COUNCIL AGENDA: 03-20-12
ITEM: 11.3

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Joseph Horwedel

SUBJECT: **SEE BELOW**

DATE: March 2, 2012

COUNCIL DISTRICT: 4
SNI: N/A

TRANSMITTAL

The projects being considered are on an 8.1 gross acre site located on the north side of River Oaks Parkway, approximately 200 feet east of Research Place (401 River Oaks Parkway) (GRE River Oaks LLC, Owner). Council District 4. SNI: None. CEQA: Addendum to the North San Jose Development Policies Update EIR.

1. **File No. PDC11-018.** A Planned Development Rezoning from the IP Industrial Park Zoning District to the A(PD) Planned Development Zoning District to allow for the development of up to 450 multi-family attached residential units.
2. **File No. DA12-001.** Consideration of an ordinance to approve a Development Agreement with River Oaks San Jose, LLC (Irvine Company) to reallocate up to 450 residential units from Affordable Rate to Market Rate Units in the North San José Area Development Policy area subject to performance by IAC for payment of contributions, commencement of construction and subsequent occupancy per deadlines of performance.

The Planning Commission will hear this project on March 7, 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 Joseph Horwedel at (408) 535-7900

P.C. Agenda: 03-07-12
Item No. 3.a.1.

STAFF REPORT
PLANNING COMMISSION

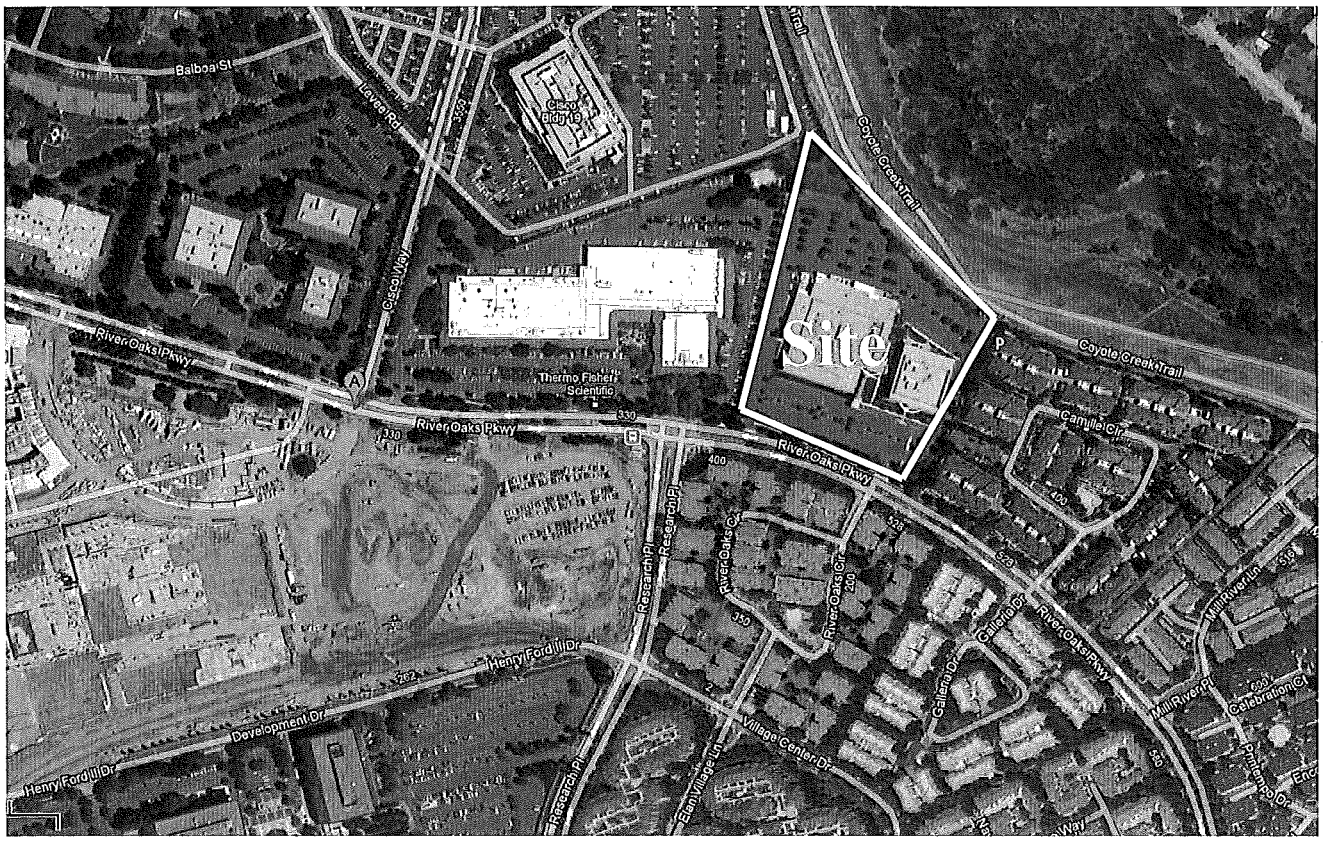
FILE NO.: PDC11-018 **Submitted: October 14, 2011**

PROJECT DESCRIPTION:
A Planned Development Rezoning from the IP Industrial Park Zoning District to the IP(PD) Planned Development Zoning District to allow for the development of a minimum of 450 residential apartment units on the 8.1 gross acre site.

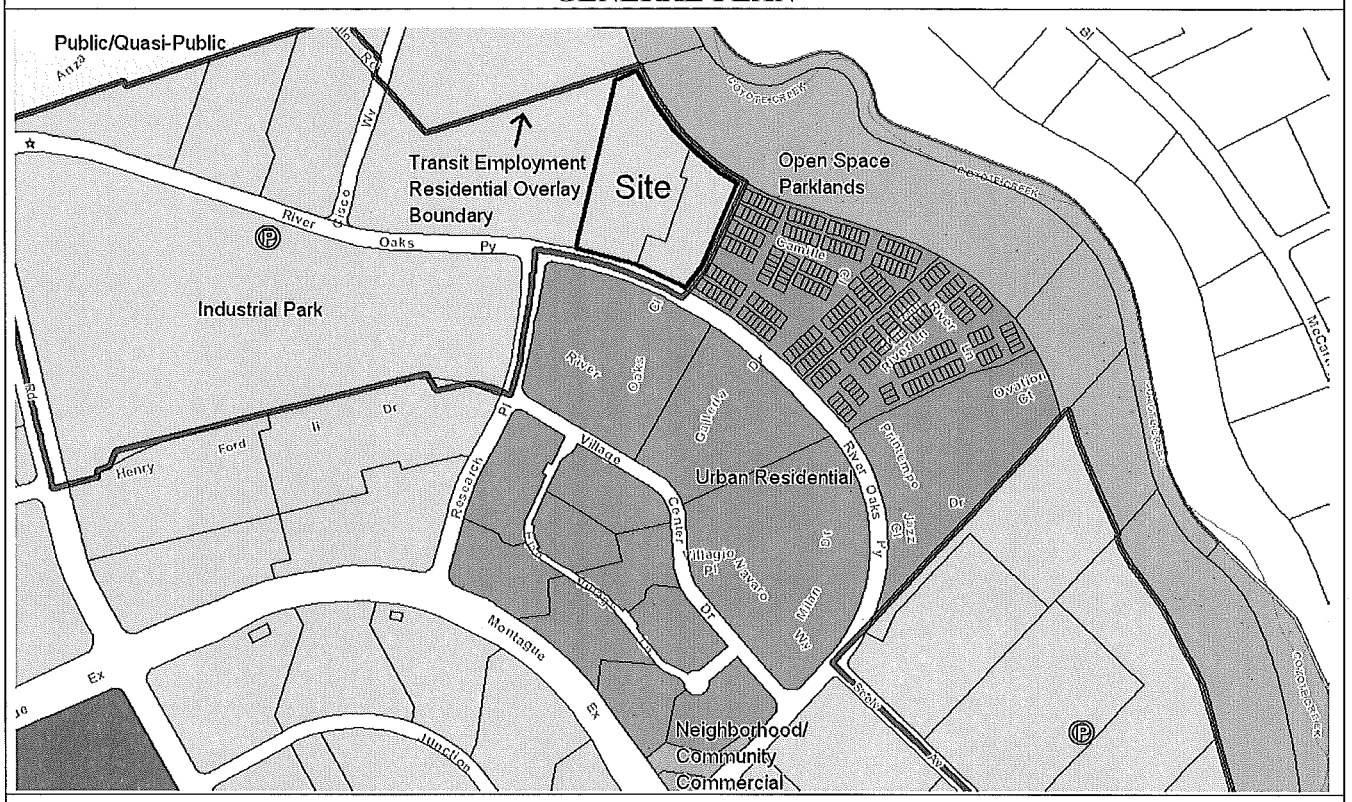
LOCATION:
North side of River Oaks Parkway, approximately 200 feet east of Research Place.

Zoning	IP – Industrial Park
Proposed Zoning	IP(PD) Planned Development
General Plan	Industrial Park w/ Transit Employment Residential Overlay
Council District	4
Annexation Date	February 1, 1979 (Orchard No. 85)
SNI	NA
Historic Resource	NA
Development Policy Area	North San Jose
Specific Plan	NA

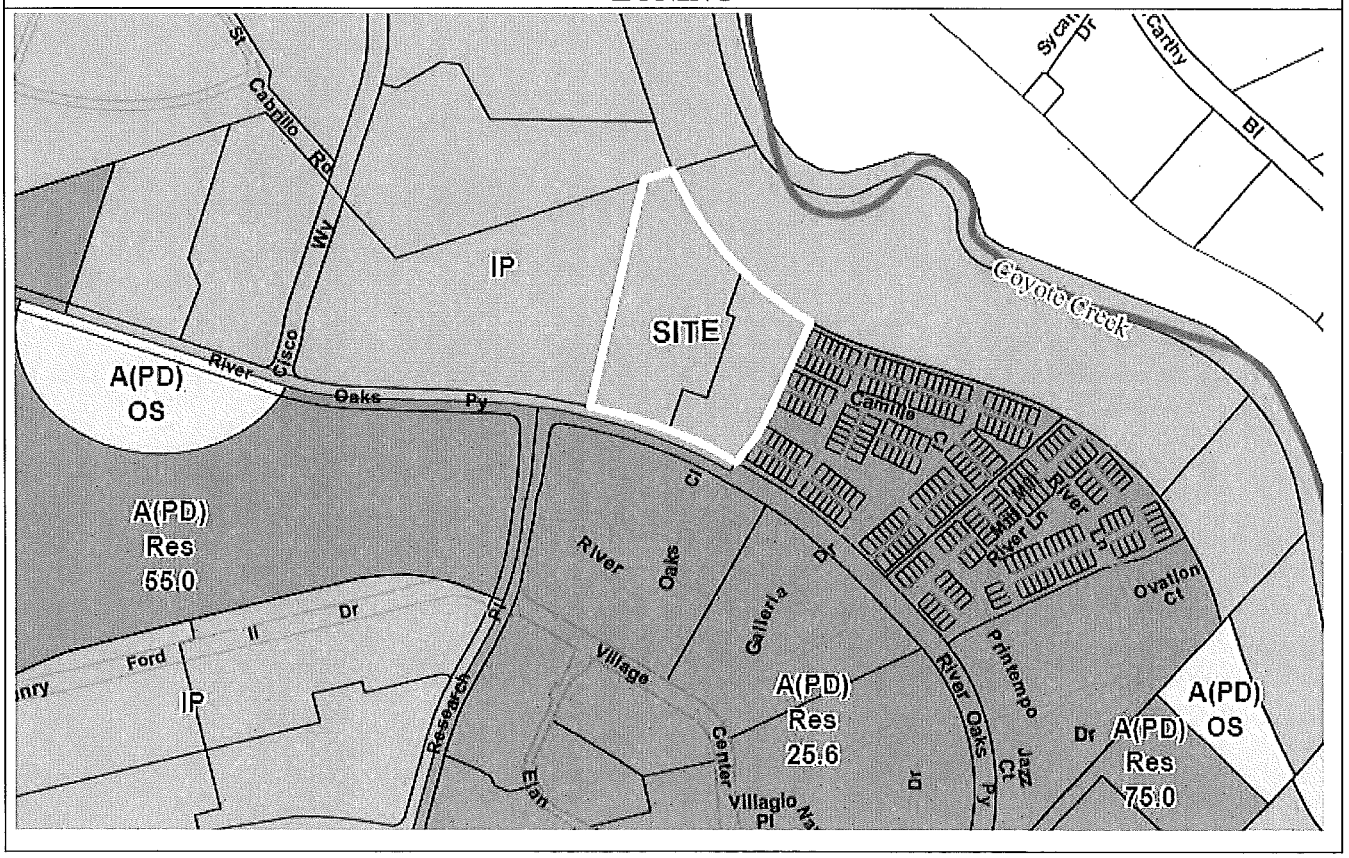
Aerial Map N ↑



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. There is no substantial evidence that the project will have a significant effect on the environment. An Addendum to the North San Jose Development Policy Update (EIR) was prepared for the proposed project in conformance with the California Environmental Quality Act (CEQA).

2. The proposed Planned Development Rezoning is consistent with the goals and policies of the Envision San Jose 2040 General Plan, specifically:
    a. The zoning will comply with site's the Land Use/Transportation Diagram land use designation of Industrial Park with Transit Employment Residential Overlay.
    b. The project is consistent with the General Plan's Focused Growth Major Strategy in that the subject site is located with the North San Jose area, which is identified as a growth area in the General Plan.

3. The project is in conformance with the North San Jose Area Development Policy.

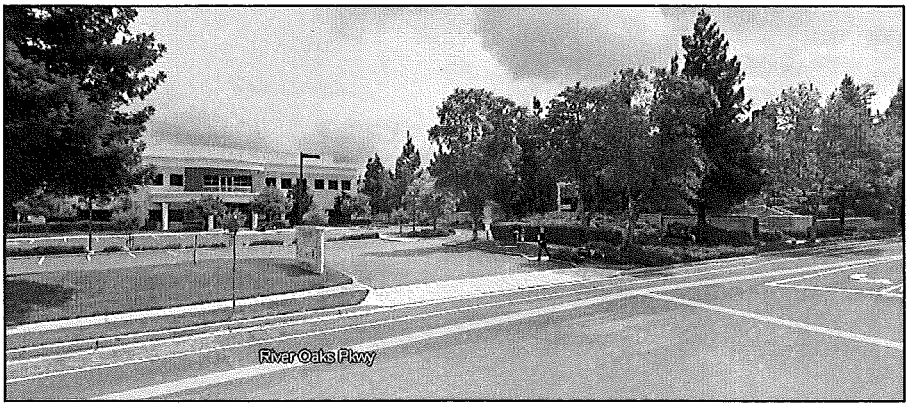
4. The project is consistent with the appropriate provisions of the Residential Design Guidelines for podium cluster housing and the North San Jose Urban Design Guidelines.

BACKGROUND & DESCRIPTION

On October 14, 2011, the Irvine Company applied for a Planned Development Rezoning on the subject site to allow for the development of 450 multi-family attached residences, at an approximate net density of 55 DU/AC. The conceptual site plan depicts a five-story podium product type with one level of below-ground parking, a mix of studio, one-bedroom, and two-bedroom residential units, a central open space area on the podium deck with recreational facilities, and a new public street along the western property line.

Site and Surrounding Uses

The subject 8.1 gross acre site is currently developed with two large industrial buildings and a surface parking lot. The land uses surrounding the site include residential townhomes and apartments to the east and south, industrial uses to the west, and Coyote Creek, including the northern section of the Coyote Creek Trail, to the north. The Cisco Way Light Rail Station is located approximately 0.8 miles from the project site.



View of the site from River Oaks Parkway looking at one of the two office buildings.

Community Engagement

On February 8, 2012, a community meeting was held for the proposed rezoning at the office building on the subject site (405 River Oaks Parkway), at which approximately 40 community members were in attendance. A majority of those at the meeting expressed that they were concerned that this project combined with adjacent Crescent Village housing project that is under construction is changing the dynamic of the area and the existing neighborhood will not be a quiet little neighborhood anymore. Other concerns centered on the adequacy of guest parking, school capacity, the lack of retail in the area (most specifically a grocery store), an increase in traffic and noise, and the need for parkland. One community member suggested that the park fees from the proposed project be used to construct and maintain the proposed park behind the Essex site located at the corner of River Oaks Parkway and Seely Avenue.

ANALYSIS

The proposed rezoning was analyzed with respect to: 1) conformance with the Envision San Jose 2040 General Plan, 2) conformance with the North San Jose Area Development Policy, 3) conformance with the North San Jose Urban Design Guidelines, 4) conformance with the Residential Design Guidelines, 5) parking, 6) sustainability, and 7) the California Environmental Quality Act (CEQA).

Envision San Jose 2040 General Plan Conformance

The subject site has a Envision San Jose 2040 General Plan Land Use/Transportation Diagram designation of Industrial Park with Transit Employment Residential Overlay (55 to 250 DU/AC; FAR 2.0 to 12.0 (5 to 25 stories)). The Industrial Park land use designation intended for a wide variety of industrial users such as research and development, manufacturing, assembly, testing and offices. Transit Employment Residential Overlay designation identifies sites within the North San José Employment Center that may be appropriate for residential development, but only in accordance with other policies contained in the North San José Area Development Policy. Development within this category is intended to make efficient use of land to provide residential units in support of nearby industrial employment centers. Site specific land use issues and compatibility with adjacent uses should be addressed through the development permit process.

The proposed rezoning on the subject site located within the North San José Area for up to 450 multi-family attached residential units at a net density of 55 dwelling units per acre is consistent with the density range of the Transit Employment Residential Overlay land use designation. Therefore, the proposed development on the site is consistent with its land use designation.

The proposed project on the subject site is also consistent with the General Plan's Focused Growth Major Strategy. This Strategy strategically focuses new growth into areas of San José that will enable the achievement of City goals for economic growth, fiscal sustainability and environmental stewardship and support the development of new, attractive urban neighborhoods. The strategy directs and promotes growth within identified Growth Areas, it also strictly limits new residential development through neighborhood infill outside of these Growth Areas to preserve and enhance the quality of established neighborhoods, to reduce environmental and fiscal impacts, and to strengthen the City's Urban Growth Boundary. Consistent with this Strategy, the subject site is located with the North San Jose area, which is identified as a growth area in the General Plan.

