



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Planning Commission

**SUBJECT:** SEE BELOW

**DATE:** June 6, 2011

**COUNCIL DISTRICT:** 7  
**SNI AREA:** N/A

**SUBJECT:** FILE NO. PDC10-026. PLANNED DEVELOPMENT REZONING FROM LI-LIGHT INDUSTRIAL AND HI-HEAVY INDUSTRIAL ZONING DISTRICTS TO THE CG(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO ALLOW FOR THE DEMOLITION OF THE THREE EXISTING STRUCTURES AND CONSTRUCTION OF UP TO 257,296 SQUARE FEET OF COMMERCIAL BUILDINGS ON A 19.75 GROSS ACRE SITE (KNOWN AS SUN GARDEN).

## RECOMMENDATION

The Planning Commission voted 5-0-2 (Commissioners Kamkar and Kline absent) to recommend that the City Council approve the proposed Planned Development Rezoning from the LI-Light Industrial and HI-Heavy Industrial Zoning Districts to CG(PD) Planned Development Zoning District to allow for the demolition of the three existing structures and construction of up to 257,296 square foot of commercial buildings on 19.75 gross acre site.

## OUTCOME

Should the City Council approve the Planned Development Rezoning, upon approval of a Planned Development Permit, the applicant would be allowed to develop a commercial center up to a total of 257,296 square feet for the entire 19.75 gross acre site.

## BACKGROUND

On May 25, 2011, the Planning Commission held a public hearing to consider the proposed Planned Development Rezoning. Michael Mulcahy, representing the property owners, stated that his family has owned this property since it was occupied by the Sun Garden packing plant. Prior to the rezoning application submittal, the property owners acquired two surplus railroad parcels to allow improved access, on-site circulation and a future trail easement. The owners' objectives are to develop a quality commercial center for the surrounding neighborhood, pay attention to the site's historic legacy through the use of appropriate architecture, advance the

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Monterey Corridor plan and City's employment land policies, and continue to respect the stakeholder input through the process.

Mr. Mulcahy stated that he had a good working relationship with Planning Staff and that there was agreement on all of the development standards except for one. As shown on the conceptual site plan, owners are proposing five (5) driveway entrances along the Monterey Road frontage, while Staff is recommending four (4) driveways to ensure pedestrian and bicycle safety along Monterey Road.

Three members of the public spoke in favor of the project stating it would add a shopping center within walking distance to homes, provide a trail easement for a better east/west bicycle connection through the City, provide needed jobs, and improve a blighted neighborhood.

Taisia McMahon, representing Save Our Trails, stated that the group wanted to praise the property owners for including the trail as a part of their project and they hope this sets an example for other developers in the area, as new trails will "green" San Jose's transportation options.

Commissioner Cahan stated she would like to see the property develop in conformance with the City's new Village concept and wondered if the area devoted to surface parking could be reduced.

Commissioner Jensen supported Commissioner Cahan's comments while thanking the property owner for working with Staff to bring more buildings to the front setback line to create better street presence. She complimented the property owner on other work they had done in the City that included the use of buildings along the street to create a better sense of community. Lastly, she asked the applicant, if possible, to include stacked parking, so the project does end up in a similar situation as Valley Fair where all of the parking is around the outside of the buildings covering up the interesting architecture.

Mr. Mulcahy responded by saying that the conceptual site plan was reviewed with Planning Staff, and the owner has committed to a minimum amount of street presence as required in the development standards. The project also includes a 12 foot sidewalk, significant landscaping, and a view corridor into the trail area. The proposed development standards do require taller buildings at the street front to further emphasize the projects presence along Monterey Road.

Commissioner Bit-Bidal appreciated the owners' idea of bringing back some of the historic cannery elements in the architecture, and also supported Commissioner Cahan's comments. Commissioner Abilite stated he was not concerned about the number of driveways.

The Commission asked Staff to comment on the number of driveways. Planning Staff explained that fewer driveways would result in a better balance between automobile convenience and pedestrian/bicycle safety. It should also be noted that with more driveways there will be less street trees, which in combination with the 12 foot sidewalk lead to a more conducive environment for pedestrians, especially along a high volume street like Monterey Road.

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Public Works Staff elaborated that the project is proposing a traffic signal at the Cottage Grove Avenue intersection which is the safest way for residents to access Monterey Road with traffic speeds of 40 miles per hour. The traffic report completed for the project include a signal warrant study which shows that the signalized intersection at Cottage Grove Avenue is sufficient to handle the traffic volume for the entire site, so the additional driveways are a matter of convenience. While this is not to be taken lightly as the driveways may add to the success of the center, Staff needs to balance the needs of the applicant with the safety of pedestrians and the desire to create a multi-modal transportation system. Excess driveways could create safety conflicts for pedestrians. The project also includes bus stop improvements and a trail easement, showing the City's desire to see Monterey Road evolve into a street that carries additional pedestrians, encourages transit ridership, and facilitates bicycle traffic that will also help make this a successful commercial center.

As the conceptual site plan shows more parking than required in the Zoning Code, Staff will continue to work with the applicant at the PD permit stage.

Commissioner Bit-Bidal made a motion to rezone the property from the LI-Light Industrial and HI-Heavy Industrial Zoning Districts to CG(PD) Planned Development Zoning District as recommended by Staff. She commented on the motion by saying this project will generate jobs for the local area, create additional sales tax, conform to the City's goals and policies, incorporate historic elements, and include a new trail easement. She asked the property owner to continue to work with Staff to reduce the amount of pervious pavement and thanked them for working closely with the Save Our Trails organization.

Commissioner Jensen closed the hearing by saying the project fills in a gap on Monterey Road, and is expected to entice many residents to walk to services. She appreciated the harkening back to the historic aspect of the site, applauded incorporation of the Three Creeks Trail, and supported the elimination of one of the driveways. The Planning Commission then voted 5-0-2 (Commissioners Kamkar and Kline absent) to recommend that the City Council approve the proposed Planned Development Rezoning.

### **ANALYSIS**

A complete analysis of the issues regarding this project, including General Plan conformance, is contained in the attached staff report.

### **COORDINATION**

This project was coordinated with the Department of Public Works and the City Attorney.

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**CEQA**

Environmental Impact Report, resolution to be adopted.

/s/

JOSEPH HORWEDEL, SECRETARY  
Planning Commission

For questions, please contact Laurel Prevetti at 408-535-7901.

Attachments: Planning Commission Staff Report  
Reduced Plans with Draft General Development Standards  
Public Works Memo

# Memorandum

**TO:** Jodie Clark  
Planning and Building

**FROM:** Ebrahim Sohrabi  
Public Works

**SUBJECT: FINAL RESPONSE TO  
DEVELOPMENT APPLICATION**

**DATE:** 05/19/11

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**PLANNING NO.:** PDC10-026  
**DESCRIPTION:** Planned Development Zoning to rezone from LI (Light Industrial) and HI (Heavy Industrial) Zoning Districts to CG (PD) Planned Development Zoning District to allow for the eventual demolition of the three existing structures and construction of up to 257,296 square foot of commercial buildings on 19.75 gross acre site  
**LOCATION:** East side of Monterey Road, approximately 300 feet southerly of East Alma Avenue  
**P.W. NUMBER:** 3-18541

Public Works received additional information the subject project on 05/17/11 and submits the following comments and requirements.

## **Project Conditions:**

**Public Works Clearance for Building Permit(s) or Map Approval:** Prior to the approval of the Tract or Parcel Map (if applicable) by the Director of Public Works, or the issuance of Building permits, whichever occurs first, the applicant will be required to have satisfied all of the following Public Works conditions. The applicant is strongly advised to apply for any necessary Public Works permits prior to applying for Building permits.

1. **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.
2. **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.
3. **Stormwater Runoff Pollution Control Measures:** This project must comply with the City's Post-Construction Urban Runoff Management Policy (Policy 6-29) which requires implementation of Best Management Practices (BMPs) that include site design measures, source controls, and stormwater treatment controls to minimize stormwater pollutant discharges. Post-construction treatment control measures, shown on the project's Stormwater Control Plan, shall meet the numeric sizing design criteria specified in City Policy 6-29.
    - a) The project's preliminary Stormwater Control Plan and numeric sizing calculations have been reviewed. At PD stage, submit the final Stormwater Control Plan and numeric sizing calculations.
    - b) Final inspection and maintenance information on the post-construction treatment control measures must be included on the final Stormwater Control Plan.
  4. **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).
  5. **Sewage Fees:** In accordance with City Ordinance all storm sewer area fees, sanitary sewer connection fees, and sewage treatment plant connection fees, less previous credits, are due and payable.
  6. **Undergrounding:**
    - a) The In Lieu Undergrounding Fee shall be paid to the City for all frontage adjacent to Monterey Road prior to issuance of a Public Works clearance. 100 percent of the base fee in place at the time of payment will be due. Currently, the 2011 base fee is \$409 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.
    - b) The Director of Public Works may, at his discretion, allow the developer to perform the actual undergrounding of all off-site utility facilities fronting the project adjacent to Monterey Road. Developer shall submit copies of executed utility agreements to Public Works prior to the issuance of a Public Works Clearance.

7. **Sanitary:** The existing 24" main along Monterey Road has adequate capacity to serve the proposed development.
8. **Access:**
  - a) Access shall not be allowed in between existing railroad gates along Alma Avenue. The proposed driveway on Alma Avenue requires relocation of existing gates and is subject to further City and Public Utilities Commission review at PD Permit stage.
  - b) Full access including left turns at Alma Avenue is subject to the City and Public Utilities Commission approval. At PD Permit stage, the developer should demonstrate that safe and sufficient left turn pocket can be accommodated from Alma Avenue to site.
  - c) A maximum of four driveways including signalized entrance along Monterey Road can be allowed. At PD Permit stage, eliminate one driveway between the proposed signalized entrance and southerly project property line.
9. **Street Improvements:**
  - a) Monterey Road is currently Caltrans right-of-way and is planned to be relinquished to the City at end of 2011. If project construction begins prior to the relinquishment, this project will be required to obtain an encroachment permit from Caltrans.
  - b) Applicant shall be responsible to remove and replace curb, gutter, and sidewalk damaged during construction of the proposed project.
  - c) Remove and replace broken or uplifted curb, gutter, and construct 12' sidewalk along Monterey project frontage. Provide appropriate sidewalk easement for the required 12' sidewalk.
  - d) Construct new traffic signal at Monterey and main project entrance. Interconnect this signal to existing signals on Monterey Road. Install crosswalk on all four approaches at the intersection.
  - e) Remove railroad tracks on Monterey Road and construct median island to conform to the existing median island on both sides of the railroad tracks.
  - f) Close unused driveway cut(s).
  - g) Proposed driveway width to be 26', except for the main signalized entrance.
  - h) Relocate existing bus stop south of the abandoned railroad on Monterey. The new bus stop should be located just south of the new signalized project entrance. At PD Permit stage, indicate the relocated bus stop with pavement pad on plan.
  - i) 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.
10. **Electrical:** Existing electroliers along the project frontage will be evaluated at the public improvement stage and any street lighting requirements will be included on the public improvement plans.
11. **Street Trees:**

- 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.

Please contact the Project Engineer, Vivian Tom, at (408) 535-6819 if you have any questions.



