



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Planning Commission

**SUBJECT:** SEE BELOW

**DATE:** December 15, 2011

**COUNCIL DISTRICT:** 8  
**SNI AREA:** N/A

**SUBJECT: FILE NO. PDC10-002, PLANNED DEVELOPMENT PREZONING FROM UNINCORPORATED TO THE A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO ALLOW FOR THE DEVELOPMENT OF UP TO 7 SINGLE-FAMILY DETACHED RESIDENCES ON A 2.8 GROSS ACRE SUBJECT SITE.**

## RECOMMENDATION

The Planning Commission voted 5-0-2 (Commissioners Platten and Cahan absent) to recommend that the Council adopt an ordinance to approve the subject Planned Development Prezoning from Unincorporated to A(PD) Planned Development Zoning District to allow for the development of up to seven single-family detached residential units on a 2.8 gross acre site, located east side of Quimby Road, approximately 440 feet east of Murillo Road.

## OUTCOME

Should the Council approve the Planned Development Prezoning, the subject site could be annexed into the City of San José and a Planned Development Permit subsequently issued to develop seven single-family detached residential units.

## BACKGROUND

On December 14, 2011, the Planning Commission held a public hearing to consider the proposed Planned Development Prezoning. The project was on the consent calendar and there was no public testimony or Commission discussion on the item. The Commission then voted 5-0-2 (Platten and Cahan absent) to recommend approval of the Planned Development Prezoning as recommended by staff.

## ANALYSIS

For complete analysis please see the original Staff Report (see attached).

## EVALUATION AND FOLLOW-UP

The property owner will be required to annexation the subject site into the City of San José by submitting the required application and subsequently securing a Planned Development Permit to implement the subject rezoning.

## PUBLIC OUTREACH/INTEREST

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

Although this item does not meet any of the above criteria, staff followed Council Policy 6-30; Public Outreach Policy. A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City website. The rezoning was also published in a local newspaper, the Post Record. This staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

## COORDINATION

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

## FISCAL/POLICY ALIGNMENT

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

HONORABLE MAYOR AND CITY COUNCIL

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**CEQA**

CEQA: MND (Mitigated Negative Declaration), File No. PDC10-002.

/s/

JOSEPH HORWEDEL, SECRETARY  
Planning Commission

For questions please contact Lesley Xavier, Project Manager, at 408-535-7852

Attachments

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

**FILE NO.:** PDC10-002

**Submitted:** March 8, 2010

**PROJECT DESCRIPTION:**

Planned Development Rezoning from unincorporated to the A(PD) Planned Development Zoning District to allow for the development of up to 7 single-family detached residences on the 2.8 gross acre subject site.

**LOCATION:**

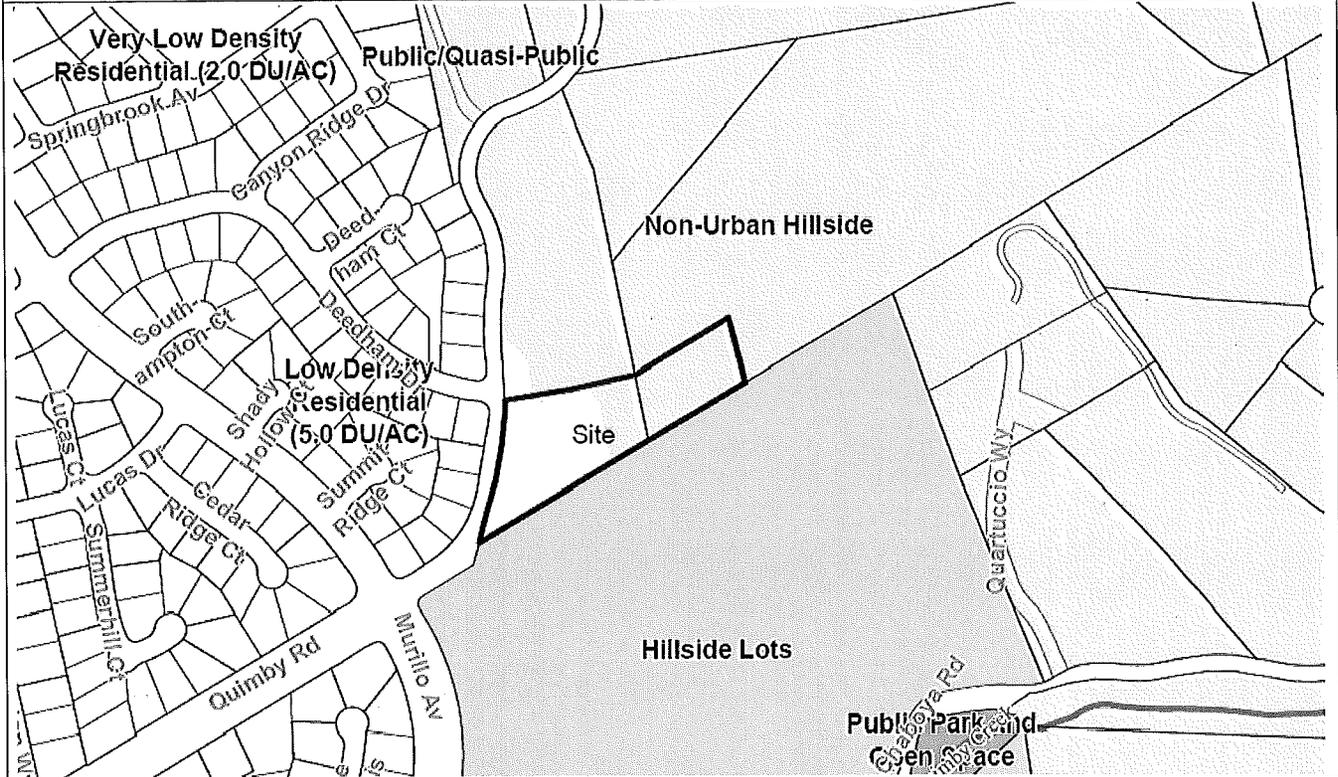
East side of Quimby Road, approximately 440 feet east of Murillo Road.

