CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Department of Planning, Building and Code Enforcement
JOSEPH HORWEDEL, DIRECTOR

INITIAL STUDY

PAULA TERRACE VILLAS

PDC11-002

PREPARED FOR

City of San Jose

October 20, 2011

Paula Terrace Villas

Initial Study

PDC11-002

PREPARED FOR
City of San Jose

PREPARED BY

EMC Planning Group Inc.
301 Lighthouse Avenue, Suite C
Monterey, CA 93940
Tel 831.649.1799
Fax 831.649.8399
james@emcplanning.com
www.emcplanning.com

October 20, 2011

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INITIAL STUDY

PROJECT FILE NO.: PDC11-002

PROJECT DESCRIPTION: Paula Terrace Villas
Remove three single-family houses, two garages converted to residential use, and trees; and construct eight single-family courtyard homes. Subdivide three existing lots into eight lots and a common lot. Project will be constructed under a Planned Development zoning.

PROJECT LOCATION AND ASSESSOR'S PARCEL NUMBER(s):
1024, 1044, 1050 Paula Street, San Jose CA 95126 APN 264-07-033 & 034 & 055;
South side of Paula Street, about 200 feet west of Race Street.

EXISTING GENERAL PLAN DESIGNATION: Medium High Density Residential 12 to 25 units per acre

EXISTING ZONING: R-M Multiple Residence Zoning District

EXISTING LAND USE: Single-Family Residential

EXISTING SITE AND VICINITY CONDITIONS: The project site is comprised of three separate parcels, each with an existing house dating from between 1910 and 1936. Two of the houses were relocated to the site in the 1940s and 1950s. Two of the parcels have separate garages, which appear to have been converted to studio apartments. Three ordinance-sized trees are located on the project site. The project vicinity was originally subdivided in about 1876 into one-acre parcels, and has been subsequently subdivided into residential lots. The neighborhood has been predominantly residential since about 1940. Interstate Highway 280 is adjacent to the project site.

SURROUNDING LAND USES / GENERAL PLAN / ZONING:
North: Interstate Highway 280 **South: High Density Residential (Rental Units)**
East: Vacant/Single Family/Multi Family Res. **West: Single Family/Multi Family Res.**

PROJECT APPLICANT'S NAME AND ADDRESS: Rockwell Homes, 2160 South Bascom Avenue, Campbell CA 95008 Contact person: Kamil Navai

LEAD AGENCY CONTACT INFORMATION: City of San Jose Planning Department

OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED: None.

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

DETERMINATION
On the basis of this initial study:

☐	I find the proposed project could not have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
☒	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the project proponent has agreed to revise the project to avoid any significant effect. A MITIGATED NEGATIVE DECLARATION will be prepared.
☐	I find the proposed project could have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT(EIR) is required.
☐	I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated impact" on the environment, but at least one effect has been (1) adequately analyzed in a previous document pursuant to applicable legal standards, and (2) addressed by mitigation measures based on the previous analysis as described in the attached sheets/initial study. An EIR is required that analyzes only the effects that were not adequately addressed in a previous document.
☐	I find that although the proposed project could have a significant effect on the environment, no further environmental analysis is required because all potentially significant effects have been (1) adequately analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are included in the project, and further analysis is not required.

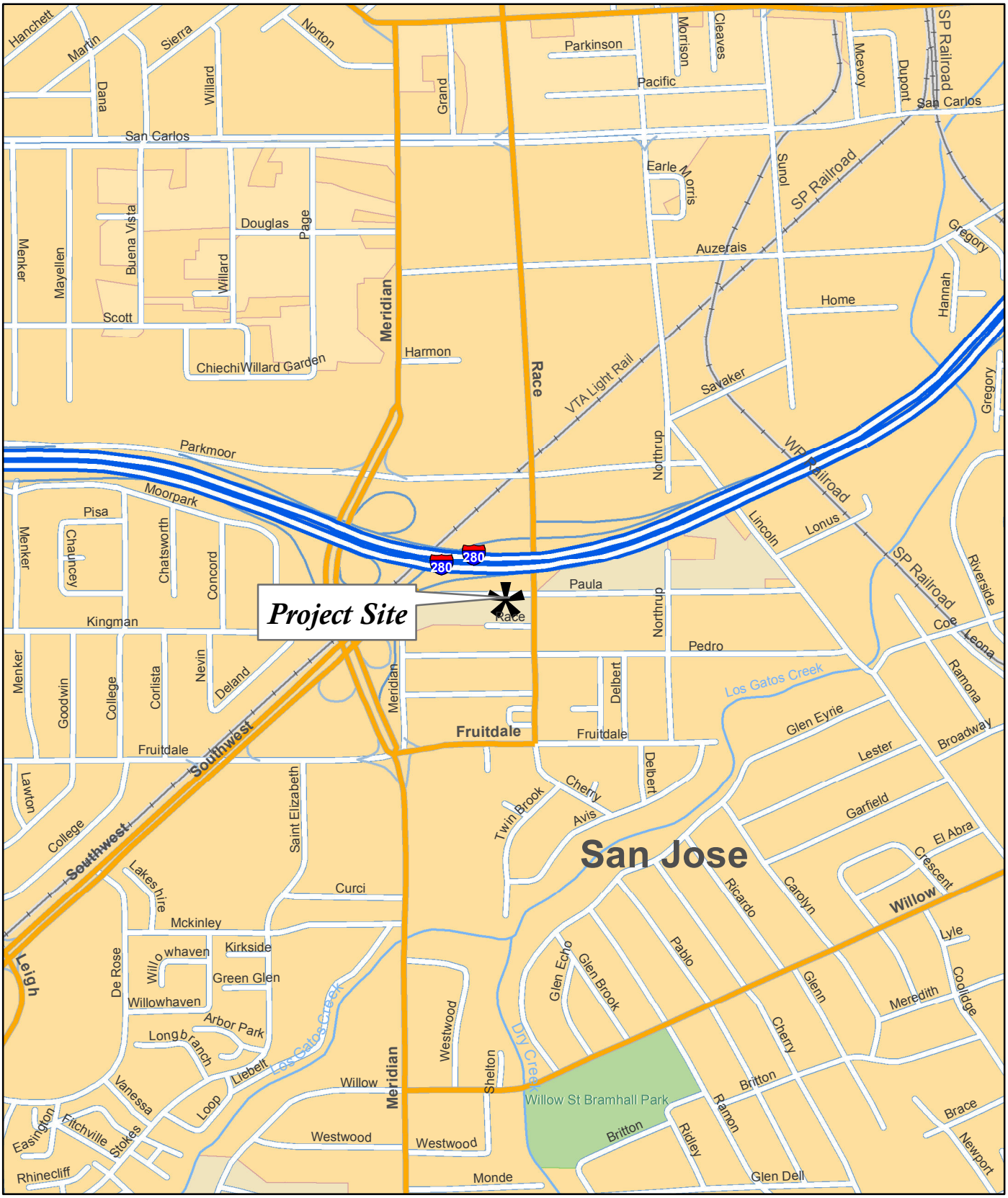
10/20/2011
Date

Signature

Name of Preparer: Richard James, AICP
Principal Planner, EMC Planning Group

Figure 1
Regional Location

Paula Terrace Residential Initial Study PDC11-002



0 0.2 miles

Source: ESRI 2010

Figure 2

Project Vicinity

Paula Terrace Residential Initial Study PDC11-002

0 125 feet

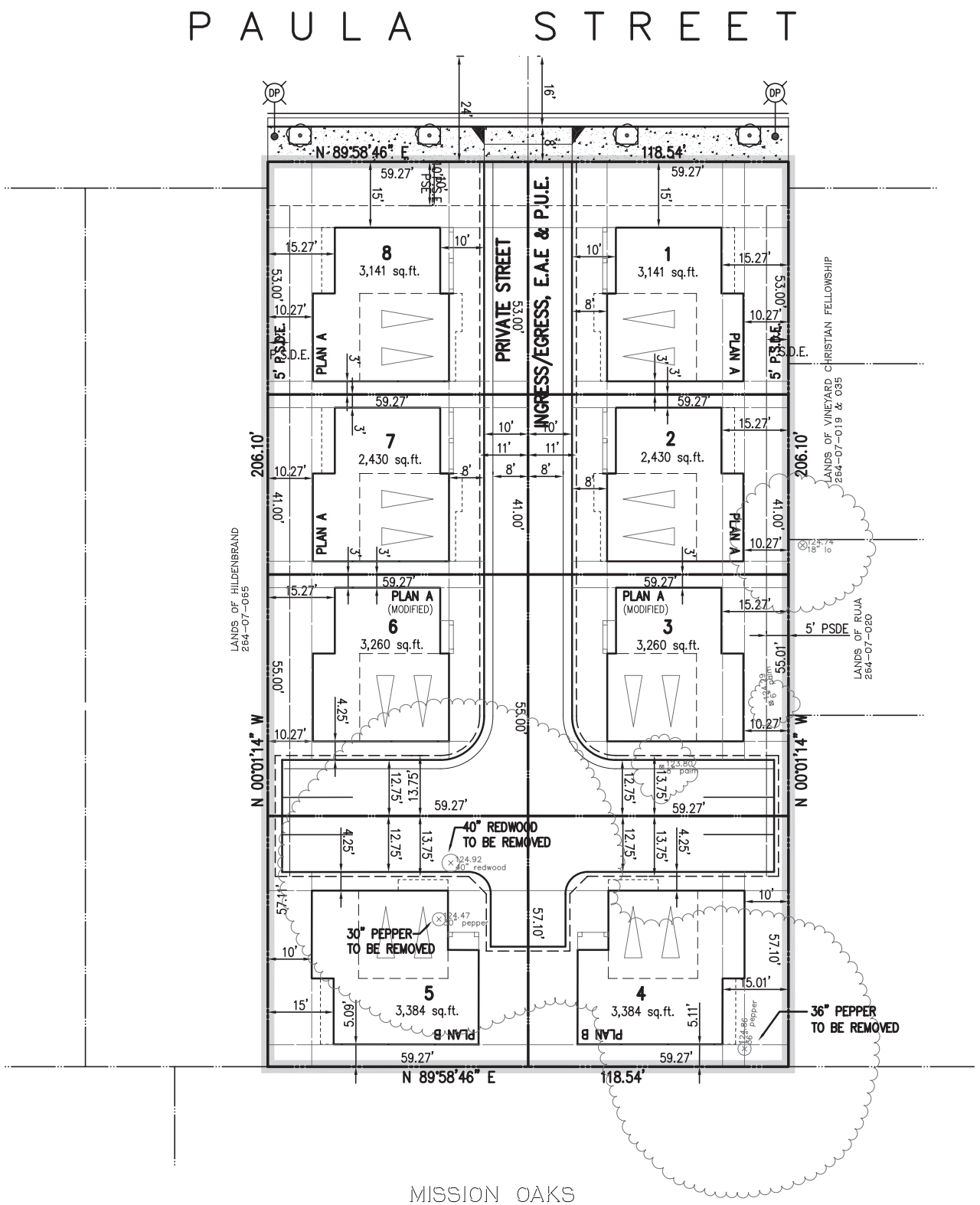
Project Site

Source: Google Earth 2009

Figure 3
Aerial Photograph

E M C

Paula Terrace Residential Initial Study



Source: MH Engineering Co. 2011

Figure 4

Site Plan

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

I. AESTHETICS - Would the project:

II. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒	1,2
II. Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒	1,2, 25, 26
V. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐	1,2, 26
V. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☐	☒	1,2
/I. Increase the amount of shading on public open space (e.g. parks, plazas, and/or school yards) ?	☐	☐	☐	☒	1,2, 26

FINDINGS: **There would be less than significant adverse effects on aesthetics.**

The project site is not located in an area of scenic vistas. The project site is separated from Interstate Highway 280 (to the north) by Paula Street. Interstate Highway 280 is not designated as a State scenic highway. In the San Jose 2020 General Plan Interstate 280 is designated as an Urban Throughway. Vegetation on the north side of Paula Street obscures views of the project site from Interstate Highway 280.

The proposed project would alter the existing visual character of the project site and its surroundings through various means including the demolition of three residential structures and two converted garages and the construction of eight new single family detached houses. However, the project site is in an area of varied residential densities and architectural styles and the proposed project would not significantly degrade the existing visual character of the neighborhood. The project will be required to undergo architectural and site design review by Planning Staff for compatibility with the Residential Design Guidelines and surrounding neighborhood.

Exterior building and parking lot lighting associated with the project would likely create a minor increase in the amount of nighttime lighting compared to the existing homes on the site, However, the driveway is internal to the project site, in a courtyard design, and lighting would not adversely affect the surrounding area. The project would be required to conform to the City's Outdoor Lighting Policy. Therefore, less than significant lighting impacts would occur as a result of the project. The project site is not located near a public space, so shading is not a concern.

The project shall implement the following standard measure(s):

• Design of the project to be compatible with the City's *Residential Design Guidelines*.
• Lighting on the site to be consistent with the City's Outdoor Lighting Policy (4-3).

MITIGATION MEASURES: None required.

II. AGRICULTURE AND FOREST RESOURCES - Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒	1,3,4
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	1,3,4, 26
c) Conflict with existing zoning for, or cause rezoning of, forest land [as defined in PRC Section 12220(g)], timberland, (as defined by PRC Section 4526), or timberland zoned Timberland Production [as defined by GC Section 51104(g)]?	☐	☐	☐	☒	1,3,4, 18

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	1,3,4, 26
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒	1,3,4, 26

FINDINGS: **There would be no impact on agricultural or forest resources.**

The project site is not located in an area identified as prime farmland, nor is the site being used for or zoned for agricultural use. Therefore, the proposed project will not result in a significant impact on the City's or Region's agricultural resources.

The City of San Jose does not contain any forest lands or timberlands suitable for timber production nor are there any areas of the zoned Timberland Production. The project site is outside of any timberland areas, and will therefore not result in a significant impact from the loss forest lands or timberlands.

MITIGATION MEASURES: None Required.

III. AIR QUALITY - Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒	1,14
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐	1,14
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐	1,14
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐	1,14
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒	1,14

FINDINGS: **There would be a less than significant impact on air quality.**

The City of San Jose uses the threshold of significance established by the Bay Area Air Quality Management District (BAAQMD) to assess air quality impacts. Based on the BAAQMD threshold of significance, projects that generate fewer than 2,000 vehicle trips per day are not considered major air pollutant contributors and do not require a technical air quality study. As the project would generate a net increase of approximately 39 additional vehicle trips per day, no air quality study was prepared for the project, and the project would have a less than significant effect on air quality. The existing residential use (three single-family houses and two converted garages) is estimated to generate approximately 38 one-way trips per day. The project (eight single family houses) is estimated to generate approximately 77 one-way trips per day.

The project's development density is consistent with the General Plan and zoning for the site. The land use designation of 12-25 units per acre would allow development of approximately nine units on the 0.56 net acre site. The project includes eight residential units.

Temporary air quality impacts may result from demolition of the existing structures, excavation of soil, and other construction activities on the subject site. Implementation of the standard mitigation measures listed below will reduce the temporary construction impacts to a less than significant level.

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

The project is a residential development that would not result in substantial odors.

The project shall implement the following standard conditions:

- 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.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard;
- 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.
- 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
- Sweep streets daily, or more often if necessary (preferably with water sweepers) if visible soil material is carried onto adjacent public streets.

MITIGATION MEASURES: None Required.

IV. BIOLOGICAL RESOURCES - Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐	1,10
b) Have a substantial adverse effect on any aquatic, wetland, or riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒	1,6,10
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒	1,6
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒	1,10
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐	1,11, 27, 28
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒	1,2

FINDINGS: **There would be a less than significant impact on biological resources with mitigation incorporated.**

No rare, threatened, or endangered species of flora or fauna have been observed or are known to inhabit the site nor are any (other than potentially birds and bats) expected to occur since the area is generally developed. There are no wetlands or riparian corridors on or adjacent to the project site. The project site is not within a wildlife migration

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

corridor. The project site may provide habitat for wildlife species associated with urban areas. Trees in urban areas provide food and cover for wildlife adapted to this environment, including birds such as house finch, mourning dove, house sparrow, and Brewer's blackbird. In addition, mature trees on the project site may provide nesting habitat for raptors (birds of prey). Raptors and their nests are protected under the Migratory Bird Treaty Act of 1918 and California Department of Fish and Game (CDFG) Code Sections 3503 and 3503.5. Although no raptors or nests have been observed on the site, mature trees suitable for raptor nesting occur on the site. Despite the disturbed nature of the site, there remains the potential for raptors to nest in these trees. The houses and garages on the project site could potentially provide habitat for bats or locations for bat roosts.

MITIGATION MEASURES: The project shall implement the following mitigation measures:

- If possible, initiation of site clearing and construction should be scheduled between October and December (inclusive) to avoid the raptor nesting season. If this is not possible, pre-construction surveys for nesting raptors shall be conducted by a qualified ornithologist to identify active raptor nests that may be disturbed during project implementation. Between January and April (inclusive) pre-construction surveys shall be conducted no more than 14 days prior to the initiation of construction activities or tree relocation or removal. Between May and August (inclusive), pre-construction surveys no more than thirty (30) days prior to the initiation of these activities. The surveying ornithologist shall inspect all trees in and immediately adjacent to the construction area for raptor nests. If an active raptor nest is found in or close enough to the construction area to be disturbed by these activities, the ornithologist, shall, in consultation with the State of California, Department of Fish & Game (CDFG), designate a construction-free buffer zone (typically 250 feet) around the nest. The applicant shall submit a report to the City's Environmental Principal Planner indicating the results of the survey and any designated buffer zones to the satisfaction of the Director of Planning prior to the issuance of any grading or building permit.
- Surveys for roosting bats shall be conducted by a qualified biologist no more than thirty (30) days prior to any building demolition or removal, construction activities or oak tree trimming. If a female or maternity colony of bats is found on the project site, and the project can be constructed without disturbance to the roosting colony, a bat biologist shall designate buffer zones (both physical and temporal) as necessary to ensure the continued success of the colony. Buffer zones may include a 200-foot buffer zone from the roost and/or timing of the construction activities outside the maternity roosting season (after July 31 and before March 1). If an active nursery roost is known to occur on the site and the project cannot be constructed outside of the maternity roosting season, bats may be excluded after July 31 and before March 1 to prevent the formation of maternity colonies. Such exclusion shall occur under the direction of a bat biologist, by sealing openings and providing bats with one-way exclusion doors. In order to avoid excluding all potential maternity roosting habitat simultaneously, alternative roosting habitat, as determined by the bat biologist, should be in place at least one summer season prior to the exclusion. Oaks overhanging the project site from the adjacent should be preserved to the maximum extent feasible as potential bat roosting habitat. Bat roosts should be monitored as determined necessary by a qualified bat biologist, and the removal or displacement of bats shall be performed in conformance with the requirements of the CDFG. A biologist report outlining the results of pre-construction surveys and any recommended buffer zones or other mitigation shall be submitted to the satisfaction of the City's Environmental Principal Planner prior to the issuance of any grading, building, or tree removal permit.

A tree survey was conducted for the project site by Wilson and Associates. The tree survey identified the presence of the following trees on the project site:

1. Redwood tree (*Sequoia sempervirons*) 40-inch diameter/125-inch circumference; native species
2. California Pepper Tree (*Schinus molle*) 30-inch diameter/ 94-inch circumference; non-native species
3. California Pepper Tree (*Schinus molle*) 36-inch diameter/113-inch circumference; non-native species
4. Queen Palm (*Syagrus romanzoffianum*) 6-inch diameter/19-inch circumference; non-native species
5. Queen Palm (*Syagrus romanzoffianum*) 8-inch diameter/25-inch circumference; non-native species

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

The City of San José has established regulations for removal of landscape trees at least 18-inches diameter/56 inches in circumference measured two feet above grade. The proposed project will obtain a permit for the removal of ordinance-sized trees and provide for the replacement of removed trees in conformance with the City of San José Tree Ordinance. Three of the trees to be removed from the project site are ordinance-sized trees, one of which is a native species. The City's threshold of significance is the removal of 10 or more ordinance-sized native trees or 20 ordinance-sized non-native trees. Because the project would remove only three ordinance-sized trees, the impact is considered less than significant. The project will be required to conform to the City's tree preservation ordinance, and will provide replacement trees in conformance with City policy. Replacement trees will be over and above the regular landscaping to be provided on the site. The applicant has prepared and submitted a replacement tree plan. In addition to the on-site trees to be removed, there is an ordinance-sized tree on the adjacent property to the east that could potentially be harmed by root disturbance during construction.

Pre-construction treatments

1. The applicant shall retain a consulting arborist. The construction superintendent shall meet with the consulting arborist before beginning work to discuss work procedures and tree protection.
2. Fence all trees to be retained to completely enclose the Tree Protection Zone prior to demolition, grubbing or grading. Fences shall be six-foot chain link or equivalent as approved by consulting arborist. Fences are to remain until all grading and construction is completed.
3. Prune trees to be preserved to clean the crown and to provide clearance. All pruning shall be completed or supervised by a Certified Arborist and adhere to the Best Management Practices for Pruning of the International Society of Arboriculture.

During construction

1. No grading, construction, demolition or other work shall occur within the Tree Protection Zone. Any modifications must be approved and monitored by the consulting arborist.
2. Any root pruning required for construction purposes shall receive the prior approval of, and be supervised by, the consulting arborist.
3. Supplemental irrigation shall be applied as determined by the consulting arborist.
4. If injury should occur to any tree during construction, it shall be evaluated as soon as possible by the consulting arborist so that appropriate treatments can be applied.
5. No excess soil, chemicals, debris, equipment or other materials shall be dumped or stored within the Tree Protection Zone.
6. Any additional tree pruning needed for clearance during construction must be performed or supervised by an Arborist and not by construction personnel.
7. As trees withdraw water from the soil, expansive soils may shrink within the root area. Therefore, foundations, footings and pavements on expansive soils near trees shall be designed to withstand differential displacement.

To promote the recovery of endangered species while accommodating planned development, infrastructure and maintenance activities, the Local Partners, consisting of the City of San Jose, Santa Clara Valley Transportation Authority, Santa Clara Valley Water District, Santa Clara County and the cities of Gilroy and Morgan Hill, are preparing a joint Habitat Conservation Plan/Natural Community Conservation Plan (Habitat Plan). The Santa Clara Valley Habitat Plan (Plan) is being developed in association with the U.S. Fish & Wildlife Service (USFWS), California Department of Fish & Game (CDFG), and the National Marine Fisheries Service (NMFS) and in consultation with stakeholder groups and the general public to protect and enhance ecological diversity and function within more than 500,000 acres of southern Santa Clara County.

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

The Santa Clara Habitat Plan Planning Agreement outlines the Interim Project Process to ensure coordination of projects approved or initiated in the Planning Area before completion of the Habitat Plan to help achieve the preliminary conservation objectives of the plan, and not preclude important conservation planning options or connectivity between areas of high habitat values. The Interim Project Process requires the local participating agencies to notify the wildlife agencies (DFG and USFWS) of projects that have the potential to adversely impact Covered Species, natural communities, or conflict with the preliminary conservation objectives of the Habitat Plan. The Wildlife Agencies comments on Interim Projects should recommend mitigation measures or project alternatives that would help achieve the preliminary conservation objectives of the Habitat Plan.

The subject site does not meet the threshold that requires an interim HCP project referral.

V. CULTURAL RESOURCES - Would the project:

a) Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines §15064.5?	☐	☐	☐	☐	1,7, 29
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	☐	☐	☒	☐	1,8, 30
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☐	☐	☐	1,8
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐	1,8, 30

FINDINGS**: There would be a less than significant impact on cultural resources.**

A historical report was prepared by Urban Programmers on May 24, 2011. The historic report includes Department of Recreation forms, the City's checklist, and a cover letter summarizing the findings of the investigation. The evaluation was conducted in accordance with the City of San Jose Historic Preservation Ordinance, the California Register of Historic Resources, and the National Register of Historic Places. The houses on the project site were constructed in 1910, 1920, and 1936.Two of the houses on the project site were re-located to the property, one in 1940 and one in 1952. No significant persons or events were found to be associated with the property. The houses are not considered to be significant architectural examples. No significant historical value or impact is noted.

An archaeological report for the project was prepared by Holman Associates on June 1, 2011. An archival search and limited on-site reconnaissance were conducted and no evidence of archaeological resources was discovered. The project site is largely covered with improvements, limiting the extent of on-site observation. No recorded sites are listed within one-quarter mile of the project site. An archeological report was prepared for a nearby property on Paula Street by Holman Associates in 2006; no archeological resources were discovered during the subsequent construction of that property. The project is not anticipated to impact archaeological resources. However, in the event any resources are found during grading, their disturbance would be a significant impact. As the archaeological report may discuss the location of specific archaeological sites, it is considered administratively confidential and is not included in this Initial Study. Qualified personnel may request a copy from the City's Planning Division located at 200 East Santa Clara Street, Floor 3, during normal business hours.

The project shall implement the following standard conditions:

- Should evidence of prehistoric cultural resources be discovered during construction, work within 50 feet of the find shall be stopped to allow adequate time for evaluation and mitigation by a qualified professional archaeologist. The material shall be evaluated and if significant, a mitigation program including collection and

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

analysis of the materials at a recognized storage facility shall be developed and implemented under the direction of the City's Environmental Principal Planner.

- As required by County ordinance, this project has incorporated the following guidelines. - 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 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.

MITIGATION MEASURES: None Required.

VI. GEOLOGY AND SOILS - Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
1) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	☐	☒	1,5,24, 31, 32
2) Strong seismic ground shaking?	☐	☐	☒	☐	1,5,24
3) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐	1,5,24, 31, 42
4) Landslides?	☐	☐	☐	☒	1,5,24
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐	1,5,24
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐	1,5,24, 31, 42
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐	1,5,24, 31
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒	1,5,24

FINDINGS: **There would be a less than significant impact on geology and soils.**

A soils and foundation investigation was prepared by American Soil Testing on May 17, 2007. A Phase 1 report prepared by American Soil Testing on April 27, 2011 also has information relative to soils hazards.

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

The project site is located within the seismically active San Francisco region, which requires that the building be designed and built in conformance with the requirements of the California Building Code for Seismic Zone D. Major nearby earthquake faults include the San Andreas Fault to the west, and the Calaveras Fault to the east. The nearest known fault is the Shannon Fault Zone, located approximately 4.5 miles to the southwest. The potential for geologic and soils impacts resulting from conditions on the site can be mitigated by utilizing standard engineering and construction techniques. As the project includes these required measures, the potential for seismic impacts will be less than significant. The project site is shown as being located in a low risk area for liquefaction on the USGS seismic hazards map for the area.

Six soil borings were conducted to depths of four to ten feet assess the subsurface soil conditions of the project site. The project site soils are characterized as silty clay and relatively uniform throughout the samples. The soils are considered to have a low to moderate expansiveness potential. The soils report provides design and construction recommendations for building foundations.

The proposed project will connect to the City's sewer system; septic systems will not be used.

The project shall implement the following standard conditions:

- The proposed structures on the site shall be designed and constructed in conformance with the California Building Code design parameters for Seismic Zone D to avoid or minimize potential damage from seismic shaking on the site.

- The project shall incorporate all recommendations set forth in the geotechnical investigation prepared for the development by American Soil Testing, dated May 17, 2007.

MITIGATION MEASURES: None Required.

VII. GREENHOUSE GAS EMISSIONS - Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐	1,14
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐	1,14
(Note: Greenhouse gas(es) include, but are not limited to, carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulphur hexafluoride)					

FINDINGS: **There would be a less than significant impact on greenhouse gas emissions.**

BAAQMD CEQA Air Quality Guidelines Table establishes a threshold below which a project is considered to have a less than significant impact on greenhouse gas emissions. Residential projects of fewer than 56 units are considered to have a less than significant impact on greenhouse gas emissions. Because the proposed project includes up to eight units (and a net increase of five units), it would have a less than significant impact.

MITIGATION MEASURES: None Required.

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
VIII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒	1
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒	1
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒	1
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒	1,12, 29, 32, 33, 34, 35
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	1,2, 36
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	1
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	1,2
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒	1

FINDINGS: **There would be a less than significant impact on hazards or hazardous materials.**

The proposed project is residential and would not involve the use or transport of significant quantities of hazardous materials.

The Department of Toxic Substances Control's Envirostor and State Water Resources Control Board's Geotracker databases were checked, and the nearest hazardous materials site listed is a closed case involving a leaking underground storage tank at a Chevron Station about 1,000 feet south of the project site. A Phase 1 report was prepared for the proposed project by American Soil Testing, Inc. on April 27, 2007. No recognized environmental conditions were observed during the site visit for the Phase 1 report. The Phase 1 report concluded that the project site had been used for agricultural purposes in the past, and that there is a possibility that chemicals such as DDT were used on the site. Both the 1899 and 1942 USGS 15-minumte maps of San Jose show Paula Street (and Pedro Street to the south) between Meridian Avenue and Race Street. These streets were laid out in 1876 as part of a subdivision of one-acre lots. The 1899 USGS map shows three houses on that block of Paula Street (none on the project site). The 1942 USGS map shows houses on both sides of Paula Street, with orchards indicated only to the west of Meridian Avenue. According to the historic report, the project site has had at least one house since 1936, and two others were moved to the site in about 1940 and 1952.The area of the project site has been mostly developed with residential uses since about 1940. Widespread use of DDT (and other chemical pesticides) came into widespread use after 1945. Therefore, there is a low likelihood of DDT residues in the project site soils. No major natural gas transmission pipes run near the project site.