North San Jose Area Development Policy

The *North San Jose Area Development Policy* provides for the development of up to 32,000 new residential dwelling units within North San Jose, including the potential conversion of up to 285 acres of existing industrial lands to residential use at minimum densities of either 55 DU/AC (up to 200 acres) or 90 DU/AC (up to 85 acres). The Policy supports industrial to residential conversions only within the Transit/Employment Residential District Overlay areas. The Policy further states that proposed conversions should be evaluated through the zoning process for conformance with City policies, and according to the following specific criteria:

1. A maximum of 285 acres of land may be converted to residential use within the areas designated as Transit/Employment Residential District on the City's General Plan Land Use / Transportation Diagram.

   The proposed project will result in the conversion of an additional 8.1 acres of land. If approved, the subject rezoning will result in the conversion of a cumulative total of 120.33 acres of the 285 provided for in the Policy.

2. New residential density must have a minimum net density of 90 DU/AC on at least 85 of those acres. The remainder must have a minimum net density of 55 DU/AC.

   The project proposes 450 multi-family attached residential units at a net density of 55 dwelling units per acre on the 8.1 gross acres. To date, a total of 112.23 acres have been converted, of which 6.42 acres are at a density of 90 DU/AC and 105.81 acres are at a density of 55 DU/AC or more. Therefore, the additional 8.1 acres at 55 DU/AC is consistent with the Policy density and acreage requirements.

3. The site must not contain an existing important vital or 'driving' industrial use.

   The two-story office building on the subject site is vacant and therefore does not contain an existing important vital or 'driving' industrial use

4. The site must not be located adjacent to an industrial use that would be adversely impacted by the residential conversion.

   The only industrial use adjacent to the project site is an office use located to the west of the site, which would be separated from the project by a public street. Office uses are a compatible use to residential. Additionally, the office use to the west has a General Plan land use designation of Transit Employment Residential.

5. The site must not be located in proximity to an industrial or hazardous use that would create hazardous conditions for the proposed residential development (e.g. an adequate buffer must be provided for new residential uses from existing industrial uses) in order to protect all occupants of the sites, and to enhance preservation of land use compatibility among sites within the Policy area. A risk assessment may be required to address compatibility issues for any proposed industrial to residential conversion.

   The subject site is not located in proximity to an industrial or hazardous use. The site is surrounded by residential uses, Coyote Creek, and a single-story office building. A risk assessment was not required.

6. New parks, schools, community facilities and other supporting uses should be built within the Transit/Employment Residential District Overlay area to the extent feasible, but location of public facilities on land outside of the overlay area may be allowed to comply with other laws, policies and regulations. Suitable locations for these uses should be identified and included within a project when appropriate.

   The subject site, or a portion of it, is not needed for a park or a school because a new 5-acre public park is under construction as a part of the Crescent Village residential development project located approximately 800 feet southwest of the subject site and the Santa Clara Unified School District (SCUSD) is pursuing acquisition of a 55 acre portion of the former 86-acre Agnew Developmental Facility for the purpose of developing a K-12 school campus. This school site is located on the east side of Zanker Road between Center Road and River Oaks Parkway just west of the subject site. The capacity of the proposed school campus would be up to 2,800 students, including 1,800 high school students and 1,000 K-8 students.

7. The site should be located within 1,000 feet of an existing neighborhood or community park (at least 3 acres in size). The proposed development should contribute toward the establishment of a new park (at least 3 acres in size) within 1,000 feet of the project site through compliance with the provisions of the City's Parkland Dedication Ordinance or voluntary donation. Staff will determine the most suitable site for a new park within the contiguous overlay area with the intent of identifying a centrally located and accessible park site. In some cases, the most suitable site to provide a centrally located park site or to support a joint school-park use within a particular overlay area may be more than 1,000 feet from some properties within that overlay area. All residential projects are subject to the Parkland Dedication Ordinance (PDO). Land dedication requirements will be consistent with the PDO in addition to the proximity requirement established in this Policy.

   The subject site is located within 1,000 feet of a new 5-acre public park that is under construction as a part of the Crescent Village residential development project located approximately 800 feet southwest of the subject site.

8. Master planning to identify sites for parks, schools and other public facilities as necessary must be completed within each of the seven new residential areas prior to any proposed conversion within that area.

   The subject site is located within the boundaries of the Santa Clara Unified School District (SCUSD). As required by California Government Code Section 53080, the project will be required to pay a school impact fee for residential development to offset the increased demands on school facilities caused by the project to the Santa Clara Unified School District (SCUSD). The development of a residential project on the subject site will not preclude future identification of appropriate school sites. However, the Agnews site, located to the west of the subject site on Zanker Road, has a General Plan land use designation of Public/Quasi-Public and is being considered for a new Santa Clara Unified School District (SCUSD) campus as discussed above.

9. The proposed project must be designed to support transit use and pedestrian activity.

   The project as proposed maximizes the density on the site; and proposes an urban form, buildings and pedestrian entrances at located at the street; and locates parking within the podium structure.

Pedestrian connections are also provided on all sides of the building and lead out to public streets.

North San Jose (NSJ) Urban Design Guidelines

The North San Jose (NSJ) Urban Design Guidelines are part of the Implementation Strategy for the North San José Area Development Policy. The Guidelines help shape and support the identity of North San José as a unique and attractive place that includes a pedestrian and transit-oriented business center in its core and connected neighborhoods that support job growth.

Site Layout
The Guidelines state that buildings should: 1) be oriented parallel to existing streets and along the edges of a site to create a tight urban fabric, 2) respond to the existing and planned context, and 3) integrate and connect to local and on-site natural assets. Consistent with the aforementioned guidelines, the site is laid out in such a manner. The buildings are located parallel to the new and the existing streets. The proposed site layout also provides its greatest setback from the existing residential uses, which provides a sufficient buffering for greater privacy to those existing residences. A proposed new street terminates at the rear of the property adjacent to the Coyote Creek and Coyote Creek Trail. However, due to the flood control levee there is no public access to the trail at this location.

The aforementioned new street will have a sidewalk, park strip with street trees, and street parking on the project (east) side. The west side of the street will only be improved with a curb, gutter, and landscaping. The remainder of this new street will be constructed at the time of redevelopment of the adjacent property. This new street is consistent with the street network laid out in the Guidelines, which is intended to provide a clear hierarchy of streets that will help provide pedestrians, bicyclists, and motorists multiple ways in which to get to and through North San José. This new street will eventually provide vehicle, pedestrian, and bicycle connections to the adjacent properties to the north and west upon those properties redeveloping.

Street Frontages
The Guidelines state that new buildings should orient themselves to public streets to contribute to a pedestrian-friendly streetscape. In residential areas, stoops along streets are required for those streets with street parking. The build-to line for residential buildings should be 15 feet from the street facing property line and building recesses and encroachments are encouraged. The project provides for all of these elements consistent with the aforementioned guidelines.

Height
The conceptual building elevation depicts an overall maximum height of 55 feet. The Guidelines state that a crucial element of any vibrant, active urban district is people. A critical mass of residents can only happen if building heights allow for the necessary density of people. The Guidelines indicate a maximum height of 120 feet for the subject site. However, the site is adjacent to an existing three-story residential development and a two-story residential development across River Oaks Parkway. The Development Standards allow for a height of 120 feet consistent with the Guidelines, but includes a further standard requiring the height of the building to be at 55 feet at the eastern property line in order to be sensitive to the existing adjacent residential uses.

Residential Design Guidelines

This zoning application proposes a maximum of 450 multi-family residential units in a single podium building designed consistent with the intent of the Podium Cluster Housing product type identified in the Residential Guidelines.

Setbacks
The proposed project provides perimeter setbacks from adjacent uses in accordance with the Residential Design Guidelines. The minimum front setback from River Oaks Parkway is 25 feet as recommended by the Guidelines. The project provides a setback of 50 feet from the eastern property line, which provides for a good interface to the existing three-story residences and will provide adequate room for landscaping and an Emergency Vehicle Access (EVA) that will double as a pedestrian paseo. The rear setback adjacent to the earthen flood control levee of the Coyote Creek is 40 feet. Due to the flood control levee, there is no sensitive riparian habitat that requires a greater setback and the proposed 40 foot setback is adequate to accommodate the EVA/pedestrian paseo and landscaping. Finally, the setback adjacent to the new public street along the western side of the project is 15 feet. The project takes on a more urban form in this location right on the new street. There are no uses that require the project to be buffered from as an office building is located across the new street, which may in the future be redeveloped with an urban multi-family residential development.

Open Space
The Guidelines recommend minimum amounts of private and common open space per unit. In this case, the Guidelines recommend that private open space be provided at a minimum of 60 square feet per unit and common open space at a minimum of 100 square feet per unit. The applicant has requested a standard of a combination of common and private open space at a ratio of at least 160 square feet per unit.

The project meets or exceeds the recommended private open space requirement for a majority of the nine unit types that at this time are conceptually proposed. The studio units do not have any private open space and two of the unit types provide 41 square feet and 58 square feet of private open space. As for common open space, the project provides large courtyards on the podium, and recreation facilities, such as, a basketball court, swimming pools, a fitness room, and a community room. These aforementioned amenities will meet or likely exceed the recommended 100 square feet per unit of the Guidelines. While the private open space does not meet the exact requirements of the Guidelines, double the amount of recommended common open space is provided, which compensates for the lack of private open space. Additionally, recreational opportunities will be provided in a new 5-acre public park that is under construction as a part of the Crescent Village residential development project, which is located approximately 800 feet southwest of the subject site. Therefore, staff agrees that the applicant's requested combined open and private space ratio of 160 square feet per unit meets the intent of the Guidelines and will provide an adequate amount of open space.

Parking

The North San Jose Urban Design Guidelines state that providing large amounts of traditional surface parking consumes large amounts of land, encourages driving, increases stormwater run-off, and is a major contributor to the urban "heat island" effect. Consistent with this guideline the project proposes all of the parking to be provided in the podium structure.

Additionally, the Residential Design Guidelines indicate various parking ratios based on the number of bedrooms in each unit. The project proposes the following parking ratios:

Studio: 1.2 spaces per unit
1-bedromm: 1.5 spaces per unit
2-bedromm: 1.8 spaces per unit
3-bedroom: 2 spaces per unit

Of the total number of parking spaces, 35 % of them will be tandem spaces and will be assigned to a 2- or 3-bedroom unit. The parking ratio for the studio units is proposed to be 1.2 spaces per unit, which is less than the 1.4 spaces per unit identified in the Residential Design Guidelines. To foster more pedestrian, bicycle and transit use, the parking reduction is support by staff. The parking ratios for the remainder of the unit types meet those identified in the Residential Design Guidelines.

Additionally, the Environmental Leadership goals of the San Jose 2040 General Plan encourage the use of public transit to minimize the dependence on the automobile through the application of site design guidelines and transit incentives. The subject site is within a mile of a light rail transit station and a future BART station, which does not meet the 2,000 feet typically used to allow for a parking reduction. However, given the intent of the Environmental Leadership goals of the General Plan, the Development standards do include an alternative parking ratio that would allow for less parking if a Transportation Demand Management (TDM) parking program (e.g. transit incentives) was implemented, such as a car share program.

Bicycle Parking
The development standards include a provision for bicycle parking consistent what is required per the Zoning Ordinance, Title 20, Table 20-190, as amended.

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 include a condition that the project achieve GreenPoint rating of 50 points or be LEED Certified. At this time, it is unknown what specific green building measures the project will implement.

California Environmental Quality Act (CEQA)

An Initial Study (IS) and Addendum to the North San Jose Area Development Policies Update Program Environmental Impact Report (EIR) were prepared by the Director of Planning, Building, and Code Enforcement for the subject Planned Development Rezoning.

Based on the analysis in the Initial Study and Addendum, the City concludes that the Final Program EIR adequately addresses the environmental effects of the proposed rezoning for 450 residential units as part of the 32,000 units that the Program EIR analyzed. Furthermore, the City finds that this project would not result in significant environmental effects not already identified in the Final Program EIR.

PUBLIC OUTREACH/INTEREST

In addition to the community meeting, the property owners and occupants within a 1,000-foot radius were sent public hearing notices for the Planning Commission and City Council hearings. This staff report has been posted on the City's web site. Signage 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:** Laurel Prevetti **Date:** 2·29·12

Owner/Applicant:	Attachments:
Owner: River Oaks San Jose Group, LLC 550 Newport Center Drive Newport Beach, CA 92660 Applicant: The Irvine Company 550 Newport Center Drive Newport Beach, CA 92660	Plan Set Development Standards Neighbor Correspondence

FILE NO. PDC11-018
RIVER OAKS
DEVELOPMENT STANDARDS

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

USE ALLOWANCES

- Multi-family attached residential at a minimum density of 55 DU/AC

INTERIM OFFICE USES:

- The interim uses of the existing office building that conform to the development regulation of the IP-Industrial Park zoning district.

DEVELOPMENT STANDARDS

SETBACKS: (*setbacks are measured from the building to the face of curb*)

- Building to River Oaks Parkway: 25 feet
- Building to side (eastern property line): 50 feet
- Building to New Street (western property line): 15 feet
- Building to rear (north property line): 40 feet

Setback Exceptions:

- Porches and stoops may extend into any setback area by a maximum of 12'.
- Minor architectural projections such as fireplaces, bay windows and balconies may project into any setback by up to 4' for a length not to exceed 10' or 20% of the building elevation length.

MAXIMUM BUILDING HEIGHT:

- Height: 120 feet above grade, with a maximum of 55 feet at eastern property line adjacent to existing residential units.

Height Exceptions:

- Non-habitable architectural projections and special treatments (e.g., chimneys, weather vanes, cupolas, pediments, etc.) shall be permitted to project above the maximum height limit by 10 feet. Non-habitable mechanical and equipment rooms shall also be permitted to exceed the height limit provided that such equipment is screened from the predominant public view or architecturally integrated within the building.

PARKING REQUIREMENTS:

- Studio: 1.2 spaces per unit
  1-bedromm: 1.5 spaces per unit
  2-bedromm: 1.8 spaces per unit

3-bedroom: 2 spaces per unit

- Tandem spaces are permitted and shall be assigned to a 2- or 3-bedroom unit.

Parking Exception for Street Parking:

- The overall residential and commercial parking requirement may be reduced at the discretion of the Director of Planning at the Planned Development Permit stage, provided that the developer can demonstrate that adequate street parking along the public street frontages of the project is provided in accordance with the standards identified for the this project.

PARKING REQUIREMENTS **WITH** A TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM:

- 1.4 parking space per unit, with the provision of Transportation Demand Management Program (TDM) which can include but is not limited to discounted ECO passes available to all residents or a car share program.

- Tandem parking spaces are not permitted unless a 24-hour valet system or equivalent measure is implemented so that a set of tandem spaces can be more effectively accessed by separate residential tenants. Otherwise, a tandem parking (a set of two spaces) shall be assigned to one unit.

BICYCLE PARKING REQUIREMENTS:

- Shall be provided per Title 20, Table 20-190, as amended.

OPEN SPACE REQUIREMENTS:

- A combination of common and private open space at a ratio of at least 160 square feet per unit.

ARCHITECTURAL DESIGN:

- The architectural design of the development shall conform to the standards of the North San Jose Urban Design Guidelines.

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**:
   a) An area-wide traffic impact analysis was prepared as part of the North San Jose Area Development Policy, adopted June 2005. Traffic impacts were identified and resulted in an area wide traffic impact fees. This project is covered under the North San Jose EIR.
   b) Consistent with North San Jose EIR, this project is required to pay a traffic impact fee. The 2011 fee is $6,800 per multi-family unit and subject to an annual escalation of 3.3% on July 1st. This fee must be paid prior to issuance of Public Works Clearance. Credits for existing structures on site will be applied to the residential traffic impact fee consistent with the policy and will be prorated with each building permits issued.

3. **Easement Vacation**: A landscape easement vacation is required. The vacation process requires further discretionary approval by the City Council and the project will be subject to this process prior to Public Works Clearance.

4. **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 more than one acre, the applicant is required to submit a Notice of Intent to the State Water Resources Control Board and to prepare a Storm Water Pollution Prevention Plan (SWPPP) for controlling storm water discharges associated with construction activity. Copies of these documents must be submitted to the City Project Engineer prior to issuance of a grading permit.
   d) The Project site is within the State of California Seismic Hazard Zone. A geotechnical investigation report addressing the potential hazard of liquefaction must be submitted to, reviewed and approved by the City Geologist prior to issuance of a grading permit or Public Works Clearance. The investigation should be consistent with the guidelines published by the State of California (CGS Special Publication 117A) and the Southern California Earthquake Center (SCEC, 1999). A recommended depth of 50 feet should be explored and evaluated in the investigation.

5. **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 are under review. 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.

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

7. **Flood: Zone X**
The project site is in Flood zone X which is not within a designated Federal Emergency Management Agency (FEMA) 100-year floodplain. The FEMA flood maps show the project site being protected from a one-percent-annual-chance or greater flood hazard by a levee system and notes that overtopping or failure of any levee system is possible. There are no City floodplain requirements for zone X.

8. **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.

9. **Municipal Water:** In accordance with City Ordinance #23975, Major Water Facilities Fee is due and payable. Contact Jeffrey Provenzano at (408) 277-3288 for further information.

10. **Parks:** This residential project is subject to either the requirements of the City's Park Impact Ordinance (Chapter 14.25 of Title 14 of the San Jose Municipal Code) or the Parkland Dedication Ordinance (Chapter 19.38 of Title 19 of the San Jose Municipal Code) for the dedication of land and/or payment of fees in-lieu of dedication of land for public park and/or recreational purposes under the formula contained within in the Subject Chapter and the Associated Fees and Credit Resolutions.

11. **Assessments:** This project is located within Zone A of Maintenance District 19 which maintains the enhanced landscaped median islands on River Oaks Parkway and Research Place, plus special paving at certain intersections within the boundaries of the district. Properties within the district pay for the maintenance through annual assessments placed on the County property tax bills which are adjusted annually by the Consumer Price Index. The 2011-2012 assessment for APNs 097-33-102 and 097-33-103 collectively is $1,794.84 and is calculated at approximately $221 per acre. A change in land use from industrial to residential may change the assessment amounts. Future year assessments will be apportioned based on the new parcel configuration and will continue to be collected through the County property tax.

