



# Memorandum

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**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Planning Commission

**SUBJECT:** SEE BELOW

**DATE:** March 8, 2012

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**COUNCIL DISTRICT:** 4  
**SNI AREA:** N/A

**SUBJECT: FILE NO. PDC11-018, 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 MULTI-FAMILY RESIDENTIAL APARTMENT UNITS AT A MINIMUM DENSITY OF 55 DU/AC ON AN 8.1 GROSS ACRE SITE.**

## **RECOMMENDATION**

The Planning Commission voted 6-0-1 (Commissioner Kamkar absent) to recommend that the Council find the project in conformance with the California Environmental Quality Act (CEQA) and recommend that the Council approve the proposed Planned Development Rezoning as recommended by staff.

## **OUTCOME**

Should the Council approve the Planned Development Rezoning as recommended by the Planning Commission and staff, the applicant would be able to move forward with a Planned Development Permit and subsequent building permits to allow for the construction of up to 450 multi-family residences on the subject site.

## **BACKGROUND**

On March 7, 2012, the Planning Commission opened a public hearing to consider the proposed Planned Development Rezoning. The Director of Planning, Building and Code Enforcement recommended approval of the proposed Planned Development Rezoning.

Staff provided introductory comments by stating that the proposed rezoning is consistent with the General Plan's Focused Growth Major Strategy as the subject site is located within an identified growth area. Additionally, the proposed project is consistent with the North San José Area Development Policy and the North San José Urban Design Guidelines which both shape and support the identity of North San José as a pedestrian and transit-oriented business center at its core, connected by neighborhoods that support the job growth. A revised set of development standards were provided to the Planning Commission. Staff stated that minor revisions were made to the setbacks to clarify where setbacks are measured to and from, and provided more specific direction as to the allowable building height specifically at the eastern property line adjacent to the existing residences.

Dan Miller, representing the applicant-the Irvine Company, spoke on behalf of the project. He stated that he concurred with the changes to the development standards as presented by staff. He also encouraged the City to use the park fees from this project to complete the development of the park at the Essex development site.

Following the applicant's presentation, approximately four members of the public spoke on the item. The speakers expressed appreciation for all of the outreach by the applicant with the neighborhood, but in order to provide a better buffer to the project, they would like a larger setback of 60 feet from the eastern property line, larger breaks or recesses in the building at this location, and a reduced building height to four stories as well. The speakers also urged the City to use the park fees from this project to complete the park at the Essex development site. They also stated that they would like access to the Coyote Creek Trail from the site and for construction traffic to access the site from Zanker road and not past the existing residences. One speaker was concerned that the building was too close to the Riparian Corridor and that the setback in this area should be increased.

The applicant provided follow-up comments by noting that they supported access to the Coyote Creek Trail from their site should the Water District allow such a connection. Commissioner Bit-Badal questioned the applicant about the project's conformance with the Riparian Corridor Policy. The applicant responded that the site was adjacent to a compacted earthen channel that was installed by the Water District as a part of flood control for the Coyote Creek. The Director of Planning added that this area did not include Riparian habitat and that the actual Riparian vegetation was far off from the subject site beyond the flood control channel and the Coyote Creek Trail. He added that at the Planned Development Permit stage, staff could ensure that the landscaping adjacent to the Coyote Creek was consistent with native Riparian vegetation in the area.

The Commission then closed the public hearing and Commissioner Abelite made a motion to recommend that the Council approve the proposed Planned Development Rezoning as recommended by staff, including the revised development standards dated March 7, 2012, that were handed out at the meeting and the verbal changes made by staff at the beginning of the hearing.

The Planning Commission then voted 6-0-1 (Commissioner Kamkar absent) to recommend that the Council approve the proposed Planned Development Rezoning as recommended by staff.

## **ANALYSIS**

A complete analysis of the issues regarding this project, including General Plan conformance, is contained in the staff report. This report and memorandum are attached for reference.

## **EVALUATION AND FOLLOW-UP**

If the zoning is approved, the applicant would be required to file subsequent development permits with the Planning Division in order to implement the project on the subject site.

## **PUBLIC OUTREACH/INTEREST**

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

Although this item does not meet any of the above criteria, staff followed Council Policy 6-30: Public Outreach Policy. A notice of the public hearing was distributed to the owners and tenants of all properties located within 1,000 feet of the project site and posted on the City's website. The rezoning was also published in a local newspaper, the Post Record. This staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

Additionally, 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 concern 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.

**COORDINATION**

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

**FISCAL/POLICY ALIGNMENT**

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

**CEQA**

The environmental impacts of this project were addressed by an Addendum to the Final EIR entitled, "North San José Development Policies Update." Findings were adopted by City Council Resolution No. 72768 on June 21, 2005.

/s/  
JOSEPH HORWEDEL, SECRETARY  
Planning Commission

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

Attachments:  
Revised Development Standards

# STAFF REPORT PLANNING COMMISSION

**FILE NO.: PDC11-018**

**Submitted: October 14, 2011**

**PROJECT DESCRIPTION:**

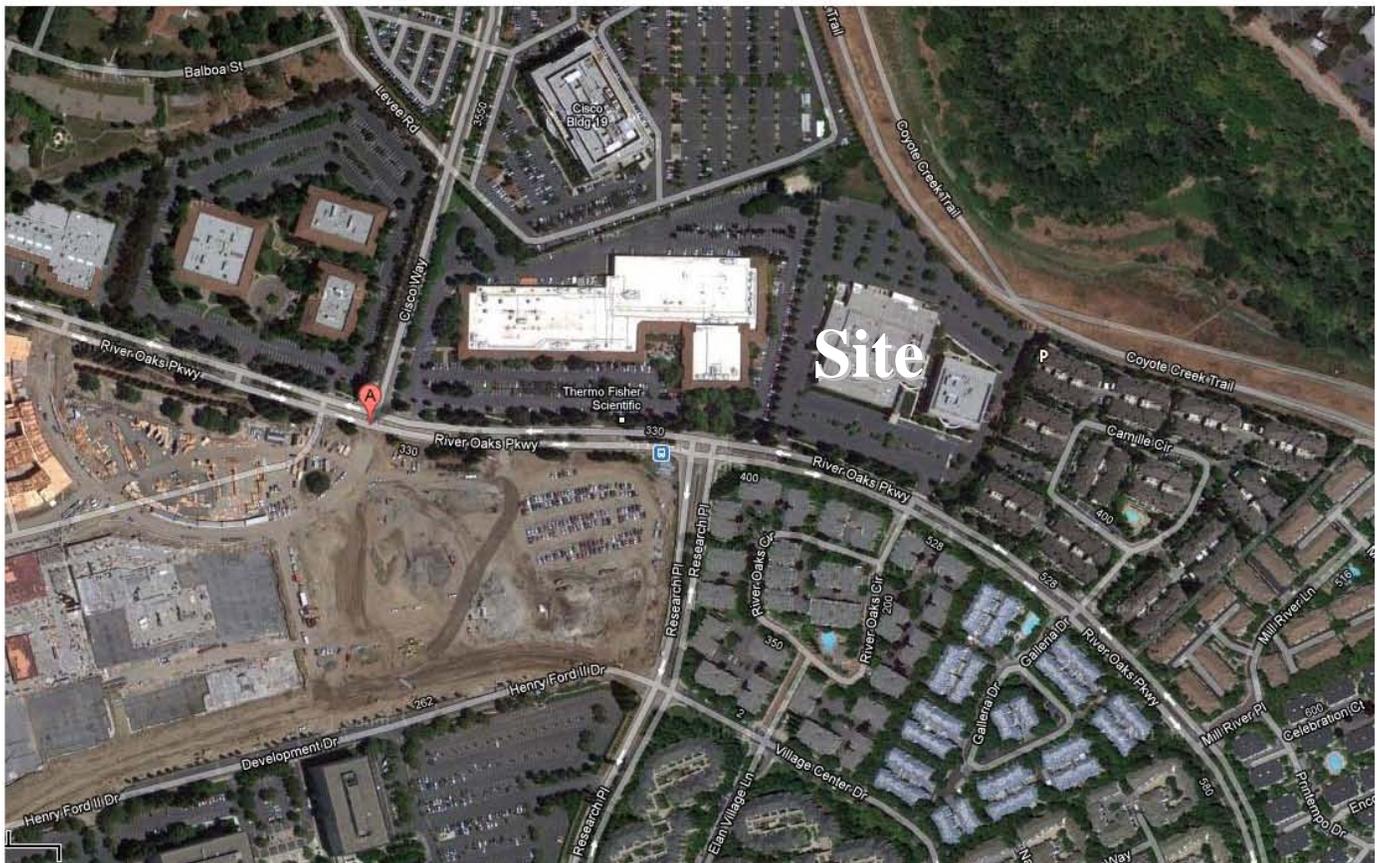
A Planned Development Rezoning from the IP Industrial Park Zoning District to the IP(PD) Planned Development Zoning District to allow for the development of a minimum of 450 residential apartment units on the 8.1 gross acre site.