Development of the proposed project will require the demolition of three houses and two garages that date from 1910 to 1936. Because these building were constructed prior to 1980, they may contain asbestos building materials and/or lead-based paint. Demolition done in conformance with applicable federal, state and local laws and regulations, will avoid significant exposure of construction workers and/or the public to asbestos and lead-based paint.

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

The project shall implement the following standard conditions:

- In conformance with state and local laws, a visual inspection/pre-demolition survey, and possible sampling, will be conducted prior to the demolition of the building to determine the presence of asbestos-containing materials and/or lead-based paint.

  All potentially friable asbestos-containing materials shall be removed in accordance with National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines prior to building demolition or renovation that may disturb the materials. All demolition activities will be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than one percent asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations.

  During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, California Code of Regulations 1532.1, including employees training, employee air monitoring and dust control. Any debris or soil containing lead-based paint or coatings will be disposed of at landfills that meet acceptance criteria for the waste being disposed.

The project site is more than one mile outside the Norman Y. Mineta San Jose International Airport's airport influence zone. There are no general aviation airports or private landing strips within two miles of the project site. The project site is within an urban area not subject to wildlands fires. The project site is located on a small local street, and would not interfere with emergency response plans.

MITIGATION MEASURES: None Required.

IX. HYDROLOGY AND WATER QUALITY - Would the project:

a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒	1,15
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒	1
c) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site?	☐	☐	☐	☒	1
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on-or off-site?	☐	☐	☒	☐	1
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒	1,17
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐	1
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒	1,9, 32

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☒	1,9
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐	1, 17, 41
j) Be subject to inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒	1

FINDINGS: **There would be a less than significant impact on hydrology and water quality.**

Based on the FEMA flood insurance maps for the City of San Jose, the project site is not located within a 100-year floodplain and therefore would have no impact on 100-year flood flows. The project would not expose people to flood hazards associated with the 100-year flood. The site is not subject to seiche or tsunami.

The discharge of storm water from the City's municipal storm sewer system is regulated primarily under the federal Clean Water Act (CWA) and California's Porter-Cologne Water Quality Control Act. The San Francisco Bay Regional Water Quality Control Board (RWQCB) implements these regulations at the regional level. Under the CWA, the RWQCB has regulatory authority over actions in waters of the United States, through the issuance of water quality certifications. Under Section 401 of the CWA, permits are issued in combination with permits issued by the Army Corps of Engineers (ACOE), under Section 404 of the CWA. When the Water Board issues Section 401 certifications, it simultaneously issues general Water Discharge Requirements for the project, under the Porter-Cologne Water Quality Control Act. Activities in areas that are outside of the jurisdiction of the ACOE (e.g., isolated wetlands, vernal pools, or stream banks above the ordinary high water mark) are regulated by the Water Board, under the authority of the Porter-Cologne Water Quality Control Act. Activities that lie outside of ACOE jurisdiction may require the issuance of either individual or general waste discharge requirements (WDRs) from the Water Board.

New construction in San Jose is subject to the conditions of the City's National Pollutant Discharge Elimination System (NPDES) Permit, which was reissued by the RWQCB in February 2001. Additional water quality control measures were approved in October 2001 (revised in 2005), when the RWQCB adopted an amendment to the NPDES permit for Santa Clara County. This amendment, which is commonly referred to as "C3" requires all new and redevelopment projects that result in the addition or replacement of impervious surfaces totaling 10,000 sq ft or more to 1) include storm water treatment measures; 2) ensure that the treatment measures be designed to treat an optimal volume or flow of storm water runoff from the project site; and 3) ensure that storm water treatment measures are properly installed, operated and maintained.

The City has developed a policy that implements Provision C.3 of the NPDES Permit, requiring new development projects to include specific construction and post-construction measures for improving the water quality of urban runoff to the maximum extent feasible. The City's Post-Construction Urban Runoff Management Policy (6-29) established general guidelines and minimum Best Management Practices (BMPs) for specified land uses, and includes the requirement of regular maintenance to ensure their effectiveness. Later, the City adopted the Post-Construction Hydromodification Management Policy (8-14) to manage development related increases in peak runoff flow, volume and duration, where such hydromodification is likely to cause increased erosion, silt pollutant generation or other impacts to local rivers, streams and creeks. Implementation of these policies will reduce potential water quality impacts to less than significant levels.

The proposed project is 0.56 acres in size. The site is currently covered with 3,500 sq. ft. of impervious surface. The proposed project will add 10,445 sq. ft. of impervious surface for a total impervious surface of 13,945 sq. ft. The project site is within an established neighborhood with existing storm drains. The nearest watercourse is Los Gatos Creek, located about one-half mile away.

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

The project shall comply with the City of San Jose's Grading Ordinance, including erosion and dust controls during site preparation, and with the City of San Jose's Zoning Ordinance requirement of keeping adjacent streets free of dirt and mud during construction.

PERVIOUS AND IMPERVIOUS SURFACES COMPARISON

Site Component:	Existing Condition (sq ft)	%	Proposed Condition (sq ft)	%	Difference (sq ft)	%
Building Footprint(s)	3,500	14.32%	8,200	33.56%	4,700	19.23%
Parking	1,000	4.10%	5,745	23.51%	4,745	19.42%
Sidewalks, Patios, Paths, etc.	500	2.00%	1,582	6.47%	1,082	4.43%
Landscaping	19,435	79.58%	8,908	36.46%	10,527	43.08%
Total	**24,435**	**24,435**	**24,435**	**100%**		
Impervious Surfaces	5,000	20.42%	15,527	63.54%	10,527	43.08%
Pervious Surfaces	19,435	79.58%	8,908	36.46%	10,527	43.08%
Total	**24,435**	**100%**	**24,435**	**100%**		

Implementation of the following standard conditions, consistent with NPDES Permit and City Policy requirements, will reduce potential construction impacts to surface water quality to less than significant levels:

Construction Measures

- Prior to the commencement of any clearing, grading or excavation, the project shall comply with the State Water Resources Control Board's National Pollutant Discharge Elimination System (NPDES) General Construction Activities Permit, to the satisfaction of the Director of Public Works, as follows:

  1. The applicant shall develop, implement and maintain a Storm Water Pollution Prevention Plan (SWPPP) to control the discharge of storm water pollutants including sediments associated with construction activities;
  2. The applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB).
  3. The project shall incorporate Best Management Practices (BMPs) into the project to control the discharge of storm water pollutants including sediments associated with construction activities. Examples of BMPs are contained in the publication Blueprint for a Clean Bay. Prior to the issuance of a grading permit, the applicant may be required to submit an Erosion Control Plan to the City Project Engineer, Department of Public Works, 200 E. Santa Clara Street, San Jose, California 95113. The Erosion Control Plan may include BMPs as specified in ABAG's Manual of Standards Erosion & Sediment Control Measures for reducing impacts on the City's storm drainage system from construction activities. For additional information about the Erosion Control Plan, the NPDES Permit requirements or the documents mentioned above, please call the Department of Public Works at (408) 535-8300.

- The project applicant shall comply with the City of San Jose Grading Ordinance, including erosion and dust control during site preparation and with the City of San Jose Zoning Ordinance requirements for keeping adjacent streets free of dirt and mud during construction. The following specific BMPs will be implemented to prevent storm water pollution and minimize potential sedimentation during construction:

  1. Restriction of grading to the dry season (April 15 through October 15) or meet City requirements for grading during the rainy season.
  2. Utilize on-site sediment control BMPs to retain sediment on the project site;
  3. Utilize stabilized construction entrances and/or wash racks;
  4. Implement damp street sweeping;

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

5. Provide temporary cover of disturbed surfaces to help control erosion during construction;
6. Provide permanent cover to stabilize the disturbed surfaces after construction has been completed.

Post-Construction

- Prior to the issuance of a Planned Development Permit, the applicant must provide details of specific Best Management Practices (BMPs), including, but not limited to, bioswales, disconnected downspouts, landscaping to reduce impervious surface area, and inlets stenciled "No Dumping – Flows to Bay" to the satisfaction of the Director of Planning, Building and Code Enforcement.

- The project shall comply with Provision C.3 of NPDES permit Number CAS0299718, or subsequent Regional NPDES Permit that is in effect at the time of approval of a development permit, which provides enhanced performance standards for the management of storm water of new development.

- The project shall comply with applicable provisions of the following City Policies – 1) Post-Construction Urban Runoff Management Policy (6-29) which establishes guidelines and minimum BMPs for all projects and 2) Post-Construction Hydromodification Management Policy (8-14) which provides for numerically sized (or hydraulically sized) TCMs.

The project site is within the inundation zone for failure of the Lexington Reservoir dam. The dam was recently re-constructed and is not expected to fail. Dams are inspected at regular intervals to ensure safety.

MITIGATION MEASURES: None Required.

X. LAND USE AND PLANNING - Would the project:

a) Physically divide an established community?	☐	☐	☐	☒	1,2
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒	1,2
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒	1,2

FINDINGS: **There would be no impact on land use and planning.**

The proposed project would replace existing homes with new homes within an established neighborhood. The proposed eight-lot project would provide infill housing within an existing residential neighborhood, and would therefore not physically divide an established community. The proposed project will be subject to conformance with the City's adopted *Residential Design Guidelines*. The design guidelines are intended to ensure that new development is compatible with existing neighborhood character and does not adversely impact neighboring residential uses.

The proposed project is consistent with the site's General Plan Land Use designation and zoning density. The General Plan and the zoning allow densities of 12 to 25 units per acre. The proposed project includes eight units on 0.54 acres or about 16 units per acre. The proposed project complies with the intent of setbacks recommended by the City of San José *Residential Design Guidelines* in order to avoid possible impacts to surrounding land uses.

Please refer to the Biology Section for discussion of the Habitat Conservation Plan (HCP) process.

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

MITIGATION MEASURES: None Required.

XI. MINERAL RESOURCES - Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒	1,2,23
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒	1,2,23

FINDINGS: **There would be no impact on mineral resources.**

Extractive resources known to exist in and near the Santa Clara Valley include cement, sand, gravel, crushed rock, clay, and limestone. Santa Clara County has also supplied a significant portion of the nation's mercury over the past century. Pursuant to the mandate of the Surface Mining and Reclamation Act of 1975 (SMARA), the State Mining and Geology Board has designated: the Communications Hill Area (Sector EE), bounded generally by the Southern Pacific Railroad, Curtner Avenue, State Route 87, and Hillsdale Avenue, as containing mineral deposits which are of regional significance as a source of construction aggregate materials.

Neither the State Geologist nor the State Mining and Geology Board has classified any other areas in San José as containing mineral deposits which are either of statewide significance or the significance of which requires further evaluation. Therefore, other than the Communications Hill area cited above, San José does not have mineral deposits subject to SMARA.

The project site is outside of the Communications Hill area, and will therefore not result in a significant impact from the loss of availability of a known mineral resource.

MITIGATION MEASURES: None Required.

XII. NOISE - Would the project result in:

a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐	1,2,13,18 26, 37, 38, 39, 40
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒	1
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	1
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	1
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	1, 36
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	1

FINDINGS: **There would be a less than significant impact on noise with mitigation incorporated.**

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

The San Jose 2020 General Plan states that the City's acceptable exterior noise level is 55 DNL long term, and 60 DNL short term. The acceptable interior noise level is 45 DNL. The plan recognizes that the noise levels may not be achieved in the Downtown, and in the vicinity of major roadways and the Norman Y. Mineta San Jose International Airport. The project site is outside downtown San Jose and is more than one mile outside the Norman Y. Mineta San Jose International Airport's 65 DNL noise contour line. There are no general aviation airports or private landing strips within two miles of the project site. However, the project site is adjacent to Interstate Highway 280, and there is no sound wall along the freeway at this location.

1. Noise Impacts from the Project

a. Project-Generated Traffic / Noise Impacts

As described in the Transportation section, the proposed project would generate approximately 39 net new average daily trips. As traffic volumes on a street would normally have to double to create a significant impact, traffic generated by this project would not substantially increase noise levels in the project area.

b. Short-Term Construction Impacts

Noise from the construction of the proposed project could potentially pose a significant impact to the surrounding residential properties. To limit the construction noise impacts on nearby properties, various mitigation measures have been incorporated into the proposal.

Noise impacts resulting from construction depend on: 1) the noise generated by various pieces of construction equipment; 2) the timing and duration of noise generating activities; 3) the distance between construction noise sources and noise sensitive receptors; and 4) existing ambient noise levels. The demolition of the existing buildings and concrete removal activities on-site and the construction of the proposed buildings would generate noise and would temporarily increase noise levels at nearby sensitive land uses. No pile driving would be required for construction of the proposed project. Typical hourly average construction noise levels are 75 to 80 dBA measured at a distance of 100 feet from the site during busy construction periods. Concrete crushing equipment would generate noise levels of approximately 80 to 85 dBA at 50 feet. Such noise levels would be intermittently audible to residences within 1,000 feet of the construction site. Construction activities may also result in annoyances to existing commercial development adjacent to the project site. However, because the duration of construction is not expected to exceed one year, and there would be only low levels of noise during much of that time, the project would not result in significant short-term construction related noise impacts. Further, mitigation measures, as described below, are included in the project to avoid or further reduce noise impacts.

2. Noise Impacts to the Project

a. Exterior Noise Levels

A noise report was prepared for the project by Edward L. Pack Associates on June 3, 2011. The noise report found that the major contributor to noise at the project site is traffic on Interstate Highway 280, located north of the project site. Noise from other nearby streets does not affect the site. Outdoor noise levels were measured at 67 dB DNL at the first floor elevation and 70 dB DNL at the second floor elevation. Noise levels will exceed the City's standards for exterior noise exposure, which is normally 60 dB DNL. For sites in (1) the Downtown Core Area, in (2) the vicinity of the Norman Y. Mineta San Jose International Airport or (3) adjacent to major roadways 65 dBA DNL can be considered acceptable. If noise in all outdoor use areas cannot feasibly be reduced to 60 dBA DNL, the noise impact may be

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

considered mitigated to a less-than-significant level if noise in at least one of the required outdoor use areas (all private open space areas or all required common open space) can be reduced to 65 dBA. A noise level of 65 dBA DNL is considered consistent with residential land uses by the Department of Housing and Urban Development, the Federal Aviation Administration, and the Sate of California. These standards take into account the impacts of noise on human health. The noise report provides two mitigation options, one requiring walls up to 12 feet high along the side property lines, and one requiring walls eight feet high. The higher walls would reduce noise levels to within the 60 dB DNL standard, but are considered too high to be feasible or desirable in a residential side yard. The eight-foot walls, which are still two feet higher than a standard side yard wall, would reduce noise levels to within the 65 dB DNL standard. The project site is exposed to noise from a major roadway, so qualifies for the higher noise standard.

b. Interior Noise Levels

The noise report projected that interior noise levels would be 52 and 55 dB DNL at the first and second floors of proposed buildings. The City's interior noise standard is 45 dB DNL. The proposed sound barriers would not fully mitigate interior noise levels. The noise report recommends the use of windows with a Sound Transmission Class of 30. Because windows would generally be closed to maintain acceptable noise levels, mechanical ventilation would be required.

The project shall implement the following standard conditions:

- Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any on-site or off-site work within 500 feet of any residential unit. Construction outside of these hours may be approved through a development permit based on a site-specific construction noise mitigation plan and a finding by the Director of Planning, Building and Code Enforcement that the construction noise mitigation plan is adequate to prevent noise disturbance of affected residential uses.

- The contractor shall use "new technology" power construction equipment with state-of-the-art noise shielding and muffling devices. All internal combustion engines used on the project site shall be equipped with adequate mufflers and shall be in good mechanical condition to minimize noise created by faulty or poor maintained engines or other components.

- Locate stationary noise generating equipment as far as possible from sensitive receptors.

MITIGATION MEASURES: The project shall implement the following mitigation measures:

- All units shall be equipped with forced air ventilation systems to allow the occupants the option of maintaining the windows closed to control noise, and maintain an interior noise level of 45 DNL. Prior to issuance of building permits, the developer shall retain a qualified acoustical consultant to check the building plans for all units to ensure that interior noise levels can be sufficiently attenuated to 45 DNL to the satisfaction of the Director of Planning, Building and Code Enforcement.

- As this project is in an area with a noise level between 60 DNL and 70 DNL, this project will include mechanical ventilation, which will allow the windows to be closed for noise control and will reduce the noise levels inside the units by 25 DNL.

- Install windows and glass doors so that the sliding window and glass door panels form an air-tight seal when in the closed position and the window and glass door frames are caulked to the wall opening around their entire perimeter with a non-hardening caulking compound to prevent sound infiltration.

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

- The project shall include eight-foot high acoustically-effective barriers along the east and west property lines. The barriers shall turn to connect air tight to the sides of the homes on Lots 1 and 8 (the lots nearest Paula Street). Barrier height shall be measured in reference to the nearest building pad elevation.

- The project shall include six-foot high acoustically effective fences between the homes on Lots 1 and 2 and between the homes on Lots 7 and 8 (the four lots closest to Paula Street). Barrier height shall be measured in reference to the nearest building pad elevation.

XIII. POPULATION AND HOUSING - Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒	1,2
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1

FINDINGS: **There would be no impact on population and housing.**

The proposed project would remove three existing houses and two converted garages, and replace those with eight new houses. The proposed project would not induce substantial population growth because it has a net density of 18.6 dwelling units per acre which is consistent with the General Plan Land Use/Transportation Diagram designation of 12 to 25 dwelling units per acre.

MITIGATION MEASURES: None Required.

XIV. PUBLIC SERVICES

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
Fire Protection?	☐	☐	☒	☐	1,2
Police Protection?	☐	☐	☒	☐	1,2
Schools?	☐	☐	☒	☐	1,2
Parks?	☐	☐	☒	☐	1,2
Other Public Facilities?	☐	☐	☒	☐	1,2

FINDINGS: **There would be a less than significant impact on public services.**

The project site is located in an urbanized area of San Jose, and served by existing Fire, Police, School, Park and other Public Facilities. The site is served by San Jose fire stations within four minutes response time. No additional Fire or Police facilities are necessary to serve the proposed project. The project would result in a potential increase in population served of approximately 10 to 20 people.

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

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. Therefore, the project will have a less than significant impact on school facilities.

The City of San José has adopted the Parkland Dedication Ordinance (PDO) (Chapter 19.38) and Park Impact Ordinance (PIO) requiring residential developers to dedicate public parkland or pay in-lieu fees, or both, to offset the demand for neighborhood parkland created by their housing developments. Each new residential project is required to conform to the PDO and PIO. The acreage of parkland required is based upon the Acreage Dedication Formula outlined in the Parkland Dedication Ordinance. There are several parks near the project site. O'Connor Park is located approximately 0.6 miles north of the project site, Palm Haven Plaza is located approximately 0.7 miles east of the project site, and Willow Street-Frank Bramhall Park is located approximately 0.8 miles south of the project site. The Los Gatos Creek Trail is located within about one-half mile of the project site. No new park facilities are required to serve the proposed project.

The project shall implement the following standard conditions:

- In accordance with California Government Code Section 65996, the developer shall pay a school impact fee, to the School District, to offset the increased demands on school facilities caused by the proposed project.
- The project shall conform to the City's *Park Impact Ordinance (PIO)* and *Parkland Dedication Ordinance (PDO)* (Municipal Code Chapter 19.38).

MITIGATION MEASURES: None Required.

XV. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒	1,2
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒	1,2

FINDINGS: **There would be no impact on recreation.**

The City of San José has adopted the Parkland Dedication Ordinance (PDO) (Chapter 19.38) and Park Impact Ordinance (PIO) requiring residential developers to dedicate public parkland or pay in-lieu fees, or both, to offset the demand for neighborhood parkland created by their housing developments. Each new residential project is required to conform to the PDO and PIO. The acreage of parkland required is based upon the Acreage Dedication Formula outlined in the Parkland Dedication Ordinance. There are several parks near the project site. O'Connor Park is located approximately 0.6 miles north of the project site, Palm Haven Plaza is located approximately 0.7 miles east of the project site, and Willow Street-Frank Bramhall Park is located approximately 0.8 miles south of the project site. The Los Gatos Creek Trail is located within about one-half mile of the project site. No new park facilities are required to serve the proposed project.

The proposed project would increase the number of residents on the site and add to the residential population using nearby recreational facilities. However, the project is not expected to increase the use of existing parks such that substantial deterioration would occur or be accelerated.

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

The project shall implement the following standard condition:

- The project shall conform to the City's *Park Impact Ordinance (PIO)* and *Parkland Dedication Ordinance (PDO)* (Municipal Code Chapter 19.38).

MITIGATION MEASURES: None Required.

XVI. TRANSPORTATION / TRAFFIC - Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐	1,2,19
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒	1,2,19
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒	1,19
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☐	☐	☐	☒	1,19
e) Result in inadequate emergency access?	☐	☐	☐	☒	1,20
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒	1,2,18

FINDINGS: **There would be a less than significant impact on traffic.**

The project site is located on a minor residential street between Race Street (to the east) and meridian Avenue to the west. Meridian Avenue provides access to Interstate Highway 280 and the Southwest Expressway. The General Plan designates the Southwest Expressway as a Transit Oriented Development Corridor. The project site is served by Valley Transportation Authority bus lines on Meridian Avenue and Race Street, and light rail on the Mountain View-Winchester line within the Southwest Expressway corridor. The Race Street light rail station is located about one-quarter mile north of the project site.

The existing residential use (three single-family houses and two converted garages) is estimated to generate approximately 38 one-way trips per day, based on the Institute of Transportation Engineers' standard traffic generation factors for single-family residential development. The proposed project (eight single family houses) is estimated to generate approximately 77 one-way trips per day. The proposed project would generate approximately 39 net new average daily trips.

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

The City's Department of Public Works has analyzed the proposed project and determined that it would be in conformance with the City's Transportation Level of Service Policy (Council Policy 5-3) and would not create a significant traffic impact. The City's Transportation Level of Service Policy (Council Policy 5-3) finds that projects of 15 or fewer residential units will not have project or cumulative level traffic impacts. An exception to the City's level of service standards within transit oriented corridors is also provided by the Policy.

The proposed project includes 24 parking spaces, which is in conformance with City's *Residential Design Guidelines* of 2.6 spaces per unit. Most of the parking spaces would be provided within private garages. Six parking spaces would be provided outside within the courtyard/driveway.

MITIGATION MEASURES: None Required.

XVII. UTILITIES AND SERVICE SYSTEMS - Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒	1,15
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒	1,2,21
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒	1,17
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒	1,22
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒	1,21
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒	1,21
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒	1,21

FINDINGS: **There would be no impact on utilities and service systems.**

The proposed project would not require construction of new facilities for wastewater treatment, storm drainage, water, or waste disposal because the subject site is located within the City of San Jose Urban Service Area where such facilities exist, and have the capacity to serve the proposed project.

MITIGATION MEASURES: None Required.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to (1) degrade the quality of the environment, (2) substantially reduce the habitat of a fish or wildlife species, (3) cause a fish or wildlife population to drop below self-sustaining levels, (4) threaten to eliminate a plant or animal community, (5) reduce the number or restrict the range of a rare or endangered plant or animal, or (6) eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐	1,10

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
b) Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.	☐	☐	☒	☐	1,16
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐	1

FINDINGS**: There would be a potentially significant impact on biological resources and noise; however, with implementation of mitigation measures presented herein, the impacts would be less than significant.**

As discussed in the previous sections, the proposed project could potentially have significant environmental effects with respect to biological resources and noise. With the above noted mitigation, however, the impacts of the proposed project would be reduced to a less than significant level.

MITIGATION MEASURES: No additional mitigation measures are required.

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

CHECKLIST REFERENCES

1. Environmental Clearance Application – File No. PDC 11-002
2. San Jose 2020 General Plan
3. USDA, Soil Conservation Service, Soil Survey of SC County, August 1968
4. USDA, Soil Conservation Service, Important Farmlands of SC County map, June 1979
5. State of California's Geo-Hazard maps / Alquist Priolo Fault maps
6. Riparian Corridor Policy Study 1994
7. San Jose Historic Resources Inventory
8. City of San Jose Archeological Sensitivity Maps
9. FEMA Flood Insurance Rate Map, Santa Clara County, May 18, 2009
10. California Department of Fish & Game, California Natural Diversity Database, 2001
11. City of San Jose Heritage Tree Survey Report
12. California Environmental Protection Agency Hazardous Waste and Substances Sites List, 1998
13. City of San Jose Noise Exposure Map for the 2020 General Plan
14. BAAQMD CEQA Guidelines, Bay Area Air Quality Management District. 2010.
15. San Francisco Bay Regional Water Quality Control Board 1995 Basin Plan
16. Final Environmental Impact Report, City of San Jose, San Jose 2020 General Plan
17. Santa Clara Valley Water District
18. City of San Jose Title 20 Zoning Ordinance
19. San Jose Department of Public Works
20. San Jose Fire Department
21. San Jose Environmental Services Department
22. San Jose Water Company, Great Oaks Water Company
23. California Division of Mines and Geology
24. Cooper Clark, San Jose Geotechnical Information Maps, July 1974
25. Caltrans Scenic Highways website: http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm
26. Aerial photographs (Google Maps and Google Streetview)
27. Tree report prepared by Wilson and Associates April 30, 2007
28. Guidelines for Inventorying, Evaluating, and Mitigating Impacts to Landscaping Trees in the City of San Jose
29. Historic Report prepared by Urban Programmers May 24, 2011.
30. Cultural Resources Study of the Paula Terrace Housing Project prepared by Holman and Associates June 1, 2011
31. Soils report prepared by American Soil Testing on May 17, 2007
32. Phase 1 report prepared by American Soil Testing on April 27, 2007

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

33. Envirostor and Geotracker databases.
34. USGS 15-minute maps (1899 and 1942)
35. DDT Regulatory History: A Brief Survey (to 1975) Environmental Protection Agency
36. Comprehensive Land Use Plan Santa Clara County Norman Y. Mineta San Jose International Airport. May 25, 2011.
37. Noise Report prepared by Edward L. Pack Associates on June 3, 2011.
38. Department of Housing and Urban Development www.hud.gov/local/shared/working/r10/environment/noise.doc
39. Office of Planning and Research. http://www.opr.ca.gov/planning/PDFs/General_Plan_Guidelines_2003.pdf
40. Federal Aviation Administration. San Jose International Airport Master Plan Update EIR (1997) - http://www.sanjoseca.gov/planning/eir/OLD_EIRS41006/OldEIRs.asp
41. Association of Bay Area Governments Dam Failure Inundation Hazard Map for NW San Jose/Milpitas/Santa Clara. 1995
42. USGS Map: Liquefaction probability for M7.8 San Andreas Fault earthquake scenario, Santa Clara County, CA (Open File Report 2008-1270) http://pubs.usgs.gov/of/2008/1270/of2008-1270_San_Andreas_scenario.pdf

Revised 5-28-10 JAM

holman & ASSOCIATES
Archaeological Consultants
"SINCE THE BEGINNING"
3615 FOLSOM ST. SAN FRANCISCO, CALIFORNIA 94110 415/550-7286

Kamil Navai
Rockwell Homes
2160 S. Bascom Avenue Suite #3
Campbell, CA 95008

June 1, 2011

Dear Mr. Navai:

RE: CULTURAL RESOURCES STUDY OF THE PAULA TERRACE HOUSING PROJECT, 1024, 1044 AND 1050 PAULA STREET, SAN JOSE, SANTA CLARA COUNTY, CALIFORNIA.

At your request I have completed a cultural resources study of the above referenced project area located in the Willow Glen section of San Jose, Santa Clara County. No evidence of historic and/or prehistorical archaeological material was noted. This report contains a summary of information gained to date.

PROJECT DESCRIPTION

The proposed project consists of the construction of new housing on three adjoining lots located on the south side of Paula Street just south of Highway 280 in the Willow Glen section of San Jose. Found on the San Jose West U.S.G.S. map, the project borders are Paula Street on the north, with existing housing on the west, east and south. Currently the project area (three separate lots) contain houses and outbuildings at the back of the yards.

ARCHIVAL RESEARCH

An archival study was conducted by this author in person at the Northwest Information Center (NWIC) located in Rohnert Park on April 27, 2011 (NWIC file no. 10-1180) to obtain information about recorded historic and/or prehistoric archaeological sites in and around the project area and any evidence that the property had been previously surveyed.