12. **Street Improvements**:
a) Construct curb, gutter and a 10' attached sidewalk with tree wells along the new public street located on the project's westerly property line.

b) Removal and replacement of existing curb, gutter and sidewalk along the River Oaks frontage may be required.
c) Close unused driveway cut(s).
d) Proposed driveway width to be 26'.
e) Dedicate a minimum of 40' for the future public street along the westerly property line.
f) Dedication and improvement of the public streets to the satisfaction of the Director of Public Works.
g) Repair, overlay, or reconstruction of asphalt pavement will be required. The existing pavement will be evaluated with the street improvement plans and any necessary pavement restoration will be included as part of the final street improvement plans.

13. **Sanitary**: The project is required to submit plan and profile of the private sewer mains with lateral locations for final review and comment prior to construction.

14. **Recycled Water**: The project is required to construct a new recycled water main along the new public street and River Oaks Parkway frontages.

15. **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.

16. **Street Trees:** Install street trees within public right-of-way along entire project street frontage per City standards; refer to the current "Guidelines for Planning, Design, and Construction of City Streetscape Projects". Street trees shall be installed in cut-outs at the back of curb along the new public street and at the back of curb along River Oaks Parkway. Obtain a DOT street tree planting permit for any proposed street tree plantings.

ENVIRONMENTAL MITIGATION

1. **Air Quality.** The following construction practices shall be implemented during all phases of construction for the proposed project to prevent visible dust emissions from leaving the site.

   a. 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.

   b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard;

   c. 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.

   d. 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

e. Sweep streets daily, or more often if necessary (preferably with water sweepers) if visible soil material is carried onto adjacent public streets.

f. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more);

g. Enclose, cover, water at least twice daily, or apply not-toxic soil binders to exposed stockpiles (dirt, sand, etc,) to prevent visible dust from leaving the site;

h. Limit traffic speed on unpaved roads to 15 mph;

i. Install sandbags or other erosion control measures to prevent silt runoff to public roadways;

j. Replant vegetation in disturbed areas as quickly as possible;

k. Install wheel washers for all existing trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;

l. Install wind breaks, or plant trees/ vegetative wind breaks at windward side(s) of construction areas;

m. Suspend excavation and grading activities when winds instantaneous gusts exceed 25 mph; and

n. Limit the area subject to excavation grading, and other construction activity at any one time.

2. **Biological Resources.** The following mitigation measure will reduce impacts to potential onsite raptors to less than significant.

a. The following mitigation measure will be implemented in response to the potential disturbance to an active raptor nest as noted in the Biotic Evaluation: Trees planned for removal should be removed during the non-breeding season (September 1 through January 31). If it is not possible to avoid tree removal or other disturbances during the breeding season (February 1 through August 31), a qualified biologist should conduct a preconstruction survey for tree- nesting raptors in all trees within the development footprint and within 250 feet of the footprint no more than 30 days prior to the onset of ground disturbance, if such disturbance will occur during the breeding season. If nesting raptors are detected on the site during the survey, suitable construction-free buffers should be established around all active nests. The precise dimension of the buffer (up to 250 ft.) would be determined at that time and may vary depending on location and species. Buffers should remain in place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents. Pre-construction surveys during the non-breeding seasons are not necessary for tree- nesting raptors, as they are expected to abandon their roosts during construction.

3. **Cultural Resources.** Given the close proximity of the property to a noted historic resource and the inability to perform meaningful site reconnaissance, the Cultural Resources Evaluation recommends the following mitigation measure consistent with those outlined in the North San Jose Development Policies Update Program EIR:

   a. During demolition and construction activities, a qualified archaeologist shall be retained to spot check and monitor excavation into native soils for the proposed project. In the event that historic or prehistoric materials are encountered during site demolition or construction activities, the following shall apply:

      i. A qualified professional archaeologist will be notified and all further excavation activity shall be monitored. There shall be no excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains, until archaeological monitoring by the qualified archeologist begins.

      ii. Hand excavation and/or mechanical excavation will proceed to evaluate the deposits for determination of significance as defined by CEQA guidelines. The archaeologist shall submit reports, to the satisfaction of the City's Environmental Principal Planner, describing the testing program and subsequent results. These reports shall identify any program mitigation that the Developer shall complete in order to mitigate archaeological impacts (including resource recovery and/or avoidance testing and analysis, removal, reburial, and curation of archaeological resources.)

      iii. In the event that human remains and/or cultural materials are found, all project-related construction shall cease within a 50-foot radius in order to proceed with the testing and mitigation measures required. Pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code of the State of California:

         I. In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

   b. A final report shall be submitted to the City's Environmental Principal Planner prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results including a description of the monitoring and testing program, a list of the resources found, a summary of the resources analysis methodology and conclusions, and a description of the

disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the Director of Planning.

4. **Hazardous Materials.** The project applicant shall install monitoring wells on the project site to assess groundwater quality to delineate the extent of petroleum hydrocarbons. If petroleum hydrocarbons are detected at levels requiring remediation, appropriate remediation measures shall be conducted and documented in accordance with regulatory procedures and protocols, to the satisfaction of the Director of Planning.

5. **Noise.** The Environmental Noise Assessment recommends the following mitigation measures consistent with those outlined in the North San Jose Development Policies Update Program EIR.

    a. The following measures shall be implemented by the project developer to ensure compatibility with the Noise Element of the General Plan as outlined in the report entitled *401 & 405 River Oaks Parkway Environmental Noise Assessment, San Jose, California*, by Charles M. Salter Associates, Inc., dated October 16, 2007:
        i. Ensure an interior DNL of 45 dB or less by sound rating units that exceed this limit, particularly those units fronting River Oaks Parkway;
        ii. Provide a ventilation or an air-conditioning system for all units that must have closed windows to maintain an interior DNL of 45 dB or less;
        iii. Maintain an exterior DNL of 60 dB or less for outdoor uses including; porches, balconies, and common open space. Project features that could be used to reduce exterior noise levels might include; insetting patios and balconies in the building façade and using partial-height noise barriers, particularly for these outdoor uses fronting River Oaks Parkway;
        iv. Reduce noise from outdoor equipment, including air-conditioning systems, consistent with City standards.

Neighbor Correspondence

Xavier, Lesley

From: Shailesh Dubale [shaileshdubale@yahoo.com]
Sent: Friday, February 24, 2012 1:24 PM
To: Xavier, Lesley
Subject: File no PDC11-018 and DA12-001

Hi Leseley,

This is Shailesh Dubale a resident of Galleria Community of Riveroaks Area, We received multiple notices regarding public hearing on proposed construction next Park Side.

I have few concerns about the overall residential development that is happening in this area (File no PDC11-018 and DA12-001).

It was quite neighborhood and my concerns are,

- What are we going to do for increased traffic, what steps are taken for traffic management.
- biggest concern about schools everyone is building high rising building but no one is talking about public/private school needs for all these residents including existing residents.
- An thoughts/planning for new schools/libraries

I will every effort to attend public hearing scheduled on Mar 7th 2012 at 06:30 pm. Please pass on our concerns to planning committee.

It's not just me lot of my neighbours are selling their properties and moving somewhere else to avoid traffic/noise issues and school concerns.

Thanks,
Shailesh

Xavier, Lesley

From: privacycounselor@yahoo.com
Sent: Sunday, February 26, 2012 1:58 PM
To: Xavier, Lesley
Subject: Planning Comm. Meeting March 7th, etc. 401 River Oaks Parkway

Dear Lesley Xavier,

I'm emailing in regards to File No. PDC11-018 and File No DA12-001 a project at 401 River Oaks Parkway. I'm a resident owner at Villagio 430 Navaro Place. I'm dramatically concerned about the increase in traffic in the neighborhood, the additional signal that has gone in, the questionable roadwork (though Construction is not complete) and the apparent lack of open space. Admittedly, the planning and zoning process is completely opaque to me. So I have a couple questions I hope you can help me with.

1. Can you please clarify whether these two file number items will net increase the number of residents in the vicinity of River Oaks Parkway, or will be net neutral?
2. Also, can you define for me what is "Affordable Rate" vs. "Market Rate" units?
3. Last, will the "reports, drawings and documents" available for review at City Hall, also be available for review online somewhere?

Thanks for your help.

Sincerely,
Robert
Behrens
430 Navaro Place
San Jose, CA

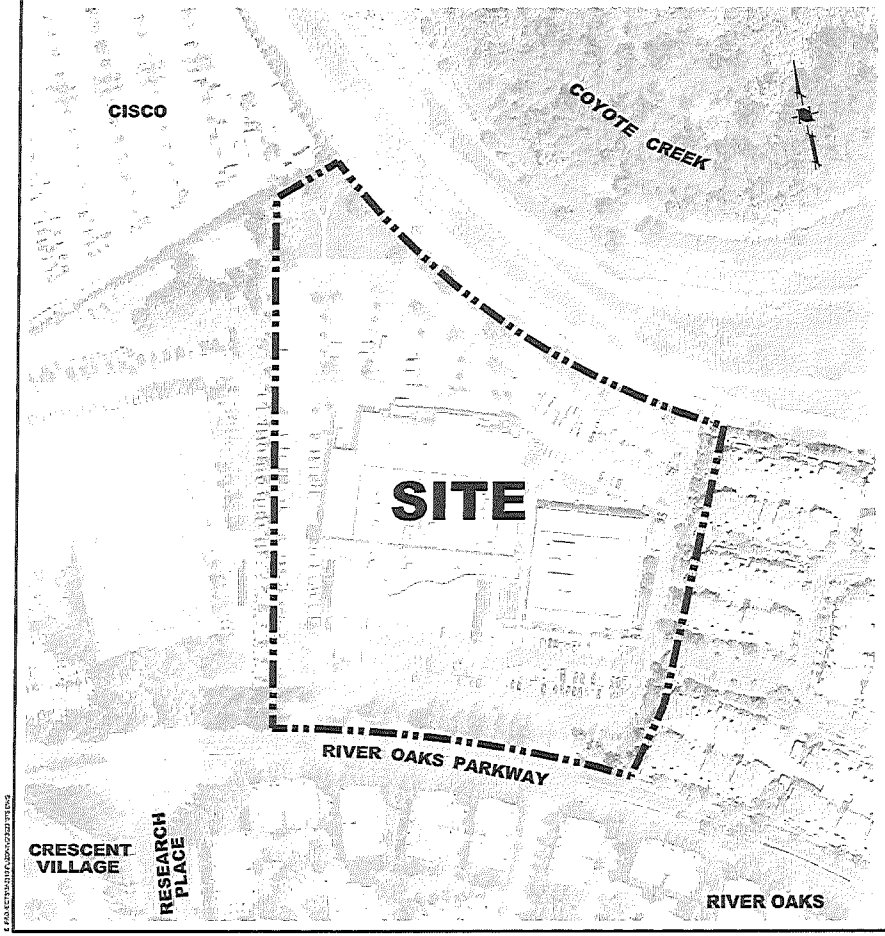
PLANNED DEVELOPMENT ZONING

FOR

401 - 405 RIVER OAKS PARKWAY

AN APARTMENT COMMUNITY BY THE IRVINE COMPANY

AS ESTABLISHED IN ORDINANCE _____, ESTABLISHING A PLANNED DEVELOPMENT ZONING DISTRICT



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3.0	AERIAL SITE PLAN	5.0	CONCEPTUAL GRADING AND DRAINAGE PLAN
3.1	ILLUSTRATIVE SITE PLAN	5.1	CONCEPTUAL STORMWATER CONTROL PLAN
3.2	LEVEL 1 SITE PLAN	5.2	CONCEPTUAL STORMWATER CONTROL PLAN DETAILS
3.3	LEVEL P1 SITE PLAN	6.0	CONCEPTUAL LANDSCAPE PLAN
		6.1	PLANTING DETAILS

PROJECT INFORMATION

ASSESSOR'S PARCEL NUMBER:	097-33-102 & 097-33-103
PROJECT ADDRESS:	401 - 405 RIVER OAKS PARKWAY
PRIOR APPROVALS:	H00-012
EXISTING GENERAL PLAN DESIGNATION:	INDUSTRIAL PARK WITH TRANSIT / EMPLOYMENT RESIDENTIAL DISTRICT 55+ DU/AC OVERLAY
EXISTING ZONING DESIGNATION:	INDUSTRIAL PARK
PROPOSED ZONING DESIGNATION:	A(PD) PLANNED DEVELOPMENT
PROPOSED USE:	UP TO 450 MULTI-FAMILY ATTACHED RESIDENTIAL UNITS
GROSS SITE AREA:	8.1 AC
RIGHT-OF-WAY DEDICATION:	0.6 AC
NET SITE AREA:	7.5 AC
PROPOSED SITE COVERAGE:	
BUILDINGS:	±136,860 SF (39%)
PRIVATE CIRCULATION:	±9,870 SF (3%)
LANDSCAPE/HARDSCAPE:	±180,630 SF(51%)
PUBLIC RIGHT-OF-WAY DEDICATION:	±25,840 SF (7%)
	±353,200 SF (100%)
PROPOSED DENSITY:	55 DU / AC MINIMUM
PROPOSED PARKING RATIO:	STUDIO = 1.2 SPACES / UNIT 1 BEDROOM = 1.5 SPACES / UNIT 2 BEDROOM = 1.8 SPACES / UNIT 3 BEDROOM = 2.0 SPACES / UNIT
CONSTRUCTION SCHEDULE:	
START DATE:	TBD
COMPLETION DATE:	TBD

DEVELOPMENT TEAM

DEVELOPER: THE IRVINE COMPANY
CONTACT: TODD KELLER
550 NEWPORT CENTER DR.
NEWPORT BEACH, CA 92660
(949)720-2869

ARCHITECT: MVE ARCHITECTS
CONTACT: PIETER BERGER
1900 MAIN STREET, SUITE 800
IRVINE, CA 92614
(949)809-3333

PLANNER/CIVIL ENGINEER: HMH
CONTACT: MELISSA LANDER
1570 OAKLAND ROAD
SAN JOSE, CA 95131
(408)487-2200

LANDSCAPE ARCHITECT: EPT DESIGN
CONTACT: HWA WANG
9821 IRVINE CENTER DRIVE
IRVINE, CA 92618
(949)502-4500

HMH
Land Use Entitlements
Land Planning
Landscape Architecture
Civil Engineering
Utility Design
Land Surveying
Stormwater Compliance
1570 Oakland Road San Jose, CA 95131 (408) 487-2200 HMHca.com

THE IRVINE COMPANY
APARTMENT COMMUNITIES
550 NEWPORT CENTER DR.
NEWPORT BEACH, CA

GENERAL DEVELOPMENT PLAN - EXHIBIT C
PDC11-018
401 - 405 RIVER OAKS PARKWAY, SAN JOSE
IRVINE APARTMENT COMMUNITIES

NO	DATE	DESCRIPTION
3	2/13/2012	PER CITY COMMENTS
2	12/16/2011	PER CITY COMMENTS

PROJECT NO.	3623.10
CAD DWG FILE:	3623.10 TS.DWG
DESIGNED BY:	ML
DRAWN BY:	ML
CHECKED BY:	TA
DATE:	OCTOBER 19, 2011
SCALE:	NOT TO SCALE

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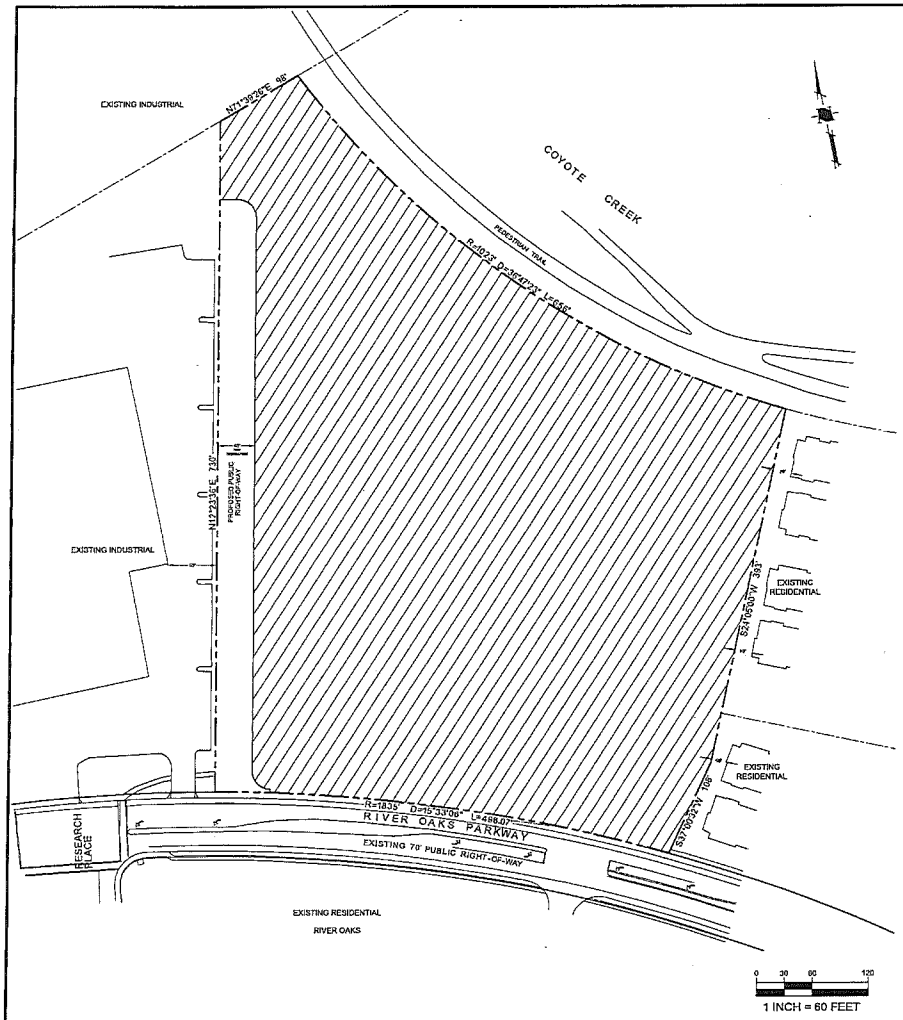
TITLE SHEET

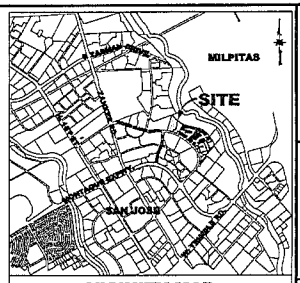
1.0

PLOTTED: 2/23/2012 9:33:10



DEVELOPMENT STANDARDS

TO BE DETERMINED



VICINITY MAP

NOT TO SCALE

LEGEND

PROJECT BOUNDARY
PROPERTY LINE (EXISTING)
RIGHT-OF-WAY

PERMITTED USES

HATCH PATTERN	LAND USE	AREA	PERCENT
	MULTI-FAMILY ATTACHED RESIDENTIAL UNITS PRIVATE OPEN SPACE & CIRCULATION	7.5 AC	93%
	PROPOSED PUBLIC RIGHT-OF-WAY TO BE OFFERED FOR DEDICTAION	0.6 AC	7%
	TOTAL:	8.1 AC	100%

DENSITY

55 DU / AC MINIMUM

NOTES

THE PUBLIC RIGHT-OF-WAY, DEPICTED HEREON, IS TO BE IMPROVED TO THE SATISFACTION OF THE DIRECTOR OF PUBLIC WORKS AND DOT. THE ACCEPTANCE OF THE OFFER OF PUBLIC DEDICATION MAY BE DELAYED BY THE CITY. THE DEVELOPER SHALL MAKE AN IRREVOCABLE OFFER OF DEDICATION OR AN OFFER OF DEDICATION ON A FINAL MAP . HOWEVER, ACCEPTANCE OF THE OFFER OF RIGHT-OF-WAY AND ASSOCIATED MAINTENANCE MAY NOT OCCUR AND/OR MAY BE DELAYED UNTIL SUCH TIME THAT THE CITY OF SAN JOSE DETERMINES IN THE FUTURE. IF THE ACCEPTANCE OF THE OFFERED DEDICATION IS DELAYED, MAINTENANCE OF THE SITE/STREET AND LANDSCAPE IMPROVEMENTS WILL BE THE RESPONSIBILITY OF THE IRVINE COMPANY/ PROPERTY OWNER.

