

COUNCIL AGENDA: 11-9-10  
ITEM: 11.2



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Joseph Horwedel

**SUBJECT:** SEE BELOW

**DATE:** October 25, 2010

**COUNCIL DISTRICT:** 6  
**SNI:** NA

## TRANSMITTAL MEMO

File No. PDC08-061. Planned Development Rezoning from HI Heavy Industrial Zoning District to A(PD) Planned Development Zoning District to remove three existing warehouse buildings and allow up to 800 attached residential units and up to 30,000 square feet for commercial use on a 8.25 gross acre site.

The Planning Commission will hear this project on October 27, 2010. The memorandum with Planning Commission recommendations will be submitted under a different cover. We hope the submittal of this staff report is of assistance in your review of this project.

/s/

JOSEPH HORWEDEL, DIRECTOR  
Planning, Building and Code Enforcement

For questions please contact Mike Enderby at (408) 535-7843.

**STAFF REPORT**  
**PLANNING COMMISSION**

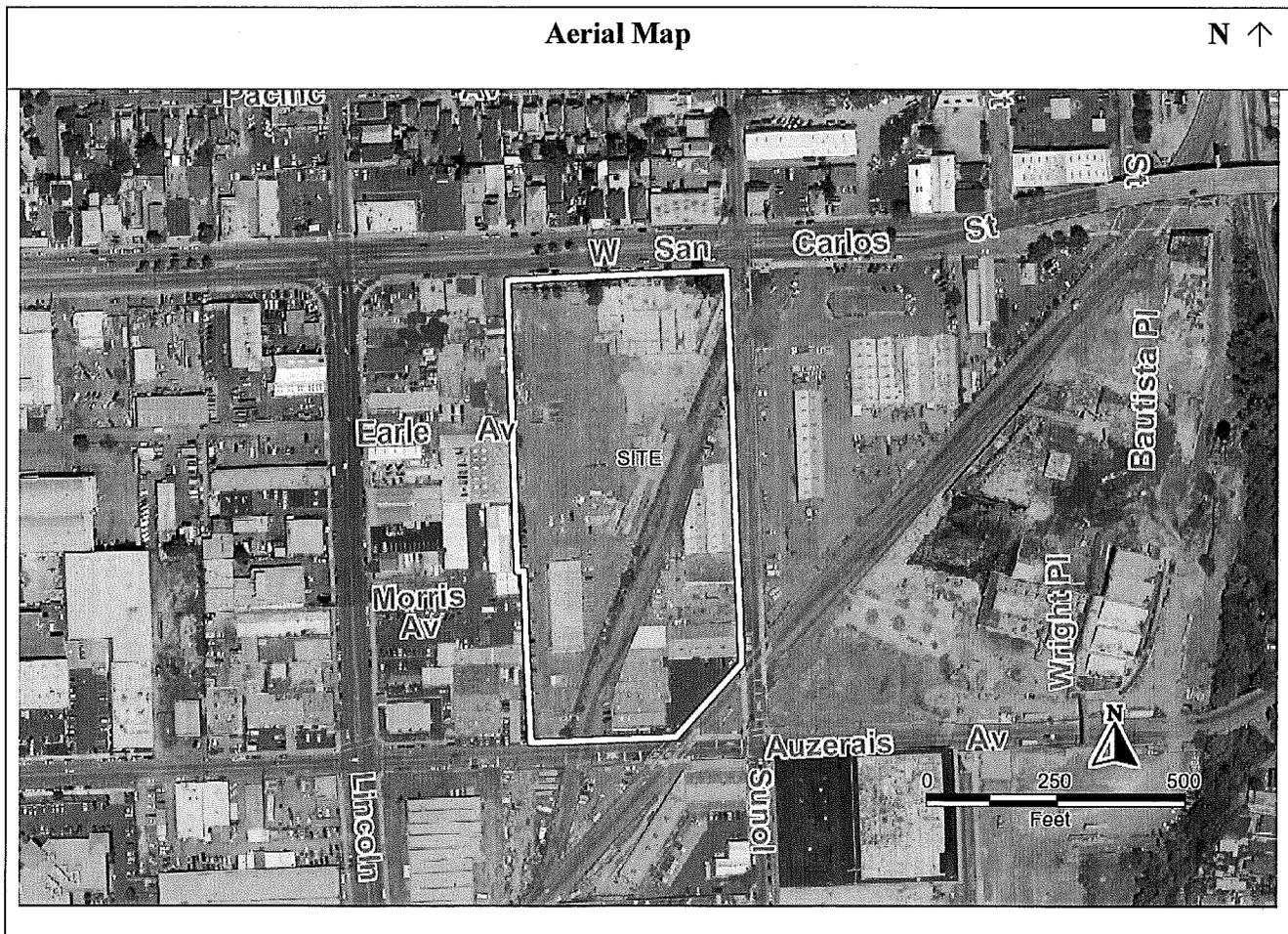
**FILE NO.:** PDC08-061

**Submitted:** November 3, 2008

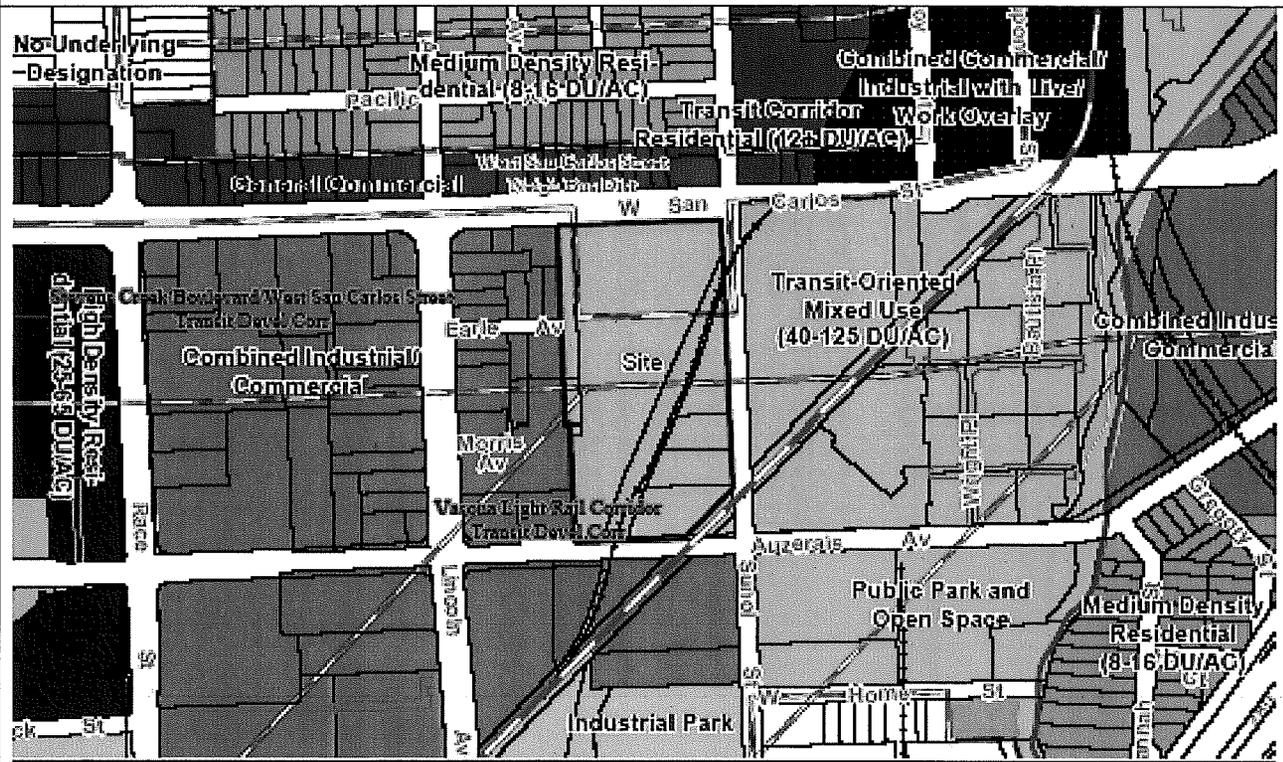
**PROJECT DESCRIPTION:** Planned Development Rezoning from the HI Heavy Industrial and Combined Industrial/Commercial Zoning Districts to A(PD) Planned Development Zoning District to allow the demolition of three existing warehouse buildings and allow up to 800 multi-family residential units and up to 30,000 square feet for commercial uses on an 8.25 gross acre site.

**LOCATION:** Southwest corner of W. San Carlos Street and Sunol Street (860 W. San Carlos Street).

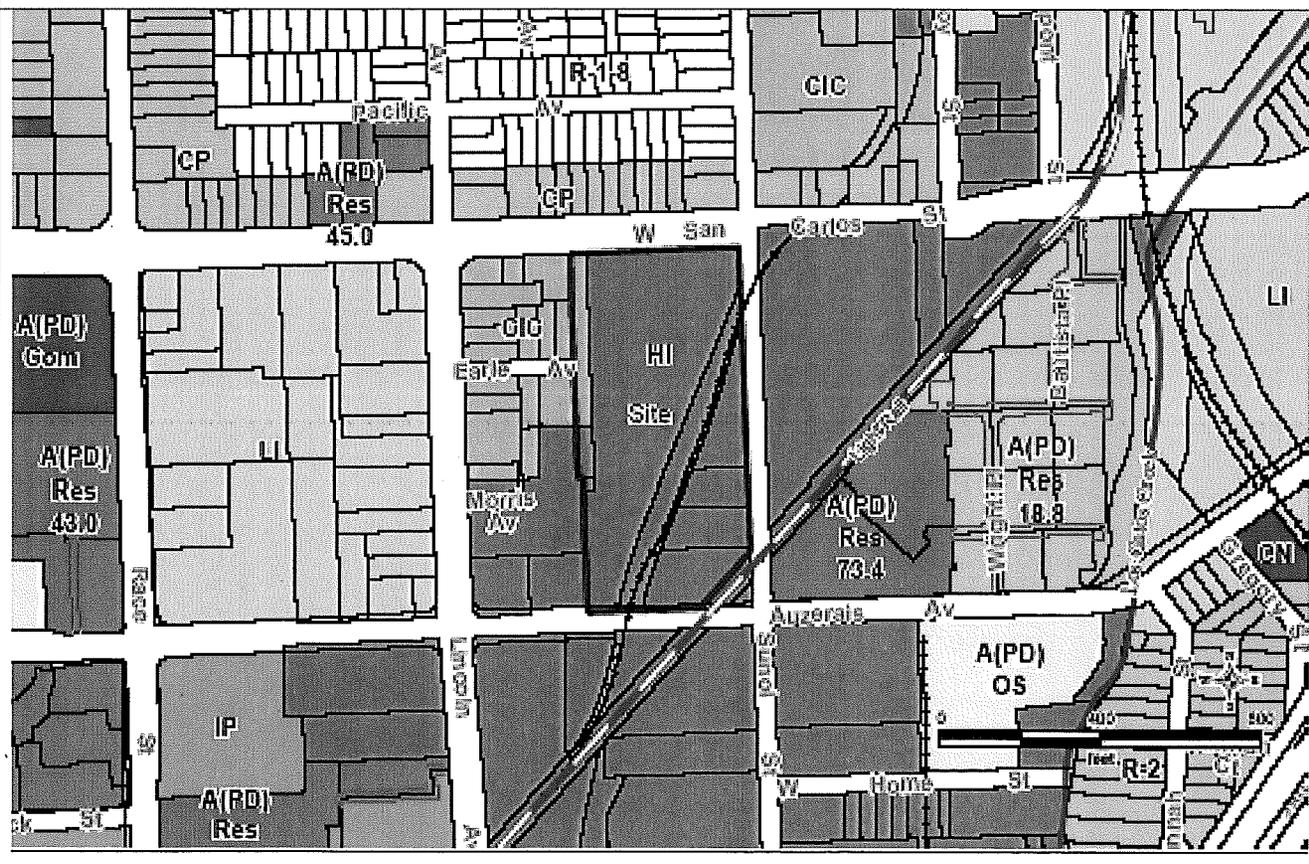
Existing Zoning	HI Heavy Industrial / CIC Combined Industrial Commercial
Proposed Zoning	A(PD) Planned Development
General Plan	Transit Oriented Mixed Use (40-125 DU/AC)
Council District	6
Annexation Date	October 14, 1925
SNI Area	Burbank/Del Monte
NBD	Stevens Creek/W. San Carlos
Historic Resource	N/A
Redevelopment Area	SNI
Specific Plan	Midtown Specific Plan



### GENERAL PLAN



### ZONING



## **RECOMMENDATION**

Planning staff recommends approval of the proposed Planned Development Rezoning for the reasons noted below.

1. The proposed project conforms to the Midtown Specific Plan, as amended in 2009 in that:
  - a. The project density is below the maximum of 125 DU/AC.
  - b. The project height is below the maximum allowable height of 150 feet.
  - c. The project does not propose a street wall that exceeds the 65 feet in height.
2. The proposed project conforms to the San Jose 2020 General Plan in that:
  - a. The proposed project conforms to the San Jose 2020 General Plan Land Use/Transportation Diagram designation of Midtown Planned Community-Vasona Mixed-Use Subarea to allow up to 800 single-family/multi-family attached residential units and up to 30,000 square feet of commercial uses.
  - b. The project conforms to the recently approved General Plan Text Amendment to the Midtown Planned Community (GP09-T-01) which allows further intensification of the site.
  - c. The project conforms to the Economic Development Major Strategy, as the changes will allow for revitalization of older industrial areas surrounding Downtown with new commercial uses.
  - d. The project furthers the goals and policies of the Housing Major Strategy by maximizing the high density infill housing opportunities near transit facilities.
  - e. The project conforms to Residential Land Use Policy No. 22, as the changes encourage the creation of a well-designed streetscape with integrated retail development towards planned and existing transit stops.
3. The project is in substantial conformance to the policies identified for Transit Oriented Development in the Residential Design Guidelines.

## **BACKGROUND AND PROJECT DESCRIPTION**

The applicant Green Republic and Barry Swenson Builder are proposing to rezone the subject property from from HI Heavy Industrial and Combined Industrial/Commercial Zoning Districts to A(PD) Planned Development Zoning District to allow for the demolition of three existing warehouse buildings and the construction of up to 800 multi-family attached residential units and up to 30,000 square feet for commercial use on a 8.25 gross acre site.

This property was the subject of a recent privately-initiated General Plan and Midtown Specific Plan Text Amendments (File GP09-T-01) as it relates to the 8.25 acre western portion of the Vasona Mixed-Use Subarea of the Midtown Planned Community to accommodate the following: 1) increase in density from 100 DU/AC to 125 DU/AC; 2) increase the maximum allowable height from 90 feet to 150 feet subject to FAA regulations; and 3) changes to the Vasona Mixed-Use subarea urban design guidelines, including increasing the maximum streetwall height limitation from 40 to 65 feet. These text amendment were approved by the City Council on December 1, 2009.

## Site and Surrounding Land Uses

The subject site is substantially vacant, but paved and partially developed with several industrial buildings. The site is located within the Midtown Specific Plan area and is bounded by existing streets on three sides including W. San Carlos to the north, Sunol Street to the east and Auzerais Avenue to the south. Existing light industrial and commercial uses are located to west. The Vasona Light Rail Corridor truncates the southeast corner of the site. Commercial uses of the West San Carlos Street Neighborhood Business District with residential neighborhoods beyond are located to the north across W. San Carlos Street. The closest single-family house is located over 250 feet to the north from the subject site.

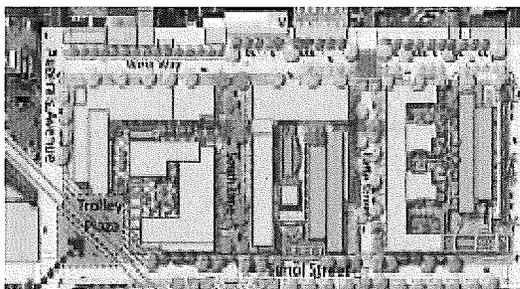
Industrial uses on property with a Land Use/Transportation Diagram designation of Mixed Use (Cheim Lumber Company) is located to the east across Sunol Street and is the other parcel that comprises the Vasona Subarea as defined in the Midtown Specific Plan. The 12.4 gross-acre former Del Monte Cannery site between the Light Rail Line and Los Gatos Creek has been developed by KB Homes with 383 multi family attached residential units with 6.7 gross acres of designated parkland is located across Auzerais Avenue to the south of the KB Homes site.

The project site is, or will be served by public transit options. The site is located on W. San Carlos Street which is served by VTA bus lines. Bus line #22 that serves the W. Carlos Street corridor is the most used heavily used line in the VTA system. There are plans for a future Bus Rapid Transit (BRT) for W. San Carlos Street which will connect Valley Fair to Downtown. The project site is located within 100 feet of the future LRT station between W. San Carlos Street and Auzerais Avenue and approximately 2,500 feet from the existing LRT station near the corner of Race Street and Parkmoor Avenue. In addition, the Diridon Commuter Rail Station is located within 2,650 feet (.5 mile) of the project via Sunol Street and The Alameda.

## Project Description

The project proposes to divide the site into three (3) blocks bounded by existing or proposed streets. A new public street (tentatively referred to as West Way) will be constructed along the western edge of the site and will connect W. San Carlos Street to Auzerais Avenue. Two new private streets, connecting West Way and Sunol Street will divide the site into three blocks.

The proposed Planned Development Zoning will allow a unit range of 680 to 800 residential units and a range of 24,000 to 30,000 square feet of commercial uses. As conceptually proposed, the project currently includes 707 residential units and 24,815 square feet of retail/commercial area. Each of the three blocks will be developed with a very urban style building mass with setbacks relatively close to the edge of the sidewalks. Generally, a continuous building wall extending to 65 feet tall is proposed along most edges of the blocks, except in areas for public plaza or courtyards.



Conceptual Site Plan

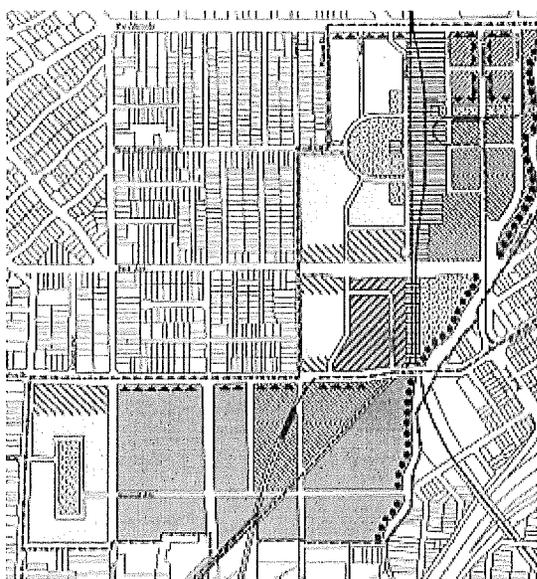
The block along W. San Carlos Street will be comprised of commercial uses at the ground floor that continue around the corner on Sunol Street. A small amount of commercial, approximately 2,755 square feet, will also be placed along Sunol Street at the south end of the site (Block C) near the existing light rail transit line. Each block will include one high-rise residential component that will have a footprint of roughly 20 percent of the block area. The two blocks closest to San Carlos Street, Blocks A and B, will include towers up to 150 feet tall or 15 stories, while Block C will include a tower up to 110 feet tall or 11 stories. Common open space areas within the middle of each block will be provided.

Parking will be provided within two level parking garages within each block. Street parking will also be provided along the existing and new public and private streets.

**History and Previous Planning Approvals**

The project site is located within the Midtown Specific Plan (MSP) which was approved by the City Council in 1992. The MSP calls for conversion of some of the older industrial lands in the area to high density residential and commercial uses to support the nearby residential, commercial, and Downtown areas in a manner that would be responsive to citywide and regional objectives, as well as local neighborhood considerations. The MSP encourages public investment in the development and expansion of regional commuter and light rail transit service which has substantially occurred since adoption of the Plan.

The MSP evaluated land uses and property utilization patterns in the area and provided a series of policy and implementation recommendations, including density ranges, height limitations and urban design guidelines, for transition to residential and supporting commercial uses. Before the MSP, the area predominately had non-residential uses. With the approval of the MSP by City Council in 1992, the subject site was originally given a land use designation of Transit Oriented Mixed Use (40-100 DU/AC). Previous development permits for site improvements and for warehouse structures were issued in 1989 and 1991.



Midtown Land Use Plan

- |   |  |                    |
|---|--|--------------------|
| High Density Residential (HDSH) (150-200 DU/AC)               | Conventional Commercial Industrial (Low/Mid Residential Overlay) (C3-LM) | Light Rail Transit |
| High Density Residential General Commercial Overlay (HDSH-GC) | Office/Shop/Hotel (OSH)  | College            |
| Transit-Oriented Mixed Use (TOMU) (70-100 DU/AC)              | Public Policy Overlay (PPO)  |                    |
| General Commercial (GC)                                       | Low-Gate Street Access   |                    |
| Conventional Commercial Industrial (CI)                       | Greenland Retail Overlay   |                    |

### City Council Approval of Recent General Plan/Specific Plan Amendment in 2009

As previously noted, the City Council recently approved on December 1, 2009, a General Plan Text Amendment (File GP09-T-01) request and change the text of the Midtown Specific Plan to increase height and density potential for the site. While there were considerable concerns raised by the area residents, these amendments were approved unanimously by the City Council. See link to video of previous hearing: [http://sanjose.granicus.com/ViewPublisher.php?view\\_id=22](http://sanjose.granicus.com/ViewPublisher.php?view_id=22)

At the public hearing, the City Council indicated that as part of the direction of the General Plan 2040 update, with respect to providing the future needed housing for the community, that high density housing sites that are not within existing single-family neighborhoods are potentially very valuable. Maximizing the density opportunities reduce the pressure for overly intensive infill development within existing residential neighborhoods, in hillside areas, and areas to be preserved for future employment lands. Several City Council members expressed interest in maximizing the commercial component of the future project to 30,000 square feet to strengthen employment opportunities, serve existing and new residents and strengthen the W. San Carlos Street Business District. They recognized that a new light rail station would not likely be built soon, but given the site's relatively good geographic position to the existing light rail station, the Diridon Station and adjacency to the future Bus Rapid Transit line on San Carlos Street that high density development at the subject location is highly encouraged.

### ANALYSIS

The purpose of the proposed Planned Development Zoning is to implement the current San Jose 2020 General Plan and Midtown Specific Plan. The development standards (see attachment) for the Planned Development Zoning set forth the basic parameters for the future development including the identification of allowed uses, setbacks and building height. They will also establish the parking requirements for the project in addition to open space requirements and required environmental mitigation. Should this rezoning be approved, a Planned Development Permit would subsequently be required. This Permit would focus on the finite design details of the architecture and refinement of the site plan in conformance with the adopted development standards.

The analysis section of this report focuses on the following key areas: 1) Conformance to the Midtown Specific Plan, 2) conformance to the San Jose 2020 General Plan, 3) the proposed site plan, 4) architecture, 5) interim uses, and 6) development of a new LRT station. The analysis also describes how the proposed project conforms to the recent Midtown Specific Plan Text Amendments and Transit Oriented Development Guidelines and other relevant sections of the City's Residential Design Guidelines.

### **Conformance to the Midtown Specific Plan**

The proposed project conforms to key elements of the Midtown Specific Plan (MSP), as recently amended in 2009 by the City Council. The recently approved General Plan Midtown Specific Plan Amendment increased the maximum density from 100 DU/AC to 125 DU/AC. The proposed Planned Development Zoning will allow a maximum of up to 800 units to be built with a density of 117 DU/AC. The conceptual plan proposed by the developer includes 707 units with a density of 104 DU/AC, well within the maximum allowed. Under the approved amendment, the maximum allowable height was increased from 90 feet to 150 feet. There are three towers proposed which will extend from 125 feet to

150 feet (one at 125 feet and two at 150 feet). The foot print of these towers will occupy only about 20 percent of the overall site. In accordance with the approved increase in the maximum street wall height from 50 feet to 65 feet, this project will conform to this limitation.

The project, located within the Vasona Subarea of the MSP, is well-suited for the introduction of higher density residential and/or commercial uses promoting transit patronage because of the reuse opportunities presented by major property holdings, the proximity of the Vasona LRT line, and the separation of the subarea from established single-family neighborhoods near West San Carlos Street.

### **Conformance to the San Jose 2020 General Plan**

The proposed Planned Development Zoning conforms to the General Plan Land Use/Transportation Diagram designation of Transit Oriented Mixed Use (40-125 DU/AC). The proposed project with a maximum potential of up to 800 units would equate to net density of 118 DU/AC. More specifically, the project as proposed under the conceptual plan with 707 units, would equate to a density of 104 DU/AC.

The proposed project also conforms to the relevant major strategies and policies of the General Plan as noted below.

Housing Major Strategy: This strategy seeks to maximize housing opportunities on infill parcels already served by the City and provide a wide variety of housing opportunities for new workers to encourage and support continued economic development. The housing strategy encourages new housing within the City's existing Urban Service Area and higher density residential development particularly near transit facilities.

*The proposed project will encourage the development of new housing units adjacent to neighborhood services, recreation, and transit. The applicant's proposal to allow high density housing mixed with commercial opportunities and a community plaza on this site is consistent with the General Plan Housing Major Strategy, as well as housing goals and policies for providing a variety of opportunities to meet the housing needs of all residents in the City. This project would be subject to the City's Inclusionary Housing Ordinance for up to 20% of the units as affordable or equivalent measures as allowed.*

Economic Development Strategy: The purpose of the economic development strategy is to maximize the City's ability to provide adequate urban services to residents. High density residential land uses should be placed in areas that have good access to employment sources and in areas that will support existing commercial areas such as the Downtown and neighborhood business districts.

*The proposed project would be a catalyst for new private investment in the Midtown Specific Plan and the San Carlos Neighborhood Business District. This investment would facilitate the reuse of this key site near transit for a mix of housing and retail consistent with the General Plan. Development on this site would provide additional customers in close proximity to existing and proposed commercial uses; thereby internalizing vehicle trips and maintaining and/or strengthening the economic viability of neighborhood businesses and those downtown.*

Growth Management Major Strategy: The purpose of a growth management strategy is to find the delicate balance between the need to house new populations and the need to balance the City's budget, while providing acceptable levels of service. Urban conservation/preservation and greenline/urban growth boundary strategies support growth management strategies by striving to maintain and improve

levels of service for existing neighborhoods, and encouraging urban development where it can be reasonably accommodated in areas where urban services can be efficiently provided.

*The proposed project will facilitate the high density development on a significant infill opportunity site in an urban area. Unlike development at the fringe of the City, infill development can be more easily supported by existing infrastructure and facilities such as libraries, schools, parks, community centers and commercial amenities.*

Sustainable City Major Strategy. This strategy is a statement of the City's desire to become environmentally and economically sustainable. A city is sustainable when it is designed, constructed, and operated to minimize waste and efficiently manage its natural resources to conserve them for future generations. This strategy seeks to reduce traffic congestion, pollution, and environmental degradation of our living environment.