There are no recorded archaeological sites of either type located within the project area or within a quarter mile of it. There have been no previous archaeological surveys of the project area; the nearest survey was done next door by this author in 2006 for the development of the adjacent 1088 Paula Street project; this had negative findings during the survey and there is no record that archaeological resources were discovered during subsequent demolition of the house

at this address or the subsequent construction of new housing. In 2006 Ms. Bonnie Bamburg, the architectural historian responsible for evaluating the structure there reported that this general vicinity had been orchard land well into the early 20th century when the existing houses had been built along the south side of Paula Street.

DESCRIPTION OF FIELD INSPECTION

The actual visual inspection of the project area was conducted on May 26, 2011 by this author. The inspection was limited to the small landscaped areas at the front of the property and to the open yard of the house found on the east side of the project area; the remainder of the three lots is covered almost entirely by building and/or pavement.

Where visible, the soils consist of a light brown clay loam with small amounts of natural gravels, which probably represent the original ground surface of the former orchards.

FINDINGS/RECOMMENDATIONS

No evidence of historic and/or prehistoric archaeological materials was found during the visual inspection. Since the majority of the property is covered by buildings and/or pavement, the question remains regarding the potential that buried or obscured archaeological materials may be found elsewhere on the property during building demolition and construction related earthmoving and/or grading activities. This question was first raised in my 2006 report, where site conditions were identical–most of the property was covered. The most recent archaeological literature review however failed to turn up any evidence that cultural resources were noted at this location during the subsequent construction there.

The lack of findings at the 2006 construction site and the general lack of accidental discoveries within a quarter mile of the new project area leads this author to believe that there is a low potential for the discovery of buried archaeological resources at the Paula Terrace project area. This report therefore does not recommend any form of mechanical subsurface presence/absence testing and does not recommend that an archaeological monitor be retained to inspect the ground surface during demolition or future construction related grading or trenching operations.

In the event of the accidental discovery of prehistoric archaeological materials described below, work should be halted within 20 feet of the discovery until a qualified archaeologist has been retained to inspect the find. If the discovery appears to be eligible for inclusion on the California Register of Historic Resources (CRHR), a plan for the evaluation of the resource through limited hand excavation should be submitted to the San Jose Planning Department for approval. If evaluative testing verifies that a CRHR eligible resource will be damaged, a plan for mitigation of impacts to the resource should be submitted to the San Jose Planning Department for approval before any additional construction related earthmoving is allowed inside the zone described as archaeologically sensitive.

Mitigation can take the form of additional hand excavation to identify, record and/or remove for analysis significant archaeological materials combined with archaeological monitoring of earthmoving to insure that significant materials are removed and to hopefully identify and limit damage to human remains and associated grave goods. In the event that human remains are identified, the project sponsor will be responsible for contacting the county Coroner's Office and the Native American Heritage Commission (NAHC). The NAHC is responsible fo naming a Most Likely Descendant (MLD) to represent tribal interests regarding the treatment of human remains and associated grave goods.

Archaeological site indicators include but are not limited to the following: darker than surrounding soils of a friable nature, evidence of fire (ash, charcoal, fire affected rock or earth), concentrations of stone, bone and shellfish, and artifacts of these materials.

Sincerely,

Miley Paul Holman
Holman & Associates

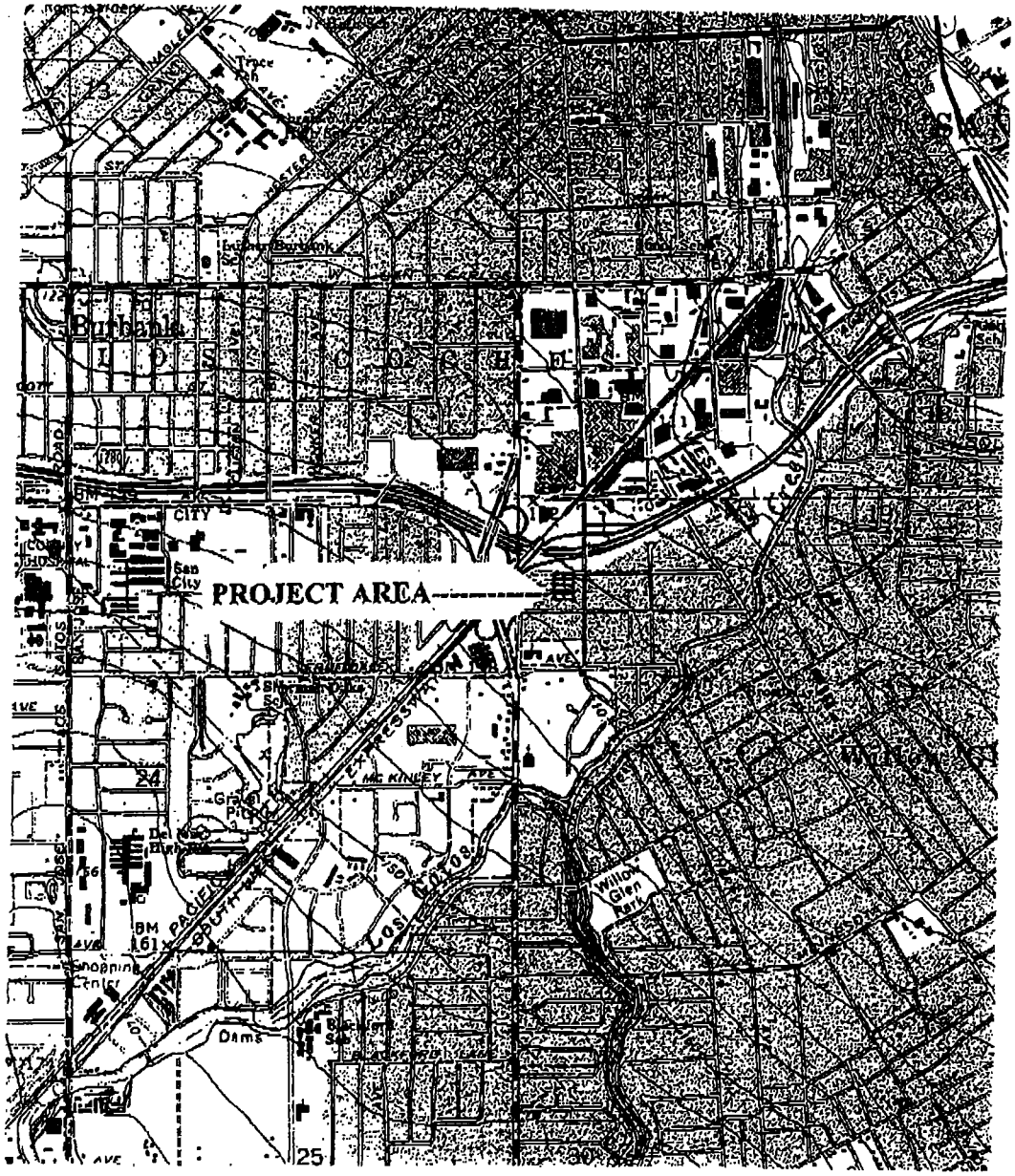
REFERENCES

Holman, Miley
2006 CULTURAL RESOURCES STUDY OF THE 1088 PAULA STREET PROPERTY, SAN JOSE, SANTA CLARA COUNTY, CALIFORNIA. On file, NWIC

PAULA TERRACE

1024,1044 AND 1050 PAULA STREET
SAN JOSE, SANTA CLARA COUNTY, CALIFORNIA

SAN JOSE WEST U.S.G.S. MAP



URBAN PROGRAMMERS

May 24, 2011

John Davidson, Historic Preservation Officer
City of San Jose – Planning Department
200 West Santa Clara St.
San Jose CA 95110

RE: 1024, 1044, 1050 Paula St., San José 95126

Dear Mr. Davidson,

Under cover of this letter you will find the DPR 523 forms for each property and the historic resource evaluation (DPR 523 – Primary and Building Structure and Object), and the San Jose Historic Evaluation and Tally, for the three single parcels. Each has a main house and two have garage buildings that appear to be apartments. As you will see in the description and evaluation, the properties are not historically significant.

The block is "infill housing" that was created by moving houses to most of the parcels. Of the three parcels only 1044 has a house that was constructed on site, the other two were moved onto the property. . None of the buildings exhibit artistic, unusual or fine architecture or construction. They exhibit common materials and were designed and constructed by the owners working with local builders. The relocation of buildings diminishes their integrity, as does the alterations that have changed the front porches and rooflines.

Standard research was carried out at the Dr. Martin Luther King Jr., Main San Jose Library, California Room and in the Building Department records of San Jose and the official records of Santa Clara County. The property was evaluated in accordance with the Historic Preservation Ordinance of the City of San Jose and both CRHR and NRHP. The research into the history of the parcels did not reveal persons or events that were individually significant in the history of San Jose. The San Jose Historic Preservation Evaluation and Tally resulted in an adjusted total of 12.88, 20.52, 15.84 points which is categorized as non-significant. Non-significant properties are not eligible for listing in the California Register of Historic Resources. Removal or alteration does not create a substantial adverse impact under CEQA.

Please contact me if you have any questions regarding this submission.

Best regards,

Bonnie Bamburg

Bonnie Bamburg

Bonnie Bamburg, owner
10710 Ridgeview Avenue
San Jose California
95127
USA

Phone: 408-254-7171
Fax: 408-254-0969
E-mail: bbamburg@USA.net

State of California The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary #
HRI #
Trinomial
NRHP Status Code 6Z

Other Listings _____
Review Code _____ Reviewer _____ Date

Page 1 **of** 29 ***Resource Name or #:** (Assigned by recorder) 1024,1044,1050 Paula St. San Jose

P1. Other Identifier:

***P2. Location: Not for Publication** X **Unrestricted**

***a. County** Santa Clara **and** (P2c, P2e, and P2b or P2d. Attach a Location Map as necessary.)

***b. USGS 7.5' Quad** San Jose West **Date** 1980 **T** __; **R** __; __ **3 of** __ **3 of Sec** __; _____ **B.M.**

c. Address 1024,1044,1050 Paula St City San Jose Zip 95126

d. UTM: (Give more than one for large and/or linear resources) Zone 10, 596413 mE/ 4130262 mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)
APN 264-07-080, 264-07-081, 264-07-082

***P3a. Description:** (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

The neighborhood that includes Paula Street, a grid pattern of streets, was bisected with the construction of I-280 and the subsequent grade change and on-ramp, clover-leaf of Meridian Avenue. The immediate neighborhood is a mix of residential densities with Paula Street a mix of c. single family homes constructed, or relocated between 1910 and 1963, on lots of approximately 40 feet by 100 feet, a 2009 development of attached homes and a remodeled 1963 commercial building (former Kenny's Shoe Store) along Paula St. and Meridian Way. There is little cohesion between these properties. To the rear are a 40 unit apartment building, c 1962, and a more recent attacked single-family development. Across Paula Street is the embankment of I -280. Two of the houses that are the subject of this study were moved to their sites as part of the redevelopment and reorganization of buildings in the neighborhood when infrastructure was expanded and commercial development redeveloped from residential along Meridian Avenue. (Continued on page 3)

***P3b. Resource Attributes:** (List attributes and codes) HP 2 Single family detached houses See attached

P4. Resources Present: X Building Structure Object Site District Element of District Other (Isolates, etc.)

P5b. Description of Photo: (view, date, accession #) View S Front Façades, 5/20/2011

***P6. Date Constructed/Age and Source:** X Historic Prehistoric Both
Constructed: 1910,1936,1920 City directories

***P7. Owner and Address:**
Kamil Navai & Michael Ahi
2160 S Bascom Ste. 1
Campbell CA 95008

***P8. Recorded by:** (Name, affiliation, and address)
Bonnie Bamburg
Urban Programmers
10710 Ridgeview Avenue
San Jose CA 95127

***P9. Date Recorded:** 5/24/2011

***P10. Survey Type:** (Describe) Intensive

***P11. Report Citation:** (Cite survey report and other sources, or enter "none.") None

***Attachments:** NONE Location Map Continuation Sheet X Building, Structure, and Object Record
Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
Artifact Record X Photograph Record Other (List):

State of California The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

Primary #
HRI#

BUILDING, STRUCTURE, AND OBJECT RECORD

*NRHP Status Code 6Z

 *Resource Name or # (Assigned by recorder) 1024,1044,1050 Paula St.

B1. Historic Name:
B2. Common Name: Paula Street (south side infill)
B3. Original Use residential B4. Present Use: Residential
*B5. Architectural Style: Vernacular
*B6. Construction History: (Construction date, alterations, and date of alterations)

See following pages

*B7. Moved? X 1044 Paula St. No X Yes 1024 & 1050 Paula St. Unknown Date: 1940, 1952
Original Location: unknown

*B8. Related Features:
none

B9a. Architect: Unknown b. Builder: unknown
*B10. Significance: Theme residential architecture Area San Jose
Period of Significance 1935-1960 Property Type house Applicable Criteria NA (Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

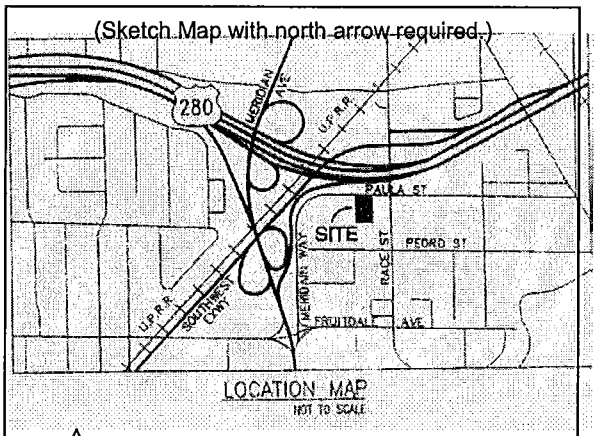
The property is not significant to the history or architectural heritage of San Jose because it is not associated with individuals or events of significance. Further the architecture is not an important example of a recognized design or style. The mix of types of buildings and uses in the immediate area lacks cohesion with the small single family houses overshadowed by the larger multi-family buildings and I-280 on the north.

The three subject parcels (the property) contains three residential buildings (houses) and two garages that appear to have been altered for residential use. Prior to the development for residential use the property was a small family orchard and farm owned by Peter Bitondo. Two of the buildings were moved to the site and the third was constructed on site c. 1936. Paula Street, in this block, was developed with several relocated buildings and after I-280 was constructed eliminating the north side of Paula St and bisecting the neighborhood, it lost identity with the rest of the neighborhood.

B11. Additional Resource Attributes: (List attributes and codes) none

*B12. References: City & County public documents, Continued
B13. Remarks:
*B14. Evaluator: Bonnie Bamburg
*Date of Evaluation: 5/24/2011

(Sketch Map with north arrow required.)



(This space reserved for official comments.)

P3: Description cont.

1024 Paula St. House : The building is a pitched roof, rectangular form, which has been extensively altered. It appears to have been a wood frame building with wood siding and is now stucco covered, with energy efficient windows. The front façade has a projecting, pitched-roof, porch supported by stucco covered columns, an element that was added after the building was moved. A vent indicates a stove or furnace in the center of the house.

The vernacular style is not artistic and as a moved-on building is not uniquely suited to the location.

1044 Paula St: The house is a vernacular style with Spanish Colonial elements that found in the front rounded top window and the more recent tile roof. The front façade has a projecting gable end with a tri-part window and a recessed porch with an exaggerated roof that is not original. The stucco covered building has random placed windows on the remaining facades where the openings appear original however the windows have been replaced. Behind the house is a double garage building with tile roof that matches the house. The "carriage house" doors appear to be replacements.

The vernacular Spanish Colonial Revival elements are the most attractive of the three houses in this line, however the modest version is not a significant example the style. Fine examples of Spanish Colonial Revival design exist in many areas of San Jose- particularly those designed by Wolff and Higgins, Architects.

1050 Paula St. House and Garage: The house is a vernacular style with a hipped roof and broad overhanging eaves that are elements found in Colonial Revival design, however these are the only elements of this style represented in the building. The front facade has a full width porch that was added after the house was moved and does not relate to the rest of the building's design. The main entry door is off set in the façade with windows of different size on either side, also not characteristic of the hipped-roof style. The building is dominated by the porch roof, extending and supported by columns with squared caps and flat arches between which give the house a mix of Spanish Colonial elements and Colonial Revival elements. The building was likely a wood structure that has been covered with stucco and the porch added after it was moved to the site. A band around the building may also be the result of construction required after the move. Behind the house is a garage that has been remodeled into an apartment.

The mix of elements and the relocation have taken away the original materials and design. The building is not important to the architectural heritage of San Jose.

Each property has a small front yard with patches of grass and little else for landscaping. 1050 has a curb around the front yard and the remains of landscaping-bushes along the drive and in front.

The houses on the subject parcels are not architecturally distinctive, nor are they constructed in high quality or with observable fine craftsmanship. The buildings that have been moved to the site have lost the integrity of their original locations and have been altered in design and materials. Only 1044 Paula appears to be on the original site and exhibiting original, vernacular Spanish Colonial Revival elements that were very popular in San Jose during the 1930's. The City has many fine examples of the style that are found in settings conducive to appreciating the style as part of a group of similar buildings.

In total the site is representative of infill residential development that occurred as the one acre lots were divided and further subdivided and the small family orchards or farms were reduced. This infill process is found in many areas of San Jose but particularly in the Sainsevian Track. The site is not associated with unique architecture, landscape plans or urban planning that is significant to the history or heritage of San Jose.

B 10: Significance, Continued:

Background and Context:

Pre-History: The Ohlone were decimated in the late 1700's when Spain, attempting to thwart the expansion of Russia and England in California, colonized the area enforcing subjugation of the native population into which it introduced European diseases.

The Spanish Period (1777-1822)

Exploration of Alta California brought the Spanish to the San Francisco Bay Area. The initial discovery of the Santa Clara Valley was by Sergeant Jose Ortega of the Portola Expedition in 1769, who chronicled the abundance of timber, rich soil and a native population that could become a work force. It took less than eight years for Mission Santa Clara to be established and a few months longer for the first civil settlement in California, El Pueblo de San Jose de Guadalupe, to be established along the east bank of the Guadalupe River. The river became the boundary between the Roman Catholic Mission and the civil settlement. Although both were expected to provide food and goods to the Presidios of Monterey and San Francisco, their methods were very different. The Mission required the native population as a work force, while the Pueblo was settled by volunteers who were provided limited provisions and operated under a form of civil/military regulations.

In November 1777, Lt. Jose Joaquin Moraga, representing the King of Spain, and 14 families, a total of 66 people, left the Presidio San Francisco to create the first civil settlement in California in the fertile valley of the Guadalupe River. Moraga had the map drawn providing each family with a lot for a house and allocating "suertes" farming plots which could be used but not sold, and surrounding the Pueblo, common lands for grazing.

The settlement was originally located on the Guadalupe River in north San Jose (Taylor Street), but the annual flooding caused the settlers to petition for relocation to the south where they would be on higher ground. The request was granted, allowing the town to relocate about 1791. The new location was at the cross roads from Monterey and Mission Santa Clara with the port of Alviso about one mile north. The town was laid out with the center a plaza and market place where the road from Monterey entered (Market Street). Creating the town required a system of ditches (acequia) be constructed that would circulate fresh water throughout the town and farm lands. Eventually these were fed throughout the years by constructing a dam on the river. Residential lots and settlement patterns followed the alignment of the acequia.

The route of travel between San Francisco (Yerba Buena) and Monterey essentially follows the El Camino Real (Monterey Road through the south of the county) to Santa Clara Street; The Alameda to Santa Clara. Along this section, willow trees were planted by the Padres to shade travelers. Other modern roads also follow the early trails; Trimble Road connected the Mission Santa Clara with its corn fields (milpas) and to Mission San Jose (established in 1789); Highway 880 (#17) connected the Missions of Santa Clara and Santa Cruz, an old trail that was improved with the labor of Mission Indians.

During the Spanish period, farming produced beans, corn, wheat, hemp, flax, seasonal vegetables and fruit. The basic industry of the area revolved around the crops, milling and hemp/flax thread, candles and soap- the necessities. A poor quality wine and brandy were made from small vineyards and orchard fruit. As the cattle herds grew, hides (leather) and tallow (fat and rendering) became important in the local economy. Surplus food and goods made by the Pueblo were sent to the Presidios or traded with the sailing ships through the ports of Alviso, Monterey, Yerba Buena, and Santa Cruz.

Mexican Period (1822-1846)

Change was brought about by the 1810, civil war in Mexico which relaxed the regulations and destroyed the economy within the Pueblo. With reduced oversight from the Spanish military and reduced Spanish trade, the opportunity for trade with foreign ships through previously guarded ports provided different provisions - tea and coffee as well as manufactured goods. Exposure to different trade and governance systems came from the sailors who decided to jump ship and stay in California.

In 1822 Mexican governmental control replaced Spain's. The two most important and long term changes were the secularizing of Mission lands and, in 1824, the granting of large land holdings (ranchos) to any person who settled an unoccupied tract of land. Within Santa Clara Valley there were 38 land grants issued between 1833 and 1845, 15 of which were within the lands formerly held by the Pueblo (Laffey 1992:2). The ranchos were operated much as small towns, self sufficient in growing food and providing labor for the rancho's fields and industries, which were increasingly related to cattle (hides and tallow). While religion was part of the Rancho life,

education was lacking.

Another change was allowing foreigners to settle in California. The first such settler was Antonio Sunol, born in Spain, who arrived on a French ship. An educated man, he opened the first general store and saloon in the Pueblo. He also planted a vineyard and it appears he was the first European to make wine in Santa Clara Valley selling it as early as 1823 (Arbuckle 1984:175). Soon his education qualified him for postmaster, banker and attorney, and in 1841, he became the Alcade (Mayor). Sunol acquired Rancho de las Coches which included the property subject of this study to farm and later transferred to family members who subdivided for one acre lots. Others followed and in 1841, the first Americans arrived by overland routes. In 1835, approximately 700 residents lived in the Pueblo; 40 were foreign, mostly English or Americans. By 1845, the population had grown to 900; almost 200 were Americans. The Americans were interested in business and transforming the Pueblo with American style commerce. By 1846, when the Americans occupied the territory, their numbers were sufficient to take control.

The Early American Period (1846-1869)

This turbulent period was marked by change; the influx of American settlers to the Mexican community; the dramatic change from the established governing systems of Spain, then Mexico to the English/American legal system; and an agrarian economy to the beginning of industry in the local economy. Land ownership was particularly difficult since the Mexican Government had granted large holdings with little documentation of boundaries; the two cultures often disagreed on how to adjudicate differences.

To settle at least some of the issues relating to land ownership, a survey was conducted in 1847 of the Pueblo from Market Street to Eighth Street and Julian south to Reed Street. Those who claimed ownership were given legal title; unclaimed land sold for $50 a city block (Laffey 1992:5). Other surveys followed, some more accurate than others. In 1850, Surveyor Thomas White extended the city limits to Coyote Creek in the east and beyond the Guadalupe River on the west. Surveys were only part of the problem. Americans believed the open lands gained by the Treaty of Hidalgo were public and available. To determine legal title under the American system required the US government to establish the California Lands Commission in 1851; but that process proved lengthy and expensive, with the consequence that land was often forfeited. Within the Pueblo, the area between Market Plaza and the Guadalupe was contested for many years delaying development in this area while ownership was determined.

The gold rush of 1848-49 brought a sudden influx of primarily Americans to California. People needed food and services that were not immediately available. The businessmen of San Jose quickly developed hotels, saloons, theaters, and stores ready to sell whatever the miners needed. So prominent was the City that it was selected the first State Capitol in 1850 and although it lasted only two years, this provided incentive for even more urban development.

Outside the city proper, farms, orchards and vineyards started to fill the Valley. However, the stock of vines and trees did not significantly improve until 1851-53 when Antoine Delmas and then Louis Pellier imported European vines and scions that could be grafted to the hardy mission grape stock. They were followed by Etienne Thee and Charles Le Franc, who by 1857, had formed the Almaden Vineyards.

The College of Notre Dame was founded in 1851 growing from a small wood building to occupy a large campus of classic brick buildings on W. Santa Clara St. between San Pedro and Santa Teresa. The school educated young girls, elementary school through college. A few years later Minns Evening Normal School was established in San Francisco in 1857, after which it moved to San Jose, becoming San Jose Normal School now San Jose State University.

Infrastructure continued to develop to support the population growth. Natural gas was piped to buildings and street lights in San Jose and Santa Clara in 1861. Five years later, San Jose Water Company incorporated to provide piped water to residents followed closely by the City installing the first sewers. Transportation, using horse drawn carriages, was established between Santa Clara, San Jose and Saratoga-Los Gatos, to be replaced by Samuel Bishop's Street Car line in 1868. This line extended from Santa Clara eventually ending at the Alum Rock Reserve (park) in the east hills.

The educated population attracted printers and newspapers to the area. Politically motivated, the *State Journal* in December 1850, and the *Daily Argus* in 1851, were short lived; however, San Jose would never again be without locally printed newspapers (Arbuckle 1984:397).

A subtle change was occurring in agriculture with a switch from grazing lands to planted grain fields, primarily wheat, filling the valley floor. The economy was changing from cattle-based to wheat and seasonal fresh fruit. Fruit orchards planted by the Mission supplied apples and pears to the miners showing the profit potential that could be made by raising fruit. By the end of 1850, San Jose was home to several professional orchardists and nurserymen including Louis Pellier, who opened City Nursery on the northeast corner of San Pedro and Chaboya Alley in 1850. Just 10 years later, 106,000 fruit trees thrived in the county and 156,000 grape vines; orchards were planted in all directions extending from the City (Arbuckle 1984:155).

This early period ends with the coming of the railroad. The first line was between San Francisco and San Jose opening in 1864, and in 1869, the Central Pacific line started from San Jose to Niles. The transcontinental railroad that connected Santa Clara Valley to the eastern states allowed access for the local agriculture and goods to be sold into the world's markets.

Horticultural Expansion 1870-1918

Grape growing found an instant market in the late 1870s, and into the 1880s because wine was in high demand and fruit that could not be dried, remained a seasonal commodity. "By the end of

the 1880's Santa Clara County had 15,000 acres of vine and 478 viticulturists. producing 2,500,000 gallons of wine a year" (Arbuckle 1984:176). Orchards of many varieties of fruit spread in all directions spawning small towns with services and conveniences for the rural families. Berryessa in the east, The Willows in the west, Saratoga and Los Gatos, were all connected by fruit orchards. The most popular fruit was the small French prune imported by Louis and Pierre Pellier, known as the "la Petite Prune d'Agen" a fruit that would lead the agricultural industry in Santa Clara Valley. A fruit in high demand all over the world the prune grew to be a $43,000,000 a-year-industry in California (Arbuckle, 1984:163). Throughout the Horticultural Era and into 1970, when the industry was ending, the prune was grown in ratios of approximately three to one of the next species, apricots (Arbuckle,1984:163). Drying fruit was a relatively natural and low cost process, but it was subject to weather conditions and not suitable for all types of fruit. The abundance of the orchards demanded a new process to preserve the fruit for sale.

Food processing started in France in the 1850's. However, locally it was Dr. James Dawson who invented the process in his home laboratory in 1871. Companies formed to manufacture all types of equipment to support the joint industries; orchard sprayers, food processing machinery, and tractors all were made in San Jose. With superb growing conditions and land for vast orchards, the canning industry grew quickly in San Jose, as did support industries of box, basket, and can factories. Mergers of the smaller or specialized companies led to some of the largest corporations, such as FMC, that started as Bean Pump and Spray Company merging with Anderson – Barngrover, Hull and Cunningham. During the same period, vineyards were also bountiful and Paul Masson, Pierre Mirassou and William Wehner were all producing wines from grapes grown on the hillsides around the Valley. Food processors, canners and dryers separated to form their own support organizations.

As the economy grew so did urban development, expanding from First Street to Second and, two years after the Chinatown fire of 1887, a new City Hall was constructed in the Plaza, and in 1893, a new Post Office on Market Street. During the 1880's three and four-story bank buildings were constructed on all four corners of Santa Clara and First streets. During this time, business moved south from Santa Clara Street, spurred on by T.S. Montgomery who developed several large city blocks.

As the City expanded so did the infrastructure. By 1881, electricity was provided by several private companies operating from different locations around the City. In the same year J.J. Owen, owner of the San Jose Mercury was instrumental in having a light tower constructed at the corner of Market and Santa Clara streets. Electric arc lamps that had replaced the gas lamps were replaced in 1912, with incandescent lights on the downtown streets.

Automobiles were first seen in the Valley in the 1890's, with the State's first auto manufacturing, garage and gas station established in San Jose by the turn of the century. The first "garage" was opened by Clarence Letcher in 1900 followed by his first gas station in 1902. The first motor bus line in the state began service from San Jose to Mt. Hamilton in 1910. It was then possible to take

the bus to the San Jose Country Club established in 1899, on Alum Rock Avenue.