HMH
Land Use Entitlements
Land Planning
Landscape Architecture
Civil Engineering
Utility Design
Land Surveying
Stormwater Compliance
1570 Oakland Road San Jose, CA 95131 (408) 487-2200 HMHcs.com

THE IRVINE COMPANY
APARTMENT COMMUNITIES
550 NEWPORT CENTER DR.
NEWPORT BEACH, CA

GENERAL DEVELOPMENT PLAN - EXHIBIT C

PDC11-018

401 - 405 RIVER OAKS PARKWAY, SAN JOSE
IRVINE APARTMENT COMMUNITIES

NO	DATE	DESCRIPTION
1		
2		
3		
4	2/13/2012	PER CITY COMMENTS
5	12/19/2011	PER CITY COMMENTS

PROJECT NO:	3623.10
CAD DWG FILE:	362310LU.DWG
DESIGNED BY:	ML
DRAWN BY:	ML
CHECKED BY:	TA
DATE:	OCTOBER 19, 2011
SCALE:	1" = 60'

© HMH

LAND USE PLAN

2.0

ENVIRONMENTAL MITIGATION

TO BE DETERMINED

NOTES TO BE ADDED AFTER CITY COUNCIL APPROVAL

HMH
Land Use Entitlements
Land Planning
Landscape Architecture
Civil Engineering
Utility Design
Land Surveying
Stormwater Compliance
1570 Oakland Road
San Jose, CA 95131
(408) 487-2200
HMHcos.com

THE IRVINE COMPANY
APARTMENT COMMUNITIES
550 NEWPORT CENTER DR.
NEWPORT BEACH, CA.

GENERAL DEVELOPMENT PLAN - EXHIBIT C

PDC11-018

401 - 405 RIVER OAKS PARKWAY, SAN JOSE

IRVINE APARTMENT COMMUNITIES

NO	DATE	DESCRIPTION
3		
2		
1		
4	2/13/2012	PER CITY COMMENTS
3	12/14/2011	PER CITY COMMENTS

PROJECT NO:	3623.10
CAD DWG FILE:	3623-01LU.DWG
DESIGNED BY:	ML
DRAWN BY:	ML
CHECKED BY:	TA
DATE:	OCTOBER 19, 2011
SCALE:	NOT TO SCALE

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LAND USE NOTES

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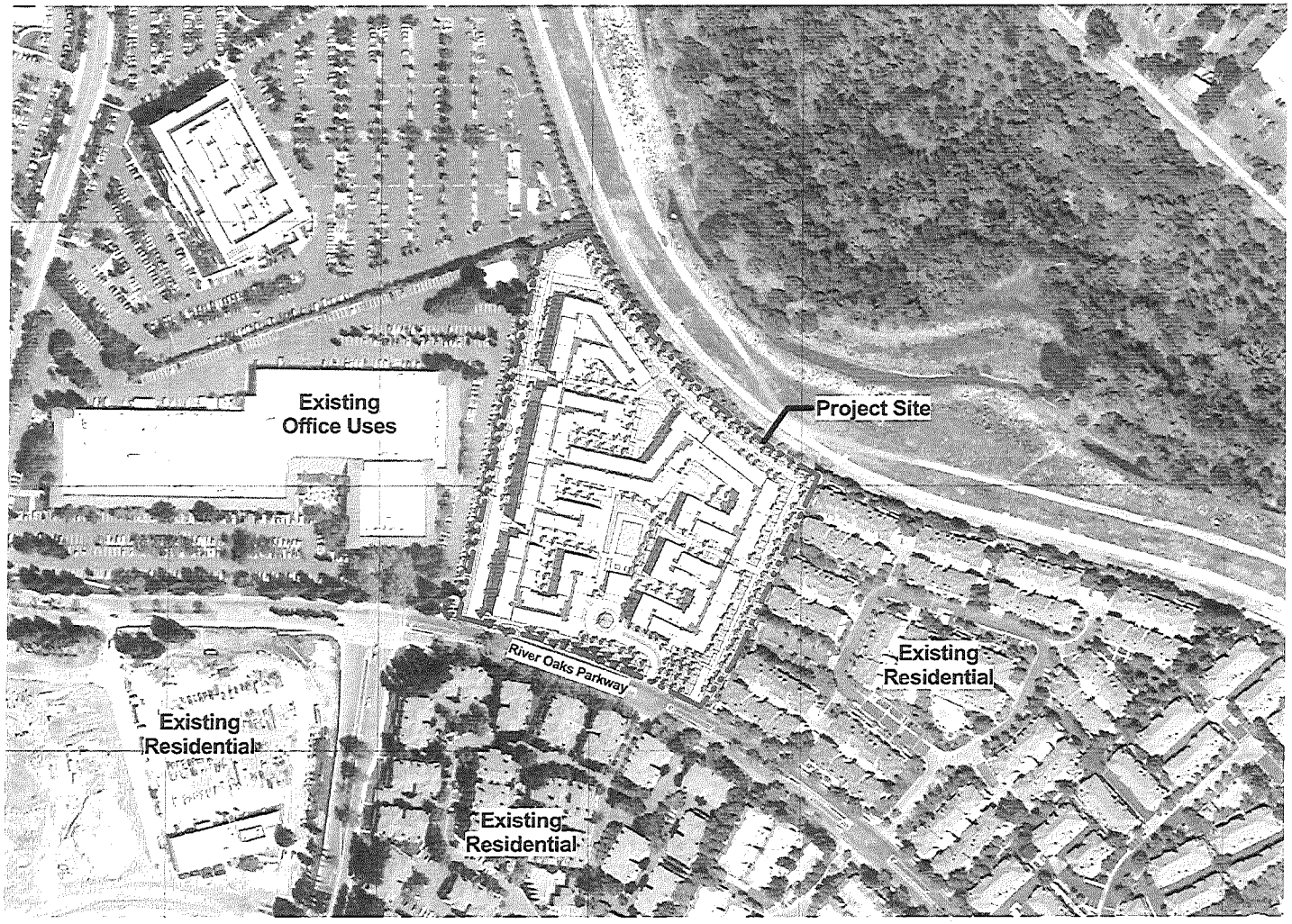

Aerial Site Plan

Scale: n/a
Job Number: 2011-10168
Date: 12.20.2011

THE IRVINE COMPANY
APARTMENT COMMUNITIES
550 NEWPORT CENTER DR.
NEWPORT BEACH, CA

GENERAL DEVELOPMENT PLAN - EXHIBIT C

PDC11-018

401 - 405 RIVER OAKS PARKWAY, SAN JOSE
IRVINE APARTMENT COMMUNITIES

NO	DATE	DESCRIPTION

PROJECT NO:	3623.10
CAD DWG FILE:	3623.10SP.DWG
DESIGNED BY:	
DRAWN BY:	
CHECKED BY:	
DATE:	OCTOBER 19, 2011
SCALE:	
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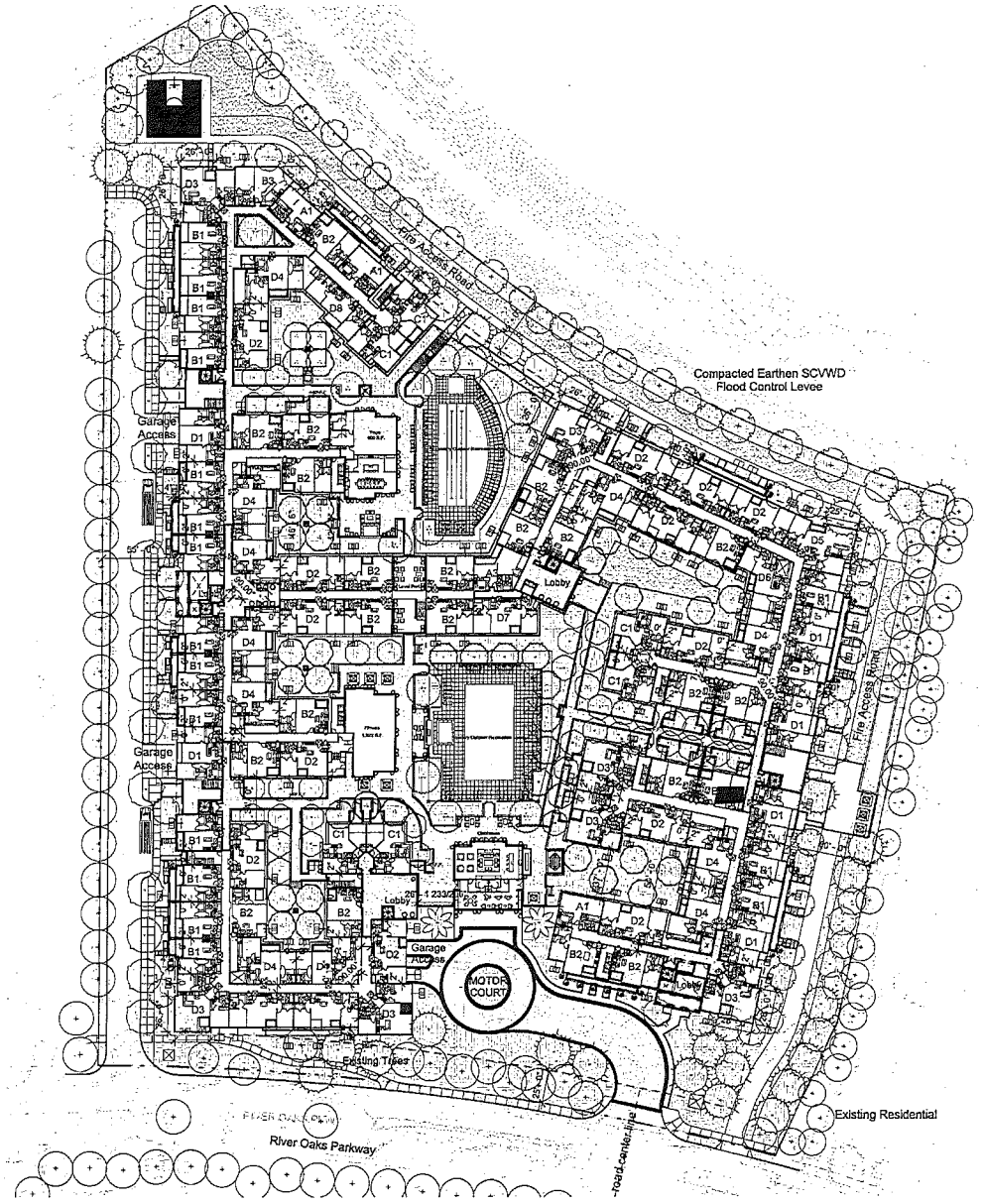


UNIT COUNT/MIX:

UNIT PLAN	NET AREA	UNITS	% of MIX
Studio		33	8%
Unit A1	*671 S.F.*	*18*	
Unit A2	*813 S.F.*	*11*	
Custom		*4*	
1x1		151	36%
Unit B1	*685 S.F.*	*78*	
Unit B2	*785 S.F.*	*68*	
Custom		*5*	
1x1 Loft		25	6%
1x1 Den		36	7%
Unit C1	*885 S.F.*	*36*	
2x2		183	41%
Unit D1	*1,097 S.F.*	*27*	
Unit D2	*1,068 S.F*	*69*	
Unit D3	*1,174 S.F.*	*32*	
Unit D4	*1,093 S.F.*	*38*	
Custom		*17*	
2x2 Loft		10	2%
Total		*438*	*100%*

Podium Level 2 Site Plan

0' 40' 80'

Scale: 1" = 40'0"
Job Number: 2011-10168
Date: 02.8.2012

THE IRVINE COMPANY
APARTMENT COMMUNITIES
550 NEWPORT CENTER DR.
NEWPORT BEACH, CA

GENERAL DEVELOPMENT PLAN - EXHIBIT C

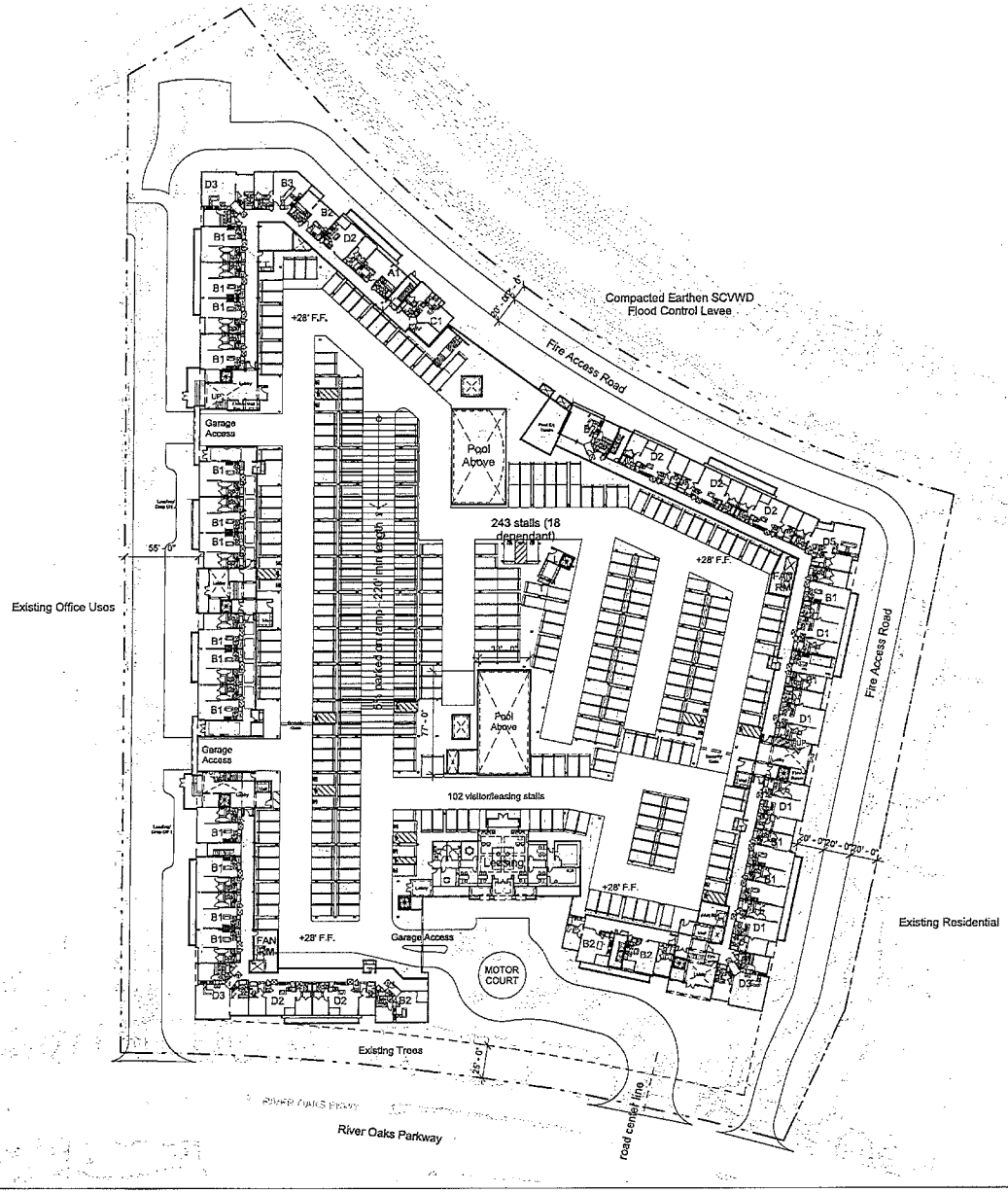
PDC___-

401 - 405 RIVER OAKS PARKWAY, SAN JOSE
IRVINE APARTMENT COMMUNITIES

NO	DATE	DESCRIPTION

PROJECT NO: 3825.10
CAD DWG FILE: 2423108R.DWG
DESIGNED BY:
DRAWN BY:
CHECKED BY:
DATE: OCTOBER 19, 2011
SCALE:
© RMM

3.1



PARKING:

Residential:	**1.8 STALLS/DU**
Leasing Office:	**1/250 SF**

STALLS REQUIRED:	**802 STALLS TOTAL**
** for 438 units*	**790 STALLS (Residential)**
	12 STALLS (Leasing)

STALLS PROVIDED:	
- VISITOR/GUEST:	**90 STALLS**
	(5% HC: 5 STALLS)
- LEASING OFFICE:	**12 STALLS**
	(5% HC: 1 STALL)
- RES LEVEL 1:	**275 (18) STALLS**
- RES LEVEL P1:	**411 (47) STALLS**
- RES HC (2%):	**14 STALLS**
TOTAL:	**802 STALLS**

