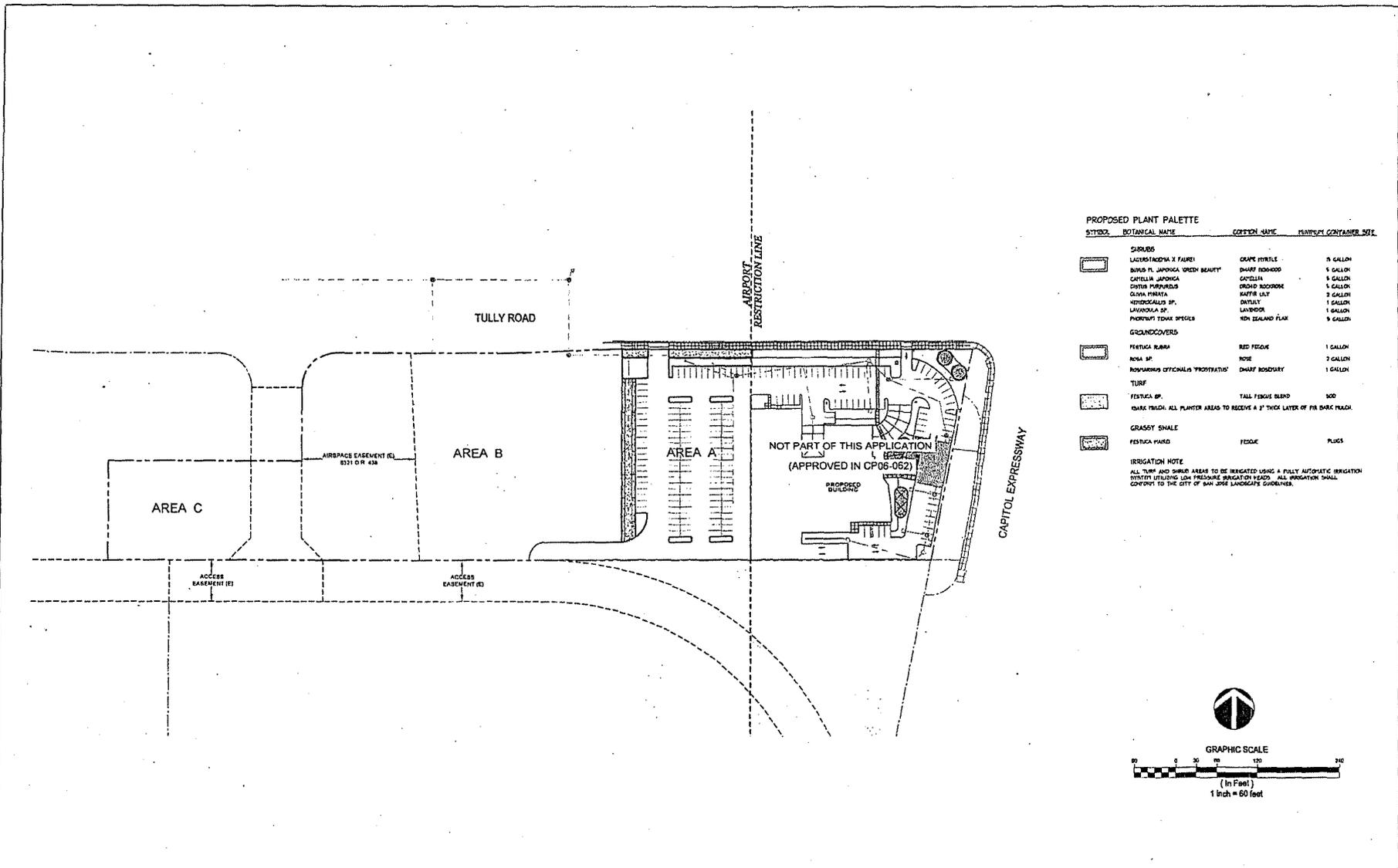
General Growth Properties, Inc.  
 1 Eastridge Mall  
 San Jose, CA 95122



