



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Joseph Horwedel

**SUBJECT:** SEE BELOW

**DATE:** January 5, 2012

**COUNCIL DISTRICT:** 6

**SNI:** None

## TRANSMITTAL MEMO

**PDC11-010.** A Planned Development Zoning application to rezone the subject 0.61 gross acre site from the R-1-8 Residential Zoning District to the A(PD) Planned Development Zoning District to allow for the development of four (4) single-family detached residences for a site located on the east side of Morse Street, approximately 320 feet north of McKendrie Street (980 Morse Street) (Barry Swenson Builder, Owner). Council District 6. SNI: None. CEQA: Mitigated Negative Declaration.

The Planning Commission will hear this project on January 11, 2012. The memorandum with Planning Commission recommendations will be submitted under different cover. We hope the submittal of this staff report is of assistance in your review of this project.

/s/

JOSEPH HORWEDEL, DIRECTOR  
Planning, Building and Code Enforcement

For questions please contact Lesley Xavier at (408) 535-7852

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

**FILE NO.:** PDC11-010

**Submitted:** May 5, 2011

**PROJECT DESCRIPTION:**

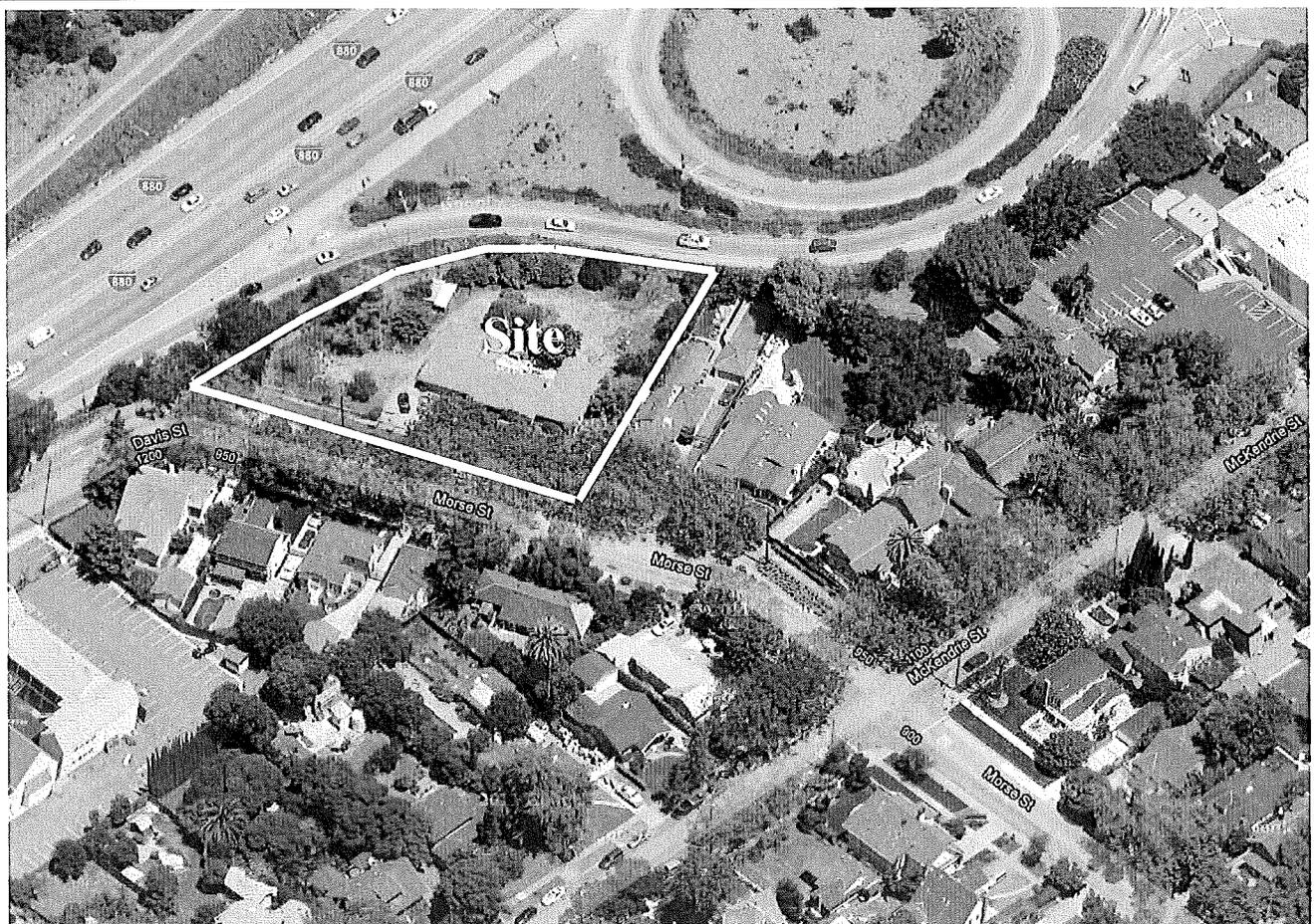
A Planned Development Zoning application to rezone the subject 0.61 gross acre site from the R-1-8 Residential Zoning District to the R-1-8(PD) Planned Development Zoning District to allow for the development of up to four (4) single-family detached residences.

**LOCATION:**

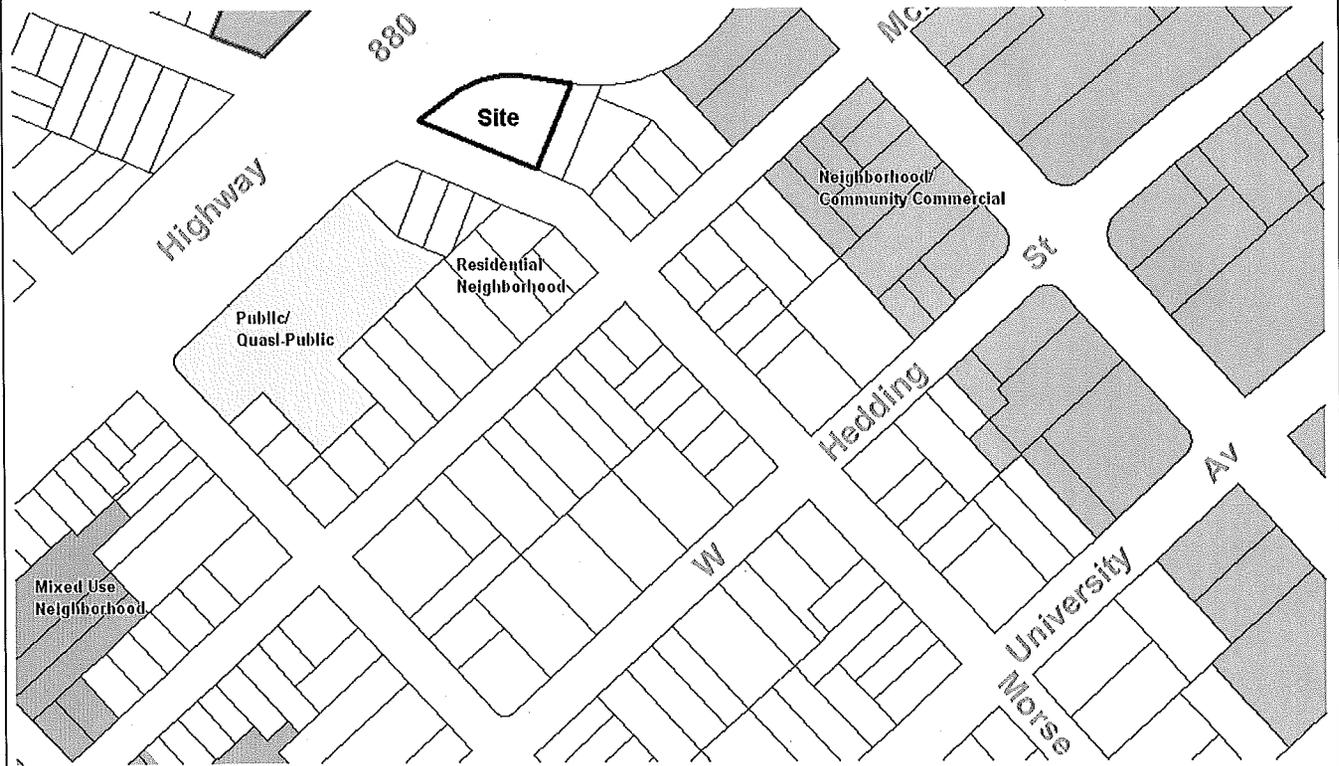
East side of Morse Street, approximately 320 feet north of McKendrie Street.

Zoning	R-1-8 Single-Family Residence
Proposed Zoning	R-1-8(PD) Planned Development
General Plan	Residential Neighborhood
Council District	6
Annexation Date	December 8, 1925 (College Park/Burbank Sunol)
SNI	NA
Historic Resource	NA
Redevelopment Area	NA
Specific Plan	NA

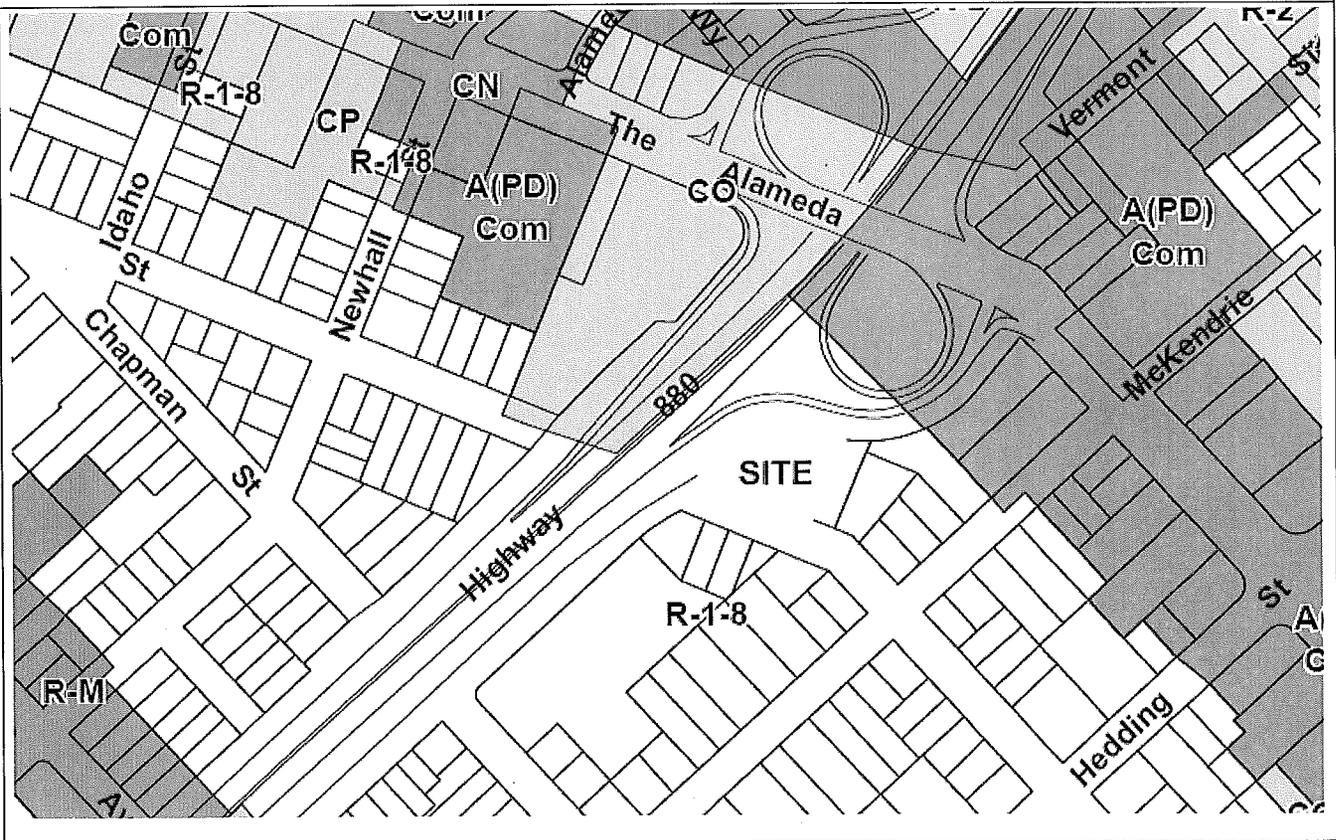
**Aerial Map**



### ENVISION SAN JOSE 2040 GENERAL PLAN



### ZONING



## **RECOMMENDATION**

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

1. The proposed Planned Development Rezoning is consistent with the goals and policies of the Envision San Jose 2040 General Plan and the Residential Neighborhood land use designation. The project matches the development pattern of the surrounding area and is at a density less than the maximum of 8 DU/AC. Staff is recommending that the R-1-8 designation remain as the base zoning district.
2. 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 December 21, 2011 and January 9, 2012.
3. The project is consistent with the Residential Design Guidelines.

## **BACKGROUND & DESCRIPTION**

On May 5, 2011, the applicant, Barry Swenson Builder, applied for a Planned Development Rezoning of the subject site to allow for the development of five (5) single-family detached residences in a courthome configuration. Five homes exceeded the maximum allowable density of 8 dwelling units per acre under the General Plan land use designation and the applicant subsequently revised the plan to four (4) units in a traditional single-family detached lotting pattern (approximate net density of 6.5 DU/AC). The conceptual site plan depicts four (4), two-story, single-family detached residences on individual lots. The minimum lot size is approximately 5,900 square feet in area and the average lot size is approximately 6,660 square feet. A majority of the units are proposed to have detached garages and each units has a front and rear yard.

A Planned Development Zoning is proposed since this allows greater flexibility with respect to lot frontage requirements. The subdivision of property in conventional residential zoning districts, including the existing R-1-8 Zoning District, would be subject to the provisions of the City's Subdivision Ordinance (Title 19). Under this Title, every lot would be required to have 55 feet of lot frontage along the front property line. While the overall site has a frontage of over 228 feet, due to the tapered shaped of the site, creating four lots with 55 feet of frontage, which also meets the minimum lot size requirements, maintains the continuity of the 25 foot front setback and typical lot configuration would have been difficult to achieve. The benefit of the Planned Development Zoning in this case, allows the City the ability to more closely regulate site and architectural design elements of the project that ensure houses that are very compatible with those in the neighborhood. See analysis sections for additional discussion on this matter.