Zoning	Unincorporated
Proposed Zoning	A(PD) Planned Development
San Jose 2020 General Plan	Low Density Residential (5 DU/AC) (1.57 acres) and Non Urban Hillside (1.23 acres)
Council District	8
Annexation Date	Pending
SNI	NA
Historic Resource	NA
Redevelopment Area	NA
Specific Plan	NA

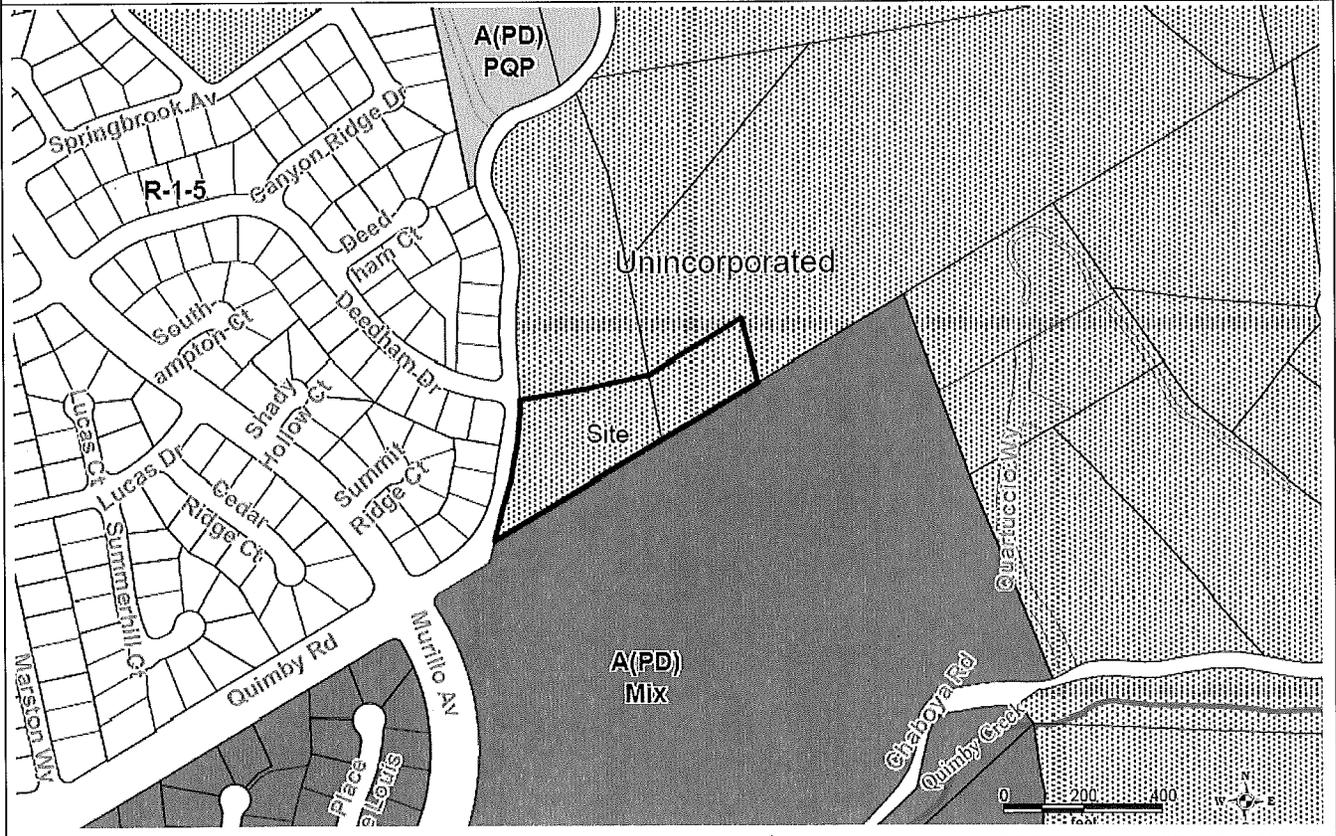
**Aerial Map**



### 2020 GENERAL PLAN



### ZONING



## **RECOMMENDATION**

Planning staff recommends that the Planning Commission find that the project is in conformance with the California Environmental Quality Act (CEQA) and recommend to the City Council approval of the proposed Planned Development Pre-zoning on the subject site for the following reasons:

1. There is no substantial evidence that the project will have a significant effect on the environment. A Mitigated Negative Declaration (MND) for the proposed project was prepared in conformance with the California Environmental Quality Act (CEQA) and the said document was circulated for public review between November 18, 2011 and December 7, 2011.
2. The proposed Planned Development Pre-zoning is consistent with the goals and policies of the San Jose 2020 General Plan, specifically:
  - a. The zoning complies with site's the Land Use/Transportation Diagram land use designations of Low Density Residential (5 DU/AC) and Non Urban Hillside.
  - b. The zoning is consistent with the Growth Management Major Strategy, as the project is development within the City's Urban Service Area boundary and Urban Growth boundary.
  - c. The zoning is consistent with the Housing Major Strategy, as the proposed development will maximize the housing opportunity and at the same time be compatible with the surrounding development pattern.

## **BACKGROUND & DESCRIPTION**

On March 8, 2010, Gerry De Young of Ruth and Going, Inc., representing the property owner, Euson Huang, applied for a Planned Development Pre-zoning on the subject site to allow for the development of up to seven (7) single-family detached residences, at an approximate net density of 2.64 DU/AC. The conceptual site plan shows four (4) lots fronting onto Quimby Road and three (3) flag lots located up the hill and accessed via a private drive from Quimby Road. Behind the three (3) flag lots is a 0.82 acre area that will remain as open hillside.