**35% 2BR TANDEM CONFIGURATIONS*

GROSS GARAGE AREA:	
LEVEL 1:	**213,872 SF**
LEVEL P1:	**169,943 SF**
TOTAL:	**383,815 SF**

AREA OF DIFFERENTIAL SETTLEMNET:
45,733 SF

Level 1 Site Plan

0' 40' 80'

Scale: 1" = 40'0"
Job Number: 2011-10168
Date: 02.8.2012

THE IRVINE COMPANY
APARTMENT COMMUNITIES
550 NEWPORT CENTER DR.
NEWPORT BEACH, CA

GENERAL DEVELOPMENT PLAN - EXHIBIT C

PDC___-

401 - 405 RIVER OAKS PARKWAY, SAN JOSE
IRVINE APARTMENT COMMUNITIES

NO	DATE	DESCRIPTION

PROJECT NO:	3633.10
CAD DWG FILE:	3633.10R.DWG
DESIGNED BY:	
DRAWN BY:	
CHECKED BY:	
DATE:	OCTOBER 19, 2011
SCALE:	

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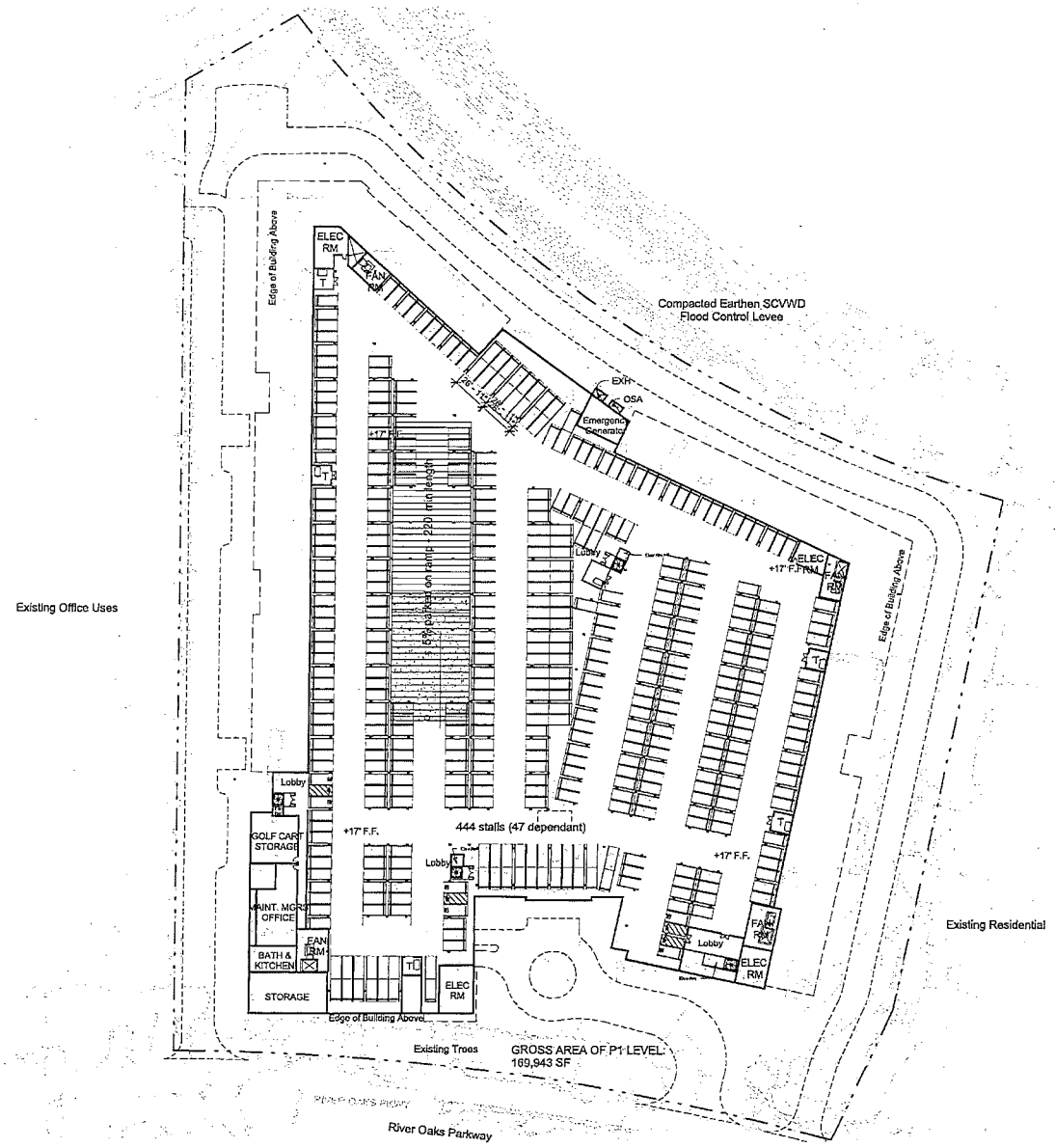
3.2



PARKING:

Residential:	1.8 STALLS/DU
Leasing Office:	1/250 SF

STALLS REQUIRED:	802 STALLS TOTAL
** for 438 units*	790 STALLS (Residential)
	12 STALLS (Leasing)

STALLS PROVIDED:	
- VISITOR/GUEST:	90 STALLS (5% HC: 5 STALLS)
- LEASING OFFICE:	12 STALLS (5% HC: 1 STALL)
- RES LEVEL 1:	275 (18) STALLS
- RES LEVEL P1:	411 (47) STALLS
- RES HC (2%):	14 STALLS
TOTAL:	802 STALLS

**35% 2BR TANDEM CONFIGURATIONS*

GROSS GARAGE AREA:	
LEVEL 1:	213,872 SF
LEVEL P1:	169,943 SF
TOTAL:	383,815 SF

AREA OF DIFFERENTIAL SETTLEMNET: 45,733 SF

Level P1 Site Plan

0' 40' 80'

Scale: 1" = 40'0"
Job Number: 2011-10168
Date: 02.8.2012

THE IRVINE COMPANY
APARTMENT COMMUNITIES
550 NEWPORT CENTER DR.
NEWPORT BEACH, CA

GENERAL DEVELOPMENT PLAN - EXHIBIT C

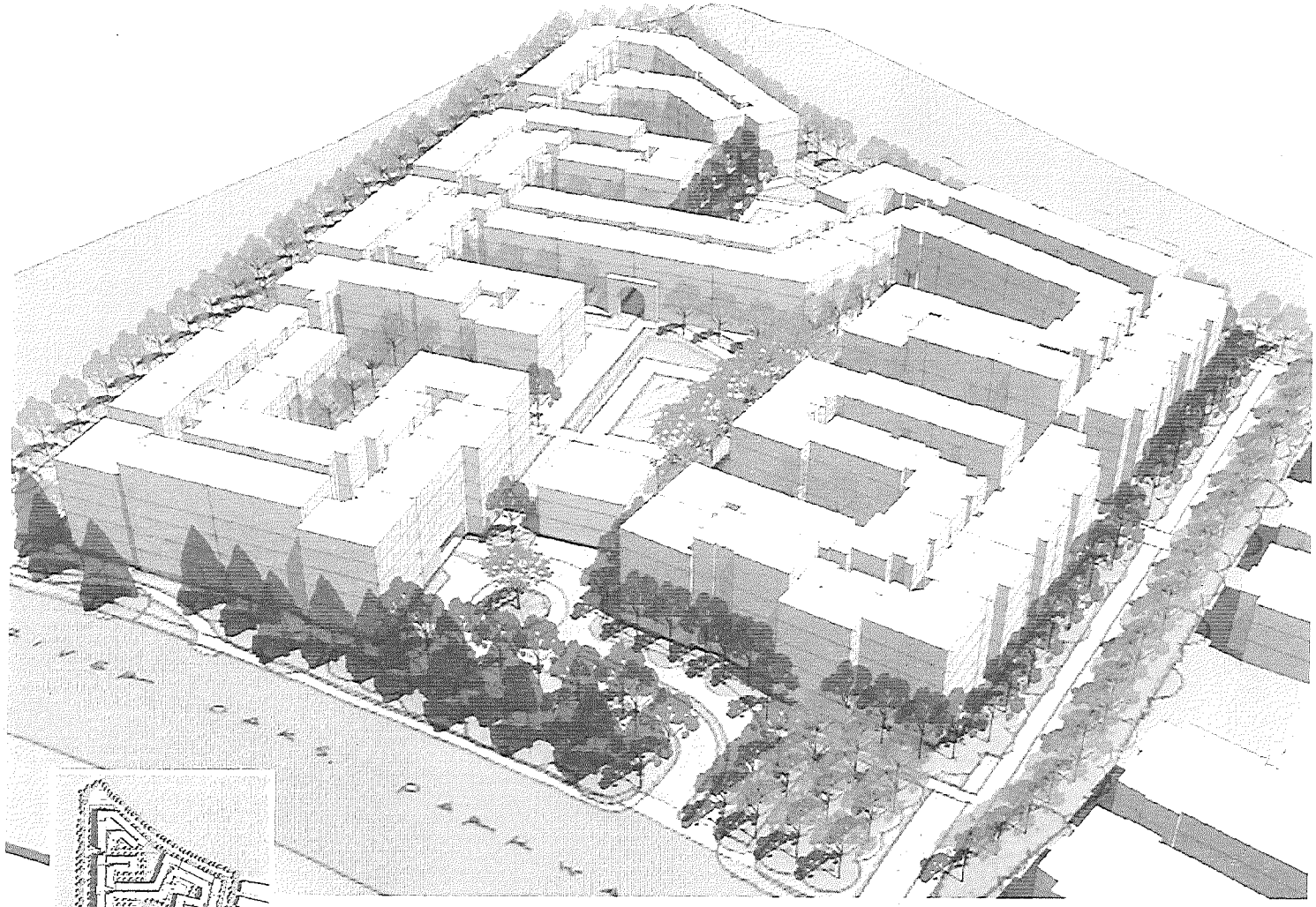
PDC__-__

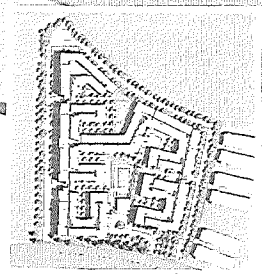
401 - 405 RIVER OAKS PARKWAY, SAN JOSE
IRVINE APARTMENT COMMUNITIES

NO	DATE	DESCRIPTION

PROJECT NO:	2010.10
CAD DWG FILE:	2010105B.DWG
DESIGNED BY:	
DRAWN BY:	
CHECKED BY:	
DATE:	OCTOBER 19, 2011
SCALE:	
© 2010	

3.3





3D Aerial Illustrative

Scale: n/a
Job Number: 2011-10168
Date: 12.20.2011

MVE & PARTNERS

THE IRVINE COMPANY
APARTMENT COMMUNITIES
550 NEWPORT CENTER DR.
NEWPORT BEACH, CA

GENERAL DEVELOPMENT PLAN - EXHIBIT C

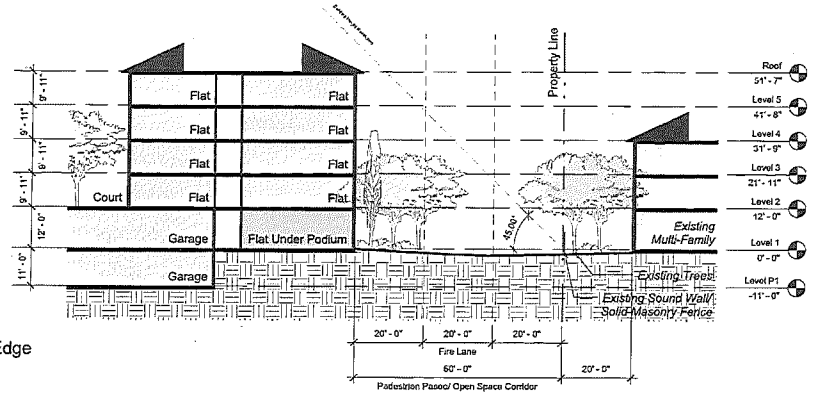
PDC 11-018

401 - 405 RIVER OAKS PARKWAY, SAN JOSE
IRVINE APARTMENT COMMUNITIES

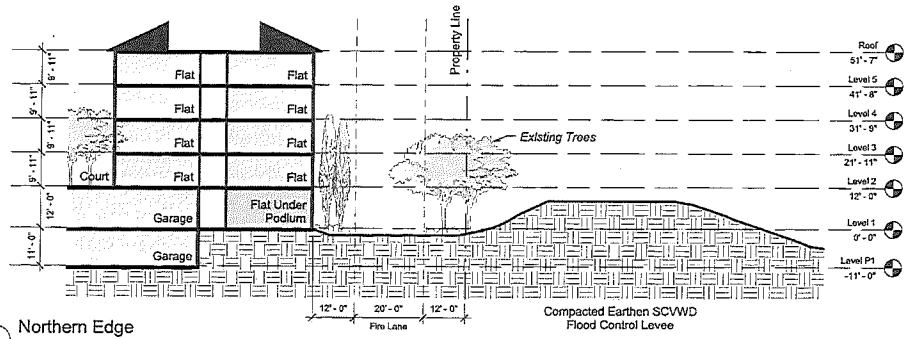
NO	DATE	DESCRIPTION

PROJECT NO: 2011-10
CAD DWG FILE: 2011-10168.DWG
DESIGNED BY:
DRAWN BY:
CHECKED BY:
DATE: OCTOBER 18, 2011
SCALE:
© MBH

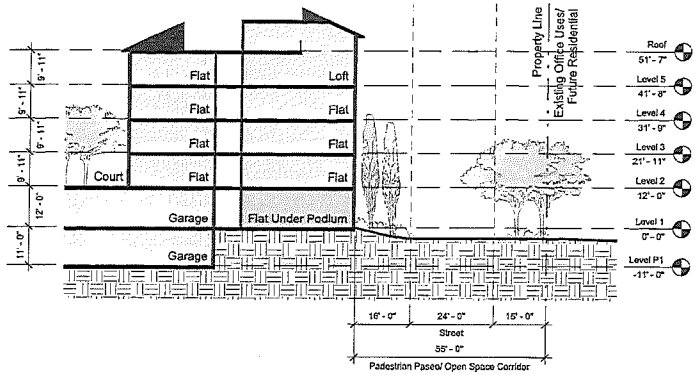
3.4



1 Eastern Edge
1/16" = 1'-0"



2 Northern Edge
1/16" = 1'-0"



3 Western Edge
1/16" = 1'-0"

Edge Conditions

0' 16' 32'

Scale: 1/16" = 1'0"
Job Number: 2011-10168
Date: 02.8.2012

*** Maximum Building Height to be set at 120' per the North San Jose Urban Design Guidelines*

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PDC___

401 - 405 RIVER OAKS PARKWAY, SAN JOSE
IRVINE APARTMENT COMMUNITIES

NO	DATE	DESCRIPTION

PROJECT NO: 3023.10
CAD DWG FILE: 3023.10.dwg
DESIGNED BY:
DRAWN BY:
CHECKED BY:
DATE: OCTOBER 19, 2011
SCALE:
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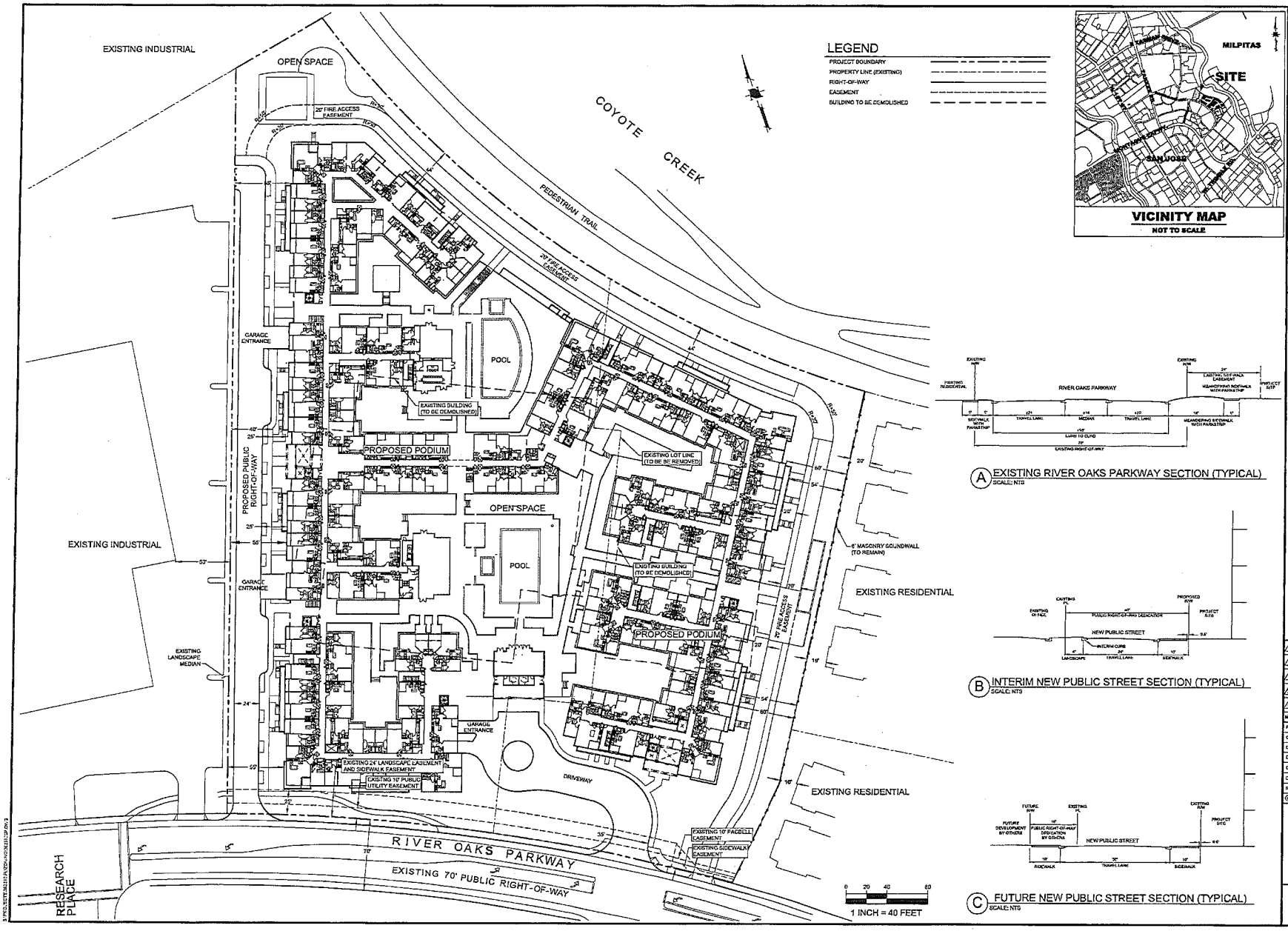
3.5