Staff is recommending that the property retain the existing R-1-8 zoning designation for the base zoning district, so that in the event that the developer or property owner later decides not to pursue a Planned Development Permit, they will retain the development opportunities provided under the current R-1-8 Zoning.

## **Site and Surrounding Uses**

The subject site is currently developed with one (1) single-family residence. The land uses surrounding the site include Interstate 880 freeway (including off ramp) to the west and north. Single-family detached residences exist to the south and east. The Saint Nicholas Greek Orthodox Church is also located in close proximity to the south on Davis Street.

## **Community Interest**

A community meeting was held on September 19, 2011. Concerns were raised about traffic, neighborhood compatibility from an architectural standpoint, density and increased parking demands along the street. At that time, the applicant's proposal included five units in a courthome unit configuration, which was later revised to now include four traditional single-family detached houses. Multiple e-mails were subsequently received from area neighbors. The letters continued to address similar concerns in the context of the original five unit proposal.

## **ANALYSIS**

The proposed rezoning was analyzed with respect to: 1) conformance with the Envision San Jose 2040 General Plan, 2) conformance with the Residential Design Guidelines, 3) sustainability, and 4) conformance with the California Environmental Quality Act (CEQA).

### **Envision San Jose 2040 General Plan Conformance**

The site has a General Plan land use designation of Residential Neighborhood which has a typical maximum density of 8 dwelling units per acre. This designation is applied broadly throughout the City to encompass most of the established, single-family residential neighborhoods. The intent of this designation is to preserve the existing character of these neighborhoods and to strictly limit new development to infill projects which closely conform to the prevailing existing neighborhood character as defined by density, lot size and shape, massing and neighborhood form and pattern. New infill development should improve and/or enhance existing neighborhood conditions by completing the existing neighborhood pattern and bringing infill properties into general conformance with the quality and character of the surrounding neighborhood. New infill development should be integrated into the existing neighborhood pattern, continuing and, where applicable, extending or completing the existing street network. The average lot size, orientation, and form of new structures for any new infill development must therefore generally match the typical lot size and building form of any adjacent development, with particular emphasis given to maintaining consistency with other development that fronts onto a public street to be shared by the proposed new project.

The proposed four (4) unit project is at a density of 6.5 DU/AC, which is close to the typical 8 DU/AC density called for in this designation and is consistent with the prevailing neighborhood character in density, lot size and shape, massing, form. The majority of the units in this area have detached garages placed well behind the main living areas. For the most part, as described in the "site design" section of this report, the applicant is proposing similar designs. There are several existing street trees within the existing park strip which are proposed to be maintained in keeping with General Plan policies to protect the character of existing neighborhoods.

## **Residential Design Guidelines**

This zoning application proposes a maximum of four (4) single-family detached residences designed consistent with the intent of the Guidelines. The single-family detached units are all on individual lots with street frontage and private rear yards, three units have detached garages and two (2) units share a driveway.

### Site Design

This zoning application proposes typical residential lot, two-story, single-family detached units, in a standard lotting pattern consistent with the residential development pattern in the surrounding area. The development standards include a minimum lot size of 5,900 square feet, a minimum 25-foot front setback to the building, 5-foot side setbacks, a 20-foot rear setback to single-story elements, and a 25 foot rear setback to second-story elements. The site layout, height, and setbacks, comply with the development standards recommended in the Residential Design Guidelines, which ensure compatible unit relationships and proper integration into the surrounding neighborhood which is comprised primarily of older single-family houses with detached garages. The proposed site design maximizes landscape opportunities along the streetscape with minimal interruptions by driveway aprons. An additional benefit is that curbside parking opportunities are maximized. Since the project site has over 228 feet of street frontage, the project provides an *average* of 57 feet of frontage per lot, which slightly exceeds the normal frontage requirements of the surrounding conventionally zoned properties.

In order to provide appropriate Fire Department access (hose reach) to the two paired detached garages, the Fire Department has requested that the front portion of the shared driveway be widened to 20 feet to accommodate a fire truck. As currently shown this would impact a mature street tree. Staff will continue to work with the Fire Department at the Planned Development Permit stage to explore alternatives that would allow all street trees to be preserved.

### Height

Consistent with the Guidelines, the project proposes an overall maximum height of 30 feet and two-stories. While the standard R-1-8 development regulations allow development with a height of 35 feet and 2.5 stories, due to the slightly narrower lot widths as compared with the others in the area, the more stringent limitations as proposed are appropriate to ensure that the building proportions will be compatible with the neighborhood.

### Parking

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, all units front onto Morse Street and will have a street parking space within 150 feet of each of the units. Therefore, parking for the proposed project is in conformance with the Guidelines.

### Open Space

Each lot will be required to provide 1,100 square feet of private open space. This is consistent with typical City-wide developments on properties with R-1-8 Zoning that provide 55-foot lot widths along with 20-foot rear building setbacks ( $55 \times 20 = 1,100$ ).

**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 provide a GreenPoint or LEED checklist for the project prior to issuance of a building permit. The project's specific green building measures have not been established at this stage of the process, but will be more evaluated at the Planned Development Permit stage.

**California Environmental Quality Act (CEQA)**

An Initial Study (IS) and MND were prepared by the Director of Planning, Building, and Code Enforcement for the subject rezoning. The documents were circulated for public review between December 21, 2011 and January 9, 2012.

The MND states that the proposed Planned Development Rezoning 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: biologic resources and noise. The MND includes mitigation measures that would reduce any potentially significant project impacts to a less-than-significant level. The most notable issue included noise impacts from the nearby freeway. 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**

In addition to a community meeting, as previously discussed, 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 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.

**Project Manager:** Lesley Xavier    **Approved by:**     **Date:** 1/5/12

Owner/Applicant:	Attachments:
	Development Standards Neighbor Correspondence

**FILE NO. PDC11-010**  
**MORSE STREET PROPERTY**  
**DEVELOPMENT STANDARDS**  
Revised 1-2-12

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

**ALLOWED USES**

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- Single-Family Detached Residential Dwellings

**DEVELOPMENT STANDARDS**

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NUMBER OF DWELLING UNITS

- Up to 4 dwelling units. All units shall be configured as single-family houses (as defined by Title 20 and shall front onto a public street).

SETBACKS

The front, side and rear building setbacks shall conform to those identified for the R-1-8 Zoning District per SJMC Title Chapter 20.30 Part 3 & 4, as amended.

Exceptions:

1. The front setback for garages shall be 60 feet, except for the one unit nearest the intersection of Morse and Davis Streets which may have a smaller garage front setback provided that the setback is at least 5 feet greater than front setback of the dwelling unit.
2. The setback for the one unit nearest the intersection of Morse and Davis Streets shall have a setback from the freeway off-ramp soundwall of 15 feet for the first floor and 25 feet for the second floor.
3. The two units closest to the easterly property line shall have a shared driveway not to exceed 12 feet in width, except for the portion in the front setback where the shared driveway shall not exceed 20 feet in width only as necessary to provide appropriate Fire Department access.
4. The size and setbacks for accessory structure(s) shall comply with SJMC section 20.30.500, as amended.

OPEN SPACE

- 1,100 square feet of private open space per unit.

MAXIMUM BUILDING HEIGHT:

- 30 feet and/or 2 stories

PARKING REQUIREMENTS:

- Two covered parking spaces per unit.

FENCE REGULATIONS

- Fences shall conform to SJMC chapter 20.30, as amended.

PUBLIC WORKS

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. **Transportation:** This project is exempt from the Level of Service (LOS) Policy, and no further LOS analysis is required because the project proposes 15 units of Single Family detached or less.
3. **Grading/Geology:**
  - a) A grading permit is required prior to the issuance of a Public Works Clearance. The construction operation shall control the discharge of pollutants (sediments) to the storm drain system from the site. An erosion control plan may be required with the grading application.
  - b) All on-site storm drainage conveyance facilities and earth retaining structures shall be reviewed and approved under Public Works grading and drainage permit prior to the issuance of Public Works Clearance. The drainage plan should include all underground pipes, building drains, area drains and inlets. The project shall provide storm drainage calculations that adhere to the 2010 California Plumbing Code or submit a stamped and signed alternate engineered design for Public Works discretionary approval.
  - c) 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.
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 will be 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.
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. **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).
7. **Street Improvements:**
- a) Applicant shall be responsible to remove and replace curb, gutter, and sidewalk damaged during construction of the proposed project.
  - b) Remove and replace curb, gutter, and sidewalk along project frontage.
  - c) Close unused driveway cut(s).
  - 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.
8. **Electrical:**
- a) Existing electroliers along the project frontage will be evaluated at the public improvement stage and any street lighting requirements will be included on the public improvement plans.
  - b) Locate and protect existing electrical conduit in driveway and/or sidewalk construction.
  - c) Provide clearance for electroliers from overhead utilities and request clearance from utility companies. Clearance from electrolier(s) must provide a minimum of 10' from high voltage lines; 3' from secondary voltage lines; and 1' from communication lines.
9. **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 park strip. Obtain a DOT street tree planting permit for any proposed street tree plantings.

- d) Show all existing trees by species and diameter that are to be retained or removed. Obtain a street tree removal permit for any street trees that are over 6 feet in height that are proposed to be removed.
10. **Private Streets:**
- a) Per Common Interest Development (CID) Ordinance, all common infrastructure improvements shall be designed and constructed in accordance with the current CID standards.
  - b) The plan set includes details of private infrastructure improvements. The details are shown for information only; final design shall require the approval of the Director of Public Works.

## **ENVIRONMENTAL MITIGATION**

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- I. **AIR QUALITY.** The following Best Management Practices shall be required of construction contracts and specifications for all construction to prevent visible dust emissions from leaving the site:
- 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
  - 2. All haul trucks transporting soil, sand or other loose material off-site shall be covered.
  - 3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
  - 4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
  - 5. All roadways, driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
  - 6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by CCR Title 13). Clear signage shall be provided for construction workers at all access points.
  - 7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
  - 8. A publicly-visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints shall be posted. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
- II. **BIOLOGICAL RESOURCES.**
- Raptors and Other Migratory Birds*
- 1. If possible, construction should be scheduled between October and December (inclusive) to avoid the nesting season. If this is not possible, pre-construction surveys for nesting raptors and other migratory breeding birds shall be conducted by a qualified ornithologist to identify active nests that may be disturbed during project implementation. Between January and April (inclusive) pre-construction surveys shall

be conducted no more than 14 days prior to the initiation of construction activities or tree relocation or removal. Between May and August (inclusive), pre-construction surveys shall be conducted no more than thirty (30) days prior to the initiation of these activities. The surveying ornithologist shall inspect all trees in and immediately adjacent to the construction area for nests. If an active nest is found in or close enough to the construction area to be disturbed by these activities, the ornithologist shall, in consultation with the California Department of Fish and Game, designate a construction-free buffer zone (typically 250 feet for raptors and 100 feet for other birds) around the nest, which shall be maintained until after the breeding season has ended and/or a qualified ornithologist has determined that the young birds have fledged. The applicant shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the Director of Planning, Building and Code Enforcement prior to the issuance of any grading or building permit.

### **III. NOISE.**

#### *Interior Noise*

1. STC 32 or higher rated windows shall be installed at all second floor living spaces on the west, north and south sides of the home on Lot A.
2. The unit on Lot A shall be equipped with a forced air ventilation system to allow the occupants the option of maintaining the windows closed to control noise, and maintain an interior noise level of 45 dB DNL.
3. Prior to issuance of building permits, the developer shall retain a qualified acoustical consultant to check the building plans for all units to ensure that interior noise levels will be attenuated to 45 dB DNL to the satisfaction of the Director of Planning, Building and Code Enforcement.

## **Xavier, Lesley**

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**From:** Edwin Bruce [edwin@edwinbruce.com]  
**Sent:** Wednesday, June 29, 2011 12:21 PM  
**To:** Xavier, Lesley  
**Subject:** PD Development at 980 Morse Street, San Jose

Lesley,

I am a neighbor at the corner of Morse and Mc Kendrie Streets. My wife and I have lived here for the past twenty years. As I'm sure you are aware the neighbors near this proposed development are not in favor of the density that the Swenson group is proposing for this property. We feel that the proposed density of development does not maintain the character of the neighborhood and instead works to leverage it rather than support it. There are some excellent examples of these types of developments on Park Avenue near Santa Clara University that dramatically illustrate the flaw of too much density. There are trash cans and cars every where. No one actually has a usable front yard and the entire development looks like an apartment building surrounding an alley more than single family houses.

The Rosegarden is a neighborhood that I have watched gradually become a desirable area over the last two decades. People have slowly and tentatively invested in properties here as they began to feel that property values would be maintained in an upward trend. However, the area faces constant pressure from those who would use the desirability of the area as a way to leverage new development. It is one of San Jose's most unique and beautiful areas, and we are fighting to keep it that way.

If the Swenson group would give us a proposal of fewer homes, say two or three, and make the quality of development match that of the De Mattei houses further down Morse Street. I'm sure that we could get the neighborhood to support it. So, we ask that you please support us in encouraging them to go back to the drawing board and come up with a plan that will be an asset for the neighborhood and something we can all be proud of.

Cordially,

Edwin Bruce  
Principal Architect

Edwin Bruce Associates  
A R C H I T E C T S A I A

1625 THE ALAMEDA · SUITE 610  
SAN JOSE · CALIFORNIA · 95126  
T 408.995.5701 · F 408.995.5022

[www.edwinbruce.com](http://www.edwinbruce.com)

**Xavier, Lesley**

**From:** katethorn@comcast.net  
**Sent:** Saturday, June 25, 2011 5:04 PM  
**To:** Xavier, Lesley  
**Cc:** katie thorn  
**Subject:** 980 Morse Street

Hello Lesley,

For 13 years I have lived on McKendrie Street here in the Rose Garden. Several things drew me to this neighborhood but two important aspects were the lovely older homes and the quality of space between the homes. Happily, there has been little redevelopment in the Rose Garden in general or in our immediate streets in particular. These reasons are why I must vehemently object to Barry Swenson wishing to build 5 homes on the single family home lot at 980 Morse Street. There is no way 5 homes can fit on the lot and not look unsightly and uncharacteristic for our neighborhood. No matter the design the homes will likely look like townhomes rather than single family homes. The additional traffic which would occur due to 5 new homes is not what we want in our quiet neighborhood. Already we try to live peacefully with the parking and traffic issues due to the Greek Church. I feel Mr. Swenson is just trying to make a bunch of money and is not really concerned with maintaining the quality and integrity of our neighborhood. I support the building of 1 home at 980 Morse. The present location is an eyesore and an appropriately designed new home would be welcomed.