The first regularly scheduled radio station was started in San Jose in 1909, when Dr. Charles Harold broadcast from his offices at the corner of First and San Fernando streets. In addition to the first commercial broadcast, Harold is credited with opening a college to train radio engineers where he qualified over 1200 students by 1922. He is also credited with more than 50 inventions during his career.

Development continued throughout the City. Most of the vacant lots were filled with houses or small commercial buildings during the 1880's. The Hensley property was divided in 1886, as was College Park off The Alameda followed by the subdivision of General Naglee's estate in 1902 and Hanchett Park in 1907. During this period, the City annexed the Gardiner District and the City of East San Jose in 1911, and a year later an unusual annexation was the 100 foot wide strip of land along N. First Street leading to Alviso. Streets that began in the center of the city, extended to connect the rural corners of the Valley. Although they changed names outside the core, the convenience of a connected valley was perfect for the automobile and truck traffic that took hold during this era.

Inter-War Period 1918-1945

Three projects that started in the 1920's and completed by 1939, were particularly important in the development of San Jose. The first was the connection of Bayshore Highway from N. First Street to San Francisco; the second was the formation of the Santa Clara Valley Water Conservation District to alleviate the falling level of ground water; and the third was the selection and development of Moffett Field as a military base, for which San Jose campaigned heavily.

After several years of attempting to block the effects of the Volstead Act in Santa Clara Valley, the winemakers were faced on February 20, 1920, with following the provision of the Eighteenth Amendment to the U.S. Constitution "prohibiting the sale and manufacture of intoxicating liquors until the conclusion of the present war and thereafter until the termination of demobilization, the date of which shall be determined and proclaimed by the President of the United States. The words - "beer, wine, or other intoxicating malt or vinous liquors" - in the War Prohibition Act shall be hereafter construed to mean any such beverages which contain one-half of 1 per centum or more of alcohol by volume" (Volstead Act; Title one, 1919). Winemaking was an important part of the local economy in the Santa Clara Valley where 8,000 acres were cultivated with wine grapes. Northern California more known as the wine area was more heavily invested (Sullivan1982:128). Not until 1933 were the effects of the Volstead Act - 1920-1933 - and local laws repealed. Several local wineries had stocked wine and were quick to tool up their old equipment and begin shipping wine made and stored during the dry years. Cribari, Almaden, Paul Masson and others shipped less than 145,000 gallons. The first new winery operation after repeal was constructed in 1937, by Peter Mirassou who held 100 acres in Evergreen. The winery with 130,000 gallon capacity shipped bulk dry wine and champagne, that was considered of better quality than

most (Sullivan 1982:144). Peter and his sons Edmund and Norbert continued to improve the quality of local wine and promote the industry. At the conclusion of WWII, California and the Santa Clara Valley were experiencing a wine shortage and more acreage was planted to meet the need. Along with this came a campaign to teach the wine buying public about the quality of Santa Clara Valley and other premium wines. The industry was moving away from sweet wine, and cheap white wine, to the better wines produced locally.

At the same time the vintners were facing a loss of business, the orchards were expanding to supply the growing need for fruit to satisfy the demand for processed, canned and dried fruit. Associations of growers, canners and dryers finally gained stability developing into huge organizations that would distribute the produce of the Santa Clara Valley worldwide. World War I was ending when the California Fruit Packers Association (Calpak) was formed, uniting several successful independent companies under one name. In San Jose construction began in 1918 to construct plants along the railroads, often taking over buildings left empty by prohibition. F.W. Wool, Baron-Gray, Richmond-Chase, Calpak – Del Monte, Tri-Valley Growers and Packers, Sunsweet, and Hunt Bros. constructed plants throughout the Valley, in San Jose there were concentrations in the Taylor-Jackson area, The Alameda, along S. 3rd-9th Sts, and in Willow Glen. The food processors were followed by American Can, Continental Can and other secondary manufacturers of containers and machinery. In 1925, there were 6,959 farms, between 1927 and 1930 prune acreage increased to 65,077 acres; apricots to 17,891; pear to 7,308 cherry to 1,906 and plum to 1,560 acres (Arbuckle 1985:163). La petite prune d'Agen, propagated by Louis Pelllier was the fruit that lead the county in percentage of the world consumption and was reported to have been a $43,000,000 a year industry. The food processing industry became the economic engine that encouraged growth in population, housing, social organizations, wealth, and all aspects of the City. However international events leading to WWII had a dramatic effect in the Valley when the Third Reich, at Hitler's direction ceased purchasing dried fruit from California. The resulting glut of fruit in 1933-34 forced several ranches into bankruptcy and others to replant prunes with alternative species. The subject property was replanted with apricots.

Population continued to increase and the residential development to expand into the orchard areas or infill such as the Vendome Hotel site on N. First Street. Annexation continued to extend the City boundaries; Palm Haven in 1922, and the Stockton and White districts in 1924. Willow Glen incorporated in 1927 and annexed to San Jose in 1936. Further outside the City, the east hills were subdivided for homes and the first airport was constructed at 1919 Alum Rock Road. The first municipal airport was established as the Garden City Airport in 1934 and moved to Tully Road in1939 by Cecil and Robert Reid who renamed it Reid Hillview Airport (Laffey 1992:9).

Part of the population and job growth was from those who had served in the military and came to attend college in the Valley using the G.I. Bill to help pay expenses. At Stanford University, Dr. Frederick Terman, a gifted professor had an exceptional class and was already seeing some of his students venture into what would become the next economic wave; electronics, and high technology. Students David Packard and Bill Hewlett invented test equipment in 1939, and

obtained government contracts to continue their work during the war years. In 1945, they were well positioned to lead those who formed or worked for companies that were the foundation of Silicon Valley - Varian Sylvania, Philco-Ford, GE and Lockheed.

Industrialization and Urbanization 1945-1991

During WWII social changes occurred. Women who became part of the war-effort work force were then less content to stay at home. Able to work outside the home or to volunteer these women made it very desirable to have two cars in each family. This was not lost on the home builders who included a two car garage with most homes after 1945. With more automobiles available, commercial centers were no longer tied to the bus or street car line; thus they spread out along all the major roads. At the same time, changes in building safety codes required additional exiting and other modifications to second floor spaces primarily in the downtown. Without the guarantee of higher rents, many owners did not correct the deficiencies so the upper story spaces became vacant.

After WWII, the population of San Jose rose dramatically. City leaders launched campaigns to attract non-agricultural industries and house building led construction in the Valley. The post-war community of 95,000 in 1950 became the urban hub of 500,000 by 1975, while the area of the City grew from 17 square miles to 120 square miles as land annexed for housing tracts, commercial centers and industrial complexes replaced orchards.

All roads seemed to lead out of the historic downtown. Valley Fair at Stevens Creek and Winchester boulevards, offered a new shopping experience - a mall with free parking and a variety of stores, (I Magnin, Joseph Magnin, Macys, and the Emporium, stores previously only in San Francisco). In 1957, the new City Hall constructed with modern manufactured materials, signaling the progressive City, was located at N. First and Mission Streets, far north of the downtown. Hotels in the downtown, once the heart of the social set, became subsidized housing for older, often destitute people. Even the San Jose Mercury and San Jose Evening News, San Jose's only daily newspapers moved from W. Santa Clara Street to a new facility on Ridder Park Drive out of the downtown. Soon the downtown became isolated as shops either went out of business or moved to outlying centers and there was little to attract people to come into the City's core. During the 1950's and early 1960's federal funds were available for urban renewal to demolish obsolete or blighted buildings and San Jose's leaders, believing that a cleared parcel of land was more attractive to new development, received many awards for this work. Asphalt soon covered the vacant lots where three and four story buildings had once stood, almost 30% of the downtown was paved.

The train ran between San Jose and San Francisco exactly has it had since 1909, and the Southern Pacific sponsored bus line dropped the SP and became the Greyhound Line, moving to a larger bus terminal on Notre Dame Avenue. Light industrial development appeared just outside the core where the opportunity for less expensive land allowed service, repair, warehouse and distribution

of services related to the remaining businesses.

Outside of the City, General Electric Company opened a new facility at Curtner and Monterey Road in 1948, IBM on Cottle Road in 1953, and Ac'cent on Monterey Road in 1946. Lockheed was also renting space and looking for a place to construct a facility (eventually in Mt. View). Major reconstruction of the schools in San Jose began in the late 1950's when, with the intent to protect children, the State made bond funds available to local school districts if their schools were evaluated by structural engineers and found to be seismically inadequate. Many schools were determined to be structurally unsafe and were demolished, replaced with new buildings or new facilities which were deemed to be more economical to maintain and located in areas where the population was growing. A few years later, hospitals found the same state mandates and were either rebuilt or extensively remodeled.

By the end of the 1970's Park Center Plaza, a new library and the Center for the Performing Arts were constructed on the west side of the downtown. In the center, next to St. James Park the Scottish Rite Temple on N. 3rd became the San Jose Athletic Club and the old Post Office (formerly library) became the San Jose Museum of Art. Other than reusing some historic buildings, there was little new development in the core area.

Surrounding the growing city, agricultural use remained predominate, with most of the land outside the City borders in Santa Clara County. Villages developed on transit corridors, generally about five miles from the downtown providing the sense of a district or community - a town center, with a school and often a post office. Replacing the orchards with residential tracts accelerated in the decades of the 1950's and 1960's as large acreages were annexed to San Jose. The new housing was constructed in suburban style tracts, all with a forward facing double or triple garage to showcase the family cars.
As the City embraced the new, ever expanding high technology, the price of industrial waste was beginning to be understood. Still, the general tenure through the 1980's was one of optimism and progress.

Historical Context within the Inter-War Period, relative to the subject property:
During the **Inter-War Period 1918-1945**, fruit ranches, continued to be planted on land that had previously been used for grazing. Throughout the Santa Clara Valley, orchards produced the fruit that became the resource to an expanding fruit processing industry, an industry that would see the Santa Clara Valley producing 25% of the world's prunes by the 1930's (Laffy, G.A.: 1992). Through the Inter-War Period 1918-1945, agriculture remained the most important industry of the Valley with some ranches continuing into the era that would show great disparity between agriculture and the rising value of technology after WWII, when residential and industrial development expanded into the agricultural lands leading to the Era of Industrialization and Urbanization 1945-1991. Thus the origins are within the context of the **Inter-War Period 1918-1945,** and extend into the **Industrialization and Urbanization Period 1945-1991**, a time when many immigrant families in the Santa Clara Valley found that agriculture was the key to their new life.

Of the many families who followed this pattern, some encountered disaster during the Great Depression and the loss of European prune markets at the beginning of WWII. The Orlando family appears to have successfully maintained their fruit ranch during this difficult economic period by planting apricots and then cherries. The economic pressure to sell land for residential, commercial or industrial use began to outweigh agriculture in the early 1950's and had taken most of the former orchard land by the 1990's.

1024, 1044, 1050 Paula Street, San Jose

The property was part of the Rancho Los Coches, granted by Governor Manuel Micheltorena to "Roberto, a Mission Santa Clara Indian" in 1844, although he appears to have lived on the property in 1836.[1] The land was sold to Antonio Sunol in 1847 and received a patent in 1857 for 2219.341 acres[2]. The land was divided in to thirds with Sunol keeping a third for himself and transferring a third to his daughter and son in law (Paula and Pedro Sainsevain) with the northern third sold to Henry Naglee. Pierre (Pedro) Sainsavan was Sunol's son-on-law and business partner. The subdivision of Sainsevain Villa, San Jose, Santa County, Cal., in 1876, created nine blocks each divided into ten lots. The tract of blocks extended from Meridian to Lincoln Avenue, Splivalo St to Carlos St (Fruitvale).[3] The streets were named for his family and friend Stefan Splivado (Italian winegrower), Paula for his wife, and Sunol's daughter, and his own name Pedro (Pierre). When offered for sale, the acre lots sold for $350 with a three year payment period.[4] The subject parcels are part of Block 4, lots 2 & 4, now configured to be the 7, 8 and 9 from the southeast corner of Paula Street and Meridian Avenue and fronting on Paula Street. After incorporation, the area was within the Fourth Ward of San Jose. In 2006, the property was annexed into the City of San Jose.

Enhanced by the railroad that served San Jose to Los Gatos, the area developed with lumber and canneries along the rail line, while beyond remained semi-rural with family farms and orchards of one or more acres. The block with the subject property remained in agricultural use by the Vincent Enfantino (Infantino) family who owned over an acre and constructed their home close to Meridian Avenue in 1938. Further divisions reduced the Enfantino property and created the opportunity for residential lots facing Paula St. At the other end of the block, Peter Bitondo had purchased almost an acre and was also farming. When the I – 280 highway was constructed houses from that area were relocated onto the agricultural land throughout San Jose including property on Paula Street - some from just across the street. The first of the subject properties to develop was in 1936, when Frank Bitondo and his wife Angelina purchased the lot at 1044 Paula St, and constructed a house. The second to develop was 1024 Paula (Listed by the Assessor's office as constructed in 1910, but it does not show up on any maps or in City Directories until 1939, indicating the house was moved to the property). In the early 1940's the house was rented to Dominic and Chespa Bitondo. The third was 1050 Paula that was moved to the site in 1952. Moving houses was more common

[1] Arbuckle & Rambo, Santa Clara County Ranchos p. 22

[2] Arbuckle & Rambo, Santa Clara County Ranchos p. 22
[3] Thompson & West Historical Atlas of Santa Clara County, 1876:42
[4] Loomis, Signposts, 1982:81

than today, particularly where small agricultural parcels of an acre or so were divided and a house located for a family member. By the early 1950's the house at 1050 was owned by William and Mary Wolfe who remained until it was sold to Roberto Gonzales and his wife Alice in 1967. The Gonzales family has remained in the house although the property was sold in 2007. For many years, the other properties have had rather short term owners who rented the property. Today all three properties are owned by Kamil Navai and Michael Ahi.

Like several other families that emigrated from Italy, the Bitondo family represent a typical story of a family that came to the United States and through hard work purchased the property on Paula Street. The property is associated with the **Inter-war, Era, 1919-1945** when the Santa Clara Valley was a major supplier of the Nation's fresh fruit and the worlds dried or processed fruit. Their hard work and that of other immigrant families established fruit growing and processing to create the fruit industry, the economic power for Santa Clara Valley 1890-1936.

The houses and garages on the property were constructed during the period of significance associated with the fruit industry's importance in San Jose and do not represent exceptional examples of either residential or industrial architecture.

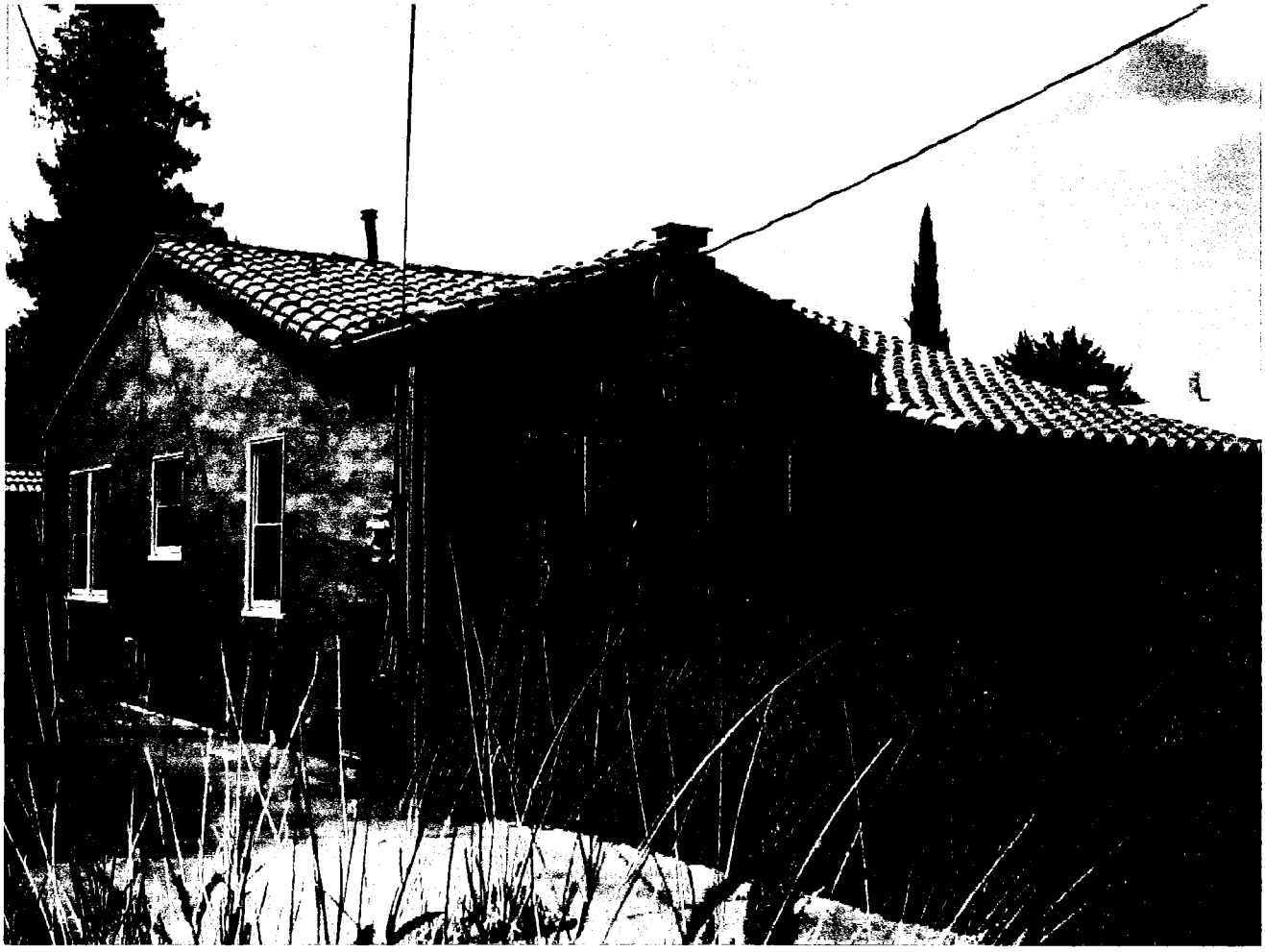
Photographs: All photographs were taken on May 20, 2011

Photograph # 1 streetscape of houses 1024.1044.1050 Paula Street.
Camera facing: SW

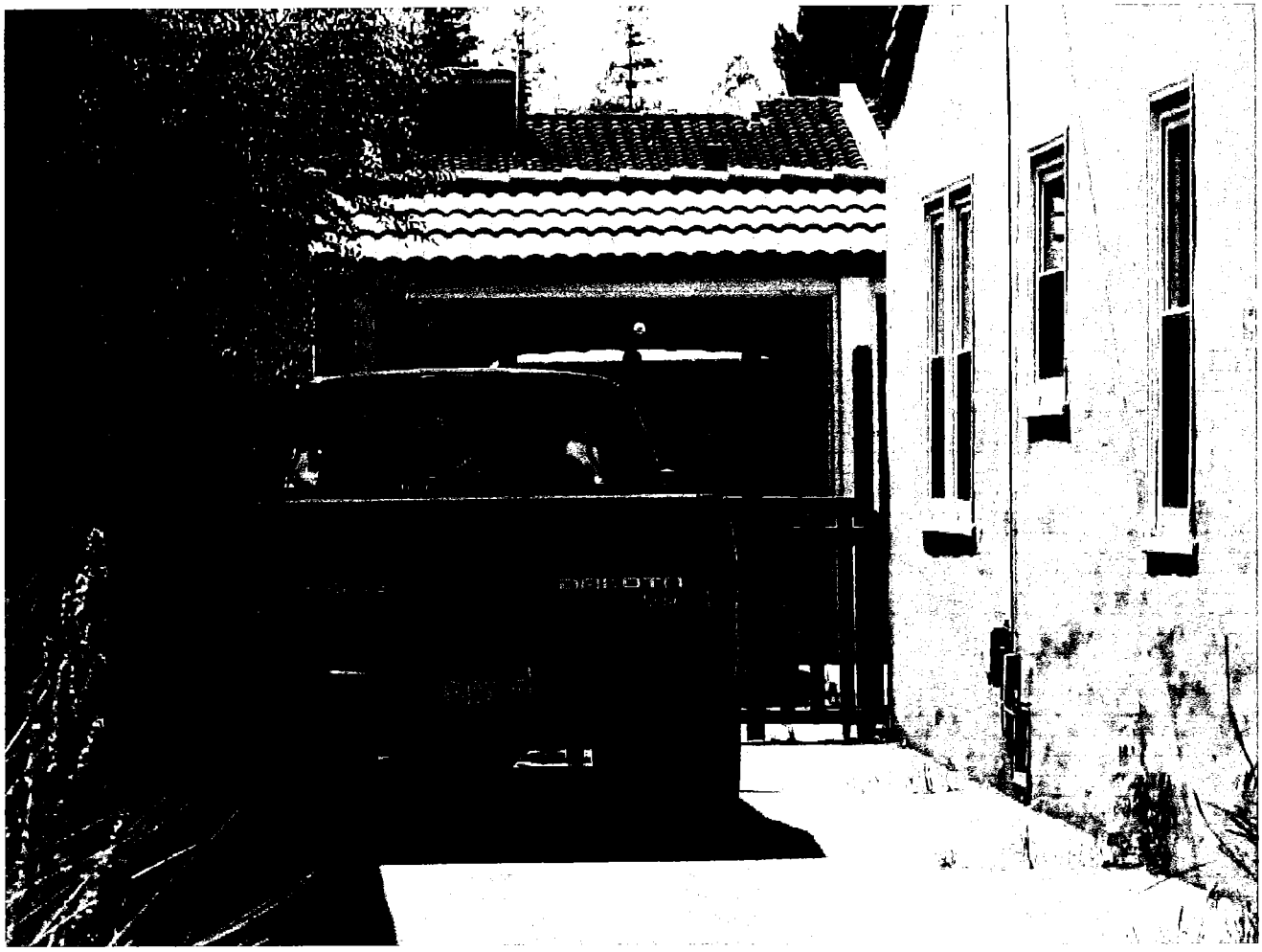
Photograph # 2 1024 Paula St.
View: Front and west facades

Photograph # 3 1044 Paula St.
View: Front façade

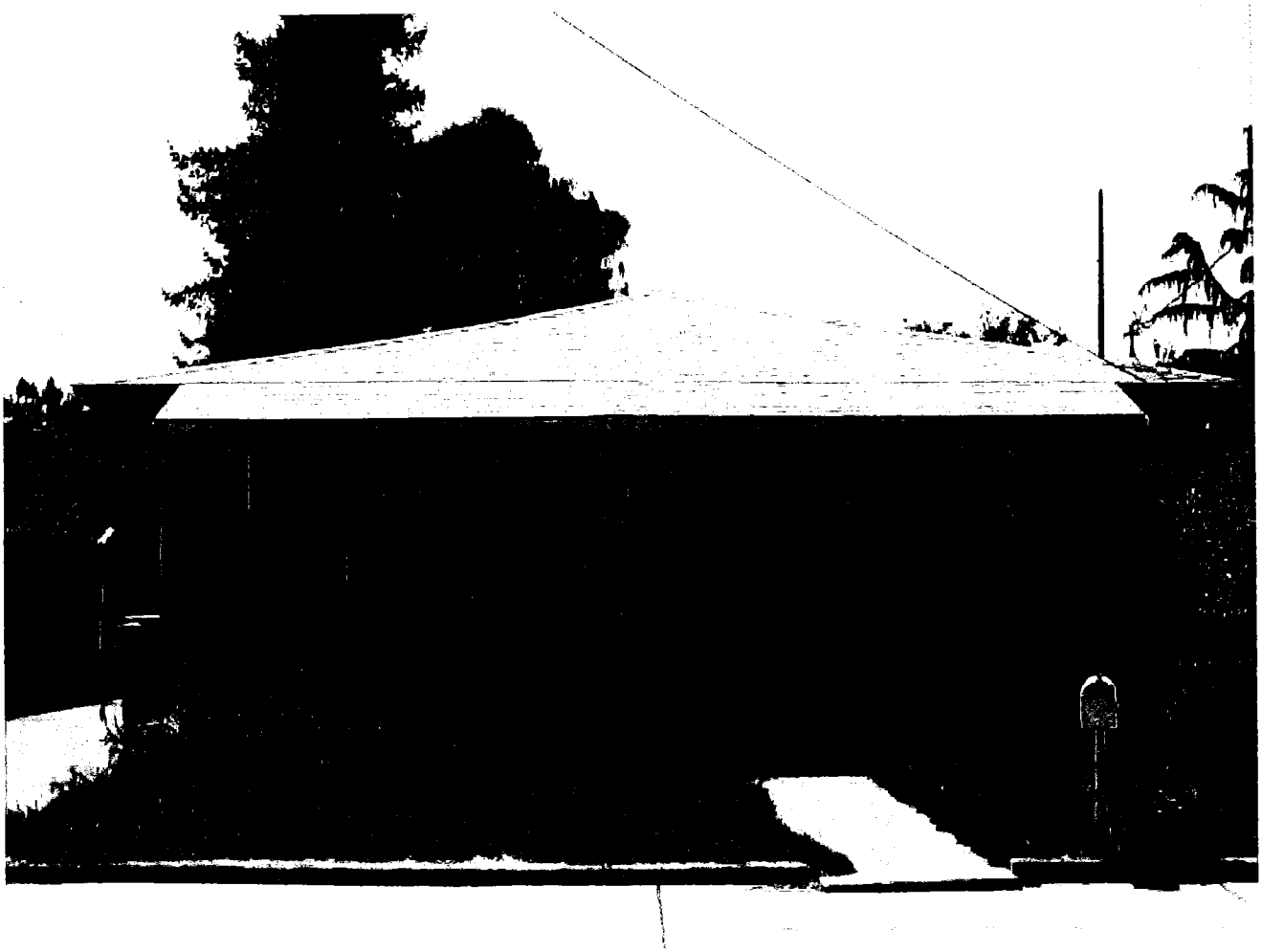
Photograph # 4 1044 Paula St.
View Front and west facades. (1024 is seen on the left)



Photograph # 5 1044 Paula St.
View: Front and east facades



Photograph # 6 1044 Paula St.
View: east façade and garage in rear.



Photograph # 7 1050 Paula St.
View: Front (north) façade. Porch added after the building was moved to this site.

Photograph # 8 1050 Paula St.
View: West facade

Photograph #9 1050 Paula St.
View: Front and east facades.

Photograph # 10 1050 Paula St.
View: Garage (apartment) in rear

Evaluation of Significance, City of San Jose Municipal Code Section # 14.48.020 (Criteria to evaluate historical and architectural significance)

A. Historical, Architectural, Cultural, Aesthetic or Engineering Interest or Value of an Historical Nature. The term "historical, architectural, cultural, aesthetic, or engineering interest or value of an historical nature" shall mean a quality that derives from, is based upon, or related to any of the following factors:

1. Identification or association with persons, eras or events that have contributed to local, regional, state or national history, heritage or culture in a distinctive, significant or important way;

None of the three houses are identified with persons, eras or events that have contributed to local, regional, state or national history or heritage in a distinctive or significant way. The buildings do not represent historical, architectural, cultural aesthetic or engineering interest of value of a "Historical Nature" in San Jose. The homes of working families, the occupants have been short term rental or in the past few years longer term owners, none are associated with events of importance.

2. Identification as, or association with, a distinctive, significant or important work or vestige:
a. Of an architectural style, design or method of construction;
b. Of a master architect, builder, artist or craftsman;
c. Of high artistic merit;
d. The totality of which comprises a distinctive, significant or important work or vestige whose component parts may lack the same attributes;
e. That has yielded or is substantially likely to yield information of value about history, architecture, engineering, culture or aesthetics, or that provides for existing and future generations an example of the physical surroundings in which past generations lived or worked; or
f. That the construction materials or engineering methods used in the proposed landmark are unusual or significant or uniquely effective.

The buildings on the subject parcels are not identified or associated with an important architectural work, architect or design. Nor is the construction or materials unique solving a particular challenge in the design or use.

The modest houses and garages represent building types and styles that are vernacular in design and reflect styles that were popular when the houses were first constructed. After relocation the designs were altered with new porches which do not enhance the original designs..

3. The factor of age alone does not necessarily confer a special historical, architectural, cultural, aesthetic or engineering significance, value or interest upon a structure or site, but it may have such effect if a more distinctive, significant or important example thereof no longer exists.

The buildings on the subject parcels are not significant to the architectural heritage of San Jose. Each style is better represented in other areas of the City. [5]

Other factors the Historic Landmark Commission may consider:

1. Its character, interest or value as part of the local, regional, state or national history, heritage or culture;
2. Its location as a site of a significant historic event;
3. Its identification with a person or persons who significantly contributed to the local, regional, state or national culture and history;
4. Its exemplification of the cultural, economic, social or historic heritage of the city of San José;
5. Its portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style;
6. Its embodiment of distinguishing characteristics of an architectural type or specimen;
7. Its identification as the work of an architect or master builder whose individual work has influenced the development of the city of San José;
8. Its embodiment of elements of architectural or engineering design, detail, materials or craftsmanship which represents a significant architectural innovation or which is unique.