GENERAL DEVELOPMENT PLAN - EXHIBIT C  
 PDC07-070  
 CONCEPTUAL STORMWATER CONTROL PLAN

SHEET  
 S-2  
 JOB NUMBER  
 3032.10

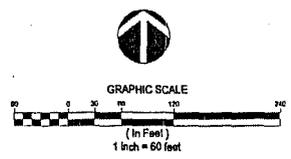




**PROPOSED PLANT PALETTE**

SYMBOL	BOTANICAL NAME	CULTIVAR NAME	PLANT/PLANTER CONTAINER SIZE
<b>SHRUBS</b>			
[Symbol]	LACINIA STRATA 'FABRIE'	GRACE HYDRILE	5 GALLON
[Symbol]	BUNUS FL. JAPONICA 'GREEN BEAUTY'	DAWFY REDWOOD	5 GALLON
[Symbol]	CAMELIA JAPONICA	CATELINA	5 GALLON
[Symbol]	COTONEASTER SP.	GRAND BUCKROSE	5 GALLON
[Symbol]	OLIVA FERRATA	KAFFIR OLEIF	3 GALLON
[Symbol]	HYDRANGEA SP.	DAWLEY	5 GALLON
[Symbol]	LANCENIA SP.	LANCENIA	5 GALLON
[Symbol]	PHORADENDRON SPECIES	NEW ZEALAND FLAX	5 GALLON
<b>GROUNDCOVERS</b>			
[Symbol]	FESTUCA RUBRA	RED FESCUE	1 GALLON
[Symbol]	ROSA SP.	ROSE	3 GALLON
[Symbol]	ROMANENSIS OFFICINALIS 'PROSTRATUS'	DAWFY ROSEMARY	1 GALLON
[Symbol]	TURF		
[Symbol]	FESTUCA SP.	TALL FESCUE BLEND	500
BASIC PAVING: ALL PLANTER AREAS TO RECEIVE A 2" THICK LAYER OF FIBER PAVING.			
[Symbol]	GRASSY SHALE		
[Symbol]	FESTUCA PAVED	FESCUE	PLUGS

**IRRIGATION NOTE**  
 ALL TURF AND SHRUB AREAS TO BE IRRIGATED USING A FULLY AUTOMATIC IRRIGATION SYSTEM UTILIZING LOW PRESSURE DRAGGAGE HEADS. ALL IRRIGATION SHALL CONFORM TO THE CITY OF SAN JOSE LANDSCAPE GUIDELINES.



Δ		
Δ		
Δ		
Δ	ML	2.28.05 PER PUBLIC WORKS COMMENTS
Δ	ML	1.33.08 PER CITY COMMENTS
Δ	ML	11.22.07 PER CITY COMMENTS & ADDITIONAL LOT
BY	DATE	REVISIONS

General Growth Properties, Inc.  
 1 Eastridge Mall  
 San Jose, CA 95122

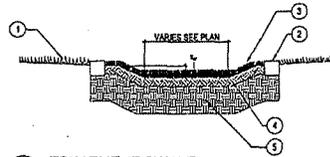
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 SCALE: 1"=60'  
 DESIGNED: ML/PJG  
 DRAWN: ML/PJG  
 CHECKED: MKR  
 PROJ. ENGR: ZJJ  
 FILE: 303210CL.dwg

**HMH**  
 LANDSCAPE ARCHITECTURE  
 1570 Oakland Ave.  
 San Jose, CA 95131  
 ph: (408) 487-2200  
 fx: (408) 487-2222  
 www.hmhlandscape.com

GENERAL DEVELOPMENT PLAN - EXHIBIT C  
 PDC07-070  
 CONCEPTUAL LANDSCAPE PLAN

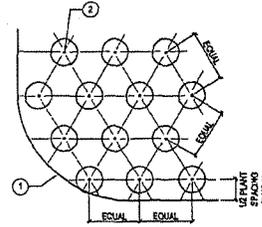
SHEET  
**L1**  
 JOB NUMBER  
**3032.10**