Thank you for your attention to this serious matter. Please contact me should you have any questions or comments.

Kind regards,  
Katie Thorn

[katethorn@comcast.net](mailto:katethorn@comcast.net)  
408-246-8022

6/27/2011

**Xavier, Lesley**

**From:** Cathy Prouty [cmprouty@gmail.com]  
**Sent:** Thursday, June 23, 2011 11:56 AM  
**To:** Xavier, Lesley  
**Cc:** prouty.steve@gmail.com  
**Subject:** Planned Development at 980 Morse Street, San Jose, CA

Dear Lesley,

We would like to express our concern and opposition over the planned development of five homes proposed by Barry Swenson on the above referenced property. We live at the corner of Morse and McKendrie Streets and we would be greatly impacted by its inclusion into our neighborhood. A planned development of five homes would greatly change the appearance and feel of our neighborhood. Currently, we have a neighborhood with older, lovely, single family homes, many of which have been remodeled or restored. We all take pride in our homes and in our neighborhood.

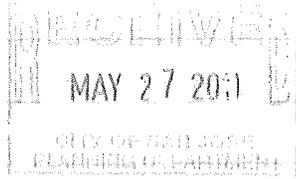
The property at 980 Morse Street has been an eyesore for the past few years and we certainly welcome someone coming in and bringing the property up to the level of the rest of the neighborhood. However, a planned development is not the answer. A development of five homes, no matter how attractive they might be, is completely inconsistent with the feel and the character of the Rose Garden area in which we live. A planned development would give the appearance of five "look alike townhomes" even though the proposal calls for five separate dwellings. There would be an increase in traffic and an increase in the number of cars parked on the street. The entire character and feel of our neighborhood would change and we do not want that.

Given the size of the parcel in question, we feel it is much more appropriate to put up two, possibly three, separate, distinct and architecturally attractive homes, each on its own parcel. If Mr. Swenson were to come back to those of us living near Morse and McKendrie, with that type of project, he would have our full support, assuming he was also responsible for repair to the street of damage caused during construction. We are certain that if Mr. Swenson proposed a similar type of planned development in his neighborhood, his neighbors would not approve of it.

Sincerely,

Cathy and Steve Prouty  
1198 McKendrie St.  
San Jose, CA 95126

(C) Cathy: (408) 483-7544; Steve: (408) 472-1438  
(H) 408-216-9490



Warren Hansen  
765 Morse St  
SAN JOSE CA  
95126

Dear Lesley

We Reviewed the article about adding 5 new Homes on our street. We my (Wife + 3 children grown up) for almost 50 years. I am Referred to By Neighbors as the (Morse St. Judge)

Eight years ago we fought tooth & nail about a Historic Property to stop the Building of two Homes and a move on. We Had it Liquidation for three yrs.

The Property we are talking about was called the Whitney Waight Estate. It was a show peice But it was overgrown with Bushes & trees and looked unkempt. after He Died at 94, His Older Family members Put it on the MARKET - Three so called Developers Bought the Place with intention of Demolage, Our

People got together and saved  
the House they were going to  
Demolish.

This House Had an attached Sun Room,  
and a Drive through Terraces, COLUMBIAN  
with Chinese Whistlers, all of  
this was cut to strands, including  
two 75 foot Red Wood trees.

They were given permission By  
Chuck Reed's office. We were  
told that there is a certain  
Developer Nick named The  
Little Prince at City Hall who  
gets anything He wants.

We will Petition this move  
By Next week.

Morse St is a Historic Street  
with SYCAMORE trees from Simpkins  
to Davis St. Trees that need to  
Be Left alone along with Establisment  
properties that have Large Lot size  
This is what makes up OUR  
Neighborhood.

then some Mickey Mouse Developer  
sees a lot and thinks He can Make  
Money (Please Denie this Permit)

Living By Highway 17 - Noise & Exhaust  
NOT A good IDEA HEALTH wise  
Waste

THIS IS WHAT THE DEVELOPERS  
TRIED TO DEMOLISH.

THANKS TO OUR NEIGHBORHOOD  
PART OF SAN JOSE HISTORY WAS  
SAVED.



THE WHITNEY WRIGHT ECCLECTIC MANSION  
50 FEET FROM MORSE ST.

**Xavier, Lesley**

**From:** Richard Winslow [RWinslow@shoretel.com]  
**Sent:** Tuesday, May 17, 2011 4:21 PM  
**To:** Xavier, Lesley  
**Cc:** Elizabeth and Mike Nedved; Steve Prouty; Cathy Prouty; Sippel, Robert; Ted Boda; Fedor, Denelle; Oliverio, Pierluigi; Mark Blaszczyk (mark.blaszczyk@gmail.com); a.narimatsu@sbcglobal.net  
**Subject:** 980 MORSE STREET - PD11-015 and PDC11-010

Lesley – I want to go on record and submit comments on the permit and re-zoning under review for 980 Morse Street.

I oppose the re-zoning of this location because of the precedent it would set for the rest of this neighborhood and similar neighborhoods throughout San Jose. The historic Rose Garden neighborhood is one of the oldest in San Jose. The reason I selected the neighborhood 15 years ago, and invested heavily in the restoration of my property, was the unique character of the homes, tree-lined streets, and overall pride in the neighborhood. Increasing density will not fit with the surrounding area.

I likewise oppose the permit request for the building of five units on the parcel. I certainly applaud investment in the parcel and would look forward to a “good neighbor” approach on the development. Replacing the existing home with one or two homes can certainly be designed to fit into the aesthetics of the neighborhood and have minimal impacts on parking, traffic, streets and services. By no means can five units be integrated into the neighborhood. The following are my key concerns with the permit request:

- Five units will not fit within aesthetics of the neighborhood. Five homes on a 0.52 acre lot will require short setbacks and narrow lot lines. The fact they will be two story homes will increase the impact.
- Parking on the street will be impacted. The proposal has small, two car garages with little, if any, room for parking in the driveway. Often garages are used for storage and many owners having more than two cars, so there will be overflow parking onto the surrounding street. Parking on the streets degrades the neighborhood and can increase crime. Parking is already a major issue during functions at the Greek Church.
- In addition to the density, I would like to provide input to the design of the homes. The units need to be designed to fit into the neighborhood and use a level of craftsmanship equal to or better than the neighborhood. Craftsman homes with wood siding, quality windows and wooden accents would be desired. From the drawings I saw at the Rose Garden Neighborhood Preservation Association meeting last night, it looks like there is some good momentum on this front. The units built recently by DeMattl a few blocks down on Morse behind the YMCA are an example of a job well done. The units on the corner of Naglee and Park are exactly why I am so concerned about this permit.
- I would like to provide input to the landscaping of the property. We have significant issues with rental units associated with the Greek Church maintaining their landscaping (and homes for that matter). Landscaping should also fit into the neighborhood and should be required to be completed front and back as part of the project.
- There is little lighting in the area. Can Planning should consider requiring street lighting, in character with the neighborhood, for new projects of this scale? Lighting like that along University would add to the neighborhood.
- The actual pavement on Morse Street is in need of repair. Additional traffic, especially during construction with heavy equipment, will further degrade the street. Can the costs for repair of the street be the burden of the developer?

A project that adds to the character of the neighborhood can be achieved.

5/17/2011

Respectively submitted,  
Richard Winslow  
1205 McKendrie Street  
408.832.4977

---

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5/17/2011

**Xavier, Lesley**

---

**From:** anne narimatsu [anne.narimatsu@gmail.com]  
**Sent:** Tuesday, May 17, 2011 11:16 AM  
**To:** Xavier, Lesley  
**Cc:** Oliverio, Pierluigi; Fedor, Denelle; mark blaszczyk; Ted Boda; rich winslow; Steve and Cathy Prouty; Elizabeth Nedved; sipple@pacbell.net  
**Subject:** 980 Morse St.: Barry Swenson 5 Home Lot Development

Hi Lesley,

I live at 1215 McKendrie St. around the corner from 980 Morse St. I bought my house in 1996 and targeted this area specifically for the unique feel and charm of the neighborhood.

I just learned yesterday that Barry Swenson is planning to rezone the lot at 980 Morse St. for a 5 house development. I'd like to voice my opposition to this plan which would alter the quaint Rose Garden character. Homeowners in this area are here for a reason- the Rose Garden is the most well known and highly desirable area of San Jose due to the efforts of the neighborhood to maintain its character and historic integrity. The pride in our homes and neighborhood is evident and we work hard to maintain that.

I'm sure the developer would think twice about building a 5 house development next to his own house.

Regards,  
Anne Narimatsu  
1215 McKendrie st.

**Xavier, Lesley**

---

**From:** Ted Boda [tboda@mac.com]  
**Sent:** Monday, May 16, 2011 10:13 PM  
**To:** Fedor, Denelle; Oliverio, Pierluigi; Xavier, Lesley  
**Cc:** Elizabeth and Mike Nedved; Rich Winslow; Steve Prouty; Cathy Prouty; Sippel, Robert  
**Subject:** 980 Morse St - Barry Swenson

Hello Denelle and Councilmember Pierluigi Oliverio

The neighbors on Morse and McKendrie were just told this morning by Bob Sippel that Barry Swenson is in the process of rezoning a Single-Family Residential lot into a 5 HOME LOT!!!

We went to a meeting this evening to hear about the proposal from Mike Black (Barry Swenson Rep) and were very upset that they were planning on trying to cram 5 (what are essentially) town homes into such a small area with no adequate parking, very small lot sizes and changing the unique quality of our neighborhood. None of the neighbors were notified about the proposal and it is pretty far along in the process, but we plan to fight and appeal these proposals as hard as we can.

Most of us agree that 2 homes would have been fine...maybe 3, but to propose 5 homes is just too much and even Barry Swenson (who lives on University) would never want a lot next to him turning into a stack of town homes.

We are looking for your support in helping us stop/appeal the permit approval process and to see if Barry Swenson will go back to the drawing board and reconsider what's best for the neighborhood.

Cheers and hope to speak with you soon,  
Ted

**Xavier, Lesley**

---

**From:** Mark Blaszczyk [mark.blaszczyk@gmail.com]  
**Sent:** Monday, May 16, 2011 8:25 PM  
**To:** Xavier, Lesley  
**Subject:** DEVELOPMENT PERMIT FOR 980 MORSE ST SAN JOSE

Public Comments

Folder Number: 2011 014689 DV

Project Manager: Lesley Xavier

I wanted to provide my feedback on the subject proposed development.  
Please do not allow such a high density development in our neighborhood. Any proposed development should match the average floor area ratio of the surrounding homes in the area.

Thanks for your consideration.

Mark Blaszczyk  
San Jose TAC Commissioner  
1215 McKendrie Street  
408-296-0525

**Xavier, Lesley**

**From:** Cathy Prouty [cmprouty@gmail.com]  
**Sent:** Tuesday, May 17, 2011 9:08 AM  
**To:** Ted Boda  
**Cc:** Fedor, Denelle; Oliverio, Pierluigi; Xavier, Lesley; Elizabeth and Mike Nedved; Rich Winslow; Steve Prouty; Sippel, Robert  
**Subject:** Re: 980 Morse St - Barry Swenson

I live at the corner of Morse and McKendrie Streets and am extremely concerned over the attempt to have our neighborhood rezoned to accomodate a planned development. Any rezoning of our neighborhood will create the potential for others to come in and seek a similar permit. That would not only put us in the position of constantly fighting such attempts but completely change the character of our beautiful neighborhood. I strongly feel that we must oppose any attempt at having our neighborhood rezoned.

Cathy Prouty  
1198 McKendrie St.

On Mon, May 16, 2011 at 10:13 PM, Ted Boda <[tboda@mac.com](mailto:tboda@mac.com)> wrote:  
Hello Denelle and Councilmember Pierluigi Oliverio

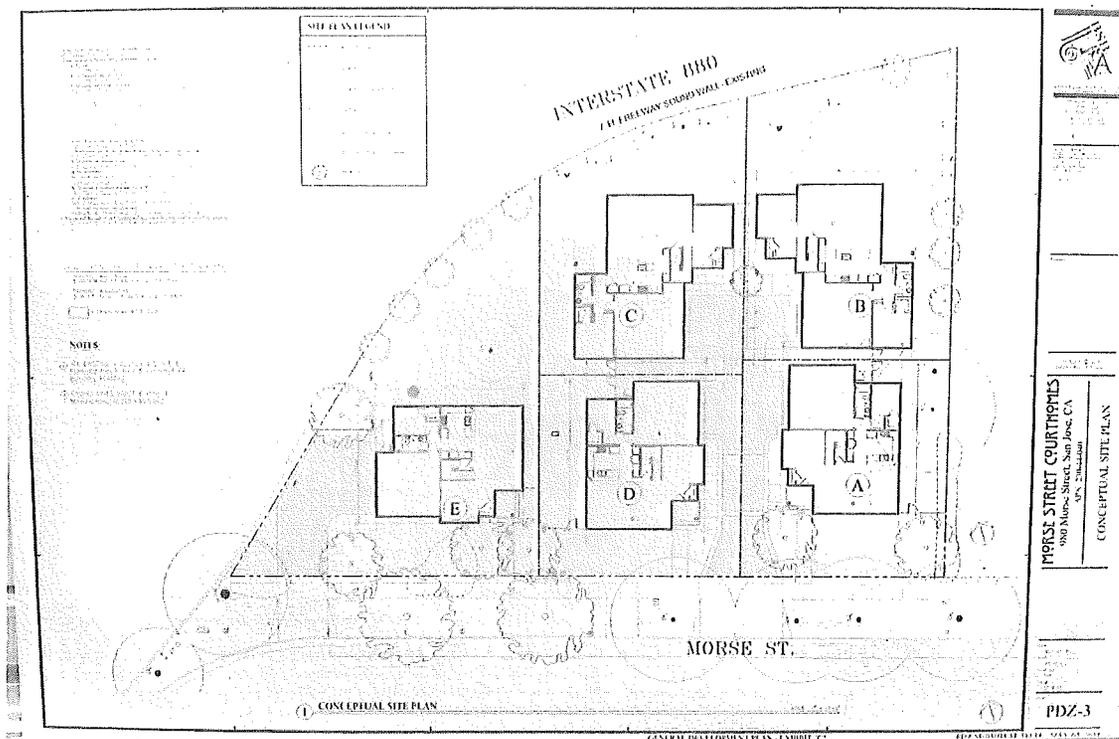
The neighbors on Morse and McKendrie were just told this morning by Bob Sippel that Barry Swenson is in the process of rezoning a Single-Family Residential lot into a 5 HOME LOT!!!