As described above, the parcels at 1024, 1044, 1050 Paula Street do not represent the values of any of the categories listed above.

San Jose Historic Landmarks Commission's Evaluation for Significance establishes the following levels of significance:

33 and above- Evaluate for Candidate City Landmark
32-0 Non-significant

The San Jose Historic Evaluation Tally rated the property non-significant.

1024 Paula St rated 12.88 points
1044 Paula St. rated 20.52 points
1050 Paula St. rated 15.84 points

The San Jose Historic Evaluation Tally Sheets are attached.

[5] San Jose Historic Resource Inventory; San Jose Planning Department, updated.

California Register of Historic Resources:

Properties that do not rate above 32 points using the San Jose Historic Evaluation Tally or meet any of the criteria of the San Jose Historic Landmark ordinance will not be found eligible for listing in the California Register of Historic Resources.

California Register of Historic Resources Criteria for Designation (listing)

Criterion 1, *Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.*

Criterion 2. *Associated with the lives of persons important to local, California or national history.*

Criterion 3. *Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values.*

Criterion 4. *Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation.*

As described above, the property does not meet the standard of significance under any of the above criteria.

Property evaluated under the San Jose Historic Evaluation Tally that does not rate above 33 points is not considered eligible for listing in the California Register of Historic Resources.

CEQA Considerations:

The California Environmental Quality Act (CEQA) defines a historic resource as one that is listed in, or determined eligible for listing in, the California Register. Resources already listed, or determined eligible for the National Register and California Historic Landmarks 770 or higher, are also defined as eligible for the California Register. Locally significant resources d identified through a survey process may also be eligible for listing in the CRHR.

The proposed project is the redevelopment of the property to higher density residential use. The proposed project will result in the demolition of the existing buildings. The existing buildings have been studied and evaluated and found not eligible for listing as San Jose Candidate Landmarks or for listing in the CRHR, thus they are not considered historic resources under CEQA.

The demolition or alteration of buildings that are not considered historic resources under CEQA, does not cause a significant adverse impact. No mitigation of historic resources is required.

B 12: References: (Continued)

Unpublished:

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1870, 1878, 1888-89, 1890, 1892 , 1893, 1894 ,1895-1969,1896-9,1900, 1902-03,1906-07,1909-10, 1915,1916, 1918, 1919, I920,1925,1930,1935 ,1940, 1941, 1942, 1943, 1945, 1949, 1950, 1951, 1952, 1955, 1956, 1958, 1959, 1960, 1963, 1965, 1968, 1970, 1972, 1974, 1978,

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Santa Clara County Recorder's Office, Official Records and Deeds

History San Jose, Archives

:

HISTORIC EVALUATION SHEET

HISTORIC RESOURCE NAME:
HISTORIC RESOURCE ADDRESS: 1024 Paula Street

A. VISUAL QUALIFICATIONS

1	EXTERIOR residential setting	E	VG	[G]	FP
2	STYLE Vernacular- stripped, pitched roof box	E	VG	G	[FP]
3	DESIGNER unknown	E	VG	G	[FP]
4	CONSTRUCTION - Wood frame, non-original stucco covering	E	VG	G	[FP]
5	SUPPORTIVE ELEMENTS none of significance	E	VG	G	[FP]

B. HISTORY/ASSOCIATION

6	PERSON/ORGANIZATION no person or organization of importance	E	VG	G	[FP]
7	EVENT none of individual significance	E	VG	G	[FP]
8	PATTERNS Residential infill of semi-rural areas	E	VG	[G]	FP
9	AGE c.1910	E	VG	[G]	FP

C. ENVIRONMENTAL/CONTEXT

10	CONTINUITY Not located in an area of primary or secondary importance	E	VG	G	[FP]
11	SETTING: compatible with the single family homes in the area	E	VG	[G]	FP
12	FAMILIARITY not particularly conspicuous of familiar	E	VG	G	[FP]

D. INTEGRITY

13	CONDITION	E	[VG]	G	FP
14	EXTERIOR ALTERATIONS Stucco and porch additions	E	[VG]	G	FP
15	STRUCTURAL REMOVALS	E	[VG]	G	FP
16	SITE relocated from neighborhood site	E	VG	[G]	FP

E. REVERSIBILITY

17	EXTERIOR original façade ornamentation is unknown	E	VG	[G]	FP
18	NATIONAL OR CALIFORNIA REGISTER	E	VG	G	[FP]

REVIEWED BY: Bonnie Bamburg DATE: 5/24/2011

EVALUATION TALLY SHEET
(PART 1)

HISTORIC RESOURCE ADDRESS: 1024 Paula Street

			E	VG	G	FP	
A	VISUAL QUALITY/DESIGN						
	1	EXTERIOR	16	12	6	0	6
	2	STYLE	10	8	4	0	0
	3	DESIGNER	6	4	2	0	0
	4	CONSTRUCTION	10	8	4	0	0
	5	SUPPORTIVE ELEMENTS	8	6	3	0	0
					Subtotal:		6
B.	HISTORY/ASSOCIATION						
	6	PERSON/ORGANIZATION	20	15	7	0	0
	7	EVENT	20	15	7	0	0
	8	PATTERNS	12	9	5	0	5
	9	AGE	8	6	3	0	3
					Subtotal:		8
C.	ENVIRONMENTAL/ CONTEXT						
	10	CONTINUITY	8	6	3	0	0
	11	SETTING	6	4	2	0	2
	12	FAMILIARITY	10	8	4	0	0
					SUBTOTAL:		2

A & C SUBTOTAL:	8
B SUBTOTAL:	8
PRELIMINARY TOTAL: (sum of A. B. & C.)	16

EVALUATION TALLY SHEET
(PART II)

HISTORIC RESOURCE ADDRESS: 1024 Paula Street

D.	**INTEGRITY**	**E**	**VG**	**G**	**FP**				
	13 CONDITION		0.03	0.05	0.1	16 X	0.03 =		0.48
		SUBTOTAL A,B&C							
	14 EXTERIOR ALTERATIONS		0.05	0.1	0.2	8 X	0.05 =		0.4
		SUBTOTAL A&C							
			0.03	0.05	0.1	8 X	0.03 =		0.24
		FROM B							
	15 STRUCTURAL REMOVALS		0.2	0.3	0.4	8 X	0.2 =		1.6
		SUBTOTAL: A & C							
			0.1	0.2	0.4	8 X	0.1 =		0.8
		FROM B							
	16 SITE		0.1	0.2	0.4	8 X	0.2 =		1.6
		FROM B							
		INTEGRITY DEDUCTIONS SUBTOTAL							5.12
		ADJUSTED SUBTOTAL:				16 -	5.12		10.88
		(Preliminary Total minus Integrity Deductions)							
				VALUE					
E	**REVERSIBILITY**	**E**	**VG**	**G**	**FP**				
	17 EXTERIOR	3	3	2	2				2
				Total:		2			
F.	**ADDITIONAL CONSIDERATIONS BONUS POINTS**			**VALUE**					
		E	**VG**	**G**	**FP**				
	18								
	19								
	20								
	21								
	22 NATIONAL OR CALIFORNIA REGISTER	20	15	10	0	0			
		BONUS POINTS SUBTOTAL:							0
		ADJUSTED TOTAL:							12.88

HISTORIC EVALUATION SHEET

HISTORIC RESOURCE NAME: Bitondi House
HISTORIC RESOURCE ADDRESS: 1044 Paula Street

A. VISUAL QUALIFICATIONS

1	EXTERIOR residential setting	E	VG	[G]	FP
2	STYLE Vernacular- Spanish Colonial Revival	E	VG	[G]	FP
3	DESIGNER unknown	E	VG	G	[FP]
4	CONSTRUCTION - Wood frame, stucco covering	E	VG	G	[FP]
5	SUPPORTIVE ELEMENTS garage in similar style	E	VG	[G]	FP

B. HISTORY/ASSOCIATION

6	PERSON/ORGANIZATION no person or organization of importance	E	VG	G	[FP]
7	EVENT none of individual significance	E	VG	G	[FP]
8	PATTERNS Residential infill of semi-rural areas	E	VG	[G]	FP
9	AGE c.1936	E	VG	[G]	FP

C. ENVIRONMENTAL/CONTEXT

10	CONTINUITY Not located in an area of primary or secondary importance	E	VG	G	[FP]
11	SETTING: compatible with the single family homes in the area	E	VG	[G]	FP
12	FAMILIARITY not particularly conspicuous of familiar	E	VG	G	[FP]

D. INTEGRITY

13	CONDITION	E	[VG]	G	FP
14	EXTERIOR ALTERATIONS porch addition	E	[VG]	G	FP
15	STRUCTURAL REMOVALS	E	[VG]	G	FP
16	SITE original site	[E]	VG	G	FP

E. REVERSIBILITY

17	EXTERIOR	[E]	VG	G	FP
18	NATIONAL OR CALIFORNIA REGISTER	E	VG	G	[FP]

REVIEWED BY: Bonnie Bamburg

DATE: 5/24/2011

EVALUATION TALLY SHEET
(PART 1)

HISTORIC RESOURCE ADDRESS: 1044 Paula Street

			E	VG	G	FP	
A	VISUAL QUALITY/DESIGN						
	1	EXTERIOR	16	12	6	0	6
	2	STYLE	10	8	4	0	4
	3	DESIGNER	6	4	2	0	0
	4	CONSTRUCTION	10	8	4	0	0
	5	SUPPORTIVE ELEMENTS	8	6	3	0	3
					Subtotal:		13
B.	HISTORY/ASSOCIATION						
	6	PERSON/ORGANIZATION	20	15	7	0	0
	7	EVENT	20	15	7	0	0
	8	PATTERNS	12	9	5	0	5
	9	AGE	8	6	3	0	3
					Subtotal:		8
C.	ENVIRONMENTAL/ CONTEXT						
	10	CONTINUITY	8	6	3	0	0
	11	SETTING	6	4	2	0	2
	12	FAMILIARITY	10	8	4	0	0
					SUBTOTAL:		2

A & C SUBTOTAL:	15
B SUBTOTAL:	8
PRELIMINARY TOTAL: (sum of A. B. & C.)	23

EVALUATION TALLY SHEET
(PART II)

HISTORIC RESOURCE ADDRESS: 1044 Paula Street

D.	INTEGRITY	E	VG	G	FP				
	13 CONDITION		0.03	0.05	0.1	23 X	0.03 =		0.69
	SUBTOTAL A,B&C								
	14 EXTERIOR ALTERATIONS		0.05	0.1	0.2	15 X	0.05 =		0.75
	SUBTOTAL A&C								
			0.03	0.05	0.1	8 X	0.03 =		0.24
	FROM B								
	15 STRUCTURAL REMOVALS		0.2	0.3	0.4	15 X	0.2 =		3
	SUBTOTAL: A & C								
			0.1	0.2	0.4	8 X	0.1 =		0.8
	FROM B								
	16 SITE		0.1	0.2	0.4	8 X	0 =		0
	FROM B								
		INTEGRITY DEDUCTIONS SUBTOTAL							5.48
		ADJUSTED SUBTOTAL:				23 -	5.48		17.52
		(Preliminary Total minus Integrity Deductions)							

E	REVERSIBILITY	VALUE E	VG	G	FP		
	17 EXTERIOR	3	3	2	2		3
				Total:		3	

F.	ADDITIONAL CONSIDERATIONS BONUS POINTS	VALUE E	VG	G	FP		
	18						
	19						
	20						
	21						
	22 NATIONAL OR CALIFORNIA REGISTER	20	15	10	0	0	
		BONUS POINTS SUBTOTAL:					0
		ADJUSTED TOTAL:					20.52

HISTORIC EVALUATION SHEET

HISTORIC RESOURCE NAME:
HISTORIC RESOURCE ADDRESS: 1050 Paula Street

A. VISUAL QUALIFICATIONS

1	EXTERIOR Residential landscaping Vernacular house	E	VG	G	[FP]
2	STYLE Vernacular-hipped roof stripped box	E	VG	[G]	FP
3	DESIGNER unknown	E	VG	G	[FP]
4	CONSTRUCTION - Wood frame, stucco covering	E	VG	G	[FP]
5	SUPPORTIVE ELEMENTS none of significance	E	VG	G	[FP]

B. HISTORY/ASSOCIATION

6	PERSON/ORGANIZATION no person or organization of importance	E	VG	G	[FP]
7	EVENT none of individual significance	E	VG	G	[FP]
8	PATTERNS Residential infill of semi-rural areas	E	VG	[G]	FP
9	AGE c.1920	E	VG	[G]	FP

C. ENVIRONMENTAL/CONTEXT

10	CONTINUITY Not located in an area of primary or secondary importance	E	VG	G	[FP]
11	SETTING: compatible with the single family homes in the area	E	VG	[G]	FP
12	FAMILIARITY not particularly conspicuous of familiar	E	VG	G	[FP]

D. INTEGRITY

13	CONDITION	E	[VG]	G	FP
14	EXTERIOR ALTERATIONS porch addition	E	[VG]	G	FP
15	STRUCTURAL REMOVALS	[E]	VG	G	FP
16	SITE relocated within the neighborhood	E	VG	[G]	FP

E. REVERSIBILITY

17	EXTERIOR	[E]	VG	G	FP
18	NATIONAL OR CALIFORNIA REGISTER	E	VG	G	[FP]

REVIEWED BY: Bonnie Bamburg

DATE:5/24/2011

EVALUATION TALLY SHEET
(PART 1)

HISTORIC RESOURCE ADDRESS: 1050 Paula Street

			E	VG	G	FP	
A	VISUAL QUALITY/DESIGN						
	1	EXTERIOR	16	12	6	0	0
	2	STYLE	10	8	4	0	4
	3	DESIGNER	6	4	2	0	0
	4	CONSTRUCTION	10	8	4	0	0
	5	SUPPORTIVE ELEMENTS	8	6	3	0	0
					Subtotal:		4
B.	HISTORY/ASSOCIATION						
	6	PERSON/ORGANIZATION	20	15	7	0	0
	7	EVENT	20	15	7	0	0
	8	PATTERNS	12	9	5	0	5
	9	AGE	8	6	3	0	3
					Subtotal:		8
C.	ENVIRONMENTAL/ CONTEXT						
	10	CONTINUITY	8	6	3	0	0
	11	SETTING	6	4	2	0	2
	12	FAMILIARITY	10	8	4	0	0
					SUBTOTAL:		2

A & C SUBTOTAL:	6
B SUBTOTAL:	8
PRELIMINARY TOTAL: (sum of A. B. & C.)	14

EVALUATION TALLY SHEET
(PART II)

HISTORIC RESOURCE ADDRESS: 1050 Paula Street

D.	INTEGRITY	E	VG	G	FP				
	13 CONDITION		0.03	0.05	0.1	14 X	0.03 =		0.42
	SUBTOTAL A,B&C								
	14 EXTERIOR ALTERATIONS		0.05	0.1	0.2	6 X	0.05 =		0.3
	SUBTOTAL A&C								
			0.03	0.05	0.1	8 X	0.03 =		0.24
	FROM B								
	15 STRUCTURAL REMOVALS		0.2	0.3	0.4	6 X	0 =		0
	SUBTOTAL: A & C								
			0.1	0.2	0.4	8 X	0 =		0
	FROM B								
	16 SITE		0.1	0.2	0.4	8 X	0 =		0.2
	FROM B								
	INTEGRITY DEDUCTIONS SUBTOTAL								1.16
	ADJUSTED SUBTOTAL:					14 -	1.16		12.84
	(Preliminary Total minus Integrity Deductions)								

E	REVERSIBILITY	VALUE E	VG	G	FP		
	17 EXTERIOR	3	3	2	2		3
				Total:		3	
	22 NATIONAL OR CALIFORNIA REGISTER	20	15	10	0	0	
	BONUS POINTS SUBTOTAL:						0
	ADJUSTED TOTAL:						15.84

Soil and Foundation Investigation of Proposed Residential Development 1024, 1044&1050 Paula Street San Jose, California

Prepared for
Rockwell Homes
1202 Meridian Avenue
San Jose, CA 95125

American Soil Testing, Inc.
2734 S. Bascom Avenue
San Jose, CA 95124
(408) 559-6400

File No. 07-2882-S

May 17, 2007

Rockwell Homes

1202 Meridian Avenue

San Jose, CA 95125

Subject: Proposed multi unit residential development

1024-1044 &1050 Paula Street APN: 264-07-033,034 &055

San Jose, California.

SOIL AND FOUNDATION INVESTIGATION

Gentlemen

In response to your authorization, our firm has performed a Soil and Foundation Investigation for the above-mentioned project. The site is located at 1024, 1044 and 1050 Paula Street in San Jose, California.

Our findings indicated that the proposed multi unit residential development may be constructed on the above-mentioned property provided the recommendations contained in this report are carefully followed and implemented during construction.

This report presents our findings on the surface and subsurface soil investigation, laboratory test results, field and office studies.

We are pleased to have been of service to you in this matter. Should you have any questions or require additional information, please feel free to call our office at your convenience.

Very truly yours,
AMERICAN SOIL TESTING, INC.

Ben Rahimi, C.E.S.
REA 1- 03843
Project Engineer

Andrew A. Ghofrani, P.E.
R.C.E. # 38159
Exp. 3-31-09

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SOIL INVESTIGATION

Introduction

The purpose of the soil investigation was to gather sufficient data to provide recommendations for foundation engineering. This report presents an explanation of how we conducted that investigation, the results of the testing program, our conclusions based upon their results, and our recommendations for earthwork and foundation design to best suit the proposed development to the existing natural conditions.

Our investigation did not include an environmental assessment or any field or laboratory testing for hazardous materials in the soil, air or groundwater at the project site.

Site Description and Location of Project

The subject site is a combination of three adjacent residential properties which are located at 1024, 1044&1050 Paula Street in San Jose, California. The Site is bounded on the north by Paula Street, and Highway 280 located across from the site.

The houses are essentially flat and almost level with the adjacent street elevation. Surface vegetation on the homes consisted of limited landscaped area with a few trees.

The proposed residential development will be constructed at designated areas, which will be located at the later date. At the time of our site visit, the properties access was through Paula Street.

Field Investigation

After consideration of the nature of the proposed development, review of available data on the area, and discussion with the client, a field investigation was conducted at the project site. It included a surface site reconnaissance to detect any unusual surface features and drilling of six borings on April 27, 2007 to determine subsurface soil characteristics.

The approximate boring locations are shown on Appendix A, Figure 2. The soil encountered was logged in the field. The boring logs, Figures 1 through 6 (Appendix B) are graphic representation of the soil profile, showing the depths at which the samples were obtained.

Laboratory Investigation

A Laboratory testing program was performed to determine the physical and engineering properties of the soil underlying the site. Moisture content and dry density tests were performed on all the relatively undisturbed soil samples in order to determine their consistencies, and the moisture variation throughout the explored soil profile, the laboratory testing performed in accordance with the ASTM (American Society for Testing and Materials) procedure. The expansion characteristics of the near-surface soils were evaluated by means of Atterberg Limits Test performed in accordance with ASTM D-423 and D-424. The results of laboratory tests are summarized on Appendix "B",

Subsurface Conditions

After reviewing the laboratory test data, boring logs and examination of the soil samples collected in different depths, the subsurface soils underlying the project site appears to be relatively uniform throughout the area. The upper sandy silty clay has low to moderate expansion potential. The surface and near surface soils consist of very stiff brown sandy silty clay with fine gravel.

Seismic Design Criteria

The subject site is located in the seismically active San Francisco Bay region, therefore any structure within this area will most likely be subjected to strong ground shaking sometime during its actual lifetime. Major Faults like San Andreas Faults and Hayward Faults have produced large magnitude earthquake in the past and can be expected to do so within the next 50 years. It is reasonable to assume that the proposed building will be subjected to at least one moderate to severe earthquake during the 50 years period following construction. During such an earthquake, severe ground shaking will be occurred at the site.

The proposed residence is to be designed in accordance with the applicable provisions set forth in the current edition of the California Building Code (CBC).

Design of the proposed structure should consider the potential for severe ground shaking that could result from the maximum probable earthquake generated along the potentially active Monte Vista Fault Zone (approximately 7.5 kilometers) near the captioned site. The structural engineer is to design the proposed building in accordance with the current edition of the California Building Code.

The following may be used from the CBC:

Soil Profile Type = Sd (stiff soils)

Near Source Factor N_a = 1.0 Seismic Source Type = B

Near Source Factor N_v = 1.1 Seismic Zone Factor Z =0.4 (Zone 4)

Seismic Coefficient C_v = 0.64 N_v

Seismic Coefficient C_a = 0.44 N_a

Consideration should also be given to anchoring or otherwise stabilizing free-standing appliances or home furnishings, which may be prone to toppling during seismic vibrations. The structure engineer for this project should make his own independent evaluation as to the applicability of the seismic design criteria presented in the CBC.

Secondary Seismic hazards

Secondary effects of seismic activity, which are normally considered as potential hazard site, include several types of ground failure. Various general types of ground failures, which might occur as a consequence of several ground shaking including land sliding, ground subsidence, ground lurching, shallow ground rupture, and liquefaction. The probability of occurrence of each type of these ground failures depends on the severity of the earthquake, distance from faults, topography, subsurface conditions, ground water elevation, and other factors.

RECOMMENDATIONS

Grading Specifications

1. The placement of fill and control of any grading operations at the site shall be done in accordance with the recommendations of this report prepared by American Soil Testing Inc. These recommendations set forth the minimum standards to satisfy all requirements of this report.

2. All existing surface and subsurface structures that will not be incorporated in the final development shall be removed prior to any grading operations. These objects shall be accurately located on the grading plans (prepared by the project Civil Engineer) to assist the Field Engineer in establishing proper control over their removal. This is to include but not be limited to any basements, utility lines, underground tanks, and any other improvements. A representative of American Soil Testing Inc. shall be present during the demolition operation.

3. All organic surface material and debris, including organically rich top soil estimated to be 2-4 inches deep, shall be stripped prior to any other grading operations and transported away from all areas that are to receive improvements or structural fill. These organically contaminated soils may be stockpiled for later use in landscaping areas. This material is not suitable for use as structural fill. In addition, any trees that are not being included in the final development must be removed. This removal is to include a thorough cleaning of all underground roots.

4. The depressions left by the removal of any surface and subsurface structures shall be cleaned of all debris and backfilled with clean, native, on-site soil. This backfill shall be compacted to not less than 90% relative compaction in accordance with ASTM test procedure D1557-78.

5. Following the stripping operations, the exposed surface shall be scarified to a depth of not less than 12 inches, conditioned as necessary (3 to 4 percent above optimum

moisture content) and compacted to 90% relative compaction according to ASTM test procedure D1557-78. At this point, the pad area will be in condition to receive compacted fill. Based on exposed field condition if deemed necessary, Soil Engineer may provide additional recommendation in the field.

6. All structural fill whether imported or native soil shall be placed in uniform horizontal lifts of not more than 6 to 8 inches in uncompacted thickness and compacted to not less than 90% relative compaction using the ASTM D1557-78 procedure. Five feet around the entire perimeter of the building pad shall also be compacted to not less than 90% relative compaction using the above-mentioned procedure. Before compaction begins, the fill shall be brought to a water content that will permit proper compaction by either: 1) Aerating the material if it is too wet, or 2) spraying the material with water if it is too dry. Each lift shall be thoroughly mixed before compaction to assure a uniform distribution of water content. When fill material includes rocks, nesting of rocks will not be permitted, and all voids shall be carefully filled and properly compacted, No rocks larger than 4 inches in diameter shall be used in the construction of the building pad.

7. The Soil Engineer shall be notified at least 48 hours prior to commencement of any grading operations so that he may coordinate the work in the field with the Grading Contractor.

8. **All imported fill material must be sampled, tested and approved by the Soil Engineer prior to being brought to the site. Import soil must have a plasticity index no greater than (12) and an "R" value greater than (25).**

9. All grading work shall be observed and approved by a Soil Engineer from American Soil Testing Inc.

10. In the event that any unusual condition not covered by the special provisions is encountered during the grading operations, the Soil Engineer shall be immediately notified for further recommendation.

Trench Backfill

Utility and pipeline trenches should be backfilled with compacted structural fill. If on-site soil is used, the material should be placed in lifts not exceeding 8 inches in uncompacted thickness and compacted to at least 90 percent relative compaction by mechanical means only. Imported sand may also be used for backfilling trenches provided the sand is compacted to at list 90 percent relative compaction. In all Building pad areas and pavements, the upper 3 feet of trench backfill should be compacted to at least 95 percent relative compaction where imported sand backfill is used.

In addition the upper 8 inches of all trench backfill in pavement area should be compacted to at least 95 percent relative compaction (ASTM D1557, latest edition).

All grading and site preparation should be performed in accordance with the "Recommended Grading Specifications" See Appendix "C. Without compliance with these standards, the design criteria in this report will not be valid.

Water Wells

All water wells (if any) on the site, which are to be abandoned, shall be capped according to the requirements of the Santa Clara Valley Water District. The final elevation of the top of the well casing must be a minimum of 3 feet below any adjacent grade prior to any grading operations. In no case shall a building foundation be placed over a capped well.

FOUNDATION DESIGN CRITERIA

The proposed structures may be supported on continuous perimeter footings with isolated interior spread footings or piers and grade beam type of foundation.

1. All continuous perimeter and isolated interior spread footings shall be founded a minimum 18 inches below the exterior pad grade. For the above conditions, the footings may be designed for an allowable bearing value of 1800 p.s.f. For both continuous strip footing and isolated interior spread footings. This bearing value is for dead plus live loads and may be increased by one-third to include short-term seismic and wind effects. All footing located adjacent to utility trenches should have their bearing surfaces below an imaginary 2:1 (horizontal to vertical) plane projected upward from the bottom of the trench. All continuous footing should be designed with adequate top and bottom reinforcement to provide structural continuity and to permit spanning of local irregularities.

The final design of the foundations and reinforcing required shall be determined by the project Structural Engineer responsible for the foundation design.

It is suggested that American Soil Testing Inc review the foundation design prior to construction.

2. Friction piers and grade beam construction is another type of foundation. The friction piers should be at least 16 inches in diameter and should penetrate a minimum of 7 feet below the exterior grade. The upper 24 inches should be ignored when computing pier depth, this is due to seasonal moisture changes in the top layer. The allowable friction value for this type of foundation is 450 p.s.f. This value is for dead plus live loads and may be increased by one-third to include short-term seismic and wind effects. The depth and spacing of piers will depend on the structural loads transmitted to the piers.

The grade beam should be found a minimum depth of 12 inches below adjacent pad grade and should be reinforced with a minimum of four # 4 bars; two near the top and two near bottom.

3. If the grade beams to be cast directly on the compacted pad, grade beams should be constructed on a firm, moist sub grade and all drying cracks in the sub grade must be closed by sprinkling, flooding, or other methods.

4. **All pier holes should be inspected by Soil Engineer to ascertain that proper penetration has been achieved, and supporting soils should not be allowed to dry before the hole is filled with concrete.**

Settlements

Total and differential settlements under spread and continuous footing are expected to be within tolerable limits. Vertical movements are not expected to exceed 1 inch, and differential movements should be within the normal range (1/2 inch) for the anticipated column spacing and loads. Slight settlements should be considered in the design of foundations and proposed structures

CONCRETE SLABS-ON-GRADE CONSTRUCTION

We recommend the following for all slab-on-grade construction:

All slab-on-grade shall be supported on a minimum of 6 inches thick capillary break material such as 3/4" clean crushed rock or permeable aggregate and 2 inches of sand should be used between the finished Subgrade and concrete slab for all interior slabs along with a minimum of 10 mil thick polyethylene or its equivalent vapor membrane which shall be placed between the crushed rock and the sand.

Minimum reinforcement should consist of at least #4 rebar, 18 inches on center both ways for shrinkage control to minimize the impact of expansion. However, slab reinforcing could exceed the minimum requirements depending on the anticipated usage and loading conditions. Proper expansion and contraction joints shall be provided in the slab every 20 feet, to minimize the cracks in the slab.

Concrete slabs around the landscaping area should be protected from water seepage. The water seepage from these areas usually creates over-saturation of the base rock and the subgrade, thereby causing unstable conditions. Henceforth, we recommend the following:

Provide vertical cut-off or a deep vertical curb section all along the landscaping areas. The vertical cut-off should extend through the base rock and a minimum of six inches into the subgrade. This will limit the water seepage into the adjacent concrete slabs.

Positive surface drainage (minimum 2%) shall provide at all times adjacent to the building to direct water away from the foundations and slabs to suitable discharge facility, during and after the construction phase of the project.