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

**LOCATION:**

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

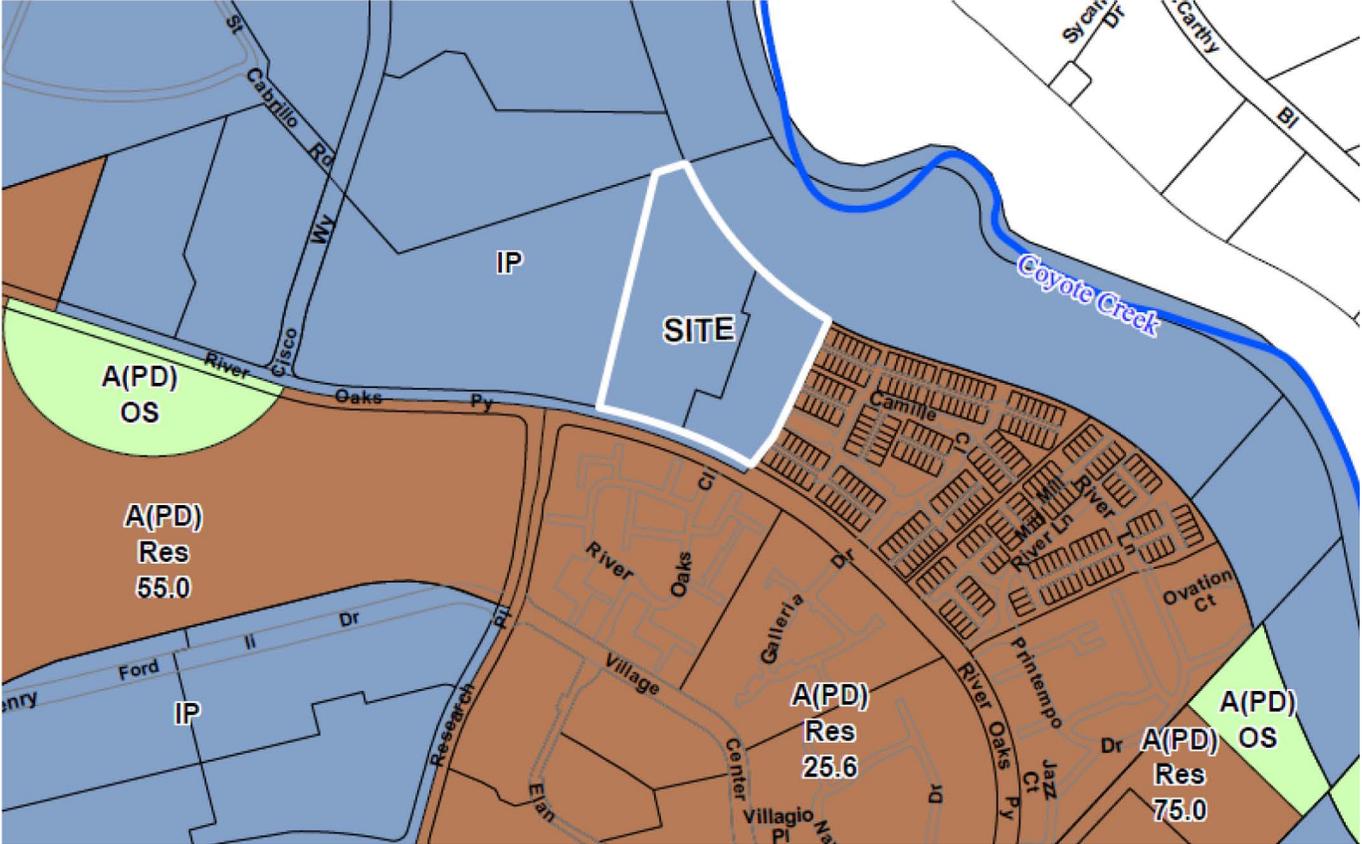
**Aerial Map**



### 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-bedroom: 1.5 spaces per unit  
2-bedroom: 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 supported 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 with 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:***Samuel Prevetti***Date:***2.29.12*

Owner/Applicant:	Attachments:
<u>Owner:</u> River Oaks San Jose Group, LLC 550 Newport Center Drive Newport Beach, CA 92660  <u>Applicant:</u> 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.\**

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**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**

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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 1<sup>st</sup>. 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**

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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:
      1. 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; inseting 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**

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**Xavier, Lesley**

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**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**

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**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

2/27/2012

# 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



## TABLE OF CONTENTS

1.0	TITLE SHEET	3.4	3D AERIAL ILLUSTRATIVE
2.0	LAND USE PLAN	3.5	EDGE CONDITIONS
2.1	LAND USE NOTES	4.0	CONCEPTUAL DIMENSIONED SITE PLAN
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