Ebrahim Sohrabi  
Senior Civil Engineer  
Development Services Division

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

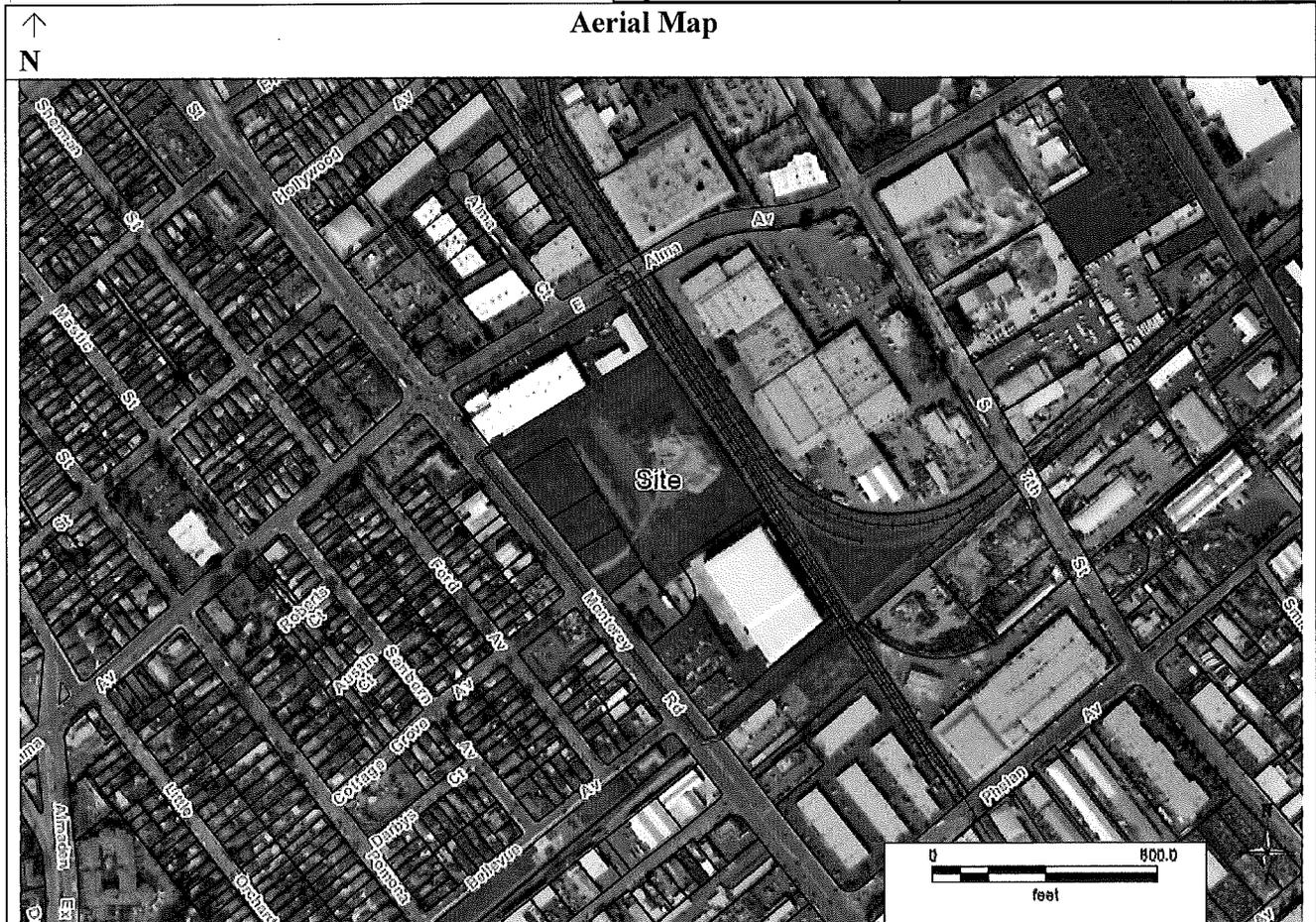
**File No.:** PDC10-026

**Submitted:** 11/17/10

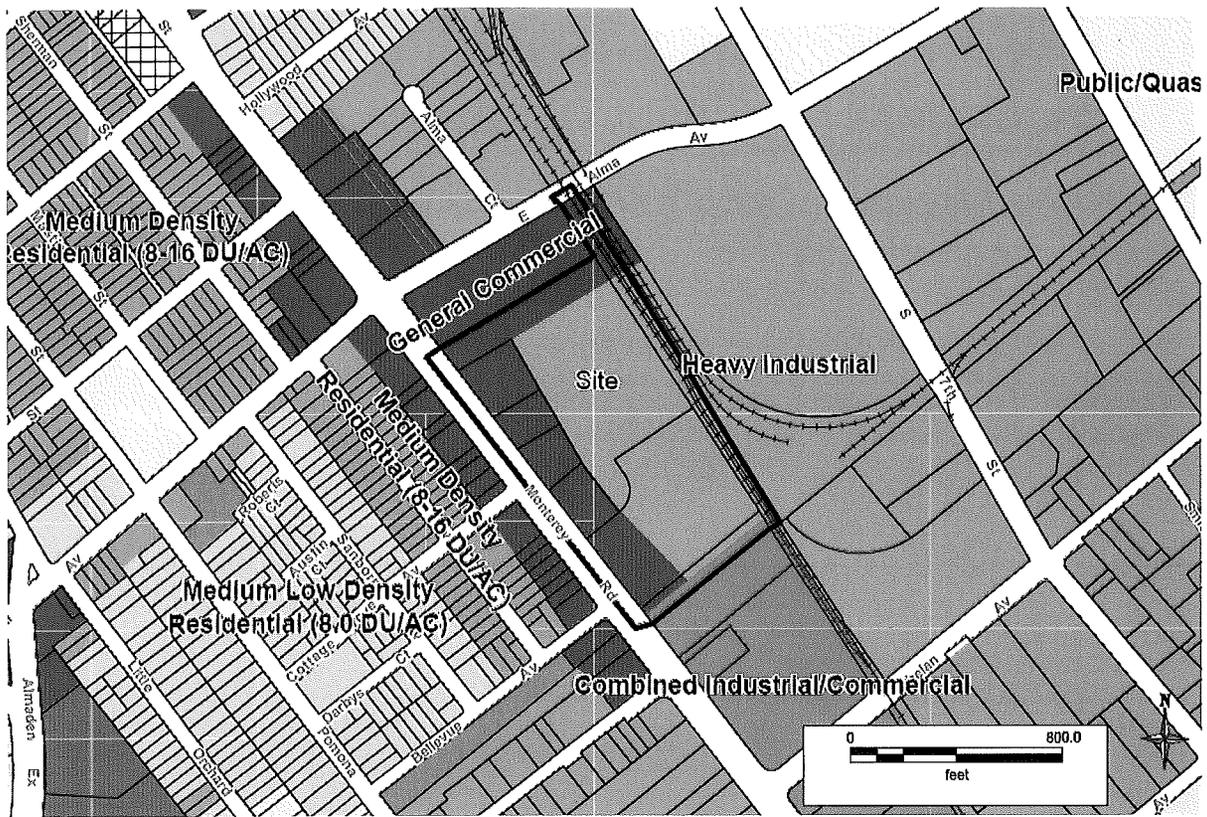
**PROJECT DESCRIPTION:** Planned Development Zoning from the LI-Light Industrial and HI-Heavy Industrial Zoning Districts to CG(PD) Planned Development Zoning District to allow for the demolition of the three existing structures and construction of up to 257,296 square foot of commercial buildings on 19.75 gross acre site

**LOCATION:** East side of Monterey Road, approximately 500 feet southerly of East Alma Avenue

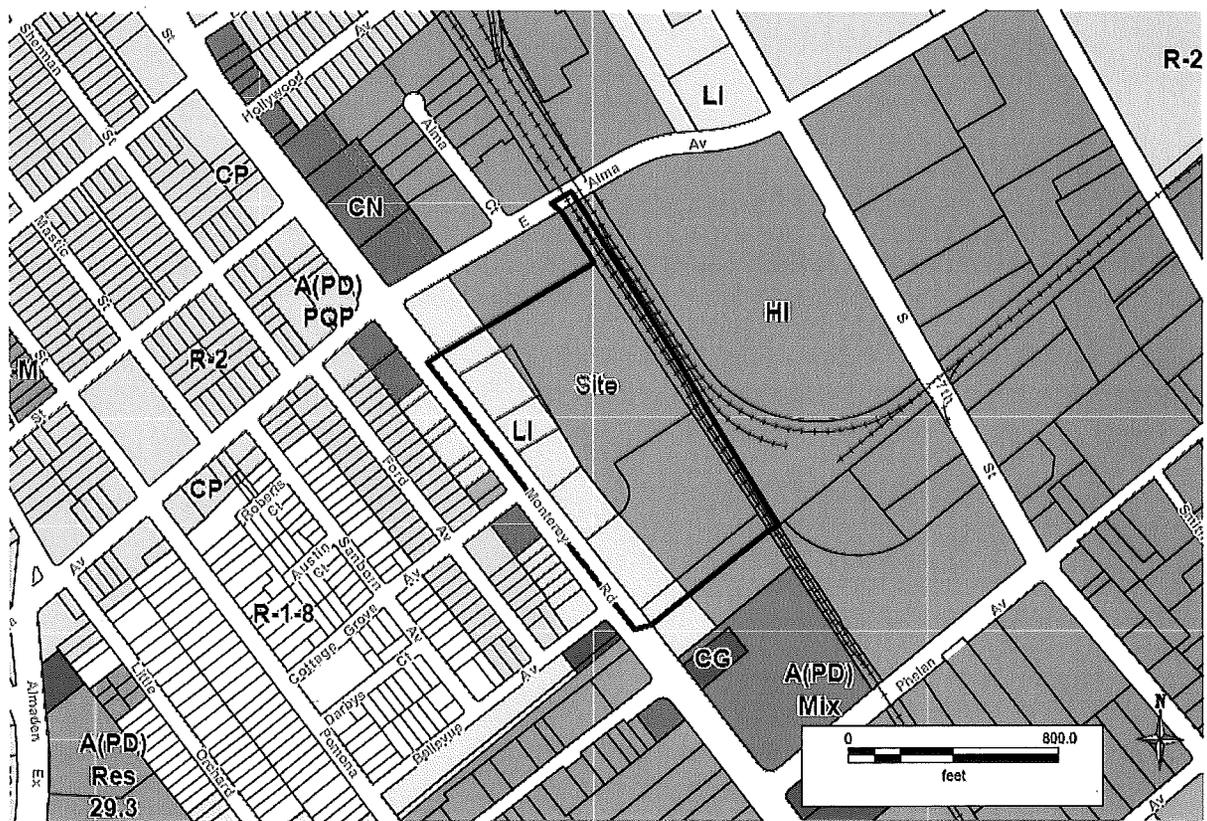
Existing Zoning	LI-Light Industrial; HI-Heavy Industrial
Proposed Zoning	CG(PD) Planned Development
General Plan	General Commercial; Heavy Industrial; Combined Industrial/Commercial (see pending File No. GP10-07-01)
Council District	7
Annexation Date	07/19/56
SNI	N/A
Historic Resource	N/A
Redevelopment Area	Monterey Corridor
Specific Plan	N/A



### GENERAL PLAN



### CURRENT ZONING



## **RECOMMENDATION**

Planning staff recommends that the Planning Commission recommend to the City Council approval of the proposed Planned Development Rezoning on the site for the following reasons:

1. The proposed Planned Development Zoning is consistent with the goals and policies of the San Jose 2020 General Plan and Draft Envision 2040 General Plan, specifically:
  - a. The proposed zoning will comply with the proposed Envision San Jose 2040 Land Use Transportation Diagram land use designation of Combined Industrial/Commercial, as retail/restaurant uses are in within this designation.
  - b. The project conforms to the Commercial Land Use Goals and Policies of the San Jose 2020 General Plan and the proposed Envision San Jose 2040 General Plan, in that it would provide neighborhood-serving commercial uses at a location easily accessible to the surrounding residential neighborhood.
2. The project conforms to the Commercial Design Guidelines.
3. The proposed commercial development with drive-through use conforms to City Council Policy 6-10: Drive-Through Uses.
4. The proposed project is compatible with the surrounding land uses.
5. The proposed project conforms to the requirements of CEQA.

## **BACKGROUND & DESCRIPTION**

On November 17, 2010, Michael Mulcahy, on behalf of Sun Gardens Tenants in Common, filed a request for a Planned Development Zoning from the LI-Light Industrial and HI-Heavy Industrial Zoning Districts to the CG(PD) Planned Development Zoning District to allow for the demolition of the three existing structures and construction of up to 257,296 square foot of commercial buildings on a 19.75 gross acre site. The developer is proposing a Planned Development Zoning to secure a combination of uses and setbacks that would not otherwise be allowed in a conventional commercial zoning district. The proposed base zoning district of "CG" is proposed with this Planned Development Zoning as an alternative, in the event that the applicant later decides to propose a project with a Site Development Permit rather than a Planned Development Permit. In the event that this occurs, the development would need to comply with the development regulations of the CG-Commercial General Zoning District.

The project proposes a phased development of the site. Phase 1 would include 122,130 square feet of new retail on the northern portion of the project site, demolition of the one-story house on-site, and retention of the two other existing industrial/commercial buildings on-site. In Phase 2, the remaining buildings would be demolished or converted to commercial uses for a total of 257,296 square feet of development on the entire site. This rezoning also allows the property owner the option of retaining the three existing buildings for industrial or commercial uses. Alternatively, the existing buildings could be demolished and new commercial buildings constructed in their place. The proposed project will also allow up to two drive-through uses. The applicant has expressed interest in providing a few 24-hour uses and these may be considered with a Planned Development Permit subject to conformance with City Council Policy 6-27: Evaluation of 24 Hour Uses.