We went to a meeting this evening to hear about the proposal from Mike Black (Barry Swenson Rep) and were very upset that they were planning on trying to cram 5 (what are essentially) town homes into such a small area with no adequate parking, very small lot sizes and changing the unique quality of our neighborhood. None of the neighbors were notified about the proposal and it is pretty far along in the process, but we plan to fight and appeal these proposals as hard as we can.

Most of us agree that 2 homes would have been fine...maybe 3, but to propose 5 homes is just too much and even Barry Swenson (who lives on University) would never want a lot next to him turning into a stack of town homes.

We are looking for your support in helping us stop/appeal the permit approval process and to see if Barry Swenson will go back to the drawing board and reconsider what's best for the neighborhood.

Cheers and hope to speak with you soon,  
Ted



On May 16, 2011, at 6:49 PM, Elizabeth Nedved wrote:

I am on my way, I had to drip off Bailey at her class. Hope to see u there.

Sent from Yahoo! Mail on Android

**From:** Ted Boda <tboda@mac.com>;  
**To:** Ted Boda <tboda@mac.com>;  
**Subject:** Re: [MorseandMcKendrie] Morse and Barry Swenson  
**Sent:** Mon, May 16, 2011 11:49:32 PM

Correction...

Hoover Community Center

Park and Naglee

FYI...I am going to try and make it

this is regarding the corner lot on Morse that is going to be turned into 5 homes?!

5/17/2011

a rep from Barry Swenson will be speaking to the board at the RGNPA meeting **tonight at the Hoover Center (corner of Hedding and Park and go in the back by the Park side)** . The meeting starts at **6:30** with a small amount of regular business and then the speaker.

If you are interested in learning about the addition of 5 homes onto a .52 acre site... attend.

On May 16, 2011, at 3:59 PM, robert s wrote:

Sorry for any short notice but a rep from Barry Swenson will be speaking to the board at the RGNPA meeting tonight at the Hoover Center. The meeting starts at 6:30 with a small amount of regular business and then the speaker. If you are interested in learning about the addition of 5 homes onto a .52 acre site... attend.

Bob Sippel  
President RGNPA

I am deeply concerned that if we continue to allow builders to buy up properties in our very historical and unique neighborhoods and turn them into whatever they want... we will soon look like condo heaven, overbuilt districts, ticky tacky homes or whatever.

Please note that Barry Swenson, a very large developer bought a 1/2 acre parcel on Morse and is trying to build 5 homes in the same space as one. If you are at all concerned please respond via the comment section on the permit request attached.

<https://www.sjpermits.org/permits/general/emailpermitquery.asp?permitnum=PD11-015>

I plan to fight this with all that I have and it is blocks from me. Those closest ought to be really concerned. All neighborhood associations with similar problems should be concerned.

Bob Sippel  
President RGNPA

# MORSE STREET HOMES

980 MORSE STREET,  
SAN JOSE, CA 95126



## SINGLE FAMILY DETACHED & ATTACHED RESIDENCE PLANNED DEVELOPMENT ZONING PERMIT NO : PDC11-010

### DIRECTORY

#### OWNER

GREEN VALLEY CORP.  
777 NORTH FIRST STREET, FIFTH FLOOR  
SAN JOSE, CA 95113  
CONTACT: BARRY SWENSON  
PH: (408) 287-6322  
FX: (408) 998-1737  
E-MAIL: mbsoc@barryswensonbuilder.com

#### CIVIL ENGINEER

UNDERWOOD & ROSENBLUM, INC.  
1630 BAYLAND ROAD, SUITE A114  
SAN JOSE, CA 95131  
CONTACT: DAVID VOORHIES  
PH: (408)453-1223, X24  
FX: (408)287-1267  
E-MAIL: david@underwood.com

#### LANDSCAPE

GREGORY LEWIS LANDSCAPE  
236 PARK WAY  
SANTA CRUZ, CA 95065  
CONTACT: DAVID VOORHIES  
PH: (831) 4324747  
E-MAIL: lewis@landscape@cox.net

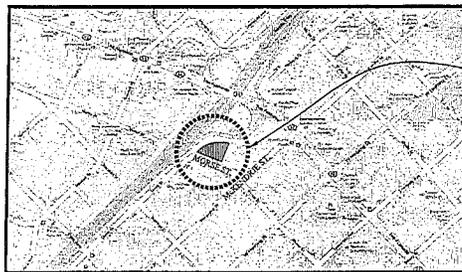
#### ARCHITECT OF RECORD

BARRY SWENSON BUILDER - ARCHITECTURAL  
777 NORTH FIRST STREET FIFTH FLOOR  
SAN JOSE, CA 95112  
CONTACT: BOB HORTONER  
PH: (408)736-6200  
FX: (408)288-5177  
E-MAIL: bsh@barryswensonbuilder.com

#### GENERAL CONTRACTOR

BARRY SWENSON BUILDER  
777 NORTH FIRST STREET FIFTH FLOOR  
SAN JOSE, CA 95112  
CONTACT: JOHN GANTLEN  
PH: (408)339-6327  
FX: (408)287-3422  
E-MAIL: jgantlen@barryswensonbuilder.com

### VICINITY MAP



SITE

### GENERAL

#### Statements and Tables:

APN230-44-040	
a. Property size:	
Gross: 0.81 Acres,	= 26,643 S.F.
b. Total number of proposed dwelling units:	
4 SINGLE FAMILY RESIDENCES (1 ATTACHED & 3 DETACHED)	
c. Total amount of floor space for each non-residential use:	
N/A	
d. Total amount of surface area proposed for off-street parking and loading spaces:	
SURFACE AREA, INCLUDING DRIVEWAYS: 4,048 S.F.	
LOADING: NOT REQUIRED 15%	
e. Total number of off-street parking and loading spaces required and provided:	
REQUIRED: 12 SPACES (1 ATTACHED = 2.75, 3 DETACHED = 3X=9)	
PROVIDED: 12 SPACES (8 COVERED, 4 OFF-STREET)	
f. Total footprint area of residential buildings, including garages and percentage of site area:	
FOOTPRINT AREA OF RESIDENTIAL BUILDING: 6,036 S.F.	
PERCENTAGE OF SITE AREA: 23%	
g. Total landscaped area (softscape and hardscape) and percentage of site area:	
AREA: 20,809 S.F.	
PERCENTAGE OF SITE AREA: 77%	
h. Dwelling unit Density:	
8 UNITS PER NET ACRE	
i. Development Schedule:	
Morse Street Construction: January 2012 to January 2013	

### SHEET INDEX

#### ARCHITECTURAL

PDZ-1	TITLE SHEET
PDZ-2a	LAND USE PLAN
PDZ-2b	DEVELOPMENT STANDARDS
PDZ-3	CONCEPTUAL SITE PLAN
PDZ-4	CONCEPTUAL GRADING AND DRAINAGE PLAN
PDZ-4a	CONCEPTUAL STORMWATER CONTROL PLAN
PDZ-5a	CONCEPTUAL FLOOR PLANS & ELEVATIONS
PDZ-5b	CONCEPTUAL ELEVATIONS - LOT B, C & D
PDZ-5c	CONCEPTUAL GARAGE PLANS & ELEVATIONS - LOT B, C & D
PDZ-6a	CONCEPTUAL PLANTING PLAN
PDZ-6b	CONCEPTUAL IRRIGATION HYDROZONE PLAN
PDZ-6c	CONCEPTUAL LANDSCAPE PLAN
PDZ-6d	CONCEPTUAL SPECIFICATIONS
PDZ-6e	CONCEPTUAL TREE INVENTORY AND PROTECTION PLAN



BARRY SWENSON BUILDER  
777 North First Street  
Fifth Floor  
San Jose, CA 95112  
Tel: (408) 287-6246  
Fax: (408) 287-2206

PROJECT ARCHITECT:  
ROBERT HORTONER, AIA  
BARRY SWENSON BUILDER  
777 N FIRST ST, 5TH FLOOR  
SAN JOSE, CA 95112  
CELL: 408-590-0571

Consultant:

Revised:

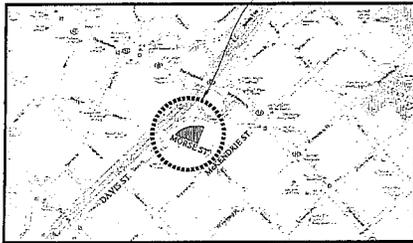
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MORSE STREET HOMES  
980 MORSE STREET, SAN JOSE, CA  
APN: 230-44-040, PDC11-010

TITLE SHEET

Date: MAY 03, 2011  
Scale: AS NOTED  
Drawn by: RJS  
Job #: 10-0143  
Sheet:

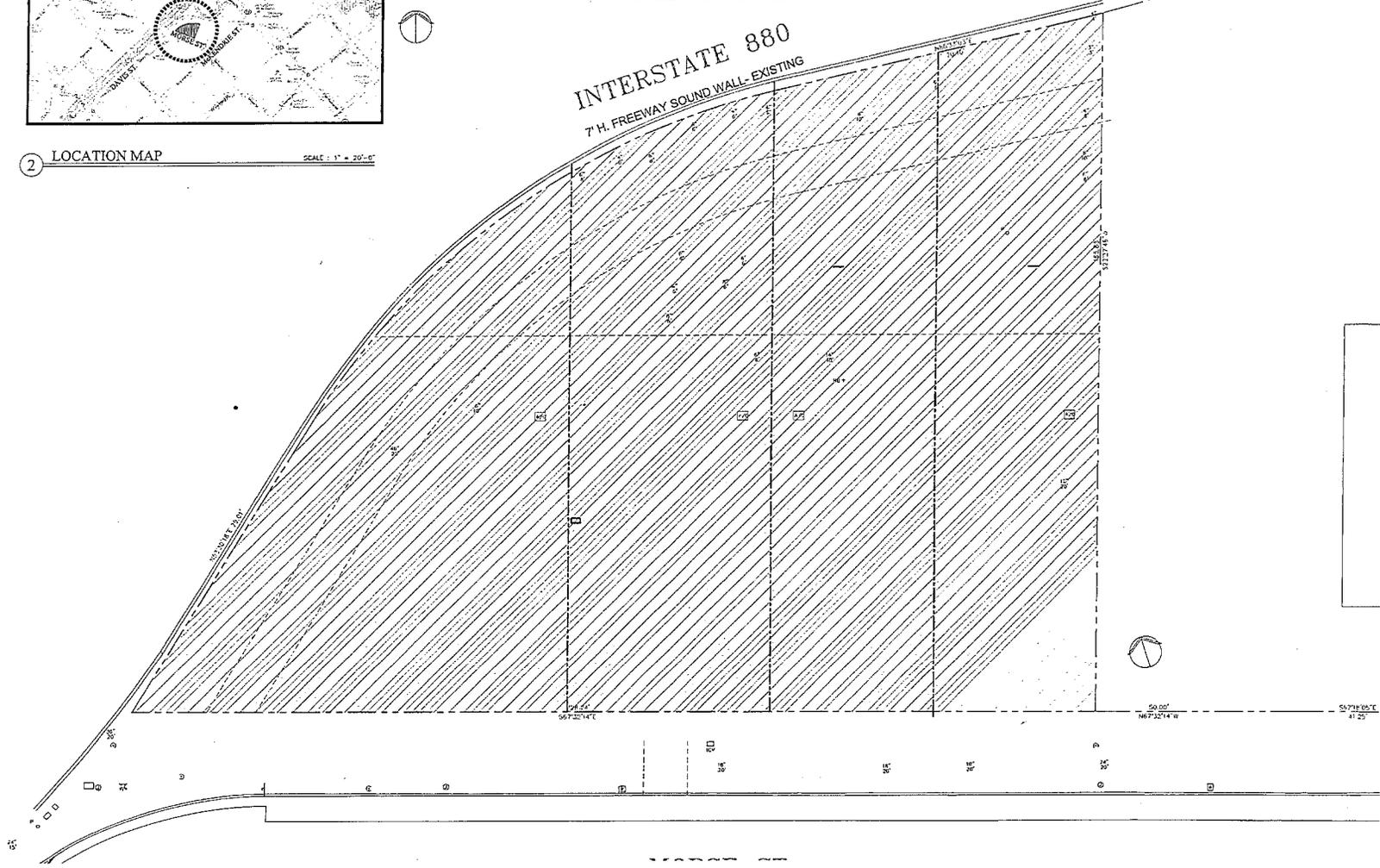
PDZ-1



② LOCATION MAP SCALE: 1" = 20'-0"

SINGLE FAMILY DETACHED & ATTACHED RESIDENTIAL

INTERSTATE 880  
7 H. FREEWAY SOUND WALL- EXISTING



① LAND USE PLAN SCALE: 3/32" = 1'-0"



**BARRY SWENSON BUILDER**  
REGISTERED PROFESSIONAL ENGINEER  
777 North First Street  
Fifth Floor  
San Jose, CA 95112  
tel: 408.287.0266  
fax: 408.287.2506

**PROJECT ARCHITECT:**  
ROBERT MOFFHAW, AIA  
Barry Swenson Builder  
777 N. First St., 5th Floor  
San Jose, CA 95112  
CELL: 408-550-6271  
Construction

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**MORSE STREET COURTHOUSES**  
980 MORSE STREET, SAN JOSE, CA  
APPL. 210-11-010, PD/C1-1-010  
LAND USE PLAN