*Infill development utilizes previously developed urban land and reduces urban expansion into green space areas on the fringe of the City. By creating an opportunity for infill residential development in a highly urbanized area accessible by several transportation modes, the reliance on automobile is reduced and/or vehicle miles traveled can be reduced.*

Residential Land Use Policy No. 22: High density residential and mixed residential/commercial development located along transit corridors should be designed to: 1) create a pleasant walking environment to encourage pedestrian activity, particularly to the nearest transit stop, 2) maximize transit usage, 3) allow residents to conduct routine errands close to their residence, 4) integrate with surrounding uses to become a part of the neighborhood rather than an isolated project, 5) use architectural elements or themes from the surrounding neighborhood, and 6) ensure that building scale does not overwhelm the neighborhood.

*The proposed development standards were designed to encourage the creation of a well-designed and active streetscape along all project street frontages towards planned paths to existing transit stops. Retail and commercial development would be integrated into the W. San Carlos Street Neighborhood Business District, allowing residents to conduct routine errands within walking distance of their residences.*

#### Envision San Jose 2040 General Plan Update

Although not yet adopted, the Envision San Jose 2040 General Plan Update preferred scenario has an increased capacity of approximately 120,000 new dwelling units and 470,000 new jobs by the year 2040. The Update Task Force has extensively discussed the use of "hubs, corridors, and villages" as a means of promoting targeted infill development sites and distributing new development, including household-serving commercial uses, throughout the City in proximity to existing and future residents. See link for additional information: [http://www.sanjoseca.gov/planning/gp\\_update](http://www.sanjoseca.gov/planning/gp_update)

Building on the Update's goal for an interconnected city, the Task Force has discussed the importance of multi-modal transportation corridors linking a vibrant Downtown, high-intensity hubs, and local-serving neighborhood villages. The proposed zoning should be considered within this context and is consistent with the proposed Envision 2040 Plan.

## Site Plan

The conceptual site design for this project includes three urban blocks, which pursuant to the Midtown Specific Plan, will create a walkable environment with wide sidewalks throughout the project with good linkages to open space, commercial areas and transit opportunities. Further, the project will complement and extend adjacent residential and commercial areas already built within the Midtown Specific Plan. This proposed site plan has also been evaluated with respect to the Transit Oriented Development (TOD) policies and other relevant recommendations within the City's Residential Design Guidelines (RDG). This project is deemed to be in conformance with the aforementioned guidelines. See link: [http://www.sanjoseca.gov/planning/pdf/dg\\_residential.pdf](http://www.sanjoseca.gov/planning/pdf/dg_residential.pdf)

### *Relationship to Streets*

The project has been carefully thought out to provide a good project relationship to the street and the creation of an attractive streetscape. The project interface with San Carlos Street is of paramount importance. The ground level building interface with the public realm will be comprised of retail commercial. In this area, the sidewalks will range from 17 to 22 feet between the curb to building face in accordance with the Transit Oriented Development standards of the City's Residential Design Guidelines. The public right-of-way portion of the sidewalk will be 12 feet. This will afford generous opportunities to activate the streetscape with sidewalks cafes and/or outdoor display area while maintaining a comfortably wide pedestrian access. Office spaces, which typically close at 5:00 p.m. do not offer the same level of street activating characteristics as retail or restaurants, and are therefore limited to no more than 20% of the San Carlos Street building frontage. This street frontage will propose a unique oval-shaped, "signature building" at the corner of San Carlos Street and Sunol. There will be a 7,000 public plaza connected to the sidewalk that will provide further opportunities for outdoor dining and public gathering places.

Secondarily, the Sunol Street frontage provides an additional opportunity for commercial uses along at the street level. The continuity of commercial uses from San Carlos Street is maintained around the corner on Sunol Street with about 6,400 square feet in Block A (the street block at the north end of the project). As with the San Carlos Street frontage, the sidewalk along Sunol Street is wide, varying from about 17 feet to as much as 30 feet in areas where a sidewalk pop-out take the place of curb side parking.

The developer has indicated a concern about the overall amount of retail space that is viable with the project. Consequently, the ground level adjacent to Sunol Street is not comprised solely of commercial frontage. Block B, the middle block in the project, will create a semi-public courtyard adjacent to the public right-of-way. A large community room and residential lobby will comprise the building activities adjacent to the sidewalk. Block C, at the south end of the project site, will include 2,755 square feet of commercial uses, and while not contiguous with the rest of the project's commercial space it is anticipated to be more transit-serving related commercial since this area is closest to the anticipated future light rail station. Block C will also include three live/work units on the Sunol Street frontage, but this Planned Development Zoning will provide the option for the later conversion of this space to more conventional retail area in the future.

The other project frontages are anticipated to see less traffic, as compared to W. San Carlos Street and Sunol Street and for this reason, ground floor residential uses are deemed to be acceptable. In accordance with the TOD design policies, wide sidewalks are provided. These range from 12 feet on the public streets and 10 feet on the proposed private streets. The semi-private patios for the residential units will be buffered from the sidewalk by a 3 feet (minimum width) landscape planter.

### *Parking*

The proposed parking requirements will reflect those set forth in the Zoning Ordinance for both the commercial and residential uses. All of the project's parking will be provided within (internal) common parking garages in each block. There will be a street level parking deck for Blocks A and C (the only two blocks with commercial uses) that will be dedicated to meeting the parking requirement for the commercial use. This street level parking garage is wrapped by commercial and/or residential uses so that it is not visible to the street. As identified in the Zoning Ordinance for projects within neighborhood business districts (NBDs), parking will be required at a rate of one space per 400 net square feet of tenant space for ground floor commercial uses.

The project also proposes one fully below grade level of parking for the benefit of the residential units. The garage access will be shared with the commercial parking level and will take access from the smaller new streets only, thereby not taking away opportunities to maximize the commercial frontage and minimizing conflicts with more well-travelled pedestrian sidewalks.

Residential parking is proposed at ratios consistent with those set forth in the Zoning Ordinance. These range from 1.35 per units for a studio to 2.15 for a 4 bedroom unit. These ratios take into consideration a 10% reduction which is allowed for projects within 2000' feet of transit facilities. The project does include some of the garage parking in a tandem configuration. In such cases, where a unit is assigned a parking space that is part of a tandem configuration, the parking requirement for that unit will be two parking spaces so that a set of tandem spaces is not shared by another unit. The 10% parking reduction will not apply to units assigned to tandem parking spaces. In the event that parking lifts are proposed, the parking requirement will be treated the same as for tandem parking.

This project will support approximately 99 curbside parking spaces along the existing public streets and the new streets within the project that, in most cases, currently do not exist. Curbside parking spaces are a desirable component to highly urban projects to provide opportunities for residential guest parking and additional parking for adjacent commercial tenants. This parking also provides a buffer between vehicle traffic on streets and the sidewalk to improve and enhance the pedestrian experience and safety. Given the significant overall amount of curbside parking proposed, staff feels that it is appropriate to give an exception (or credit) for the proposed curbside parking spaces towards meeting the overall parking requirements for the project.

Many of the participants at the most recent community meeting have raised concerns about giving credit for curbside parking as part of the parking requirement, but staff feels that in this instance, given that the proposed development is over 250 feet from well established single-family zoned properties to the north, across W. San Carlos Street, it is not likely that this project would impact streets in that area. The City does not typically give credit for any curbside parking on streets which include older, attached residential projects that may be under parked by current standards or in areas that demonstrate an already high demand for existing curbside parking spaces.

As a long term plan to help reduce traffic congestion and parking demands, the developer has agreed to provide a Valley Transportation Authority "Eco-Passes" (or equivalent passes) to all future property owners or tenants through year 2055.

### *Open Space*

This project will provide open space in accordance with the Residential Design Guidelines for podium cluster projects. This includes 60 square feet of private open space per unit (for at least 50% of the units). See attached development standards for complete information. In addition, the project will be required to

provide an average of 100 square feet of common open space per unit. Enclosed recreation space such as club houses or other indoor recreation areas may be included in this calculation. Since the outdoor plaza and courtyard area proposed are substantial and are likely to benefit both the residential and commercial components of the project, up to 50% of these area may be counted towards meeting the common open space requirement for the residential component.

Typically, for large projects such as this, the developer would be required to dedicate land on-site or pay in-lieu fees in accordance with the City Parkland Dedication Ordinance and Park Impact Ordinance (PDO/PIO). In this case, the developer has offered to place a Deed Restriction for 3.99 acres of adjacent property located at Auzerais and Sunol Streets to insure the land is dedicated for City Parkland. This will facilitate an expansion of the Del Monte Park. During the PD Permit process, the developer shall begin work with Planning, Public Works and Parks and Neighborhood Services and the District 6 Community on the design of Del Monte Park and construction Parks Agreement. The final land dedication by the Developer shall be determined in concurrence with the City's General Fund and its ability to maintain the parkland.

## Architecture

Since the proposed project is over 100 feet tall, the proposal was subject to review by the Architectural Review Committee (ARC). The ARC committee is made up of three (3) licensed architects with experience in high-rise development. They are hired by Planning Staff to provide a thorough critique in an open forum with staff and the developer of high rise development proposals and give design insight for consideration prior to formulating a recommendation on the project. This forum is also open to the public. The ARC held two meeting to discuss this project one on April 21, 2009 (prior to the General Plan Text Amendment/Midtown Specific Plan Amendment approvals) and on May 3, 2010 to address the City Council Direction from the approved amendments.

When first submitted in 2008, the project proposed three blocks, similar to the current site proposal, but each block was designed and oriented to look identical with an 18 story tower on each block. The primary concerns raised by the ARC at their first meeting included the following comments:

1. The repetitive character of each block should be avoided by staggering the location of the towers
2. There should be some variation in the height of towers.
3. The towers should be setback from the 65 foot streetwall.
4. The elevated courtyards (on second floor of initial proposal) would not be perceived as public. There should be more emphasis on creating larger and more visible public plazas.
5. There should be greater variation in the building height on the new north-south oriented street (tentatively named West Way)

The ARC was very pleased with the revised project design as presented at their second meeting on May 3, 2010. The revised design addressed most of the concerns that were previously raised. The use of three identical towers was eliminated and replaced with two towers. The tower on Block C, had been eliminated at that time. The number of units had been reduced from 800 to 647. It should be noted that neither Staff or the ARC asked the developer to reduce the density. The two remaining towers were reduced to below 150' per the height limitations set forth with the recently approved General Plan/Specific Plan Amendments. Although the two towers were structurally identical, the exterior elevations of each half of the tower were designed with a significantly different architecture design details. Since one of the towers was turned 180 degrees, no two elevations on the tower building facing

in the same direction would be similar. In addition, the footprint of the towers were staggered, with an offset of about 60 feet. Staff has included development standards to ensure that above noted design characteristics are followed at the Planned Development Permit stage.

There were concerns raised by one of the committee members of the ARC about the elimination of the third tower on Block C. It was stated that since this block is closest to the future potential light rail station, it should probably have more density. In reviewing the ARC comments and the direction provided by the City Council as part of the approval of the General Plan and Midtown Specific Plan Amendments, Staff encouraged the applicant to provide a third tower for the project on Block C; to restore the density to greater than 100 DU/AC. The applicant has since proposed an 11 story tower on Block C to maintain a good variety in the vertical characteristics of the overall project.

Overall, the applicant has significantly improved the project design on the street frontages to add to the vibrancy and attractiveness of the streetscape on W. San Carlos and Sunol Streets. The creation of the oval shaped anchor building at the corner, along with the large sidewalks and plazas, help to make this project a unique landmark that will be very inviting to pedestrians.

Additional fine-tuning should occur at Planned Development stage, per comments by the ARC to ensure good vertical variation of buildings along West Way and consider façade treatments to the towers so that the project maintains a residential character as opposed to that of an office tower.

#### **Interim Uses of Site During Phased Development**

It is expected that the development of this project will occur in three phases. Most likely, each block will be a separate phase. It is possible that the full build-out of the project may take many years. This being the case, the development standards for the project provide the opportunity for the continuance of existing light industrial uses in accordance with Policy 2.4 of the Midtown Specific Plan and other uses of the LI Light Industrial Zoning District, as amended, for blocks that are not included in active phases of development. Any modifications to industrial uses or buildings would be subject to a Planned Development Permit with potential landscape and sidewalks upgrades to ensure better compatibility with the proposed mixed-use development. Other interim uses of proposed blocks for parking may be allowed upon the issuance of a Planned Development Permit or construction staging for the subject development and/or off-site transit improvements.

#### **Development of a New LRT Station**

The previous General Plan Amendment and Midtown Specific Plan Amendments were approved to intensify development on the subject site, in part because the area is well served by Light Rail Transit (LRT) and there is potential for a LRT station in close proximity to the subject site. While such a new station would benefit the project, it can not be justified solely by its approval. Such a station will also greatly benefit other future developments in this area. It is estimated that a new station and related improvements could cost up to 8 million dollars and up to 15 million dollars if a second set of tracks are provided. Given the conclusions of the traffic report that was prepared as part of the EIR, there is not adequate nexus to require the developer to build the station, nor wait until such a station is built before new housing units within the project are ready to be occupied.

The developer has voluntarily agreed to contribute the sum of \$1,000,000 to be applied to the development and/or design and/or financing of the West San Carlos (WSC) station or other public transportation nodes that the City and VTA deem necessary.

### **ENVIRONMENTAL REVIEW**

An Environmental Impact Report (EIR) was certified as complete and in conformance with the California Environmental Quality Act (CEQA) on November 18, 2009. The EIR provided program-level environmental review appropriate for the consideration of text amendments to the *Midtown Specific Plan* and *San José 2020 General Plan* as well as project-level environmental review for the subject Planned Development Rezoning. The EIR identified the project would result in significant unavoidable transportation impacts, in depth in Chapter III of the EIR, and are briefly summarized below.

The project traffic would constitute one percent or more of freeway capacity on two of the freeway segments already operating at Level F: Highway 87 from I-280 to Julian Street, northbound during the AM peak hour and Highway 87 from Julian Street to I-280 southbound during the PM peak hour. In addition to freeway impacts, at a cumulative level, looking at the incremental effects of an individual project when viewed in connection with the effects of past, current and probable future projects, the proposed Planned Development Rezoning would contribute to a cumulative impact to the local intersection of Meridian Avenue and San Carlos Street, a protected intersection and result in significant impacts at four directional peak hour freeway segments.

The EIR analyzed several alternatives to the proposed project. The environmentally superior alternative for the purposes of CEQA (other than the No Development Alternative) is the Reduced Project Alternative, consisting of 600 residential units and 30,000 square feet of commercial or 400 residential units and 200,000 square feet of retail commercial space, which would eliminate the project's freeway impacts but not the cumulative local intersection impact. However, the applicant indicates this alternative may not be economically feasible.

The EIR also includes mitigation measures that would reduce any potentially significant project impacts to biological resources, cultural resources, geology and soils, hazards and hazardous materials and noise to a less-than-significant level. The mitigation measures will be included in the development standards of the Planned Development rezoning. The Final EIR (consisting of the Draft EIR and First Amendment) is available for review on the Planning web site at: <http://www.sanjoseca.gov/planning/eir/EIR.asp>.

### **PUBLIC OUTREACH/INTEREST**

The public process for this project has been ongoing over the past two years, beginning with the General Plan/Midtown Specific Plan Amendment process. These meetings always included the Planned Development Rezoning since this was concurrently filed. A sign was posted on-site to notify neighbors of the proposed development. Staff conducted several neighborhood meetings which included the applicant and, in some cases, a representative from the City Council District 6 Office, Planning Commissioners, representatives from other City Departments (Public Works and DOT) and outside agencies such as VTA. See below for list of meetings.

Community Meetings:

- March 18, 2009 Community Workshop/Meeting
- March 19, 2009 Community Workshop/Meeting
- May 6, 2009 Greater Gardner Coalition Neighborhood Advisory Committee Meeting
- May 28, 2009 Burbank Del Monte NAC Meeting
- April 21, 2009 Architectural Review Committee (ARC) Meeting
- June 1, 2009 Delmas Park NAC Meeting
- August 18, 2009 Neighborhood Roundtable
- November 4, 2009 Parks Commission
- November 12, 2009 Housing Commission
- February 25, 2010 Community Workshop/Meeting
- May 3, 2010 Architectural Review Committee (ARC) Meeting
- May 4, 2010 Community Workshop/Meeting
- August 30, 2010 Community Meeting
- October 6, 2010 Meeting with Neighborhood Leaders (Draft Development Standards)

Staff used several different workshop formats as part of the community meetings to provide the public a better opportunity to engage with various experts on different aspects of the design and/or development process. The developer has also met with several community groups (without Planning Staff) outside the meetings noted above. Information about the project, including the response to the questions from the community meetings are noted on the developer's website at [www.greenrepublicsj.com](http://www.greenrepublicsj.com).

The community meeting held on May 4, 2010 seemed to represent a key turning point in the general opinion of the neighborhood about the project. Although there was, and still is, great diversity about the concerns and issues related to this project, this meeting seemed to mark a general opinion shared by most of the meeting participants that the project had made huge positive strides in the overall design. The introduction of a unique oval shaped landmark building in conjunction with greatly improved façade architecture on the buildings and towers were well received. At this meeting the applicant's proposal also had eliminated the third tower (Block C) which reduced to the overall unit count from 800 to 647 equal to 95 DU/AC, a density that could have been permitted prior to the General Plan/Specific Plan Amendments, albeit the previous allowed maximum height was only 90 feet.

Staff had advocated at the following community meeting on August 4, 2010 that the project should take better advantage of the density opportunities afforded by the approval of the General Plan and Midtown Specific Plan Amendment in late 2009. The developer had modified the project plans prior to this meeting to restore a third tower that is approximately 4 stories lower than the other two towers. Several members of the community felt that this was a significant step backwards from the project presented at the earlier meeting. This higher density still remains a key point of contention with the neighborhood. Other concerns continue to be about the height, adequacy of parking, and traffic. Some community members have expressed to staff that they are supportive of the added density because of the potential improvements to the community that could result from the proposed development.

Notices for the public hearings on the were published in a local newspaper. This staff report is also posted on the City's Website. A notice of this Planning Commission public hearing and subsequent City Council hearing was mailed to the owners and tenants of all properties located within 1,000 feet of the project site and posted on the City and Developer's website. Staff has been available to respond to questions from the public.

## CONCLUSION

The key objective of this Planned Development Zoning should strive to take full advantage of the recently approved General Plan Text Amendments and Midtown Specific Plan Text Amendments to intensify this area of the Vasona Mixed-Use Subarea. Further, this project should build upon the key objectives already in place in the General Plan as previously described in this report.

This project is consistent with the General Plan, and all relevant development policies identified in the Midtown Specific Plan and the Transit Oriented Development policies contained within the City's Residential Design Guidelines. This project has been made better as a result of the significant public outreach and constructive comments from the neighborhood and the willingness of the developer to embrace the comments provided by staff and the Architectural Review Committee.

This project will help the City's economic growth, provide more affordable housing opportunities, shelter for a growing population, increased transportation capacity through increased transit use, and efficient delivery of urban services for the City. This development will also help strengthen the W. San Carlos Street TOD Corridor and the Neighborhood Business District and support the revitalization of Downtown by making it easier for new residents to access work, shopping and entertainment venues in the nearby Downtown area.

**Project Manager:** Mike Enderby **Approved by:**  **Date:** 10/10/10

Owner/Applicant:	Attachments:
Michael Van Every Republic Urban Properties 95 S. Market Street San Jose CA 95113  Ray Hashimoto HMH Engineers 1570 Oakland Road San Jose CA 95131	Development Standards Correspondence from Neighborhood (3) Public Works Memorandum Plans

**PDC08-061**  
**OHLONE MIXED USE PROJECT**  
**DEVELOPMENT STANDARDS (DRAFT)**  
**Rev. 10/20/10**

**The following notes are to be incorporated on the final General Development Plan upon City Council Approval. These notes shall replace and/or take precedence over all other notes currently identified on said plan(s).**

**USE ALLOWANCES:**

1. Residential development ranging from: 680-800 attached residential units. The project shall comply with the City's Inclusionary Housing Ordinance.
2. Commercial development range: 24,000 – 30,000 gross square feet.
3. Permitted, Special and Conditional uses of the CN Commercial Neighborhood District, as amended. Special and Conditional Uses of the CN Commercial Neighborhood District, as amended may be considered with a Planned Development Permit Amendment.
4. Uses of the LI Light Industrial Zoning District, as amended may be allowed on blocks that do not include new residential development as proposed. The continuance of existing legal industrial uses is allowed. Any modifications or expansions of such uses will be subject to a Planned Development Permit. Such permits may be subject to site, landscape and sidewalks upgrades to ensure better compatibility with the proposed residential development and to facilitate good pedestrian connectivity between Auzerais Avenue and W. San Carlos Street. Interim uses of proposed blocks for parking lots and/or other use consistent with Midtown Specific Plan Policy 2.4 may be allowed upon the issuance of a Planned Development Permit. Construction staging for the subject development and/or off-site transit improvements may also be allowed with a Permit Adjustment.

**DEVELOPMENT STANDARDS:**

**Division of Site into Three Blocks.** The project site shall be divided into three blocks, each bound by public or private streets. Block A shall be located closest to San Carlos Street, Block C shall be located closest to Auzerais Avenue, and Block B located between the aforementioned blocks. Private streets shall include public access easements and shall not be gated. In the event that the project is phased (i.e. only one or two blocks built at first phase), the sidewalks improvements to provide good pedestrian connectivity to Auzerais Avenue and W. San Carlos Street shall be built with the first phase.

All setbacks as described below are measured from the property line, except for building elements adjacent to the proposed internal private streets, where the setbacks are measured from the face of curb adjacent to the parking lane. The street names for the new street referenced in these development standard are tentative and subject to final approval at the Tentative Map stage. Wide sidewalks shall be provided throughout the project to facilitate generous clearance for pedestrians and also opportunities for sidewalk cafes and/or outdoor displays, where adjacent to commercial frontages.

**Block A:**

*Maximum/Minimum Height:* A residential tower shall be provided that encompasses 10-25% of the block foot print shall be provided. This tower shall be between 140 and 150 feet (11-15 stories above grade). All other buildings shall be limited to 65 feet (max.), except that minor roof top appurtenances such as stairwells, equipment screens, elevator towers, etc. placed more than 5 feet from the streetwall may extend up to 80 feet (max.). An "FAA Determination of No Hazard" shall be obtained prior to the issuance of a Building Permit.

*San Carlos Street Setback:* 5' minimum (excluding minor architectural projections such as, but not limited to, awnings, fins signs, and balconies). At least 75 percent of the frontage shall have buildings where the first floor is within 10 feet of the minimum setback line. The tower shall have a minimum/maximum setback of 20/25 feet for at least 70% of the building face oriented towards this street. There shall be a minimum 17-foot wide sidewalk (combination of public and private) between building and face of curb. No setbacks shall apply to fully depressed parking garages.

*Sunol Street Setback:* 5' minimum (excluding minor architectural projections such as, but not limited to, awnings, fins signs, and balconies). At least 35 percent of the frontage shall have buildings where the first floor is within 10' of the minimum setback line. The tower shall have a minimum setback of 80 feet. There shall be a minimum 16 sidewalk (combination of public and private) between building and face of curb. No setbacks shall apply to fully depressed parking garages.

*Earle Avenue Extension (New Private Street) Setback :* 20' minimum for building (12' for private or semi-private open space) from face of parking lane curb. The maximum building setback shall not exceed 30 feet. There shall be at least 3 linear feet of landscaping between the sidewalk and all private or semi-private open space areas. The tower shall have a minimum setback of 100 feet. There shall be a minimum 10' sidewalk (combination of public and/or private) between building and face of curb. No setbacks shall apply to fully depressed parking garages.

*West Street (New Street) Setback:* 10' minimum (excluding minor architectural projections such as, but not limited to, awnings, fins signs, and balconies). At least 50 percent of the frontage shall have buildings where the first floor maintain a 15' maximum setback. The tower shall have a minimum/maximum setback of 20/25 feet respectively for at least 50% of the building face oriented towards this street. There shall be a minimum 14' sidewalk (combination of public and private) between building and face of curb. No setbacks shall apply to fully depressed parking garages.

*Use Restrictions:*

1. The ground floor frontages along San Carlos Street and Sunol Street shall be comprised of only commercial uses such as restaurants, retail, and personal services. Office uses, shall be limited to no more than 20% of the commercial frontage on San Carlos Street, and no more 50% of the Sunol frontage.
2. Garage access shall be limited to Earle Street and West Street.

3. The street level residential interface with Earle Avenue shall be comprised of units with direct individual access to the street including stoops and semi-private open space.
4. Commercial loading spaces may be provided along the curb of public or private streets.
5. A single, open plaza area, with direct access to San Carlos Street and Sunol Street shall be provided. This plaza shall be at least 5,000 square feet.
6. Parking lanes along private streets shall include sidewalks pop-outs (i.e. sidewalk areas without parking that extend to the edge of the travel lane) with a combined total length of at least 100 feet per street.

**Block B:**

*Maximum/Minimum Height:* A residential tower shall be provided that encompasses 10-25% of the block foot print shall be provided. This tower shall be between 140 and 150 feet (11-15 stories above grade) and shall be offset from that of Block A. All other buildings shall be limited to 65 feet (max.), except that minor roof top appurtenances such as stairwells, equipment screens, elevator towers, etc. placed more than 5 feet from the streetwall may extend up to 80 feet (max.). An "FAA Determination of No Hazard" shall be obtained prior to the issuance of a Building Permit.

*Sunol Street Setback:* 10' minimum (excluding minor architectural projections such as, but not limited to, awnings, fins signs, and balconies). The tower shall have a minimum / maximum setback of 10-20 feet respectively for at least 50% of the building face oriented towards this street. There shall be a minimum 16 foot sidewalk (combination of public and private) between building and face of curb. No setbacks shall apply to fully depressed parking garages.

*Earle Avenue Extension (New Private Street) Setback :* 20' minimum for building, excluding stairs to podium level, (12' for private or semi-private open space) from face of parking lane curb. The maximum building setback shall not exceed 30 feet. There shall be at least 3 linear feet of landscaping between the sidewalk and all private or semi-private open space areas. The tower shall have a minimum/maximum setback of 30/40 feet respectively for at least 70% of the building face oriented towards this street.. There shall be a minimum 10' sidewalk (combination of public and/or private) between building and face of curb. No setbacks shall apply to fully depressed parking garages.