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401 - 405 RIVER OAKS PARKWAY, SAN JOSE
IRVINE APARTMENT COMMUNITIES

NO	DATE	DESCRIPTION
3		
2		
1		
4	2/13/2012	PER CITY COMMENTS
3	12/19/2011	PER CITY COMMENTS

PROJECT NO:	3623.10
CAD DWG FILE:	3623-10GP.DWG
DESIGNED BY:	ML
DRAWN BY:	ML
CHECKED BY:	TA
DATE:	OCTOBER 19, 2011
SCALE:	1"=40'

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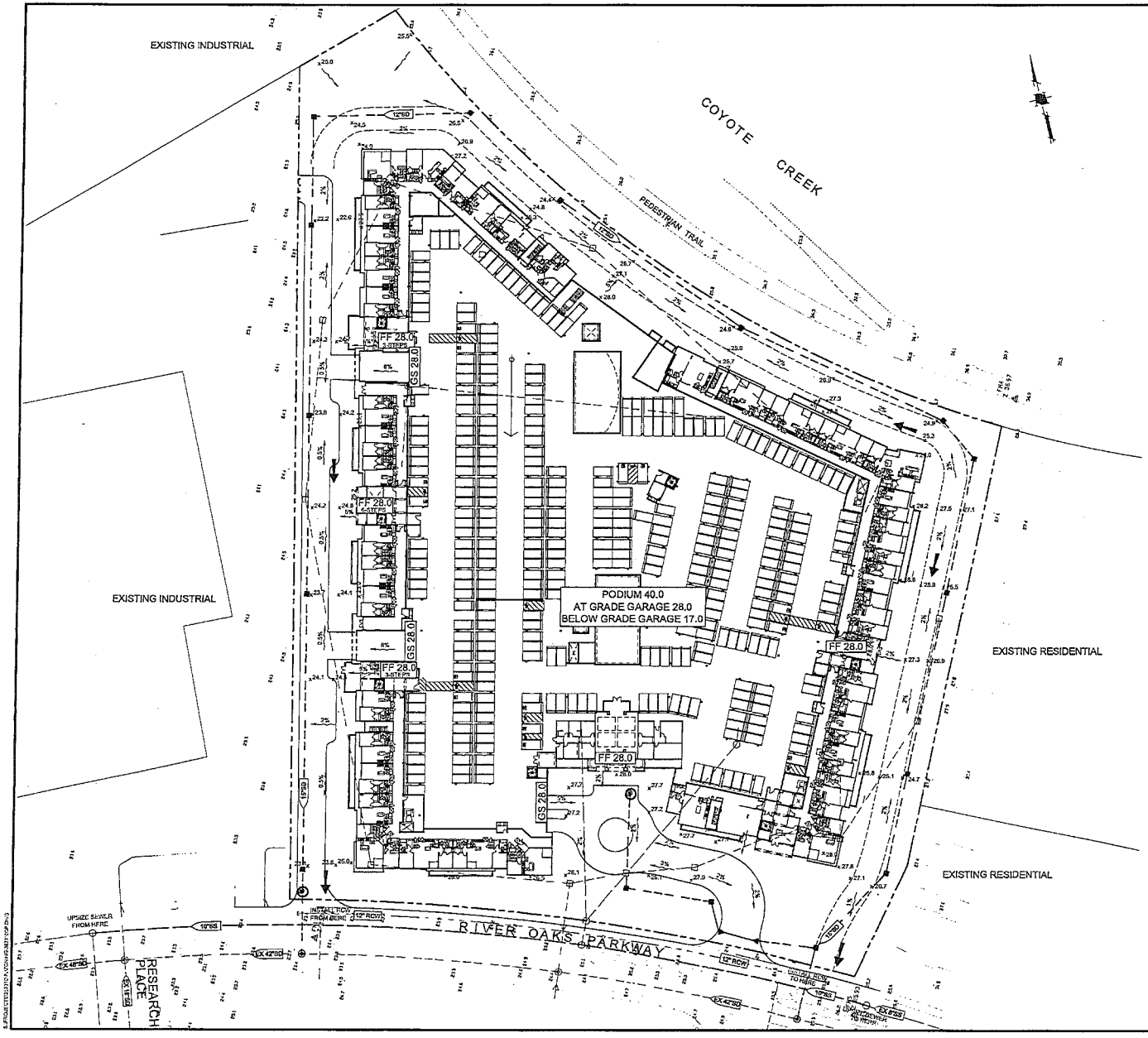
CONCEPTUAL DIMENSIONED SITE PLAN

4.0



LEGEND

PROJECT BOUNDARY	
STORM DRAIN PIPE	
STORM DRAIN PIPE (EXISTING)	
SANITARY SEWER PIPE	
SANITARY SEWER PIPE (EXISTING)	
STORM DRAIN MANHOLE	
STORM DRAIN MANHOLE (EXISTING)	
SANITARY SEWER MANHOLE	
SANITARY SEWER MANHOLE (EXISTING)	
CURB INLET	
CURB INLET (EXISTING)	
CATCH BASIN	
CATCH BASIN (EXISTING)	
SPOT ELEVATION	x 10.0
FINISH FLOOR ELEVATION	FF
PERCENT AND DIRECTION OF SURFACE FLOW DRAINAGE	XX%
OVERLAND RELEASE PATH	

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IRVINE APARTMENT COMMUNITIES

NO	DATE	DESCRIPTION
3		
2		
1		
3	2/13/2012	PER CITY COMMENTS
1	12/14/2011	PER CITY COMMENTS

PROJECT NO:	3623.10
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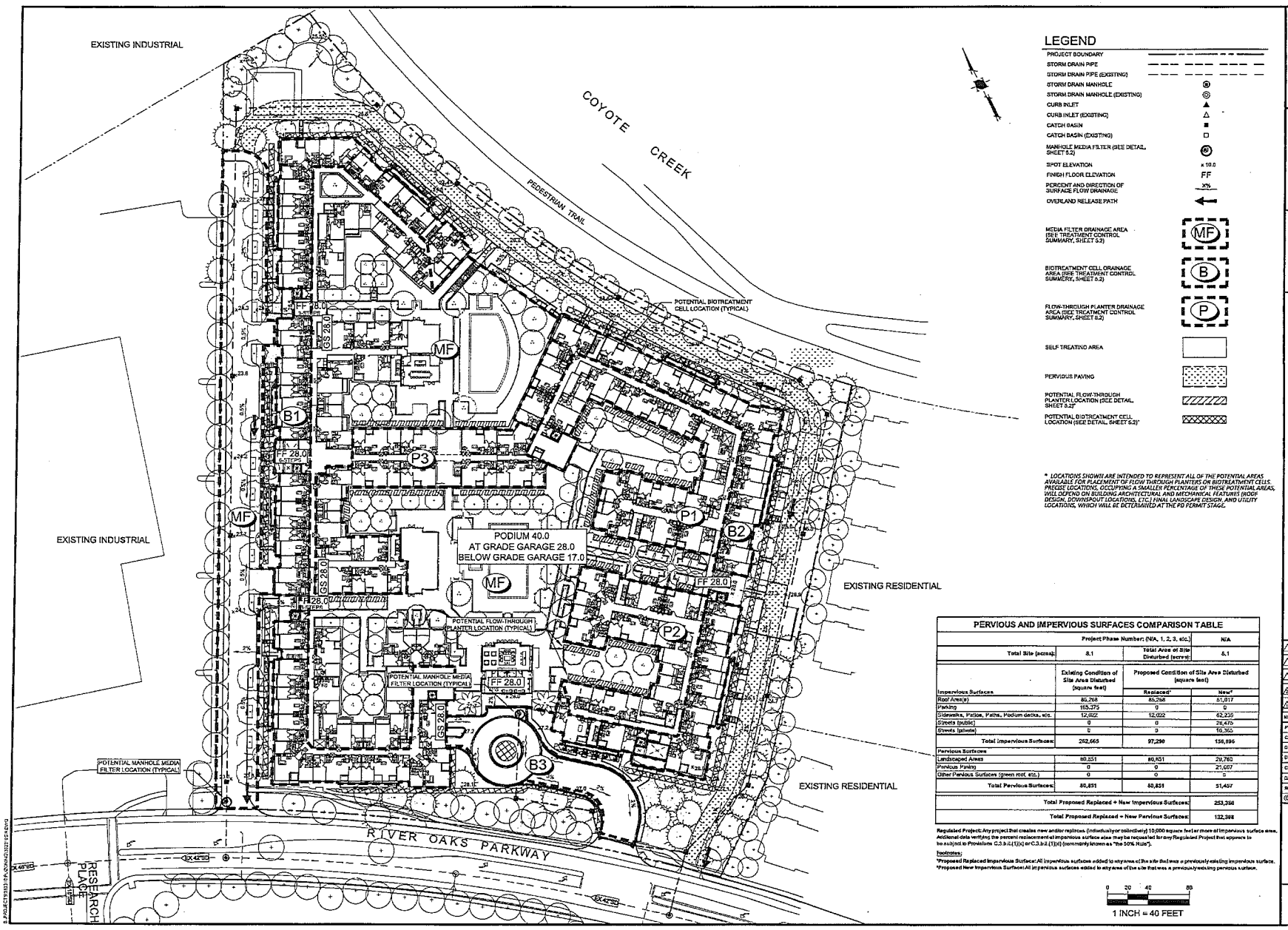
CONCEPTUAL GRADING, DRAINAGE, & UTILITY PLAN

5.0



PERVIOUS AND IMPERVIOUS SURFACES COMPARISON TABLE

	Project Phase Number: (N/A, 1, 2, 3, etc.)		N/A
Total Site (acres):	8.1	Total Area of Site Disturbed (acres):	5.1
	Existing Condition of Site Area Disturbed (square feet)	Proposed Condition of Site Area Disturbed (square feet)	
Impervious Surfaces		Replaced*	New*
Roof Area(s)	85,268	85,268	51,017
Parking	165,375	0	0
Sidewalks, Patios, Paths, Podium decks, etc.	12,022	12,022	62,239
Streets (public)	0	0	26,475
Streets (private)	0	0	16,365
Total Impervious Surfaces:	262,665	97,290	156,096
Pervious Surfaces			
Landscaped Areas	80,851	80,851	29,760
Pervious Paving	0	0	21,697
Other Pervious Surfaces (green roof, etc.)	0	0	0
Total Pervious Surfaces:	80,851	80,851	51,457
Total Proposed Replaced + New Impervious Surfaces:			253,386
Total Proposed Replaced + New Pervious Surfaces:			132,308

Regulated Project: Any project that creates new and/or replaces (individually or collectively) 10,000 square feet or more of impervious surface area. Additional data verifying the percent replacement of impervious surface area may be requested for any Regulated Project that appears to be subject to Provisions C.3.b.ii.(1)(c) or C.3.b.ii.(1)(d) (commonly known as "the 50% Rule").

Footnotes:

*Proposed Replaced Impervious Surface: All impervious surfaces added to any area of the site that was a previously existing impervious surface.

*Proposed New Impervious Surface: All impervious surfaces added to any area of the site that was a previously existing pervious surface.

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401 - 405 RIVER OAKS PARKWAY, SAN JOSE
IRVINE APARTMENT COMMUNITIES

NO	DATE	DESCRIPTION
1	2/13/2012	PER CITY COMMENTS
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PROJECT NO:	3623.10
CAD DWG FILE:	3623.00W.DWG
DESIGNED BY:	MC ML
DRAWN BY:	MC
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SCALE:	1" = 40'

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CONCEPTUAL STORMWATER CONTROL PLAN

5.1

PLOTTED: 2/13/2012 4:11 PM

Site Conditions	
Soil Type	Clay (D)
Mean Annual Precipitation	13.8 in.
Depth to Groundwater	7.1 - 13.6 ft.
100-Year Flood Elevation	1 ft. (Zone AO)
Receiving Water Body	Guadalupe River
Pollutants	Sediment, Grease, Oil, Heavy Metals, Hydrocarbons, Trash, Nutrients, Pesticides, Bacteria
Pollutant Source Areas	Roofs, Podium Decks, Driveways, Surface Parking Lots, Trash Containers, Landscaping, Pet Waste
Source Control Measures	Underground Parking, Covered Trash Collection Areas, Stenciled Inlets

* Soil type and mean annual precipitation information per C.3 Stormwater Handbook, Santa Clara Valley Urban Runoff Pollution Prevention Program, May 2004. Flood elevation information per FEMA Flood Insurance Rate Maps, May 18,2009. Depth to Groundwater information per Geotechnical Investigation prepared by Cornerstone Earth Group, March 31, 2010.

TREATMENT CONTROL SUMMARY

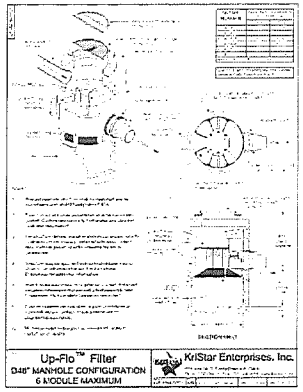
Drainage Area	Impervious Surface Type	Total Impervious Surface Area (s.f.)	Proposed LID TCM	Proposed Non-LID TCM	% of Total Impervious Area Treated with LID	% of Total Impervious Area Treated with Non-LID
B1	Roof	33,195	Bioretention Cells	-	11%	-
B2	Roof	23,250	Bioretention Cells	-	9%	-
B3	Private Street	9,282	Bioretention Cells	-	4%	-
P1	Roof	17,367	Flow-Through Planters	-	7%	-
P2	Roof	13,300	Flow-Through Planters	-	5%	-
P3	Roof	17,247	Flow-Through Planters	-	7%	-
M1	Public Street, Podium	135,739	-	Media Filter	-	55%
TOTAL		253,564			45%	55%

LID Treatment Reduction Credit Summary*

Category C (100)

Location:	w/in PDA—	25%
Density:	> 30 DU/AC—	10%
Parking:	No surface parking—	20%
TOTAL:		55%

* per criteria established by RWQCB Tentative Order R2-2011-0083, amendatory Order No. R2-2009-0074



Media Filter Sizing

The following steps for sizing the proposed manhole media filter units are based on the Rational Method, consistent with the methodology provided by the Santa Clara Valley Urban Runoff Pollution Prevention Program for calculating Provision C.3 design flow rates.

Drainage Area M1

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

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

$C = .85$

$I = .165$ in/hr (13.5" Mean Annual Precip. @ site / 13.9"- Mean Annual Precip. - SJ Airport Gage reference) x (.17 in/hr. Design Rainfall Intensity per SCVURPPP)

$A = 139,739$ ft^2 ÷ 3.2 ac.

$Q = CIA = .85 \times .165$ in/hr x 3.2 ac. = .45 cfs

Step 2. Calculate the number of filter modules/cartridges required to treat the peak water quality flow rate (N_{mod}) for the site.

$N_{mod} = Q \div 0.45$ cfs

Assume each module treats .056 cfs (per Kristar specs - see detail)

.45 cfs/.056 cfs/module = 8 modules (Kristar Up-Flo)

A list of media filter products that could provide the required treatment capacity for the calculated water quality storm flow from the drainage area is provided below. Product selection will be determined at the time of construction by the project applicant.

Product Manufacturer	Media Filter Product	Configuration	No. of Cartridges/Units	Treatment Capacity
Kristar	Up-Flo Filter	48" manholes (2)	8 modules	0.45 cfs
Contech	Manhole Stormfilter	72" manholes (2)	14 cartridges	0.45 cfs

UP-FLO™ FILTER MAINTENANCE

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

Overview

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

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

Maintenance events can be categorized as routine or annual. Routine maintenance can include inspection, floatables removal and/or sediment removal. Routine maintenance events do not require entry into the Up-Flo™ chamber. In the case of inspection and floatables removal, a vector truck is not required. However, a vector truck is required if the maintenance event is to include sediment removal from the sump of the Up-Flo™ vessel. Annual maintenance includes Media Pack replacement in addition to sediment and floatables removal. In most instances, entry into the Up-Flo™ vessel is required for Media Pack replacement. There is the need to follow OSHA Confined Space Entry procedures when performing annual maintenance.

Determining Your Maintenance Schedule

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

During the first year of operation, the unit should be inspected every six months to determine the rate of sediment and floatables accumulation. To prevent from blocking the entryway to the filter media, the sediment must be removed before it completely fills the sump. A simple probe can be used to determine the level of solids in the sediment storage facility. This information can be recorded in maintenance logs to establish a routine maintenance schedule. Pollutant storage volume will be dependent on the sump depth of the Up-Flo™ Filter. A typical 4-foot round manhole Up-Flo™ Filter has 0.6 yd. of sediment storage.

Routine and annual maintenance procedures for a typical 4-foot diameter manhole Up-Flo™ Filter take less than 30 minutes and remove about 300 gallons of water in the process. Spent Media Packs weigh about 40 pounds. Spent Media Packs should be disposed of at a local landfill.

ROUTINE MAINTENANCE PROCEDURES

Inspection

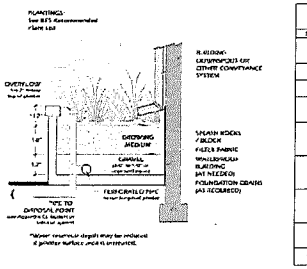
Inspection is a simple process that does not involve entry into the Up-Flo™ chamber. Maintenance crews should be familiar with the Up-Flo™ Filter and its components prior to inspection.

Scheduling

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

Recommended Equipment

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



Flow-Through Planter Box

Flow Through Planter Sizing

Surface area of each proposed flow through planter is based on a calculation of 4% of the total area that drains to the facility, per standard Santa Clara Valley Urban Runoff Pollution Prevention Program methodology for bioretention sizing. Drainage areas and calculated planter surface areas shown below are generalized. Specific drainage areas and individual planter sizes will be determined at the PD Permit stage.