- NOTES:  
 1. SEE LANDSCAPE PLANS FOR PLANT TYPES.  
 2. FOR MAINTENANCE PURPOSES, MAXIMUM SIDE SLOPES = 4:1.
- ① ADJACENT TURF OR PLANTING AREA (SEE LANDSCAPE PLANS)
  - ② HEADS SEE LANDSCAPE PLANS FOR TYPE AND LOCATION(S)
  - ③ WATER QUALITY TREATMENT AREA WITH VEGETATION (SEE NOTE 1)
  - ④ AMENDED TOPSOIL
  - ⑤ NATIVE GRADE OR CERTIFIED SUBGRADE



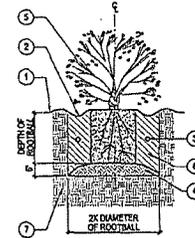
**C TREATMENT SWALE**  
SCALE: NOT TO SCALE

- NOTES:  
 1. ALL PLANTS TO BE PLANTED AT EQUAL SPACING TRIANGULATED UNLESS OTHERWISE INDICATED ON PLANS.  
 2. INFILL PLANTS AS REQUIRED TO MAINTAIN SPACING AT IRREGULAR EDGES.
- ① EDGE OF PLANTING AREA
  - ② TYPICAL PLANT SPACING VARIES SEE PLANTING LEGEND AND PLANS.



**B GROUNDCOVER PLANTING**  
SCALE: NOT TO SCALE

- NOTES:  
 1. ROOTBALL CROWN TO BE 1" ABOVE FINISHED GRADE.
- ① FINISHED GRADE
  - ② A SHALLOW BASIN 2" DEEP SHALL BE FORMED AROUND ROOTBALL BELOW FINISHED GRADE
  - ③ AGRIFORM PLANT TABLETS 2 PER 1 GALLON, 3 PER 3 AND 15 GALLON
  - ④ FOOT TAMP BASE
  - ⑤ SHRUB-SEE PLAN AND LEGEND FOR SIZE AND TYPE
  - ⑥ APPROVED BACKFILL THOROUGHLY MIXED PRIOR TO INSTALLATION
  - ⑦ NATIVE GRADE OR CERTIFIED COMPACTED SUBGRADE



**A SHRUB PLANTING**  
SCALE: NOT TO SCALE

BY	DATE	REVISIONS
Δ		
Δ		
Δ		
Δ	2.28.08	PER PUBLIC WORKS COMMENTS
Δ	1.20.06	PER CITY COMMENTS
Δ	11.20.07	PER CITY COMMENTS & ADDITIONAL LOT

