

ADDITIONAL INSTRUCTIONS FOR CONVERSION OF A GASOLINE SERVICE STATION

Special Use Permit. A Special Use Permit is required to convert a gasoline service station to any other use. Such proposed use must be permitted by the zoning for the property. **If exterior changes are proposed as part of a gasoline service station conversion to any other use, the Special Use Permit findings may be under either a Conditional Use Permit or Site Development Permit. Please refer to the Conditional Use Permit and Site Development Permit application for further requirements.**

Requirements for Conversions. The following requirements shall be applied by the Director of Planning, or the Planning Commission on appeal, in granting a Special Use Permit under this Part:

1. **Tank Safeguarding or Removal.** All flammable or combustible liquid storage tanks shall be safeguarded or removed in compliance with the provisions of Chapter 17.68 of Title 17 of the San Jose Municipal Code, and the area shall be resurfaced and landscaped in a manner appropriate to the proposed converted use.
2. **Equipment.** Pumps, pump island, mechanical equipment, wells, offices, accessory structures, insignias, trademarks, billboards, signs, kiosks and the supporting structures, mounting, and foundations of the listed items, and any and all other improvements situate on the site, and formerly utilized for the gasoline services station use, shall be removed or found to be compatible with the proposed conversion.
3. **Soil Testing and Clean-up.** The lot shall be tested for soil contamination. If contamination is found, the soil shall be rendered free of such contamination through clean-up procedures in accordance with applicable federal, state and local regulations.

Permit Findings. The Special Use Permit shall be granted only if the Director of Planning, or the Planning Commission on appeal, makes the following findings:

1. The proposed converted use is one which is permitted by this Title in the zoning district in which the lot is located; and
2. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title, or as otherwise required, in order to integrate said use with the uses in the surrounding area; and

3. The proposed site is adequately served by highways or streets of sufficient width and have been improved as necessary to carry the type and quantity of traffic such use would generate; and
4. The site has appropriate ingress and egress for the proposed use.

The following additional items are required as part of the Special Use Permit for conversion of a gasoline service station:

1. **Photographs.** A minimum of three (3) photographs must be provided identifying the existing site. Polaroids are acceptable.
2. **Development Plan Set.** Eleven (11) development plan sets drawn to scale as set forth, shown, and delineated by the following:
 - All existing buildings, structures, tanks, and wells and their uses.
 - Provide dimensioned floor plan of building(s).
 - Show elevations (properly labeled photographs would be acceptable in lieu of elevation drawings).
 - Dimensions of subject property and all existing lot lines.
 - Identify driveway cuts and street names adjacent to the subject property.
 - Use of all adjacent properties, including locations of any buildings within 50 feet of the property lines.
3. **Environmental Review.** A completed application is required for the appropriate environmental review.
4. **Stormwater Control Plan:**
(A Stormwater Control Plan is required for all projects creating, replacing or expanding impervious surface by 10,000 square feet or more)
 - a. Complete the Pervious and Impervious Surfaces Comparison Table located on the next page.
 - b. All existing natural hydrologic features (depressions, names of watercourses, etc.) and significant natural resources.
 - c. Specify soil type(s).

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- d. Specify depth to groundwater.
 - e. 100-year flood elevation.
 - f. All existing and proposed topographic contours with drainage areas and sub areas delineated and arrows showing flow direction.
 - g. Separate drainage areas depending on complexity of drainage network.
 - h. For each drainage areas, specify types of impervious area (roof, plaza, sidewalk, streets, parking, etc) and area of each.
 - i. Show location, size, and identification (including description), of Source Control Measures (SCMs) and Water Quality Treatment Control Measures (TCMs) such as swales, detention basins, infiltration trenches, etc.
 - j. Details of all proposed water quality treatment control measures.
 - k. Location, size and identification of proposed landscaping/plant material.
 - l. Ensure consistency with Grading and Drainage Plan and Landscape Plan.
 - m. Supplemental Report:
 - Calculations illustrating water quality treatment control measures meet numerical standards set forth in Post-Construction Urban Runoff Management Policy No. 6-29.
 - Name and location of receiving water body.
 - Identify pollutants and pollutant source areas, including loading docks, food service areas, refuse areas, outdoor processes and storage, vehicle cleaning, repair or maintenance, fuel dispensing.
 - Water quality Treatment Control Measure maintenance requirements.
5. **Stormwater Hydromodification Management (HM) Plan/Report:** *(A Stormwater HM Plan/Report is required for all projects that create and/or replace one acre or more of impervious surface and that are located in the Green or Pink areas of the HM Applicability Map, which is available online at: <http://www.sanjoseca.gov/planning/stormwater/>.)*
 - a. Submit a Stormwater HM Plan/Report demonstrating that post-project runoff shall not exceed estimated pre-project rates and durations. Sizing of HM control(s) shall comply with the City of San Jose Council Policy 8-14: Post-Construction Hydromodification Management.
 - b. Use a continuous simulation hydrologic computer model with a long-term rainfall record (30 years minimum) to simulate the runoff from the project site under pre- and post-project conditions. The City strongly encourages the use of the Bay Area Hydrology Model (BAHM) to help facilitate plan review.
 - c. Provide flow-duration curves and model analysis sheets for pre- and post-project conditions with the report.
 - d. Provide the location, size, and identification (including description) of types of HM controls such as detention basin, bio-detention unit(s), etc.
 - e. Include inspection and maintenance information for the HM control(s) on the Stormwater Control Plan(s),
 - Licensed certification that the specified Treatment Control Measures meet the requirements in Post-Construction Urban Runoff Management Policy No. 6-29

Please include this table on the stormwater/grading plan.

PERVIOUS AND IMPERVIOUS SURFACES COMPARISON TABLE			
		Project Phase Number (N/A, 1, 2, 3, etc.):	
Total Site (acres):		Total Area of Site Disturbed (acres)	
Impervious Surfaces	Existing Condition of Site Area Disturbed (square feet)	Proposed Condition of Site Area Disturbed (square feet)	
		Replaced ¹	New ²
Roof Area(s)			
Parking			
Sidewalks, Patios, Paths, etc.			
Streets (public)			
Streets (private)			
Total Impervious Surfaces			
Pervious Surfaces			
Landscaped Areas			
Pervious Paving			
Other Pervious Surfaces (green roof, etc.)			
Total Pervious Surfaces			
Total Proposed Replaced + New Impervious Surfaces:			
Total Proposed Replaced + New Pervious Surfaces:			

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:

¹**Proposed Replaced Impervious Surface:** All impervious surfaces added to any area of the site that was a previously existing impervious surface.

²**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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