Date: MAY 03, 2011  
Scale: AS NOTED  
Drawn by: RLB  
Job #: 10-9143  
Sheet:

PDZ-2a



**BARRY SWENSON BUILDER**  
ARCHITECTS/ENGINEERS/PLANNERS

777 North First Street  
7th Floor  
San Jose, CA 95112  
Tel: (408) 281-2324  
Fax: (408) 281-2326

PROJECT ARCHITECTS  
ROBERT MCINTYRE, AIA  
BARRY SWENSON BUILDER  
777 N FIRST ST, 5TH FLOOR  
SAN JOSE, CA 95112  
CELL: 408-559-0571

Consultant:

Revision:

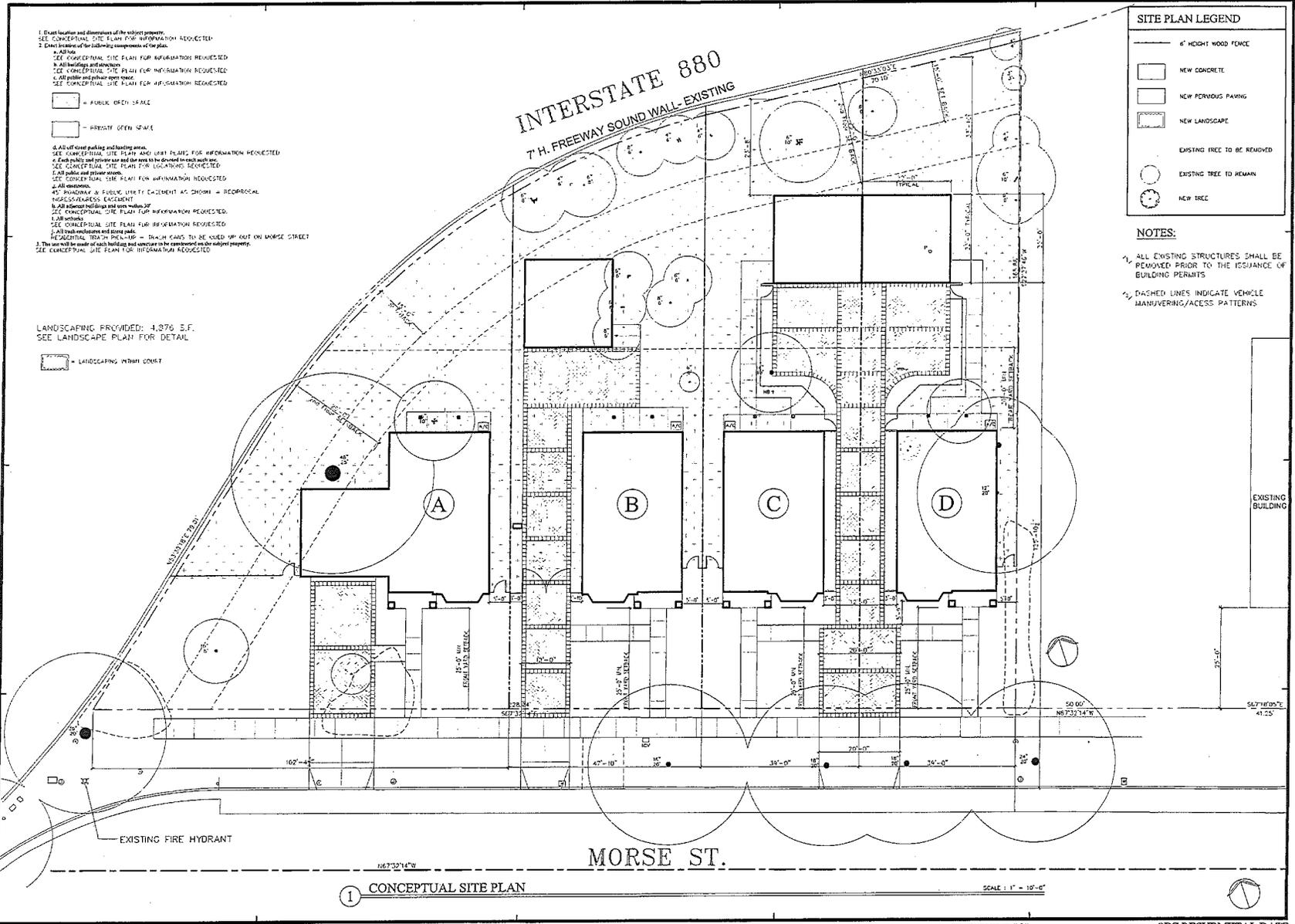
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**MORSE STREET COURTHOUSE**  
980 MORSE STREET, SAN JOSE, CA  
APN: 230-11-010, PDC11-010

DEVELOPMENT STANDARDS

Date: MAY 03, 2011  
Scale: AS NOTED  
Drawn by: RLV  
Job #: 10-0143  
Sheet:

**PDZ-2b**



1. Exact location and dimensions of the subject property. SEE CONCEPTUAL SITE PLAN FOR INFORMATION REQUESTED.
  2. Exact location of the following components of the plan:
    - a. All lots. SEE CONCEPTUAL SITE PLAN FOR INFORMATION REQUESTED.
    - b. All buildings and structures. SEE CONCEPTUAL SITE PLAN FOR INFORMATION REQUESTED.
    - c. All public and private open space. SEE CONCEPTUAL SITE PLAN FOR INFORMATION REQUESTED.
- = PUBLIC OPEN SPACE  
 = PRIVATE OPEN SPACE
3. All off-street parking and loading areas. SEE CONCEPTUAL SITE PLAN AND LOT PLANS FOR INFORMATION REQUESTED.
  4. All existing and proposed lot and/or areas to be divided in accordance with the plan. SEE CONCEPTUAL SITE PLAN FOR INFORMATION REQUESTED.
  5. All public and private easements. SEE CONCEPTUAL SITE PLAN FOR INFORMATION REQUESTED.
  6. All easements. SEE CONCEPTUAL SITE PLAN FOR INFORMATION REQUESTED.
  7. All easements. SEE CONCEPTUAL SITE PLAN FOR INFORMATION REQUESTED.
  8. All easements. SEE CONCEPTUAL SITE PLAN FOR INFORMATION REQUESTED.
  9. All easements. SEE CONCEPTUAL SITE PLAN FOR INFORMATION REQUESTED.
  10. All easements. SEE CONCEPTUAL SITE PLAN FOR INFORMATION REQUESTED.
  11. The use and location of all utilities and services to be provided on the subject property. SEE CONCEPTUAL SITE PLAN FOR INFORMATION REQUESTED.

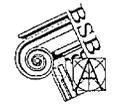
LANDSCAPING PROVIDED: 4,876 S.F.  
SEE LANDSCAPE PLAN FOR DETAIL

= LANDSCAPING WITHIN COMPT

**SITE PLAN LEGEND**

	6' HEIGHT WOOD FENCE
	NEW CONCRETE
	NEW PERVIOUS PAVING
	NEW LANDSCAPE
	EXISTING TREE TO BE REMOVED
	EXISTING TREE TO REMAIN
	NEW TREE

- NOTES:**
1. ALL EXISTING STRUCTURES SHALL BE REMOVED PRIOR TO THE ISSUANCE OF BUILDING PERMITS
  2. DASHED LINES INDICATE VEHICLE MANUEVERING/ACCESS PATTERNS



**BARRY SWENSON BUILDER**  
 777 North First Street  
 Fifth Floor  
 San Jose, Ca 95112  
 Tel: 408.262.4240  
 Fax: 408.262.2350

**PROJECT ARCHITECT:**  
 ROBERT MORTON, AIA  
 BARRY SWENSON BUILDER  
 777 N. FIRST ST., 5TH FLOOR  
 SAN JOSE, CA 95112  
 TEL: 408.262.4240  
 FAX: 408.262.2350

Resident:

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**MORSE STREET COURTHOMES**  
 980 MORSE STREET, SAN JOSE, CA  
 APR. 23.00-11.01.010, FDC11-010  
 CONCEPTUAL SITE PLAN

Date: MAY 03, 2011  
 Scale: AS NOTED  
 Drawn by: RCH  
 Job #: 10-0143  
 Sheet:

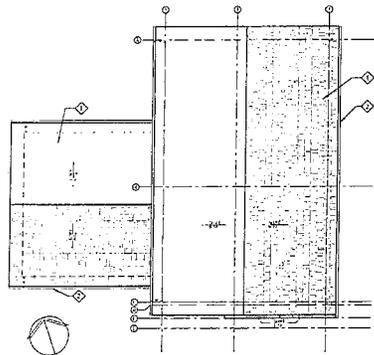
**PDZ-3**

1 CONCEPTUAL SITE PLAN

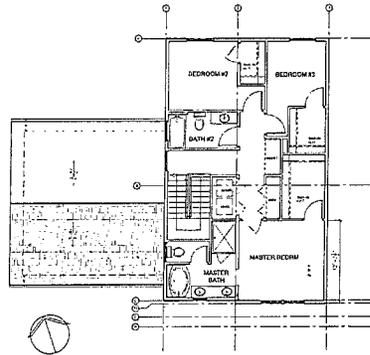
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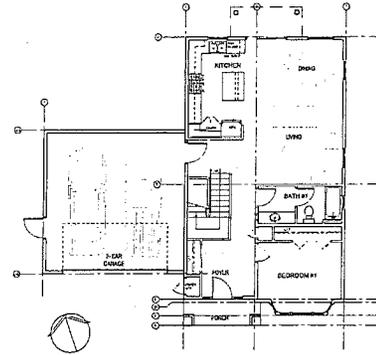




3 CONCEPTUAL ROOF PLAN  
LOT A SCALE: 1/8" = 1'-0"



2 CONCEPTUAL SECOND FLOOR PLAN  
LOT A SCALE: 1/8" = 1'-0"



1 CONCEPTUAL FIRST FLOOR PLAN  
LOT A SCALE: 1/8" = 1'-0"

ELEVATION KEY NOTES

- ◇ COMPOSITION ROOFING
- ◇ PAINTED METAL EUTTER
- ◇ VINYL WINDOWS
- ◇ PAINTED 2X FACIA
- ◇ CEMENT PLASTER
- ◇ DECORATIVE WOOD BRACKETS
- ◇ SAND FLOAT SUGCO BELLY BAND
- ◇ PAINTED WOOD CASING/TRIM
- ◇ PAINTED WOOD COLUMN (SMOOTH FINISH)
- ◇ HARDIE OR LOGAL CEMENT SHINGLE
- ◇ PAINTED WINDOWS SHUTTERS
- ◇ SUNBURST
- ◇ STONE BASE
- ◇ CABLE VENT
- ◇ FIBER CEMENT BELLY BAND
- ◇ PAINTED METAL DOWNSPOUT

FIRST FLOOR:  
LIVING AREA: 1,025 S.F.  
GARAGE: 474 S.F.  
PORCH AREA: 98 S.F.  
TOTAL: 1,597 S.F.

SECOND FLOOR:  
FLOOR AREA: 1,037 S.F.

TOTAL LIVING AREA: 2,032 S.F.



**BARRY SVENSON BUILDER**  
777 North First Street  
Fifth Floor  
San Jose, CA 95112  
Tel: (408) 287-0246  
Fax: (408) 287-2336

PROJECT ARCHITECT  
ROBERT WORTHMAN, AIA  
SCOTT JENSEN, PH.D. P.E.  
377 N. First St. 5th Floor  
San Jose, CA 95112  
Tel: (408) 934-2330  
Cell: (408) 934-0537

Consultant:

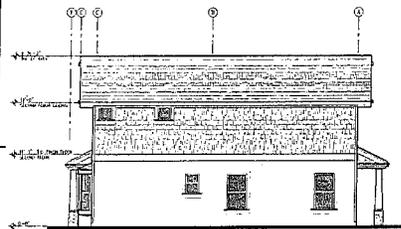
Revisions:

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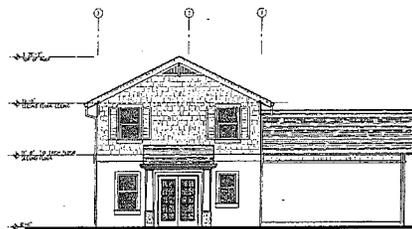
**MORSE STREET COURTHOUSES**  
950 MORSE STREET, SAN JOSE, CA  
APN: 2310-11-070, PDC11-010  
CONCEPTUAL FLOOR PLANS  
& ELEVATIONS

Date: MAY 03, 2011  
Scale: AS NOTED  
Drawn by: RLH  
Job #: 10-0143  
Sheet:

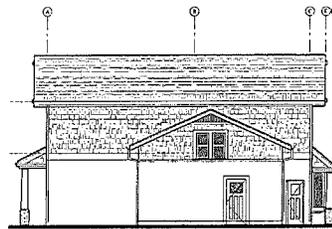
PDZ-5a



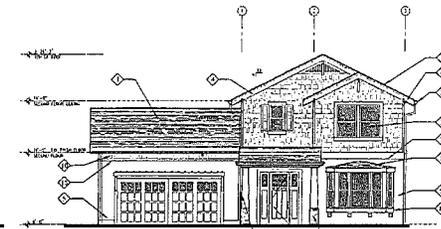
7 CONCEPTUAL ELEVATION  
LOT A SCALE: 1/8" = 1'-0"



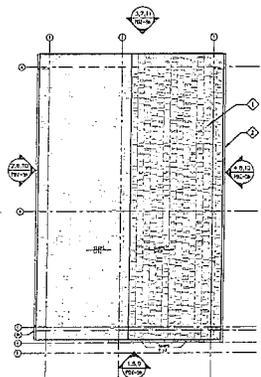
6 CONCEPTUAL ELEVATION  
LOT A SCALE: 1/8" = 1'-0"



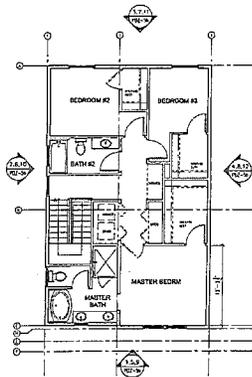
5 CONCEPTUAL ELEVATION  
LOT A SCALE: 1/8" = 1'-0"



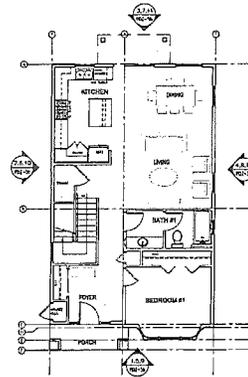
4 CONCEPTUAL ELEVATION  
LOT A SCALE: 1/8" = 1'-0"



10 CONCEPTUAL ROOF PLAN  
LOT B, C & D SCALE: 1/8" = 1'-0"



9 CONCEPTUAL 2ND FLOOR PLAN  
LOT B, C & D SCALE: 1/8" = 1'-0"



8 CONCEPTUAL 1ST FLOOR PLAN  
LOT B, C & D SCALE: 1/8" = 1'-0"

FIRST FLOOR:  
LIVING AREA: 1,025 S.F.  
GARAGE: 474 S.F.  
PORCH AREA: 98 S.F.  
TOTAL: 1,597 S.F.