### **Site and Surrounding Uses**

The subject site is presently a gently sloping parcel that is open grassland with 16 existing trees, three (3) of which are ordinance size, and a single-family residence (built in 1946) and associated accessory structures. The subject site is surrounded by large lot single-family detached residences to the north, open hillside to



the east, undeveloped property designated for single-family detached residences, followed by an existing church to the south, and single-family detached residences to the west, across Quimby Road.

### **Previous Planning Approvals Affecting the Project Site**

In 2009, a General Plan Amendment, File No. GP09-08-02, was approved by the City Council on the subject site to change the San José 2020 General Plan Land Use/Transportation Diagram land use designation from Very Low Density Residential (2 DU/AC) to Low Density Residential (5 DU/AC) on 1.7-acres of the site. It was concluded that the General Plan Amendment would allow for development on the site that would continue the lotting pattern consistent with the adjacent neighborhood across Quimby Road and it would continue to protect hillside areas above the 15% slope line.

### **Community Engagement**

The associated General Plan Amendment was heard as an agenda item on the District 8 Community Round Table meeting held at the Evergreen Branch Library Community Room on Aborn Road on Thursday, November 5, 2009. Notices of the proposed General Plan Amendment's occurrence on the Community Round Table meeting agenda were sent to property owners and occupants within a 500-foot radius of the subject site. There was one concern expressed at the meeting, which was that a 6,000 square foot lot size seemed too small. The General Plan Amendment was subsequently approved. Given the outcome of the previous community meeting, no additional meeting for this rezoning was deemed necessary.

### **ANALYSIS**

The proposed rezoning was analyzed with respect to: 1) conformance with the San Jose 2020 General Plan, 2) conformance with the Evergreen-East Hills Development Policy, 3) site design and grading, 4) sustainability, 5) California Environmental Quality Act (CEQA).

### **General Plan Conformance**

On November 1, 2011, the City Council approved the Envision San Jose 2040 General Plan. Under the Envision San Jose 2040 General Plan, the site has a Land Use/Transportation Diagram land use designation of Lower Hillside on 1.57 acres and Open Hillside on 1.23 acres. However, with the approval of the new General Plan, a specific policy was included that allows "pipeline projects" for development proposals that were already on file prior to the time of Council adoption of the *Envision San Jose 2040 General Plan* to determine General Plan conformance for a period of up to 18 months based on the San Jose 2020 General Plan. The pipeline project provision reads as follows:

*For a period of up to 18 months following the adoption date of the 2040 General Plan, planned development zonings and discretionary development permits (including use permits and subdivision maps) may be considered for General Plan conformance to the land use designations as shown on the final adopted version of the Focus on the Future San Jose 2020 Land Use/Transportation Diagram. In addition, during the same 18 month period, planned development zonings and development permits for residential projects of four units or less on sites with a residential designation on the final adopted version of the Focus on the Future San Jose 2020 Land Use/Transportation Diagram may be considered in conformance with the General Plan. All of the "Pipeline" applications benefiting from this policy must have been submitted to the City, including full payment of initial application fees, prior to adoption of this General Plan and their review must be completed within this same 18-month period.*

The subject rezoning was on file with full payment at the time of the Council adoption, therefore, the proposed rezoning is analyzed for General Plan conformance under the San Jose 2020 General Plan as discussed below.

The subject site has a San Jose 2020 General Plan Land Use/Transportation Diagram land use designation of Low Density Residential (5 DU/AC) on 1.7 gross acres and Non Urban Hillside on 1.1 gross acres. The proposed seven (7) units, are all located within the area designated as Low Density Residential (5 DU/AC) which equates to a density of 4.11 DU/AC. No dwelling units are proposed on the area designated Non Urban Hillside or above the 15% slopeline.

The proposed project on the subject site is also consistent with the following General Plan Major Strategies and Policies as discussed in the following:

1. Growth Management Major Strategy: The purpose of a growth management strategy is to find the delicate balance between the need to house new population and the need to balance the City's budget, while providing acceptable levels of service.

*The proposed project will facilitate development within the City's Urban Service Area boundary and Urban Growth boundary and directly adjacent to an existing subdivision. Such development can be more easily supported by existing infrastructure and facilities such as libraries, schools, parks, community centers and commercial amenities.*

2. Housing Major Strategy: This strategy seeks to maximize housing opportunities by considering the addition of new residential lands only when the City is confident that urban services can be provided.

*The proposed project adds additional residential units within an area already served by urban services.*

3. Urban Conservation Policy No. 2: The City should encourage new development which enhances the desirable qualities of the community and existing neighborhoods.

*The proposed project will continue the lotting pattern consistent with the adjacent neighborhood across Quimby Road and will continue to protect hillside areas above the 15% slopeline.*

4. Residential Land Use Policy No. 9: When changes in residential densities are proposed, the City should consider such factors as neighborhood character and identity, compatibility of land uses and impacts on livability, impacts on services and facilities, including schools, to the extent permitted by law, accessibility to transit facilities, and impacts on traffic levels on both neighborhood streets and major thoroughfares.

*The proposed project will continue the development pattern of the adjacent neighborhood across Quimby Road consistent with existing neighborhood character in terms of lot setbacks and frontages. The resulting lot sizes would be slightly larger and deeper which is appropriate as the site is uphill from the existing neighborhood and more land area is necessary to accommodate grading and sloped areas.*

## **Evergreen-East Hills Development Policy**

The subject site is located within the Evergreen-East Hills Development Policy (EEHDP) area. A revised Policy was adopted on December 16, 2008 to change the traffic analysis methodology for managing the traffic congestion associated with near term development in the EEHDP area and promote development consistent with the General Plan goals. The updated EEHDP establishes a capacity for the development of up to 500 new residential units within the area. The pool of new residential units is divided between 70% small projects (35 units or less) and 30% large projects (between 35 and 150 units). Units are withdrawn from the pool with the approval of a rezoning or development permit.