If deemed necessary by the Soil Engineer, prior to placing the vapor membrane or pouring concrete, the sub grade shall be moistened with water to reduce the swell potential. The sub grade soils under the slabs area should be water conditioned to raise the water content; spraying the water at least a day prior the concrete is poured can do this. Minor cracking of the concrete slabs on grade should be anticipated due to long-

term differential movement of any underlying fill or natural soil. **The project Structural Engineer shall determine the exact thickness and reinforcements based on the design live load and dead load.**

Garage slab Construction

Garage slab should be a minimum of 6 inches in thickness and shall be supported on a minimum of 6 inches thick Class II Base Rock, crushed rock or permeable aggregate. Minimum reinforcement should consist of at least #4 rebar, 18 inches on center both ways for shrinkage control to minimize the impact of expansion. However, slab reinforcing could exceed the minimum requirements depending on the anticipated usage and loading conditions.

Slab should be poured structurally independent of the foundations or any fixed members. Expansion joints shall be constructed in the slab at least 10 feet from the interior face of the walls.

If deemed necessary by the Soil Engineer, prior to pouring concrete, the sub grade shall be moistened with water to reduce the swell potential. The sub grade soils under the slabs area should be water conditioned to raise the water content; spraying water at least one prior to pouring the concrete may accomplish this. Minor cracking of the concrete slabs on grade should be anticipated due to long-term differential movement of any underlying fill or natural soil. **The project Structural Engineer shall determine the exact thickness and reinforcements based on the design live load and dead load.**

RETAINING WALLS

1. Retaining walls should be designed for a lateral earth pressure (active) of 50 pounds equivalent fluid pressure, plus surcharge loads for sloping surfaces flatter than 4:1. If the retaining walls are restrained from free movement at both ends, or have 2:1 back slopes, they shall be designed for the earth pressure resulting from 65 pounds equivalent fluid pressure, to which shall be added any surcharge loads.

2. For retaining wall design, a coefficient of friction of 0.3 may be used between concrete and sub grade.

3. For design purposes for allowable resistive lateral earth pressure (passive) 250 pounds equivalent fluid pressure may be used with the result acting at the third point. The top foot of native soil shall be neglected for the computation of passive resistance.

Gradient of the back slope	**Unrestrained Equivalent fluid pressure (p.c.f)**	**Passive Resistance**	**Coefficient of friction**
Flat to 4:1	50	250	0.30
2:1 or Restrained	65	250	0.30

4. The above values assume a drained condition and moisture content compatible with those encountered during our investigation. To promote proper drainage, a layer of at least 12 inches of permeable material or drain rock should be placed between the facility and the retained material. Perforated pipes (perforation down) shall be included in the design to conduct excess water from behind the retaining structure. The recommended allowable bearing capacity in native firm material or compacted fill is 1800 p.s.f.

5. Sub drain placed behind retaining walls should be approved by American Soil testing representative prior to the placement of fill.

6. **We should have the opportunity for a general review of all designs pertaining to facilities retaining a soil mass prepared for this project.**

General Construction Requirements

1. Where utility lines cross under or through perimeter footings and sand is used as backfill material, the trench shall be completely sealed by at least 3' concrete plug, to prevent moisture intrusion into the areas under the slabs and/or by compacting soil material for 5 feet on both sides of the exterior footings.

2. **Rain water discharge at down spouts must be directed into solid pipe to carry away the excess water and prevent water from collecting in the soil adjacent to the foundation. The connection could be in a closed conduit which discharges at an approved location away from the structure.**

3. If utility trenches are parallel to the sides of the building, they should not extend below a line sloping down and away at a 2 to 1(horizontal to vertical) slope from the bottom outside edge of all footings

4. All trenches may be backfilled with the native material provided they are free of organic material and rocks over 4 inches in diameter or with approved imported granular material with the soil compacted to a 95% minimum relative compaction in paved areas and a 90% in other area.

Plan Review and Observation

We should have the opportunity for a general review of the final grading and foundation plans prepared for this project. Our firm should also be retained to provide testing and inspection services during the grading and foundation installation portion of the work. American Soil Testing, Inc. is not responsible for compliance with design recommendations for grading or foundation plans controlled, inspected and approved by others.

CONCLUSIONS

1. The Site covered by this investigation is suitable for the proposed multi unit residential development provided the recommendations set forth in this report are incorporated into the design considerations and the project plans and specifications.
2. The native soil with the exception of the organically contaminated surface soil, are suitable for engineered fill. The organically contaminated soil may be used for landscaping only.
3. The native surface and near surface soil at the project site has been found to have low to moderate expansion potential when subjected to fluctuations in moisture.
4. On the bases of our experience during this investigation, it is our opinion that trenches to 5 feet below the existing ground surface do not need shoring; below 5 feet shoring will be required.

LIMITATIONS AND UNIFORMITY OF CONDITIONS

1. The recommendations presented in this report are based on the soil conditions revealed by our test borings and evaluated for the proposed construction planned at the present time.

If any unusual soil conditions are encountered during the construction, or if the proposed construction will differ from that planned at the present time, American Soil Testing, Inc. should be notified immediately for the supplemental recommendations.

2. This report is issued with the understanding that it is the responsibility of the owner, or his representative, to ensure that the recommendations and information contained herein are called to the attention of the Architect, Structural Engineer and Civil Engineer for the project and are incorporated into the Plans and Specifications of project. Also to ensure that the necessary steps are taken to see that the contractors carries out the recommendations of this report in the field.

3. The findings of this report are valid as of the present time. However, the passing of the time will change the conditions of the existing property due to natural processes, or works of man. In addition, legislation or the broadening of knowledge may require other recommendations. Accordingly, the findings of this report may be invalid, wholly or partly, by changes outside of our control. Therefore, this report is subjected to review and should not be relied upon after a period of three years.

4. This report has been prepared solely for the purpose of Geotechnical investigation and our firm did not perform toxic contamination studies

5. This report is not a recommendation to purchase or not to purchase the property and shall be for the exclusive use of the client whose name appears above.

6. The conclusions and recommendations contained herein are professional opinions derived in accordance with the current standards of professional practice and no warranty is intended, expressed or implied.

APPENDIX " A "

PHYSIOGRAPHY

VICINITY MAP	**FIGURE 1**
SITE PLAN	**FIGURE 2**

APPENDIX " B "

SUBSURFACE DATA

FIGURE 1-6	**Log of test boring**
FIGURE 7	**Plasticity Index**
FIGURE 8	**Key to exploratory boring logs**

APPENDIX " C "

GUIDE SPECIFICATIONS FOR GRADING & ROCK UNDER FLOOR SLABS

GRADING SPECIFICATIONS

General Description:

These specifications have been prepared for grading and site development of the subject project hereinafter described as the Soil Engineer, shall be consulted prior to any site work connected with site development to insure compliance with these specifications. These specifications shall only be used in conjunction with the soil report of which they are a part.

This item shall consist of all clearing and grubbing, preparation of land to be filled, filling of the land, spreading, compaction and control of the fill, and all subsidiary work necessary to complete the grading of the filled areas to confirm with the lines, grades, and slopes as shown on the accepted plans.

Tests

The standard test used to define maximum densities of all compaction work shall be the ASTM test procedure D1557-78, Method C. All densities shall be expressed as a relative density in terms of the maximum density obtained in the laboratory by the foregoing standard procedure.

Clearing, Grubbing and Preparing Areas to be filled

All existing structures, trees, brush and other rubbish shall be removed, pilled or otherwise disposed of so as to leave the areas that have been disturbed with a neat and finished appearance free from unsightly debris. All depressions resulting from the removal of trees or other existing surface and subsurface structures shall be cleaned, backfilled and recompacted.

All existing septic fields (if encountered), and debris must be removed from the site prior to any grading or fill operations. Septic tanks including all connecting drain

fields and other lines must be totally removed and the resulting depressions properly reconstructed and filled to the complete satisfaction of the supervising Soil Engineer.

All water wells (if encountered in the field) shall be capped according to the requirements of the Santa Clara Valley water District. The final elevation of top of the well casing must be a minimum of 36 inches below any adjacent grade prior to any grading or fill operation. In no case should any structural foundation be placed over the capped well.

Organically rich top soil estimated to be 2 to 4 inches deep shall be stripped upon which the structural fill is to be placed, and the surface shall then be scarified to a depth of at least 12 inches, and until the surface is free from roots, hummocks or other uneven features which tend to prevent uniform compaction by the equipment to be used. After the foundation for the fill has been cleared and scarified to a depth of 8 to 12 inches, it shall be bladed until it is uniform and free from large clods, brought to the proper moistures content by adding water or aerating and compaction to a relative compaction of not less that ninety percent (90%).

Materials

The materials for structural fill shall be approval by the Soil Engineer before commencement of grading operations. Any imported material must be approved for use before being brought the site. The materials used must be free from vegetable matter and other deleterious material. Import soils must have a plasticity index of no greater than 12 and have an "R" value greater than 25.

Placing, Spreading and Compacting Fill Material

The selected fill material includes rocks, no large rocks will be allowed to nest and all voids must be carefully filled and properly compacted. No large rocks shall be permitted closer than twenty-four (24) inches below the finished grade.

When fill material includes rocks, no large rocks will be allowed to nest and all voids must be carefully filled and properly compacted. No large rocks shall be permitted closer than twenty-four (24) inches below the finished grade.

When the moisture content of the fill material is below that specified by the Soil Engineer, water shall be added until the moisture content is as specified to insure thorough bonding during the compaction process. When the moisture content of the fill material is above that specified by the Soil Engineer, the fill material shall be aerated by blading or other satisfactory methods until the moisture content are as specified.

After each layer has been placed, mixed and spread evenly, it shall be thoroughly compacted to a relative compaction of not less than 90% relative compaction.

Compaction shall be by sheepsfoot rollers, multiple wheel pneumatic tired rollers or other types of acceptable compacting rollers. Rollers shall be of such design that they will enable to compact the fill to the specified compaction. Rolling shall be accomplished while the fill material is within the specified moisture content range. Rolling of each layer shall be continuous over its entire area and the roller shall make sufficient passes to insure that the required density has been obtained.

Field density tests shall be made by the Soil Engineer of each compacted layer. At least one test shall be made for each 500 cubic yard or fractions thereof placed with a minimum of two tests per layer in isolated areas. Where sheepsfoot rollers are used, the soil may be disturbed to a depth of several inches. Density tests shall be taken in compacting materials below the disturbed surface. When these tests indicate that the density of any layer of fill or portion thereof is below the required 90% density, the particular layer or portion shall be reworked until the required density has been obtained.

The fill operation shall be continued in 8-inch compacted layers, as specified above, until the fill has been brought to the finished slopes and grades as shown on the accepted plans.

All earth moving and working operations shall be controlled to prevent water from running into excavated areas. All water shall be promptly removed and the site kept dry.

Supervision

Supervision by the Soil Engineer shall be made during the fill and compaction operations so that he can certify that the fill was made in accordance with the recommended specifications.

Seasonal Limits

No, fill material shall be placed, spread or rolled during unfavorable weather conditions. When the work is interrupted by heavy rain, fill operations shall not be resumed until field tests by the Soil Engineer indicate that the moisture content and the density of the fill are previously specified.

Irrigation Line Removal (if encountered in field)

The methods of removal will be designated by the Soil Engineer in the field depending upon the depth and location of the line. One of the following methods will be used:

A. Remove the pipe and fill and compact the soil in the trench according to previously mentioned recommendations.

B. Cap the ends of the line with concrete to prevent entrance of water. The length of cap shall not be less than five feet. The concrete mix shall have a minimum shrinkage.

Unusual Conditions

In the event that any unusual conditions, not covered by the special provisions, are encountered during grading operations, the Soil Engineer shall be immediately notified for directions.

GUIDE SPECIFICATIONS FOR ROCK UNDER FLOOR SLABS

Definition

Graded gravel crushed rock for the use under floor slabs shall consist of a minimum thickness of mineral aggregate placed in accordance with theses specifications and in conformity with the dimensions shown on the plans. The minimum thickness is specified in the accompany report.

Material

The mineral aggregate for use under floor slabs shall consist of broken stone, crushed or uncrushed gravel, quarries waste or a combination thereof. The aggregate shall be free from adobe, vegetable matter, loam, volcanic tuff and other deleterious substances. It shall be of such quality that the absorption of water at a saturated dry condition does not exceed 3% of the oven dry weight of the sample.

Grading

The mineral aggregate shall be of such size that the percentage composition by dry weight as determined by laboratory sieves (US. Sieves) will conform to the following grading:

Sieve Size	Percentage Passing Sieve
3/4	100
No. 4	0-100
No. 200	0-2

Placing

Sub grade, upon which gravel or crushed rock is to be placed, shall be prepared as outlined in the "Recommended Grading Specifications."

END

Phase I
Environmental Site Assessment of
1024, 1044 &1050 Paula Street
San Jose, California

Prepared for
Rockwell Homes
1202 Meridian Avenue
San Jose, CA 95125

American Soil Testing, Inc.
2734 S. Bascom Avenue
San Jose, CA 95124
(408) 559-6400

UNDER ALL IS THE SOIL

American Soil Testing, Inc.
Soil, Foundation and Environmental Engineers
2734 Bascom Avenue, San Jose, CA 95124 • (408) 559-6400 • Fax (408) 559-6688

File No. 07-2882-E

April 27, 2007

Rockwell Homes
1202 Meridian Avenue
San Jose, CA 95125

Attention: Mr. Joshua D. LoBue

Subject: Proposed multi unit residential development
1024, 1044 &1050 Paula Street APN: 264-07-033,034&055
San Jose, California.
Phase I Environmental Site Assessment

Gentlemen:

Per your request and authorization, our firm performed a Phase I Environmental Site Assessment for the above-mentioned properties, located at 1024, 1044&1050 Paula Street in San Jose, California.

The scope of work consisted of:

1. Review of recorded deed & ownership transfer documents to determine the ownership history.
2. Review of aerial photos of the property to determine what activities have occurred at the site.

3. Inspection of the properties to determine the type of activities or usage at the site.

4. Review of the available reports and documents with respect to known contaminated sites that are under investigation or at various stages of redemption, and determination of their potential adverse impact on the subject site.

5. Review of The City of San Jose Fire Department Hazardous Materials Division documents with respect to Underground Storage Tank (UST) permits for the site.

6. Review of regulatory Agencies files with respect to building permits, zoning, soil, drainage, and improvements.

Attached is the report presenting the conclusions and recommendations based on the Phase I Environmental Site Assessment.

Should you have any questions or require additional information, please feel free to contact our office at your convenience.

Very truly yours,

American Soil Testing, Inc.

Ben Rahimi, MSCE, C.E.S

Class I REA - 03843

Expire: 6-30- 2007

State of California

California Environmental Protection Agency

Office of Environmental Health Hazard Assessment

REGISTERED ENVIRONMENTAL ASSESSOR
BEHNAM RAHIMI
No. 03843
EXPIRES 6-30-07
STATE OF CALIFORNIA

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INTRODUCTION

American Soil Testing, Inc. has completed a Phase I Environmental Site Assessment (ESA) of the subject properties, located at 1024, 1044 &1050 Paula Street in San Jose, California. APN: 264-07-033,034 &055

The Phase I ESA was performed at the request and authorization of Mr. Joshua LoBue from Rockwell Homes, prospective buyer representative of the subject properties.

The investigation was performed in order to satisfy the City of San Jose and prospective lender's requirement for a Phase I ESA to evaluate the potential for on-site contamination resulting from past or present occupants' activities or from off-site sources of contamination.

The subject site consists of three adjacent Single Family Residences with rectangular shaped parcels of land; the combined lots are approximately 23,087 sq. ft. The existing residential buildings were constructed at the subject site in 1910, 1936 and 1952. Figure 1 Appendix "A" is the vicinity map and the location of the subject site.

At the time of our investigation, the houses located at 1024 and 1044 Paula Street were vacant. The house located at 1055 Paula Street was occupied by Mr. And Mrs. Roberto Gonzales, the original owners since the 1960's.

SCOPE OF SERVICES

The scope of the service for the performance of this Phase I ESA consisted of the following:

1. Review of the aerial photos of the property to determine what activities have occurred at the site within the past.
2. Inspection of the property to determine the type of activities that are currently on-going and review of the historic aerial photographs to evaluate past business activities at the site.

3. Review of the geologic and hydrologic conditions with respect to the site and surrounding area.
4. Review of the available reports and documents with respect to known contaminated sites that are under investigation or at various stages of redemption, and determine their potential adverse impact on the site.
5. Preparation of a formal report that presents the results of our studies and includes our conclusions and recommendations.

LOCATION AND DESCRIPTION

The subject properties are located at 1024, 1044 and 1050 Paula Street in San Jose, California.

The Site is bounded on the South by residential homes, on the East by a vacant lot which is owned by a church, on the North by Paula Street and Highway 280, and on the West by single family residences. New multi-unit residential townhomes are under construction at close distance to the subject site. Other single family residences are located in vicinity of the site.

According to the County of Santa Clara Assessor office records, the house located at 1024 Paula Street was built in 1910. The structure located at 1044 Paula Street was built in 1936 and the house located at 1050 Paula Street was built in 1952. All three houses are separated by wood fences. The subject sites are essentially flat and almost level with the adjacent street elevation. Surface vegetation on the site consisted of weeds and tall fresh grass and limited landscaped areas with a few small to medium size trees.

Figure A1 of Appendix A is the vicinity map and the location of the subject property and surrounding properties.

SITE CONDITIONS

Regional Geologic Setting:

The San Francisco Bay Area is characterized by a series of nearly parallel mountain ranges that tend in a Northwest direction. The known active and potentially active faults nearest to the property are San Andreas Fault, Calaveras Fault and the Hayward Fault. San Jose is located within the south portion of the Santa Clara Valley. Seismic hazards to man-made structures include rupture, ground shaking, landslide, liquefaction, and lateral spreading.

Ground shaking is considered the most likely seismic hazard that may affect the structure built on the site.

Seismic hazards can be divided into two general categories:

1- Hazards due to ground shaking.

2- Hazards due to ground rupture.

Since potentially active **Shannon Fault Zone** is located in close vicinity of the subject Site, approximately 7.5 kilometers southwest of the site, the risk of earthquake-induced ground rupture occurring across the property appears to be high.

It is reasonable to assume that any development at the vicinity of the site will be subjected to at least one moderate to severe earthquake that causes strong shaking of the site.

LOCAL HYDROGEOLOGY

Our investigation indicated the presence of a shallow ground water zone approximately 25 to 30 feet below ground surface (bgs). The ground water appears to occur under confined to semi-confined conditions in a dark brown clayey silt and silty clay with lenses of silty sand and gravel.

However, the ground water levels tend to fluctuate with variations in seasonal rainfall. The natural gradient at the vicinity of the site tends to flow in North to Northeasterly

direction and may be influenced by local changes in groundwater, water consumption, and duration of rainfall.

FIELD INVESTIGATION

Site Inspection:

The subject sites are located at 1024, 1044 and 1050 Paula Street in San Jose, California and are identified as Santa Clara County Assessor's Parcel Number 264-07-034, 033 & 055. The subject properties consisted of three single family dwellings. A Registered Environmental Assessor from American Soil Testing visually inspected the conditions at the site on April 24, 2007.

The site inspection included a walk-through of the all three homes and surrounding area. We observed limited landscaped areas in the front yards. All drive ways were paved.

There were limited small to mid-sized trees inside of the properties. The house at 1050 Paula Street was occupied by previous owner (now as tenant) and the other two homes were vacant. We did not observe any soil stockpile, pits or hazardous material storage at the subject homes. At the time of our inspection, there was no evidence of an underground storage tank or any petroleum products like diesel or gasoline on the subject site. We did not observe any evidence of storage or spillage of any hazardous material at the subject site.

Our visual inspection of the site did not reveal any Recognized Environmental Conditions (RECs).

Off-Site Sources of Environmental Concern

In order to determine potential sources of contamination originating from on-site or off-site sources, a review of relevant available information was performed using historical

aerial photographs, **published local agency's documents (Appendix B)** and past tenant history.

HISTORICAL AERIAL PHOTOGRAPHS

Historical Aerial Photographs available were reviewed by American Soil Testing, Inc. personnel to evaluate past use of the land. The available aerial photographs examined were taken in 6/14/1993 (Appendix C).

Photos were viewed in stereo, using a mirror stereoscope with 4X binoculars. The enhanced three-dimensional effect permits the viewer to see the vertical relief, allowing a more detailed study to assist in determining the existence of possible environmental anomalies. In 1910 the first house (1024 Paula Street) was constructed at the subject site. The second house (1044 Paula Street) was constructed in 1936 and the house located at 1050 Paula Street was constructed in 1952. The aerial photo dating back to 1993 indicated that the above-mentioned structures still existed at the subject site. No major development or changes were observed. Recent Aerial photos show the same structures are existing at the subject site. Multi-unit residential townhomes are under construction at the time of our site visit.

The zoning at the present time is R-1. The surrounding properties are mostly used as single family residential homes and a few residential condominiums.

PUBLISHED AGENCY DOCUMENTS

Our investigation on April 23, 2007 revealed that the City of San Jose Fire Department has no records of any underground or above-ground storage tanks on the subject properties and according to Mrs. Loretta Perez, the Department has no File for the above address at the time of our investigation.

SITE HISTORY & CURRENT USE

According to our investigation, the existing three single family residences were built in 1910, 1936 and 1952 at the adjacent lots. The houses at 1024 and 1044 were used by owners and in recent years were used as rental property. The house located at 1050 Paula Street was used by the same owner Mr. Roberto Gonzales since 1960's. We performed an interview with Mr. Roberto and Alice Gonzales on April 24, 2007. According to Mr. Gonzales, the property was used as his prime residence. They have stated that to their knowledge "No large quantities of pesticides or hazardous materials have been used or stored in the site".

We performed an interview with Mr. Joshua LoBue, the owner representative of the 1024 and 1044 Paula Street, and he stated that to his knowledge "No large quantities of pesticides or hazardous materials have been used or stored in the sites".

NEIGHBORING PROPERTIES:

The exterior of the immediately adjacent properties was visually inspected by our firm representative. The neighboring properties are important because of the environmental impact they might have on the subject property. Therefore, the location and surrounding properties should be considered on environmental assessment reviews.

The immediate neighbors on the South, East and the West are single family residences. Highway 280 is situated across from the site. The subject site can be accessed from Paula Street. No environmental concerns were noticed in the immediate neighboring properties.

ASBESTOS EVALUATIONS:

We did not observe any loose building material or construction debris at the subject site. Inspecting for the potential presence of asbestos or lead-containing material

requires examination by a specialist and Lead or Asbestos evaluation is not part of our study. We highly recommend that the owner provide the necessary testing and proper removal of any asbestos-containing material during the demolition of the above mentioned structures.

CONCLUSIONS

Based on our investigation and data obtained during the preparation of our Environmental Site Assessment, our firm draws the following conclusion and recommendations:

During field inspection and investigation, we found no direct evidence that the surface soils have been impacted by the present or past owners and tenants activities.

Our visual inspection of the subject site revealed no evidence of unusual soil conditions.

At the time of our investigation, we found no evidence of any on-site hazardous substances, storage, or contaminating sources.

Our experience with soils properties that have previously been used as an orchard or for agricultural purposes indicate that it is common to find residual levels of DDT and its related degradation products as well as other long lasting pesticides in the soils.

DDT (and many other pesticides) is strongly adsorbed onto the soil particles and is not very soluble in water. For these reasons, an impact on the ground water at the site is unlikely.

DDT testing and evaluation is not a part of this study, however our firm may provide laboratory testing for DDT or other pesticides upon separate request by the owner.

The results and findings of our investigations are based on physical inspection of subject site, review of local Governmental Agencies, public records and interviews of the owners and others.

According to our review of the historical aerial photographs, and County of Santa Clara Assessor Office and City of San Jose Building Department records, the site for the past 50 years has been used as single family residences. No evidence of any past farming operations or use of the property as an orchard was discovered during at least the past fifty years.

The previous and present owners and his representative have stated that to their knowledge, the site has always been used as rental property or prime residence and no large quantities of pesticides or hazardous materials have been used or stored on the site.

At the time of our inspection, we did not observe any evidence of spillage of any hazardous material at the subject site. Based on review of the available municipal and state agency records, our firm concludes that the potential for groundwater contamination at the site from off-site sources in unlikely.

The conclusions of this report are solely on the scope of services outlined. Any additional information that becomes available concerning this site should be submitted to ASTI so that our conclusions may be reviewed and modified, if necessary.

At the present time, our investigation indicates that no major environmental concern appears to exist at the subject site.

The potential for contamination from off-site sources to the site is very low.

LIMITATIONS AND UNIFORMITY OF CONDITIONS

1. This report cannot be used by others without the consent of the owner, nor in any manner inconsistent with the purpose and scope of this investigation.

It is issued with the understanding that it is the responsibility of the owner or his representative to ensure that the information contained herein is made available to the proper agencies.

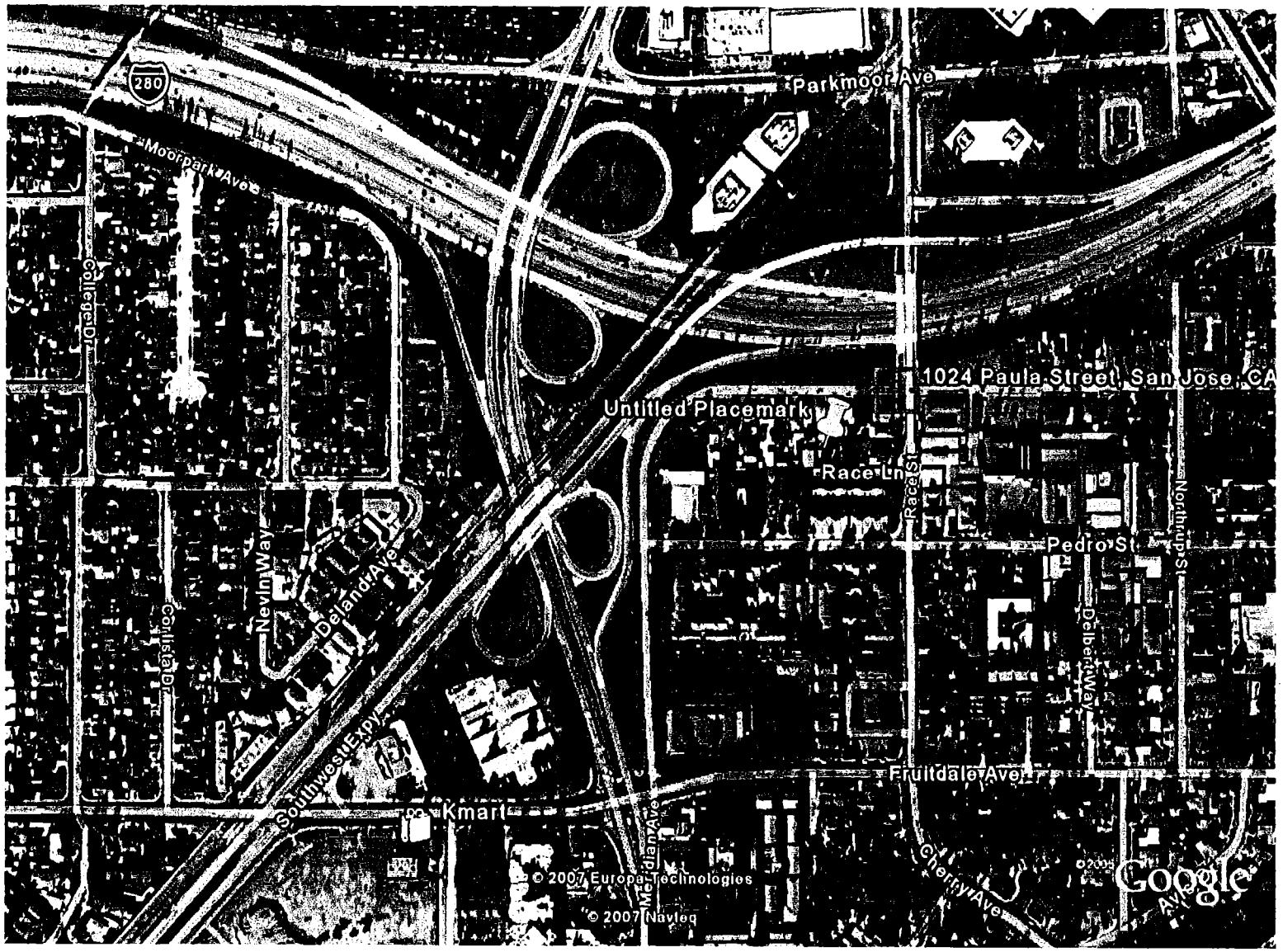
2. The findings of this report are valid as of the present time. However, the passing of time will change the conditions of the existing property due to natural processes or works of man. In addition, legislation or the broadening of knowledge may require other recommendations. Accordingly, the findings of this report may be invalid, wholly or partly, by the changes outside of our control.

3. Information contained in this report was derived in part from conversations with individuals or agency representatives as identified in this report. American Soil Testing, Inc. makes no presentation on the completeness or accuracy of data gathered for this report.

4. The conclusions and recommendations contained herein are professional opinions derived in accordance with the current standards of professional practice, and no warranty is intended, expressed, or implied.