*West Street (New Street) Setback:* 10' minimum. At least 60 percent of the frontage shall have buildings where the first floor maintain a 15' maximum setback. of the total buildings (1<sup>st</sup> floor) facing this street shall maintain a 15' maximum setback. The tower shall have a minimum setback of 80 feet. There shall be a minimum 14' sidewalk (combination of public and private) between building and face of curb. No setbacks shall apply to fully depressed parking garages.

*South Lane (New Street) Setback:* 20' minimum for building (12' for private or semi-private open space) from face of parking lane curb. The maximum building setback shall not exceed 30 feet. There shall be at least 3 linear feet of landscaping between the sidewalk and all private or semi-private open space areas. The tower shall have a minimum setback of 100 feet. There shall be a minimum 10' sidewalk (combination of public and/or private) between building and face of curb. No setbacks shall apply to fully depressed parking garages.

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### *Use Restrictions:*

1. The ground floor frontages along Sunol Street shall be comprised of commercial uses or residential common use areas such as, but not limited to community rooms, recreation rooms, or lobbies.
2. No individual residential units shall be located on the ground floor adjacent to Sunol Street.
3. Garage access shall not be allowed from Sunol Avenue.
4. The street level residential interface with Earle Avenue and South Lane shall be comprised of units with direct individual access to the street including stoops and semi-private open space.
5. Parking lanes along private streets shall include sidewalks pop-outs (i.e. sidewalk areas without parking that extend to the edge of the travel lane) with a combined total length of at least 100 feet per street.

### **Block C:**

*Maximum/Minimum Height:* A residential tower shall be provided that encompasses 10-25% of the block foot print shall be provided. This tower shall be between 110 and 130 feet (10-11 stories above grade). All other buildings shall be limited to 65 feet (max.), except that minor roof top appurtenances such as stairwells, equipment screens, elevator towers, etc. placed more than 5 feet from the streetwall may extend up to 80 feet (max.). An "FAA Determination of No Hazard" shall be obtained prior to the issuance of a Building Permit.

*Sunol Street Setback:* 10' minimum (excluding minor architectural projections such as, but not limited to, awnings, fins signs, and balconies). At least 50 percent of the total buildings (1<sup>st</sup> floor) facing this street shall maintain a 15 foot maximum setback. The tower shall have a minimum setback of 80 feet. There shall be a minimum 16 sidewalk (combination of public and private) between building and face of curb. No setbacks shall apply to fully depressed parking garages.

*Auzerais Avenue Setback:* 5' minimum for building, 3' for patios or other private/semi-private open space. There shall be at least 3 linear feet of landscaping between the sidewalk and all private or semi-private open space areas. At least 60 percent of the total buildings (1<sup>st</sup> floor) facing this street shall maintain a 15' maximum setback. The tower shall have a minimum/maximum setback of 5/25 feet respectively. There shall be a minimum 12' sidewalk (combination of public and private) between building and face of curb. No setbacks shall apply to fully depressed parking garages.

*South Lane (New Street) Setback:* 20' minimum for building (12' for private or semi-private open space) from face of parking lane curb. The maximum building setback shall not exceed 30 feet. There shall be at least 3 linear feet of landscaping between the sidewalk and all private or semi-private open space areas. The tower shall have a minimum setback of 100 feet. There shall be a minimum 10' sidewalk (combination of public and/or private) between building and face of curb. No setbacks shall apply to fully depressed parking garages.

*West Street (New Street) Setback:* 10' minimum for building, 3' for patios or other private/semi-private open space. There shall be at least 3 linear feet of landscaping between the sidewalk and all private or semi-private open space areas. At least 60 percent frontage shall have buildings where the first floor maintain a 15' maximum setback. The tower shall have a minimum/

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maximum setback of 10/25 feet respectively. There shall be a minimum 12' sidewalk (combination of public and private) between building and face of curb. No setbacks shall apply to fully depressed parking garages.

*Light Rail Transit R-O-W Setback:* 10 feet minimum

*Use Restrictions:*

1. Block C must maintain at least 2,500 square feet of commercial uses facing Sunol Street.
2. No more than three (3) live/work units and one (1) residential unit shall be located on the ground floor facing the Sunol. The residential unit entrance and open space shall orient toward the proposed private street.
3. The street level residential interface with South Lane shall be comprised of units with direct individual access to the street including stoops and semi-private open space.
4. A single, open plaza area, with direct access to Auzerais Avenue and Sunol Street shall be provided. This plaza shall be at least 4,000 square feet.
5. Parking lanes along private streets shall include sidewalks pop-outs (i.e. sidewalk areas without parking that extend to the edge of the travel lane) with a combined total length of at least 100 feet per street.

**ARCHITECTURE:** The project shall use high quality materials and finishes. The footprints of the three towers shall be staggered as noted in the setback standards. Façade designs oriented toward the same direction shall be treated so that there is adequate variation to avoid a similar appearance for each tower. Façades with ground floor residential uses, shall be substantially articulated with stoops, individual unit entrances, and/or common building entrances to help activate the appearance of the streetscape to the satisfaction of the Director of Planning at the Planned Development Permit stage.

**PARKING REQUIREMENTS:** No outdoor surface parking, except along streets, shall be allowed anywhere on the project site. Bicycle parking shall be provided for each block in accordance with the Title 20 (Zoning Ordinance) requirements, as amended.

RESIDENTIAL.

Note: The table below includes a 10% reduction from the standard Zoning Ordinance parking requirements for uses in close proximity to transit. An alternating parking arrangement may be considered at the Planned Development Permit stage for partial use of surplus commercial parking areas within parking garages.

Unit Type	Requirement
Studio	1.35 per unit
1 Bedroom	1.35 per unit
2 Bedroom	1.62 per unit
3 Bedroom	1.8 per unit
Additional Bedrooms	.135 per unit
Live/Work Unit	Based on bedroom count only
Units coupled with tandem parking or parking lifts	2.0 unit

Parking Exception for Street Parking: The overall residential and commercial parking requirement may be reduced by up to 10%, at the discretion of the Director of Planning at the Planned Development Permit stage, provided that the developer can demonstrate that adequate street parking along the public and private street frontages of the project (including both side of West Way) is provided in accordance with the standards identified for the this project.

RETAIL/COMMERCIAL: Parking shall be provided at a rate of one space per 400 net square feet of tenant space for ground floor commercial uses, as per Title 20 as amended. The parking exception for street parking noted above may be applied to the commercial component of the project.

Pursuant to the Developer's request per separate agreement and endorsement with "Transform, the Developer voluntarily agrees to the following conditions that shall also be placed as a condition within the PD Permit:

1. To provide a Valley Transportation Authority "Eco-Passes" (or equivalent pass) to all future property owners or tenants.
  - a. Condominium unit owners shall be issued two passes at the time of close of escrow for each unit. The Eco-Passes (or equivalent pass) shall be administered through the respective developer, and then the later by the home owners association.
  - b. Apartment tenants shall be issued two Eco-passes (or equivalent pass) per unit on a monthly or yearly basis through 2055.
2. Developer may "provide unbundled" parking spaces for those units that have two bedrooms unless they are tandem parking stalls and assigned to a particular unit within each phase of development.

## **RESIDENTIAL OPEN SPACE REQUIREMENTS**

*Private Open Space* - 60 square feet per unit (for at least 50% of the units). This may be adjusted at a 1 square foot to 1 square foot ratio at the PD Permit stage for an increase in size of the common open space area(s). The minimum width shall be 6 feet, however a minor reduction in that width may be considered by the Director of Planning at the PD Permit stage if the overall size of open space area is increased beyond the overall minimum area requirements.

*Common Open Space* - 100 square feet average per unit (this includes enclosed recreation space). 50% of the public plazas outside the setback area may be counted towards the common open space requirement.

## **PARK DEDICATION:**

Prior to the approval of a Planned Development Permit the developer shall place a Deed Restriction on 3.99 acres of property located at Auzerais and Sunol Streets to ensure the land is dedicated for City Parkland. During the PD Permit process, the Developer shall begin work with Planning, Public Works and Parks and Neighborhood Services and the District 6 Community on the design of Del Monte Park and construction Parks Agreement. The final land dedication by the Developer shall be determined with the City's approval of the first Planned Development Permit.

**CONTRIBUTION FOR TRANSIT IMPROVEMENTS:** Prior to issuance of a Planned Development Permit, the developer has voluntarily agreed to contribute the sum of \$1,000,000. to be applied to the development and/or design and/or financing of the West San Carlos (WSC) station or other public transportation nodes that the City and VTA deem necessary.

**PUBLIC INFRASTRUCTURE IMPROVEMENTS:** A complete list of final conditions shall be applied at the Planned Development stage to the satisfaction of the Director of Public Works in accordance with the final memorandum. These include, but are not limited to the following:

1. For the impact at the protected intersection of Meridian Avenue and West San Carlos Street, construct offsetting improvements equivalent to \$202,000. The offsetting improvements are identified through the Strong Neighborhood Initiative process and a list of improvements is currently established.
2. Modify the traffic signal at the intersection of Sunol Street and West San Carlos Street to conform the project frontage to surrounding street alignment.
3. In accordance with CMP requirements, the project is required to implement "Immediate Actions" portion of the CMP TIA Guidelines. Measures may include:
  - i. Bike lockers, racks, and facilities at Transit Centers
  - ii. Bike storage at residential developments
  - iii. Improve roadside bicycle facilities
  - iv. Improve pedestrian facilities
  - v. Bus Stop improvements
  - vi. TDM programs and public information programs
  - vii. HOV parking preference program
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.
5. The In Lieu Undergrounding Fee shall be paid to the City for all frontages adjacent to Auzerais Avenue and Sunol Street 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 \$395 per linear foot of frontage.) The Director of Public Works may, at her discretion, allow the developer to perform the actual undergrounding of all off-site utility facilities fronting the project adjacent to Sunol Street in lieu of paying the Undergrounding Fee. Developer shall submit copies of executed utility agreements to Public Works prior to the issuance of a Public Works Clearance.
6. Applicant shall be responsible to remove and replace curb, gutter, and sidewalk damaged during construction of the proposed project.
7. Dedication and improvement of the public streets to the satisfaction of the Director of Public Works.
8. 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.

9. 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.
10. Per Common Interest Development (CID) Ordinance, all common infrastructure improvements such as private streets shall be designed and constructed in accordance with the current CID standards.
11. Provide public pedestrian and public bike access easements over the proposed private streets (South Lane and Earle Street).

**ENVIRONMENTAL MITIGATION:** The following mitigation measures, or equivalent measures, shall be provided as part of this project to the satisfaction of the Director of Planning.

### ***AESTHETICS***

#### **Design**

- SM AES-1: The mixed-use project design will conform to the City's Midtown Specific Plan, Residential Design Guidelines and Commercial Design Guidelines.

#### **Trees**

- SM AES-2: Any tree that is removed will be replaced with the addition of a new tree(s) at the ratios shown in the City's standard Tree Replacement Ratios table.

#### **Light and Glare**

- SM AES-3: Lighting on the site will conform to the City's Outdoor Lighting Policy (4-3).

#### **Temporary Construction Visual Impacts**

- SM AES-4: Public streets that are impacted by project construction activities will be swept and/or washed down daily.
- SM AES-5: Debris, rubbish and trash will be cleared from any onsite areas that are visible from a public street.

### ***AIR QUALITY***

#### **Temporary Construction Air Quality**

- SM AQ-1: The following dust control measures will be implemented by contractors during demolition of existing structures.
  - Watering to control dust generation during demolition of structures and break-up of pavement;
  - Cover all trucks hauling demolition debris from the site;
  - Use dust-proof chutes to load debris into trucks whenever feasible. Watering will be used to control dust generation during transport and handling of recycled materials; and
  - All crushing or screening equipment used onsite for the recycling of materials will be permitted by the Bay Area Air Quality Management District or the State's Portable Equipment Statewide Registration Program, and utilize Best Available Control Technology for that type of equipment.
- SM AQ-2: The following construction practices will be implemented during all phases of construction to prevent visible dust emissions from leaving the site.

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- Water all active construction areas at least twice daily and more often during windy periods; active areas adjacent to existing land uses will be kept damp at all times, or will 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 (preferably with water sweepers), all paved access roads, parking areas and staging areas at construction sites; water sweepers will vacuum up excess water to avoid runoff-related impacts to water quality;
- Sweep streets daily, or more often if necessary (preferably with water sweepers), if visible soil material is carried onto adjacent public streets;
- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more);
- Enclose, cover, water at least twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.) to prevent visible dust from leaving the site;
- Limit traffic speed on unpaved roads to 15 mph;
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways;
- Replant vegetation in disturbed areas as quickly as possible;
- Install wheel washers for all existing trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;
- Install wind breaks, or plant trees/vegetative wind breaks at windward side(s) of construction areas;
- Suspend excavation and grading activities when winds instantaneous gusts exceed 25 mph; and
- Limit the area subject to excavation grading, and other construction activity at any one time.

***BIOLOGICAL RESOURCES***

**Trees**

- SM BIO-1: Any tree that is removed will be replaced with the addition of a new tree(s) at the ratios shown in the following Tree Replacement Ratios table.

**Tree Replacement Ratios**

Diameter of Tree to be Removed	Type of Tree to be Removed			Minimum Size of Each Replacement Tree
	Native	Non-Native	Orchard	
18 inches or greater	5:1	4:1	3:1	24-inch box
12 to 17 inches	3:1	2:1	None	24-inch box
Less than 12 inches	1:1	1:1	None	15-gallon container

x:x = tree replacement to tree loss ratio

**Note:** Trees greater than 18" diameter shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees.

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- SM BIO-2: The species and exact number of trees to be planted onsite and/or offsite will be determined at the development permit stage, in consultation with the City Arborist and the Department of Planning, Building and Code Enforcement.
- SM BIO-3: Replacement trees are to be above and beyond standard landscaping; required street trees do not count as replacement trees.
- SM BIO-4: In the event the project site does not have sufficient area to accommodate the required tree mitigation, one or more of the following measures will be implemented, to the satisfaction of the Director of Planning, Building and Code Enforcement, at the development permit stage:
  - The size of a 15-gallon replacement tree may be increased to 24-inch box and count as two replacement trees.
  - An alternative site(s) will be identified for additional tree planting. Alternative sites may include local parks or schools or installation of trees on adjacent properties for screening purposes to the satisfaction of the Director of the Department of Planning, Building and Code Enforcement. Contact Jaime Ruiz, Parks, Recreation and Neighborhood Services Landscape Maintenance Manager, at 975-7214 or [jaime.ruiz@sanjoseca.gov](mailto:jaime.ruiz@sanjoseca.gov) for specific park locations in need of trees.
  - A donation of \$300.00 per mitigation tree will be paid to Our City Forest for in-lieu offsite tree planting in the community. These funds will be used for tree planting and maintenance of planted trees for approximately three years. Contact Rhonda Berry, Our City Forest, at (408) 998-7337 x106 to make a donation. A donation receipt for offsite tree planting will be provided to the Planning Project Manager prior to issuance of a development permit.

### Active Raptor Nests

- MM BIO-1: If possible, construction should be scheduled between September 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 biologist 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 shall be conducted no more than thirty (30) days prior to the initiation of these activities. The surveying biologist 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 biologist shall, in consultation with the California Department of Fish and Game, designate a construction-free buffer zone (typically 250 feet) around the nest, which shall be maintained until after the breeding season has ended and/or a qualified biologist has determined that the young birds have fledged. 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 City's Environmental Principal Planner prior to the issuance of any grading or building permit.

### Bats

- MM BIO-2: Surveys for roosting bats shall be conducted by a qualified bat biologist no more than thirty (30) days prior to any building demolition or removal, or construction activities. If no bats are observed to be roosting in these features, then no further action

would be required and construction activities could proceed. If a female or maternity colony of bats is found on the project site, and the project can be constructed without disturbance to the roosting colony, a qualified bat biologist shall designate buffer zones (both physical and temporal) as necessary to ensure the continued success of the colony; buffer zones may include a 200-foot buffer zone from the roost and/or timing of the construction activities outside the maternity roosting season (after July 31st and before March 1st).

- MM BIO-3: If an active maternity roost is known to occur on the site and the project cannot be conducted outside of the maternity roosting season, bats shall be excluded after July 31st and before March 1st to prevent the formation of new maternity colonies. Such exclusion shall occur, under the direction of a qualified bat biologist, by sealing openings and providing bats with one-way exclusion doors. Bat roosts shall be monitored as determined necessary by a qualified bat biologist, and the removal or displacement of bats shall be performed in conformance with California Department of Fish and Game requirements.
- MM BIO-4: A biologist report outlining the results of pre-construction bat surveys and any recommended buffer zones or other mitigation shall be submitted to the City's Environmental Principal Planner and shall be approved to the satisfaction of the Director of Planning prior to the issuance of any grading or building permit.

## ***CULTURAL RESOURCES***

### **Prehistoric Resources and Native American Burials**

- SM CULT-1: In the unlikely event that evidence of unknown prehistoric cultural resources (darker than surrounding soils containing evidence of fire – ash, charcoal, fire affected rock or earth; concentrations of stone, bone or freshwater shellfish; artifacts of these materials; and burials, both animal and human) is discovered during construction, work within 50 feet of the find will be stopped to allow adequate time for evaluation and mitigation, and a qualified professional archaeologist called in to make an evaluation; the material will be evaluated; and if significant, a mitigation program including collection and analysis of the materials prior to the resumption of grading, preparation of a report and curation of the materials at a recognized storage facility will be developed and implemented to the satisfaction of the Director of Planning and submitted to the City's Environmental Principal Planner.
- SM CULT-2: 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: In the event of the discovery of human remains during construction, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner will be notified by the developer and will 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 will notify the Native American Heritage Commission, who will 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 landowner will reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

- SM CULT-3: Any Native American human remains that are discovered and would be subject to disturbance will be removed and analyzed, a report will be prepared, and the remains will be reburied in consultation and agreement with the Native American Most Likely Descendant designated by the Native American Heritage Commission. Prior to obtaining an occupancy permit, a copy of the report will be submitted to the City's Environmental Principal Planner to the satisfaction of the Director of Planning.

#### **Prehistoric Resources**

- MM CULT-1: A qualified archaeologist shall be retained to inspect the ground surface after buildings on the park site have been removed to search for evidence of prehistoric archaeological deposits; if discovered, the resource shall be evaluated through a program of limited hand excavation and, if determined to be significant, a mitigation program including collection and analysis of the materials prior to the resumption of grading, preparation of a report and curation of the materials at a recognized storage facility shall be developed and implemented to the satisfaction of the Director of Planning and submitted to the City's Environmental Principal Planner.

### ***GEOLOGY AND SOILS***

#### **Erosion**

- SM GEO-1: A City-approved Erosion Control Plan will be developed and implemented prior to approval of a grading permit or Public Works clearance with such measures as: 1) the timing of grading activities during the dry months, if feasible; 2) temporary and permanent planting of exposed soil; 3) temporary check dams; 4) temporary sediment basins and traps and/or 5) temporary silt fences.

#### **Seismic Shaking**

- SM GEO-2: The proposed structures on the site will be designed and constructed in conformance with the Uniform Building Code Guidelines for Seismic Zone 4 to avoid or minimize potential damage from seismic shaking on the site.

#### **Liquefaction**

- SM GEO-3: A geotechnical report addressing the potential liquefaction hazard will be submitted to, and 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.

### **PARK SITE**

#### **Soils Report**

- SM GEO-4: Detailed onsite investigations will be performed prior to the design and construction of park improvements, in order to determine the in-place conditions of the soils on the site and make appropriate recommendations for the design and construction of the park project that will be implemented as warranted.

## MIXED-USE SITE

### **Geotechnical Investigation**

- MM GEO-1: A design-level geotechnical investigation, performed in accordance with the recommendations of the geotechnical feasibility evaluation prepared by TRC, shall be conducted over the entire mixed-use site prior to the Planned Development Permit stage to evaluate potential impacts due to compressible soils, liquefaction, expansive soils, seismic shaking, etc.; and mitigation measures, including site grading requirements, utilization of special foundations and control of drainage, shall be developed and implemented as warranted.

## ***HAZARDS AND HAZARDOUS MATERIALS***

### **Airspace Safety**

- SM HAZ-1: A "No-Hazard Determination" will be obtained from the FAA for each building; and any lighting/markings or subsequent construction notification conditions will be incorporated into the project at the Planned Development Permit stage.
- SM HAZ-2: An aviation easement over the project site will be dedicated to the City of San Jose at the Planned Development Permit stage.

### **Wells**

- SM HAZ-3: If a water and/or groundwater monitoring well(s) is found during grading operations that is no longer needed, a well destruction permit will be obtained from the Santa Clara Valley Water District, and the monitoring well(s) will be destroyed in accordance with District standards.

### **Septic Systems**

- SM HAZ-4: If a septic system is found during grading operations, it will be abandoned in accordance with the requirements of the Santa Clara County Sewage Disposal Ordinance.

### **Asbestos-Containing Materials (ACM)**

- SM HAZ-5: The structure(s) to be removed will first be surveyed for the presence of ACM prior to the demolition permit stage. If any suspect ACM are present, they will be sampled prior to demolition in accordance with NESHAP guidelines, and all potentially friable ACM will be removed prior to building demolition and disposed offsite at a permitted facility in accordance with NESHAP, Cal-OSHA and BAAQMD requirements.

### **Lead Based Paint (LBP)**

- SM HAZ-6: The structure(s) to be removed will first be surveyed for the presence of LBP prior to the demolition permit stage. If any suspect LBP is present, it will be sampled prior to demolition, and all potential LBP will be removed prior to building demolition and disposed offsite at a permitted facility in accordance with EPA and OSHA requirements.

### **Polychlorinated Biphenyls (PCBs)**

- SM HAZ-7: If a transformer(s) is to be removed or if leaks are observed, the transformer oil shall be tested for PCBs. If PCBs are detected, a mitigation program shall be developed to the satisfaction of the Environmental Compliance Officer of the City's Environmental

Services Department and implemented. The mitigation program may include such measures as soil testing, removal, and/or offsite disposal at a permitted facility.

#### MIXED-USE SITE

##### **General**

- MM HAZ-1: Prior to issuance of a Grading Permit, a Soil Management Plan shall be developed for the mixed-use site to the satisfaction of the Environmental Compliance Officer of the City's Environmental Services Department. The Soil Management Plan shall establish practices for managing and handling buried structures, wells, debris and/or impacted soil if these materials/structures are encountered prior to or during demolition and/or site grading. The measures identified in the Soil Management Plan, including special handling and/or disposal measures, shall be implemented as warranted.

##### **Underground Storage Tanks**

- MM HAZ-2: Prior to issuance of Planned Development Permit, the Santa Clara County Department of Environmental Health and/or Regional Water Quality Control Board shall be contacted to verify that no further site characterization, remediation and/or monitoring and reporting activities are required or to establish any engineering controls to mitigate any residual contaminants for the proposed development – consisting of three multi-story apartment towers with below-grade parking extending approximately 12 feet below ground – with regard to the fuel leak case closure on the northwesterly portion of the mixed-use site and the open fuel leak case on the southeasterly portion.
- MM HAZ-3: Prior to issuance of a Grading Permit, a geophysical survey shall be performed across the mixed-use site to assist in identifying any undiscovered USTs. Currently, there are three USTs that are reportedly present in the site subsurface.
- MM HAZ-4: For those USTs that have been identified on the mixed-use site, and/or if a UST(s) is found, a closure plan shall be prepared and a permit for the removal of the UST(s) shall be obtained from the San Jose Fire Department and the UST(s) removed and inspected in accordance with City procedures. The soil and/or groundwater beneath the UST(s) shall be sampled for contamination in accordance with Santa Clara County Department of Environmental Health and/or Regional Water Quality Control Board requirements; and, if any contamination is found, a soils mitigation program including measures such as in-situ soils treatment or soils removal, aeration and/or appropriate disposal, and groundwater extraction and/or monitoring will be developed and implemented to the satisfaction of the Director of Planning and the SCCDEH and/or RWQCB.

##### **Soil and/or Groundwater Contamination**

- MM HAZ-5: Prior to issuance of a Grading Permit, soil and groundwater in the northwesterly portion of the mixed-use site shall be sampled for petroleum hydrocarbons and other related contaminants of concern with the appropriate regulatory agency oversight (e.g., Santa Clara County Department of Environmental Health / Regional Water Quality Control Board). The applicant shall submit a letter to the Environmental Compliance Officer of the City's Environmental Services Department to confirm that any and all impacted soil found above the agreed-upon health protective cleanup criteria, such as environmental screening levels (ESLs) for residential land use, has been removed for offsite disposal at a permitted facility. In the event that affected groundwater in this area requires additional remediation, monitoring and/or other measures to reach appropriate health protective cleanup criteria, such

as ESLs for residential land use, shall be identified and implemented in consultation with representatives of the Santa Clara County Department of Environmental Health, Regional Water Quality Control Board and the Environmental Compliance Officer of the City's Environmental Services Department.

- MM HAZ-6: Prior to issuance of a Grading Permit, soil and groundwater at 861 Auzerais Avenue in the southeasterly portion of the mixed-use site shall be sampled for petroleum hydrocarbons and other related contaminants of concern in order to fully define the extent of impact from the UST; and the work shall be done with the appropriate regulatory agency oversight (e.g., Santa Clara County Department of Environmental Health / Regional Water Quality Control Board). The applicant shall submit a letter to the Environmental Compliance Officer of the City's Environmental Services Department to confirm that any and all impacted soil found above the agreed-upon health protective cleanup criteria, such as environmental screening levels (ESLs) for residential land use, has been removed for offsite disposal at a permitted facility. In the event that affected groundwater in this area requires additional remediation, monitoring and/or other measures to reach appropriate health protective cleanup criteria, such as ESLs for residential land use, shall be identified and implemented in consultation with representatives of the Santa Clara County Department of Environmental Health, Regional Water Quality Control Board and the Environmental Compliance Officer of the City's Environmental Services Department.
- MM HAZ-7: Prior to issuance of a Grading Permit, groundwater near the southwesterly mixed-use site boundary adjacent to the former asphalt plant shall be sampled for petroleum hydrocarbons and other related contaminants of concern with the appropriate regulatory agency oversight (e.g., Santa Clara County Department of Environmental Health / Regional Water Quality Control Board). The applicant shall submit a letter to the Environmental Compliance Officer of the City's Environmental Services Department to confirm that any and all impacted soil found above the agreed-upon health protective cleanup criteria, such as environmental screening levels (ESLs) for residential land use, has been removed for offsite disposal at a permitted facility. In the event that affected groundwater in this area requires additional remediation, monitoring and/or other measures to reach appropriate health protective cleanup criteria, such as ESLs for residential land use, shall be identified and implemented in consultation with representatives of the Santa Clara County Department of Environmental Health, Regional Water Quality Control Board and the Environmental Compliance Officer of the City's Environmental Services Department.