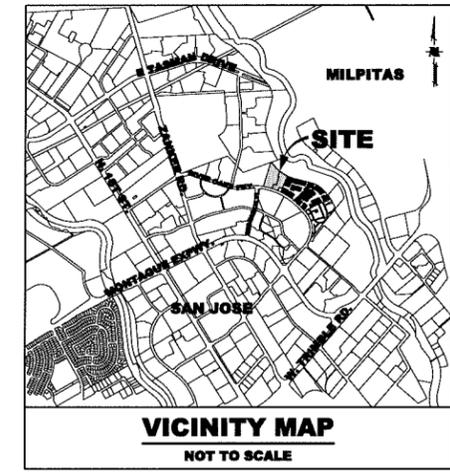
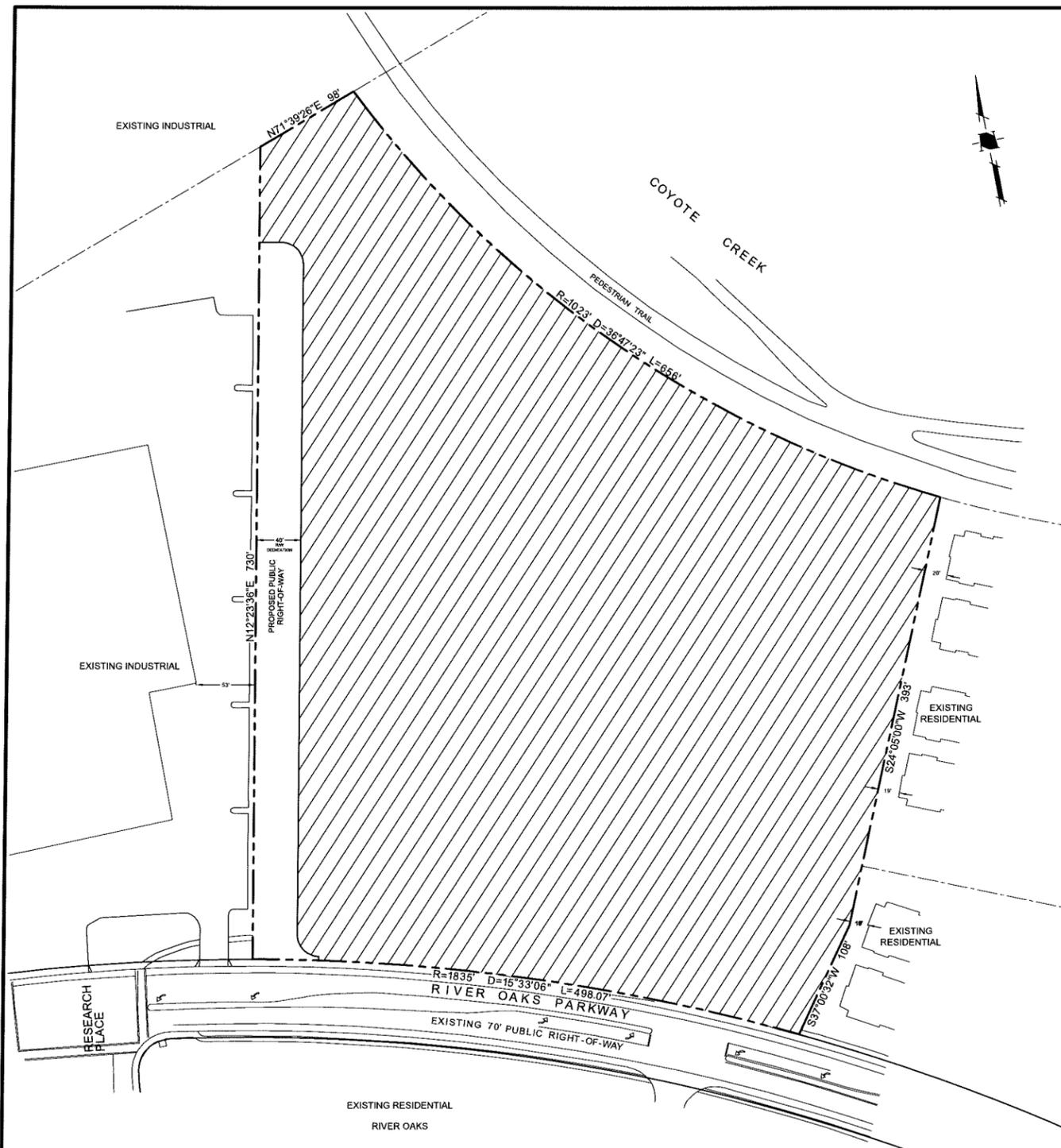
<b>DEVELOPER:</b>	THE IRVINE COMPANY CONTACT: TODD KELLER 550 NEWPORT CENTER DR. NEWPORT BEACH, CA 92660 (949)720-2869	<b>ARCHITECT:</b>	MVE ARCHITECTS CONTACT: PIETER BERGER 1900 MAIN STREET, SUITE 800 IRVINE, CA 92614 (949)809-3333
<b>PLANNER/CIVIL ENGINEER:</b>	HMM CONTACT: MELISSA LANDER 1570 OAKLAND ROAD SAN JOSE, CA 95131 (408)487-2200	<b>LANDSCAPE ARCHITECT:</b>	EPT DESIGN CONTACT: HWA WANG 9821 IRVINE CENTER DRIVE IRVINE, CA 92618 (949)502-4500



NO	DATE	DESCRIPTION
1	3/13/2012	PER CITY COMMENTS
2	12/19/2011	PER CITY COMMENTS
PROJECT NO: 3823.10		
CAD DWG FILE: 382310TS.DWG		
DESIGNED BY: ML		
DRAWN BY: ML		
CHECKED BY: TA		
DATE: OCTOBER 19, 2011		
SCALE: NOT TO SCALE		
© HMM		

TITLE SHEET

DEVELOPMENT STANDARDS  
TO BE DETERMINED



**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 DEDICATION	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 (408) 487-2200  
San Jose, CA 95131 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**

△		
△		
△		
△	2/13/2012	PER CITY COMMENTS
△	12/19/2011	PER CITY COMMENTS
NO	DATE	DESCRIPTION
PROJECT NO: 3623.10		
CAD DWG FILE: 362310.LU.DWG		
DESIGNED BY: ML		
DRAWN BY: ML		
CHECKED BY: TA		
DATE: OCTOBER 19, 2011		
SCALE: 1" = 60'		
© HMH		

**LAND USE PLAN**

ENVIRONMENTAL MITIGATION

TO BE DETERMINED

NOTES TO BE ADDED AFTER CITY COUNCIL APPROVAL



Land Use Entitlements  
Land Planning  
Landscape Architecture  
Civil Engineering  
Utility Design  
Land Surveying  
Stormwater Compliance