Access to the site would be from four driveways along Monterey Road and one driveway to Alma Avenue. The main driveway will be signalized and centrally located along the Monterey Road frontage aligned with Cottage Grove Avenue. There is a railroad spur easement along the east edge of the site. The project applicant has acquired a portion of this easement which now provides access to Alma Avenue. Parking will be provided in surface parking lots throughout the site and along the Alma access

drive aisle. Along the southerly boundary of the site is an abandoned railroad right-of-way, where the applicant proposes landscaping and a public trail easement (future Three Creeks Trails).

### **Existing Site Condition and History**

The Sun Garden Cannery, founded in the late 1930's, operated on 10-acres in the northern portion of the project site until it was closed in 1996. On February 8, 2002, the buildings were heavily damaged by fire and subsequently approved for demolition. The only building that remains from the Sun Garden Cannery complex is a 4,655 square foot single-family house that was moved to the project site in the 1960's and converted to an office. Two additional buildings, a 10,866 square foot restaurant and a 100,820 square foot warehouse, occupy the remainder of the site. All three buildings are located on the southern portion of the property. The northern portion is currently vacant. The entire site is surrounded by a mixture of industrial and commercial uses.

### **ANALYSIS**

The City Council is expected to consider the adoption of the new Envision San Jose 2040 General Plan in October, 2011. The related preferred land use plan has already been developed by the Task Force and endorsed by the City Council. The new plan is now pending approval upon completion of the Environmental Impact Report. For this reason, during this transitional period, this proposal is being evaluated in the context of the new draft plan as well as relevant policies of the current General Plan.

The proposed rezoning was analyzed to address the following: 1) conformance with the Draft Envision San Jose 2040 General Plan, 2) conformance with the current applicable goals and policies of the San José 2020 General Plan, 3) the Commercial Design Guidelines, 4) City Council Policy 6-10, Criteria for the Review of Drive-Through Uses, 5) interface with the Three Creeks Trail, 6) sustainability, and 7) the California Environmental Quality Act (CEQA).

### **General Plan Conformance**

The current San Jose 2020 General Plan Land Use/Transportation Diagram designation is General Commercial along the Monterey Road frontage with the balance, and majority, of the site designated as Heavy Industrial. The portion of land encompassed by the trail, along the south side of the property has an existing land use designation of Combined Industrial/Commercial. Under these designations the amount of commercial uses as proposed by the applicant would not be allowed. There is a pending General Plan Amendment (File GP10-07-01) to change the land use designations to Combined Industrial/Commercial. The subject Planned Development Zoning can only be considered upon approval of the above referenced General Plan Amendment. If approved, this would facilitate a rezoning to CG(PD)Planned Development to allow for construction of a new neighborhood retail center, but with the possible retention of some of the existing industrial buildings and uses.

Under the Draft Envision San Jose 2040 General Plan, the site will be given a designation of Combined Industrial/Commercial and is consistent with the applicant's requested designation. The proposed Combined Industrial/Commercial designation would allow a significant amount of flexibility for the development of a varied mixture of compatible commercial and industrial uses. Properties with this designation will be intended for commercial, office, or industrial developments or a compatible mix of these uses. This designation would occur in areas where the existing development pattern exhibits a mix of commercial and industrial land uses or in areas on the boundary between commercial and industrial uses. Development intensity can vary significantly in this proposed designation based on the nature of specific uses likely to occur in a particular area. In order to maintain an industrial character, small,

suburban strip centers are discouraged in this designation, although larger big-box type developments may be allowed because they mix elements of retail commercial and warehouse forms and uses.

The subject property is located near the northern edge of a larger industrial area and serves as a transition from industrial to commercial and then to housing approximately 250 feet to the west. In keeping with the proposed General Plan designation, the property could be developed with a larger big-box type development, because they contain a mix of retail commercial and warehouse forms and uses. Based on the proposed mix of uses, and project design, the project conforms to the Combined Industrial/Commercial designation.

## **Commercial Design Guidelines**

### Site Design, Setbacks and Building Presence

The conceptual design includes a single-story scale, pedestrian-accessible shopping center which conforms to the Commercial Design Guidelines. The proposed development regulations are similar to the CG Commercial General Zoning District, but with slightly reduced front setbacks to be more urban and pedestrian-oriented. This site provides a transition from more suburban areas to the south and the more urban development planned along this corridor to the north. Pedestrian traffic is forecasted to increase due to transit and development of the trail in this area (see discussion on page 6 under Three Creek Trails). While the Guidelines recommend a building setback of 25 feet to the street and a 5 foot internal setback to a property line with a non-residential interface, the project provides a setback of 17 feet to any street and an internal setback of 6 feet on all sides adjacent to non-residential uses.

The proposed Zoning includes a minimum building frontage requirement of 38% to facilitate a strong building presence along Monterey Road while balancing the need to provide adequate visibility to anchor tenant spaces near the back of the site. To encourage a more urban appearance, in keeping with the smaller front setbacks, staff is recommending that at least half of the buildings along street edge maintain a two story design, or appearance thereof. This technique was successfully implemented as part of the recent redevelopment of the shopping center at the southeast corner of Story Road and King Avenue. The two-story appearance helped to achieve a much more urban appearance and better sense of place.

The proposed rezoning also includes a requirement for an offer of cross-access to be provided in case the adjacent commercial property to the north (Southern Lumber) ever redevelops to a different form of commercial development. This will allow traffic to flow more easily between the two sites and would therefore reduce vehicle trips on the adjacent public streets.

### Parking

The Guidelines do not provide specific recommendations for parking, but refer to compliance with the Zoning Ordinance. Table 20-190 of the Zoning Ordinance requires a ratio of one vehicle parking space per 225 square feet of net floor area and one bicycling parking space per 3,000 square feet for neighborhood shopping centers that are larger than 100,000 square feet. The 257,296 square feet of commercial retail space will require 972 vehicle parking spaces and 73 bicycle parking spaces if the entire square footage is built out. The conceptual site plan shows 1073 vehicle parking spaces, which exceeds the parking requirement by 101 parking spaces.

### Vehicular access to the Site

As shown on the conceptual site plan, the applicant is proposing five (5) driveway entrances along the Monterey Road frontage, while Staff is recommending four (4) driveways. One of these is a new

signalized intersection which intended to be the site's preferred primary point of ingress and egress. Staff's recommendation is based on the need to balance appropriate site access with pedestrian and bicycle safety along Monterey Road. Every sidewalk or path that crosses a driveway represents a point of potential vehicle conflict with a pedestrian or bicycle. With the addition of a new trail at along the south side of the site, pedestrian and bike traffic is expected to increase. Reducing the number of driveways per block reduces the number of conflict points. Greater separation of driveways promotes pedestrian safety by reducing overlap of the operational areas of driveways. The number of driveways compared to street frontage length proposed is substantially more that was provided with other recently approved shopping centers such as The Plant, Hacienda Gardens and @First (At First).

### **City Council Policy 6-10: Drive-Through Uses**

This project conforms to all applicable recommendations of City Council Policy 6-10: Drive-Through Uses. The proposed project will facilitate up to two (2) drive-through uses (e.g. fast food restaurant, drug store). The drive-through uses will be placed more than 250 feet from residential uses in accordance with the policy. Of the two drive-through uses only one will be allowed to have the drive-through lane adjacent to the public street, the other will be limited to a drive through located at the rear of the building and away from the public street. This also helps eliminates a design constraint that would otherwise limit the ability to articulate the building elevations that face the public streets. Also, by limiting the number of drive-through uses adjacent to the public street, building presence and landscaping can be maximized. Each of the proposed drive-through uses provides adequate vehicle stacking lanes that do not interfere with other internal driveways.

### **Interface with Three Creeks Trail**

The development of the Three Creeks Trail is important to the community and therefore the developer has worked diligently with the City's Parks Department. The developer is offering an easement over a portion of land at the southern edge of the property, no less than 10 feet in width, which can be used for future trail development. Staff has also worked with the applicant to craft the development standard in such a way that either the commercial development or the trail could go forward first, and therefore development of one would not hamper development of the other. The applicant is currently proposing a stormwater control bioretention swale adjacent to the trail. Staff will evaluate at the Planned Development Permit stage whether some of the 101 surplus parking spaces should be eliminated to provide more space between the trail and bioretention swale to enhance the function and appearance of the trail. The elimination of some parking spaces could facilitate a meandering trail.

### **Sustainability**

This project is subject to the City of San Jose Green Building Ordinance for New Construction Private Development. A future Planned Development Permit for this project will be conditioned to conform to applicable regulations in effect at the time of building permit issuance. At this time, specific information is not known about green building measures to be included in the project. Currently, a project of this size is required to receive LEED Silver certification.

### **California Environmental Quality Act (CEQA)**

An Environmental Impact Report (EIR) was prepared for the project, which ended its public circulation period on April 15, 2011. The EIR concludes that the proposed General Plan Amendments and Planned Development Rezoning will not have a significant effect on the environment with mitigation as proposed except for Greenhouse Gas Emissions which will be a significant unavoidable impact. The entire EIR is available for review on the Planning web site at: <http://www.sanjoseca.gov/planning/eir/EIR.asp>

The primary issues addressed in the EIR include the potential impacts of the physical development of the site on; hydrology and water quality, vegetation and wildlife, hazardous materials, cultural resources, air quality, Greenhouse Gas Emissions, and noise. The EIR includes mitigation measures that would reduce most of the potentially significant project impacts to a less-than-significant level.

**PUBLIC OUTREACH/INTEREST**

On January 26, 2011, a community meeting was held at the Alma Community Center to present both the General Plan Amendment and Planned Development Rezoning, at which 17 community members were in attendance. Those in attendance were generally supportive of the project as it would eliminate blight, create jobs, and provided needed services in their neighborhood.

In addition to the community meeting, the property owners and occupants within a 1,000-foot radius were sent public hearing notices for the Planning Commission and City Council hearings. This staff report has been posted on the City's web site. Signage in three languages has been posted at the site to inform the public about the proposed change. Staff has been available to discuss the proposal with interested members of the public.

**CONCLUSION**

The proposed Planned Development Rezoning will allow reuse of existing buildings on site to be occupied while also providing opportunity for the site to be redeveloped consistent with the Draft Envision San Jose 2040 General Plan. The proposed development of this site will facilitate a project that conforms to all City design policies. Both the existing buildings proposed to be saved in the interim phase and the new buildings are compatible with the surrounding neighborhood. This project will provide an appropriately urban character that creates a good transition from more suburban areas to the south to the more urban development planned to the north.

**Project Manager:** Jodie Clark, AICP

**Approved by:** 

**Date:** 5/16/11

<b>Owner/Applicant:</b> Michael Mulcahy Sun Gardens Tenants in Common 1122 Willow Street San Jose, CA 95125	<b>Attachments:</b> Draft Development Standards Public Works Memo - to be sent under separate cover General Development Plan Set
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**PDC10-026**  
**SUN GARDEN RETAIL CENTER PROJECT**  
**GENERAL DEVELOPMENT PLAN NOTES**

The following notes are to be incorporated on the final General Development Plan upon recommendation by the Planning Commission and City Council Approval.

*\* In any cases where the graphic plans and text may differ, the text takes precedence*

**DEVELOPMENT LIMITATIONS**

Up to 257,296 square feet, including any existing buildings that are not demolished

**ALLOWED USES**

**1. New buildings and existing buildings within 25 feet of Monterey Road:**

Permitted, Conditional and Special uses in the CG-Commercial General Zoning District of Title 20 of the San Jose Municipal Code, as amended. Conditional and Special uses as identified in the CG-Commercial General Zoning District shall be subject to approval by the Planning Director with a Planned Development Permit or Amendment.

**2. Existing buildings (other than those described above):**

Permitted, Conditional and Special uses in the LI-Light Industrial Zoning District of Title 20 of the San Jose Municipal Code, as amended. Conditional and Special uses as identified in the LI-Light Industrial Zoning District shall be subject to approval by the Planning Director with a Planned Development Permit or Amendment. Such uses and buildings will be subject to site, landscape and sidewalks upgrades to ensure compatibility with the planned commercial development.

Use Limitations:

1. This project may contain no more than two (2) drive-through uses.

**DEVELOPMENT STANDARDS**

**Perimeter Setbacks:**

Along Monterey Road and Alma Avenue - 17 feet for parking and/or structures, which includes a 2 foot public sidewalk easement.

Exception to front setback: The Director of Planning may allow patios to encroach into the front setback with approval of a Development Permit.

All Other Property Lines Along Exterior of Project Site - 6 feet for parking and/or structures.