#### **Soil Vapor**

- MM HAZ-8: The soil gas beneath the mixed-use site shall be sampled and analyzed for petroleum hydrocarbons and volatile organic compounds (VOCs) prior to issuance of a Grading Permit. If sufficiently elevated hydrocarbon and/or VOC concentrations are identified, potential migration of vapors into the new structures shall be mitigated by measures such as vapor barriers and/or active or passive gas collection and venting with the appropriate regulatory agency oversight (e.g., Santa Clara County Department of Environmental Health / Regional Water Quality Control Board).

**Railroad Lines**

- MM HAZ-9: Prior to issuance of a Grading Permit, soil quality along the railroad spurs in the southwesterly portion of the mixed-use site and the railroad rights-of-way through the mixed-use site and along the southeasterly boundary shall be sampled for chemicals that may have been used for dust suppression and/or weed control. The extent of residual contamination, if present, may require regulatory oversight (e.g., Regional Water Quality Control Board or Department of Toxic Substances Control). The applicant shall submit a letter to the Environmental Compliance Officer of the City's Environmental Services Department to confirm that any and all impacted soil found above the agreed-upon health protective cleanup criteria, such as environmental screening levels (ESLs) for residential land use, has been removed for offsite disposal at a permitted facility.
- MM HAZ-10: Wooden rail ties associated with the railroad spurs in the southwesterly portion of the mixed-use site, and the railroad right-of-way through the mixed-use site, shall be removed and appropriately disposed.

**PARK SITE**

**General**

- MM HAZ-11: The park site shall be viewed by a qualified environmental professional during demolition and pre-grading activities to observe areas of the property that may have been obscured by existing structures or pavement for such items as stained soils, septic systems, underground storage tanks, and/or unforeseen buried utilities; and, if found, a mitigation program shall be developed, submitted to the Environmental Compliance Officer of the City's Environmental Services Department, and implemented with such measures as soil testing, removal and/or offsite disposal at a permitted facility.

**Railroad Lines**

- MM HAZ-12: Prior to issuance of a Grading Permit, soil in the area around the boring in the northern portion of the railroad spur area of the park site shall be sampled for arsenic. The applicant shall submit a letter to the Environmental Compliance Officer of the City's Environmental Services Department to confirm that any and all impacted soil found above the agreed-upon health protective cleanup criteria has been removed for offsite disposal at a permitted facility.
- MM HAZ-13: Wooden rail ties associated with the railroad spur in the easterly portion of the park site shall be removed and appropriately disposed.

**HYDROLOGY AND WATER QUALITY**

**Water Quality**

**Construction**

- SM HYDRO-1: Prior to the commencement of any clearing, grading or excavation, the project will comply with the State Water Resources Control Board's National Pollutant Discharge Elimination System (NPDES) General Construction Activities Permit, to the satisfaction of the Director of Public Works, as follows:
- The applicant will develop, implement and maintain a Storm Water Pollution Prevention Plan (SWPPP) to control the discharge of stormwater pollutants including sediments associated with construction activities; and

## PDC08-061 Draft Development Standards

- The applicant will file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB).
- SM HYDRO-2: The project will incorporate Best Management Practices (BMPs) into the project to control the discharge of stormwater pollutants including sediments associated with construction activities.
- SM HYDRO-3: The project applicant will comply with the City of San Jose Grading Ordinance, including erosion and dust control during site preparation and with the City of San Jose Zoning Ordinance requirements for keeping adjacent streets free of dirt and mud during construction. The following specific BMPs will be implemented to prevent stormwater pollution and minimize potential sedimentation during construction:
  - Restriction of grading to the dry season (April 15 through October 15) or meet City requirements for grading during the rainy season;
  - Utilize onsite sediment control BMPs to retain sediment on the project site;
  - Utilize stabilized construction entrances and/or wash racks;
  - Implement damp street sweeping;
  - Provide temporary cover of disturbed surfaces to help control erosion during construction; and
  - Provide permanent cover to stabilize the disturbed surfaces after construction has been completed.

### **Post-Construction**

- SM HYDRO-4: Prior to the issuance of a Planned Development Permit, the applicant must provide details of specific BMPs including, but not limited to, bioswales, disconnected downspouts, landscaping to reduce impervious surface area, and inlets stenciled “No Dumping – Flows to Bay” to the satisfaction of the Director of Planning, Building and Code Enforcement.
- SM HYDRO-5: The project will comply with Provision C.3 of NPDES permit Number CAS0299718, which provides enhanced performance standards for the management of stormwater of new development.
- SM HYDRO-6: The project will comply with applicable provisions of the following City Policies – 1) Post-Construction Urban Runoff Management Policy (6-29) which establishes guidelines and minimum BMPs for all projects; and 2) Post-Construction Hydromodification Management Policy (8-14) which provides for numerically-sized (or hydraulically-sized) TCMs.

## ***NOISE***

### **MIXED-USE SITE**

#### **Exterior Noise/Vibration**

- SM NOIS-1: Vehicular traffic and railway noise and/or vibration, and the potential for noise from the adjacent commercial and industrial businesses, will be disclosed in sales contracts or leases.

## PDC08-061 Draft Development Standards

### **Interior Noise**

- SM NOIS-2: Mechanical ventilation will be provided in accordance with Uniform Building Code requirements when windows are to be closed for noise control, to the satisfaction of the Chief Building Inspector.

### **Equipment Generated Noise**

- SM NOIS-3: Post-construction mechanical equipment will conform to the City's General Plan limitation of 55 dB DNL at residential property lines, 60 dB DNL at commercial property lines and 70 dB DNL at industrial property lines by utilizing measures such as equipment selection, location, equipment barriers and/or enclosures, duct lining or silencers, and/or acoustical louvers.

## MIXED-USE SITE and PARK SITE

### **Temporary Construction Noise**

- SM NOIS-4: Construction activities will be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any onsite or offsite work within 500 feet of any residential unit. Construction outside of these hours may be approved through a development permit based on a site-specific construction noise mitigation plan and a finding by the Director of Planning, Building and Code Enforcement that the construction noise mitigation plan is adequate to prevent noise disturbance of affected residential uses.
- SM NOIS-5: The contractor will use "new technology" power construction equipment with state-of-the-art noise shielding and muffling devices. All internal combustion engines used on the project site will be equipped with adequate mufflers and will be in good mechanical condition to minimize noise created by faulty or poorly maintained engines or other components.
- SM NOIS-6: Stationary noise-generating equipment will be located as far as possible from sensitive receptors. Staging areas will be located a minimum of 200 feet from noise-sensitive receptors, such as residential uses.
- SM NOIS-7: Unnecessary idling of internal combustion engines will be prohibited.

## MIXED-USE SITE

### **Exterior Noise**

#### **Residential**

- MM NOIS-1: 42-inch-high solid railings shall be constructed at all upper level balconies or decks around the perimeter of the site.

#### **Commercial**

- MM NOIS-2: A noise report shall be submitted at the Planned Development Permit stage to the satisfaction of the Director of Planning, Building and Code Enforcement, to identify measures such as, but not limited to, mechanical equipment, commercial operational activities, and limiting hours of operation for delivery; and the measures shall be implemented as warranted during commercial operation.

## **Interior Noise**

### **Residential**

- MM NOIS-3: Windows and sliding glass doors shall be operable and up to STC 36 or higher rated windows and doors shall be installed at all living spaces facing roadways around the perimeter of the site.
- MM NOIS-4: All residential units shall be equipped with forced air ventilation systems to allow the occupants the option of maintaining the windows closed to control noise, and maintain an interior noise level of 45 dB DNL.
- MM NOIS-5: Prior to issuance of building permits, the developer shall retain a qualified acoustical consultant to check the building plans for all residential units to ensure that interior noise levels will be attenuated to 45 dB DNL to the satisfaction of the Director of Planning, Building and Code Enforcement.

### **Commercial**

- MM NOIS-6: STC 33 to 36 or higher rated windows, depending on the amount of glass in the façade, shall be installed in the commercial portion of the project.
- MM NOIS-7: A noise report shall be submitted at the Planned Development Permit stage to the satisfaction of the Director of Planning, Building and Code Enforcement, to identify measures such as, but not limited to, commercial glass ratings, and the measures shall be implemented as warranted.

### **Ground-borne Vibration**

- MM NOIS-8: A vibration assessment shall be conducted at the Planned Development Permit stage and measures to achieve acceptable ground-borne vibration levels will be incorporated into the project to the satisfaction of the Director of Planning.

### **Temporary Construction Noise**

- MM NOIS-9: A “noise disturbance coordinator,” who will be responsible for responding to any local complaints about construction noise, shall be designated. The disturbance coordinator shall determine the cause of the noise complaints (e.g., beginning work too early, bad muffler, etc.) and institute reasonable measures warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.

## ***PUBLIC SERVICES***

### **Schools**

- SM PUB-1: A school impact fee will be paid to the San Jose Unified School District to offset the increased demands on school facilities caused by the proposed project, in accordance with California Government Code Section 65996.

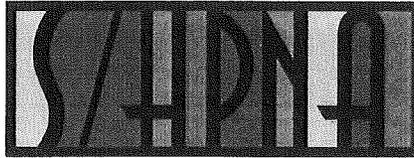
### **Parks and Recreation**

- SM PUB-2: The project will conform to the City’s Park Impact Ordinance (PIO) and/or the Parkland Dedication Ordinance (PDO) (Municipal Code Chapters 14.25 and 19.38, respectively).

***TRANSPORTATION / TRAFFIC***

**Freeway Segments**

- MM TRAF-1: The project shall implement TDM measures from the CMP TIA Guidelines, including measures such as bike lockers, racks and facilities at transit centers; bike storage at residential developments; improve roadside bicycle facilities; improve pedestrian facilities; bus stop improvements; TDM programs and public information programs; and HOV parking preference program to the satisfaction of the Director of Public Works.
- MM TRAF-2: A contribution toward the future San Carlos LRT Station shall be made with the project.
- MM TRAF-3: Any missing sidewalk between the project site and the existing Diridon LRT Station to the north shall be constructed.



Shasta/Hanchett Park Neighborhood Association  
P.O. Box 28634 • San José, CA 95158 • info@shpna.org • www.shpna.org

September 19, 2010

Honorable Mayor and City Council  
City of San Jose  
200 East Santa Clara Street, 18th Floor  
San Jose, Ca 95113

Dear Honorable Mayor and Members of City Council:

Although once on track, there is now significant discontent surrounding the Ohlone Towers development project. After a collaborative planning process spanning over one year and 22 meetings, a development plan that was fully endorsed by the community was proposed for the Ohlone Towers project. However, without community consultation the plan has been changed to great alarm on behalf of the surrounding community.

Over the years, the developer has listened to concerns regarding lack of benefits to the community, issues over height, density, traffic, parking, lack of commercial space, lack of a light rail station, insufficient public transit, and public park space in this area. In May of this year, the developer unveiled new plans that addressed the majority of the community's issues and seemed to be a reasonable compromise between the desires of the community, developer, and city.

Now, it has come to light that behind closed doors the city has asked the developer to increase the density of the development, resulting in the elimination of the plan that the community and developer had worked hard to agree upon. Once again the community fears issues surrounding lack of open space, transportation, traffic, and parking, among others. Even more distasteful, is that the community was left out of the loop on the latest revision to the plan even though they are the group most affected by the proposed changes.

Therefore, the Shasta/Hanchett Park Neighborhood Association (S/HPNA) is officially voicing disapproval of the current proposed development plan for the Ohlone Towers project, and is instead advocating that the city and developer proceed with the previous plan agreed upon by all parties. In the event that further revisions are made to the Ohlone Towers project, S/HPNA formally requests community involvement and discussion to ensure that the development of the area meets the needs of all involved parties including the city, developer, and community residents.

S/HPNA is committed to responsible development of the Shasta/Hanchett Park area, and is not against new construction projects. However, S/HPNA does fervently believe that the community must be considered and consulted when serious plan changes are made to projects that impact the neighborhood.

Sincerely,

Board of Directors, Shasta Hanchett Park Neighborhood Association

cc: Mike Enderby, PBCE  
Joseph Horwedel, Director, PBCE  
Laurel Prevetti, Assistant Director, PBCE  
Michael Van Every, Republic Urban Properties LLC  
Steve Kline, President, Burbank Del Monte NAC

**Enderby, Mike**

**From:** Ward, Brian [BWard@littler.com]  
**Sent:** Wednesday, October 06, 2010 8:45 AM  
**To:** Enderby, Mike; Prevetti, Laurel; Horwedel, Joseph; Hamilton, Jeannie; The Office of Mayor Chuck Reed; District1; District2; district3@sanjose.gov; District4; District5; Oliverio, Pierluigi; District7; Herrera, Rose; Chirco, Judy; Office of Councilmember Nancy Pyle; Brian Ward  
**Subject:** Ohlone Project

To the Planning Department, Mayor, and Councilmembers

**Another Planning Department End Run Around the Community**

Due to another conflict I will be unable to attend the PD hearing on this matter and request that this be submitted in the comments.

Once again, the San Jose Planning Department is doing another end run around the community in regards to the Ohlone (old VTA lot at West San Carlos and Sunol). This is the same type of stunt they pulled with the O'Connor Park when they made a backroom deal with KB Homes to avoid putting restrooms into O'Connor Park essentially dedicated a city park to the exclusive use of the KB residents.

Despite multiple community meetings, The Planning Department has decided to shelf the community input regarding the Ohlone Project and have now as it goes for final approval made drastic changes. When the community took issue with these changes the Deputy City Planning Director, Laurel Prevetti, issued a threat to the communities saying if we did not accept their higher densities at Ohlone they would move higher density into the single family homes neighborhoods and start putting it there. When confronted with the fact that under her stewardship and Joseph Horwedel that she was already doing this she either feigned ignorance or is truly ignorant of the policies that she and the planning department are already carrying out. There has been no project in the Buena Vista neighborhood that has been proposed under six units and most of them are 7 or more over the last ten years. Buena Vista is a mix of small single family homes, cottages, and two story apartments. The infrastructure is decaying with the sewers being laid in the 1940's and no upgrades but only repairs and repairs or needed much more often than the City designated 10 year inspection program. The streets are also very narrow and will only allow parking on one side. Needless to say, this is one of if not the most densely populated neighborhood in Santa Clara County. It also has severe parking problems brought on by this overcrowding. I have personally had to try to get cars towed out of my driveway. Here the City refuses to help out as the City police continue to claim that they cannot order a car to be towed from private property and the tow companies and all of them will not tow without police direction.

Not said at the meeting despite the attendance of several city officials is that the site will now have tandem parking. This is something that has been opposed from the very beginning by the community which was assured that the Ohlone would not have it. Last week for the first time the City has issued the directive that it is used. The City knows that tandem parking hasn't worked in Hermosa Beach, Laguna Beach, Bellingham, Washington, Alexandria, Virginia, San Francisco (a city notorious for parking problems) and even in San Jose itself at the Cahill and Georgetown developments. Fistfights over parking spaces have erupted in these neighborhoods.

The Planning Department is also using a double standard in their TOD (transit oriented development). Although the TOD guidelines call for 15 feet sidewalks and minimum setbacks the City only chooses to

enforce them in North San Jose and not in the West San Carlos Corridor. In fact, the City will waive just about any standard or regulation at the drop of the hat in the Midtown area of San Jose will demanding they not be waived in North San Jose.

The new plan requires higher density of the Ohlone project but does not require more park land in an area that is very deficient in park land. In fact, the language now proposed by the City actually avoids allowing the park land by deferring the developer's dedication of park land until the City can afford it. This means that like the Tamien Project a park may never be built. Given the fact that Parks and Recreation is claiming that putting in grass on the 1/6<sup>th</sup> of an acre Buena Vista Park expansion would destroy their whole budget, it appears the City will never be able to afford the park.

The whole project is based on TOD standards and yet these standards tend to be more pipe dreams especially in light of the VTA's current budget woes. The developer claims they will donate \$1 million to build a light rail station next to the project. Yet even with a donation from the Plant 51 development the station shortfall is still over \$1.5 million short in 2005 construction dollars and undoubtedly more in 2010 dollars. In 2005, a VTA Light Rail Station cost \$3.5 million just to build with additional funds to operate and maintain. The VTA will not even consider building a station unless the money comes from another source. They do not have it in their plans to build the station. Given the VTA's budget woes it also may place in jeopardy the Rapid Bus Route that is proposed along West San Carlos especially since VTA has been cutting service and not adding it.

Additionally, while the developer claims that this development will set the standard for high use of public transit, none of the transit infrastructure exists and therefore, cannot be used. This means that there will be a much heavier burden on the streets than expected. All of the intersections along West San Carlos are rated at D which is near gridlock. Throw in the proposed baseball stadium and it's not hard to see that traffic will only get worse because of this project. The City is proposing an unspecified amount of money be set aside for improvements at a future time. Again this is too vague and pretty assures that it will fall by the wayside. Despite how much the Planning Department wants to designate the area as TOD and try to convince everybody that it is, TOD in this area is nothing but a fallacy. The area around Camden Avenue and Almaden Expressway has four bus routes serving it and yet the City is not pushing for high-density in that area.

Finally, the Planning Department has carved out so many exceptions to the Mid-Town Specific Plan which was supposed to bring a balance of residential and commercial development to the area. However, the Planning Department continues to promote residential over any commercial development and is rapidly using any viable commercial land for residential purposes.

Clearly the Planning Department is running amok and needs to be reined in. They are pursuing their own agenda and do not care about any of the communities despite their involvement. Their proposals reject the suggestions of the community and sets a dangerous precedent as this is now the tallest project outside the downtown core and invading older neighborhoods composed of 1 or two story homes and apartments. Members of the community spent evening attending meetings on this project and untold hours of time studying all of the issues and yet the Planning Department has now told us that it doesn't matter what we think or what our input is. It only matters what the Planning Department wants. The problem is that this development will set a very dangerous precedent for all future development due to it's size with 2 15 story towers and 1 11 story tower along with several 5-6 story buildings. This signifies a massive hi-rise development outside the city core and into the single-family home neighborhoods which even if they contain apartments have only 2 stories. The Planning Department should not be allowed to let residents see plans that they never intended to allow. The Planning

Department also should not be allowed to change the plan at the last minute.

Sincerely,

Brian Ward

brianward1498@comcast.net

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## Enderby, Mike

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**From:** jeanann2@aol.com  
**Sent:** Wednesday, October 06, 2010 9:31 PM  
**To:** Prevetti, Laurel; Enderby, Mike  
**Subject:** Ohlone Session

Laurel and Mike,

Thank-you again for the gift of your time for tonight's meeting. I am very aware that you were not obliged to provide this opportunity for comment and I appreciate it as a gift--of respect, of valuing, of a professional desire for balanced and nuanced input from multiple perspectives. I do not understand how people developed such a sense of entitlement. In contrast, I remember an EPA-sponsored public study hearings on land use in Arizona in 1974 when the Central Arizona Water Project was about to open the valve. Government official after government official told us members of the Advisory Board there was no role for the public in the planning process and they resented our study trip. I remember and I know what a different world you and your Planning department have created. Yes, it's imperfect. But still a beauty. Thank-you.

Here is another thought which I would like to share:

Thinking about the Tower in Block C and its frontage on Sunol. Even with the first floor setback, I worry that it is too much of a wall. I know that design elements are for PD permit, but I wonder if there may be a way to encourage articulation or design elements. I am worried about the potential flatness-- similar to the complaint at the ARC about West Avenue. I know that current sketches show some articulation, but I worry about subsequent developers and think about some really ugly buildings and the kinds of things that some developers foist in order to save a dime.

I am thinking that the vertical and horizontal planes might be described as

No more than 50% of the tower element may be in a single continuous vertical plane, and no more than 40% in a single continuous horizontal plane.

I am trying to get at the idea that the upper floors (3 through 11) have to present some different faces and not be perfectly flat--a variation of stairstep. It need not be great, perhaps 1 foot. Just something to make the wall articulated.

Similarly, when my eye travels horizontally in a line parallel to Sunol, I would wish that the upper stories have some feature that breaks up the flat face.

I think it's fine if the same plans are re-used, but not for the full mass of the building.

Perhaps, my idea would be more clear if I shared an archetype of something that I dislike and I am trying to avoid: Core's public employee housing at Bird and West San Carlos--flat faces. The only articulation provided is when the residents crank open their windows.

Acknowledging the political landscape, if the politically connected or politically correct developer came forward with flat-faced design, the design would be approved--even if Planning recommended against it.

Yes, I know that the Midtown Specific Plan and TOD and Residential Design guidelines for multifamily units, and ARC are all there. However, none of them have the same teeth as an ordinance.

I am hoping you might consider some sort of inclusion of this type of language in the zoning.

Thanks,  
Jean Dresden

10/19/2010



# Memorandum

**TO:** Mike Enderby  
Planning and Building

**FROM:** Vivian Tom  
Public Works

**SUBJECT: DRAFT RESPONSE TO  
DEVELOPMENT APPLICATION**

**DATE:** 09/10/10

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Approved

Date

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**PLANNING NO.:** PDC08-061  
**DESCRIPTION:** Planned Development Rezoning from HI Heavy Industrial Zoning District to A(PD) Planned Development Zoning District to remove three existing warehouse buildings and allow up to 825 multi-family residences and 50,000 square feet for commercial use on a 8.25 gross acre site  
**LOCATION:** southwest corner of West San Carlos Street and Sunol Street  
**P.W. NUMBER:** 3-18215

Public Works received revised plans for the subject project on 08/04/10 and submits the following comments and requirements. **Upon completion of the Action/Revisions Required items by the applicant, Public Works will forward a Final Memo to the Department of Planning prior to the preparation of the Staff Report for Public Hearing.**

## **Actions / Revisions Required:**

1. **Street Improvements:** Resubmit revised plans showing the following:
  - a) West San Carlos Street frontage:
    - i) Identify amount of private overhang in public right of way near Sunol Street. Provide sidewalk easement in lieu of street dedication within this area.
  - b) Sunol Street frontage – dedicate and improve:
    - i) Construct 18’ centerline to face-of-curb sections along Sunol Street frontage with minimum 12’ attached sidewalk and tree wells behind the curb and adjacent to the parking bays. Dedication of 10’ roadway easement will be required.
  - c) Proposed North-South Public Street (between W. San Carlos Street and Auzerais Street):
    - i) Maintain a consistent face-of-curb line along the east side of the proposed public street.
    - ii) Maintain a minimum 4’ ADA compliant sidewalk adjacent to the parking bay on the east side near West San Carlos Street.
    - iii) Provide an additional 2’ of sidewalk to accommodate a 2’ overhang for angle parking to avoid installation of wheel stops on the west side of proposed street.

- iv) Replace proposed removable bollards with City Standard barricade at Earle Street.
  - d) Eliminate notations on all sheets identifying specific parking uses (i.e. residential, commercial, visitor and loading etc.). Parking along public streets should be open for all general vehicular use and special markings/stripping for designated uses will not be allowed.
2. **Sanitary:** Sanitary sewer analysis has been received and is currently under review. Construction of new and / or upsizing of existing sewer system will be determined prior to zoning approval.

### **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.

3. **Construction Agreement:** The public improvements conditioned as part of this permit require the execution of a Construction Agreement that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. This agreement includes privately engineered plans, bonds, insurance, a completion deposit, and engineering and inspection fees.
4. **Transportation:**
- a) For the impact at the protected intersection of Meridian Avenue and West San Carlos Street, construct offsetting improvements equivalent to \$202,000. The offsetting improvements are identified through the Strong Neighborhood Initiative process and a list of improvements is currently established.
  - b) Contribute to the construction of the future Sunol Street LRT station. The City is currently working with the VTA, to establish the agreement for the LRT station that establishes a timeline, cost, and construction of the new station. The project responsibility will be determined at the PD Permit stage.
  - c) In accordance with CMP requirements, the project is required to implement "Immediate Actions" portion of the CMP TIA Guidelines. Some recommended measures may include:
    - Bike lockers, racks, and facilities at Transit Centers
    - Bike storage at residential developments
    - Improve roadside bicycle facilities
    - Improve pedestrian facilities
    - Bus Stop improvements
    - TDM programs and public information programs
    - HOV parking preference program

5. **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 geotechnical 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 (CGS Special Publication 117A) and the Southern California Earthquake Center (SCEC, 1999). A recommended depth of 50 feet should be explored and evaluated in the investigation.

6. **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) 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 included on the final Stormwater Control Plan.
- 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 that 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.

7. **Stormwater Peak Flow Control Measures:** The project is located in a non-Hydromodification Management area and is not required to comply with the City's Post-Construction Hydromodification Management Policy (Council Policy 8-14).

8. **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.

9. **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.
10. **Parks:** This residential project is subject to either the requirements of the City's Park Impact Ordinance (Chapter 14.25 of Title 14 of the San Jose Municipal Code) or the Parkland Dedication Ordinance (Chapter 19.38 of Title 19 of the San Jose Municipal Code) for the dedication of land and/or payment of fees in-lieu of dedication of land for public park and/or recreational purposes under the formula contained within in the Subject Chapter and the Associated Fees and Credit Resolutions.
11. **Undergrounding:**
  - a) The In Lieu Undergrounding Fee shall be paid to the City for all frontage adjacent to Auzerais Avenue and Sunol Street 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 2010 base fee is \$393 per linear foot of frontage and is subject to change every January 31<sup>st</sup> based on the Engineering News Record's 20 City Average Cost Index. . The project will be required to pay the current rate in effect at the time the Public Works Clearance is issued. (Based on 2010 rate, the fee is approximately \$399,960.03.)
  - b) The Director of Public Works may, at her discretion, allow the developer to perform the actual undergrounding of all off-site utility facilities fronting the project adjacent to Sunol Street. Developer shall submit copies of executed utility agreements to Public Works prior to the issuance of a Public Works Clearance.
12. **Street Improvements:**
  - a) West San Carlos Street frontage – dedicate and improve:
    - i) Construct curb, gutter, and 12' attached sidewalk with tree wells along San Carlos Street frontage. Dedication of 4' roadway easement will be required.
  - b) Sunol Street frontage – dedicate and improve:
    - i) Construct 18' centerline to face-of-curb sections along Sunol Street frontage with minimum 12' attached sidewalk and tree wells behind the curb. Dedication of 10' roadway easement will be required.
    - ii) In the future, Sunol Street may be widened to accommodate a left-turn pocket. At such time, the existing curb on the west side will need to be re-aligned and the parking bays eliminated (by others).
  - c) Auzerais Avenue frontage – dedicate and improve:
    - i) Construct 25' centerline to face-of-curb sections along Auzerais Avenue frontage with 12' attached sidewalk and tree wells behind the curb. Dedication of 12' roadway easement will be required.
    - ii) Show locations of parking garage gates off public streets a minimum of 25' from property line at PD permit stage. Proposed parking stalls within this area shall be relocated, if any.
    - iii) Remove abandoned Union Pacific railroad tracks.
  - d) Proposed North-South Public Street (between W. San Carlos Street and Auzerais Avenue) – dedicate and improve:

- i) Construct public street per approved street sections to the satisfaction of the Director of Public Works.
  - ii) Show locations of parking garage gates off public streets a minimum of 25' from property line at PD permit stage. Proposed parking stalls within this area shall be relocated, if any.
  - iii) Diagonal parking shall conform to the Draft City of San Jose Diagonal Parking Guidelines and Procedures. Parking stalls shall have 60' minimum setback from all intersections.
- e) Proposed special paving and other non-standard features (such as parking islands) within the public right-of-way may be considered with the formation of a Maintenance Assessment District or Community Benefit Improvement District.
- i) At PD permit stage, submit a list of potential non-standard features and a proposed maintenance schedule for consideration.
- f) Upgrade or construct handicap ramps to meet current ADA requirements at all intersections.
- g) Applicant shall be responsible to remove and replace curb, gutter, and sidewalk damaged during construction of the proposed project.
- h) 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
13. **SNI:** This project is located within the Burbank/Del Monte SNI area. Public improvements shall conform to the approved EIR and neighborhood improvement plan.
14. **Electrical:**
- a) 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
  - b) Locate and protect existing electrical conduit in driveway and/or sidewalk construction.
15. **Street Trees:**
- a) The locations of the street trees will be determined at the street improvement stage. Street trees shown on this permit are conceptual only.
  - b) Contact the City Arborist at (408) 277-2756 for the designated street tree.
  - c) 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.
16. **Private Streets:**
- a) Per Common Interest Development (CID) Ordinance, all common infrastructure improvements shall be designed and constructed in accordance with the current CID standards.