The previous Evergreen Development Policy created a benefit assessment district which allocated units to specific parcels and not every undeveloped or underdeveloped parcel had a unit allocation. Under the old policy the subject site did not have any unit allocation. With the adoption of the new EEHDP the subject site now has the ability to develop additional residential units. With the approval of the subject Planned Development Zoning for seven (7) single-family detached residential units, six (6) units will be removed from the residential pool as credit will be given for the one existing unit on the site.

The EEHDP requires that new projects making use of the development pool capacity must:

- Further the Major Strategies, Goals and Policies of the City of San Jose General Plan. Although development must adhere to all applicable aspects of the General Plan, development policies which are particularly relevant to the topography and environment of the Evergreen-East Hills area include hillside development and riparian corridor protection policies.
- Conform to the City's Design Guidelines for Residential uses.
- Not require modification of the Urban Service Area or Urban Growth Boundary boundaries.
- Not create significant adverse effects upon the environment, including but not limited to; projects that must not require significant grading or other alteration of the natural environment.

As discussed in the General Plan Conformance section of this report above, the project as proposed furthers the major strategies and conforms to the goals and policies of San Jose 2020 General Plan. The site is not located within a riparian corridor, does not require modification to the Urban Service Area or Urban Growth Boundary, and the project does not create a significant adverse effect upon the environment. Therefore, the proposed project is in conformance with the Evergreen-East Hills Development Policy. In addition, under the EEHDP, the applicant will pay a Traffic Impact Fee (TIF) based on a fair-share contribution towards the cost of providing transportation improvements that directly mitigate the traffic impacts associated with the new development.

## **Site Design and Grading**

This zoning application proposes large lot, two-story, single-family detached units, in a flag lot pattern that is consistent with the residential development pattern in the surrounding area. The development standards include a minimum lot size of 8,000 square feet, a minimum 20-foot front setback to the building, a 5-foot side setback, and a 25-foot rear setback.

It should be noted that technically the Residential Design Guidelines do not apply to this project since the proposed lot sizes are 8,000 square feet and larger. City Council Policy 6-19, commonly known as the Flag Lot Policy, also does not technically apply, as this Policy applies only to the flat land areas of San Jose that are established single-family detached neighborhoods with a residential density of 8 DU/AC. Therefore, these documents, for analysis purposes, are used as a point of reference.

To the extent possible, given the topography, the new lots are equitably distributed over the site. Consistent with the General Plan, development on the site is clustered below the 15% slope line, which leaves the eastern most portion of the site as open space. No accessory structures or creation of flat terraces will be permitted in this open space area.

As previously noted, the site layout includes four traditional single-family lots along Quimby Road. The front doors and garages will face the street. Private yard areas will be provided behind these houses. Behind the aforementioned lots and a sloped area, an additional three houses will be proposed. These will take access from a common or shared driveway that connects to Quimby Road. The shared driveway helps to minimize grading thereby leaving more land area available for natural looking slopes. The site layout generally complies with the key principles contained in the Flag Lot Policy that ensure compatible unit relationships and proper integration into the surrounding neighborhood. Specifically, the Flag Lot Policy recommends that units front toward a common driveway, have both front and rear yards, provide a common driveway for the flag lots, and the flag lots shall be visible from the street. The Flag lot policy also recommends larger perimeter setbacks to improve separation from adjacent off-site properties. The conceptual site plan is consistent with all of those aforementioned items.

At this time the project proposes custom lots, therefore there are no conceptual architectural or landscape plans. The development standards include a provision that the architectural design of the houses shall conform to the standards of the Single-Family Design Guidelines as well as the grading and hillside development policies of the Residential Design Guidelines.

### Parking

As a reference, the Residential Design Guidelines indicate a parking standard for single-family detached residences of two (2) covered parking spaces per unit plus one additional off-lot parking space located within 150 feet of each unit. The project provides two (2) on-site covered parking spaces in a private garage for each unit. Additionally, the units fronting onto Quimby Road will have a street parking space within 150 feet of each of the units. The flag lots are located more than 150 feet from the off-lot (street) parking. However, these units will have longer than normal driveway that will accommodate an additional parking space. Therefore, parking for the proposed project is adequate.

### **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 submit a GreenPoint or LEED Checklist prior to issuance of a building permit. At this time, it is unknown if the project proposes to implement any green building measures.

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

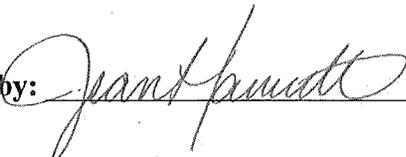
An Initial Study (IS) and Mitigated Negative Declaration (MND) were prepared by the Director of Planning, Building, and Code Enforcement for the Planned Development Rezoning (File No. PDC10-002). The documents were circulated for public review between November 18, 2011 through December 7, 2011.

The MND states that the proposed Planned Development Zoning will not have a significant effect on the environment. The primary environmental issues addressed in the Initial Study include the potential impacts of the physical development of the site on: air quality, biologic resources, and geology and soils. The MND includes mitigation measures that would reduce any potentially significant project impacts to a

less-than-significant level. The mitigation measures will be included in the project in the form of development standards for the Planned Development Zoning, as well as, in a Mitigation Monitoring Program. The entire MND and Initial Study are available for review on the Planning web site at: [www.sanjoseca.gov/planning/eir/MND.asp](http://www.sanjoseca.gov/planning/eir/MND.asp)

**PUBLIC OUTREACH/INTEREST**

The property owners and occupants within a 500-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 and signage has been posted at the site to inform the public about the proposed project. Additionally, staff has been available to discuss the proposal with interested members of the public.