Exception to side setback: If the parcel on the corner of Monterey Road and Alma Avenue (APN 477-07-012) is redeveloped with a parking lot that is integrated with that of the subject shopping center, the side setback may be reduced to 0 feet provided that there are at least two points of cross vehicular connection.

Maximum Building Height - 50 feet.

**PARKING REQUIREMENTS**

All land uses shall provide on-site parking, including automobile, bicycle, motorcycle and clean air vehicle parking, in accordance with Chapter 20.90 (Parking and Loading) of the City of San Jose Municipal Code, as amended.

**PROJECT DESIGN REQUIREMENTS**

1. This project shall conform to the City's Commercial Design Guidelines.
2. No more than one of the drive-through uses allowed for this project may include a drive-through lane adjacent and parallel to Monterey Road and between the building and street.
3. Provide as much and well distributed building presence as feasible along Monterey Road by providing a minimum linear frontage of 35% for building footprints within 25 feet of the front property line, and providing greater building heights equivalent to two stories for at least half of the above buildings along the Monterey Road frontage.
4. Provide screening or internalization of loading courts to minimize visibility from Monterey Road.
5. Create pedestrian and bicycle connections from Monterey Road and Alma Avenue to the retail stores on-site to encourage pedestrian and bicycle traffic.

**SIGNAGE**

All signs shall conform to the City of San Jose sign regulations (Title 23), as amended, and shall be approved under a separate Planned Development Adjustment Permit to the satisfaction of the Director of Planning.

**DEVELOPMENT PHASING**

1. Separate Planned Development Permits are allowed for the phased build-out of the project.
2. Phasing of the development is permitted to allow the continued use of the existing warehouse per allowed uses of this PD Zoning and continued use of the existing restaurant building, both at the southwesterly portion of the project site, or their demolition when new construction is planned by the submittal of a PD Permit application.

**THREE CREEKS TRAIL SYSTEM**

Property owner will cooperate with the City Parks trail plan objective to utilize a portion of the southerly section of the site as a public trail to the satisfaction of the Director of Planning. Such future trail development shall not preclude the applicant's ability to landscape the same area with bio-swales to serve the project.

As a part of the Planned Development Permit that would require landscaping and bio-swale development in the general area that the public trail is planned, the property owner shall:

1. Grade the area to accommodate a minimum 10 foot continuous right of way suitable for future trail development.
2. Prior to trail development, the area may be landscaped by the property owner understanding that it is subject to future replacement by a paved trail.

3. Provide the City of San Jose the right to construct and operate a paved trail for use by the public on a 24/7 basis, provided adequate easement documentation, including owner indemnification provision, is completed.
4. Future trail improvements could include a paved section within the designated right of way, gateway element (such as decorative pavement and/or vertical stone column(s)), signage and striping. The City of San Jose would deliver each of these elements as part of the work it would fund at some future date.
5. Provide two pedestrian connections from the project's parking lot into the trail corridor, as shown on the conceptual site plan.
6. Following trail construction by the City of San Jose, the City will be responsible for trail pavement, preventive and long-term maintenance, and all other trail improvements.
7. Permit the City of San Jose to construct the trail under separate agreement in the event that property owner's work at the trail area is deferred for any reason.

#### **ACCESS TO THE PROPERTY**

Access shall not be allowed in between railroad gates along Alma Avenue as they currently exist. The proposed driveway on Alma Avenue requires relocation of existing gates and is subject to further City and Public Utilities Commission review at the PD Permit stage.

Full access including left turns at Alma Avenue is subject to the City and Public Utilities Commission approval. At the PD Permit stage, the developer shall demonstrate that a safe and sufficient left turn pocket can be accommodated from Alma Avenue to the site.

A maximum of four driveways including the signalized entrance along Monterey Road can be allowed. At the PD stage, one driveway between the proposed signalized entrance and the southerly property line, as shown on the conceptual site plan, shall be eliminated.

#### **PUBLIC INFRASTRUCTURE AND OFF-SITE IMPROVEMENTS**

Prior to the issuance of Building permits, tract or parcel map the applicant will be required to have satisfied all of the following Public Works conditions: ADD FINAL PUBLIC WORKS MEMORANDUM COMMENTS HERE.

**MITIGATION MEASURES:** ADD EIR MITIGATION HERE



**SDS NexGen Partners LP**

1122 Willow Street, Suite 201, San Jose, CA 95125

408.298.4264 F 408.298.2408

May 16, 2011

Planning Commission  
City of San Jose  
c/o Jodie Clark, Project Manager  
City of San Jose Planning Division  
200 East Santa Clara St., Rm. T-300  
San Jose, CA 95113

RE: GP10-07-01 and PDC10-026  
Proposed Sun Garden Retail Center on Monterey Road

Dear Commissioners:

I wanted to take this opportunity to introduce myself and my partners, and offer a summary of our planned redevelopment project. We look forward to the Planning Commission hearing on May 25, 2011 that involves certification of the EIR and the Commission's recommendation to the City Council on a General Plan Amendment and PD Zoning.

Sun Garden TIC controls approximately 20 acres of under-developed land along Monterey Road immediately adjacent to the southeast corner of Alma Street (at Monterey Road), one mile south of Downtown San Jose. This site was formerly home to my family's Sun Garden Packing Company which ceased operations after the canning season in late 1997. During its heyday, Sun Garden was the largest independent canner of tomato products in the US. Today, the site maintains 110,000 square feet in two occupied buildings and the balance is vacant land after demolition of the packing facility in summer 2002.

Sun Garden TIC, under the direction of my firm, SDS NexGen Partners LP, assembled a team of professionals in early 2010 to assess development opportunities and perform due diligence work associated with new land use entitlements for the site.

In reviewing the San Jose City Council's current **Policy and Framework for Preservation of Employment Lands**, this site presents a unique opportunity for the City. Future redevelopment was judged to be best guided by this Policy and Framework which encourages use of the Combined Industrial/Commercial (CIC) General Plan designation. Beginning in May 2010, we met with City staff in the Planning and Economic Development Departments and submitted a Preliminary Review application to ensure City coordination before submitting the General Plan Amendment and PD Zoning applications.

Since our first application submittals on June 21, 2010, we have worked closely with all involved City Departments to ensure adequate environmental study, as well as site planning through the PD zoning process, to address any concerns of the City and community.

It is our expectation that use of the Combined Industrial/Commercial (CIC) designation for the site allows full implementation of the referenced Preservation Framework to strengthen the City's economic strategy by:

- Bringing revenue to the City
- Providing jobs to residents
- Facilitating retail development that serves the immediate neighborhoods
- Assuring "no net loss" employment
- Avoiding conversion to residential use

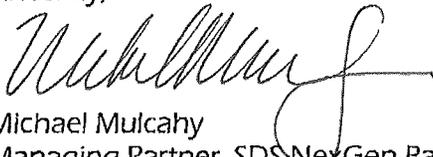
Prior use of the CIC designation in the Monterey corridor has already produced significant results with The Plant – a shopping center at the former General Electric facility. This is a massive power center of 650,000 square feet at Monterey Road and Curtner Avenue. It should be noted that the CIC designation has been applied to properties immediately adjacent to the north and south of our subject property, essentially surrounding, yet currently bypassing our acreage.

This planned development also offers other significant public benefits. This includes a new signalized intersection at the mid-point of the site at Cottage Grove Avenue; land held in reserve to accommodate that portion of the future Three Creeks Trail to be installed at the southern end of the site, and added delivery and customer access via Alma Avenue as we purchased surplus railroad right-of-way in November 2010 to expand the site at the east.

In conclusion, this General Plan Amendment, and subsequent PD Zoning, is expected to further fuel redevelopment of the Monterey corridor, provide job growth, add needed shops and services for the immediate area, increase local tax revenue, and further brighten the landscape of this important San Jose boulevard and corridor.

Thank you in advance for your time and consideration and we look forward to our hearing on May 25<sup>th</sup>.

Sincerely,



Michael Mulcahy  
Managing Partner, SDS NexGen Partners  
Development Lead for Sun Garden TIC

cc: Honorable Madison Nguyen, Vice Mayor, San Jose City Council, District 7

# SUN GARDEN RETAIL CENTER

1420 - 1600 MONTEREY ROAD  
SAN JOSE, CALIFORNIA

MAY 16, 2011

VICINITY MAP

CONTACTS

SHEET INDEX



**CLIENT**

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1122 WILLOW STREET, SUITE 201  
SAN JOSE CA 95125

Phone: 408.298.4264  
Fax: 408.904.7075  
Contact: MICHAEL MULCAHY

**ARCHITECT**

KENNETH RODRIGUES & PARTNERS, INC.  
445 N. WHISMAN ROAD, SUITE 200  
MOUNTAIN VIEW, CA 94043

Phone: 650.965.0700  
Fax: 650.960.0707  
Contact: KENNETH RODRIGUES

**OWNERS REPRESENTATIVE**

CORD AND ASSOCIATES  
42 S. FIRST STREET, SUITE D  
SAN JOSE, CA 95113

Phone: 408.283.7292  
Fax: 408.971.7699  
Contact: HENRY CORD

INGRAM AND ASSOCIATES  
521 CHARCOT SUITE # 209 - L  
SAN JOSE, CA 95131

Phone: 650.917.8618  
Fax: 650.961.9195  
Contact: ALEX INGRAM JR.

**CIVIL ENGINEER**

KIER & WRIGHT  
3350 SCOTT BLVD., BLDG. 22  
SANTA CLARA, CA 95054

Phone: 408.727.8665  
Fax: 408.727.5641  
Contact: BARRY SCHMITT

A0	COVER SHEET
A1	LAND USE PLAN - EXHIBIT C
A2	DEVELOPMENT STANDARDS
A3	CONCEPTUAL SITE PLAN - PHASE 1
A4	CONCEPTUAL SITE PLAN - PHASE 2
A5	CONCEPTUAL SITE PLAN - PHASE 2 - FRONTAGE CALCULATIONS
4	PRELIMINARY GRADING PLAN
4.1	CROSS SECTIONS
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4a	STORMWATER MANAGEMENT PLAN
4b	STORMWATER CALCULATIONS AND DETAILS



KENNETH RODRIGUES & PARTNERS, INC.  
445 NORTH WHISMAN ROAD, SUITE 200  
MOUNTAIN VIEW, CA 94043

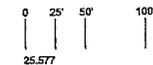
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SYMBOL	AREA	AREA (AC)	% OF TOTAL AREA	PRIMARY LAND USES	
				RETAIL (SF)	F.A.R.
	COMMERCIAL / MIXED USE	19.355 AC	98 %	257,296 SF	0.30
	LANDSCAPING & TRAIL	.39 AC	2 %	-	-
TOTAL		19.745 AC	100 %	257,296 SF	