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- b) Provide public pedestrian and public bike access easements over the proposed private streets (South Lane and Earle Street).
- c) The plan set includes details of private infrastructure improvements. The details are shown for information only; final design shall require the approval of the Director of Public Works.

17. **Referrals:** This project should be referred to the Santa Clara County Roads and Airports Department and the Santa Clara Valley Transportation Authority (VTA).

Please contact me at (408) 535-6819 or Arlene Lew at (408) 535-6827 if you have any questions.

Vivian Tom  
Project Engineer  
Development Services Division

VT:atl  
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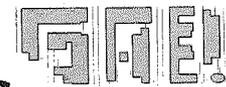
c: Ray Hashimoto, HMM Engineers  
Michael Van Every, Republic Urban Properties, LLC



Steinberg Architects GREENREPUBLIC LLLP

# Sunol Addition

San Jose, California



Conceptual Rendering - Aerial View  
Planned Development Rezoning Resubmittal  
August 4, 2010

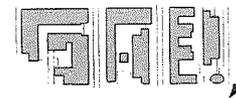


Steinberg Architects

GREENREPUBLIC LLLP

## Sunol Addition

San Jose, California



Conceptual Rendering (Blocks A and B)  
Planned Development Rezoning Resubmittal  
August 4, 2010

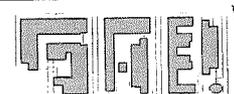


Steinberg Architects

GREENREPUBLIC LLLP

## Sunol Addition

San Jose, California



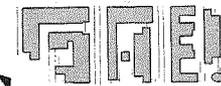
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August 4, 2010



Steinberg Architects GREEN REPUBLIC LLLP

# Sunol Addition

San Jose, California



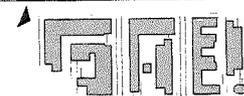
Conceptual Rendering (Block C)  
Planned Development Rezoning Resubmittal  
August 4, 2010



Steinberg Architects GREEN REPUBLIC LLLP

## Sunol Addition

San Jose, California



Conceptual Rendering (Block C)  
Planned Development Rezoning Resubmittal  
August 4, 2010

# Sunol Addition

## Planned Development Re-Zoning Submittal

### August 4, 2010

Project Directory	Project Data	Sheet Index																																																																																																																																																																																																																																																																																					
<p><b>Client/Owner:</b> Green Republic, LLP - A Partnership of Green Valley Corporation and Republic Urban Properties</p> <p><b>Contact:</b> Michael Van Every Republic Urban Properties, LLC 95 S. Market Street 3rd Floor San Jose, 95113 tel: 408-977-7718 fax: 408-977-7721</p> <p><b>Contact:</b> Erik Hayden Republic Urban Properties, LLC 95 S. Market Street 3rd Floor San Jose, 95113 tel: 408-977-7719 fax: 408-977-7721</p> <p><b>Contact:</b> Todd Treckel Green Valley Corporation Barry Swenson Buidler 777 N. First Street 8th Floor San Jose, CA 95112 tel: 408-938-6335 fax: 408-998-1737</p>	<p><b>Architect:</b> Contact: William L. Williams Steinberg Architects 60 Pierce Avenue San Jose, CA 95110 tel: 408-295-5446 fax: 408-817-2915</p> <p><b>Contact:</b> Rob Zinke Steinberg Architects 98 Battery Street, #Suite 200 San Francisco, CA 94111 tel: 415-683-2014 fax: 415-683-2015</p> <p><b>Civil Engineer:</b> Contact: Ray Hashimoto HMH Engineers 1570 Oakland Road San Jose, CA 95131 tel: 408-487-6200 fax: 408-487-2222</p> <p><b>Landscape Architect:</b> Contact: Ken Kay Ken Kay Associates 1035 Sanome St Studio 321 San Francisco, CA 94111 tel: 415-955-4172 fax: 415-956-4522</p>	<p><b>Project Data Summary and Area Tabulation</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Total Area of Subject Property</th> <th>Acres</th> <th>SF</th> </tr> </thead> <tbody> <tr> <td>Gross:</td> <td>-- 8.0</td> <td>--</td> <td>348,480</td> </tr> <tr> <td>Net:</td> <td>-- 6.8</td> <td>--</td> <td>286,205</td> </tr> </tbody> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Residential Use</th> <th colspan="8">Quantity per Unit Type</th> <th colspan="4">Area Data (SF)</th> </tr> <tr> <th>T BR</th> <th>JR</th> <th>2 BR</th> <th>2 BR</th> <th>3 BR</th> <th>3 BR</th> <th>Total</th> <th>Gross</th> <th>Clr</th> <th>Net</th> <th>Efficiency</th> <th>Average</th> </tr> <tr> <th></th> <th>Loft</th> <th>Flat</th> <th>Flat</th> <th>TH</th> <th>LW</th> <th>Flat</th> <th>TH</th> <th></th> <th></th> <th></th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>Block A</td> <td>0</td> <td>18</td> <td>84</td> <td>70</td> <td>17</td> <td>0</td> <td>11</td> <td>215</td> <td>285,635</td> <td>50,115</td> <td>210,420</td> <td>81%</td> <td>679</td> </tr> <tr> <td>Block B</td> <td>0</td> <td>11</td> <td>109</td> <td>72</td> <td>18</td> <td>0</td> <td>13</td> <td>4</td> <td>227,509</td> <td>53,121</td> <td>224,388</td> <td>81%</td> <td>988</td> </tr> <tr> <td>Block C</td> <td>2</td> <td>8</td> <td>124</td> <td>97</td> <td>19</td> <td>3</td> <td>11</td> <td>0</td> <td>285</td> <td>318,863</td> <td>54,800</td> <td>264,063</td> <td>83%</td> <td>996</td> </tr> <tr> <td><b>Total</b></td> <td><b>2</b></td> <td><b>38</b></td> <td><b>317</b></td> <td><b>245</b></td> <td><b>54</b></td> <td><b>3</b></td> <td><b>35</b></td> <td><b>15</b></td> <td><b>707</b></td> <td><b>858,307</b></td> <td><b>158,036</b></td> <td><b>698,871</b></td> <td><b>82%</b></td> <td><b>989</b></td> </tr> </tbody> </table> <p>Unit Mix: 0% 5% 45% 35% 8% 0% 5% 2%</p> <p>Denalty (DUI/Acre) 104 (max 118)</p> <p>Parking Required Ratio 1.5 1.5 1.5 1.5 1.8 1.8 2.0 2.0</p> <p>Parking Required 3 49 428 387 87 5 63 27 1058 <i>Note: 10% Reduction allowed in T.O.D</i></p> <table border="1" style="width: 100%; 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**Sunol Addition - Block C**

Residential Use														
Floor	Quantity per Unit Type									Area Data (SF)				
	1 BR	JR	2 BR	2 BR	2 BR	3 BR	3 BR	3 BR	Total	Gross	Circle Core	Net Efficiency Average		
	Loft	Flat	Flat	TH	L-W	Flat	TH							
Below Podium	1	2	0	0	0	10	5	0	22	43,719	9,021	34,698	79%	1,446
Podium Low Rise	3	0	0	12	14	0	0	2	28	32,978	5,463	27,515	83%	840
Podium High Rise	4	0	0	17	13	0	0	3	33	35,279	5,692	29,587	85%	907
	5	0	0	17	13	0	0	3	33	35,279	5,692	29,587	85%	907
	6	0	0	17	13	0	0	3	33	35,278	5,690	29,588	85%	907
	3	0	1	8	4	0	0	0	13	13,785	2,243	11,542	81%	662
	4	0	1	8	4	0	0	0	13	14,178	2,293	11,885	82%	662
	5	0	1	8	4	0	0	0	13	14,178	2,293	11,885	82%	662
	6	0	1	8	4	0	0	0	13	14,178	2,293	11,885	82%	662
	7	0	1	8	4	0	0	0	13	14,178	2,293	11,885	82%	662
	8	0	1	5	6	0	0	0	12	14,208	2,343	11,865	82%	669
	9	0	1	5	6	0	0	0	12	14,208	2,343	11,865	82%	669
	10	0	1	5	6	0	0	0	12	14,208	2,343	11,865	82%	669
	11	0	1	5	6	0	0	0	12	14,208	2,343	11,865	82%	669
<b>Total</b>	<b>2</b>	<b>0</b>	<b>124</b>	<b>37</b>	<b>19</b>	<b>3</b>	<b>11</b>	<b>0</b>	<b>265</b>	<b>318,863</b>	<b>54,000</b>	<b>264,863</b>	<b>83%</b>	<b>996</b>
Unit Mix	1%	3%	47%	37%	7%	1%	4%	0%						
Density (DU/Acre)	1.5	1.5	1.8	1.8	1.8	2.0	2.0	2.0						
Parking Required Ratio	3	12	16	15	31	5	20	0	395	Note: 10% T.O.D. Reduction residential only				
Parking Required														

Non-Residential Use			
Use Category	Floor	Area (SF)	Notes
Commercial	1	2,755	Includes Restaurant/Lodg
Structured Parking	Basement	80,152	
	1	45,116	3,454 sf allocated to Commercial Parking
	2	46,594	
Community Rm	3	3,069	
Fitness	2	1,721	

Building Coverage			
Use Category	Area (SF)	Notes	
Building Footprint	74,845		
Landscape Area			
Private Open	60	Per unit of 50% of Plots and 100% of Ground Floor Terraces	
Common Open	105	Per Unit (Public Plaza and Podium Common Open Space)	
Common Open	5,851	Public Plaza and South Lane	
Common Open	3	Podium	
	21,877		

Residential Structured Parking Summary						
Floor	Quantity Provided per Type			Total	Notes	SF/Unit (Structured Parking)
	Unit	Tand	Guest			
Parking Required				335		
Parking Provided						
	Basement (Struct.)	153	46	0	200	389
	1 (Structural)	21	2	28	51	601
	2 (Structural)	62	34	0	120	338
	Sand Street	0	0	0	0	
	Hayes Avenue	0	0	0	0	
	West Way	0	0	13	13	
<b>Total</b>	<b>271</b>	<b>88</b>	<b>41</b>	<b>400</b>		
Parking Mix		22%	10%			

Residential Tandem Parking Analysis					
Unit Type	# of Units	Quantity Provided per Type	Total	Notes	
2 and 3 BR	86	98	68	176	2 spaces per unit
1 and 2 BR	177	103	0	103	Spaces shared between units
Subtotal	265	271	68	339	
			41	41	
<b>Total</b>	<b>265</b>			<b>400</b>	

Commercial Parking Summary			
Floor	Total	Notes	SF/Unit
Parking Required	7	1,400 requirement	
Parking Provided			
	1 (Structural)		15
	Sand Street		3
	Hayes Avenue		3
	West Way		0
<b>Total</b>	<b>21</b>		<b>21</b>

**Sunol Addition - Block B**

Residential Use														
Floor	Quantity per Unit Type									Area Data (SF)				
	JR	1 BR	2 BR	2 BR	2 BR	3 BR	3 BR	3 BR	Total	Gross	Circle Core	Net Efficiency Average		
	Flat	Flat	Flat	TH	L-W	Flat	TH							
Below Podium	1	0	0	0	14	0	0	0	14	29,297	9,248	20,049	70%	1,440
Podium Low Rise	3	0	6	6	0	0	3	0	15	30,671	4,269	26,402	79%	1,635
	4	0	7	8	0	0	3	0	18	22,619	4,299	18,320	81%	1,019
	5	0	7	8	0	0	3	0	18	22,619	4,299	18,320	81%	1,019
	6	0	7	8	0	0	3	0	18	22,619	4,299	18,320	81%	1,019
Podium High Rise	3	2	7	2	0	0	1	0	12	14,130	3,091	11,039	78%	819
	4	1	8	4	0	0	0	0	13	15,072	2,670	12,402	83%	1,005
	5	1	8	4	0	0	0	0	13	15,072	2,670	12,402	83%	1,005
	6	1	8	4	0	0	0	0	13	14,270	2,879	11,391	81%	892
	7	1	8	4	0	0	0	0	13	14,270	2,879	11,391	81%	892
	8	1	8	4	0	0	0	0	13	14,270	2,879	11,391	81%	892
	9	1	8	4	0	0	0	0	13	14,270	2,879	11,391	81%	892
	10	1	8	4	0	0	0	0	13	14,270	2,879	11,391	81%	892
	11	1	8	4	0	0	0	0	13	14,270	2,879	11,391	81%	892
	12	1	8	4	0	0	0	0	13	14,270	2,879	11,391	81%	892
	13	0	4	2	4	0	0	2	12	14,330	2,970	11,360	81%	972
	14	0	4	2	4	0	0	2	12	14,330	2,970	11,360	81%	972
<b>Total</b>	<b>11</b>	<b>109</b>	<b>72</b>	<b>18</b>	<b>0</b>	<b>13</b>	<b>4</b>	<b>227</b>	<b>277,509</b>	<b>53,721</b>	<b>223,788</b>	<b>81%</b>	<b>888</b>	
Unit Mix	5%	48%	32%	8%	0%	6%	2%							
Density (DU/Acre)	1.5	1.5	1.8	1.8	1.8	2.0	2.0							
Parking Required Ratio	15	147	117	29	0	22	7	338	Note: 10% Reduction allowed in T.O.D.					
Parking Required														

Non-Residential Use			
Use Category	Floor	Area (SF)	Notes
Commercial	1	0	
Structured Parking	Basement	63,441	
	1	29,302	
	2	34,323	
Community Room	1	2,414	
Fitness	3	2,929	

Building Coverage			
Use Category	Area (SF)	Notes	
Building Footprint	54,814		
Landscape Area			
Private Open	60	Per unit of 50% of Plots and 100% of Ground Floor Terraces	
Common Open	126	Per Unit (Public Plaza and Podium Common Open Space)	
Common Open	13,853	Community Room Courtyard, East Street and South Lane	
Common Open	3	Podium	
	14,885		

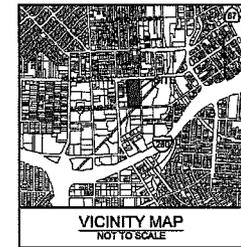
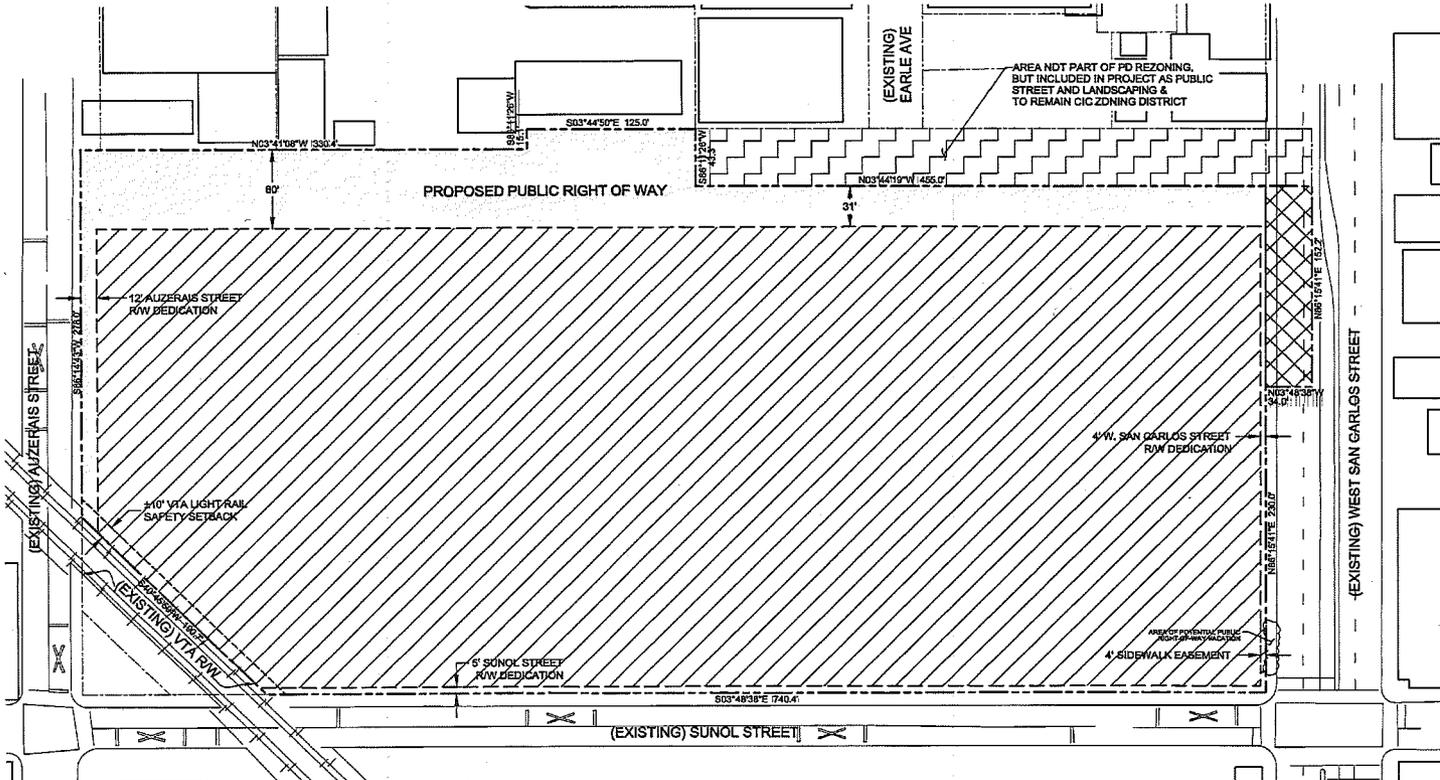
Residential Structured Parking Summary						
Floor	Quantity Provided per Type			Total	Notes	SF/Unit (Structured Parking)
	Unit	Tand	Guest			
Parking Required				338		
Parking Provided						
	Basement (Struct.)	144	13	0	157	404
	1 (Structural)	40	30	0	70	393
	2 (Structural)	40	40	0	80	373
	Sand Street	0	0	4	4	
	South Street	0	0	10	10	
	West Way	0	0	20	20	
<b>Total</b>	<b>230</b>	<b>95</b>	<b>34</b>	<b>359</b>		
Parking Mix		26%	9%			

Residential Tandem Parking Analysis					
Unit Type	# of Units	Quantity Provided per Type	Total	Notes	
2 and 3 BR	95	95	95	160	2 spaces per unit
1 and 2 BR	132	135	0	135	Spaces shared between units
Subtotal	227	230	95	325	
			34	34	
<b>Total</b>	<b>227</b>			<b>359</b>	

Commercial Parking Summary			
Floor	Total	Notes	SF/Unit
Parking Required	7	1,400 requirement	
Parking Provided			
	1 (Structural)		15
	Sand Street		3
	Hayes Avenue		3
	West Way		0
<b>Total</b>	<b>21</b>		<b>21</b>

**Sunol Addition - Block A**

Residential Use															
Floor	Quantity per Unit Type									Area Data (SF)					
	JR	1 BR	2 BR	2 BR	2 BR	3 BR	3 BR	3 BR	Total	Gross	Circle Core	Net Efficiency Average			
	Flat	Flat	Flat	TH	L-W	Flat	TH								
Below Podium	1	0	0	0	5	0	0	0	5	11,421	2,816	8,605	75%	1,434	
Podium Low Rise	3	0	3	7	4	0	0	2	4	20	26,397	3,042	23,355	80%	1,198
	4	0	3	7	4	0	0	2	4	20	26,397	3,042	23,355	80%	1,198
	5	0	3	7	4	0	0	2	4	21	29,441	4,810	24,631	84%	1,173
	6	0	3	7	4	0	0	2	4	21	29,441	4,810	24,631	84%	1,173
Podium High Rise	3	1	0	4	0	0	0	0	13	13,942	2,814	11,128	83%	949	
	4	1	0	4	0	0	0	0	13	14,232	2,814	11,418	80%	978	
	5	1	0	4	0	0	0	0	13	14,232	2,814	11,418	80%	978	
	6	1	0	4	0	0	0	0	13	14,232	2,814	11,418	80%	978	
	7	2	0	5	0	0	0	0	13	14,232	2,814	11,418	80%	978	
	8	2	0	5	0	0	0	0	13	14,232	2,814	11,418	80%	978	
	9	2	0	5	0	0	0	0	13	14,232	2,814	11,418	80%	978	
	10	2	0												



**LEGEND**

PD ZONING BOUNDARY	---
PROPERTY LINE (EXISTING)	---
EASEMENT	---
RIGHT OF WAY (PROPOSED)	---

**PERMITTED USES**

HATCH PATTERN	LAND USE	AREA	PERCENT
[Diagonal Hatch]	UP TO 800 SF ATTACHED OR DETACHED UNITS, BOWLING ALLEYS, PRIVATE OPEN SPACES OR RETAIL COMMERCIAL SPACES OR LANDSCAPE UNITS	26.8 AC	86%
[White Box]	PUBLIC STREET RIGHT-OF-WAY DEDICATION	21.1 AC	13%
[Cross-hatch]	EXISTING SAN CARLOS STREET	20.1 AC	1%
[Diagonal Hatch]	GRSBS SITE AREA	26.8 AC	100%
[Diagonal Hatch]	NET SITE AREA	26.8 AC	86%
[White Box]	EXISTING COVERED RECREATIONALLY COMMERCIAL ZONING DISTRICT AREA NOT REZONED BY PD PERMIT #11 SUBJECT TO PUBLIC IMPROVEMENTS	20.8 AC	N/A

**PROPOSED DENSITY (MAXIMUM)**  
 UP TO 800 DWELLING UNITS  
 8.8 ACRES (NET) (18 DU / AC (MAX))

**DEVELOPMENT STANDARDS**

**SETBACKS**

1) WEST SAN CARLOS STREET:	0'-0" (MINIMUM) FROM NEW PROPERTY LINE
2) SUNOL STREET:	0'-0" (MINIMUM) FROM NEW PROPERTY LINE
3) ALZUERAS STREET:	0'-0" (MINIMUM) FROM NEW PROPERTY LINE
4) NEW NORTH / SOUTH STREET (WEST WAY):	10'-0" (MINIMUM) TO GROUND FLOOR FROM NEW PROPERTY LINE
5) ACTIVE RAILROAD / LIGHT RAIL:	10'-0" FROM CENTERLINE OF WESTERLY TRACK
6) ARCHITECTURAL ELEMENTS:	ARCHITECTURAL ELEMENTS, SUCH AS CANOPIES, CORNICES, TELLUSERS, PORCHES, OVERHANGS, AND THE LIKE, MAY PROJECT INTO THE BUILDING SETBACK AS APPROVED BY THE DIRECTOR OF PLANNING THROUGH A PD PERMIT OR PD PERMIT ADJUSTMENT.

**DENSITY**

RESIDENTIAL:	40 DU/AC MINIMUM 120 DU/AC MAXIMUM (UP TO 800 UNITS)
COMMERCIAL:	UP TO 30,000 SF

**SUBSIDY HEIGHT**

MAXIMUM OVERALL HEIGHT:	65'-0" (SUBJECT TO FAA APPROVAL)
MAXIMUM STREET WALL HEIGHT:	35' (ELEVATOR PERIFERIES, SOLAR PANELS, MECHANICAL ROOMS, AND OTHER SIMILAR APURTENANCES MAY EXCEED THE 65' HEIGHT LIMITATION SUBJECT TO PD PERMIT OR PD PERMIT ADJUSTMENT APPROVAL.

**PARKING**

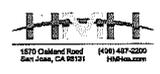
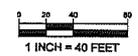
REQUIRED RESIDENTIAL PARKING:	ONE BEDROOM: 1.8 (1-10% REDUCTION ALLOWANCE FOR TOD) TWO BEDROOM: 1.8 (1-10% REDUCTION ALLOWANCE FOR TOD) THREE BEDROOM: 2.0 (1-10% REDUCTION ALLOWANCE FOR TOD)
PROVIDED RESIDENTIAL PARKING:	1,068 SPACES
REQUIRED RETAIL PARKING:	BLOCK A: 1 PER 400 SQUARE FEET BLOCK C: 1 PER 200 SQUARE FEET (1-10% REDUCTION ALLOWANCE FOR TOD)
PROVIDED RETAIL PARKING:	121 SPACES

**PERMITTED USES:**  
 MULTIFAMILY, SINGLE FAMILY ATTACHED RESIDENTIAL, AND PERMITTED AND CONDITIONAL USES OF THE ON ZONING DISTRICT.