Drainage Area P1

Step 1 *Determine drainage area for the BMP*

Total roof area draining to flow through planters = 17,367 ft^2

Step 2 *Size the BMP*

Required surface area of flow-through planters = 0.04 x 17,367 ft^2 = 695 ft^2

Drainage Area P2

Step 1 *Determine drainage area for the BMP*

Total roof area draining to flow through planters = 13,300 ft^2

Step 2 *Size the BMP*

Required surface area of flow-through planters = 0.04 x 13,300 ft^2 = 532 ft^2

Drainage Area P3

Step 1 *Determine drainage area for the BMP*

Total roof area draining to flow through planters = 17,247 ft^2

Step 2 *Size the BMP*

Required surface area of flow-through planters = 0.04 x 17,247 ft^2 = 690 ft^2

Flow-Through Planter Routine Maintenance Activities and Schedule		
No.	Task	Frequency of Task
1	Evaluate health of trees and groundcover. Remove and replace all dead and diseased vegetation. Treat vegetation using preventative and low-toxic methods.	Twice per year
2	Maintain vegetation and irrigation system. Prune and weed to keep flow-through planter neat and orderly in appearance.	As needed
3	Check bark mulch is at appropriate depth (3 inches per soil specifications) and replenish as necessary.	Monthly
4	Check that soil is at appropriate depth. Fill or replace soil as necessary to maintain at a minimum of 6 inches between top of mulch and overflow weir.	Before wet season and as necessary
5	Remove accumulated sediment, litter and debris from flow-through planter and dispose of properly. Confirm that no clogging will occur and that the box will drain within 3 to 4 hours.	Before wet season and as necessary
6	Inspect flow-through planter to ensure that there are no clogs. Test with garden hose to confirm that the planter will drain within 3 to 4 hours.	Monthly during the wet season, and as needed after storm events.
7	Inspect downspouts from rooftops and sheet flow from paved areas to ensure flow to planter box is unimpeded. Remove debris and repair damaged pipes. Check splash blocks or rocks and repair, replace and replenish as necessary.	Monthly during the wet season, and as needed after storm events.
8	Inspect overflow pipe to ensure that it will safely convey excess flows to storm drain. Repair or replace any damaged or disconnected piping.	Before wet season and as necessary
9	Inspect flow-through planter to ensure that box is structurally sound (no cracks or leaks). Repair as necessary.	Annually

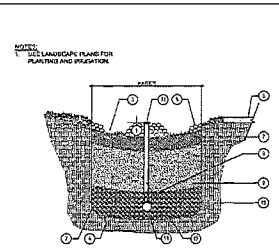
Pesticides

The use of pesticides and quick-release fertilizers shall be minimized, and the following principles of integrated pest management implemented, where feasible:

1. Employ non-chemical controls (biological, physical and cultural controls) before using chemicals to treat a pest problem.
2. Prune plants properly and at the appropriate time of year.
3. Provide adequate irrigation for landscape plants. Do not over water.
4. Limit fertilizer use unless soil testing indicates a deficiency. Slow-release or organic fertilizer is preferable. Check with municipality for specific requirements.
5. Pest control should avoid harming non-target organisms, or negatively affecting air and water quality and public health. Apply chemical controls only when monitoring indicates that preventative and non-chemical methods are not keeping pests below acceptable levels. When pesticides are required, apply the least toxic and least persistent pesticide that will provide adequate pest control. Do not apply pesticides on a prescheduled basis.
6. Sweep up spilled fertilizer and pesticides. Do not wash away or bury such spills.
7. Do not over apply pesticide. Spray only where the infestation exists.
8. Only licensed, trained pesticide applicators shall apply pesticides.
9. Apply pesticides at the appropriate time to maximize their effectiveness and minimize the likelihood of discharging pesticides into runoff. With the exception of pre-emergent pesticides, avoid application if rain is expected.
10. Unwanted/unused pesticides shall be disposed of as hazardous waste.

Standing Water

Standing water shall not remain in the treatment measures for more than five days, to prevent mosquito generation.



BIOTREATMENT CELL
SCALE: 1"=1'-0"

Biotreatment Cell Sizing

Surface area of each proposed biotreatment cell is based on a calculation of 4% of the total area that drains to the facility, per standard Santa Clara Valley Urban Runoff Pollution Prevention Program methodology for bioretention sizing. Drainage areas and calculated biotreatment cell surface areas shown below are generalized. Specific drainage areas and individual bioretention cell sizes will be determined at the PD Permit stage.

Drainage Area B1

Step 1 *Determine drainage area for the BMP*

Total roof area draining to biotreatment cells = 33,195 ft^2

Step 2 *Size the BMP*

Minimum required surface area of biotreatment cell (total) = 0.04 x 33,195 ft^2 = 1,328 ft^2

Drainage Area B2

Step 1 *Determine drainage area for the BMP*

Total roof area draining to biotreatment cells = 23,250 ft^2

Step 2 *Size the BMP*

Minimum required surface area of biotreatment cell (total) = 0.04 x 23,250 ft^2 = 930 ft^2

Drainage Area B3

Step 1 *Determine drainage area for the BMP*

Total roof area draining to biotreatment cells = 9,282 ft^2

Step 2 *Size the BMP*

Minimum required surface area of biotreatment cell (total) = 0.04 x 9,282 ft^2 = 372 ft^2

Biotreatment Cell Maintenance

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

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

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

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

Accumulated sediment and debris removal (especially at the inflow point) will normally be the primary maintenance function. Other potential tasks include replacement of dead vegetation, soil pH regulation, erosion repair at inflow points, mulch replenishment, unclogging the under drain, and repairing overflow structures. There is also the possibility that the cation exchange capacity of the soils in the cell will be significantly reduced over time. Depending on pollutant loads, soils may need to be replaced within 5-10 years of construction (LID, 2007).

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GENERAL DEVELOPMENT PLAN - EXHIBIT C

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401 - 405 RIVER OAKS PARKWAY, SAN JOSE
IRVINE APARTMENT COMMUNITIES

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PROJECT NO:	3420.10
CAD DWG FILE:	JN3420PV.DWG
DESIGNED BY:	MCF / ML
DRAWN BY:	ML
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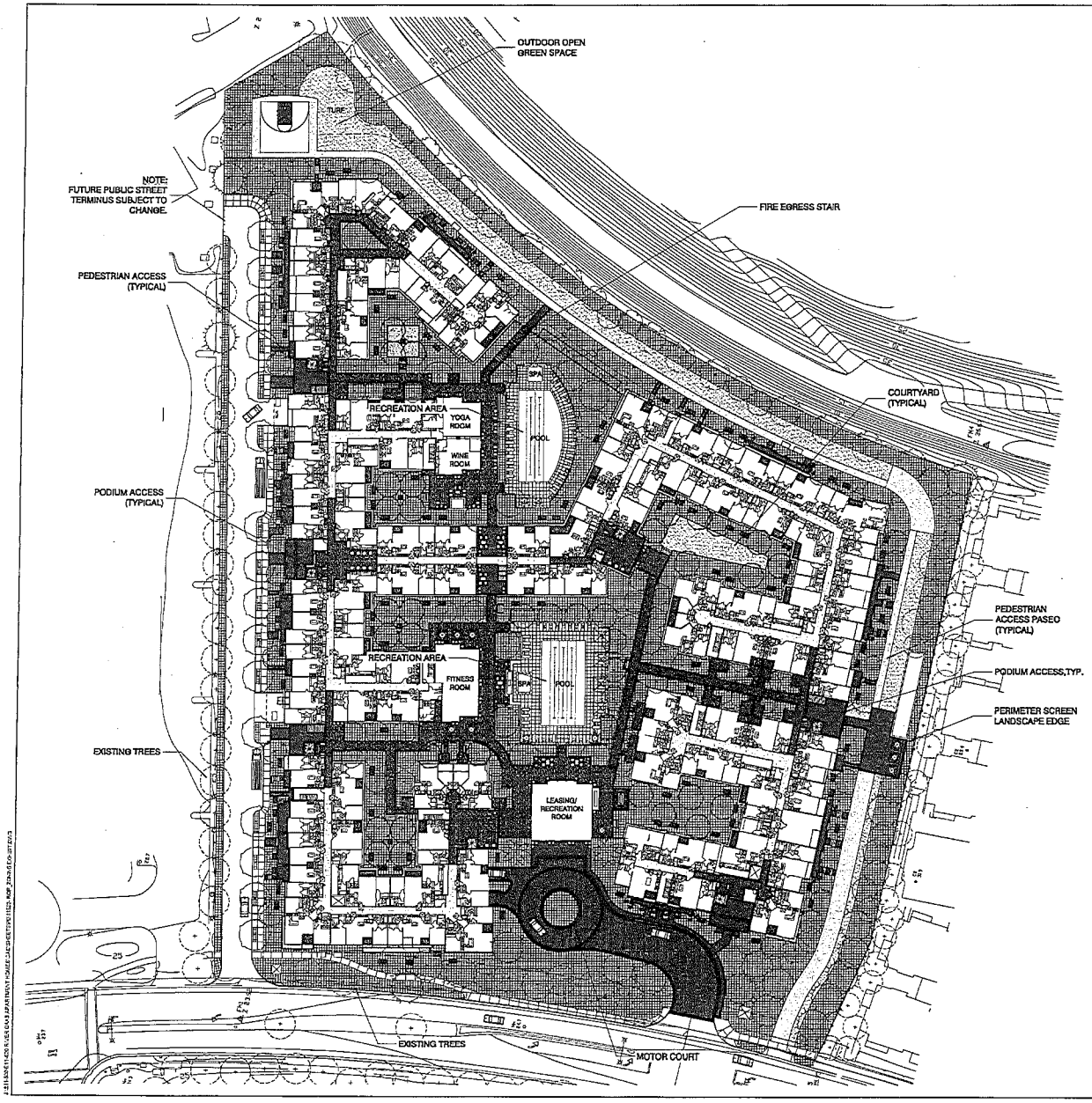
CONCEPTUAL STORMWATER CONTROL PLAN DETAILS

5.2



TREES

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
Courtyard Podium Trees:			
	Arbutus 'Marina'	Strawberry Tree	36" BOX
	Agonis flexuosa	Peppermint Tree	
	Brachychiton populneus	Bottle Tree	
	Dasiscaphus decipiens	Japanese Blueberry	
	Ginkgo biloba 'Fairmont'	'Fairmont' Maidenhair Tree	
	Laurus nobilis	Sweet Bay	
	Magnolia grandiflora	Southern Magnolia	
	Rhaphiolepis i. 'Majestic Beauty'	Med. Beauty Indian Hawthorn	
	Rhus lancea	African Sumac	
	Tristania laurina	Small-leaf Tristania	
Pool / Recreation Area Trees:			
	Cinnamomum camphora	Camphor Tree	36" BOX
	Magnolia grandiflora	Southern Magnolia	
	Olea europaea	Olive Tree	
	Podocarpus gracilior	Fern Pine	
	Schinus Molle	California Pepper	
	Tristania laurina	Small-Leaf Tristania	
Perimeter / On Grade Green Open Space Trees:			
	Brachychiton populneus	Bottle Tree	VARIES
	Cupressus sempervirens	Italian Cypress	
	Liquidambar styraciflua	American Sweetgum	
	Magnolia grandiflora	Southern Magnolia	
	Pinus canariensis	Canary Island Pine	
	Pinus eldarica	Afghan Pine	
	Platanus racemosa	California Sycamore	
	Podocarpus gracilior	Fern Pine	
	Sequoia sempervirens	Coast Redwood	
	Tristania conferta	Brisbane Box	
	Quercus agrifolia	Coast Live Oak	
Entry Drive Trees:			
	Cinnamomum camphora	Camphor Tree	VARIES
	Magnolia grandiflora	Southern Magnolia	
	Olea europaea	Olive Tree	
	Phoenix canariensis	Canary Island Date Palm	
	Pinus eldarica	Afghan Pine	
	Schinus Molle	California Pepper	
	Sequoia sempervirens	Coast Redwood	
	Quercus ilex	Holly Oak	
	Ulmus parvifolia 'Allee'	Chinese Evergreen Elm	

SHRUBS AND GROUNDCOVERS

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
	Agapanthus africanus 'Actus'	White Lily of the Nile	VARIES
	Agapanthus orientalis	Lily of the Nile	
	Anigozanthos flavidus	Red Kangaroo Paw	
	Arbutus unedo 'Compacta'	Compact Strawberry Tree	
	Arctostaphylos 'Pacific Mist'	Pacific Mist Manzanita	
	Arctostaphylos 'Emerald Carpet'	Emerald Carpet Manzanita	
	Aspidistra elator	Cast-Iron Plant	
	Azalea indica	White Azalea	
	Bougainvillea spp.	Bougainvillea	
	Buxus japonica	Japanese Boxwood	
	Buxus m. japonica 'Green Beauty'	Littleleaf Boxwood	
	Callistemon c. 'Little John'	Lemon Bottlebrush	
	Carissa macrocarpa 'Tuttle'	Tuttle Carissa	
	Carpet Rose	Carpet Rose	
	Coprosma x kirkii	Kirkii Coprosma	
	Cotoneaster dammeri 'Lowfast'	Lowfast Bearberry	
	Dietes bicolor	African Iris	
	Dietes vegeta	Fortnight Lily	
	Gravillea Noelii	NCN	
	Hedera canariensis	Algerian Ivy	
	Ligustrum japonicum	Japanese Privet	
	Liriope gigantea	Giant Lily Turf	
	Liriope muscari	Lily Turf	
	Loropetalum chinensis	Fringe-Flower	
	Loropetalum chinensis 'Blushing Pink'	Blushing Pink Fringe-Flower	
	Mahonia repens	Creeping Barberry	
	Microsepis straussii	Lace Fern	
	Nephrolepis cordifolia	Japanese Fern	
	Philodendron x 'Xanadu'	Xanadu Philodendron	
	Pittosporum tobira 'Wheeler's Dwarf'	Wheeler's Dwarf Pittosporum	
	Pleiobastus pygmaeus	Bamboo	
	Rhaphiolepis indica 'Balerina'	Indian Hawthorn	
	Rhaphiolepis indica 'Clara'	Indian Hawthorn	
	Rhaphiolepis indica 'White Enchantress'	Indian Hawthorn	
	Rosa 'Iceberg'	White Shrub Rose	
	Rosa x 'Knock Out'	Knock Out Rose	
	Rosa x 'Noalcheer'	Coral Groundcover Rose	
	Rosa x 'Noaschree'	White Carpet Rose	
	Rosmarinus officinalis	Rosemary	
	Rosmarinus o. 'Huntington Carpet'	Huntington Carpet Rosemary	
	Sasa veitchii	Dwarf White Stripe Bamboo	
	Trachelospermum jasminoides	Star Jasmine	
	Viburnum tinus 'Spring Bouquet'	Spring Bouquet Viburnum	

PLANTING NOTES

1. A wide variety of plant materials have been included as part of this legend. Not all plant materials listed will be incorporated into final design. The actual plant materials incorporated into the final design shall not be limited to the plant materials listed.
2. All shrub areas shall receive a 3" thick layer of bark mulch.
3. Trees and plant material layout shall not impede fire rescue access to upper story exit windows in bedrooms.

0 10 20 40 80 Feet

EPTDESIGN
landscape architecture | urban design | planning
9921 Irvine Center Drive
Irvine, CA 92618
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www.eptdesign.com

THE IRVINE COMPANY
APARTMENT COMMUNITIES
550 NEWPORT CENTER DR.
NEWPORT BEACH, CA

GENERAL DEVELOPMENT PLAN - EXHIBIT C

PDC11-018

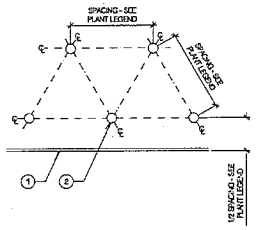
401 - 405 RIVER OAKS PARKWAY, SAN JOSE
IRVINE APARTMENT COMMUNITIES

NO	DATE	DESCRIPTION

PROJECT NO:	3923.30
CAD DWG FILE:	11529-NOP_ZONING EXHIBIT.DWG
DESIGNED BY:	M.K.
DRAWN BY:	C.R.
CHECKED BY:	H.W.
DATE:	December 20, 2011
SCALE:	1"=40'-0"

CONCEPTUAL LANDSCAPE PLAN

6.0

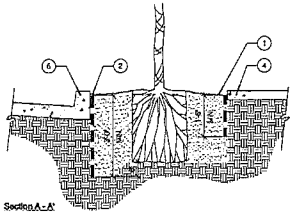


1. EDGE OF CURB/ EDGE OF PAVING/ FACE OF WALL
2. PLANT MATERIAL

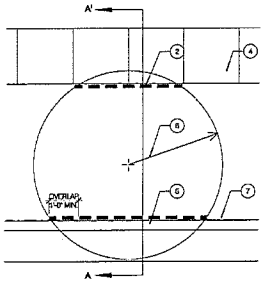
F Plant Spacing (On Grade)
Scale: NTS

NOTES:
A. POSITION ROOT BARRIER AS CLOSE TO CURB/SIDEWALK AS POSSIBLE - RAISED ROOT PROTECTORS SHALL BE FACING TOWARDS THE TREE
B. TOP OF BARRIER SHALL LEVEL WITH FINISH GRADE
C. LENGTH OF ROOT BARRIER SHALL BE EQUAL TO THE DRIPLINE OF THE PARTICULAR TREE TO BE PLANTED AS DEFINED BY THE MINIMUM SPACING DISTANCE IN THE TREE PLANTING GUIDELINES
D. APPLY MASTIC SEALER TO JOINT BETWEEN CONCRETE SURFACE AND ROOT BARRIER
E. USE ROOT BARRIERS EVERYWHERE TREES ARE PLANTED WITHIN 2' OF ANY STRUCTURE, CONCRETE FLATWORK, CURB AND GUTTER, UTILITIES, ETC.