SECOND FLOOR:  
FLOOR AREA: 1,037 S.F.

TOTAL LIVING AREA: 2,032 S.F.

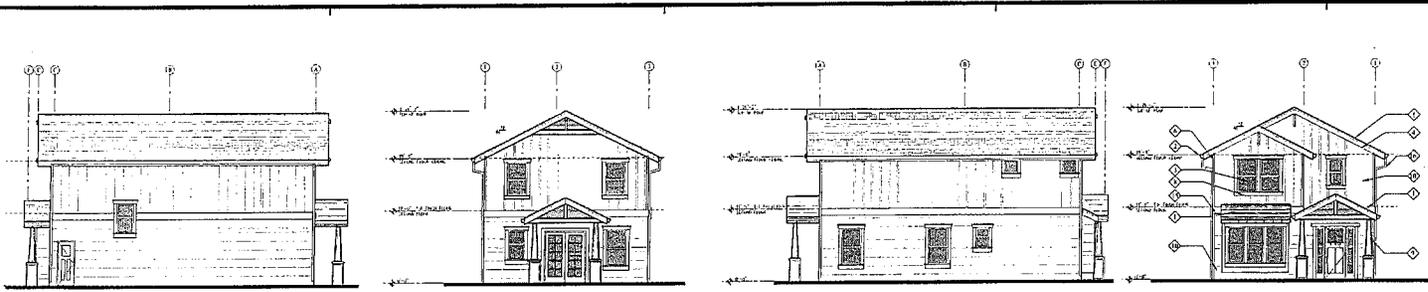


**Barry Swenson Builder**  
 777 North First Street  
 Fifth Floor  
 San Jose, CA 95112  
 Tel: (408) 287-6246  
 Fax: (408) 287-2366

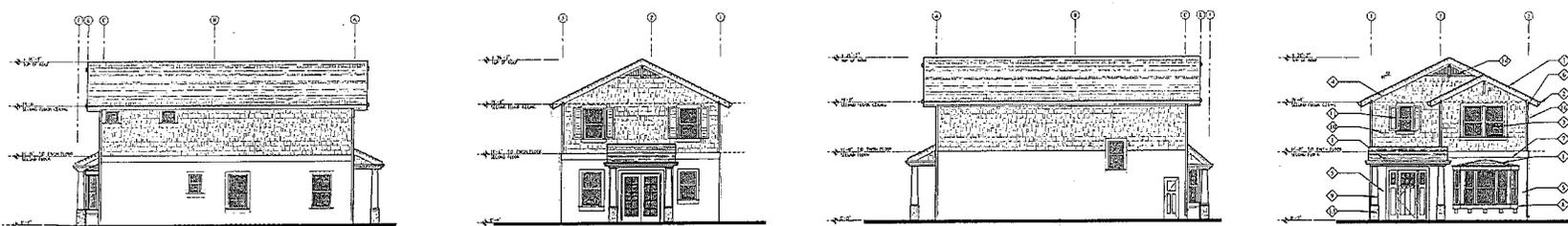
**Project Architect**  
 Barry Swenson, AIA  
 Barry Swenson Builder  
 777 North First Street  
 San Jose, CA 95112  
 Tel: (408) 287-6246  
 Fax: (408) 287-2366

**ELEVATION KEY NOTES**

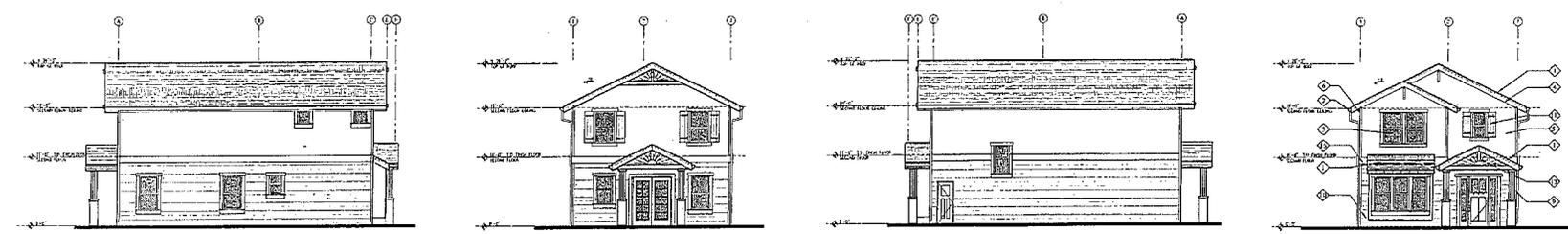
- ◇ COMPOSITION ROOFING
- ◇ PAINTED METAL GUTTER
- ◇ VINYL WINDOWS
- ◇ PAINTED 2x FASCIA
- ◇ CEMENT PLASTER
- ◇ DECORATIVE WOOD BRACKETS
- ◇ SAND FLOAT STUCCO BELLY BAND
- ◇ PAINTED WOOD CASING/TRIM
- ◇ PAINTED WOOD COLUMN (SMOOTH FINISH)
- ◇ HARDIE OR EQUAL CEMENT SHINGLE
- ◇ PAINTED WINDOW SHUTTERS
- ◇ SUNBURST
- ◇ STONE BASE
- ◇ GABLE VENT
- ◇ FIBER CEMENT BELLY BAND
- ◇ PAINTED METAL DOWNGUT



④ CONCEPTUAL ELEVATION SCALE: 1/8" = 1'-0" LOT B      ③ CONCEPTUAL ELEVATION SCALE: 1/8" = 1'-0" LOT B      ② CONCEPTUAL ELEVATION SCALE: 1/8" = 1'-0" LOT B      ① CONCEPTUAL ELEVATION SCALE: 1/8" = 1'-0" LOT B



⑧ CONCEPTUAL ELEVATION SCALE: 1/8" = 1'-0" LOT C      ⑦ CONCEPTUAL ELEVATION SCALE: 1/8" = 1'-0" LOT C      ⑥ CONCEPTUAL ELEVATION SCALE: 1/8" = 1'-0" LOT C      ⑤ CONCEPTUAL ELEVATION SCALE: 1/8" = 1'-0" LOT C

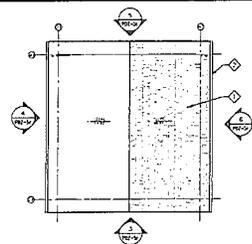


⑫ CONCEPTUAL ELEVATION SCALE: 1/8" = 1'-0" LOT D      ⑪ CONCEPTUAL ELEVATION SCALE: 1/8" = 1'-0" LOT D      ⑩ CONCEPTUAL ELEVATION SCALE: 1/8" = 1'-0" LOT D      ⑨ CONCEPTUAL ELEVATION SCALE: 1/8" = 1'-0" LOT D

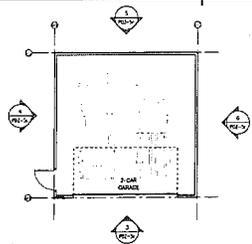
**MORSE STREET COURTHOUSE**  
 980 MORSE STREET, SAN JOSE, CA  
 APR. 23-11-09, PCL-1-010  
 CONCEPTUAL ELEVATIONS -  
 LOT B, C & D

Date: MAY 03, 2011  
 Scale: AS NOTED  
 Drawn by: RJM  
 Job #: 10-9143  
 Sheet:

PDZ-5b

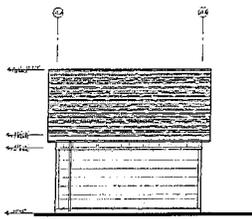


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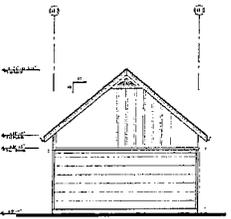


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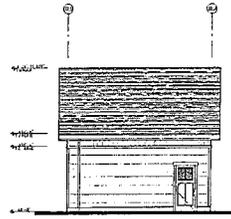
- ELEVATION KEY NOTES**
- ◇ COMPOSITION ROOFING
  - ◇ PAINTED METAL GUTTER
  - ◇ VINYL WINDOWS
  - ◇ PAINTED 2x FACA
  - ◇ CEMENT PLASTER
  - ◇ DECORATIVE WOOD BRACKET
  - ◇ SAND FLOAT STUCCO BELLY BAND
  - ◇ PAINTED WOOD CASING/TRIM
  - ◇ PAINTED WOOD COLUMN (SMOOTH FRESH)
  - ◇ HARDIE OR EQUAL CEMENT SHINGLE
  - ◇ PAINTED WOODS SHUTTERS
  - ◇ SUNBURST
  - ◇ STONE BACK
  - ◇ CABLE VENT
  - ◇ FIBER CEMENT BELLY BAND
  - ◇ PAINTED METAL DOWNSPOUT



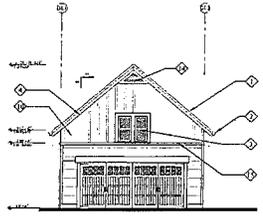
6 CONCEPTUAL ELEVATION LOT B SCALE: 1/8" = 1'-0"



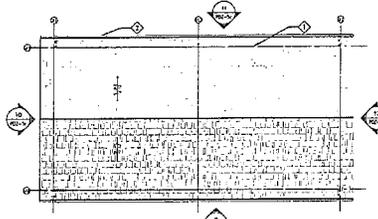
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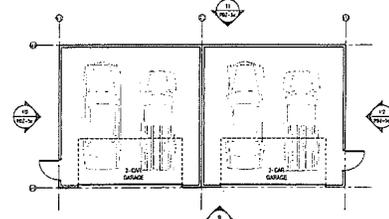
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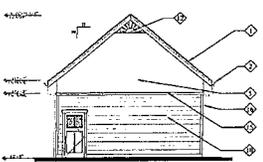
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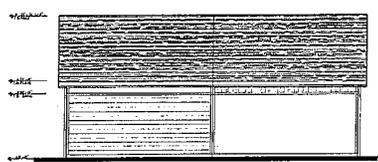
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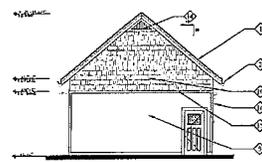
7 CONCEPTUAL GARAGE PLAN LOT C & D SCALE: 1/8" = 1'-0"



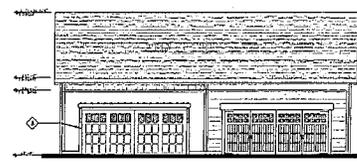
12 CONCEPTUAL ELEVATION LOT C & D SCALE: 1/8" = 1'-0"



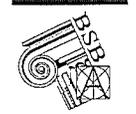
11 CONCEPTUAL ELEVATION LOT C & D SCALE: 1/8" = 1'-0"



10 CONCEPTUAL ELEVATION LOT C & D SCALE: 1/8" = 1'-0"



9 CONCEPTUAL ELEVATION LOT C & D SCALE: 1/8" = 1'-0"



**BARRY SWENSON BUILDER**  
 SUBDIVISION DEVELOPER  
 777 North First Street  
 5th Floor  
 San Jose, CA 95112  
 Tel: (408) 297-6243  
 Fax: (408) 297-2556

**PROJECT ARCHITECT**  
 ROBERT MCINTOSH, AIA  
 SHAW DESIGN GROUP  
 707 W. Foothill Blvd., 5th Floor  
 San Jose, CA 95128-4336  
 Cell: 408-990-9571  
 Consultant

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 Barry Swenson Builder

**MORSE STREET COURTHOUSES**  
 980 MORSE STREET, SAN JOSE, CA  
 APN: 230-11-010, PD11-010  
**CONCEPTUAL GARAGE PLANS  
 & ELEVATIONS - LOT B, C & D**

Date: MAY 03, 2011  
 Scale: AS NOTED  
 Drawn by: RAH  
 Job #: 10-9143  
 Sheet:

**PDZ-5c**

**Plant Legend**

KEY	SIZE	ALTER	BOTANICAL NAME	COMMON NAME
<b>TREES</b>				
MB	24"	Med	<i>Malus coronaria</i>	Crabapple
GL	24"	Med	<i>Quercus</i>	Oak
FR	24"	Med	<i>Apple</i>	Apple
LI	24"	Low	<i>Lagerströmia indica 'Pink Queen'</i>	Grape Hyacinth
PC	24"	Low	<i>Platanus chinensis 'Kesh Davis'</i>	Chinese Platane
ST	24"	Low	<i>Sweet Tree</i>	and species to be determined by the city arborist.

As per the ARBORIST report, there are 20 - 24" box and 4-5 gal replacement trees for trees that are being removed. If we choose to plant 1-24" box size trees for each 2-3 gal replacement trees we need a total of 30-24" box size replacement trees.