**SIGNAGE:**  
 SIGNAGE PROGRAM TO BE DEVELOPED AT INITIAL PLANNED DEVELOPMENT PERMIT.

**OPEN SPACE**

PROVIDED PRIVATE OPEN SPACE:	16 SF AVERAGE PER UNIT
PROVIDED COMMON OPEN SPACE:	60 SF AVERAGE PER UNIT



GREEN REPUBLIC LLP

Sunol Addition  
 San Jose, California

General Development Plan - Exhibit C (1 of 2)  
 Land Use Plan - 2.0

PD Zoning Submittal Addendum - August 04, 2010

**ENVIRONMENTAL MITIGATION**  
TO BE DETERMINED IN ACCORDANCE WITH EIR.

**NOTES**

- PRIVATE INFRASTRUCTURE WILL MEET CITY CID STANDARDS.
- THE PROPOSED PROJECT WILL BE DESIGNED CONSISTENT WITH THE CONCEPTS AND GUIDELINES CONTAINED IN CHAPTERS 28 AND 28A OF THE SAN JOSE RESIDENTIAL DESIGN GUIDELINES.
- PURSUANT TO THE PDPOD, WE HAVE IDENTIFIED A DEVELOPER OWNED 3.89 ACRE PARCEL LOCATED AT 830 ALZEBAS AVE (APN 284-41-07 & 108) TO SATISFY THIS PROJECT'S PARKLAND DEDICATION REQUIREMENTS. DEVELOPER SHALL CONTRIBUTE SUBJECT PARCELS UPON THE ISSUANCE OF BUILDING PERMITS FOR THE ONSITE PROJECT OR UPON THE CITY'S ABILITY TO PRIORITIZE THE AVAILABILITY OF FUNDS AND WILLINGNESS TO USE THOSE FUNDS TO MAINTAIN THE DEDICATED PARK, WHICHEVER IS FIRST TO OCCUR.

**WATER POLLUTION CONTROL PLANT**

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 POLLUTION CONTROL PLANT REPRESENTED BY APPROVED LAND USES IN THE AREA SERVED BY SAEC PLANT WILL CAUSE THE TOTAL SEWAGE TREATMENT DEMAND TO MEET OR EXCEED THE CAPACITY OF THE SAN JOSE-SANTA CLARA WATER POLLUTION CONTROL. TO TREAT SUCH SEWAGE ADEQUATELY AND WITHIN THE DISCHARGE STANDARDS IMPOSED ON THE CITY BY THE STATE OF CALIFORNIA REGIONAL WATER QUALITY 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.

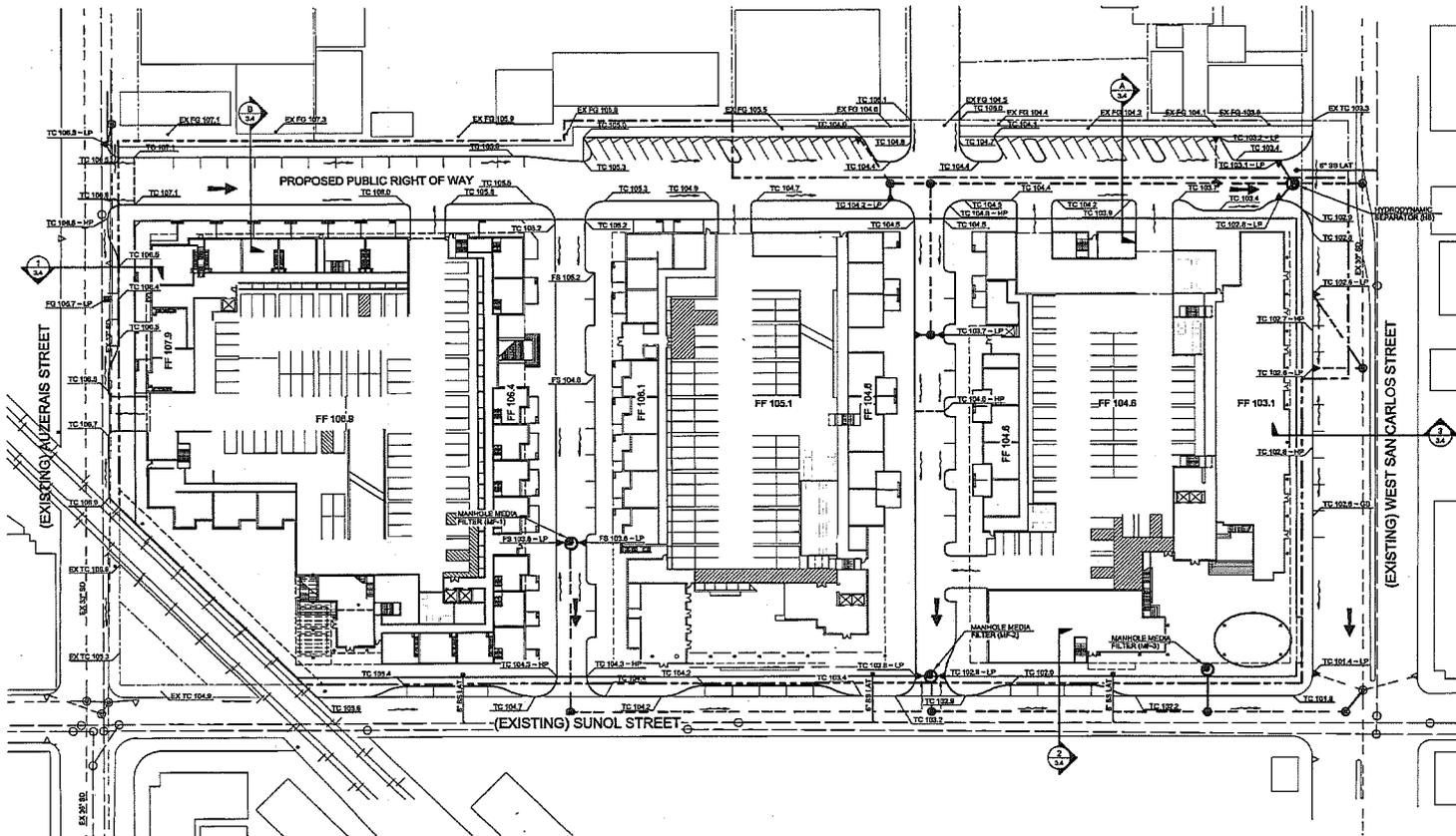


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Sunol Addition  
San Jose, California

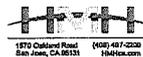
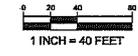
General Development Plan - Exhibit C (2 of 2)  
Land Use Notes - 2.1

PD Zoning Submittal Addendum - August 04, 2010



**LEGEND**

PROJECT BOUNDARY	---
STORM DRAIN PIPE	---
STORM DRAIN PIPE (EXISTING)	---
SANITARY SEWER PIPE	---
SANITARY SEWER PIPE (EXISTING)	---
STORM DRAIN MANHOLE	●
STORM DRAIN MANHOLE (EXISTING)	○
HOODED CURB INLET	▲
CURB INLET (EXISTING)	△
FLAT GRATE INLET	■
FLAT GRATE INLET (EXISTING)	□
SANITARY SEWER CLEANOUT	○
SANITARY SEWER MANHOLE (EXISTING)	○
HIGH POINT SPOT ELEVATION	HP
LOW POINT SPOT ELEVATION	LP
EXISTING DRAIN ELEVATION	EX FD
FRESH GRADE ELEVATION	FG
TOP OF CURB ELEVATION	TC
FRESH FLOOR ELEVATION	FF
DIRECTION OF SURFACE FLOW DRAINAGE	→
HYDRODYNAMIC SEPARATOR	⊖
MANHOLE MEDIA FILTER	⊖
OVERLAND RELEASE PATH	→



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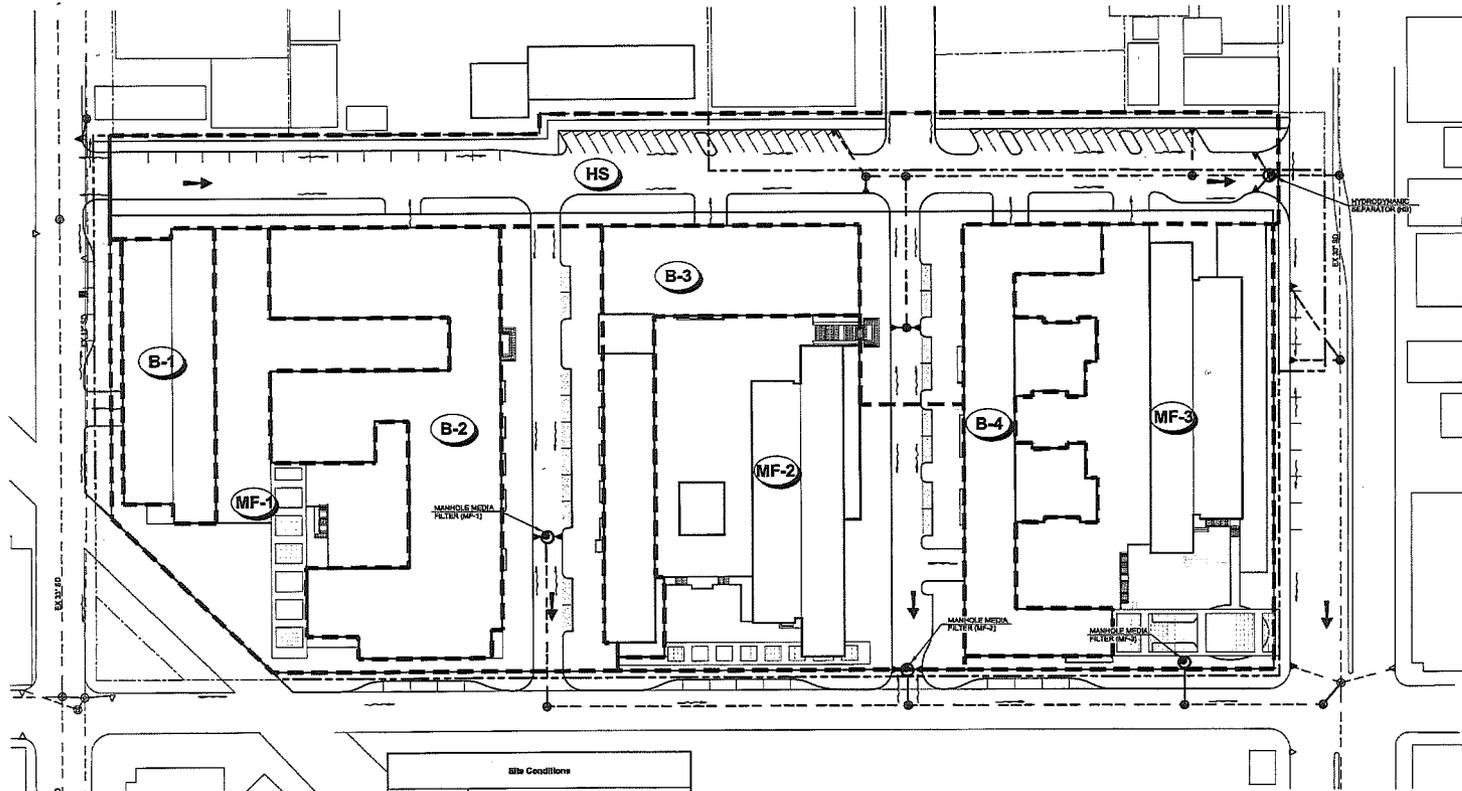
# Sunol Addition

San Jose, California

Conceptual Grading and Drainage Plan - 3.0

PD Zoning Submittal Addendum - August 04, 2010

1870 Oakland Road  
San Jose, CA 95131  
(408) 487-2238  
1940.com



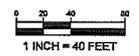
**LEGEND**

- PROJECT BOUNDARY
- STORM DRAIN PIPE (EXISTING)
- STORM DRAIN MANHOLE (EXISTING)
- STORM DRAIN MANHOLE (EXISTING)
- CLUBS INLET
- CLUBS INLET (EXISTING)
- FLAT GRATE INLET
- FLAT GRATE INLET (EXISTING)
- DIRECTION OF SURFACE FLOW DRAINAGE
- HYDRODYNAMIC SEPARATOR
- MANHOLE MEDIA FILTER
- OVERLAND RELEASE PATH
- POTENTIAL PERVIOUS PAVING
- POTENTIAL HYDRODYNAMIC SEPARATOR DRAINAGE AREA
- POTENTIAL MEDIA FILTER DRAINAGE AREA
- POTENTIAL BICENTENTON DRAINAGE AREA

Site Conditions	
Soil Type	Silt Loam (S)
Depth to Groundwater	20 - 30 ft.
100-Year Flood Elevation	Undetermined
Receiving Water Body	Los Gatos Creek
Pollutants	Sediment, Greases, Oil, Heavy Metals, Hydrocarbons, Trash, Nutrients, Pesticides
Pollutant Source Areas	Driveways, Private Street, Trash Receptacles, Landscaping
Source Control Measures	Street/Side Inlets, Covered Trash Enclosures, Covered Parking, Clustered Buildings/Units

PERVIOUS AND IMPERVIOUS SURFACES COMPARISON						
	Existing Condition (sq. ft.)	%	Proposed Condition (sq. ft.)	%	Difference (sq. ft.)	%
Site (acres):	357,410		357,410			
Building Footprints	24,045	7%	109,224	31%	85,279	24%
Parking Streets/Driveways	307,040	86%	33,475	9%	-273,565	-77%
Sidewalks, Patios, Paths, etc.	0	0%	184,921	52%	184,921	52%
Pervious Surfaces/Landscaping	28,325	7%	29,690	8%	3,365	1%
<b>Total</b>	<b>357,410</b>	<b>100%</b>	<b>357,410</b>	<b>100%</b>		
Impervious Surfaces	331,085	93%	327,720	92%	-3,365	-1%
Pervious Surfaces	26,325	7%	29,690	8%	3,365	1%
<b>Total</b>	<b>357,410</b>	<b>100%</b>	<b>357,410</b>	<b>100%</b>	<b>0</b>	

NOTE: STORM WATER CONTROL CONCEPTS SHOWN ON THIS PLAN ARE PRELIMINARY AND MORE DETAILED DESIGNS AND CONCEPTS WILL BE DEVELOPED DURING THE PD PERMIT PROCESS.



**GREEN REPUBLIC LLLP**

**Sunol Addition**  
San Jose, California

**Conceptual Stormwater Control Plan - 3.1**

PD Zoning Submittal Addendum - August 04, 2010

**Media Filter Unit Sizing**

The Rational Method Information described below is based on the methodology provided by the Santa Clara Valley Urban Runoff Pollution Prevention Program for calculating design flow rates, and can be used to size various media filter devices.

**Area ME-1**

Calculate the peak flow rate from the water quality storm (Q<sub>WQ</sub>) for the site.

Use the Rational Method Q=CIA to solve for Q, given a rainfall intensity of 0.179 inches/hour, where Q = Flow (cubic feet/second), C = Runoff Coefficient, I = Rainfall Intensity (inches/hour), and A = Total Site Area (acres).

C = .85 (per Santa Clara County Drainage Manual)

I = Rain Gauge Correction Factor = 14.6 in. MAP<sub>100</sub> / 13.9 in. MAP<sub>5</sub> = 1.05

Corrected Design Rainfall Intensity (I<sub>c</sub>): Rain Gauge Correction Factor x Design Rainfall Intensity for San Jose Airport Rain Gauge = 1.05 x 0.17 (per SCVURPPP CS Handbook) = .178 in/hr.

A = 61,827 sq. ft. (1.42 ac.)

Q = .85 x .178 in/hr x 1.42 ac. = 0.22 cfs

**Configuration:**

A list of media filter products that could provide the required treatment capacity for the calculated water quality storm flow from this drainage area is provided below. Final product selection will be determined prior to the release of building permits.

Product Manufacturer	Media Filter Product	Configuration	No. of Cartridges/Units	Treatment Capacity
Hydro International	Up-Flow Filter	48" manhole	4 modules	0.22 cfs
Contech	Stormfilter	72" manhole	7 cartridges	0.22 cfs

**Area ME-2**

Calculate the peak flow rate from the water quality storm (Q<sub>WQ</sub>) for the site.

Use the Rational Method Q=CIA to solve for Q, given a rainfall intensity of 0.179 inches/hour, where Q = Flow (cubic feet/second), C = Runoff Coefficient, I = Rainfall Intensity (inches/hour), and A = Total Site Area (acres).

C = .85 (per Santa Clara County Drainage Manual)

I = Rain Gauge Correction Factor = 14.6 in. MAP<sub>100</sub> / 13.9 in. MAP<sub>5</sub> = 1.05

Corrected Design Rainfall Intensity (I<sub>c</sub>): Rain Gauge Correction Factor x Design Rainfall Intensity for San Jose Airport Rain Gauge = 1.05 x 0.17 (per SCVURPPP CS Handbook) = .178 in/hr.

A = 65,929 sq. ft. (1.51 ac.)

Q = .85 x .178 in/hr x 1.51 ac. = 0.22 cfs

**Configuration:**

A list of media filter products that could provide the required treatment capacity for the calculated water quality storm flow from this drainage area is provided below. Final product selection will be determined prior to the release of building permits.

Product Manufacturer	Media Filter Product	Configuration	No. of Cartridges/Units	Treatment Capacity
Hydro International	Up-Flow Filter	48" manhole	4 modules	0.22 cfs
Contech	Stormfilter	72" manhole	6 cartridges	0.20 cfs

**Area ME-3**

Calculate the peak flow rate from the water quality storm (Q<sub>WQ</sub>) for the site.

Use the Rational Method Q=CIA to solve for Q, given a rainfall intensity of 0.179 inches/hour, where Q = Flow (cubic feet/second), C = Runoff Coefficient, I = Rainfall Intensity (inches/hour), and A = Total Site Area (acres).

C = .85 (per Santa Clara County Drainage Manual)

I = Rain Gauge Correction Factor = 14.6 in. MAP<sub>100</sub> / 13.9 in. MAP<sub>5</sub> = 1.05

Corrected Design Rainfall Intensity (I<sub>c</sub>): Rain Gauge Correction Factor x Design Rainfall Intensity for San Jose Airport Rain Gauge = 1.05 x 0.17 (per SCVURPPP CS Handbook) = .178 in/hr.

A = 53,347 sq. ft. (1.22 ac.)

Q = .85 x .178 in/hr x 1.22 ac. = 0.19 cfs

**Configuration:**

A list of media filter products that could provide the required treatment capacity for the calculated water quality storm flow from this drainage area is provided below. Final product selection will be determined prior to the release of building permits.

Product Manufacturer	Media Filter Product	Configuration	No. of Cartridges/Units	Treatment Capacity
Hydro International	Up-Flow Filter	48" manhole	4 modules	0.22 cfs
Contech	Stormfilter	72" manhole	6 cartridges	0.20 cfs

**Hydrodynamic Separator Unit Sizing**

The Rational Method (Q=CIA), used for sizing the proposed hydrodynamic separator unit, is based on the methodology provided by the Santa Clara Valley Urban Runoff Pollution Prevention Program for calculating peak flow rates.

Use the Rational Method Q=CIA to solve for Q, given a rainfall intensity of 0.184 inches/hour, where Q = Flow (cubic feet/second), C = Runoff Coefficient, I = Rainfall Intensity (inches/hour), and A = Total Site Area (acres).

**Drainage Area ME-1**

Calculate the peak flow rate from the water quality storm (Q<sub>WQ</sub>) for the site.

Use the Rational Method Q=CIA to solve for Q, given a rainfall intensity of 0.179 inches/hour, where Q = Flow (cubic feet/second), C = Runoff Coefficient, I = Rainfall Intensity (inches/hour), and A = Total Site Area (acres).

C = .85 (per Santa Clara County Drainage Manual)

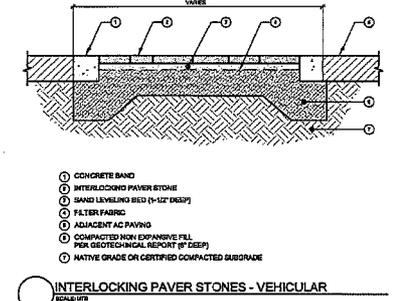
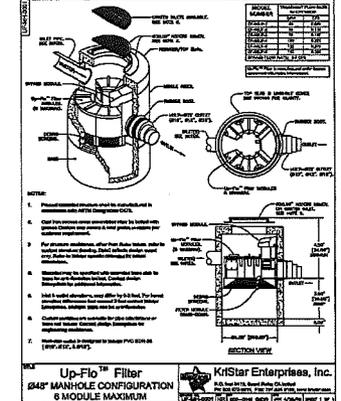
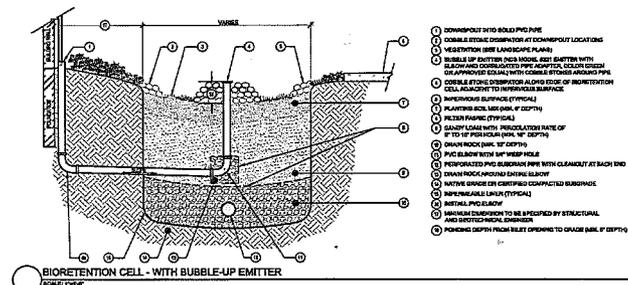
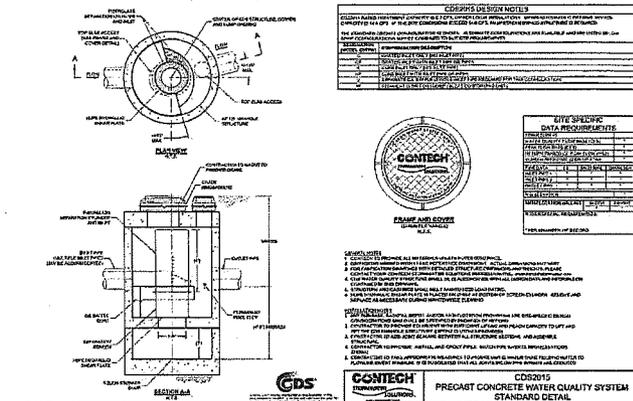
I = Rain Gauge Correction Factor = 14.6 in. MAP<sub>100</sub> / 13.9 in. MAP<sub>5</sub> = 1.05

Corrected Design Rainfall Intensity (I<sub>c</sub>): Rain Gauge Correction Factor x Design Rainfall Intensity for San Jose Airport Rain Gauge = 1.05 x 0.17 (per SCVURPPP CS Handbook) = .178 in/hr.

A = 75,068 sq. ft. (approx.) = 1.72 ac.

Q = CIA = .85 x .178 in/hr x 1.72 ac = 0.25 cfs

Proposed Unit - CDS 2015 (treatment capacity = 0.7 cfs)



**UP-UP-FLO™ FILTER MAINTENANCE**

The following maintenance procedures and recommendations are taken from the Up-Up-Flo™ Filter Operation and Maintenance Manual, produced by Hydro International and distributed by Kistler Enterprises, Inc.

**Overview**

The Up-Up-Flo™ Filter protects the environment by removing a wide range of pollutants from storm water runoff. Periodic removal of these captured pollutants is essential to the proper functioning of the Up-Up-Flo™ Filter.

The Up-Up-Flo™ Filter design allows for easy and safe inspection, monitoring and cleaning operations. The Up-Up-Flo™ Filter has a wide central clearance for easy and comfortable access to the Up-Up-Flo™ Filter components.

Maintenance events can be categorized as routine or annual. Routine maintenance can include inspection, floatables removal and/or sediment removal. Routine maintenance events do not require entry into the Up-Up-Flo™ Filter chamber. In the case of inspection and floatables removal, a vector truck is not required. However, a vector truck is required if the maintenance event is to remove sediment removed from the sump of the Up-Up-Flo™ vessel. Annual maintenance includes Media Pack replacement in addition to sediment and floatables removal. In most instances, entry into the Up-Up-Flo™ vessel is required for Media Pack replacement. There is no need to follow OSHA Confined Space Entry procedures when performing annual maintenance.

**Determining Your Maintenance Schedule**

The frequency of maintenance procedures can be determined in the field after installation. Hydro International, however, recommends that routine maintenance be completed at least every six months during the first year of operation. Typically, annual maintenance is recommended at least once per year.

During the first year of operation, the unit should be inspected every six months to determine the rate of sediment and floatables accumulation. To prevent from plugging the entryway to the filter media, the sediment must be removed before it completely fills the sump. A simple probe can be used to determine the level of accumulation in the sediment storage facility. This information can be recorded in a maintenance log to establish a routine maintenance schedule. Pollutant storage volumes will be dependent on the sump depth of the Up-Up-Flo™ Filter. A typical 4-foot round manhole Up-Up-Flo™ Filter has 0.5 yd. of sediment storage.

Routine and annual maintenance procedures for a typical 4-foot diameter manhole Up-Up-Flo™ Filter take less than 20 minutes and remove about 300 gallons of water in the process. Spent Media Packs weigh about 40 pounds. Spent Media Packs should be disposed of at a local landfill.

**ROUTINE MAINTENANCE PROCEDURES**

**Inspection**  
Inspection is a simple process that does not involve entry into the Up-Up-Flo™ Filter chamber. Maintenance crews should be familiar with the Up-Up-Flo™ Filter and its components prior to inspection.

- Inspection Scheduling**
- The first year following installation, it is important to inspect your Up-Up-Flo™ Filter regularly to determine your site-specific rate of pollutant accumulation.
  - Typically, inspections may be conducted during any season of the year.

**Recommended Equipment**

- Safety equipment and personal protection equipment (traffic cones, work gloves, etc.)
- Crow bar to remove grate or lid
- Pole with skimmer or net
- Sediment probe
- Hydro International Up-Up-Flo™ Filter Maintenance Log
- Trash bag for removed floatables
- Up-Up-Flo™ Filter Maintenance Log
- Trash bag for removed floatables
- Up-Up-Flo™ Filter Maintenance Log

**BioRetention Cell Maintenance**

The following maintenance activities and schedule are based on the recommendations provided in the California Stormwater BMP Handbook - New and Redevelopment.

The primary maintenance requirement for bioRetention areas is that of inspection and repair or replacement of the treatment area's components. Generally, this includes nothing more than the routine periodic maintenance that is required of any landscaped area. Plants that are appropriate for the site, climate, and watering conditions should be selected for use in the bioRetention cell. Appropriately selected plants will aid in reducing fertilizer, pesticide, water, and overall maintenance requirements. BioRetention system components should stand over time through plant and root growth, organic decomposition, and the development of a natural soil horizon. These biological and physical processes over time will lengthen the facility's life span and reduce the need for extensive maintenance.

Routine maintenance should include a biannual health evaluation of the trees and shrubs and subsequent removal of any dead or diseased vegetation (EPA, 1999). Diseased vegetation should be treated as needed using preventative and bio-toxic measures to the extent possible. BMPs have the potential to create very attractive habitats for mosquitoes and other vectors because of highly organic, often heavily vegetated areas mixed with shallow water. Routine inspections for areas of standing water within the BMP and corrective measures to restore proper infiltration rates are necessary to prevent creating mosquito and other vector habitat. In addition, bioRetention BMPs are susceptible to invasion by aggressive plant species such as cattails, which increase the chances of water standing and subsequent vector production if not routinely maintained.

In order to maintain the treatment area's appearance it may be necessary to prune and weed. Furthermore, mulch replacement is suggested when erosion is evident or when the site begins to look unattractive. Specifically, the entire area may require mulch replacement every two to three years, although spot mulching may be sufficient when there are random void areas. Mulch replacement should be done prior to the start of the wet season.