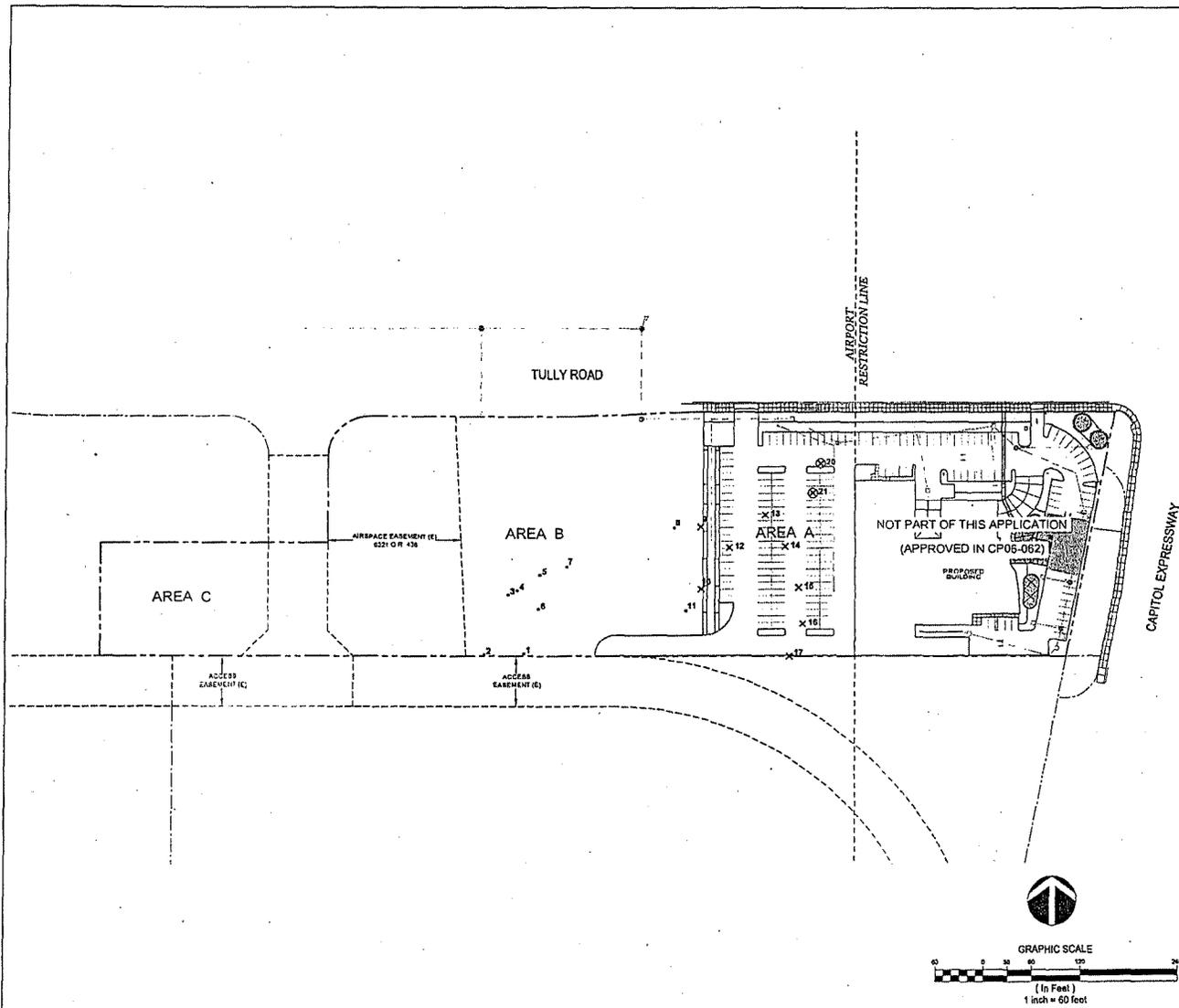
General Growth Properties, Inc.  
 1 Eastridge Mall  
 San Jose, CA 95122

DATE: 8.22.07  
 SCALE: 1"=60'  
 DESIGNED: ML/BS  
 DRAWN: ML/BS  
 CHECKED: MJW  
 PROJ. ENGR: ZJJ  
 FILE: 303210CL.dwg

**HMH**  
 LANDSCAPE ARCHITECTURE  
 1870 Oakland Rd.  
 San Jose, CA 95131  
 PH: (408) 487-2200  
 FX: (408) 487-2222  
 www.hmhlandscape.com

GENERAL DEVELOPMENT PLAN - EXHIBIT C  
 PDC07-070  
 CONCEPTUAL LANDSCAPE DETAILS

SHEET  
 L2  
 JOB NUMBER  
 3032.10



TREE PROTECTION LEGEND	
DESCRIPTION	SYMBOL
TREE APPROVED TO BE REMOVED	X1
TREE APPROVED TO BE REMOVED (AD 07-1015)	⊗21
TREE TO REMAIN	• 87

TREE MITIGATION SUMMARY	
TOTAL TREES TO REMAIN	9
TOTAL TREES TO BE RELOCATED	0
TOTAL TREES TO BE REMOVED/MITIGATED**	+ 8
TOTAL NUMBER OF TREES ON SITE	17

TREE MITIGATION MATRIX PER CSJ POLICY				
TOTAL NUMBER OF NATIVE TREES TO BE REMOVED	DBH	QTY	REPLACEMENT RATIO/SIZE	QUANTITY NEEDED
0	12" DIA.	-NA-	1:1 @ 15 GAL.	NONE
	17"-18" DIA.	-NA-	3:1 @ 24" BOX	NONE
	18" DIA.	-NA-	5:1 @ 24" BOX	NONE
0	12" DIA.	-NA-	1:1 @ 15 GAL.	00
	17"-18" DIA.	-NA-	3:1 @ 24" BOX	00
	18" DIA.	-NA-	5:1 @ 24" BOX	00
0	12" DIA.	-NA-	NONE	NONE
	17"-18" DIA.	-NA-	NONE	NONE
	18" DIA.	-NA-	3:1 @ 24" BOX	NONE