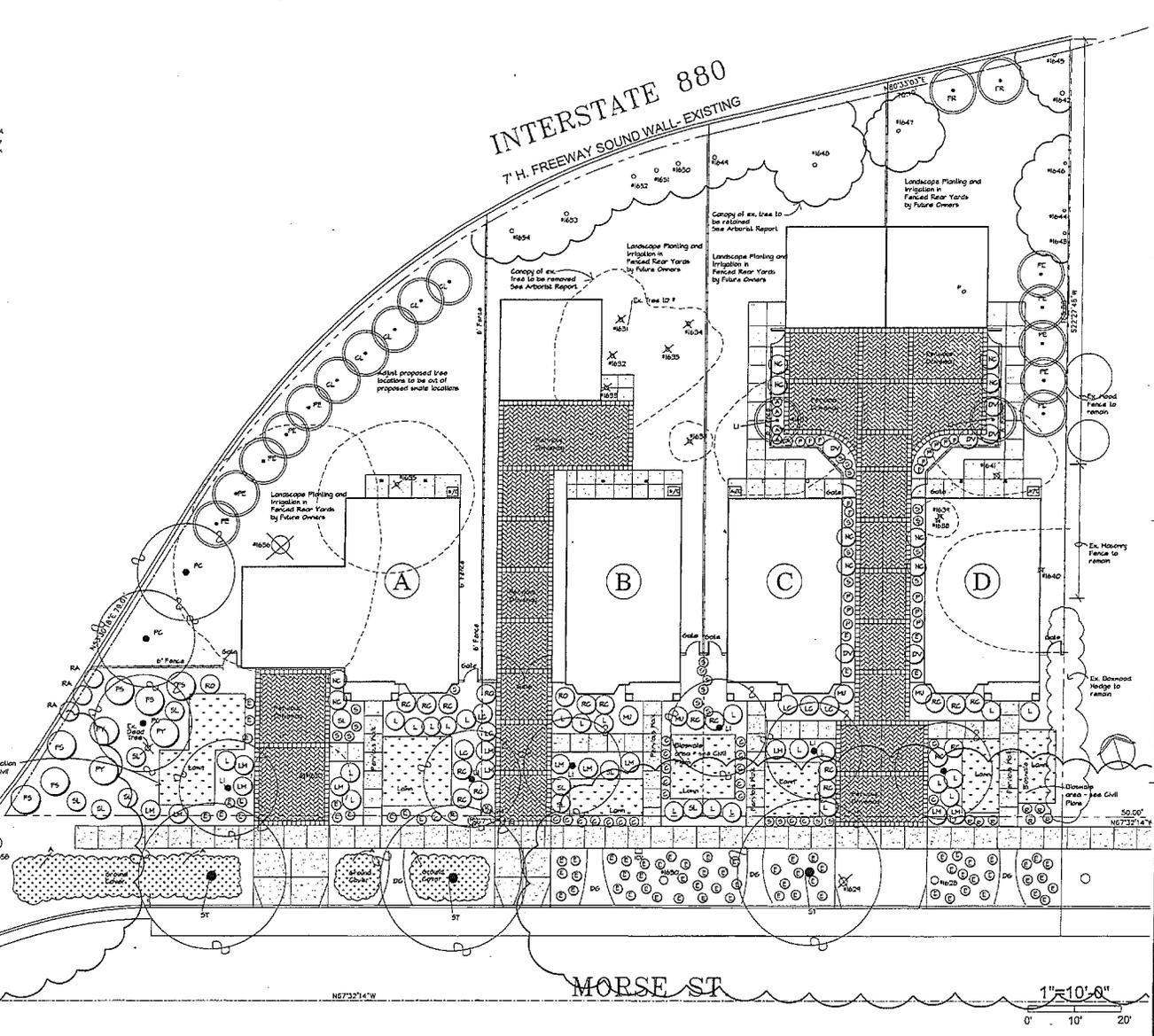
<b>TALL SHRUBS/SMALL TREES</b>				
PS	5	Low	<i>Palms</i>	Philippine Guava
KA	5	Low	<i>Rhododendron</i>	Italian Dogwood

<b>MEDIUM SHRUBS</b>				
P	5	Low	<i>Phormium</i>	Jack Spruce or Tieg Tree
NC	5	Low	<i>Raphanistrum</i>	Cherry
DV	5	Low	<i>Claytonia</i>	variegata
ND	5	Low	<i>Rosa</i>	variegata
NC	5	Low	<i>Nandina</i>	compacta
LC	5	Low	<i>Lonicera</i>	variegata
PT	5	Low	<i>Phytolacca</i>	variegata

<b>GROUND COVER</b>				
E	1	Low	<i>Elymus</i>	variegata
LM	1	Low	<i>Lantana</i>	variegata
R	1	Low	<i>Rosa</i>	variegata
MZ	1	Low	<i>Muhlenbergia</i>	variegata
A	1	Low	<i>Asplenium</i>	variegata
L	1	Low	<i>Limonium</i>	variegata
P	1	Low	<i>Peperomia</i>	variegata
GL	1	Low	<i>Glossy</i>	variegata
S	1	Low	<i>Saxifraga</i>	variegata
C	1	Low	<i>Ceanothus</i>	variegata

**Planting Notes**

- See details and notes.
- Exact location of plants on site to be adjusted so as to best coordinate with sprinkler head locations, lights, drainage features, and utilities.
- Use 2 inch deep mulch in all planting areas. Provide cover with different mulch samples and prices including Golden Nugget from Sun Up in Sacramento (800) 727-7501 or Pro-Chip Decorative Mulch from DFI Organics - San Diego (619) 441-2444.
- Full mulch 4 inches back from plant stem or trunk.
- All small plants for all plant circles shown on the plan even if they aren't labeled. Call for clarification. For bidding purposes, if no one is available to answer questions, assume that any plant circle labeled less than 6" wide is 5 gal size and any circle labeled larger is 24" box size.
- The plan is schematic. Don't install plants too close to edges of paving or buildings. Be sure plants are not blocking sprinkler spray excessively. Keep valves and quick couplers away from plants.
- The plants will do much better if efforts are made to uncompact soil that has been compacted during site and building construction. Loosen the top 6 inches of any uncompact or compacted soil prior to adding and tilling in other soil amendments or installing pipes or install 6 inches of uncompact topsoil in a way so that the finish grade is per the civil engineers grading plan. Top soil is to be compacted just enough so that it doesn't settle.
- Soil prep for seed areas includes tilling in amendments and fertilizers as recommended by soil test results, raking to smooth and removed rocks and clumps from surface, and compact soil with flat tined roller.
- Trunks to be at least 2 feet from the edge of irrigation and at least 5 feet from electric dept. facilities.
- Planting will be installed in accordance with the irrigation plan.
- Planting areas are less than 20% of the total developer installed landscape. They are at least 2 feet from the edge of irrigation paving on slopes less than 5%.
- Residences A, B, C, and D are court homes with a shared common landscape area in the front yards with a common irrigation system. Developer installed landscape in the common area is approx. 75% sq. ft. including 100 sq. ft. of lawn (25% of total).



**Barry Swenson Builders**  
 777 North First Street  
 San Jose, CA 95112  
 Tel: (408) 282-2244  
 Fax: (408) 282-2256



**Gregory Lewis Landscape Architect**  
 #2175  
 738 Park Way  
 Santa Cruz, CA 95065  
 (831) 425-4747  
 greg@greglewis.com

Reviewed by: [Signature]  
 Date: 02/01/06

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 Barry Swenson Builders

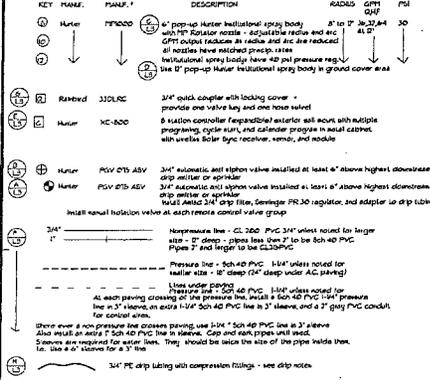
**Morse Street Courthomes**  
 980 Morse Street, San Jose, CA  
 APR: 230-44-010 PDC 11-010 PD 11-015  
**PLANTING PLAN**



Date: 31 MARCH 2011  
 Scale: 1" = 10'-0"  
 Drawn by: Greg

**PDZ-6a**

**Irrigation Legend**



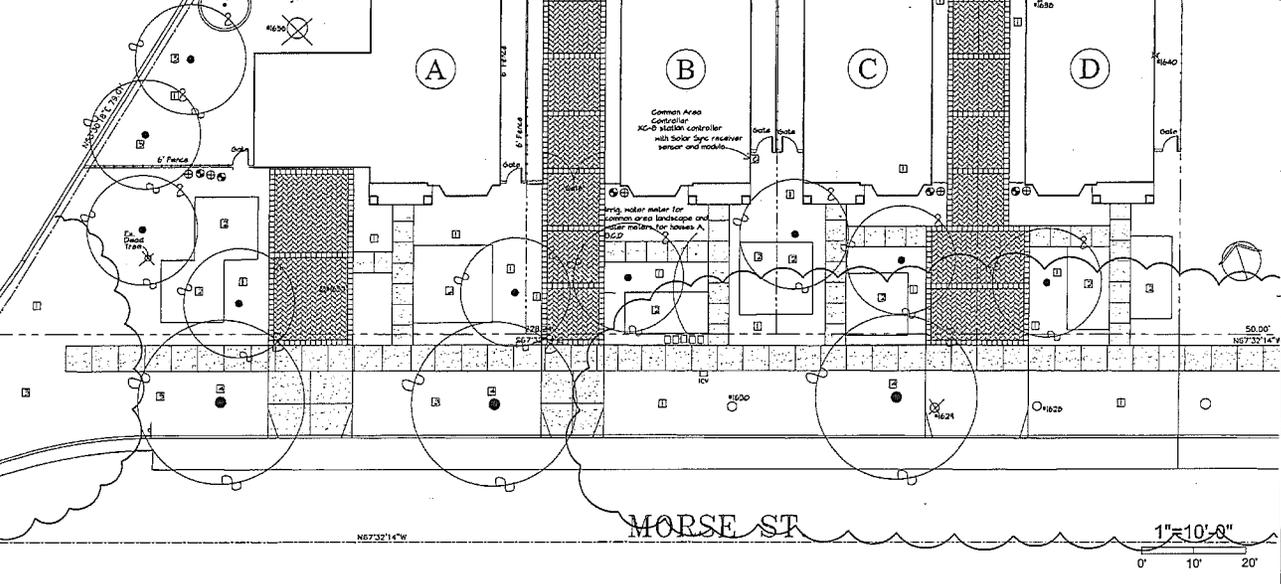
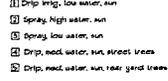
**Drip Irrigation Notes**

- 1) Secure larger 3/4" drip tubing 1' below grade with 1" or 1 1/2" U-shaped stakes 3 feet on center or closer so that the tubing can be found easily but does not show if the mulch gets brushed away. Cover tubing with soil and mulch and install automatic flush valves at ends of tubing and mark them so they can be found easily.
  - 2) For plants in high traffic areas between the curb on 7th Ave. and public sidewalk and between the public sidewalk and the play yard fence bury the drip tubing a little deeper (2") to make sure it doesn't show if mulch is brushed away.
  - 3) Run large tubing close to plants to minimize length of smaller 1/2" tubing. Secure emitters on 3/4" tubing at plant root balls. When necessary run short lengths of 3/4" tubing from emitters to plants.
  - 4) Run large tubing close to plants to minimize length of smaller 1/2" tubing. Secure emitters on 3/4" tubing at plant root balls. When necessary run short lengths of 3/4" tubing from emitters to plants.
  - 5) As the plant and plant rootball increase in size, the locations of 1/2" emitters may need to be adjusted so they are evenly spaced over the rootball.
  - 6) Install pressure compensating emitters (with minimal difference in flow between 1 psi and 40 psi) at each plant on foot, ball root, right at stem. The Agriflow PC Plus (pressure compensating emitters). Use the ones that 1/4" tubing can be connected to. Other emitters may have a higher discharge rate as emitter requiring larger pipe size.
- Emitter Schedule:**  
 See plant list for nature sizes of each type of plant to include shrub, ground cover, etc.  
 One 1/2" GPH emitter per small succulent.  
 Two 1/2" GPH emitters at small shrubs (roundball size).  
 Three 1/2" GPH emitters at large shrubs and vines.  
 Eight 1/2" GPH emitters at large tree root balls.  
 Also additional 1/2" GPH emitters 2' x 2' x 2' foot grid in planting area under future tree canopy with valves that have multiple emitters, put some over root ball (not right on stem) and some out under future canopy. Space emitters evenly in root zone area.
- At each plant install one or two emitters on top of rootball with the remainder of the emitter spaced to increase apart evenly spaced around the root ball area.
- On slopes, locate root of the emitters on the uphill side of the rootball and secure plant groups because the water will tend to flow and soak in down hill. Install the rootball on the uphill side of the plant also.
- Install a small area of drip and emitters and check with the Landscape Architect to make sure you are doing it correctly.

**Irrigation Notes**

- 1) See sheet L3 and L4 for details and specifications.
- 2) This system is designed to operate with minimum 55 PSI at the point of connection. If this condition is not met, contact the Landscape Architect for possible remedies. If static pressure exceeds 80 psi at the point of connection a pressure regulator will be necessary. There is supposed to be at least 100 psi static pressure in the area.
- 3) Detector tape should be installed with any pressure lines not buried in the water trench with control wires and with any lines of any kind under paving not in a trench with control wires.
- 4) Electric controllers should be set to water between 8:00 pm and 10:00 pm to avoid watering during times of higher wind or temperature and programmed with rainfall cycles to avoid runoff.
- 5) No changes should be made to what is shown on the plans without the written approval of the Landscape Architect.
- 6) Run 2 wire control wires from the controller to the far end of each line and to the furthest quick coupler, coming up at each valve with some extra wire along the way so valves could be tested if necessary in the future.
- 7) The controller will not allow the irrigation to operate during rain events, so the more vegetated areas spray heads are set in 1" to 1 1/2" size edge of paving and buildings, walls, stems, and fences. Adjoin plants as they aren't too close to spray emitters and blocking the spray emitters. In narrower 2" deep wide areas and for side strip heads you may need to put heads closer to the edges of paving and use a inch protrusion to reduce diversity.
- 8) Heads watering grass need to be close to the edge of the grass.
- 9) The coating of particular lines is schematic on the plan. Do not put valves too close to trees. Stay 2' to 10' away if possible. Do not put pressure lines under trees. Install lines in planting areas instead of under paving whenever possible. Locate all trees with flags prior to installing any lines, valves, or sprinklers.
- 10) See Civil Engineer's grading plan.
- 11) All sprinklers are to have check valves as necessary to keep low heads from entering water and causing excessive wet areas.
- 12) Verify that areas with spray irrigation are sized such that the sprinklers are laid out with spray heads to head and not exceed spacing on the legend. If necessary head and spacing can be moved in from the edges some times instead of using bigger heads.
- 13) Do not dig trenches right next to structures such that the bearing soil under the foundation of the structure will fail. Check with the structural engineer or architect if you are not sure how close or how deep you can dig next to structures.
- 14) Plants of similar water use have been grouped together on the same circuit.
- 15) Regular maintenance to include the following minimum conditions:  
 a) Landscape will be maintained to ensure water efficiency. On a regular schedule check, adjust, and repair the irrigation equipment, reset the controller based on weather, aerate and dethatch turf, replenish mulch, fertilize, prune, and water landscape areas.  
 b) Whenever possible, repair of the irrigation system shall be done with the original specifications.  
 c) The irrigation system shall be checked at least once a year prior to start up in the spring, for runoff and overwatering. If at all possible do this 2 to 3 times per month through the October. Make adjustment and repairs as necessary to conserve water.