Accumulated sediment and debris removal (especially at the inflow point) will normally be the primary maintenance function. Other potential tasks include replacement of dead vegetation, soil pH regulation, erosion repair at inflow points, mulch replenishment, unblocking the underdrain, and resolving overflow situations. There is also the possibility that the cation exchange capacity of the soils in the cell will be significantly reduced over time. Depending on potential loads, soils may need to be replaced within 5-10 years of construction (UD, 2000).



**OPERATIONS AND MAINTENANCE GUIDELINES**  
**Part 10**  
**CONTINUOUS DEFLECTIVE SEPARATION UNIT**

**INTRODUCTION**

The CDS unit is an important and effective component of your storm water management program and proper operation and maintenance of the unit are essential to demonstrate your compliance with local, state and federal water pollution control requirements. The CDS Technology is a patented non-deflecting, forced-flow separation technology developed in Australia to treat water runoff. The unit is highly effective in the capture of pollutants such as sand and larger debris. Because of its non-deflecting, forced-flow separation capability, the CDS unit is well-suited in its ability to capture and retain gross pollutants such as sand and debris. In fact, CDS units capture a very high degree of organic and inorganic solids and pollutants that typically result in high suspended solids levels. This suspended solids (SS) reduction, oil and grease and organic load and solids (including floatables, sewerly hydrogen, and sewerly hydrogen sulfide) and may help reduce the need for secondary treatment. CDS units are equipped with conventional oil baffles to capture and retain oil and grease. Laboratory evaluations show that the CDS unit can separate up to 90% of the oil and grease from storm water. CDS units can also accommodate the retention of all solids within their separation chamber. The addition of the oil screens can remove the permanent removal of 90% to 95% of the free oil and grease from the storm water runoff.

**OPERATIONS**

The CDS unit is a non-mechanical self-cleaning system and will function any time there is flow in the storm drainage system. The unit will continue to effectively capture pollutants in flow up to the design capacity even during extreme rainfall events where the design capacity may be exceeded. Pollutants captured in the CDS unit separation chamber and sump will be retained until when the unit's design capacity is exceeded.

**CDS CLEANUP**

The frequency of cleaning the CDS unit will depend upon the generation of trash and debris and sediment in your application. Cleanup and preventive maintenance schedules will be determined based on existing conditions versus gross pollutant loadings have been determined. The unit should be periodically inspected to determine the amount of accumulated pollutants and to ensure that the cleaned frequency is adequate to handle the pollutant load being processed by the CDS unit. The recommended interval of visits into the CDS unit sump should occur at 75% of the sump capacity. However, the sump may be completely full with no trapped in the CDS unit performance.

Access to the CDS unit is typically achieved through two manhole access covers - one above inspection and cleaning of the separation chamber (sewerly/hydrogen) sump and another above inspection and cleaning of sediment captured and retained behind the screen. The PERI & PERIC entry manhole has the additional access cover over the top of the diversion vault. For units possessing a stable depth below grade (50% to 60%), a single manhole access point would allow both sump cleanup and access behind the screen.

**CDS Technologies Recommends The Following:**

**NEW INSTALLATIONS** - Check the condition of the unit after every runoff event for the first 30 days. The visual inspection should ascertain that the unit is functioning properly (no blockages or obstructions to inlet and/or separator screen), measuring the amount of solid materials that have accumulated in the sump. The amount of flow sediment accumulated behind the screen, and determining the amount floating trash and debris in the separator chamber. This can be done with a substituted "tip test" so that the depth of deposition can be located. Guidelines for inspections and cleanup should be based on storm event and pollution accumulation.

**PERIODIC OPERATION** - During the rainfall season, the unit should be inspected at least once every 30 days. The floatables should be removed and the sump cleaned when the PERI & PERIC entry manhole has the additional access cover over the top of the diversion vault. For units possessing a stable depth below grade a "man-hole" or "tip test" should be used so that the depth of deposition can be located. Guidelines for inspections and cleanup should be based on storm event and pollution accumulation.

**Cleaning of the CDS unit at the top of a stable season is recommended because of the nature of pollutants collected and the potential for odor generation from the accumulation of material collected and retained. This area of access should be available for preventing the discharge of new water from the CDS unit during summer months.**

**USE OF SCREENS** - It needs to be emphasized that the addition of screens is not a requirement of CDS units as a secondary control of oil and grease from water. The conventional oil baffles within a unit assure satisfactory oil and grease removal. However, the addition of screens in a unique enhancement capacity special to CDS units, enabling increased oil and grease capture efficiencies beyond that obtainable by conventional oil baffles systems.

Under normal operations, CDS units will provide sufficient concentrations of oil and grease that are less than 10 parts per million (ppm) for all dry weather spills where the volume is less than or equal to the 95% capture volume of the CDS unit. During wet weather flows, the oil baffles system can be supplied to remove between 40 and 75% of the free oil and grease from the storm water runoff.

CDS Technologies only recommends the addition of screens to the separation chamber if there are specific land use activities in the catchment watershed that could produce exceptionally large concentrations of oil and grease in the runoff, concentration levels and storm volume amounts. If site conditions such as increased control of oil and grease from oil and grease from oil and grease from the CDS unit is thoroughly addressed in these particular pollutants of concern.



**Recommended Oil Screens**

Autoblock® Particulate 84 model or GARS® Particulate Filteration, HPF4100 or equal. Autoblock is located by Autoblock Resources Technologies, Inc. 4020 South Fe Blvd., San Diego, CA 92108 (602) 543-3200. GARS™ is applied by Autoblock Industries, 4110 N. Scottsdale Road, Suite 235, Scottsdale, AZ 85251 (202) 514-6150.

The amount of screen to be added to the CDS separation chamber can be determined if sufficient information is known about the concentrations of oil and grease in the runoff. Frequently the actual concentrations of oil and grease are too variable and the amount to be added and frequency of cleaning are determined by periodic observation of the screen. As an initial application, CDS recommends that approximately 4 to 6 pounds of screen material be added to the separation chamber at 80 CDS units per acre of parking lot or road surface per year. Typically this amount of screen results in a 1/4 inch to one (1") high depth of screen material on the float surface of the separation chamber. The oil and grease loading of the screen material should be observed after major storm events. Oil bearing material may also be furnished in place of screen configuration.

The sediment material should be replaced when it is fully desiccated by blowing the screen from the surface. The screen may reuse disposal as a special or hazardous waste, but will depend on local and state regulatory requirements.

**CLEANOUT AND DISPOSAL** - A vector truck is recommended for cleanup of the CDS unit and can be easily accomplished in less than 20-40 minutes for most installations. Standard vector operations should be employed in the cleanup of the CDS unit. Cleanup of materials from the CDS unit should be in accordance with the local municipality's requirements. Disposal of the screen material by a POTW is recommended. Field cleaning to the storm drainage system is not recommended. Solids can be disposed of in a similar fashion as those materials collected from street sweeping operations and curb-base cleanup.

**MAINTENANCE**

The CDS unit should be pumped down at least once a year and a thorough inspection of the separation chamber (hydrolytic and separator screen) and oil baffles performed. The unit's internal components should not show any signs of damage or any loosening of the bolts used to fasten the various components to the structure should be noted. Solids on the screen should be removed for the inspection. If any of the internal components is damaged or if any failures appear to have the damaged or missing, please contact CDS Technologies to make arrangements to have the damaged parts repaired or replaced.

CDS Technologies, Inc. Phone: Tel/Fax: (804) 623-7559  
18200 Boulevard Road, Suite 200 Fax: (408) 782-0721  
Moraga, CA 94553-5400

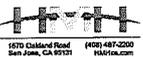
The screen assembly is fabricated from Type 316 stainless steel and fastened with conventional hand tools. The damaged screen assembly should be replaced with the new screen assembly placed in the same orientation as the one that was removed.

**CONFINED SPACE**

The CDS unit is a confined space environment and only properly trained personnel possessing the necessary safety equipment should enter the unit to perform maintenance or inspection procedures. Inspections of the internal components can, in most cases, be accomplished through observations from the ground surface.

**RECORDS OF OPERATION AND MAINTENANCE**

CDS Technologies recommends that the owner maintain annual records of the operation and maintenance of the CDS unit to document the effective performance of this important component of your storm water management program. The attached Annual Record of Operation and Maintenance form is suggested and should be retained for a minimum period of three years.



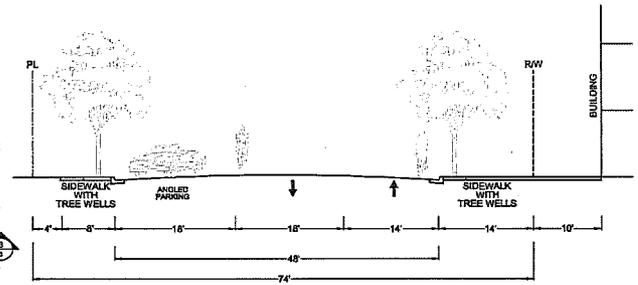
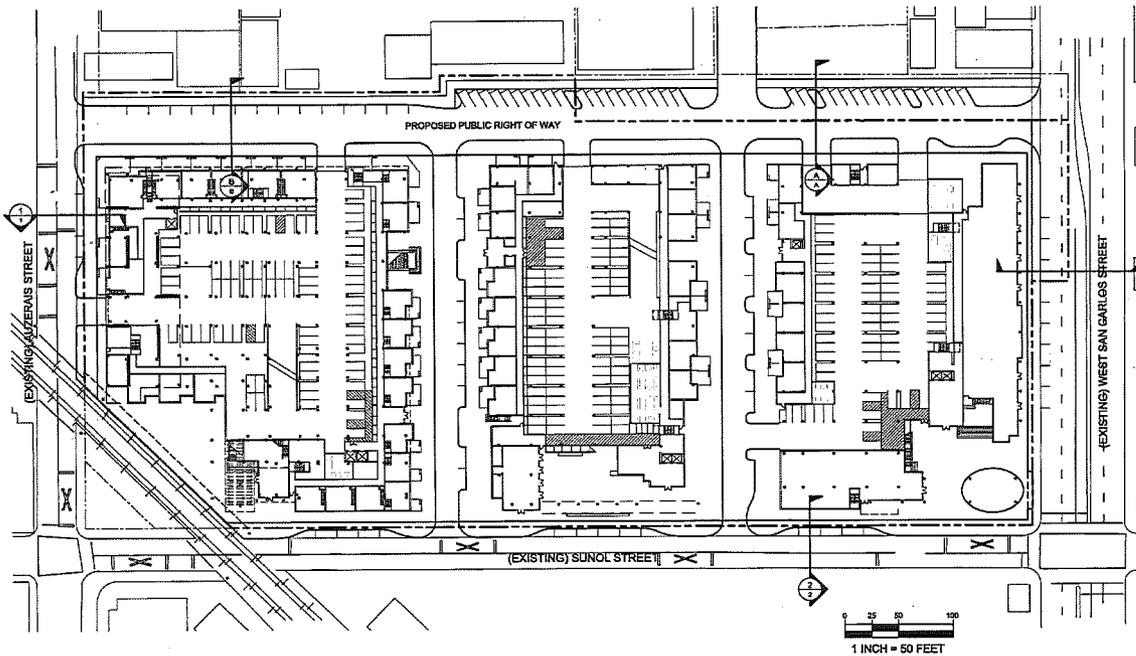
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Sunol Addition  
San Jose, California

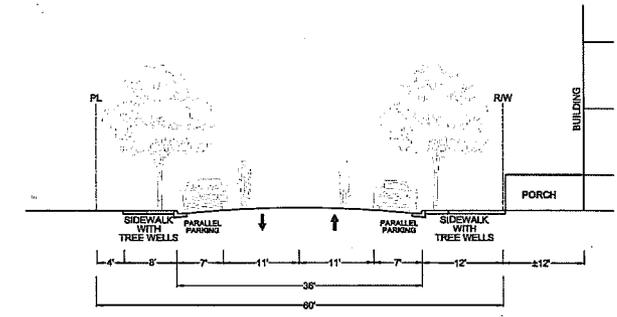
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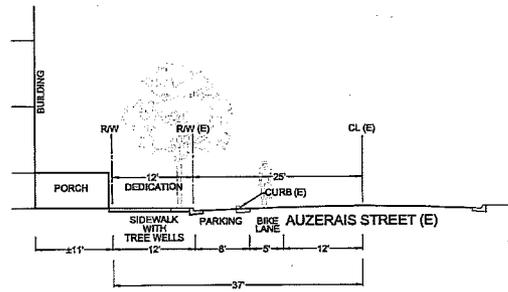
PD Zoning Submittal Addendum - August 04, 2010



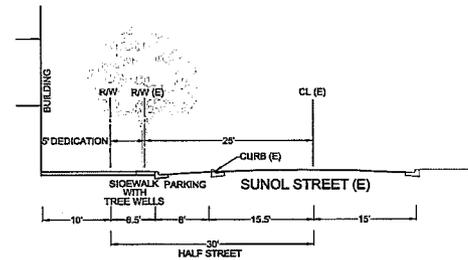
WEST WAY PUBLIC STREET: SECTION A-A  
NOT TO SCALE



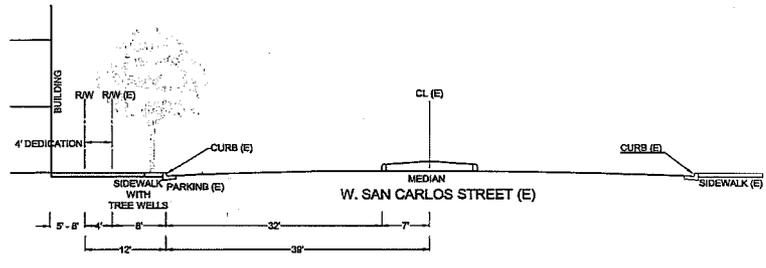
WEST WAY PUBLIC STREET: SECTION B-B  
NOT TO SCALE



AUZERAI'S STREET: SECTION 1-1  
NOT TO SCALE



SUNOL STREET: SECTION 2-2  
NOT TO SCALE



W. SAN CARLOS STREET: SECTION 3-3  
NOT TO SCALE

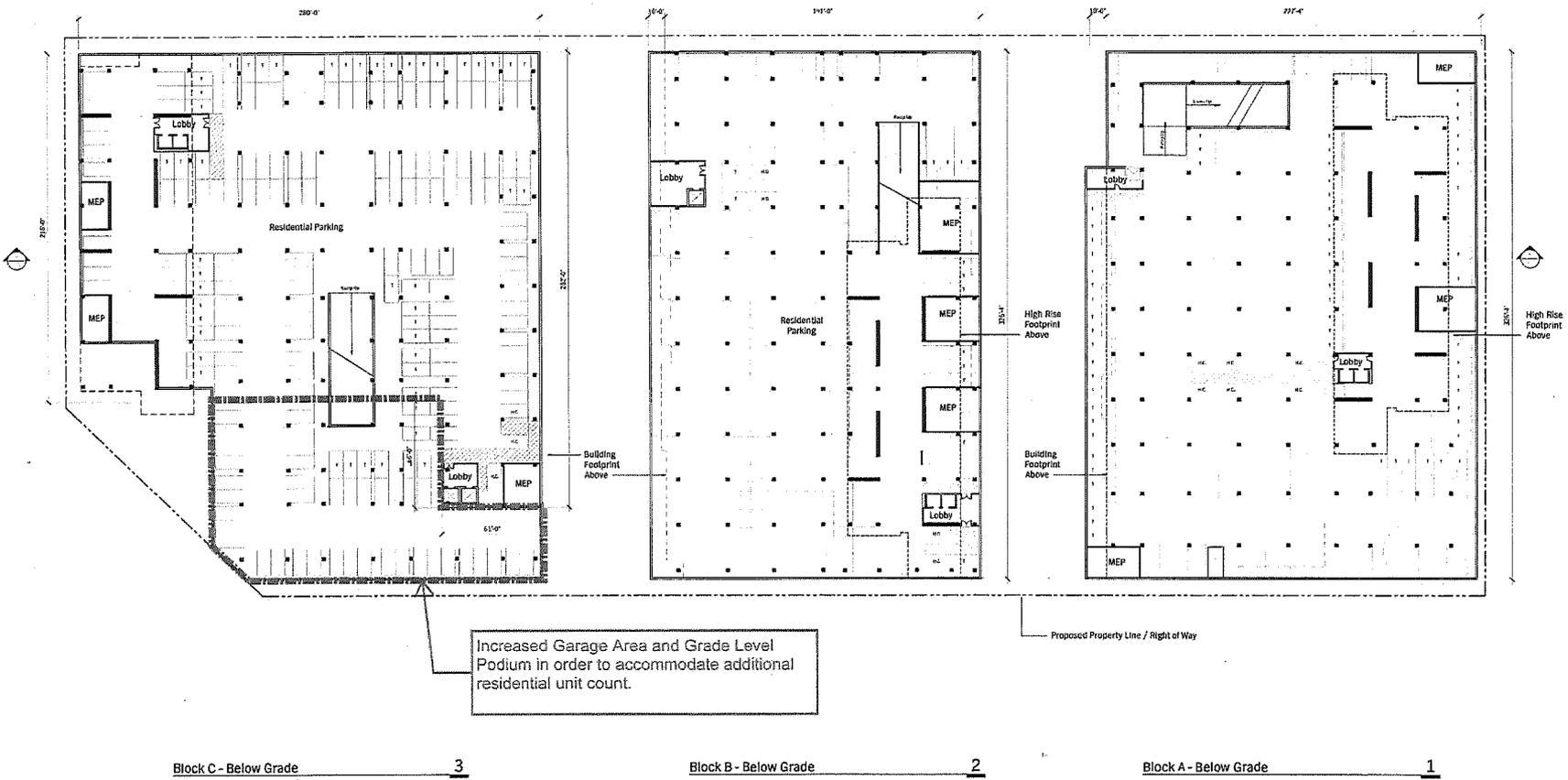


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# Sunol Addition

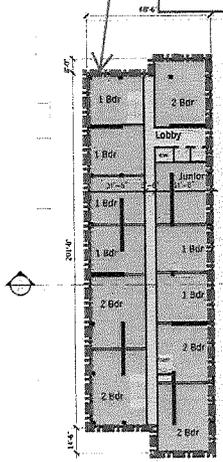
San Jose, California

Conceptual Street Sections - 3.4  
PD Zoning Submittal Addendum - August 04, 2010



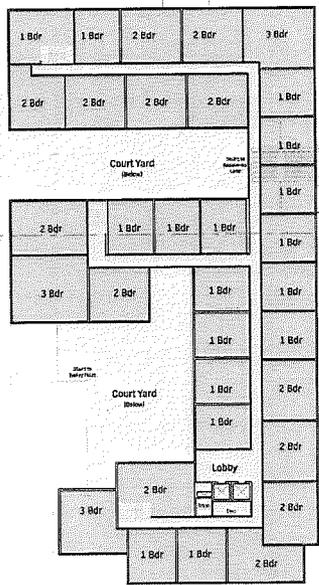


High Rise Building:  
 ~Concrete, Type 1 Construction  
 ~11 Stories (9 Stories over Podium)  
 ~Elevation +/- 115'-0" Top of Parapet  
 ~Increase of 55 Units (Block Cumulative)



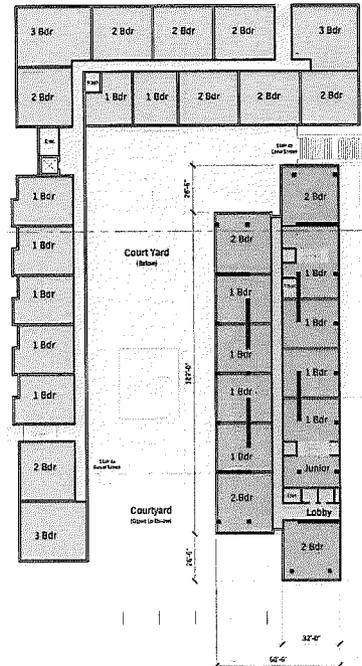
Block C - Level 6

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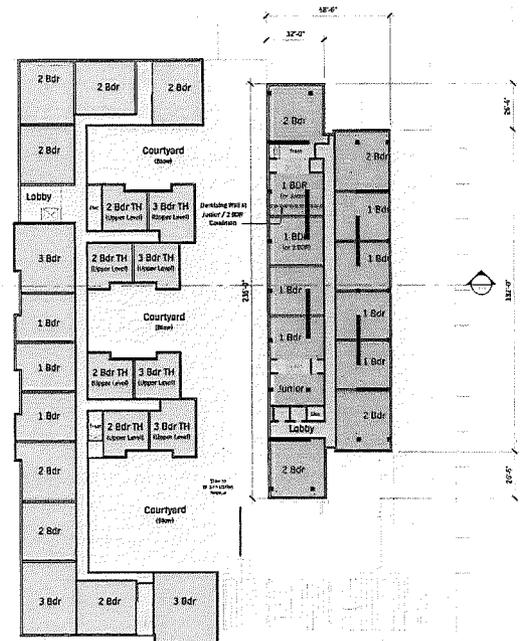
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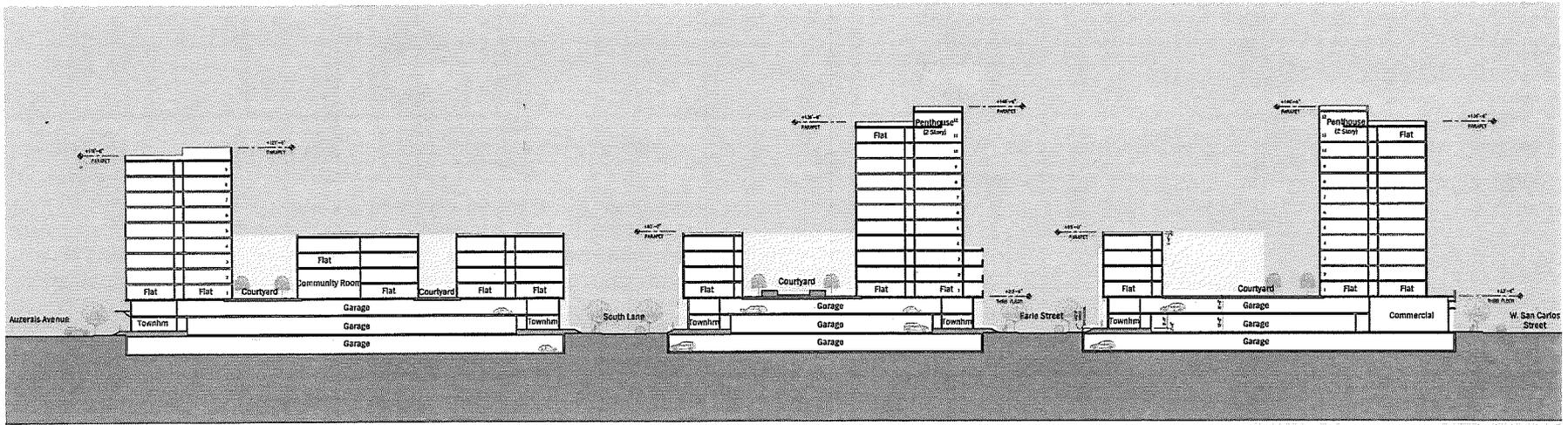
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Block A - Level 6

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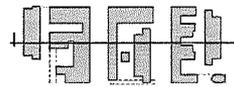