1. FINISH GRADE
2. APPROVED ROOT CONTROL BARRIER
3. TREE ROOTBALL
4. CONCRETE FLATWORK
5. CONCRETE CURB AND GUTTER
6. DRIP LINE OF TREE (DEFINED BY THE MINIMUM SPACING DISTANCE IN THE TREE PLANTING GUIDELINES).
7. MOISTURE BARRIER



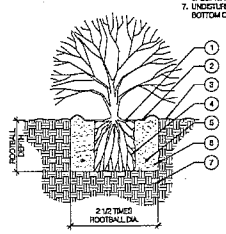
Section A - A'



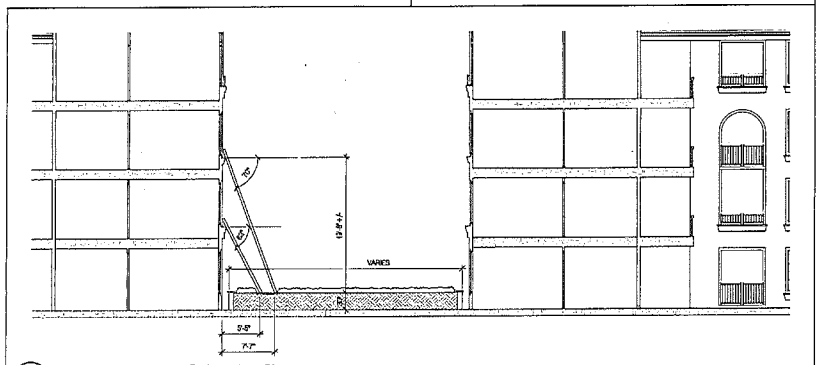
Parkway Plan View

D Linear Root Barrier
Scale: 1/2"=1'-0"
Constr. Legend Ref. (X)

1. GROWN OF SHRUB TO BE PLANTED 1" ABOVE FINISH GRADE
2. EARTH WATERING BASIN, NO LARGER THAN ROOTBALL
3. FINISH GRADE
4. ROOTBALL
5. PLANT TABLETS, REFER TO SPECIFICATIONS
6. PREPARED BACKFILL MIX PER SPECIFICATIONS
7. UNDISTURBED SOIL, SCARIFY SIDES AND BOTTOM OF PIT



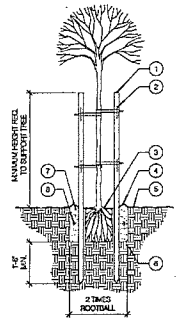
A Shrub Planting
Scale: NTS



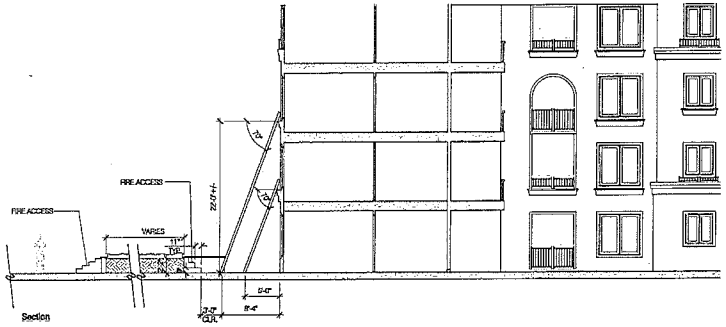
G Fire Ladder Access to Patio and 30" Planter
Scale: 1/8"=1'-0"

1. (2) 2" DIAMETER X 8' LONG TREATED LODGEPOLE STAKES FOR 5 GALLON; 10' LONG FOR 15-GALLON LARGER PLACE. STAKES PARALLEL TO PREVAILING WIND OR AS DIRECTED BY LANDSCAPE ARCHITECT
2. (4) OLIVE COLOR DAMAKS TREE STRAPS
3. ROOTBALL CROWN 2" ABOVE FINISH GRADE
4. EARTH WATERING BASIN, NO LARGER THAN ROOTBALL, RAKE CUT AS DIRECTED
5. FINISH GRADE
6. UNDISTURBED SOIL, SCARIFY SIDES AND BOTTOM OF PIT
7. BACKFILL MIX PER PLANTING SPECIFICATIONS
8. PLANTING TABLETS PER PLANTING SPECIFICATIONS

NOTES:
A. PLANT PIT SHOWN IS FOR 15 GALLON SIZE - FOR LARGER MATERIAL, PLANT PIT SHALL BE 12" LARGER THAN BOX SIZE ON ALL SIDES AND NO DEEPER THAN BOX DEPTH
B. FOOT TAMP BACKFILL LIGHTLY IN 6"-12" LIFTS
C. MAINTAIN A MIN. 1'-0" RADIUS CLEAR EARTH AREA AROUND TRUNK IN TURF

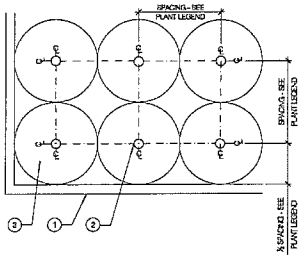


B Tree Planting and Staking
Scale: 1/2"=1'-0"



H Fire Ladder Access to Patio and 30" Planter
Scale: 1/8"=1'-0"

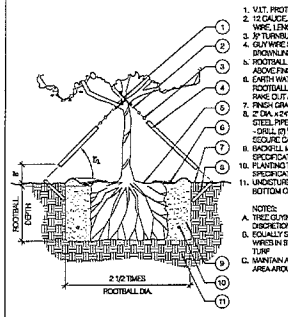
1. EDGE OF CURB/ EDGE OF PAVING/ FACE OF WALL
2. PLANT MATERIAL
3. PLACE ONE SHRUB AT CORNER



E Plant Spacing (On Podium Only)
Scale: NTS

1. V.I.T. PROTECTIVE COLLAR
2. 12 GAUGE, DOUBLE STRAND GALVANIZED WIRE, LENGTH AS REQUIRED
3. ⅜" TURNBUCKLE, 2 PER GUYING WIRE
4. GUY WIRE SHALL BE FLAGGED WITH ½" O.D. BROWN LINE PVC PIPE - WIRE IN PLACE
5. ROOTBALL CROWN SHALL BE PLANTED 2" ABOVE FINISH GRADE
6. EARTH WATERING BASIN, NO LARGER THAN ROOTBALL, WITH 2" LAYER OF BARK MULCH. RAKE CUT AS DIRECTED
7. FINISH GRADE
8. 2" DIA. x 24" LENGTH, 16 GAUGE, GALVANIZED STEEL PIPE STAKE DRIVEN FLUSH TO GRADE - DRILL (5) ⅜" DIA. HOLES, 3" FROM TOP TO SECURE CABLE
9. BACKFILL MIX PER PLANTING SPECIFICATIONS
10. PLANTING TABLETS PER PLANTING SPECIFICATIONS
11. UNDISTURBED SOIL, SCARIFY SIDES AND BOTTOM OF PIT

NOTES:
A. TREE GUYING WILL BE LOCATED AT THE DISCRETION OF THE LANDSCAPE ARCHITECT
B. EQUALLY SPACE AROUND TREE (4) GUY WIRES IN SHRUB AREA AND (3) GUY WIRES IN TURF
C. MAINTAIN A MIN. 1'-0" RADIUS CLEAR EARTH AREA AROUND TRUNK IN TURF



C Tree Guying (For 36" Box & Larger)
Scale: 1/2"=1'-0"

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THE IRVINE COMPANY
APARTMENT COMMUNITIES
550 NEWPORT CENTER DR.
NEWPORT BEACH, CA

GENERAL DEVELOPMENT PLAN - EXHIBIT C

PDC___-___

401 - 405 RIVER OAKS PARKWAY, SAN JOSE
IRVINE APARTMENT COMMUNITIES

NO	DATE	DESCRIPTION
△		
△		
△		
△		
△		

PROJECT NO:	3623.10
CAD DWG FILE/EDS: ROP_PLANTING DETAILS.DWG	
DESIGNED BY:	M.H.
DRAWN BY:	C.R.
CHECKED BY:	H.W.
DATE:	December 20, 2011
SCALE:	1"=40'-0"

PLANTING DETAILS

6.1

J:\EPT-PROJ\3623.10 ROP GDP & APARTMENTS\CD\SHEETS\6.1 PLANTING DETAILS.DWG

PLOTTED: 12/27/2011 12:32 PM

PC AGENDA: 03-07-12
ITEM: 3.a.2.

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: PLANNING COMMISSION **FROM:** Joseph Horwedel

SUBJECT: **Development Agreement – River Oaks San Jose, LLC** **DATE:** March 2, 2012

DISTRICT: 4

RECOMMENDATION

Recommend approval to the City Council of an ordinance approving a proposed Development Agreement with River Oaks San Jose, LLC, a California Corporation for the development of real property in North San Jose.

BACKGROUND

The proposed Development Agreement between River Oaks San José (Irvine), to be developed by The Irvine Company, and the City is the vehicle to lay out the agreement reached between the City staff and the developer reallocating up to 450 affordable housing units in the North San José Area Development Policy (NSJADP) to be used as market-rate units. The discussions between Irvine and the City have progressed over the past four months and have been presented, in concept, to the City Council during that time.

DEVELOPMENT AGREEMENT ORDINANCE FINDINGS

Development Agreements are required by the City Municipal Code to meet certain findings to be considered for approval by the City Council. The findings with the appropriate information documenting how the proposal conforms to the requirements of the Municipal Code for each finding area as follows:

1. The proposed development is consistent with the general plan and all applicable specific or area plans; and

   The proposed ordinance would set forth the substance of a Development Agreement between the developer and the City regarding the amount of a contribution offered by the developer to facilitate the production of affordable housing units, and would establish the timing of the contribution. The specific project that would benefit from

the Development Agreement is subject to a Planned Development Rezoning that would allow up to 450 multifamily units or industrial park uses. The rezoning is consistent with the Envision 2040 General Plan and the North San José Area Development Policy in that it is on lands designated for the housing overlay, and does not displace driving industry companies

2. The proposed development should be encouraged in order to meet important economic, social, environmental or planning goals of the city; and

   The proposed project will make an extraordinary contribution to affordable housing of over $6,000,000 during a period in which no requirement exists for affordable housing; this will allow the City to proceed with affordable housing projects that have been suspended due to the lack of financial resources to build the projects. This contribution is beyond what any other market-rate builder has provided in the NSJADP area or city-wide.

3. The development agreement would facilitate the development of the subject property in the manner proposed; and

   The proposed development does not currently have market-rate units reserved in Phase 1 of the NSJADP. The approval of the Development Agreement would allow the developer to make a contribution to the City for affordable housing that would meet the City's housing goals, and also give certainty for the developer to proceed through the permitting process to be ready to make the financial contribution to the City Affordable Housing Fund.

4. The proposed development meets all of the findings listed for criteria a, or b, or c below.

   a. The developer will incur unusually substantial costs in order to provide public improvements, facilities or services from which the public will benefit; and

      The proposed project will be making an extraordinary contribution to affordable housing of over $6,000,000 during a period that no requirement existing for affordable housing that will allow the City to proceed with affordable housing projects that have been suspended due to the lack of financial resources to build the projects. This contribution is beyond what any other market-rate builder has provided in the NSJADP area or city wide.

   b. The developer has made commitments to a very high standard of quality and agreed to development limitations beyond that required by existing city zoning code;

      The proposed project is high quality and the developer is making a contribution to the Affordable Housing Fund that meets the previous City affordable housing requirement and exceeds it with an additional $2,000,000 contribution.

ANALYSIS

The proposed Development Agreement would result in the developer making a monetary contribution to the City of San José's affordable housing program of approximately $8,855,000 total, in two parts--$6,855,000 as compensation for the City's reallocation up to 450 affordable housing units in Phase 1 of the NSJADP to be built as market-rate units, tied to the actual number and size of units built, and a second fixed amount of $2,000,000. The first amount is to be paid prior to issuance of the first building permit; the fixed amount would be paid at Certificate of Occupancy of the building. Since the City Council approved the incentives to start housing construction in the NSJADP, all the market-rate units in the phase have been reserved and, in some cases, over-subscribed. Based on the level of competition that currently exists in the North San José market, staff explored approaches that would allow those market forces to drive development while continuing to generate resources to achieve the City's affordable housing goals.

Because market-rate units in the NSJADP are highly coveted by other developers, staff alerted other developers who had expressed interest in additional Phase 1 market-rate units to submit proposals that would achieve the City Council's goal of producing the largest boost to the affordable housing production in the shortest time possible. The proposal from Irvine was the only formal response received that met those goals.

OUTCOME

Approval of the ordinance that would approve the substantive terms of the Development Agreement will provide certainty to the developer to proceed with the Building Permit process and will allow the City the mechanism to reallocate some of the affordable units to market-rate developers while retaining the certainty that sufficient resources will be delivered to the City to build additional affordable housing in the NSJADP as well as the balance of the City. Alternatives to this general concept were considered and were discussed with the City Council when the Council considered and approved amendments to the North San Jose Area Development Policy that would allow the City to consider such a reallocation.

CEQA

An Initial Study (IS) and Addendum to the North San Jose Area Development Policies Update Program Environmental Impact Report (EIR) were prepared by the Director of Planning, Building, and Code Enforcement for the subject Planned Development Rezoning and proposed Development Agreement.

Based on the analysis in the Initial Study and Addendum, the City concludes that the Final Program EIR adequately discloses and addresses the environmental effects of the proposed rezoning for 450 residential units as part of the 32,000 units that the Program EIR analyzed. Furthermore, the City finds that this project would not result in any significant environmental effects not already identified and addressed in the Final Program EIR.

COORDINATION

The proposed Development Agreement has been coordinated with the Housing Department, the Parks, Recreation and Neighborhood Services Department, and the City Attorney's Office.

JOSEPH HORWEDEL, DIRECTOR
Planning, Building and Code Enforcement

For additional information, please contact Joe Horwedel at (408) 535-7900.

Attachment

TERM SHEET FOR
PROJECT DEVELOPMENTAGREEMENT

RIVER OAKS MULTIFAMILY RESIDENTIAL PROJECT

1. **Proposed Project.** The Irvine Company ("TIC") proposes to demolish existing buildings and attendant infrastructure, and subsequently develop a high-density multi-family residential project consisting of up to 450 Class A residential units (the "Project").

2. **Project Site.** The real property proposed to be developed is an approximately 8.1 acre site located at 401 and 405 River Oaks Parkway (the "Project Site").

3. **Rezoning.** On October 14, 2011, TIC submitted an application for a rezoning of the Project Site to A(PD) (Planned Development) to allow for the Project. The City of San Jose ("City") agrees to cooperate in good faith with TIC in processing this application. The City's cooperation is not to be construed as granting any approvals of the rezoning or any other request. If, for any reason (including, but not limited to, withdrawal of the application), the Project Site is not rezoned to A(PD), TIC and the City agree that the existing IP (Industrial Park) site zoning shall remain in effect, and the Project Implementation Agreement (the "Agreement") contemplated by this Term Sheet shall terminate and neither party shall have any obligations thereunder.

4. **Residential Allocation.**

a. **Residential Conversion Permitted.** TIC acknowledges that the Project is subject to the North San Jose Area Development Policy (the "Policy") phasing requirements. The Policy supports the conversion of specific sites from industrial use to high-density residential use, based upon specific criteria compatible with industrial activity, allowing for the phased development of up to 32,000 new residential units in the North San Jose area. The City and TIC agree that (1) the Project Site does not contain an important, vital, or driving industrial use, as the buildings located at the Project Site are currently vacant, (2) the Project Site is not located adjacent to an industrial use that would be adversely affected by a residential conversion, and (3) the Project Site is not located in proximity to a use that would create a hazardous condition for the proposed residential development.

b. **Agreement Will Identify Market Rate Allocation.** Prior to or concurrently with execution of the Agreement, the City shall have reserved 450 market rate residential units to TIC under the Policy, and upon completion of the plan check process for issuance of permits for construction of the first residential building, the City shall allocate 450 market rate units to TIC. The Agreement shall provide that this reservation and any subsequent allocation shall not be modified during the term of this agreement without the consent of TIC.

5. **Environmental Review.** TIC and the City will cooperate on compliance with the environmental review requirements of the California Environmental Quality Act. ("CEQA"; Pub. Resources Code, §§ 21000 et seq; 14 Cal. Code Regs., §§ 15000 et seq.) TIC and the City acknowledge that an environmental impact report was prepared and certified for the North San

Jose Development Policies Update (the "NSJEIR"). To the extent authorized by CEQA, and consistent with the City's approach for other projects in the North San Jose area, TIC and the City agree to use the NSJEIR to streamline the environmental review for the Project. The City acknowledges that the purpose of the NSJEIR was to allow for such streamlining, and that the City has previously utilized addenda for purposes of complying with CEQA in the North San Jose area.

6. **Approval Process.** The City will cooperate with TIC to facilitate all permits, agreements, amendments, subdivision maps, site plan reviews, and other zoning and governmental approvals associated with the Project. TIC and the City will identify all City approvals required for the Project, develop a schedule to address processing requirements for the various approvals, and work together in good faith to ensure review and processing of the applications in a timely manner.

7. **Payment to City.** TIC agrees to pay the City approximately $6,885,000 (which is equal to the in-lieu fee set forth in the City's Inclusionary Housing Policy assuming that TIC constructs 450 residential units at the Project, each with a net square footage of 900 square feet, and shall be adjusted based upon the actual number of residential units constructed and the net square footage of such constructed residential units), plus an additional $2 million. The payment shall be made to the City by TIC in two separate installments as follows: (1) $6,885,000 (as adjusted pursuant to the preceding sentence) shall be payable upon the issuance of the first building permit to authorize residential construction for the Project, and (2) $2,000,000 shall be payable upon the issuance of a certificate of occupancy for the Project.

8. **Satisfaction of Inclusionary Housing Requirement**. Because of the uncertain status of the City's Redevelopment Agency and the legal uncertainty created by the *Palmer v. City of Los Angeles* decision, the City agrees that TIC's payment set forth in clause (1) of Section 7 of this Term Sheet will fully satisfy any and all existing and future inclusionary housing requirement(s).

9. **Satisfaction of Park Requirement.** The City and TIC acknowledge that TIC's Crescent Village project includes a 5-acre public park that is located across the street from the Project. In addition, the City and TIC acknowledge that the Essex Property Trust project at 535 River Oaks Parkway includes a public park. In light of the existence of the nearby public parks, the City and TIC agree that all park requirements (including, without limitation, the City's Parkland Dedication Ordinance, Park Impact Ordinance, and the North San Jose Neighborhoods Plan) applicable to the Project will be satisfied through payment of a consolidated in-lieu park fee, and that no park will be required to be constructed on the Project Site, nor will a parkland dedication be required

10. **Agreement Term.** This agreement is for the sole purpose of facilitating development of affordable housing in an expeditious manner and implementation is of utmost interest to the City. TIC shall proceed with due diligence and speed to ensure that work necessary to start construction prior to December 31, 2013. Should TIC not obtain their plan check approvals and pull permits to start construction of the first phase including payment to the

City prior to December 31, 2013, this agreement is terminated and all allocations of Market Rate Units shall revert back to the Affordable Housing pool in Phase One.