APPENDIX

A


280
Parkmoor Ave
Moorpark Ave
College Dr
1024 Paula Street, San Jose, CA
Untitled Placemark
Race Ln
Race St
Pedro St
Northlund St
Nevin Way
Delland Ave
Delbert Way
Southwest Exp
Fruitdale Ave
Kmart
Meridian Ave
Cherry Ave
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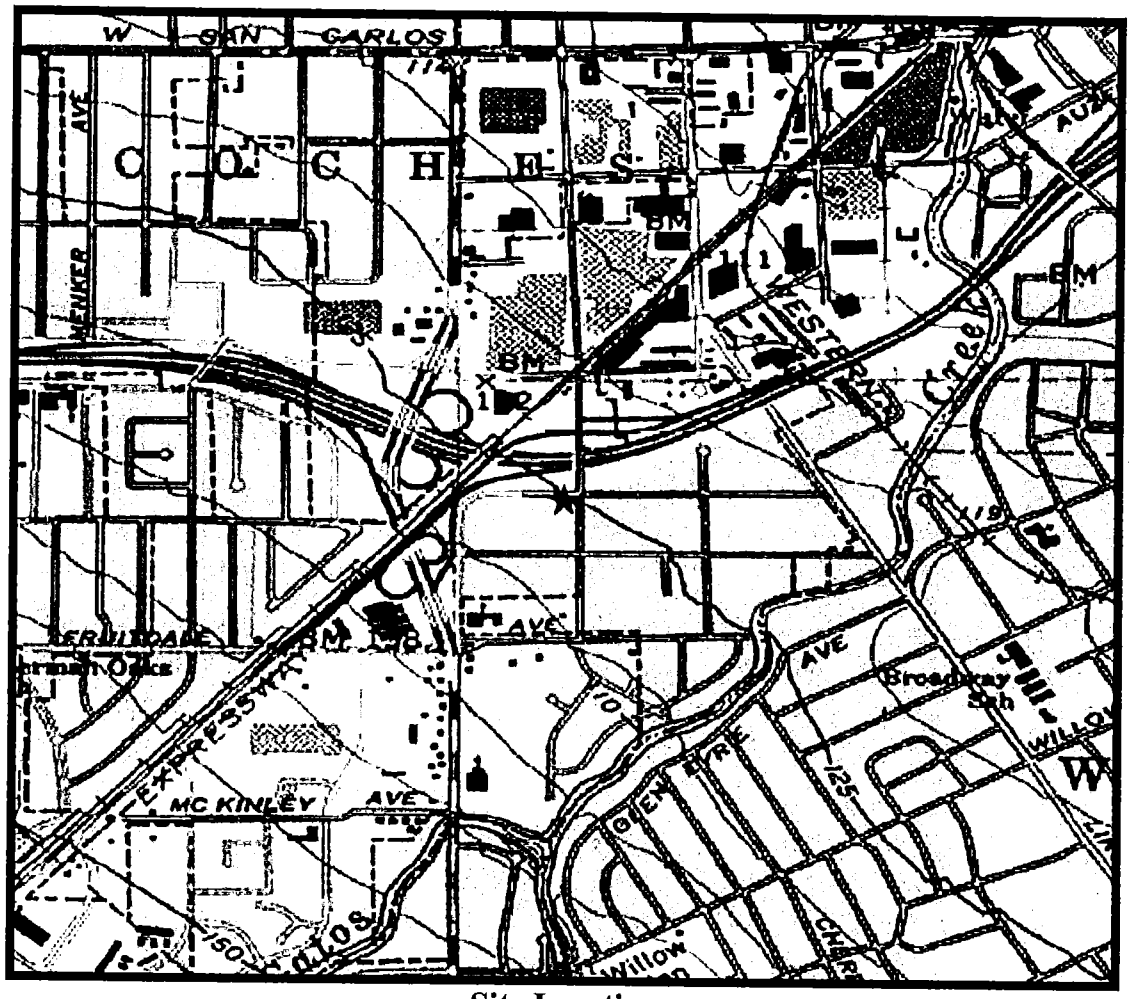
APPENDIX

B

First American
Commercial Real Estate Services, Inc.

COMMERCIAL ENVIRONMENTAL SERVICES



Site Location:
1024 Paula Street
San Jose, CA 95126
(N 37-18-50, W 121-54-40) NAD83

Rec-Check√

The New Standard for ASTM Radius Searches
(One Mile Environmental Records Search, Exceeds ASTM 1527/1528)

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EXECUTIVE SUMMARY

INFORMATION ON THE REQUESTED LOCATION

Site Address:	1024 Paula Street San Jose, CA 95126
Client Project Number:	Paula
Coordinates:	N 37-18-50, W 121-54-40 (NAD 83)
FACRES Project Number:	31421733
Subject Site Listed on the following lists:	Not Listed
Subject Site Listed as Map ID#:	N/A
USGS 7.5 Minute Quad Map:	San Jose West
Township, Section and Range:	Township: 07S Range: 01E Section: 19 Baseline: Mt. Diablo
Flood Zone: **(FEMA Q3 Digital Data)**	Panel: 0603370235E Zone D - Areas of undetermined, but possible, flood hazards
Fire Insurance Map Coverage:	No
Date of Report	April 19, 2007

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Soil Type: (USGS STATSGO Data)	
BOTELLA 0% to 5% slopes, 55% of total	URBAN LAND 0% to 45% slopes, 30% of total
XERORTHENTS 30% to 75% slopes, 15% of total	

In-House Aerial Photos or Historical Topo Maps	
1994 Aerial File:FSXL3124 Rank: 4	1946 USGS Map File:22D9946_SLC Rank: 4
1946 USGS Map File:22D9946_SLC Rank: 4	1926 USGS Map File:30D9926_SLC Rank: 4
1926 USGS Map File:30D9926_SLC Rank: 4	1961 USGS Map File:22D61XX_SLC Rank: 4
1913 USGS Map File:22D9913_SLC Rank: 4	1926 USGS Map File:30D9926_SLC Rank: 4
1926 USGS Map File:30D9926_SLC Rank: 4	1939 USGS Map File:22D9939_SLC Rank: 4
1946 USGS Map File:22D9946_SLC Rank: 4	1946 USGS Map File:22D9946_SLC Rank: 4
1953 USGS Map File:22D53XX_SLC Rank: 4	1953 USGS Map File:30D53XX87AC Rank: 1
1973 USGS Map File:22D687387AC Rank: 1	1961 USGS Map File:22D61XX87AC Rank: 1
1968 USGS Map File:30D616887AC Rank: 1	

KEY TO AERIAL RANK OR HISTORICAL TOPO MAPS

Rank:	Description:
4	The subject site located near center of Aerial or Topographical map.
3	The subject site located towards edge of Aerial or Topographical map.
2	The subject site is likely covered and located near outer edge of Aerial or Topographical map.
1	The subject site is likely covered and located near outer corner of Aerial or Topographical map.

Radon
For County: 5.5% of homes predicted to be over 4 Pico Curies/Liter
For zip code 95126
Number of tests per zip code: 5
Number of tests where radon is > 4 pCi/L: 0
Percentage of test where radon is > 4 pCi/L: 0.00%

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HIGH RISK* OCCURRENCES FOUND IN REQUESTED SEARCH RADIUS

LIST SEARCHED	DISTANCE SEARCHED (IN MILES)	OCCURRENCES FOUND
NPL	1	0
CERCLIS	0.5	0
CalSites	1	0
LUST-Open	0.5	1
CalSites-VCP	0.5	0
SLIC-Open	0.5	0

* For the purposes of this report, "high risk" occurrences are those that have known contamination and have not received a "case closed" or "no further action" status from the agency that maintains the records.

LISTED OCCURRENCE SUMMARY

LIST SEARCHED	DISTANCE SEARCHED	0.125	0.25	0.5	1.0	TOTAL
NPL	1	0	0	0	0	0
CERCLIS	0.5	0	0	0	-	0
CalSites	1	0	0	0	0	0
LUST-Open	0.5	0	0	1	-	1
CalSites-VCP	0.5	0	0	0	-	0
SLIC-Open	0.5	0	0	0	-	0
CalSites-REF	0.5	0	0	0	-	0
CalSites-NFE	0.5	0	0	0	-	0
CalSites-SCH	0.5	0	0	0	-	0
SWIS	0.5	0	0	0	-	0
RCRA-COR	1	0	0	0	0	0
RCRA-TSD	0.5	0	0	0	-	0
Controls-CA	0.5	0	0	0	-	0
Tribal-UST & or LUST	0.5	0	0	0	-	0
OGW	0.25	0	0	-	-	0
ERNS	0.125	0	-	-	-	0
CERCLIS-Archived	0.5	0	0	0	-	0
CalSites-NFA	0.5	0	0	0	-	0
LUST-Closed	0.5	0	2	5	-	7
SLIC-Closed	0.5	0	0	0	-	0
UST	0.125	0	-	-	-	0
Hist-UST	0.125	0	-	-	-	0
RCRA	0.125	0	-	-	-	0
HWIS-CA	0.125	0	-	-	-	0
Water Wells	0.5	0	0	0	-	0

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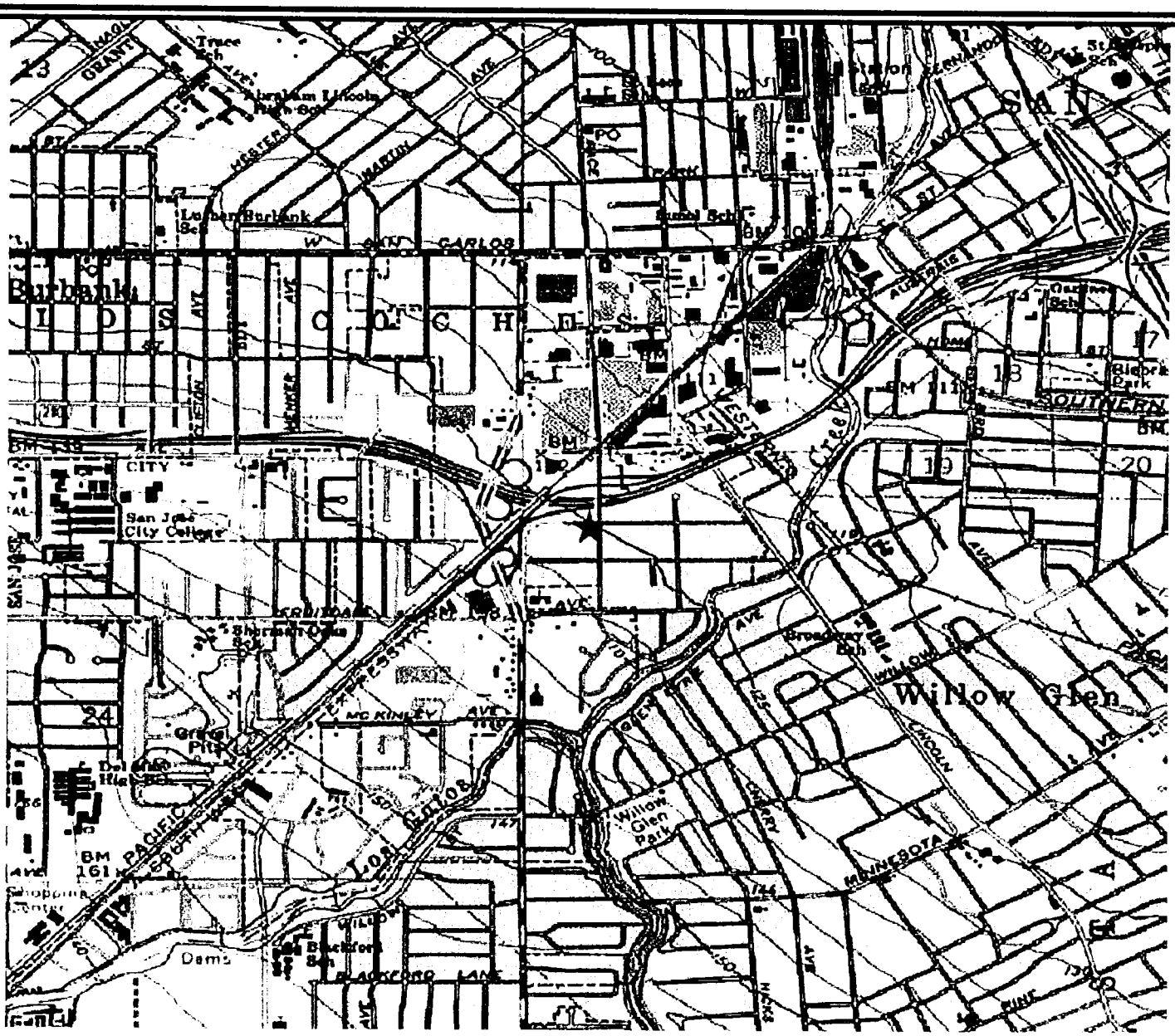
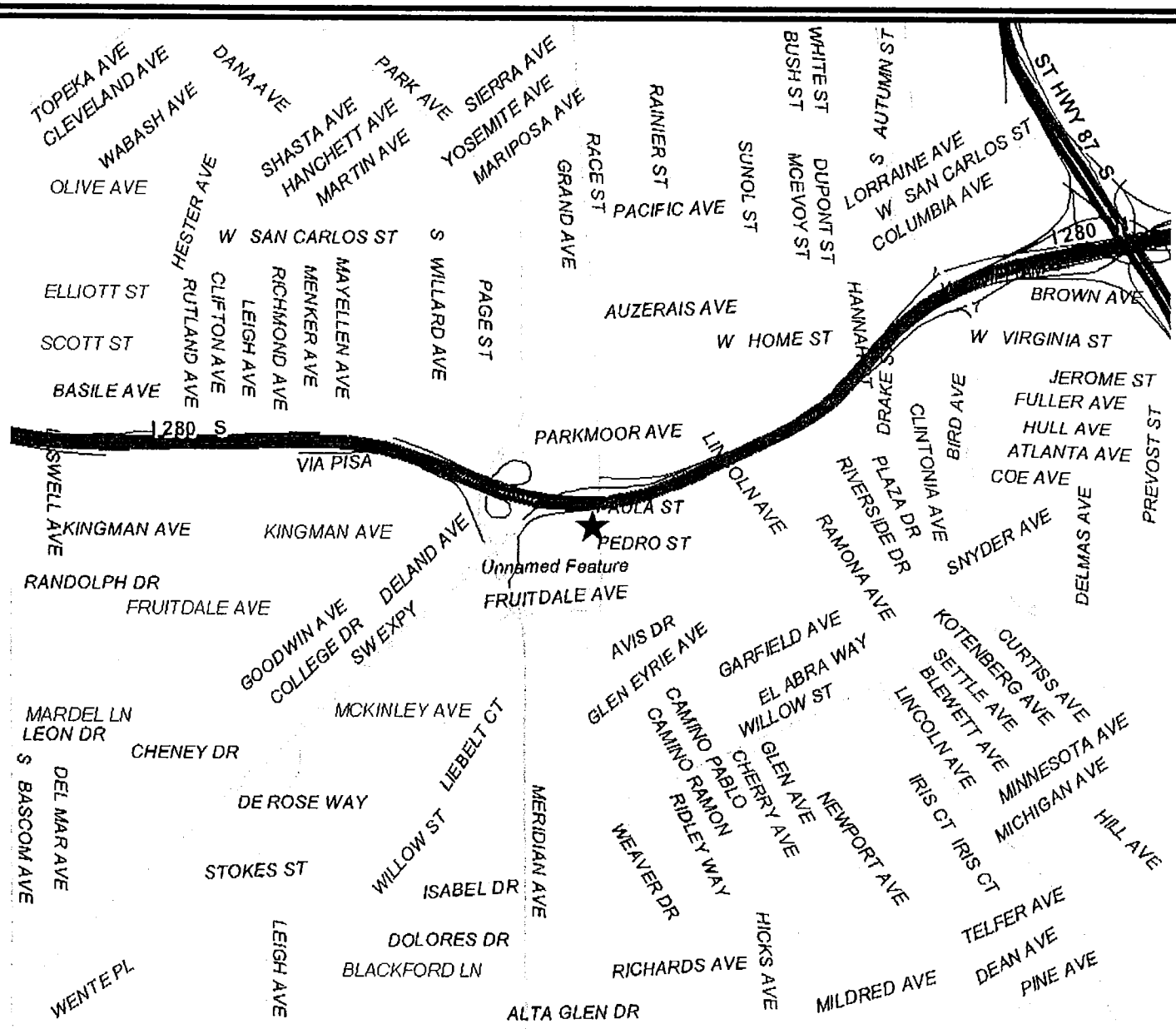


SITE LOCATION TOPOGRAPHIC MAP

U.S. Geological Survey. San Jose West Quadrangle
7.5 Minute Series, Approximate Scale: 1: 24000

N

American Soil Testing, Inc.	1024 Paula Street San Jose, CA 95126	FIGURE: 1 JOB: Paula DATE: 4/19/2007



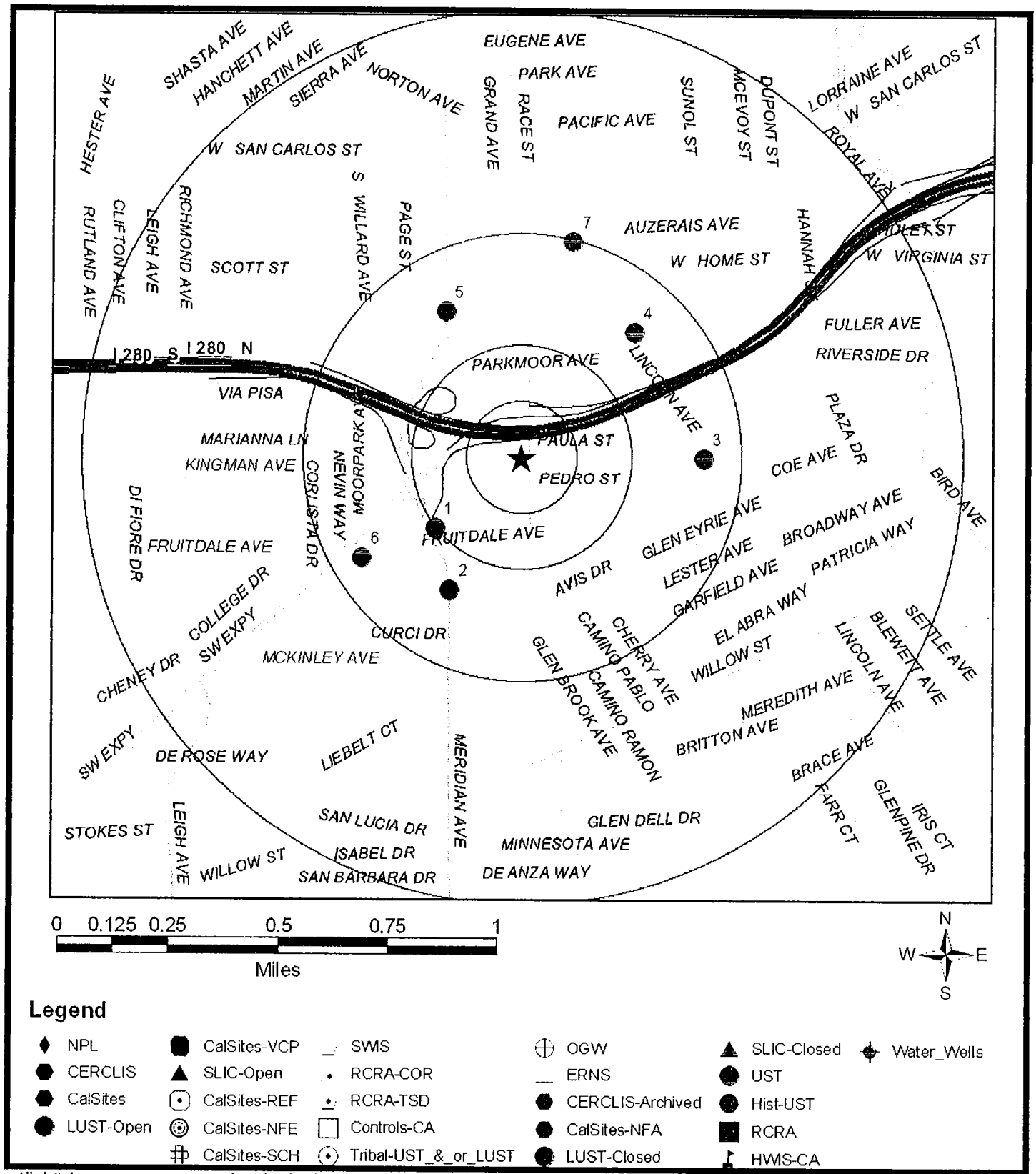
SITE LOCATION STREET MAP

N

Approximate Scale: 1: 24000

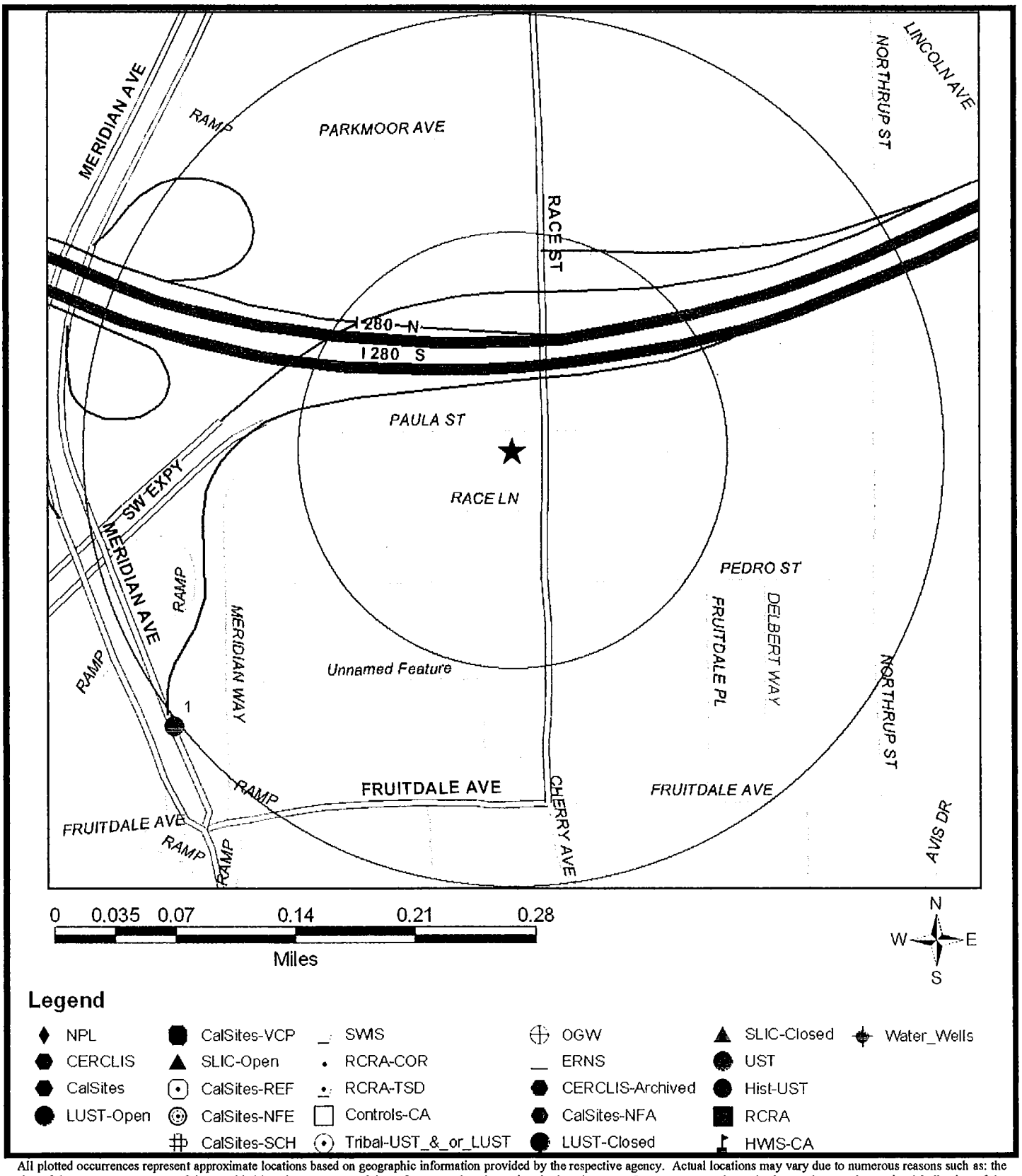
American Soil Testing, Inc.	1024 Paula Street San Jose, CA 95126	FIGURE: JOB: Paula DATE: 4/19/2007

1-MILE RADIUS STREET MAP W/OCCURENCES



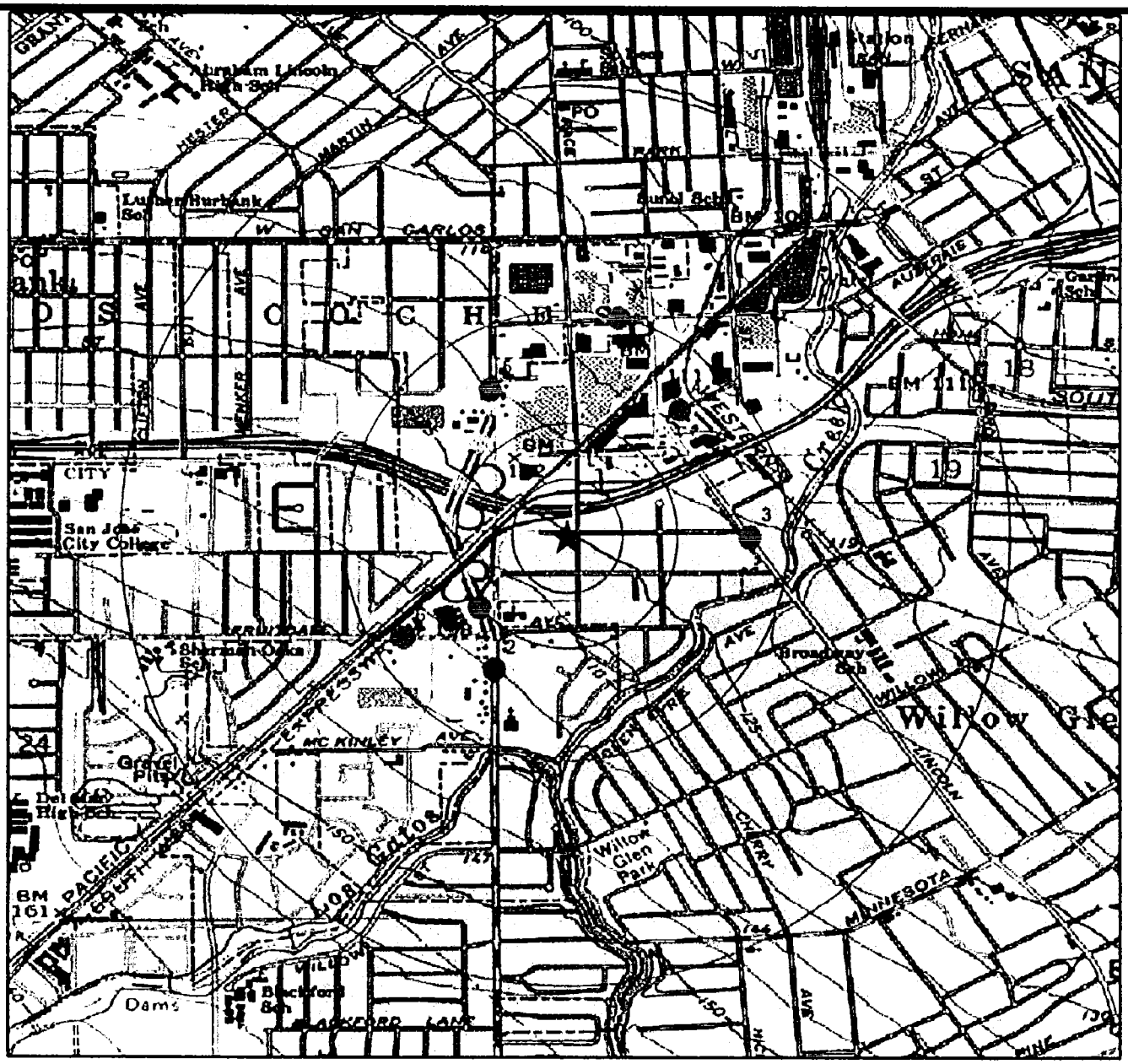
All plotted occurrences represent approximate locations based on geographic information provided by the respective agency. Actual locations may vary due to numerous reasons such as: the size of the property, accuracy of the provided location, accuracy of the software used to determine the location, etc. Occurrences are shown in three colors to give a visual indication of the potential risk of the listed occurrence based on the type of list and the current status of the occurrence. Occurrences shown in RED are locations with known contamination that have not received a "case closed" or "no further action" status. Occurrences shown in YELLOW have been listed by the respective agency, but do not always represent an environmental risk. The detailed status information and description of the list should be reviewed for further information. Occurrences shown in GREEN are occurrences that have active permits or have had contamination in the past but have received a "case closed" or "no further action" status and therefore do not likely present an environmental risk.