1570 Oakland Road (408) 487-2200  
San Jose, CA 95131 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

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SCALE: NOT TO SCALE		
© HMH		

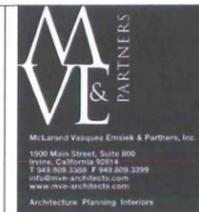
LAND USE NOTES



# Aerial Site Plan



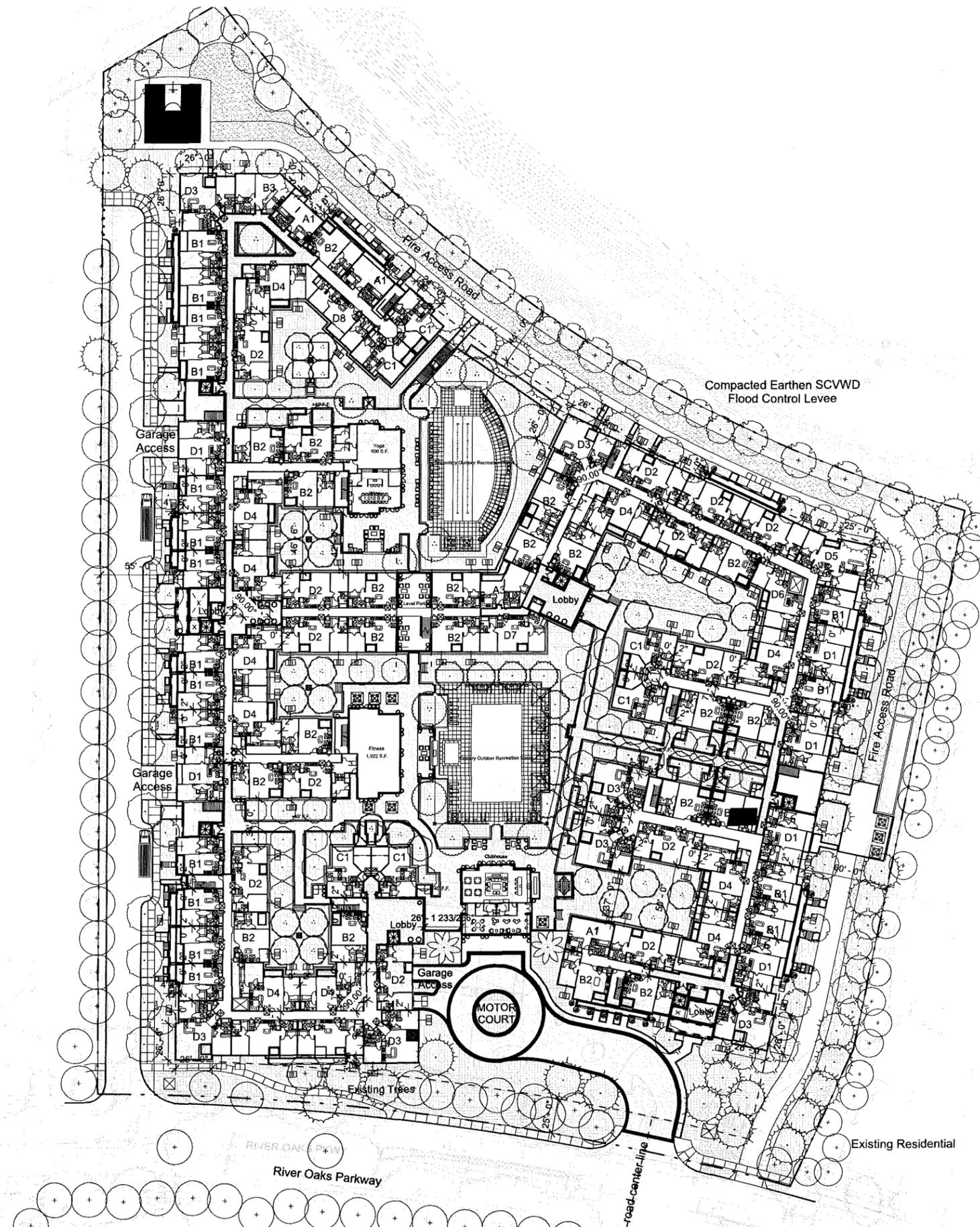
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 Date: 12.20.2011



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

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NO	DATE	DESCRIPTION
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CAD DWG FILE:		382310BR.DWG
DESIGNED BY:		
DRAWN BY:		
CHECKED BY:		
DATE:		OCTOBER 19, 2011
SCALE:		
© HMM		

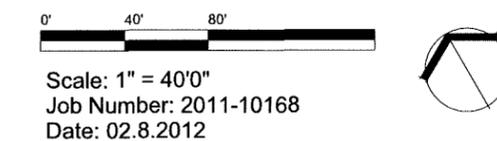
**GENERAL DEVELOPMENT  
 PLAN - EXHIBIT C**  
 PDC -  
 401 - 405 RIVER OAKS PARKWAY, SAN JOSE  
 IRVINE APARTMENT COMMUNITIES



**UNIT COUNT/MIX:**

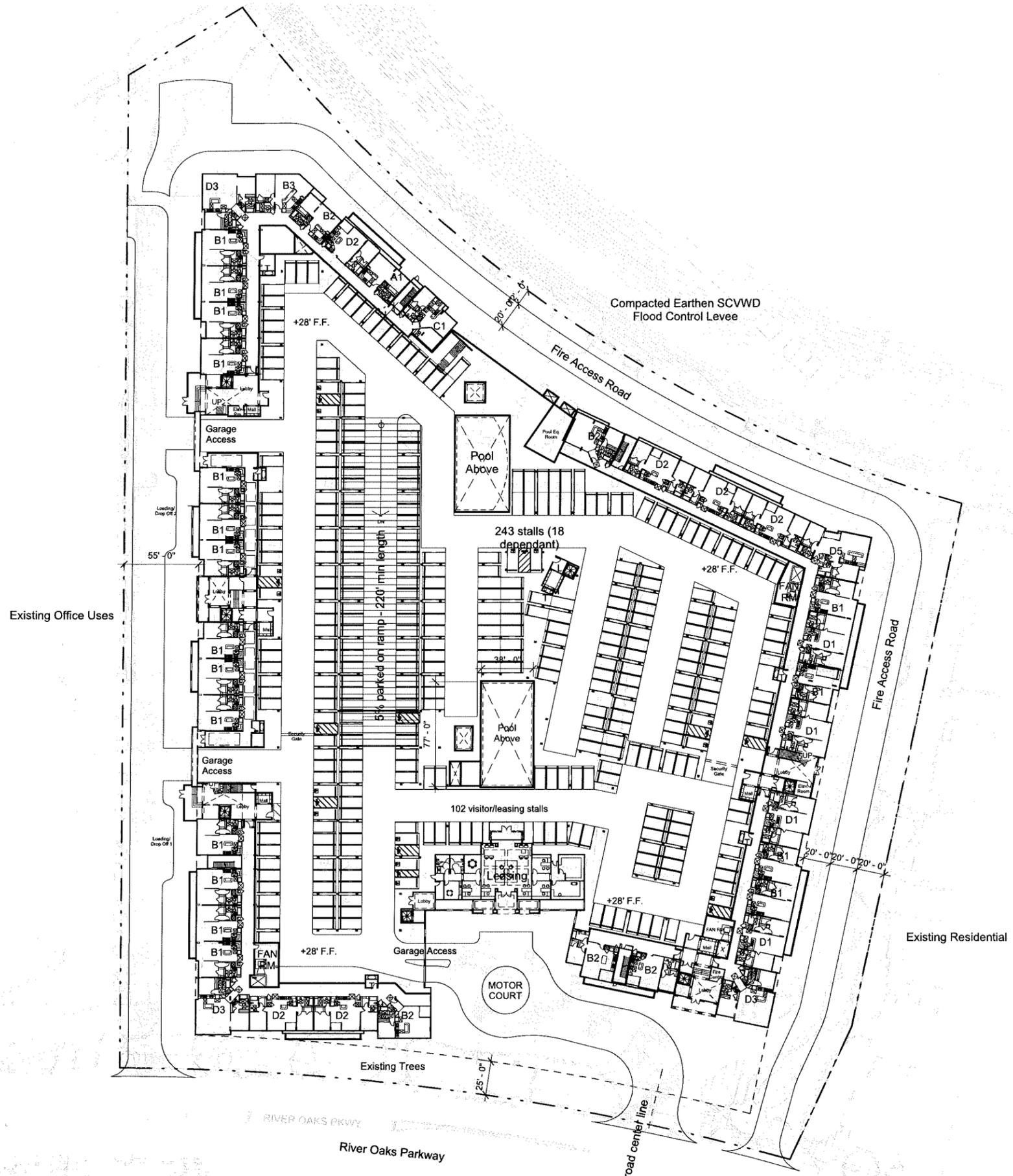
UNIT PLAN	NET AREA	UNITS	% of MIX
<b>Studio</b>		<b>33</b>	<b>8%</b>
Unit A1	671 S.F.	18	
Unit A2	813 S.F.	11	
Custom		4	
<b>1x1</b>		<b>151</b>	<b>36%</b>
Unit B1	685 S.F.	78	
Unit B2	785 S.F.	68	
Custom		5	
<b>1x1 Loft</b>		<b>25</b>	<b>6%</b>
<b>1x1 Den</b>		<b>36</b>	<b>7%</b>
Unit C1	885 S.F.	36	
<b>2x2</b>		<b>183</b>	<b>41%</b>
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	
<b>2x2 Loft</b>		<b>10</b>	<b>2%</b>
<b>Total</b>		<b>438</b>	<b>100%</b>