**Project Manager:** Lesley Xavier    **Approved by:**     **Date:** 11/28/11

<b>Owner/Applicant:</b>	<b>Attachments:</b>
<p><b>Owner:</b> Euson Huang 1862 Hunt Drive Burlingame, CA 94010</p> <p><b>Applicant/Contact:</b> Gerry De Young Ruth and Going, Inc. P. O. BOX 26460 San Jose, CA 95159-6460</p>	<p>Development Standards</p>

**FILE NO. PDC10-002**  
**DEVELOPMENT STANDARDS**

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

USE ALLOWANCES: Single-family detached residential limited to lower 1.83 acres of site with a San Jose 2020 General Plan land use designation of Low Density Residential (5 DU/AC). Uses of the R-1-8 Zoning District, as amended, shall apply.

Areas outside the aforementioned area, and with a San Jose 2020 General Plan land use designation of Non Urban Hillside, shall be limited to open space and shall not include any structures or flat terraced areas.

MAXIMUM NUMBER OF UNITS: 7 units

MINIMUM LOT SIZE: 8,000 square feet

SETBACKS: *(setbacks are measured from the property line)*

- Front to building – 25 feet
- Front to porch – 15 feet
- Side – 5 feet
- Rear – 20

BUILDING HEIGHT:

- 35 feet/2.5 stories

PARKING REQUIREMENTS:

- Two covered parking spaces per unit.

DRIVEWAYS:

- Driveways shall be constructed with pervious materials.

ACCESSORY STRUCTURES/BUILDINGS:

- Permitted as of right, per Chapter 20.30, Part 5 Accessory Buildings and Structures, of the Zoning Ordinance, as amended.
- Second units are not permitted.
- No structures, retaining walls or flat terrace areas shall be allowed above the 15 % slope line.

MINOR ARCHITECTURAL PROJECTIONS:

- Minor architectural projections such as, fireplaces and bay windows, may project into any setback or building separation by up to 2 feet for a length not to exceed 10 feet or 20% of the building elevation length.
- Minor additions which conform to the above setbacks do not require approval of the Director of Planning, Building, and Code Enforcement.

ARCHITECTURAL DESIGN:

- The architectural design of the houses shall conform to the standards of the Single-Family Design Guidelines.

GRADING DESIGN:

- The grading design for the project shall conform to the grading and hillside development policies of the Residential Design Guidelines.
- The common driveway serving the three (3) rear flag lots shall be appropriately graded so that the placement of fences is at least five (5) feet from the edges of the driveway and the fences are at, or close to, the same elevation of the driveway so that vehicle traffic is not seen from the rear yard of the houses fronting on Quimby Road..

PUBLIC WORKS CLEARANCE:

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**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.

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. **Transportation:** This project is located in the Evergreen East Hills Development Policy area and is required to pay a Traffic Impact Fee (TIF) in the amount of \$66,070. The current TIF per residential unit is \$13,214 and per 1,000 square feet of commercial or office is \$11,485. We conclude that the subject project will be in conformance with the Evergreen East Hills Development Policy and a determination for a negative declaration can be made with respect to traffic impacts.
3. **Grading/Geology:**
  - a) A grading permit is required prior to the issuance of a Public Works Clearance.
  - b) If the project proposes to haul more than 10,000 cubic yards of cut/fill to or from the project site, a haul route permit is required. Prior to issuance of a grading permit, contact the Department of Transportation at (408) 535-3850 for more information concerning the requirements for obtaining this permit.
  - c) Because this project involves a land disturbance of one or more acres, the applicant is required to submit a Notice of Intent to the State Water Resources Control Board and to prepare a Storm Water Pollution Prevention Plan (SWPPP) for controlling storm water discharges associated with construction activity. Copies of these documents must be submitted to the City Project Engineer prior to issuance of a grading permit.
  - d) The project site is within the City of San Jose Geologic Hazard Zone and also the State of California Seismic Hazard Zone of Required Investigation for both Earthquake Induced Landslides and Liquefaction. A Geologic Hazard Clearance

is required prior to any environmental clearance, planning or grading permit approval.

- e) A geotechnical investigation report addressing the potential for fault rupture, slope instability, earthquake induced landslides, liquefaction, erosion and other potential geologic/seismic hazards must be submitted to and accepted by the City Geologist prior to issuance of a Certificate of Geologic Hazard Clearance. Foundation, earthwork and drainage recommendations should be included in the report. The investigation should be consistent with the State guidelines for evaluating and mitigating seismic hazards in California (CGS Special Publication 117A, 2008, ASCE/SCEC, 2002, SCEC, 1999). A recommended minimum depth of 50 feet should be explored in the evaluation of liquefaction hazard potential.
4. **Stormwater Runoff Pollution Control Measures:** This project must comply with the City's Post-Construction Urban Runoff Management Policy (Policy 6-29) which requires implementation of Best Management Practices (BMPs) that include site design measures, source controls, and stormwater treatment controls to minimize stormwater pollutant discharges. Post-construction treatment control measures, shown on the project's Stormwater Control Plan, shall meet the numeric sizing design criteria specified in City Policy 6-29.
- a) The project's preliminary Stormwater Control Plan and numeric sizing calculations have yet to be submitted.
  - 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.
5. **Stormwater Peak Flow Control Measures:** The project is located in a Hydromodification Management (HM) area and will create and/or replace one acre or more of impervious surface. The project must comply with the City's Post-Construction Hydromodification Management Policy (Council Policy 8-14) which requires HM projects to demonstrate that post-project runoff does not exceed estimated pre-project runoff rates and durations.
- a) The project's preliminary HM plan and sizing calculations have yet to be submitted.
  - b) Final inspection and maintenance information for the HM controls must be included on the final HM plans.
6. **Flood: Zone D:** The project site is not within a designated Federal Emergency Management Agency (FEMA) 100-year floodplain. Flood zone D is an unstudied area where flood hazards are undetermined, but flooding is possible. There are no City floodplain requirements for zone D.