**Sun Garden Retail Center**  
 SAN JOSE, CALIFORNIA  
 KENNETH RODRIGUES & PARTNERS, INC.

**LAND USE PLAN**  
 "EXHIBIT C"



**A1**

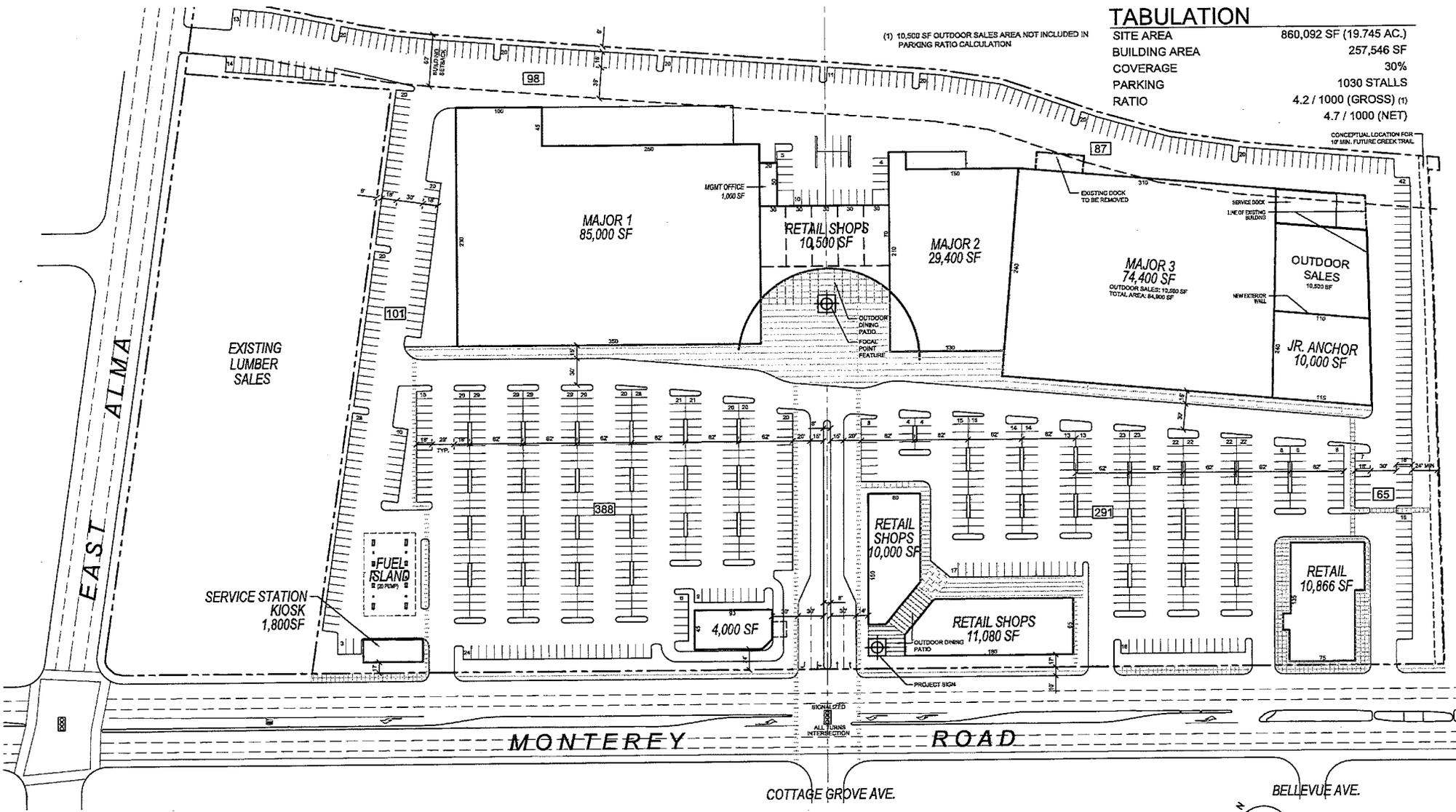


(TO BE DEVELOPED BY THE PLANNING DEPARTMENT)

*Sun Garden Retail Center*  
SAN JOSE, CALIFORNIA  
KENNETH RODRIGUES & PARTNERS, INC.

DEVELOPMENT STANDARDS A2

05.10.11



(1) 10,500 SF OUTDOOR SALES AREA NOT INCLUDED IN PARKING RATIO CALCULATION

### TABULATION

SITE AREA	860,092 SF (19.745 AC.)
BUILDING AREA	257,546 SF
COVERAGE	30%
PARKING	1030 STALLS
RATIO	4.2 / 1000 (GROSS) (1)
	4.7 / 1000 (NET)

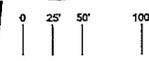
CONCEPTUAL LOCATION FOR 10' MIN. FUTURE CREEK TRAIL

# Sun Garden Retail Center

SAN JOSE, CALIFORNIA  
KENNETH RODRIGUES & PARTNERS, INC.

## CONCEPTUAL SITE PLAN

PHASE 1 25.577



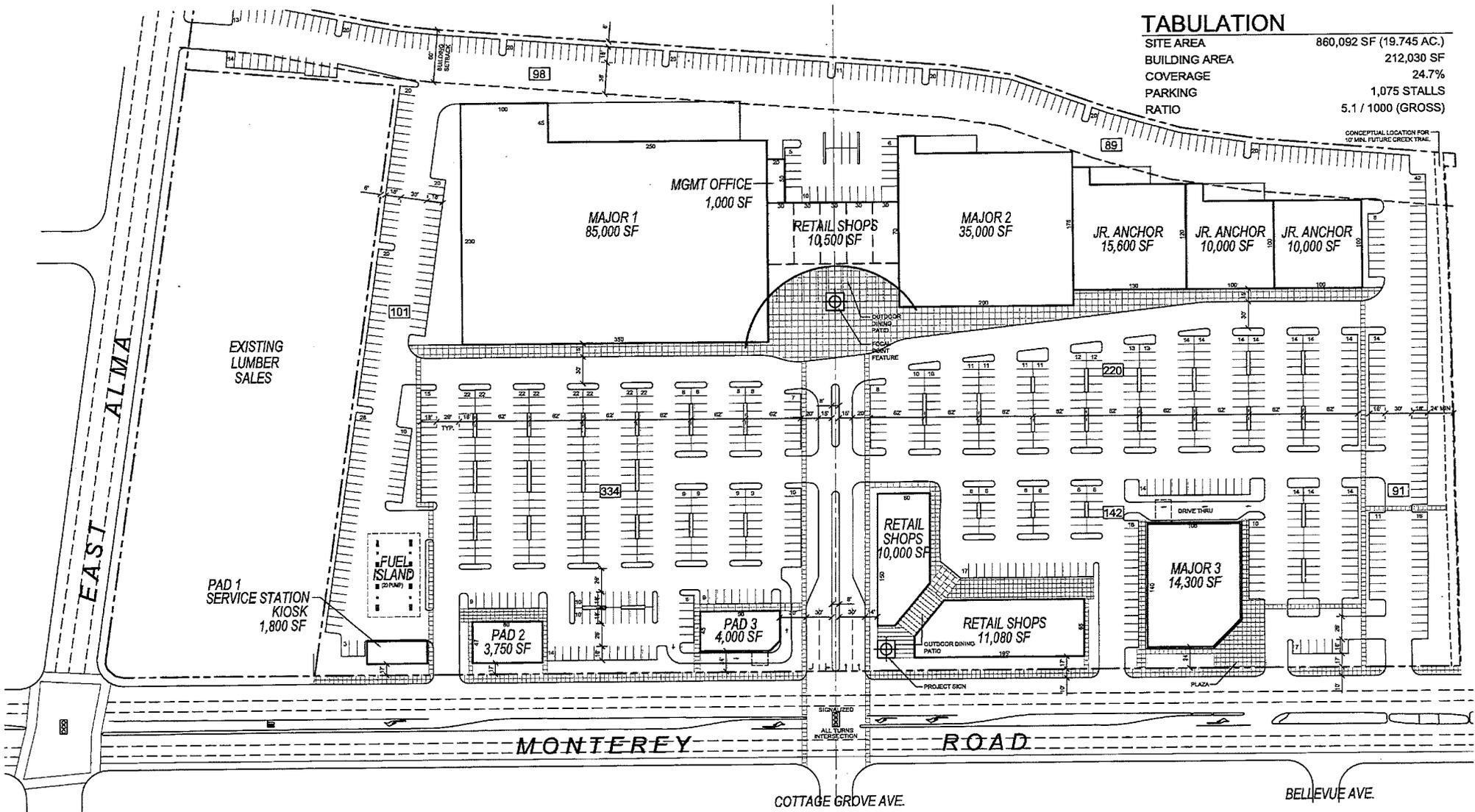
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### TABULATION

SITE AREA	860,092 SF (19.745 AC.)
BUILDING AREA	212,030 SF
COVERAGE	24.7%
PARKING	1,075 STALLS
RATIO	5.1 / 1000 (GROSS)

CONCEPTUAL LOCATION FOR 10' MIN. FUTURE CREEK TRAIL

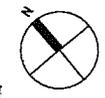


# Sun Garden Retail Center

SAN JOSE, CALIFORNIA  
KENNETH RODRIGUES & PARTNERS, INC.

## CONCEPTUAL SITE PLAN

PHASE 2



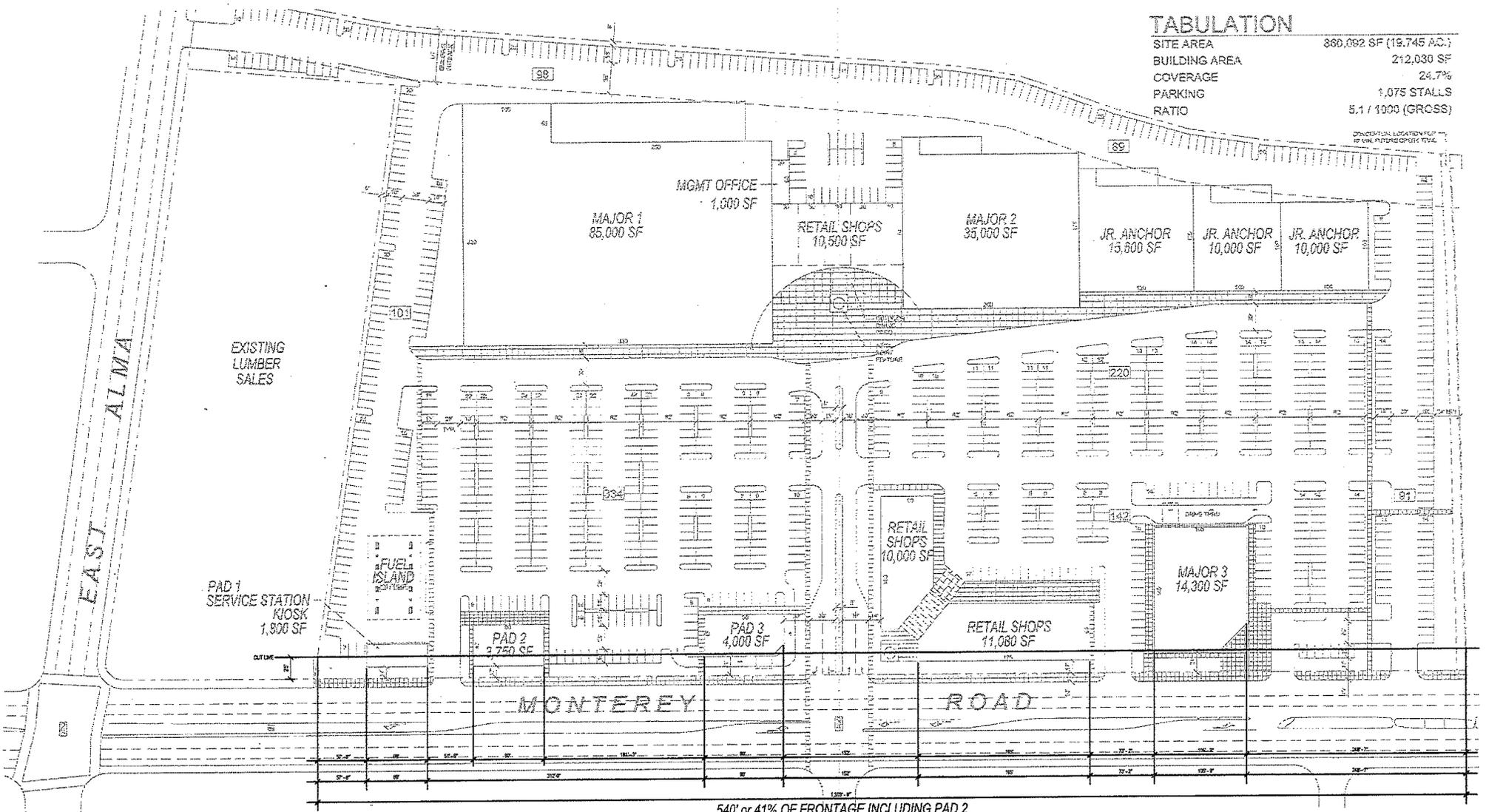
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**TABULATION**

SITE AREA	880,092 SF (19.745 AC.)
BUILDING AREA	212,030 SF
COVERAGE	24.7%
PARKING	1,075 STALLS
RATIO	5.1 / 1000 (GROSS)

CONCEPTUAL LOCATION FOR  
TO USE FOR PARKING TRAIL



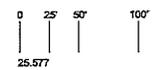
540' or 41% OF FRONTAGE INCLUDING PAD 2  
OR  
460' or 35% OF FRONTAGE NOT INCLUDING PAD 2

# Sun Garden Retail Center

SAN JOSE, CALIFORNIA  
KENNETH RODRIGUES & PARTNERS, INC.