**Podium Level 2 Site Plan**



NO	DATE	DESCRIPTION
PROJECT NO:		3623.10
CAD DWG FILE:		362310BR.DWG
DESIGNED BY:		
DRAWN BY:		
CHECKED BY:		
DATE:		OCTOBER 19, 2011
SCALE:		
© HMM		

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



**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 SETTLEMENT:**  
 45,733 SF

**Level 1 Site Plan**

0' 40' 80'  
 Scale: 1" = 40'0"  
 Job Number: 2011-10168  
 Date: 02.8.2012

NO	DATE	DESCRIPTION
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CAD DWG FILE:	382310BR.DWG	
DESIGNED BY:		
DRAWN BY:		
CHECKED BY:		
DATE:	OCTOBER 19, 2011	
SCALE:		
©	HMH	

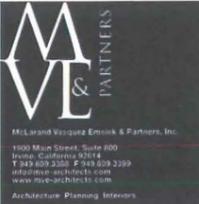


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### 3D Aerial Illustrative

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Job Number: 2011-10168  
Date: 12.20.2011

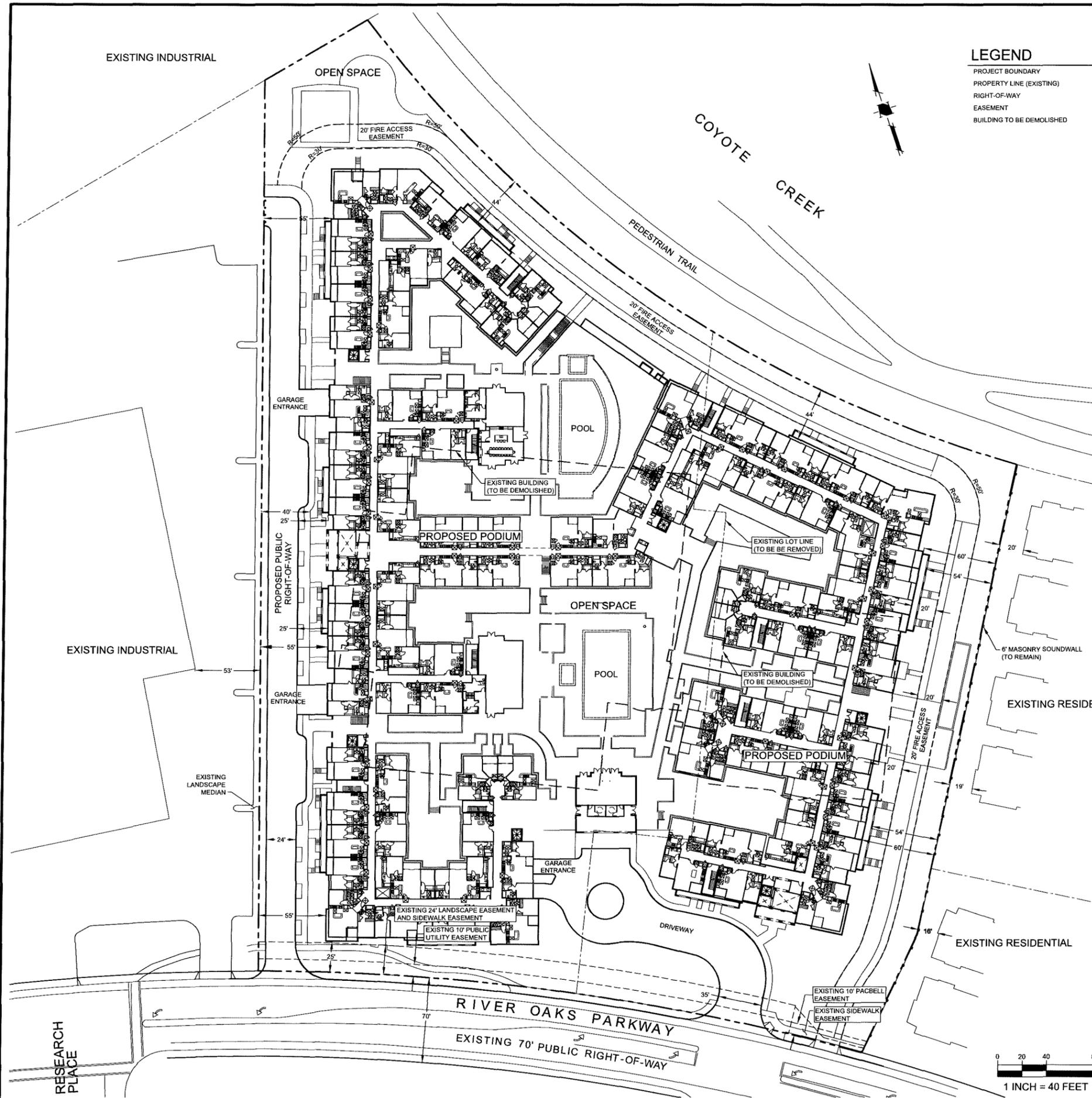


THE IRVINE COMPANY  
APARTMENT COMMUNITIES  
550 NEWPORT CENTER DR.  
NEWPORT BEACH, CA

## GENERAL DEVELOPMENT PLAN - EXHIBIT C PDC 11-018 401 - 405 RIVER OAKS PARKWAY, SAN JOSE IRVINE APARTMENT COMMUNITIES

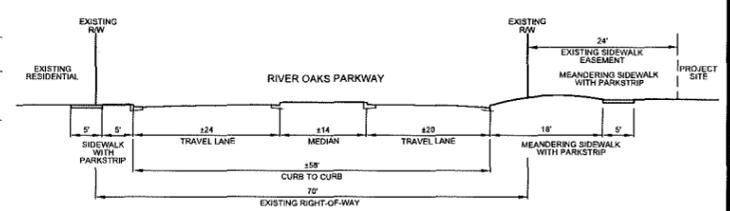
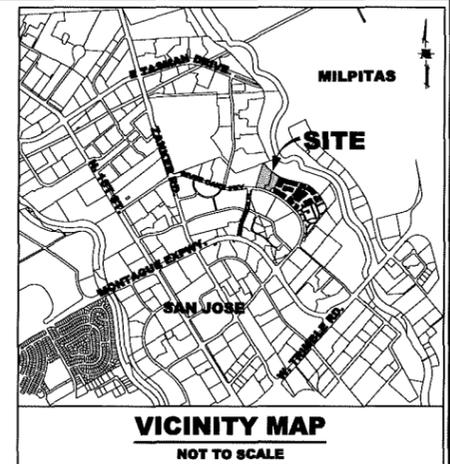
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DRAWN BY:		
CHECKED BY:		
DATE:		OCTOBER 19, 2011
SCALE:		
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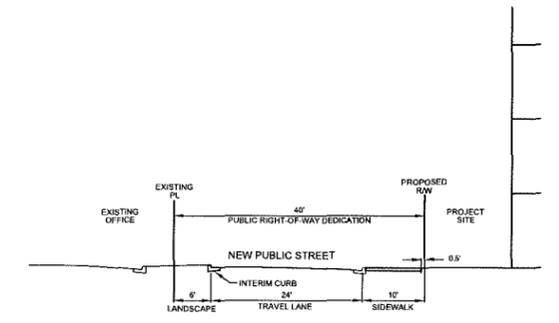