7. **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.
8. **Municipal Water:** In accordance with City Ordinance #23975, Major Water Facilities Fee is due and payable. Contact Jeff Provenzano at (408) 277-3671 for further information.
9. **Parks:** This residential project is subject to the payment of park fees in-lieu of land dedication under 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).
10. **Street Improvements:**
  - a) Construct half street along Quimby Road frontage including curb, gutter, sidewalk, and pavement sections.
  - b) Proposed driveway width to be 16' for single family or 20' for private street.
  - c) Dedication and improvement of the public streets shall be to the satisfaction of the Director of Public Works.
  - d) 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.
11. **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
12. **Street Trees:** Install street trees within public right-of-way along entire project street frontage per City standards; refer to the current "Guidelines for Planning, Design, and Construction of City Streetscape Projects". Street trees shall be installed in park strip. Obtain a DOT street tree planting permit for any proposed street tree plantings. The locations of the street trees will be determined at the street improvement stage. Street trees shown on this permit are conceptual only.

## **ENVIRONMENTAL MITIGATION:**

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### **Air Quality:**

1. Water all active construction areas at least twice daily and more often during windy periods to prevent visible dust from leaving the site; active areas adjacent to windy periods; active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers or dust palliatives.

2. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard;
3. 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.
4. Sweep daily (or more often if necessary) to prevent visible dust from leaving the site (preferably with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; water sweepers shall vacuum up excess water to avoid runoff-related impacts to water quality; and
5. Sweep streets daily, or more often if necessary (preferably with water sweepers) if visible soil material is carried onto adjacent public streets.

**Biological Resources:**

6. Raptors. If possible, construction should be scheduled between October and December (inclusive) to avoid the raptor nesting season. If this is not possible, pre-construction surveys for nesting raptors shall be conducted by a qualified ornithologist to identify active raptor nests that may be disturbed during project implementation. Between January and April (inclusive) pre-construction surveys shall be conducted no more than 14 days prior to the initiation of construction activities or tree relocation or removal. Between May and August (inclusive), pre-construction surveys no more than thirty (30) days prior to the initiation of these activities. The surveying ornithologist shall inspect all trees in and immediately adjacent to the construction area for raptor nests. If an active raptor nest is found in or close enough to the construction area to be disturbed by these activities, the ornithologist, shall, in consultation with the State of California, Department of Fish & Game (CDFG), designate a construction-free buffer zone (typically 250 feet) around the nest. The applicant shall submit a report to the City's Environmental Principal Planner indicating the results of the survey and any designated buffer zones to the satisfaction of the Director of Planning prior to the issuance of any grading or building permit.
7. Burrowing Owls. The developer shall have a qualified biologist conduct a survey and prepare a report not more than one month prior to construction activities to determine the presence of burrowing owls on the site. If owls are present on the site, a mitigation program shall be developed in conformance with the requirements of the California Department of Fish and Game and the U.S. Wildlife Service. If mitigation includes relocation, owls shall not be relocated during the nesting season (February 1 through August 31). Prior to the issuance of any grading or building permits, the developer shall submit a biologist's report to the City's Environmental Principal Planner to the satisfaction of the Director of Planning indicating that no owls were found on the site or that owls were present and that mitigation has been implemented in conformance with the requirements of the above regulatory agencies.
8. Bats. Surveys for roosting bats shall be conducted by a qualified biologist no more than thirty (30) days prior to any building demolition or removal, construction activities or Oak tree relocation and/or removal. 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 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 31 and before March 1). If an active nursery roost is known to occur on the site and the project cannot be conducted outside of the maternity roosting season, bats may be excluded after July 31 and before March 1 to prevent the formation of maternity colonies. Such exclusion shall occur under the direction of a bat biologist, by sealing openings and providing bats with one-way exclusion doors. In order to avoid excluding all potential maternity roosting habitat simultaneously, alternative roosting habitat, as determined by the bat biologist, should be in place at least one summer season prior to the exclusion. Adjacent Oaks and Oak Woodland areas should be preserved to the maximum extent feasible as potential bat roosting habitat. Bat roosts should be monitored as determined necessary by a qualified bat biologist, and the removal or displacement of bats shall be performed in conformance with the requirements of the CDFG. A biologist report outlining the results of pre-construction surveys and any recommended buffer zones or other mitigation shall be submitted to the satisfaction of the City's Environmental Principal Planner prior to the issuance of any grading, building, or tree removal permit

**Geology and Soils:**

9. Prior to the development of the site, a soil engineering study shall be performed on the parcel to develop recommendations for site grading, foundations, retaining walls, utility trench backfill and site drainage.

# GENERAL DEVELOPMENT PLAN - EXHIBIT "C" PLANNED DEVELOPMENT PREZONING HUANG/QUIMBY ROAD WITHIN THE CITY OF SAN JOSE PDC 10-002

**STATEMENTS AND TABLES**

**SITE AREA**  
 2.84 ACRES - GROSS

**APN INFORMATION**  
 659-25-001, 002

**EXISTING GP LAND USE DESIGNATION  
 (WITHIN URBAN SERVICE AREA)**  
 LOW DENSITY RESIDENTIAL (S DU/AC)

**EXISTING ZONING**  
 COUNTY - UNINCORPORATED

**PROPOSED ZONING**  
 A(PD)

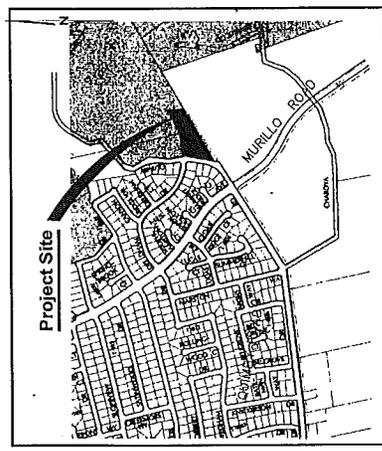
**MAXIMUM NO. OF DWELLING UNITS**  
 7

**MINIMUM LOT SIZE**  
 6,000 SQ. FT.

**PROJECT TEAM**

**DEVELOPER:**  
 ELSON HUANG  
 1982 HUNT DRIVE  
 BURLINGAME CA 94010  
 408-705-8848

**PLANNING/CIVIL ENGINEERING:**  
 RUTH AND GOING, INC.  
 PO BOX 26460  
 SAN JOSE, CA 95159-6460  
 408-236-2400  
 CONTACT: GERRY DE YOUNG