**Hydrozone Legend**



**BARRY EMMERSON BUREAU OF ARCHITECTURE**  
 777 North First Street  
 Fifth Floor  
 San Jose, CA 95112  
 Tel: (408) 297-0243  
 Fax: (408) 297-2252

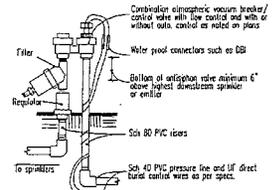
**Gregory Lewis Landscape Architect**  
 736 Park Way  
 Santa Cruz, CA 95065  
 (831) 425-4747  
 greg@greglewis.com  
 6/25/11 San Jose, Planning Plan for Protection and Mitigation

**Morse Street Courthomes**  
 980 Morse Street, San Jose, CA  
 APRN: 20-44-040 PDC 11-10-15  
 IRRIGATION HYDROZONE PLAN

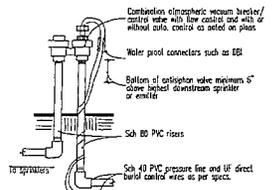


Date: 31 MARCH 2011  
 Scale:  
 Drawn by: Greg  
 Job #: 0139-71-110  
 Sheet:

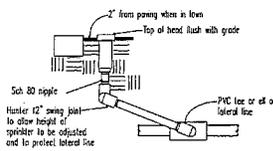
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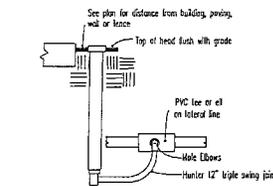
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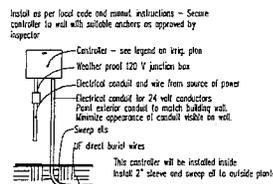
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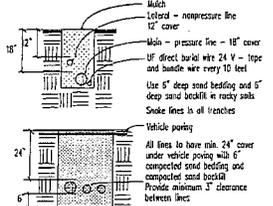
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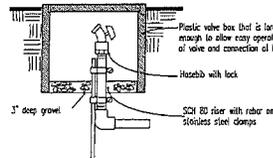
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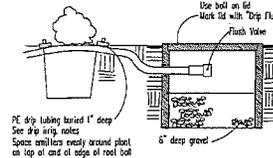
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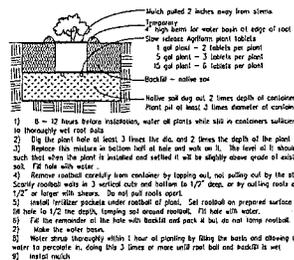
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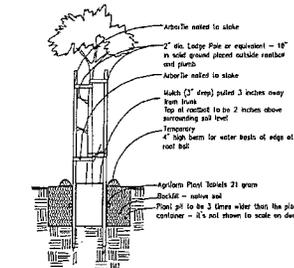
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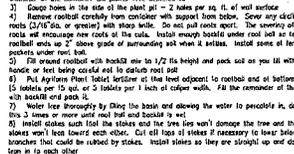
**Drip Emitter and Flush Valve**  
No Scale



**Shrub Planting**  
No Scale



**Tree Planting**  
No Scale



**Street tree planting to follow San Jose standard Street Tree Planting Detail**  
No Scale



**BARRY SWENSON BUILDER**  
PROFESSIONAL CIVIL ENGINEER  
777 North First Street  
Fifth Floor  
San Jose, CA 95112  
Tel: (408) 287-6244  
Fax: (408) 287-2346



**Gregory Lewis Landscape Architect**  
#22176  
736 Park Way  
Santa Cruz, CA 95065  
(831) 425-4747  
lewisl@gregorylewis.com  
Professional:  
12.03.10 BLDG DEPT REGISTRATION  
03.22.10 BLDG DEPT REGISTRATION  
06.22.10 BLDG DEPT REGISTRATION

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Barry Swenson Builder

**Morse Street Courthouses**  
980 Morse Street, San Jose, CA  
APN: 230-44-000  
PDZ 11-010 PDZ 11-015  
LANDSCAPE DETAILS



Date: 03 MARCH 2011  
Scale:  
Drawn by: Ding  
Job #: 1129-71-110  
Sheet:

**PDZ-6c**  
of 5





**Barry Swenson Builder**  
 777 North First Street  
 Fifth Floor  
 San Jose, CA 95112  
 Tel: (408) 297-0240  
 Fax: (408) 297-0246

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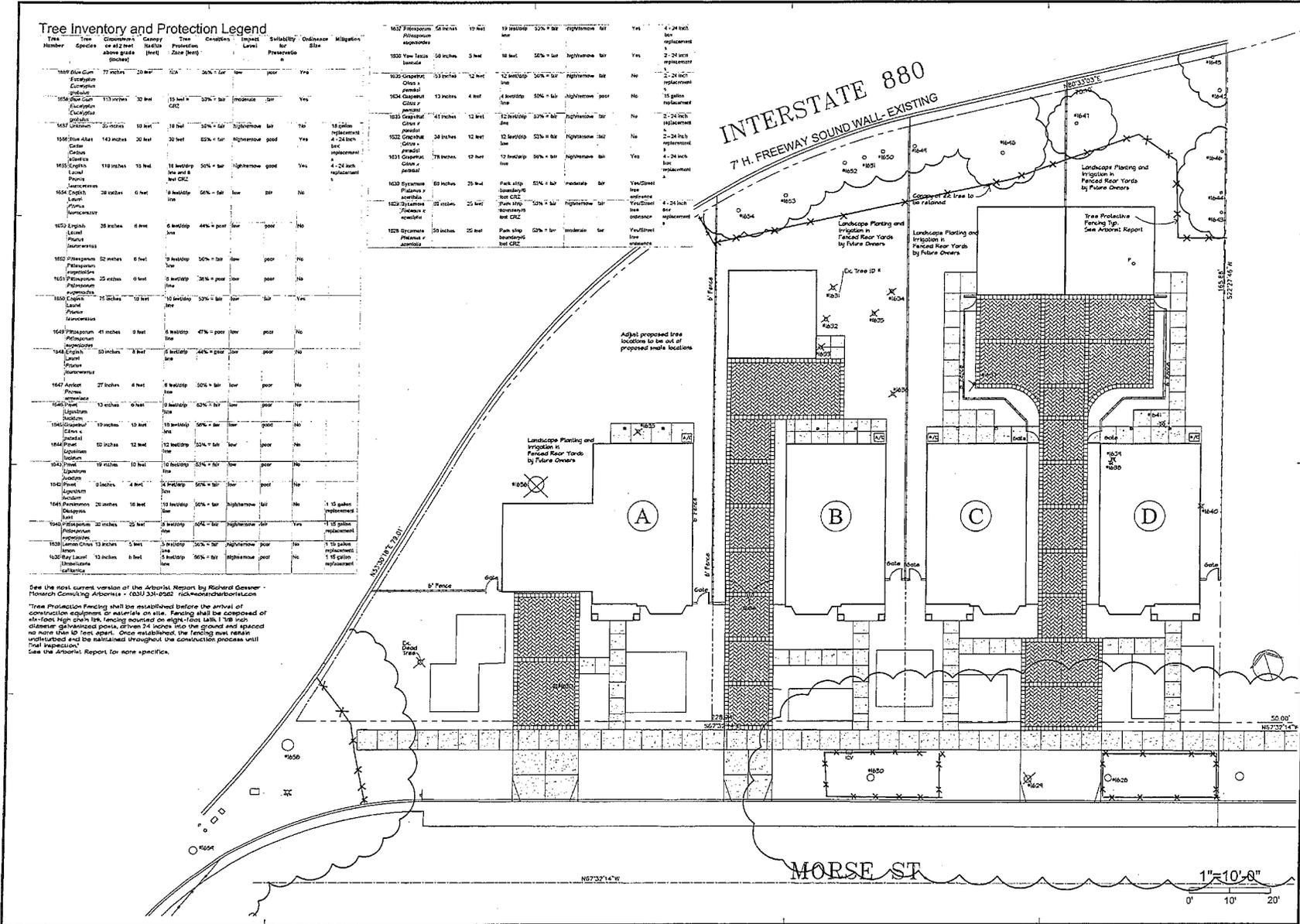
**Morse Street Courthouses**  
 980 Morse Street, San Jose, CA  
 APN: 200-44-0-00  
 TREE INVENTORY and  
 PROTECTION PLAN



Date: 31 MARCH 2011  
 Scale:  
 Drawn by: GFLP  
 Job #: 2138-71-110

**PDZ-6e**

GENERAL DEVELOPMENT PLAN - EXHIBIT "C"



Tree Number	Tree Species	Circumference at 4.5 ft (inches)	Canopy Spread (feet)	Tree Protection Zone (feet)	Condition	Impact Level	Sensitivity	Orderance	Mitigation
1589	Red Gum	77 inches	20 feet	30'	30% + 5'	low	poor	Yes	4 - 24 inch replacement
1590	Red Gum	113 inches	30 feet	40'	30% + 5'	moderate	poor	Yes	18 gallon replacement
1637	Lotus	50 inches	10 feet	18 feet	50% + 5'	high/narrow	fair	No	18 gallon replacement
1638	Shrub Atlas	142 inches	30 feet	30 feet	65% + 5'	high/narrow	good	Yes	4 - 24 inch replacement
1639	Shrub Atlas	118 inches	10 feet	18 feet	50% + 5'	high/narrow	good	Yes	4 - 24 inch replacement
1640	Shrub Atlas	28 inches	0 feet	18 feet	50% + 5'	low	poor	No	18 gallon replacement
1641	English Laurel	35 inches	8 feet	6 feet	44% + 5'	low	poor	No	18 gallon replacement
1642	Pigeonwood	32 inches	6 feet	9 feet	50% + 5'	low	poor	No	18 gallon replacement
1643	Pigeonwood	25 inches	0 feet	6 feet	38% + 5'	low	poor	No	18 gallon replacement
1644	English Laurel	21 inches	10 feet	10 feet	50% + 5'	low	poor	Yes	18 gallon replacement
1645	Pigeonwood	41 inches	0 feet	6 feet	47% + 5'	low	poor	No	18 gallon replacement
1646	English Laurel	10 inches	3 feet	6 feet	44% + 5'	low	poor	No	18 gallon replacement
1647	Arbutus	27 inches	8 feet	9 feet	50% + 5'	low	poor	No	18 gallon replacement
1648	Ligustrum	13 inches	6 feet	10 feet	50% + 5'	low	poor	No	18 gallon replacement
1649	Quercus	19 inches	10 feet	13 feet	50% + 5'	low	poor	No	18 gallon replacement
1650	Prunella	10 inches	12 feet	12 feet	50% + 5'	low	poor	No	18 gallon replacement
1651	Prunella	16 inches	10 feet	16 feet	50% + 5'	low	poor	No	18 gallon replacement
1652	Prunella	8 inches	4 feet	6 feet	50% + 5'	low	poor	No	18 gallon replacement
1653	Prunella	20 inches	10 feet	10 feet	50% + 5'	high/narrow	fair	No	18 gallon replacement
1654	Pigeonwood	20 inches	25 feet	6 feet	40% + 5'	high/narrow	fair	Yes	18 gallon replacement
1655	Lemon Chena	13 inches	5 feet	6 feet	50% + 5'	high/narrow	poor	No	18 gallon replacement
1656	Bay Laurel	13 inches	8 feet	6 feet	50% + 5'	high/narrow	poor	No	18 gallon replacement

1657	Pigeonwood	54 inches	10 feet	19 feet	50% + 5'	high/narrow	fair	Yes	4 - 24 inch replacement
1658	Yew	56 inches	5 feet	18 feet	50% + 5'	high/narrow	fair	Yes	2 - 24 inch replacement
1659	Shrub Atlas	53 inches	12 feet	12 feet	50% + 5'	high/narrow	fair	No	2 - 24 inch replacement
1660	Shrub Atlas	13 inches	8 feet	18 feet	50% + 5'	high/narrow	poor	No	18 gallon replacement
1661	Shrub Atlas	41 inches	12 feet	12 feet	50% + 5'	high/narrow	fair	No	2 - 24 inch replacement
1662	Shrub Atlas	38 inches	12 feet	12 feet	50% + 5'	high/narrow	fair	No	2 - 24 inch replacement
1663	Shrub Atlas	78 inches	17 feet	12 feet	50% + 5'	high/narrow	fair	Yes	4 - 24 inch replacement
1664	Shrub Atlas	69 inches	25 feet	18 feet	50% + 5'	moderate	fair	Yes	18 gallon replacement
1665	Shrub Atlas	32 inches	25 feet	12 feet	50% + 5'	high/narrow	poor	No	4 - 24 inch replacement
1666	Shrub Atlas	28 inches	25 feet	12 feet	50% + 5'	moderate	fair	Yes	18 gallon replacement

See the most current version of the Arborist's Report by Richard Geener-Monarch Consulting Arborists - (831) 331-9562 rich@monarcharborists.com

\*Tree Protection Fencing shall be established before the arrival of construction equipment or materials on site. Fencing shall be composed of 4-ft-tall high chain link fencing mounted on eight-foot tall 1 1/2 inch diameter galvanized posts, 27 feet 24 inches into the ground and spaced no more than 10 feet apart. Once established, the fencing must remain undisturbed and be maintained throughout the construction process until final inspection.

See the Arborist's Report for more specifics.