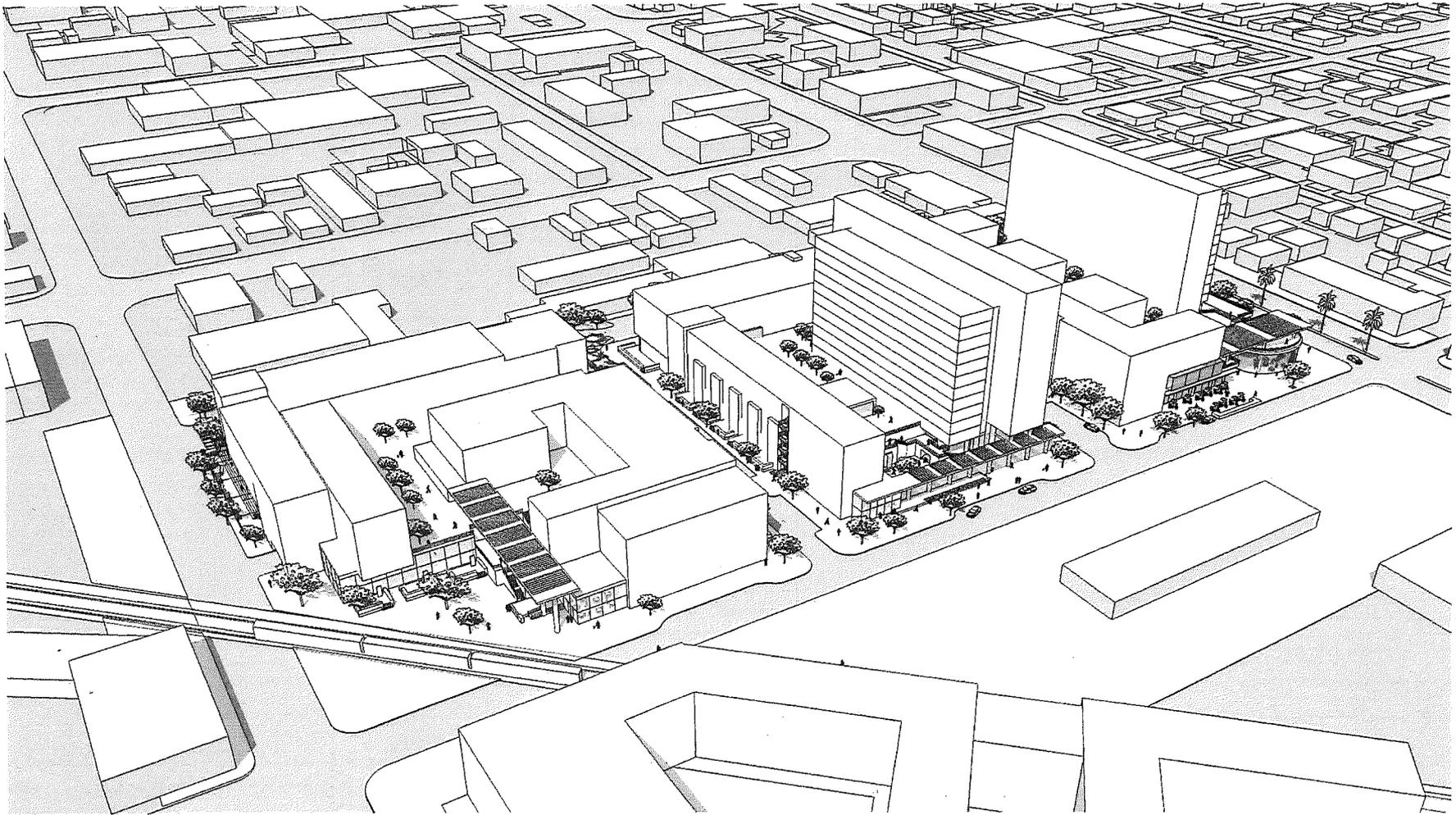


Block C

Block B

Block A





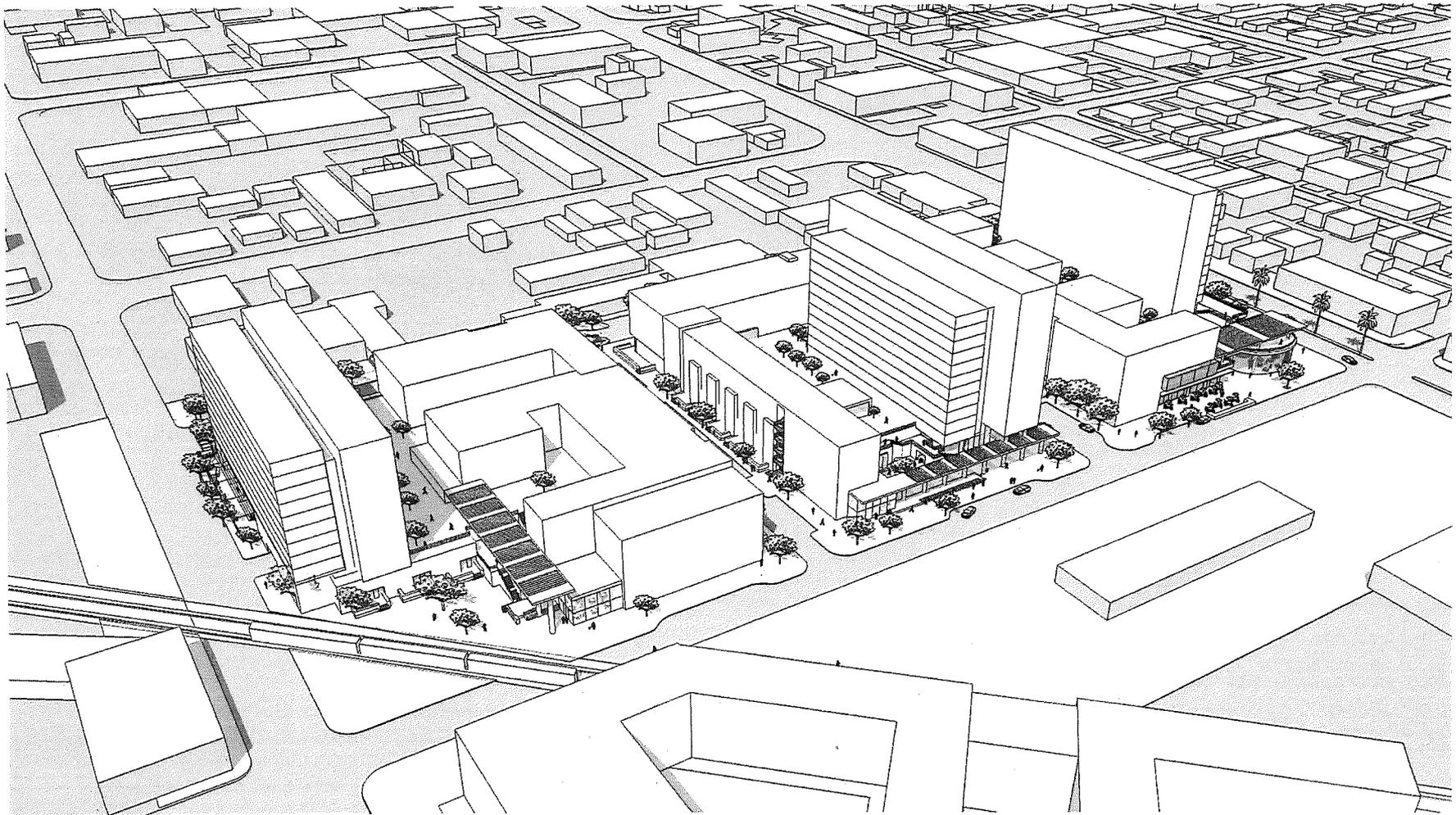
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## Sunol Addition

San Jose, California

PD Zoning Application 04/19/10 - view 1 10.1a

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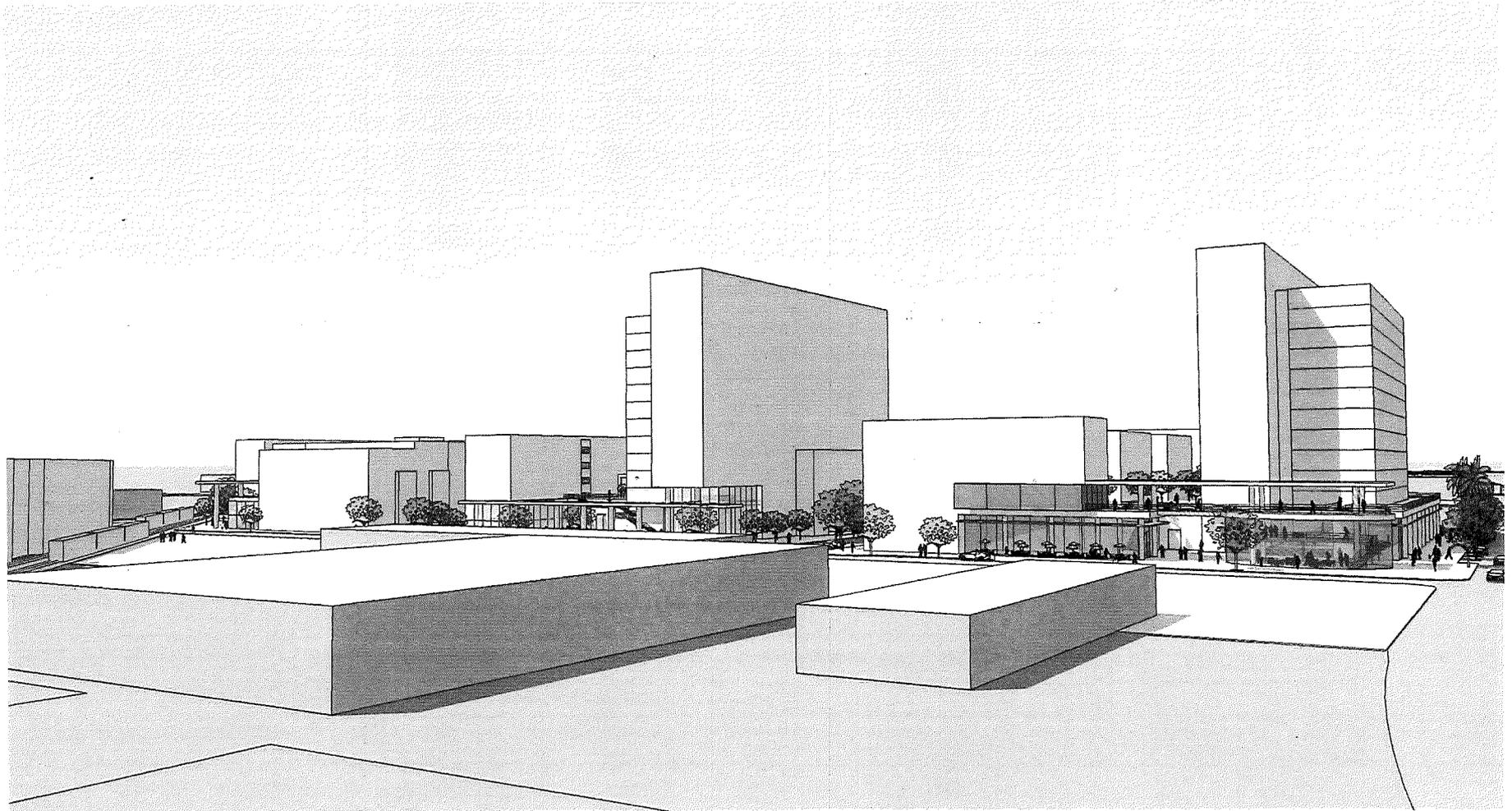
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# Sunol Addition

San Jose, California

Revised Scheme - view 1 10.1b

PD Zoning Submittal Addendum - August 04, 2010



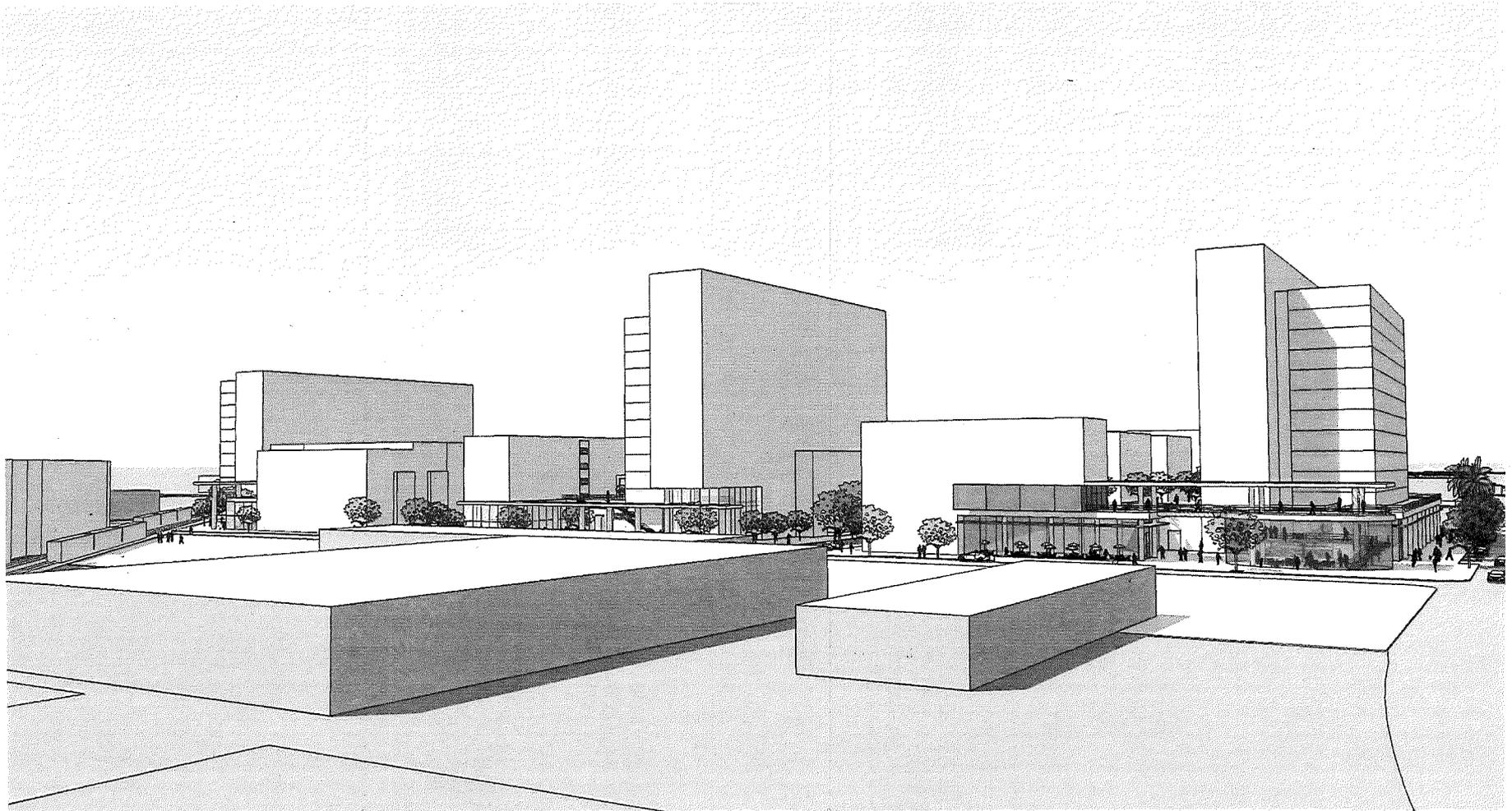
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# Sunol Addition

San Jose, California

PD Zoning Application 04/19/10 - view 2 10.2a

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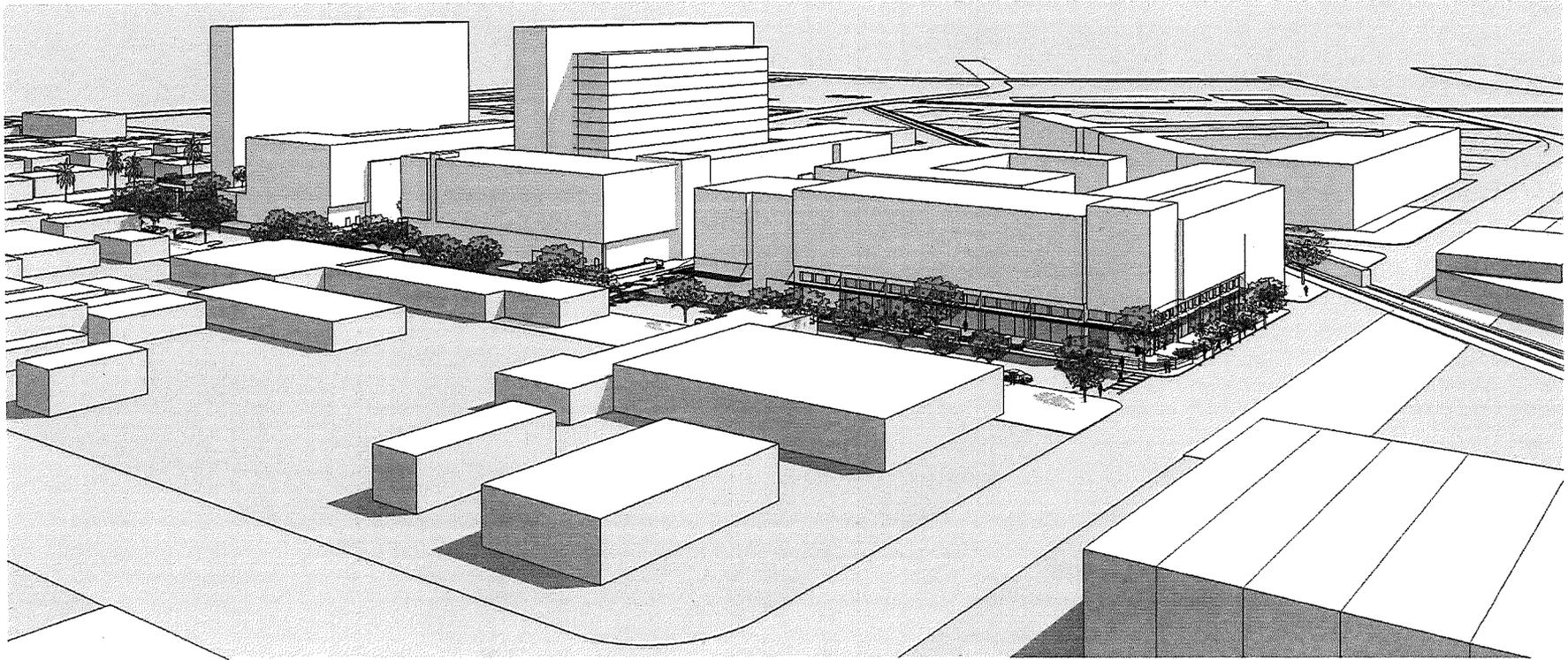
Steinberg Architects GREEN REPUBLIC LLLP

## Sunol Addition

San Jose, California

Revised Scheme - view 2 10.2b

PD Zoning Submittal Addendum - August 04, 2010



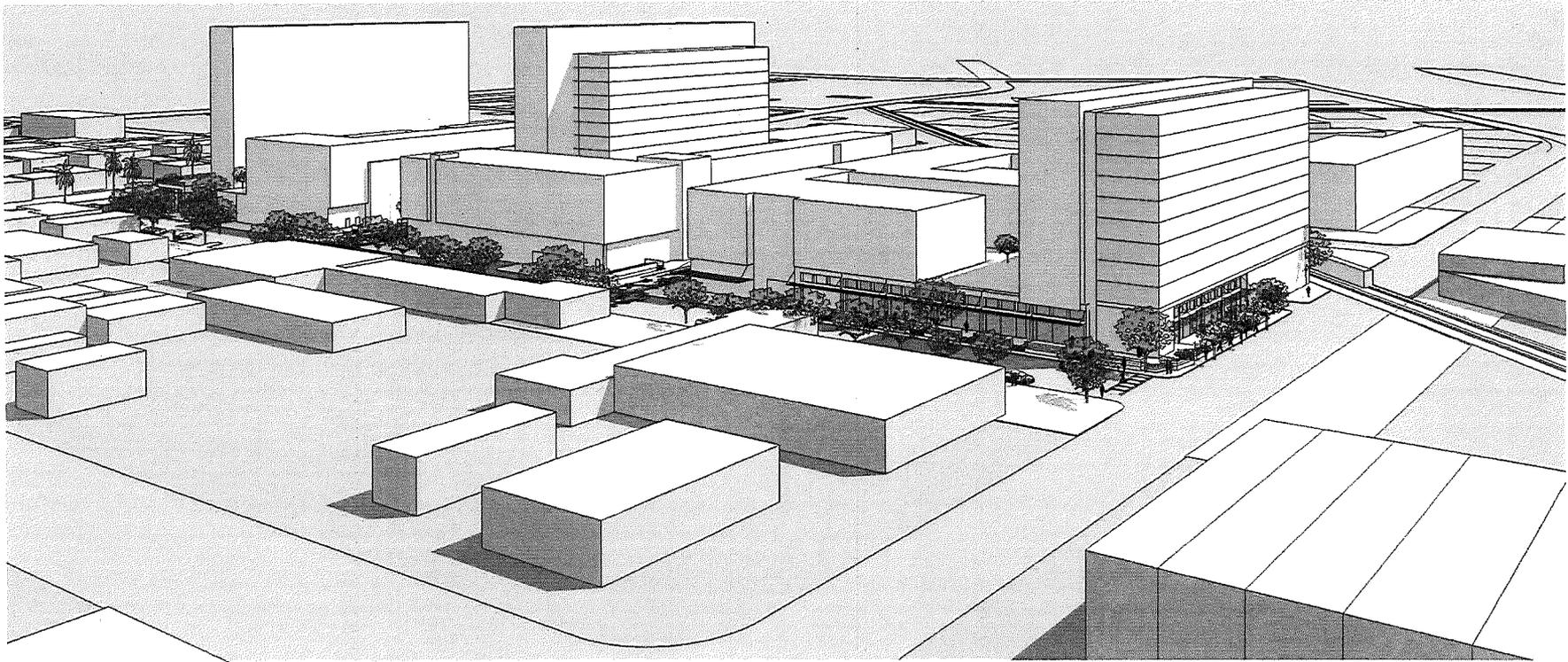
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# Sunol Addition

San Jose, California

PD Zoning Application 04/19/10 - view 3 10.3a

PD Zoning Submittal Addendum - August 04, 2010



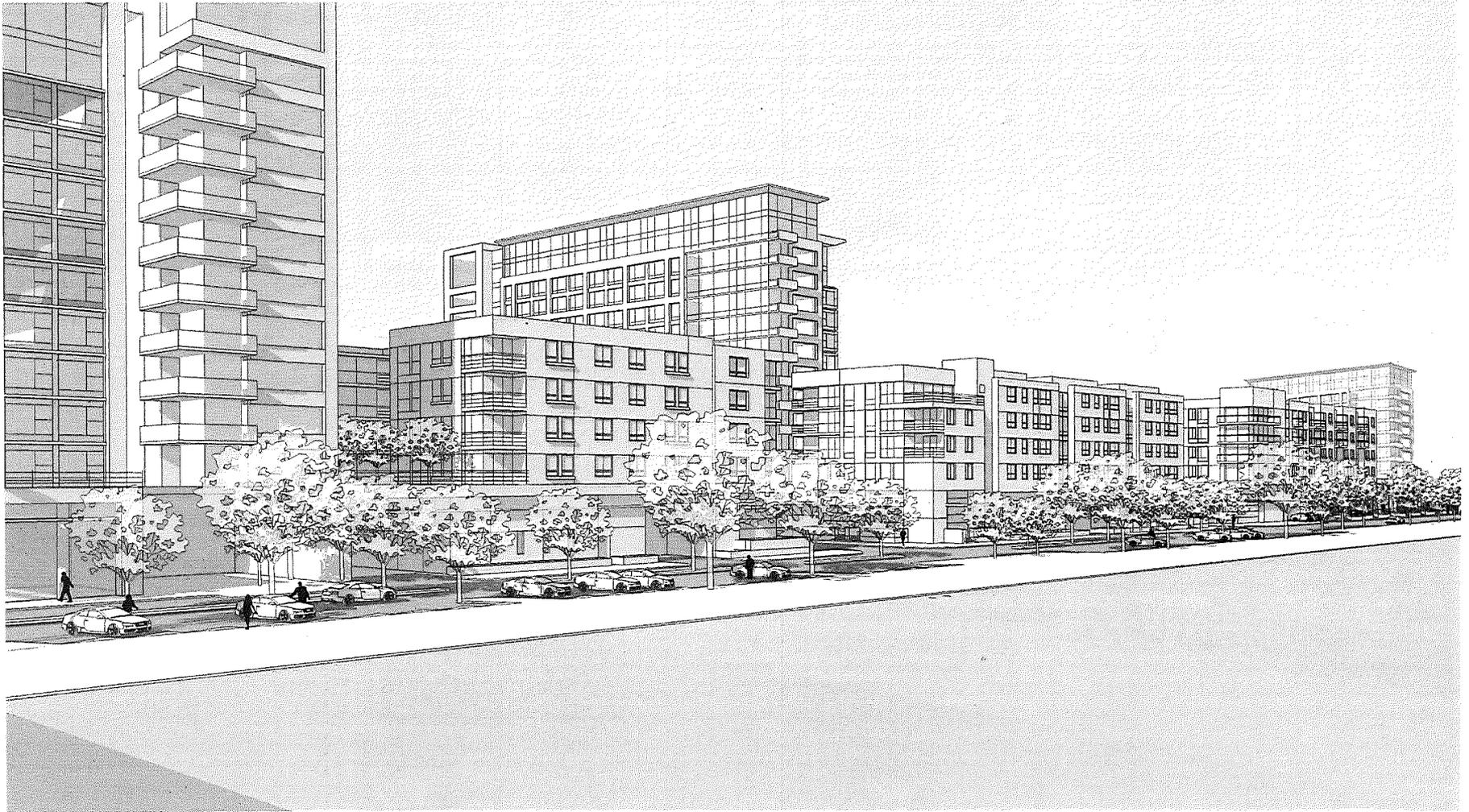
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## Sunol Addition

San Jose, California

Revised Scheme - view 3 10.3b

PD Zoning Submittal Addendum - August 04, 2010



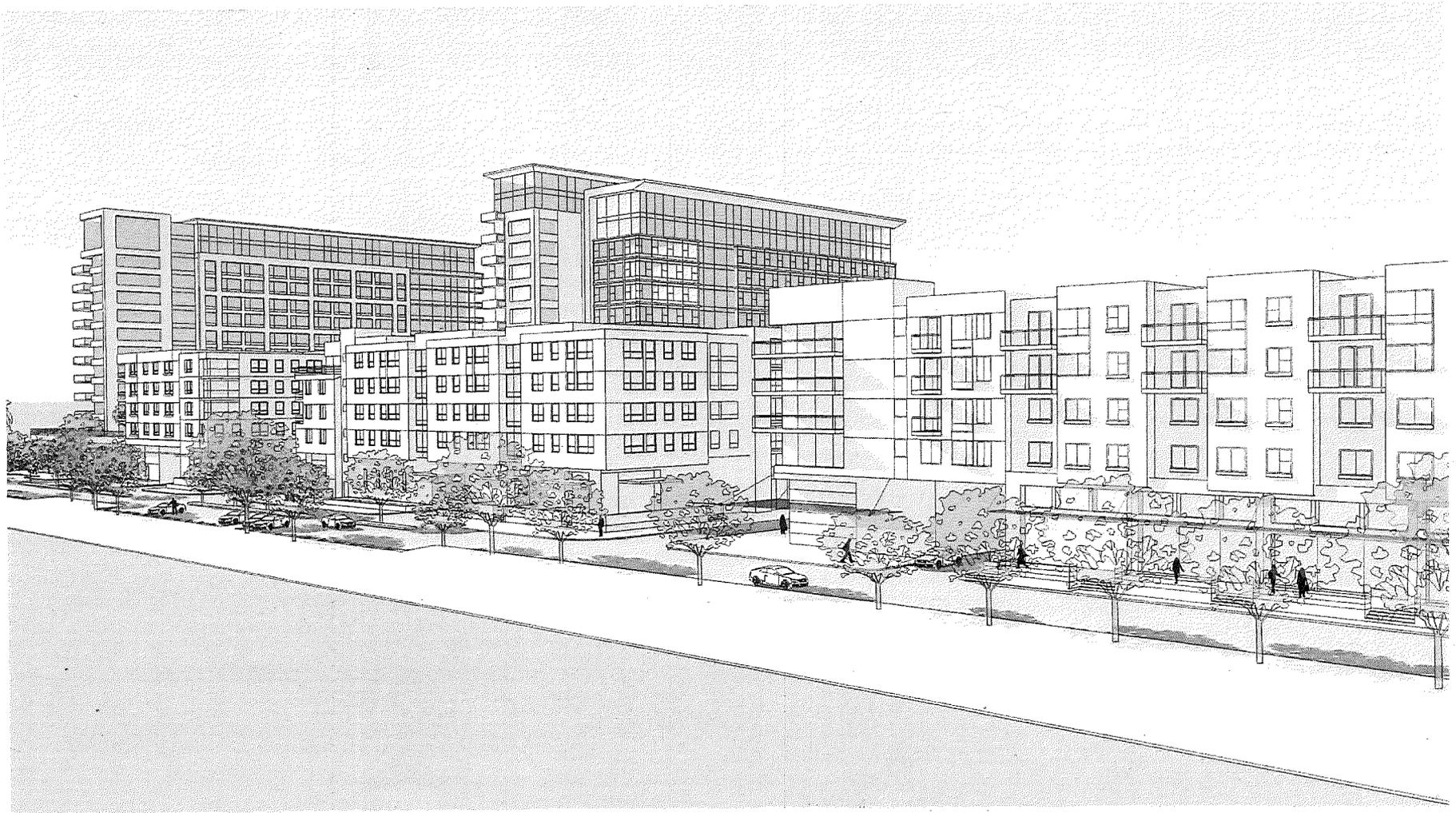
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# Sunol Addition

San Jose, California

West Way Perspective - view 4 10.4

PD Zoning Submittal Addendum - August 04, 2010



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## Sunol Addition

San Jose, California

West Way Perspective - view 5 10.5

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