PLAN SET REVISIONS	
Date	Description
03-13-2009	INITIAL SUBMITTAL
05-21-2010	REVISED SUBMITTAL
11-28-2011	FINAL SUBMITTAL

**TABLE OF CONTENTS**

1	COVER SHEET	
2	LAND USE PLAN	
3	DEVELOPMENT STANDARDS/NOTES	
4	CONCEPTUAL LOTTING PLAN	
5	CONCEPTUAL GRADING PLAN	

DEVELOPMENT SCHEDULE	
ESTIMATED CONSTRUCTION START	ESTIMATED COMPLETION DATE
SPRING 2013	FALL 2014



GENERAL DEVELOPMENT PLAN-EXHIBIT "C"  
 TITLE SHEET  
 HUANG/QUIMBY ROAD  
 SAN JOSE CALIFORNIA

Scale: N.T.S. Date: 08-24-2010  
 Job No. 04-033A  
 General Development Plan-Exhibit C  
 PDC No. 10-002  
 JOB NUMBER  
 04-033A  
 Page: 1 of 5



SAN JOSE  
CALIFORNIA

## HUANG/QUIMBY ROAD LAND USE PLAN

### GENERAL DEVELOPMENT PLAN-EXHIBIT "C"

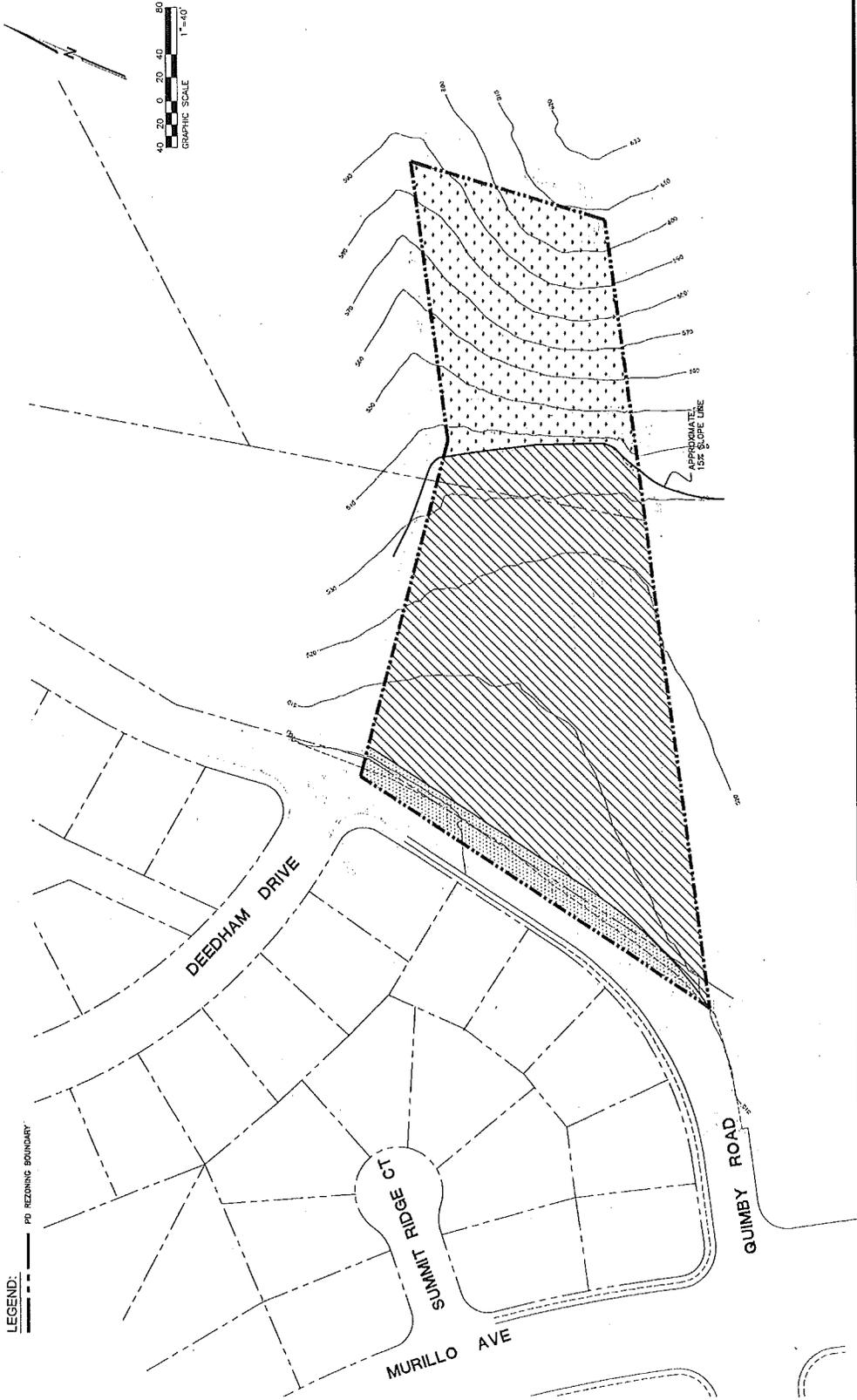
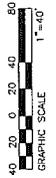
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 DRAWN BY: RJS/SP/2010  
 CHECKED BY: RJS/SP/2010  
 PDC No. 10-002  
 JOB NUMBER: 04-263A  
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SYMBOL	LAND USE CATEGORY	AREA	No. OF UNITS
	SINGLE FAMILY DETACHED RESIDENTIAL	1.83 AC	7
	HILLSIDE/OPEN SPACE	0.82 AC	
	STREET DEDICATION	0.19 AC	