## CONCEPTUAL SITE PLAN

PHASE 2

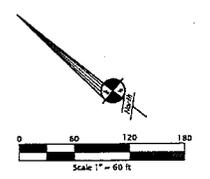
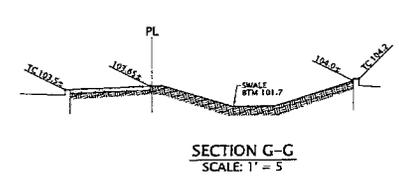
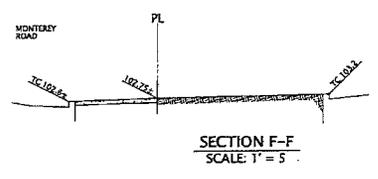
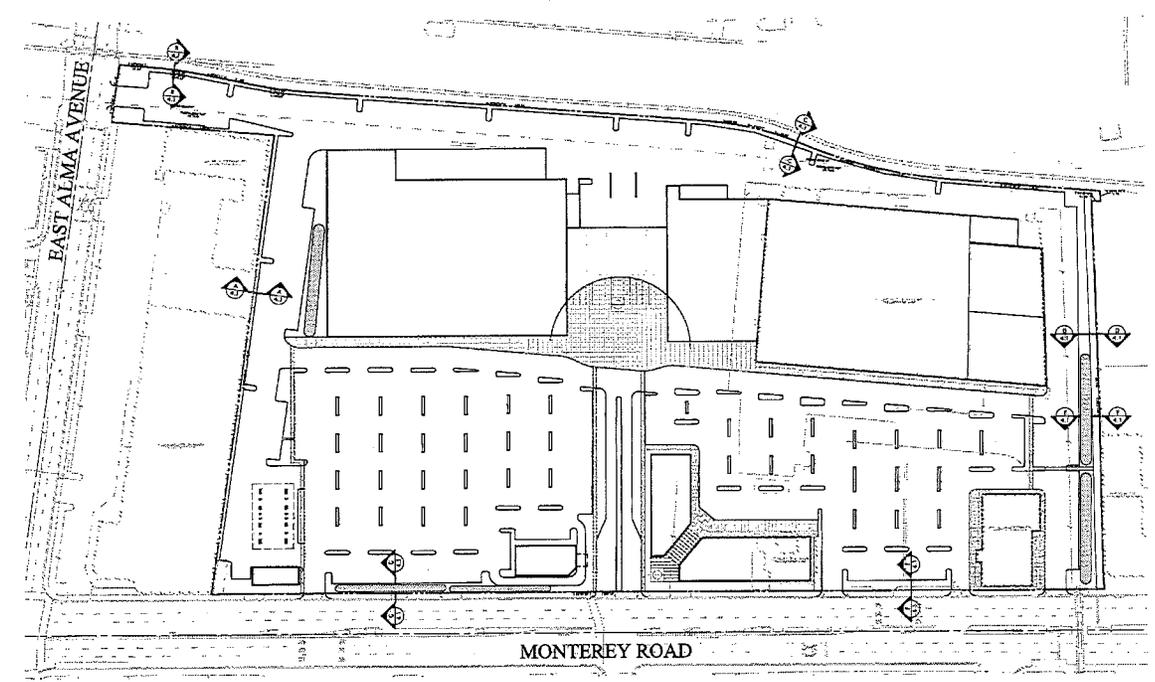
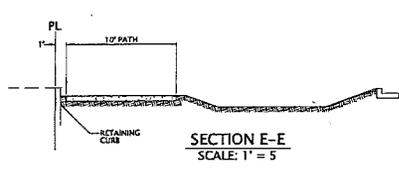
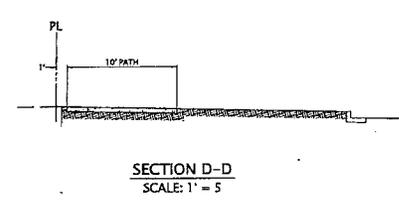
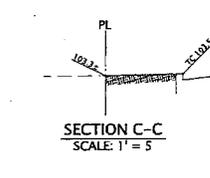
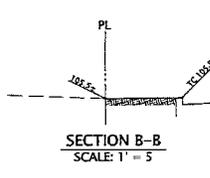
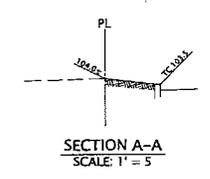


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# Sun Garden Retail Center

SAN JOSE, CALIFORNIA  
KENNETH RODRIGUES & PARTNERS, INC.

## CROSS SECTIONS

4.1

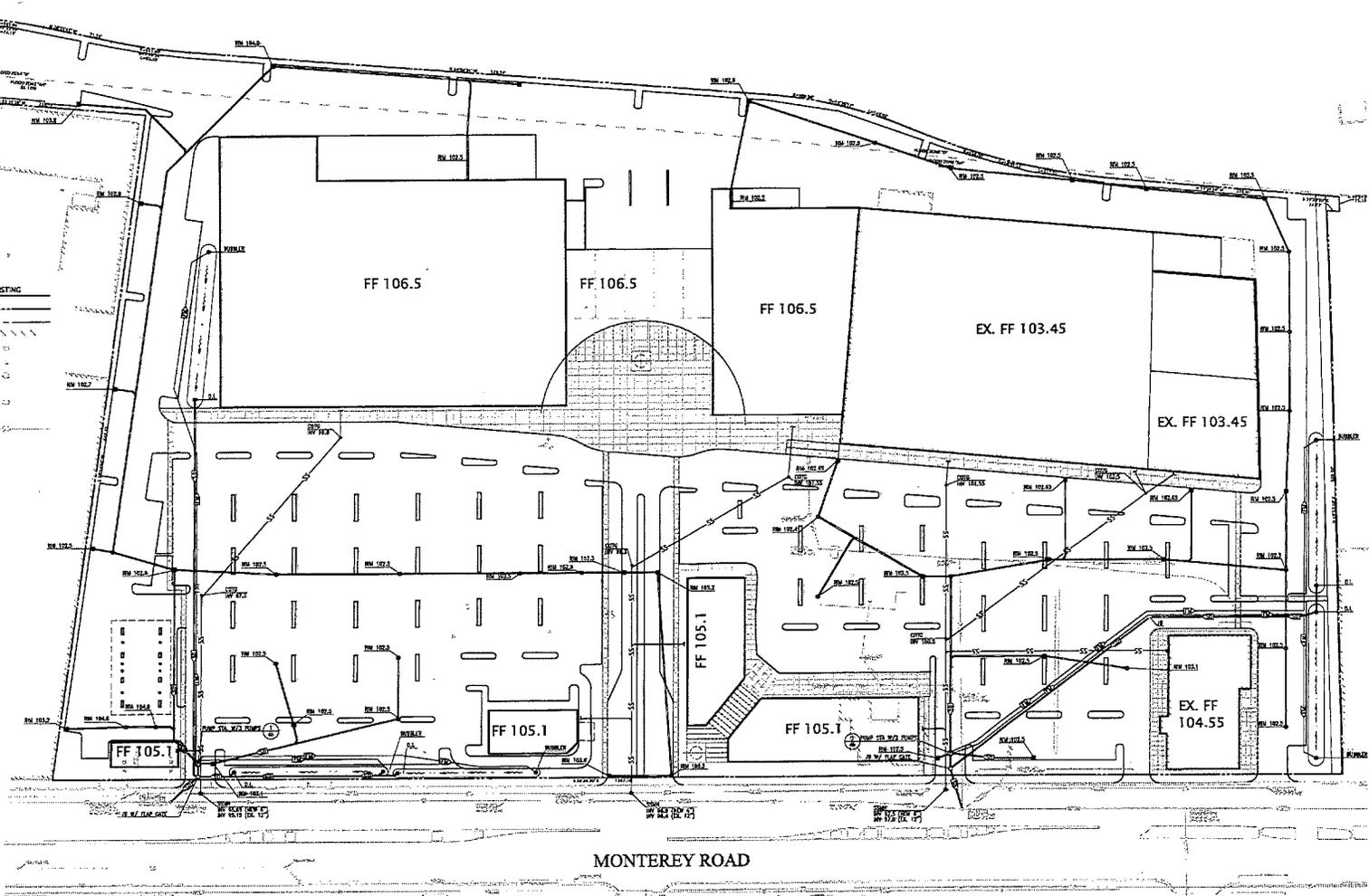
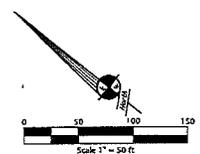
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EAST ALMA AVENUE

LEGEND	PROPOSED	EXISTING
PROPERTY LINE	---	---
CENTERLINE	---	---
BUILDING LINE	---	---
CATCH BASIN	○	○
COTG	○	○
SANITARY SEWER MANHOLE	○	○
RIDGE	---	---
STORM DRAIN	---	---
FORCE MAIN	---	---
SANITARY SEWER	---	---

ABBREVIATIONS	
COTG	CLEAN OUT TO GRADE
DI	DROP INLET
FF	FINISH FLOOR
JB	JUNCTION BOX
RIM	RIM ELEVATION
SS	SANITARY SEWER
SSMH	SANITARY SEWER MANHOLE
VEG	VEGETATED



# Sun Garden Retail Center

SAN JOSE, CALIFORNIA  
KENNETH RODRIGUES & PARTNERS, INC.

## CONCEPTUAL UTILITY PLAN

4.2

KENNETH RODRIGUES & PARTNERS, INC.  
440 SOUTH WILSON AVENUE, SUITE 200  
SANTA CLARA, CALIFORNIA 95050-1078

A10067-1

05.18.11

EAST ALMA AVENUE

**LEGEND**

DESCRIPTION  
 PROPOSED  
 EXISTING

PROPERTY LINE  
 CENTERLINE  
 BUILDING LINE  
 CATCH BASIN  
 RIDGE  
 BOUNDARY OF TREATMENT AREA  
 STORM DRAIN  
 FORCE MAIN

**ABBREVIATIONS**

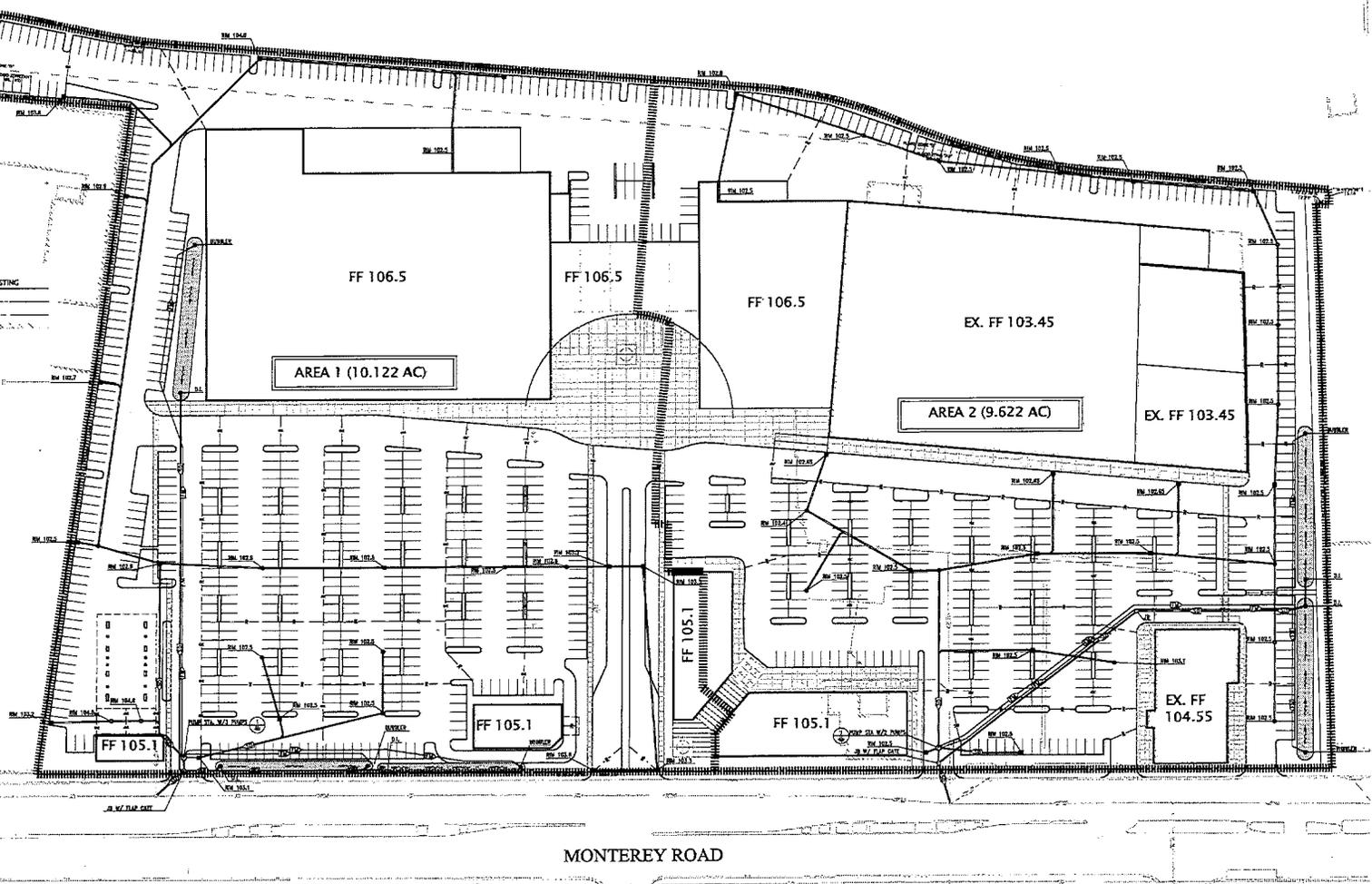
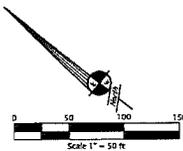
DI DROP INLET  
 FF FINISH FLOOR  
 FM FORCE MAIN  
 JB JUNCTION BOX  
 RIM RIM ELEVATION  
 SD STORM DRAIN  
 VEG VEGETATED

**STORMWATER TREATMENT**

AREA 1 SHALL BE TREATED BY VEGETATED SWALE 1, 2, & 3.  
 AREA 2 SHALL BE TREATED BY VEGETATED SWALE 4 & 5

**NOTES**

1. STORMWATER TREATMENT SHALL COMPLY WITH C.3 REGULATIONS AND WILL BE ACCOMPLISHED BY VEGETATED SWALES.
2. THE SITE PLAN USED FOR THIS PLAN IS SCHEMATIC AND IS SUBJECT TO CHANGE.