**LEGEND**

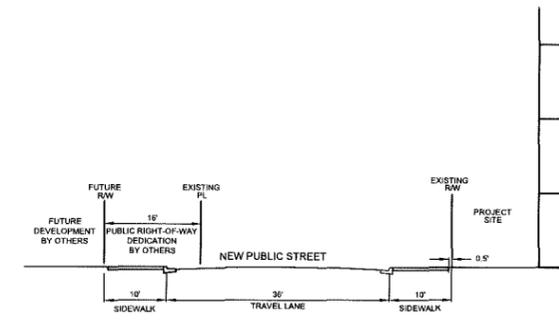
PROJECT BOUNDARY	---
PROPERTY LINE (EXISTING)	---
RIGHT-OF-WAY	---
EASEMENT	---
BUILDING TO BE DEMOLISHED	---



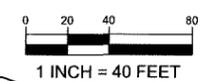
**A EXISTING RIVER OAKS PARKWAY SECTION (TYPICAL)**  
SCALE: NTS



**B INTERIM NEW PUBLIC STREET SECTION (TYPICAL)**  
SCALE: NTS



**C FUTURE NEW PUBLIC STREET SECTION (TYPICAL)**  
SCALE: NTS



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

2/13/2012	PER CITY COMMENTS	
12/19/2011	PER CITY COMMENTS	
NO	DATE	DESCRIPTION
PROJECT NO:	3623.10	
CAD DWG FILE:	362310SP.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**

S:\PROJECTS\102310\PL\CON\102310SP.DWG

PLOTTED: 2/10/2012 4:16 PM



EXISTING INDUSTRIAL

COYOTE CREEK

PEDESTRIAN TRAIL

POTENTIAL BIOTREATMENT CELL LOCATION (TYPICAL)

EXISTING INDUSTRIAL

PODIUM 40.0  
AT GRADE GARAGE 28.0  
BELOW GRADE GARAGE 17.0

EXISTING RESIDENTIAL

POTENTIAL FLOW-THROUGH PLANTER LOCATION (TYPICAL)

POTENTIAL MANHOLE MEDIA FILTER LOCATION (TYPICAL)

EXISTING RESIDENTIAL

RIVER OAKS PARKWAY

RESEARCH PLACE

**LEGEND**

- PROJECT BOUNDARY
- STORM DRAIN PIPE
- STORM DRAIN PIPE (EXISTING)
- STORM DRAIN MANHOLE
- STORM DRAIN MANHOLE (EXISTING)
- CURB INLET
- CURB INLET (EXISTING)
- CATCH BASIN
- CATCH BASIN (EXISTING)
- MANHOLE MEDIA FILTER (SEE DETAIL, SHEET 5.2)
- SPOT ELEVATION
- FINISH FLOOR ELEVATION
- PERCENT AND DIRECTION OF SURFACE FLOW DRAINAGE
- OVERLAND RELEASE PATH

- MEDIA FILTER DRAINAGE AREA (SEE TREATMENT CONTROL SUMMARY, SHEET 5.2)
- BIOTREATMENT CELL DRAINAGE AREA (SEE TREATMENT CONTROL SUMMARY, SHEET 5.2)
- FLOW-THROUGH PLANTER DRAINAGE AREA (SEE TREATMENT CONTROL SUMMARY, SHEET 5.2)
- SELF TREATING AREA
- PERVIOUS PAVING
- POTENTIAL FLOW-THROUGH PLANTER LOCATION (SEE DETAIL, SHEET 5.2)
- POTENTIAL BIOTREATMENT CELL LOCATION (SEE DETAIL, SHEET 5.2)

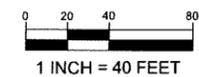
\* LOCATIONS SHOWN ARE INTENDED TO REPRESENT ALL OF THE POTENTIAL AREAS AVAILABLE FOR PLACEMENT OF FLOW THROUGH PLANTERS OR BIOTREATMENT CELLS. PRECISE LOCATIONS, OCCUPYING A SMALLER PERCENTAGE OF THESE POTENTIAL AREAS, WILL DEPEND ON BUILDING ARCHITECTURAL AND MECHANICAL FEATURES (ROOF DESIGN, DOWNSPOUT LOCATIONS, ETC.) FINAL LANDSCAPE DESIGN, AND UTILITY LOCATIONS, WHICH WILL BE DETERMINED AT THE PD PERMIT STAGE.

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): 8.1
	Existing Condition of Site Area Disturbed (square feet)	Proposed Condition of Site Area Disturbed (square feet)	
		Replaced <sup>1</sup>	New <sup>2</sup>
<b>Impervious Surfaces</b>			
Rooftop 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
<b>Total Impervious Surfaces:</b>	<b>262,665</b>	<b>97,290</b>	<b>156,096</b>
<b>Pervious Surfaces</b>			
Landscaped Areas	80,851	80,851	29,760
Pervious Paving	0	0	21,697
Other Pervious Surfaces (green roof, etc.)	0	0	0
<b>Total Pervious Surfaces:</b>	<b>80,851</b>	<b>80,851</b>	<b>51,457</b>
<b>Total Proposed Replaced + New Impervious Surfaces:</b>		<b>253,386</b>	
<b>Total Proposed Replaced + New Pervious Surfaces:</b>		<b>132,308</b>	

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:**

- <sup>1</sup>Proposed Replaced Impervious Surface: All impervious surfaces added to any area of the site that was a previously existing impervious surface.
- <sup>2</sup>Proposed New Impervious Surface: All impervious surfaces added to any area of the site that was a previously existing pervious surface.



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
2/13/2012	PER CITY COMMENTS	
12/19/2011	PER CITY COMMENTS	
PROJECT NO: 3623.10		
CAD DWG FILE: 362310SW.DWG		
DESIGNED BY: MC ML		
DRAWN BY: MC		
CHECKED BY: TA		
DATE: OCTOBER 19, 2011		
SCALE: 1" = 40'		
© HMMH		

**CONCEPTUAL  
STORMWATER  
CONTROL PLAN**

PROJECT: 3623.10 (P) / 362310SW.DWG

PLOTED: 2/16/2012 4:16PM



A:\E11-500E11-500 RIVER OAKS APARTMENT HOMES\CAD\SHEET\PD11502-RDP\_ZONING EXHIBIT.DWG



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

SHRUBS AND GROUNDCOVERS			
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
	Agapanthus africanus 'Acbus'	White Lily of the Nile	VARIES
	Agapanthus orientalis	Lily of the Nile	
	Argemone flavidus	Red Kangaroo Paw	
	Arbutus unedo 'Compacta'	Compact Strawberry Tree	
	Arctostaphylos 'Pacific Mist'	Pacific Mist Manzanita	
	Arctostaphylos 'Emerald Carpet'	Emerald Carpet Manzanita	
	Aspidistra elatior	Cast-iron Plant	
	Azalea indica	White Azalea	
	Bougainvillea spp.	Bougainvillea	
	Buxus japonica	Japanese Boxwood	
	Buxus m. japonica 'Green Beauty'	Litlisted Boxwood	
	Callistemon c. 'Little John'	Lemon Bottlebrush	
	Carissa macrocarpa 'Tuttie'	Tuttie Carissa	
	Carpet Rose	Carpet Rose	
	Coprosma x kiria	Kiria Coprosma	
	Coloreaster clammeri 'Lowist'	Lowist Bearberry	
	Dietes bicolor	African Iris	
	Dietes vegeta	Fortnight Lily	
	Grevillea 'Noell'	NCN	
	Hedera canariensis	Algerian Ivy	
	Ligustrum japonicum	Japanese Privet	
	Litope gigantea	Giant Lily Turf	
	Litope muscari	Lily Turf	
	Loropetalum chinense	Fringe-Flower	
	Loropetalum chinense 'Sizzling Pink'	Sizzling Pink Fringe-Flower	
	Mahonia repens	Creeping Barberry	
	Microtis stigmosa	Lace Fern	
	Pachysandra terminalis	Japanese Pachysandra	
	Philodendron x 'Xanadu'	Xanadu Philodendron	
	Pittosporum tobira 'Wheeler's Dwarf'	Wheeler's Dwarf Pittosporum	
	Plectoblastus pygmaea	Bamboo	
	Rhaphiolepis indica 'Ballarina'	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 'Noels'	Coral Groundcover Rose	
	Rosa x 'Noischnee'	White Carpet Rose	
	Rosemarinus officinalis	Rosemary	
	Rosemarinus o. 'Huntington Carpet'	Huntington Carpet Rosemary	
Sasa vellichii	Dwarf White Stripe Bamboo		
Trachelospermum jasminoides	Star Jasmine		
Viburnum tinus 'Spring Bouquet'	Spring Bouquet Viburnum		