TOTAL NUMBER OF TREES REQUIRED TO MEET MITIGATION REQUIREMENTS ***	-NA-	15 GAL.
	+32	24" BOX
	=32 TOTAL TREES REQUIRED	

TOTAL NUMBER OF PROPOSED TREES (NOT INCLUDING LAND TREES)	0
TREE SHORTAGE OR SURPLUS	-32***

\* ORDNANCE TREE HAS A DIAMETER BREAST HEIGHT (DBH) OF 18 INCHES OR GREATER BREAST HEIGHT IS 4' ABOVE GRADE ON THE UPSHILL SIDE OF TREE.  
 \*\* TREE #, IS, IS PART REQUIRING REMOVAL AS PART OF THE PROJECT, THE GRADING PLAN WILL BE REVIEWED TO DETERMINE IF THESE TREES CAN REMAIN.  
 \*\*\* A FEE OF \$200 WILL BE GRANTED TO OUR CITY FOREST OR SAN JOSE BEAUTIFUL FOR EACH TREE THAT IS NOT MITIGATED ON-SITE PER THE INITIAL STUDY (INITIAL DESIGN) FOR THE GENERAL PLAN AMENDMENT AND REZONING.

EXISTING TREE SUMMARY

TREE NO.	COMMON NAME	DBH (AT 24")	ORDNANCE SIZE	HEALTH CONDITION
1	BLUE GUM EUCALYPTUS	34 INCH	Y	2
2	BLUE GUM EUCALYPTUS	34 INCH	Y	2
3	BLUE GUM EUCALYPTUS	33 INCH	Y	2
4	BLUE GUM EUCALYPTUS	33 INCH	Y	2
5	BLUE GUM EUCALYPTUS	27 INCH	Y	7
6	BLUE GUM EUCALYPTUS	31 INCH	Y	5
7	BLUE GUM EUCALYPTUS	13, 16, 11, 17, 14 INCH	Y	6
8	PERUVIAN PEPPER	47, 3, 4, 2, 4, 2 INCH	Y	3
9	PERUVIAN PEPPER	51 INCH	Y	2
10	PERUVIAN PEPPER	42, 5 INCH	Y	2
11	PERUVIAN PEPPER	50 INCH	Y	2
12	PERUVIAN PEPPER	35 INCH	Y	4
13	PERUVIAN PEPPER	31 INCH	Y	4
14	PERUVIAN PEPPER	38 INCH	Y	4
15	PERUVIAN PEPPER	46 INCH	Y	4
16	PERUVIAN PEPPER	49 INCH	Y	3
17	PERUVIAN PEPPER	35 INCH	Y	2
20	PERUVIAN PEPPER	32 INCH	Y	4
21	PERUVIAN PEPPER	45 INCH	Y	4

\* HEALTH CONDITIONS: HIGH = 7-10 = 70-100% HEALTHY FOLIAGE; MEDIUM = 4-6 = 40-60% HEALTHY FOLIAGE; LOW = 2-3 = 1-30% HEALTHY FOLIAGE; DEAD = 1

BY	DATE	REVISIONS
Δ		
Δ		
Δ	ML 2.26.08	PER PUBLIC WORKS COMMENTS
Δ	ML 1.23.09	PER CITY COMMENTS
Δ	ML 11.20.07	PER CITY COMMENTS & ADDITIONAL CT.

General Growth Properties, Inc.  
 1 Eastridge Mall  
 San Jose, CA 95122

DATE:	8.30.07
SCALE:	1"=60'
DESIGNED:	ML/MS
DRAWN:	ML/JC
CHECKED:	MLK
PROJ. ENGR:	2JJ
FILE:	30321COL-010

**HMH**  
 LANDSCAPE ARCHITECTURE  
 1970 Oakland Rd.  
 San Jose, CA 95131  
 PH: (408) 487-2200  
 F: (408) 487-2222  
 www.hmhlandscape.com

GENERAL DEVELOPMENT PLAN - EXHIBIT C  
 PDC07-070  
 TREE MITIGATION PLAN

SHEET  
 L3  
 JOB NUMBER  
 3032.10