TOTAL SITE: 2.84 AC

PERMITTED USES:  
 SEE SHEET 3  
 DEVELOPMENT STANDARDS:  
 SEE SHEET 3

LEGEND:  
 PD REZONING BOUNDARY



Drawing by: RJS/SP/2010 Date: 01-24-2010

DEVELOPMENT STANDARDS/NOTES



GENERAL DEVELOPMENT PLAN-EXHIBIT "C"  
DEVELOPMENT STANDARDS / NOTES  
HUANG/QUIMBY ROAD  
SAN JOSE  
CALIFORNIA

Scale: N.T.S. Date: 06-24-2010  
DATE PLOT GENERATED:


General Development Plan-Exhibit C  
PDC No. 10-002

JOB NUMBER  
04-033A



ENGINEERS and PLANNERS  
Ruth and Goetz, Inc

GENERAL DEVELOPMENT PLAN-EXHIBIT "C"  
CONCEPTUAL LOTTING PLAN  
HUANG/QUIMBY ROAD  
SAN JOSE CALIFORNIA

Scale: 1"=30' Date: 11-15-11

Job No. 10402

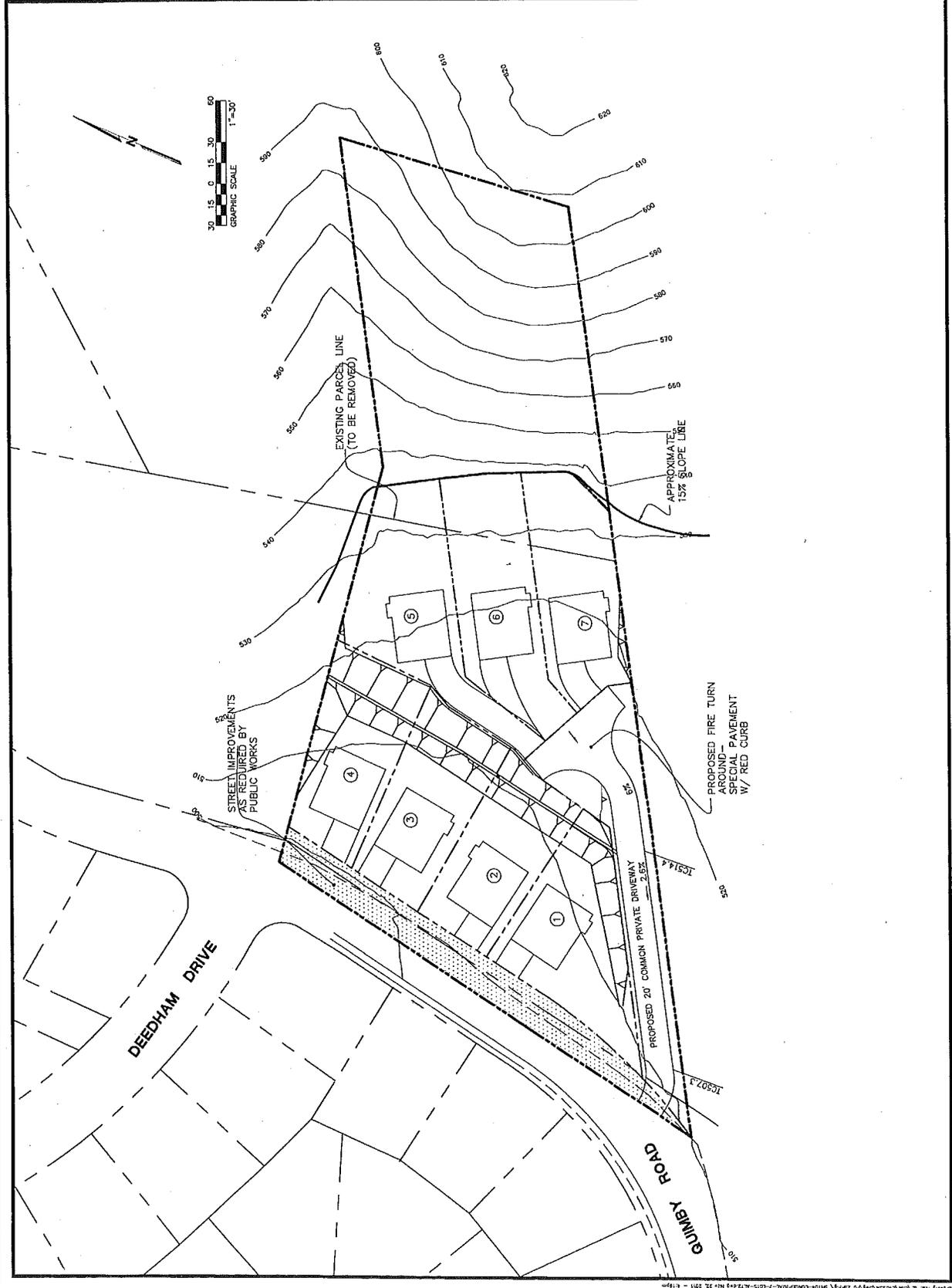
Job Number 04422A

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General Development Plan-Exhibit C  
PDC No. 10402

JOB NUMBER  
04422A

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DATE: 11-15-11 11:15 AM