KENNETH RODRIGUES & PARTNERS, INC.  
 445 NORTH WHISKEY WOODS DRIVE, SUITE 200  
 MARSHFIELD, CALIFORNIA 94028-0768

**Sun Garden Retail Center**  
 SAN JOSE, CALIFORNIA  
 KENNETH RODRIGUES & PARTNERS, INC.

**STORMWATER MANAGEMENT PLAN**

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**TREATMENT METHODOLOGY**

THE PROJECT HAS BEEN DIVIDED INTO TWO AREAS: AREA 1 AND AREA 2. BOTH AREAS WILL BE TREATED BY VEGETATED SWALES.

AREA 1 (0.122 AC) WILL BE TREATED BY 3 SWALES. VEGETATED SWALE 1 WILL TREAT 111,200 SF OF VEGETATED SWALE 2 WILL TREAT 46,800 SF, AND VEGETATED SWALE 3 WILL TREAT 280,515 SF FOR A TOTAL OF 448,515 SF (10.122 AC).

AREA 2 (0.422 AC) WILL BE TREATED BY 2 SWALES. VEGETATED SWALE 4 WILL TREAT 208,570 SF AND VEGETATED SWALE 5 WILL TREAT 208,570 SF FOR A TOTAL OF 417,140 SF (9.522 AC).

BOTH AREAS WILL USE PUMPS TO DELIVER THE C.I. FLOW INTO THE VEGETATED SWALES. THE PUMP STATION FOR AREA 1 WILL HAVE 5 PUMPS THAT WILL DELIVER THE C.I. FLOW INTO VEGETATED SWALES 1, 2, AND 3. THE PUMP STATION FOR AREA 2 WILL HAVE 2 PUMPS THAT WILL DELIVER THE C.I. FLOW INTO VEGETATED SWALES 4 AND 5. THE TREATED STORMWATER WILL THEREAFTER BE CONVEYED TO A COLLECTION BOX THAT WILL DISCHARGE TO THE PUBLIC SYSTEM.

**VEGETATED SWALE MAINTENANCE PLAN**

1. OBJECTIVE: THE MAINTENANCE OBJECTIVES FOR VEGETATED SWALES INCLUDE KEEPING UP THE HYDRAULIC AND REMOVAL EFFICIENCY OF THE CHANNEL AND MAINTAINING A GREEN, HEALTHY GRASS OR PLANT COVER.

2. INSPECTION SCHEDULE

2.1 VISUAL INSPECTIONS SHALL BE CONDUCTED MONTHLY, PARTICULARLY AFTER HEAVY RAINFALL, TO DETERMINE NORMAL FUNCTIONING OF SWALES I.E. NO POOLING, OR BLOCKAGE

2.2 DETAILED INSPECTIONS SHALL BE CONDUCTED AT LEAST TWICE ANNUALLY WITH INSPECTIONS OCCURRING (1) AT THE END OF THE WET SEASON TO SCHEDULE ZONED MAINTENANCE

2.3 BEFORE MAJOR RAIN RUNOFF IN PREPARATION FOR WINTER, AND (2) AFTER PERIODS OF HEAVY SNOWFALL. THE OBJECTIVE OF DETAILED INSPECTIONS IS TO IDENTIFY EROSION, DAMAGE TO VEGETATION, LOSS OF PLANT HEIGHT, DEBRIS, LITTER, AREAS OF SEDIMENT ACCUMULATION, AND POOLING/STANDING WATER. IF ANY ISSUES EXIST, ACTIVITIES AS OUTLINED IN SECTION 3, MAINTENANCE ACTIVITIES WILL BE CONDUCTED.

3. MAINTENANCE ACTIVITIES

3.1 ROUTINE OR PREVENTATIVE MAINTENANCE: REFER TO PROCEDURES THAT ARE PERFORMED ON A REGULAR BASIS TO KEEP THE SWALES FUNCTIONING AND TO PREVENT EROSION. ROUTINE MAINTENANCE INCLUDES GRASS REMOVAL, SOIL AND SEDIMENT REMOVAL, AND CLEANING OF VEGETATION AROUND FLOW CONTROL DEVICES TO PREVENT CLOGGING. ROUTINE MAINTENANCE ALSO INCLUDES THE MAINTENANCE OF A HEALTHY VEGETATIVE COVER. 10-15% OF OTHER UNHEALTHY VEGETATIVE AREAS WILL NEED TO BE REPLACED AFTER BEING DISCOVERED.

3.1.1 EROSION AREAS OR SEDIMENT AND SOILS FALLING SHALL BE REPAIRED AND REVEGETATED AS SOON AS POSSIBLE. BARRIERS NEAR THE SHEET OR OUTLET MAY ALSO NEED TO BE LINED WITH SPRAWS, WHICH WILL BE DETERMINED ON A CASE BY CASE BASIS.

3.1.2 DAMAGE TO VEGETATION: IF THE CHANNEL DEVELOPS RITS OR HOLES, IT SHALL BE REPAIRED UTILIZING A SUITABLE SOIL. THAT'S PROMPTLY TAMPED AND SEEDS. THE GRASS OR PLANT COVER SHOULD BE THICKER IF IT IS NOT, IT SHALL BE REPLANTED WITH NEW PLANTINGS, AS NECESSARY. IF POSSIBLE, A FLOW WILL BE REDIRECTED UNTIL NEW PLANTINGS ARE PROMPTLY ESTABLISHED TO AVOID DETOURING. IF INVASIVE SPECIES AND/OR WEEDS GROW, PROMPTLY REMOVE TO AVOID DISRUPTION TO ORIGINAL VEGETATION.

3.1.3 GRASS OR PLANT HEIGHT: GRASS OR PLANT HEIGHT SHOULD BE MAINTAINED AT LEAST A 4-6" GRASS HEIGHT. DENSE PLANT GROWTH AND/OR TO SUPPRESS WEEDS AND REDUCE VEGETATION. LITTER MUST BE REMOVED PRIOR TO MOHWING. MAINTAIN AS INDICATED BY SPECIES TO PROMOTE GROWTH AND POLLINATOR UPTAKE. REMOVE CUTTINGS AND DISPOSE /COMPOST.

3.1.4 DEBRIS / LITTER: REMOVE ALL LITTER OR DEBRIS WITHIN SWALE AND PRIOR TO MOHWING AND AS INSPECTIONS WARRANT. KEEP SWALE FREE OF DEBRIS.

3.1.5 AREAS OF SEDIMENT ACCUMULATION: REMOVE SEDIMENT BY HAND WITH A FLAT-BOTTOMED SHOVEL. WHENEVER SEDIMENT COVERS VEGETATION OR IS DEEP ENOUGH TO REDUCE SWALE CAPACITY, MOWING/CLEAN CUTS CUTS TO AVOID SOIL AND VEGETATION LOSS. SEDIMENT ACCUMULATING NEAR CURBS AND IN CHANNELS SHOULD BE REMOVED WHEN IT REACHES UP TO 75% OF ITS INLET AT ANY SPOT OR COVERS VEGETATION. IF COBBLES OR OTHER UNHEALTHY FLOW SPREADERS ARE USED, DETERMINE THAT CHANNELS DO NOT BECOME OBSTRUCTED IN SEDIMENT. REMOVE ANY DEBRIS IN UNDER DRAIN THAT COULD CAUSE CLOGGING. AT LEAST TWO TIMES PER YEAR.

3.1.6 FLOWING AND STANDING WATER: DRAINAGE SOIL AT THE BOTTOM OF THE SWALE FOR UNIFORM PERCOLATION THROUGHOUT. IF PORTIONS OF THE SWALE DO NOT DRAIN WITHIN 5 DAYS AFTER THE END OF A STORM, THE SOIL SHALL BE TILLED AND REPLANTED WITH PLANTS SIMILAR TO THOSE ORIGINALLY PLANTED IN THE SWALE. REMOVE ANY DEBRIS OR ACCUMULATION OF SEDIMENT.

3.1.7 IRRIGATION: WATER PLANTS IN SWALES DURING DRY CONDITIONS. CONFIRM THAT IRRIGATION IS ADEQUATE AND NOT EXCESSIVE.

3.1.8 PESTICIDES AND FERTILIZERS: APPLICATION OF PESTICIDES AND FERTILIZERS SHALL BE MINIMAL. BIOLOGICAL, PHYSICAL, AND CULTURAL CONTROLS SHALL BE USED PRIOR TO PESTICIDES AND FERTILIZERS.

3.2 NON-ASSISTED OR CORRECTIVE MAINTENANCE: REFER TO ANY ADJUNCTIVE ACTIVITY THAT IS NOT PERFORMED ON A REGULAR BASIS. THIS NEEDS TO BE CORRECTIVE STRUCTURE REPLACEMENT OR THE MAJOR REPAIR AND CLEANING OF AQUATIC VEGETATION. NON-ROUTINE MAINTENANCE WILL BE CONDUCTED AS NEEDED.

4. VECTOR CONTROL

4.1 OBJECTIVE: TO PREVENT CONDITIONS WITHIN SWALES THAT ATTRACT AND/OR PROMOTE THE PROLIFERATION OF DISEASE VECTORS, INCLUDING BUT NOT LIMITED TO MOSQUITOES, ROBOTS, AND FLIES.

4.2 MAINTENANCE ACTIVITIES FOR VECTOR CONTROL

4.2.1 INSPECTIONS: REGULAR INSPECTIONS WILL DETERMINE IF SWALES HAVE POOLS OF STANDING WATER OR DEBRIS ACCUMULATION. INSPECTIONS WILL BE CONDUCTED PRIOR TO THE RAINY SEASON, AFTER MAJOR STORM EVENTS, AND AT LEAST ONCE DURING THE DRY SEASON TO ASCERTAIN THAT STANDING WATER DRAINS FROM THE SWALE WITHIN 5 DAYS.

4.2.2 HOLES IN GRASS: MANY POTENTIAL VECTORS BY FILLING HOLES IN THE GRASS AND ALSO ADDRESS THE SWALES AND BY INSURING THAT THERE ARE NO AREAS WHERE WATER STAYS LONGER THAN 5 DAYS FOLLOWING A STORM.

4.2.3 OTHER MAINTENANCE ACTIVITIES: IF ANY OBSTRUCTIONS DEVELOP, I.E. DEBRIS ACCUMULATION, INVASIVE VEGETATION, CLOGGING OF DRAINAGE AND/OR UNDER DRAIN WITHIN THE SWALE, APPROPRIATE MAINTENANCE ACTIVITIES SHALL BE IMPLEMENTED TO CORRECT THE OBSTRUCTION. REFER TO SECTION 3 FOR DETAILS ON SPECIFIC MAINTENANCE ACTIVITIES.

**WATER QUALITY PUMP SYSTEM MAINTENANCE PLAN**

1. OBJECTIVE: TO MAINTAIN THE WATER QUALITY PUMP SYSTEM TO DIVERT LOW FLOW POLLUTANTS FROM THE STORM DRAIN SYSTEM AND DISCHARGE FLOWS TO THE C.I. FLOW SWALES.