**PLANTING NOTES**

- A wide variety of plant materials have been included as part of this legend. Not all plant material 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.
- All shrub areas shall receive a 3" thick layer of bark mulch.
- Trees and plant material layout shall not impede fire rescue access to upper story exit windows in bedrooms.



**EPTDESIGN**  
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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:	3623.10	
CAD DWG FILE:	11520-POP_ZONING EXHIBIT.DWG	
DESIGNED BY:	M.H.	
DRAWN BY:	C.R.	
CHECKED BY:	H.W.	
DATE:	December 20, 2011	
SCALE:	1" = 40'-0"	

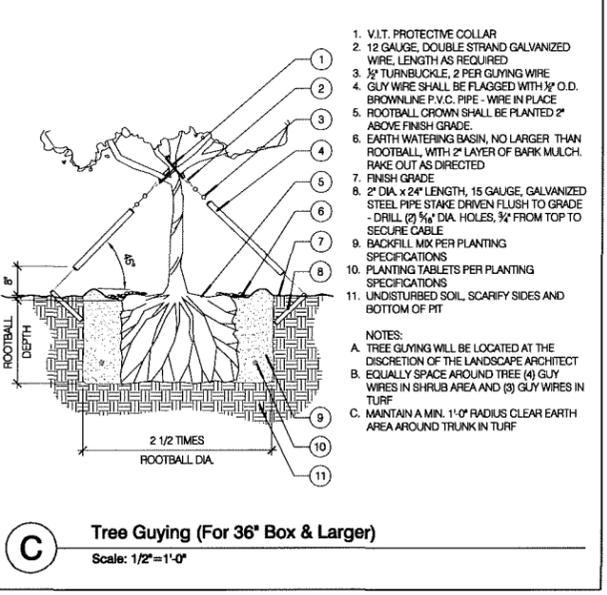
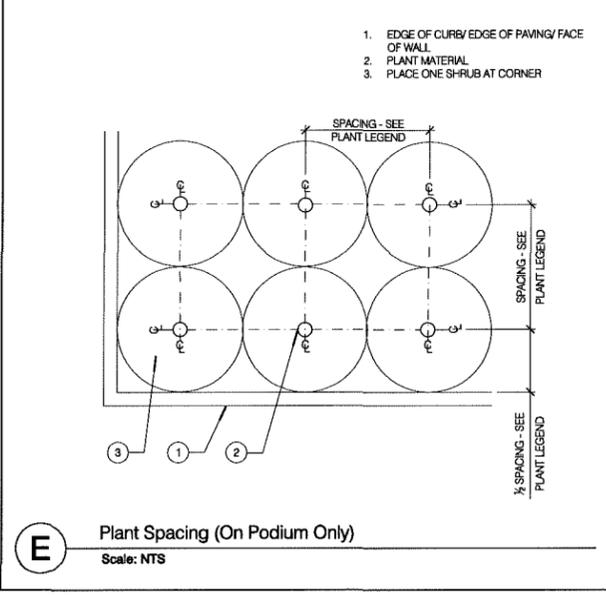
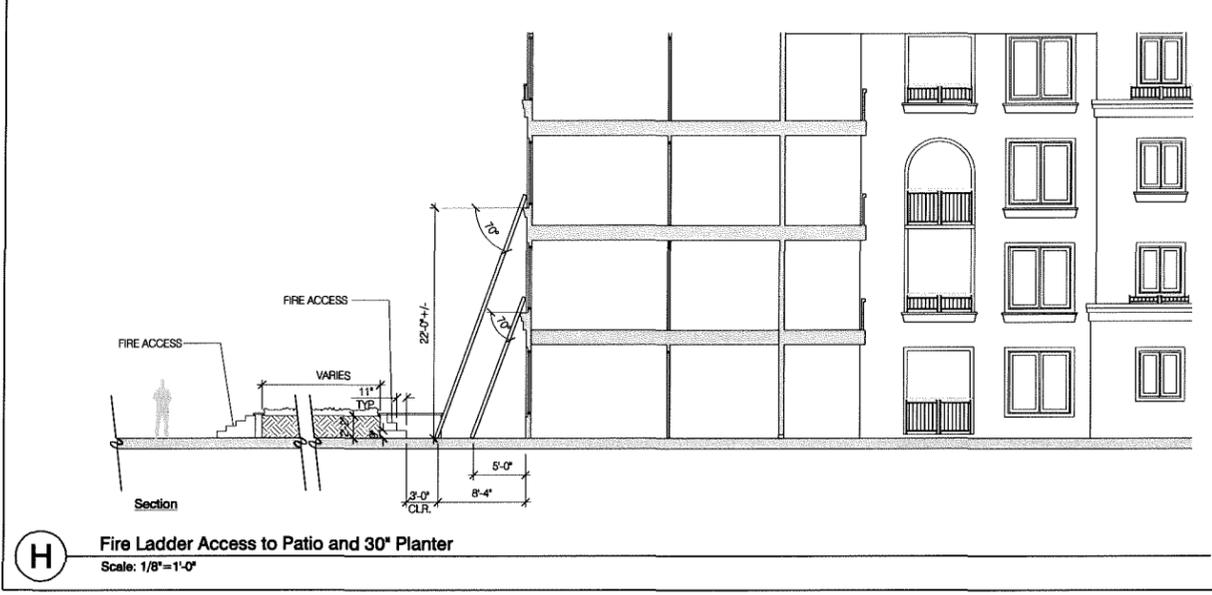
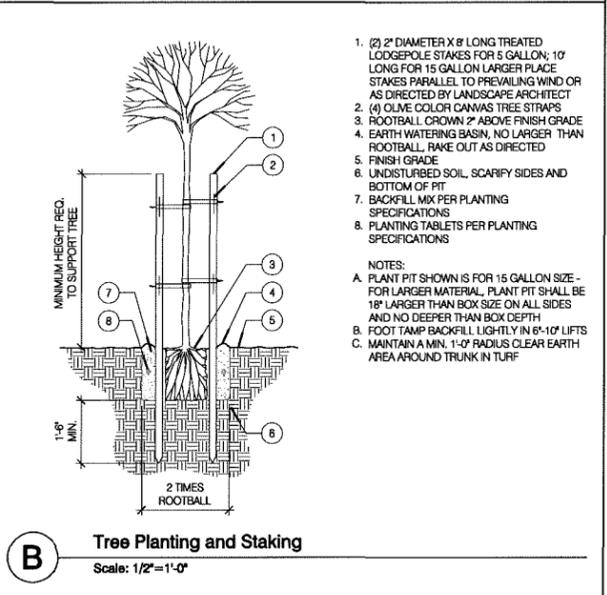
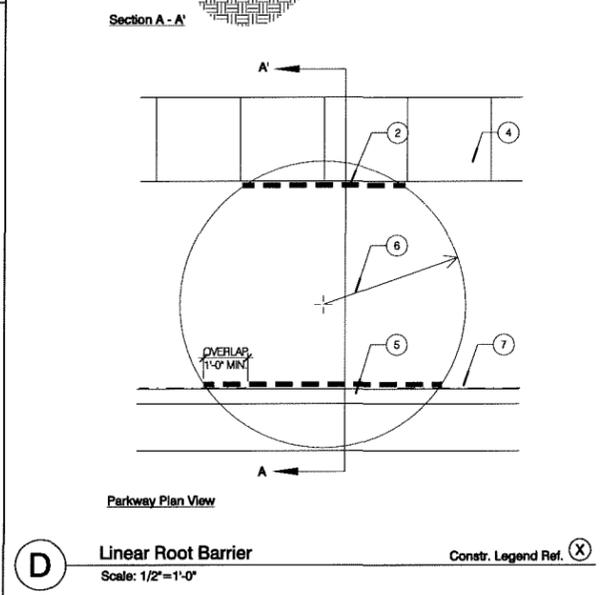
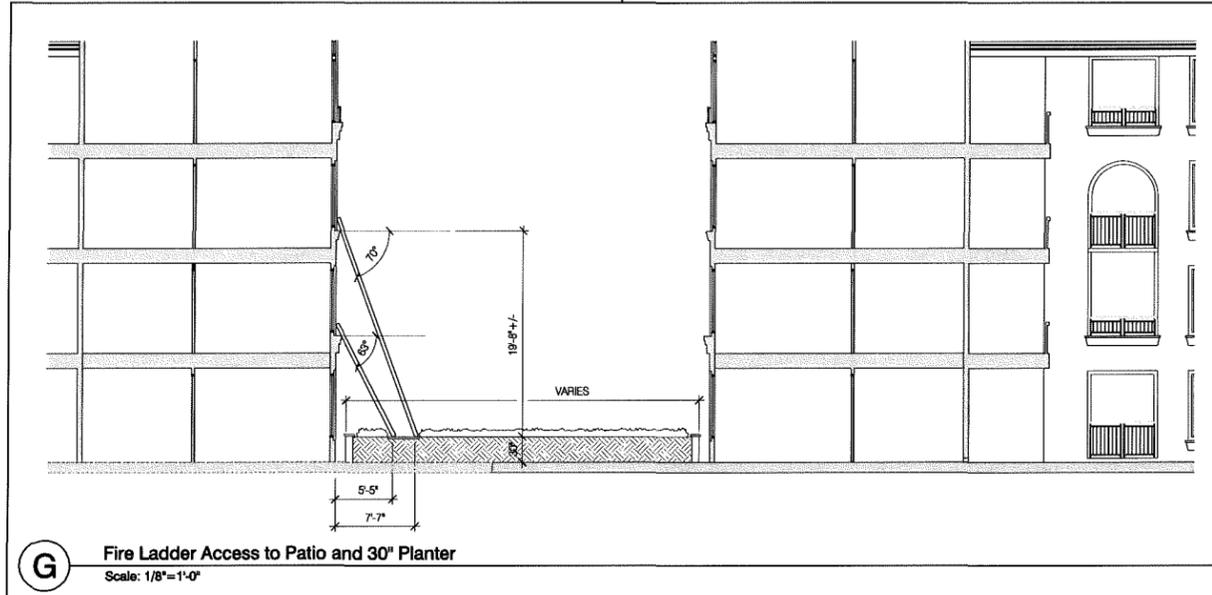
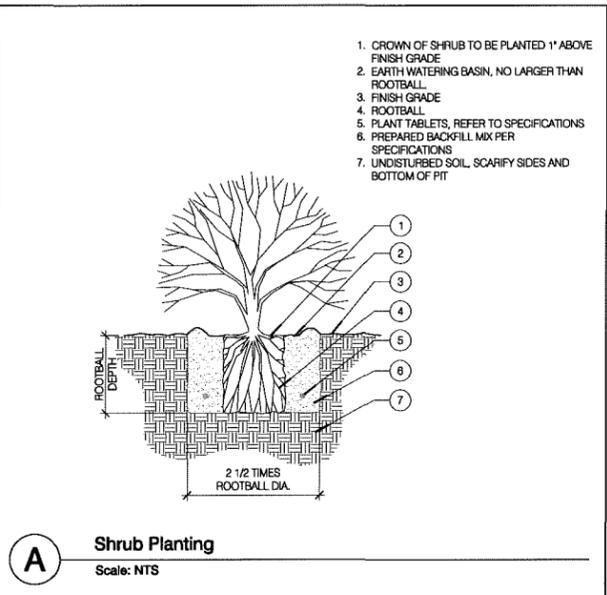
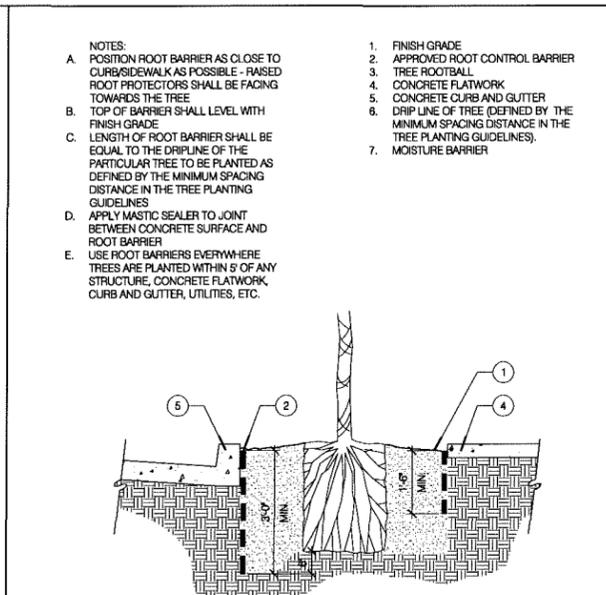
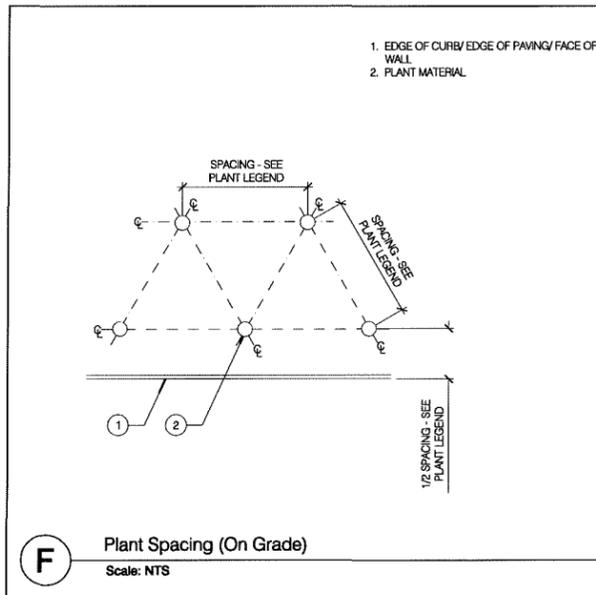
**CONCEPTUAL LANDSCAPE PLAN**

PLOTTEE 2/16/2012 8:53 AM



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:	1520-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

J:\E11-500E11-520 RIVER OAKS APARTMENT HOMES\CAD\SHEETS\SPV11520-ROP\_PLANTING DETAILS.DWG

PLOTTED: 12/20/2011 12:25 PM