2. INSPECTION SCHEDULE

2.1 NOW INSTALLATION INSPECTION: THE CONDITION OF THE PUMP SYSTEM SHALL BE CHECKED AFTER EVERY RAINFALL EVENT FOR THE FIRST 30 DAYS OF THE RAINY SEASON POST-INSTALLATION. THE INSPECTION SHALL ASCERTAIN THAT THE PUMPS ARE FUNCTIONING PROPERLY. THE INSPECTION WILL INCLUDE MANUALLY TRIGGERING THE SYSTEM FLOW SWITCHES TO INSURE THAT THE PUMPS WILL OPERATE AS DESIGNED. THE AMOUNT OF SEDIMENT IN THE CENTER OF THE VAULT SHOULD ALSO BE CHECKED. THIS CAN BE DONE WITH A "TOP STICK" CALIBRATED TO TRACK THE DEPTH OF SEDIMENT. THE CLOGGING INSPECTION AND CLEANING SCHEDULE SHALL BE DETERMINED BASED UPON THE NOW INSTALLATION INSPECTION RESULTS.

2.2 INSPECTION AND MAINTENANCE: ON-GOING OPERATION (AFTER 30 DAYS OF THE FIRST RAINY SEASON)

2.2.1 RAINY SEASON (OCT 15-APRIL 15)

3.1 MONTHLY: THE PUMP SYSTEM MUST BE INSPECTED AND TESTED AT A MINIMUM ONCE PER MONTH OR MORE FREQUENTLY AS DETERMINED BY INSPECTION. THE INSPECTION WILL INCLUDE MANUALLY TRIGGERING THE SYSTEM FLOW SWITCHES TO INSURE THAT THE PUMPS WILL OPERATE AS DESIGNED. ANY SIGNIFICANT FLOTTABLES SHALL BE REMOVED AS NEEDED. THE PUMP VAULT SHALL BE CLEANED WHEN THE SEDIMENT DEPTH REACHES 3/4 FEET IN THE CENTER OF THE VAULT, EACH CLEANING WILL INCLUDE THE FOLLOWING:

- REMOVAL OF FLOTTABLES AND DEBRIS FROM THE SEPARATION CHAMBER.
- REMOVAL OF SEDIMENT FROM THE VAULT.
- VISUAL INSPECTION TO ASCERTAIN THAT THERE ARE NO VECTOR CONTROL ISSUES (NO RATS TO SECTION 4 - VECTOR CONTROL)

3.1.2 END OF SEASON: THE VAULT SHALL BE CLEANED OUT AT THE END OF THE RAINY SEASON TO PREVENT OOR CONCENTRATION DUE TO DECOMPOSITION OF ORGANIC MATTER IN THE VAULT.

3.2 DRY SEASON (MAY 1-1 OCT 14)

3.2.1 MONTHLY: THE PUMP SYSTEM SHALL BE CHECKED MONTHLY TO ASSURE IF THE PUMPS ARE OPERATING CORRECTLY. THE INSPECTION WILL INCLUDE MANUALLY TRIGGERING THE SYSTEM FLOW SWITCHES TO INSURE THAT THE PUMPS WILL OPERATE AS DESIGNED.

THE SIMP SHOULD ALSO BE INSPECTED TO DETERMINE IF THERE ARE VECTOR CONTROL ISSUES. REFER TO SECTION 4 - VECTOR CONTROL FOR SPECIFIC DETAILS REGARDING VECTOR CONTROL.

3.3 ANNUAL MAINTENANCE: THE FOLLOWING ACTIVITIES SHALL BE COMPLETED AT LEAST ONCE PER YEAR, OR MORE FREQUENTLY AS INSPECTION WARRANTS:

3.3.1 PUMP DOWN FROM THE VAULT: REMOVE ALL LIQUID AND SOLIDS FROM THE UNIT. RELEASE WASH WATER TO VEGETATED AREA OR THE SANITARY SEWER SYSTEM.

3.3.2 POWER WASH THE PUMPS AND VAULT: THE PUMPS AND VAULT SHALL BE POWER WASHED DURING THE ANNUAL INSPECTION AND MAINTENANCE.

3.3.3 INSPECT FOR PRESENCE OF MOSQUITOES OR OTHER VECTORS: DETERMINE IF MOSQUITOES OR OTHER VECTORS ARE PRESENT IN THE UNIT.

3.3.4 INSPECT THE INTEGRITY OF THE PUMP SYSTEM: INSPECT FOR DAMAGE TO THE FOLLOWING COMPONENTS:

- DISSECTION WEB
- PUMPS AND PIPING
- FLUX HOLES AND CONNECTIONS
- CRACKS/HALES AND GLEBS/HALES
- VAULT COVER, INCLUDING LIFTING MECHANISM IF APPLICABLE
- POWER CABLES AND CABLE SUPPORTS
- FLOW SWITCHES, WIRING, AND SUPPORTS
- CONTROL BOX AND CONTROL PANEL.

THE PUMP SYSTEM COMPONENTS SHOULD BE INSPECTED FOR ANY SIGNS OF DAMAGE OR ANY LOSSESS OF SOIL USED TO FASTEN THE VARIOUS COMPONENTS. IF ANY PROBLEMS ARE DISCOVERED, REPAIR SHALL BE COMPLETED AS SOON AS POSSIBLE.

NOTE: THE PUMP VAULT IS A CONFINED SPACE. ONLY PROPERLY TRAINED PEOPLE EQUIPPED WITH REQUIRED SAFETY GEAR SHOULD BE ALLOWED TO ENTER THE UNIT TO PERFORM THE DETAILED INSPECTION.

4. VECTOR CONTROL

4.1 OBJECTIVE: TO PREVENT CONDITIONS WITHIN PUMP VAULT THAT ATTRACT AND/OR PROMOTE THE PROLIFERATION OF DISEASE VECTORS, INCLUDING BUT NOT LIMITED TO MOSQUITOES AND ROBOTS.

4.2 MAINTENANCE ACTIVITIES FOR VECTOR CONTROL

4.2.1 INSPECTIONS: REGULAR INSPECTIONS WILL DETERMINE IF THERE IS MOSQUITO BREEDING IN THE VAULT. INSPECTIONS SHALL BE CONDUCTED MONTHLY IF THERE IS EVIDENCE OF MOSQUITO OR MOSQUITO BREEDING. THE MOSQUITO MAINTENANCE DISTRICT SHALL BE CONTACTED FOR ASSISTANCE. THE PUMP VENDOR MAY ALSO BE CONTACTED TO HELP COORDINATE THE PROGRAM.

4.2.2 VECTOR-RESTRICTING COVERS: VECTOR-RESTRICTING COVERS SHOULD BE INSPECTED TO ASSURE INTEGRITY. ACCESS HOLES SHOULD BE SEALED TO PREVENT MOSQUITO ENTRY.

SUN GARDEN RETAIL CENTER  
**VEGETATED SWALE CALCULATIONS**  
(Existing Warehouse and Restaurant to Remain)  
Area 2 - Swales 2  
(Stormwater Treatment) = 0.20 cfs/ft

For C<sub>1</sub> 0.80 I = 0.20 in/hr, and Area = 68,200 sf  
The Stormwater treatment Q = 0.25 cfs or 174 gpm 1.562 AC

Channel design:  
Bottom slope, s = 0.0100 ft/ft  
Manning's n = 0.2500  
Side slope, Right side = 3:00 horiz. to 1 vert. 0.250 recommended  
Side slope, Left side = 3:00 horiz. to 1 vert. 0.250 recommended  
Depth of flow, d = 0.51 ft (treatment depth) 0.52 ft max  
Bottom width, w = 2.50 ft 10' max  
Top width @ 0.25 cfs depth = 4.4 ft Design depth = 1.83 ft  
Top width @ design depth = 6.8 ft Freeboard (C.I. W/S to top of swale) = 0.88 ft

Theoretical Area = 1.03 sq ft  
Wetted perimeter Pw = 4.49 ft  
Hydraulic radius r = 0.24

By Manning's Equation:  
Q = 0.25 cfs 0.25 cfs required Swale Length = 140 ft  
V = 0.23 fps Residence time in swale = 10.1 minutes

Construct 1 swale(s) 8.5 ft wide x 146 ft long

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SUN GARDEN RETAIL CENTER  
**VEGETATED SWALE CALCULATIONS**  
(Existing Warehouse and Restaurant to Remain)  
Area 2 - Swales 3  
(Stormwater Treatment) = 0.20 cfs/ft

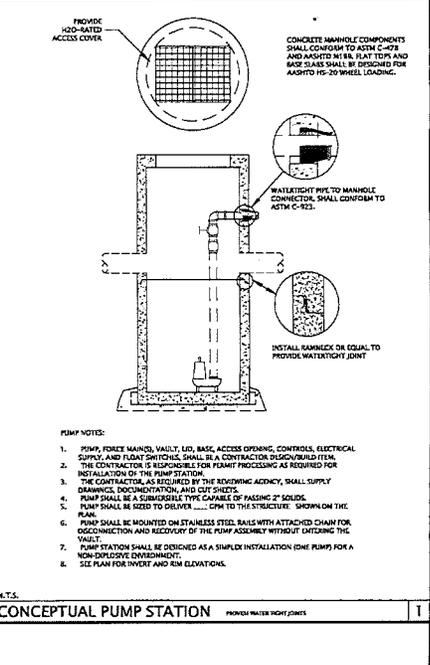
For C<sub>1</sub> 0.80 I = 0.20 in/hr, and Area = 260,515 sf  
The Stormwater treatment Q = 0.56 cfs or 428 gpm 5.881 AC

Channel design:  
Bottom slope, s = 0.0100 ft/ft  
Manning's n = 0.2500  
Side slope, Right side = 3:00 horiz. to 1 vert. 0.250 recommended  
Side slope, Left side = 3:00 horiz. to 1 vert. 0.250 recommended  
Depth of flow, d = 0.53 ft (treatment depth) 0.53 ft max  
Bottom width, w = 10.00 ft 10' max  
Top width @ 0.56 cfs depth = 18.0 ft Design depth = 1.90 ft  
Top width @ design depth = 18.0 ft Freeboard (C.I. W/S to top of swale) = 0.67 ft

Theoretical Area = 3.61 sq ft  
Wetted perimeter Pw = 13.08 ft  
Hydraulic radius r = 0.27

By Manning's Equation:  
Q = 0.56 cfs 0.56 cfs required Swale Length = 150 ft  
V = 0.27 fps Residence time in swale = 0.6 minutes

Construct 1 swale(s) 16.0 ft wide x 156 ft long



SUN GARDEN RETAIL CENTER  
**VEGETATED SWALE CALCULATIONS**  
(Existing Warehouse and Restaurant to Remain)  
Area 2 - Swales 4 & 5  
(Stormwater Treatment) = 0.20 cfs/ft

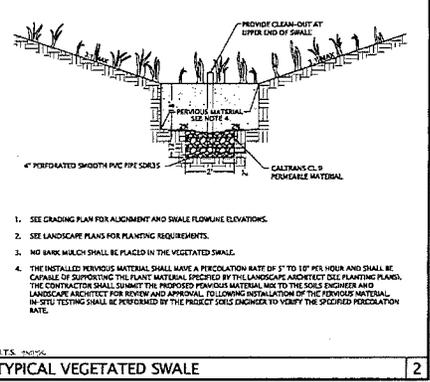
For C<sub>1</sub> 0.80 I = 0.20 in/hr, and Area = 208,570 sf  
The Stormwater treatment Q = 0.77 cfs or 545 gpm 4.811 AC

Channel design:  
Bottom slope, s = 0.0100 ft/ft  
Manning's n = 0.2500  
Side slope, Right side = 3:00 horiz. to 1 vert. 0.250 recommended  
Side slope, Left side = 3:00 horiz. to 1 vert. 0.250 recommended  
Depth of flow, d = 0.27 ft (treatment depth) 0.25 ft max  
Bottom width, w = 10.00 ft 10' max  
Top width @ 0.77 cfs depth = 16.0 ft Design depth = 1.00 ft  
Top width @ design depth = 16.0 ft Freeboard (C.I. W/S to top of swale) = 0.71 ft

Theoretical Area = 3.14 sq ft  
Wetted perimeter Pw = 11.83 ft  
Hydraulic radius r = 0.27

By Manning's Equation:  
Q = 0.77 cfs 0.77 cfs required Swale Length = 147 ft  
V = 0.25 fps Residence time in swale = 10.0 minutes

Construct 2 swale(s) 16.0 ft wide x 153 ft long



**Sun Garden Retail Center**  
SAN JOSE, CALIFORNIA  
KENNETH RODRIGUES & PARTNERS, INC.

**STORMWATER CALCULATIONS AND DETAILS 4b**