1/4-MILE RADIUS STREET MAP W/OCCURRENCES



All plotted occurrences represent approximate locations based on geographic information provided by the respective agency. Actual locations may vary due to numerous reasons such as: the size of the property, accuracy of the provided location, accuracy of the software used to determine the location, etc. Occurrences are shown in three colors to give a visual indication of the potential risk of the listed occurrence based on the type of list and the current status of the occurrence. Occurrences shown in RED are locations with known contamination that have not received a "case closed" or "no further action" status. Occurrences shown in YELLOW have been listed by the respective agency, but do not always represent an environmental risk. The detailed status information and description of the list should be reviewed for further information. Occurrences shown in GREEN are occurrences that have active permits or have had contamination in the past but have received a "case closed" or "no further action" status and therefore do not likely present an environmental risk.

1-MILE TOPOGRAPHIC MAP W/OCCURRENCES



Legend

NPL	CalSites-VCP	SWIS	OGW	SLIC-Closed	Water_Wells
CERCLIS	SLIC-Open	RCRA-COR	ERNS	UST	
CalSites	CalSites-REF	RCRA-TSD	CERCLIS-Archived	Hist-UST	
LUST-Open	CalSites-NFE	Controls-CA	CalSites-NFA	RCRA	
	CalSites-SCH	Tribal-UST_&_or_LUST	LUST-Closed	HWIS-CA	

All plotted occurrences represent approximate locations based on geographic information provided by the respective agency. Actual locations may vary due to numerous reasons such as: the size of the property, accuracy of the provided location, accuracy of the software used to determine the location, etc. Occurrences are shown in three colors to give a visual indication of the potential risk of the listed occurrence based on the type of list and the current status of the occurrence. Occurrences shown in RED are locations with known contamination that have not received a "case closed" or "no further action" status. Occurrences shown in YELLOW have been listed by the respective agency, but do not always represent an environmental risk. The detailed status information and description of the list should be reviewed for further information. Occurrences shown in GREEN are occurrences that have active permits or have had contamination in the past but have received a "case closed" or "no further action" status and therefore do not likely present an environmental risk.

LISTED OCCURRENCE DETAILS

LIST	STATUS	DISTANCE	DIRECTION	MAP ID
LUST-Closed	Case Closed	0.22 miles	SW	1

SITE NAME	AGENCY ID#
Chevron #9-6336	T0608502312

ADDRESS	CITY	ZIP
900 Meridian Ave	San Jose	95126

DETAILS

Lead Agency: LOCAL AGENCY
Local Case Number: 07S1E19E01f
Preliminary Site Assessment Underway: 1990-11-06
Case Closed: 1991-06-07
Case Type: Aquifer used for drinking water supply affected
Substance released: Waste oil/Used oil

LIST	STATUS	DISTANCE	DIRECTION	MAP ID
LUST-Closed	Case Closed	0.22 miles	SW	1

SITE NAME	AGENCY ID#
Chevron #9-6336	T0608500402

ADDRESS	CITY	ZIP
900 Meridian Ave	San Jose	95126

DETAILS

Lead Agency: LOCAL AGENCY
Local Case Number: 07S1E19E02f
Preliminary Site Assessment Underway: 1994-07-06
Pollution Characterization Underway: 1995-05-08
Case Closed: 1999-08-25
Case Type: Aquifer used for drinking water supply affected
Substance released: "Gasoline-Automotive (motor gasoline and additives), leaded & unleaded"

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LIST	STATUS	DISTANCE	DIRECTION	MAP ID
LUST-Open	Pollution Characterization Underway	0.32 miles	SW	2

SITE NAME	AGENCY ID#
Unocal #3364	T0608502434

ADDRESS	CITY	ZIP
1104 Meridian Rd	San Jose	95126

DETAILS

Lead Agency: LOCAL AGENCY
Local Case Number: 07S1E19N01f
Preliminary Site Assessment Underway: 1999-04-27
Pollution Characterization Underway: 2005-07-05
Case Type: Aquifer used for drinking water supply affected
Substance released: "Gasoline-Automotive (motor gasoline and additives), leaded & unleaded"

LIST	STATUS	DISTANCE	DIRECTION	MAP ID
LUST-Closed	Case Closed	0.33 miles	E	3

SITE NAME	AGENCY ID#
Bantinich Property	T0608501974

ADDRESS	CITY	ZIP
910 Lincoln Ave	San Jose	95126

DETAILS

Lead Agency: LOCAL AGENCY
Local Case Number: 07S1E19C01f
Case Closed: 1996-10-31
Case Type: Soil only affected
Substance released: "Gasoline-Automotive (motor gasoline and additives), leaded & unleaded"

LIST	STATUS	DISTANCE	DIRECTION	MAP ID
LUST-Closed	Case Closed	0.35 miles	NE	4

SITE NAME	AGENCY ID#
All American Insulation	T0608500116

ADDRESS	CITY	ZIP
870 Savaker St	San Jose	95101

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DETAILS
Lead Agency: LOCAL AGENCY Local Case Number: 07S1E18P01f Case Closed: 1995-10-13 Case Type: Soil only affected Substance released: "Gasoline-Automotive (motor gasoline and additives), leaded & unleaded"

LIST	STATUS	DISTANCE	DIRECTION	MAP ID
LUST-Closed	Case Closed	0.35 miles	NW	5

SITE NAME	AGENCY ID#
Barry Swenson Builders	T0608591845

ADDRESS	CITY	ZIP
590 Meridian Ave	San Jose	95126

DETAILS
Lead Agency: LOCAL AGENCY Local Case Number: 07S1E18N01f Preliminary Site Assessment Underway: 1993-09-29 Case Closed: 2001-03-06 Case Type: Other Groundwater affected (uses other than drinking water) Substance released: "Gasoline-Automotive (motor gasoline and additives), leaded & unleaded"

LIST	STATUS	DISTANCE	DIRECTION	MAP ID
LUST-Closed	Case Closed	0.37 miles	SW	6

SITE NAME	AGENCY ID#
K-Mart	T0608500791

ADDRESS	CITY	ZIP
1454 Fruitdale Ave	San Jose	95128

DETAILS
Lead Agency: LOCAL AGENCY Local Case Number: 07S1W24J01f Case Closed: 1995-10-13 Case Type: Soil only affected Substance released: Waste oil/Used oil

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LIST	STATUS	DISTANCE	DIRECTION	MAP ID
LUST-Closed	Case Closed	0.49 miles	NE	7

SITE NAME	AGENCY ID#
Electrical Distributors	T0608502014

ADDRESS	CITY	ZIP
1135 Auzerais St	San Jose	95159

DETAILS

Lead Agency: LOCAL AGENCY
Local Case Number: 07S1E18M02f
Case Closed: 1997-09-24
Case Type: Soil only affected
Substance released: Not reported / unknown

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RECORD SOURCES SEARCHED

NPL

National Priorities List

Description: The National Priorities List is the list of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States and its territories. The NPL is intended primarily to guide the EPA in determining which sites warrant further investigation.
Agency: United States Environmental Protection Agency
Phone Number: 8004249346
Date of data: 12/20/2006
Date last checked: 2/6/2007
Distance searched: 1 mile
Sites:
None Found

CERCLIS

Comprehensive Environmental Response, Compensation, and Liability Information System

Description: CERCLIS is the Comprehensive Environmental Response, Compensation, and Liability Information System. CERCLIS contains information on hazardous waste sites, potential hazardous waste sites, and remedial activities across the nation, including sites that are on the National Priorities List (NPL) or being considered for the NPL.
Agency: United States Environmental Protection Agency
Phone Number: 8004249346
Date of data: 12/20/2006
Date last checked: 2/6/2007
Distance searched: 0.5 miles
Sites:
None Found

CalSites

CalSites Database or Site Mitigation and Brownfields Reuse Program Database (SMBRPD) or State (NPL and CERCLIS)

Description: The Department of Toxic Substances Control (DTSC) maintains an automated database that contains information on properties in California where hazardous substances have been released, or where the potential for a release exists. This database is known as "CalSites." For over a decade, CalSites has assisted DTSC staff, the public, the Legislature, federal, state and local agencies by providing a brief history of cleanup activities, contaminants of concern, and scheduled future cleanup activities. This category contains properties where hazardous substance releases have been confirmed. These sites are considered to pose the greatest threat to the public and the environment. These confirmed sites are generally high priority, high potential risk, and include military

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facilities, state "funded" or Responsible Party (RP) lead, and National Priorities List (NPL) sites.
Agency: CA Environmental Protection Agency, Department of Toxic Substances Control
Phone Number: 9163233400
Date of data: 1/30/2007
Date last checked: 4/10/2007
Distance searched: 1 mile
Sites:
None Found

LUST-Open
Leaking Underground Storage Tanks, Open Cases
Description: The California State Water Resources Control Board's Underground Storage Tank Program keeps a list of all underground storage tanks which have been reported as having had a release. This subset of sites is those that have not yet been updated as having been closed and now have a status of Case Open.
Agency: CA State Water Resources Control Board, Underground Storage Tank Program
Phone Number: 9163415808
Date of data: 1/30/2007
Date last checked: 4/10/2007
Distance searched: 0.5 miles
Sites:
Unocal #3364 MapID: 2 Pollution
Characterization Underway

CalSites-VCP
Voluntary Cleanup Program Sites
Description: The Department of Toxic Substances Control (DTSC) maintains an automated database that contains information on properties in California where hazardous substances have been released, or where the potential for a release exists. This database is known as "CalSites." For over a decade, CalSites has assisted DTSC staff, the public, the Legislature, federal, state and local agencies by providing a brief history of cleanup activities, contaminants of concern, and scheduled future cleanup activities. This category contains low threat level properties with either confirmed or unconfirmed releases and the project proponents have requested that DTSC oversee investigation and/or cleanup activities and have agreed to provide coverage for DTSC's costs.
Agency: CA Environmental Protection Agency, Department of Toxic Substances Control
Phone Number: 9163233400
Date of data: 1/30/2007
Date last checked: 1/30/2007
Distance searched: 0.5 miles
Sites:
None Found

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SLIC-Open

The Spills, Leaks, Investigation & Cleanup, Open Cases

Description: The Spills, Leaks, Investigation & cleanup (SLIC) Program deals with site investigation and corrective action involving sites not overseen by the Underground Tank Program and the Well Investigation Program. This program is not restricted to particular pollutants or environments; rather, the program covers all types of pollutants (such as solvents, petroleum fuels, and heavy metals) and all environments (including surface and water, groundwater, and the vadose zone). Upon confirming that an unauthorized discharge is polluting or threatens to pollute regional water bodies, the Regional Board oversees site investigation and corrective action. Statutory authority for the program is derived from the California Water Code, Division 7, Section 13304. Guidelines for site investigation and remediation are promulgated in State Board Resolution No. 92-49 entitled Policies and Procedures For Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304.

Agency: CA State Water Resources Control Board (Spills, Leaks, Investigation & cleanup Program)

Phone Number: 2135766717

Date of data: 1/30/2007

Date last checked: 4/10/2007

Distance searched: 0.5 miles

Sites:

None Found

CalSites-REF

Unconfirmed Properties Referred to Another Local or State Agency

Description: The Department of Toxic Substances Control (DTSC) maintains an automated database that contains information on properties in California where hazardous substances have been released, or where the potential for a release exists. This database is known as "CalSites." For over a decade, CalSites has assisted DTSC staff, the public, the Legislature, federal, state and local agencies by providing a brief history of cleanup activities, contaminants of concern, and scheduled future cleanup activities. This category contains properties that are suspected of being contaminated. These are unconfirmed contaminated properties that need to be assessed using the PEA process.

Agency: CA Environmental Protection Agency, Department of Toxic Substances Control

Phone Number: 9163233400

Date of data: 1/30/2007

Date last checked: 1/30/2007

Distance searched: 0.5 miles

Sites:

None Found

CalSites-NFE

Unconfirmed Properties Needing Further Evaluation

Description: The Department of Toxic Substances Control (DTSC) maintains an automated database that contains information on properties in California where hazardous substances have been released, or where the potential for a release exists. This database is

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known as "CalSites." For over a decade, CalSites has assisted DTSC staff, the public, the Legislature, federal, state and local agencies by providing a brief history of cleanup activities, contaminants of concern, and scheduled future cleanup activities. This category contains properties where contamination has not been confirmed and which were determined as not requiring direct DTSC Site Mitigation Program action or oversight. Accordingly, these sites have been referred to another state or local regulatory agency.
Agency: CA Environmental Protection Agency, Department of Toxic Substances Control
Phone Number: 9163233400
Date of data: 1/30/2007
Date last checked: 1/30/2007
Distance searched: 0.5 miles
Sites:
None Found

CalSites-SCH
School Property Evaluation Program Properties
Description: The Department of Toxic Substances Control (DTSC) maintains an automated database that contains information on properties in California where hazardous substances have been released, or where the potential for a release exists. This database is known as "CalSites." For over a decade, CalSites has assisted DTSC staff, the public, the Legislature, federal, state and local agencies by providing a brief history of cleanup activities, contaminants of concern, and scheduled future cleanup activities. This category contains proposed and existing school sites that are being evaluated by DTSC for possible hazardous materials contamination. In some cases, these properties may be listed in the CalSites category depending on the level of threat to public health and safety on the environment they pose.
Agency: CA Environmental Protection Agency, Department of Toxic Substances Control
Phone Number: 9163233400
Date of data: 1/30/2007
Date last checked: 1/30/2007
Distance searched: 0.5 miles
Sites:
None Found

SWIS
Solid Waste Information System
Description: The Solid Waste Information System (SWIS) database contains information on solid waste facilities, operations, and disposal sites throughout the State of California. The types of facilities found in this database include landfills, transfer stations, material recovery facilities, composting sites, transformation facilities, waste tire sites, and closed disposal sites.
Agency: CA Integrated Waste Management Board
Phone Number: 9163416320
Date of data: 1/24/2007
Date last checked: 4/10/2007
Distance searched: 0.5 miles

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Sites:
None Found

RCRA-COR

Resource Conservation and Recovery Act - Corrective Actions (CORRACTS)

Description: In 1965, to encourage environmentally sound methods for disposal of household, municipal, commercial, and industrial refuse, Congress passed the first federal law to require safeguards on these activities, the Solid Waste Disposal Act. Congress amended this law in 1976 by passing the Resource Conservation and Recovery Act (RCRA) (pronounced "Ric-ra"). The primary goals of RCRA are to: Protect human health and the environment from the potential hazards of waste disposal. Conserve energy and natural resources. Reduce the amount of waste generated. Ensure that wastes are managed in an environmentally sound manner.

EPA estimates that between 50 and 70 percent of all TSDFs have some degree of environmental contamination requiring detailed investigation and perhaps cleanup. Under a program entitled Corrective Action, EPA has the statutory authority to require permitted and interim status TSDFs to clean up hazardous waste contamination.

Agency: United States Environmental Protection Agency
Phone Number: 8004249346
Date of data: 12/11/2006
Date last checked: 2/6/2007
Distance searched: 1 mile
Sites:
None Found

RCRA-TSD

Resource Conservation and Recovery Act - Treatment, Storage, and Disposal sites

Description: In 1965, to encourage environmentally sound methods for disposal of household, municipal, commercial, and industrial refuse, Congress passed the first federal law to require safeguards on these activities, the Solid Waste Disposal Act. Congress amended this law in 1976 by passing the Resource Conservation and Recovery Act (RCRA) (pronounced "Ric-ra"). The primary goals of RCRA are to: Protect human health and the environment from the potential hazards of waste disposal. Conserve energy and natural resources. Reduce the amount of waste generated. Ensure that wastes are managed in an environmentally sound manner.

Treatment, Storage and Disposal Facility - Facilities that receive hazardous waste from generators or other facilities for treatment, storage or disposal of waste are known as TSDFs.

Agency: United States Environmental Protection Agency
Phone Number: 8004249346
Date of data: 12/11/2006
Date last checked: 2/6/2007
Distance searched: 0.5 miles
Sites:
None Found

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Controls-CA

Calsites with Deed Restrictions or other Controls

Description: A deed restricted site is a property where DTSC has placed limits or requirements on future use of the property due to varying levels of cleanup possible, practical, or necessary at the site. The DTSC Site Mitigation and Brownfield's Reuse Program (SMBRP) list includes sites cleaned up under the program's oversight and generally does not include current or former hazardous waste facilities that required a hazardous waste facility permit. The list represents deed restrictions that are active. Some sites have multiple deed restrictions. Not all deed restrictions are available at this time.

Agency: CA Environmental Protection Agency, Department of Toxic Substances Control

Phone Number: 9162553745

Date of data: 9/26/2006

Date last checked: 4/11/2007

Distance searched: 0.5 miles

Sites:

None Found

Tribal-UST & or LUST

Tribal Underground Storage Tanks and/or Leaking Underground Storage Tanks

Description: Underground Storage Tanks and/or Leaking Underground Storage Tanks on Native American Land identified by the United States Environmental Protection Agency.

Agency: United States Environmental Protection Agency

Phone Number: 8004249346

Date of data: 3/31/2006

Date last checked: 1/18/2007

Distance searched: 0.5 miles

Sites:

None Found

OGW

California Oil and Gas Wells

Description: The Division of Oil, Gas, and Geothermal Resources (DOGGR) was formed in 1915 to address the needs of the state, local governments, and industry by regulating statewide oil and gas activities with uniform laws and regulations. The Division supervises the drilling, operation, maintenance, and plugging and abandonment of onshore and offshore oil, gas, and geothermal wells, preventing damage to: (1) life, health, property, and natural resources; (2) underground and surface waters suitable for irrigation or domestic use; and (3) oil, gas, and geothermal reservoirs.

Agency: California Department of Conservation, Division of Oil, Gas & Geothermal Resources

Phone Number: 9163231779

Date of data: 8/23/2006

Date last checked: 4/10/2007

Distance searched: 0.25 miles

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Sites:
None Found

ERNS

Emergency Response Notification System

Description: The primary function of the National Response Center is to serve as the sole national point of contact for reporting all oil, chemical, radiological, biological, and etiological discharges into the environment anywhere in the United States and its territories. In addition to gathering and distributing spill data for Federal On-Scene Coordinators and serving as the communications and operations center for the National Response Team, the NRC maintains agreements with a variety of federal entities to make additional notifications regarding incidents meeting established trigger criteria.
Agency: National Response Center
Phone Number: 8004248802
Date of data: 2/6/2007
Date last checked: 2/6/2007
Distance searched: 0.125 miles
Sites:
None Found

CERCLIS-Archived

CERCLIS sites that have been archived (NFRAP)

Description: The Archive designation means that assessment at a site has been completed and EPA has determined no steps will be taken to designate the site as a priority by listing it on the National Priorities List (NPL). No further remedial action is planned for these sites under the Superfund Program.
Agency: United States Environmental Protection Agency
Phone Number: 8004249346
Date of data: 2/1/2006
Date last checked: 1/24/2007
Distance searched: 0.5 miles
Sites:
None Found

CalSites-NFA

Properties with No Further Action Determination

Description: The Department of Toxic Substances Control (DTSC) maintains an automated database that contains information on properties in California where hazardous substances have been released, or where the potential for a release exists. This database is known as "CalSites." For over a decade, CalSites has assisted DTSC staff, the public, the Legislature, federal, state and local agencies by providing a brief history of cleanup activities, contaminants of concern, and scheduled future cleanup activities. This category contains properties at which DTSC has made a clear determination that the property does not pose a problem to the environment or to public health. This determination is typically based on findings of a PEA.

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Agency: CA Environmental Protection Agency, Department of Toxic Substances Control
Phone Number: 9163233400
Date of data: 1/30/2007
Date last checked: 1/30/2007
Distance searched: 0.5 miles
Sites:
None Found

LUST-Closed
Leaking Underground Storage Tanks, Closed Cases
Description: The California State Water Resources Control Board's Underground Storage Tank Program keeps a list of all underground storage tanks which have been reported as having had a release. This subset of sites is those that have received closure and now have a status of Case Closed.
Agency: CA State Water Resources Control Board, Underground Storage Tank Program
Phone Number: 9163415808
Date of data: 1/30/2007
Date last checked: 4/10/2007
Distance searched: 0.5 miles
Sites:

Chevron #9-6336	MapID: 1	Case Closed
Chevron #9-6336	MapID: 1	Case Closed
Bantinich Property	MapID: 3	Case Closed
All American Insulation	MapID: 4	Case Closed
Barry Swenson Builders	MapID: 5	Case Closed
K-Mart	MapID: 6	Case Closed
Electrical Distributors	MapID: 7	Case Closed

SLIC-Closed
The Spills, Leaks, Investigation & Cleanup, Closed Cases
Description: The Spills, Leaks, Investigation & cleanup (SLIC) Program deals with site investigation and corrective action involving sites not overseen by the Underground Tank Program and the Well Investigation Program. This program is not restricted to particular pollutants or environments; rather, the program covers all types of pollutants (such as solvents, petroleum fuels, and heavy metals) and all environments (including surface and water, groundwater, and the vadose zone). Upon confirming that an unauthorized discharge is polluting or threatens to pollute regional water bodies, the Regional Board oversees site investigation and corrective action. Statutory authority for the program is derived from the California Water Code, Division 7, Section 13304. Guidelines for site investigation and remediation are promulgated in State Board Resolution No. 92-49 entitled Policies and Procedures For Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304.
Agency: CA State Water Resources Control Board (Spills, Leaks, Investigation & cleanup Program)
Phone Number: 2135766717

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Date of data: 1/30/2007
Date last checked: 4/10/2007
Distance searched: 0.5 miles
Sites:
None Found

UST

Underground Storage Tanks
Description: The California State Water Resources Control Board keeps this list of registered underground storage tanks.
Agency: CA State Water Resources Control Board, Underground Storage Tank Program
Phone Number: 9163415808
Date of data: 4/5/2007
Date last checked: 4/10/2007
Distance searched: 0.125 miles
Sites:
None Found

Hist-UST

Historical Underground Storage Tanks
Description: The California State Water Resources Control Board keeps the Hazardous Substances Storage Container Information on file. This is a database of historical underground storage tanks that was kept until the late 1980's, but has been discontinued and is no longer updated.
Agency: California State Water Resources Control Board
Phone Number: 9163415851
Date of data: 12/31/1989
Date last checked: 10/26/2005
Distance searched: 0.125 miles
Sites:
None Found

RCRA

Resource Conservation and Recovery Act
Description: In 1965, to encourage environmentally sound methods for disposal of household, municipal, commercial, and industrial refuse, Congress passed the first federal law to require safeguards on these activities, the Solid Waste Disposal Act. Congress amended this law in 1976 by passing the Resource Conservation and Recovery Act (RCRA) (pronounced "Ric-ra"). The primary goals of RCRA are to: Protect human health and the environment from the potential hazards of waste disposal. Conserve energy and natural resources. Reduce the amount of waste generated. Ensure that wastes are managed in an environmentally sound manner.
Agency: United States Environmental Protection Agency
Phone Number: 8004249346
Date of data: 12/11/2006

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Date last checked: 2/6/2007
Distance searched: 0.125 miles
Sites:
None Found

HWIS-CA

Hazardous Waste Information Summary
Description: The Hazardous Waste Summary Report (formerly the Tanner Report) is prepared from data extracted from the copies of hazardous waste manifests received each year by DTSC. The volume of manifests is typically 900,000 - 1,000,000 annually, representing approximately 450,000 - 500,000 shipments.
Agency: CA Environmental Protection Agency, Department of Toxic Substances Control
Phone Number: 9162553745
Date of data: 12/31/2002
Date last checked: 4/11/2007
Distance searched: 0.125 miles
Sites:
None Found

Water Wells

Ground Water Site Inventory for California
Description: The ground-water site inventory consists of records of wells, springs, test holes, tunnels, drains, and excavations in California. Available site descriptive information includes well location information such as latitude and longitude, well depth, aquifer and water levels.
Agency: United States Geological Survey, Water Resources Program
Phone Number: 9162783000
Date of data: 1/16/2007
Date last checked: 1/16/2007
Distance searched: 0.5 miles
Sites:
None Found

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OCCURRENCES NOT MAPPED

The following occurrences were not mapped due to various reasons mostly resulting from incomplete or inaccurate address information. All of the following occurrences were determined to share the same zip code as the subject site. General status information is given with each occurrence along with any address information entered by the agency responsible for the list.

No unplottable sites requested.

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The data presented in this report should only be interpreted by an experienced environmental professional that completely understands the potential inaccuracy of the data, the possible existence of contaminated occurrences that have not been listed, and the possibility that the governmental database misrepresents the actual status of an occurrence. Prior to relying completely on any of the data within this report, an environmental professional should verify the accuracy of the information presented.

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APPENDIX

C

ENCLOSURES

TerraServer USA

Search TerraServer

1044 paula street

city

san jose

state

ca

GO

-121.91096 37.31525

GO

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The National Map

1044 Paula St, San Jose, CA 95126-3824
San Jose, California, United States 6/14/1993

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Aerial Photo Urban Areas

Size

OUT

IN

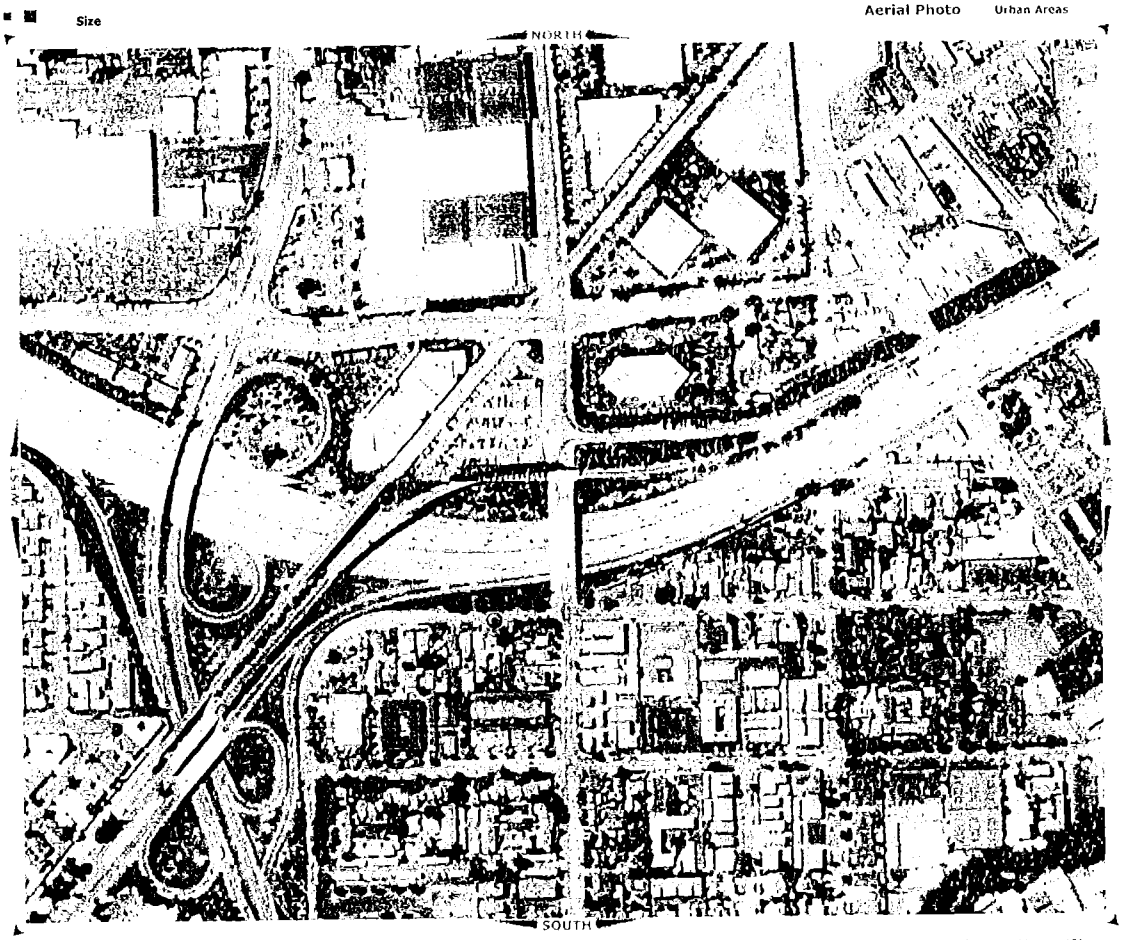

Image courtesy of the U.S. Geological Survey

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TerraServer USA

Search TerraServer

Street
1050 paula street
City
san jose
State
ca
GO

Longitude Latitude
-121.90984 37.31525
GO

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Click to get Weather Forecast Maps for this point
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The National Map

1050 Paula St, San Jose, CA 95126-3824
San Jose, California, United States 7/1/1998

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Size

Topo Map Aerial Photo Urban Areas

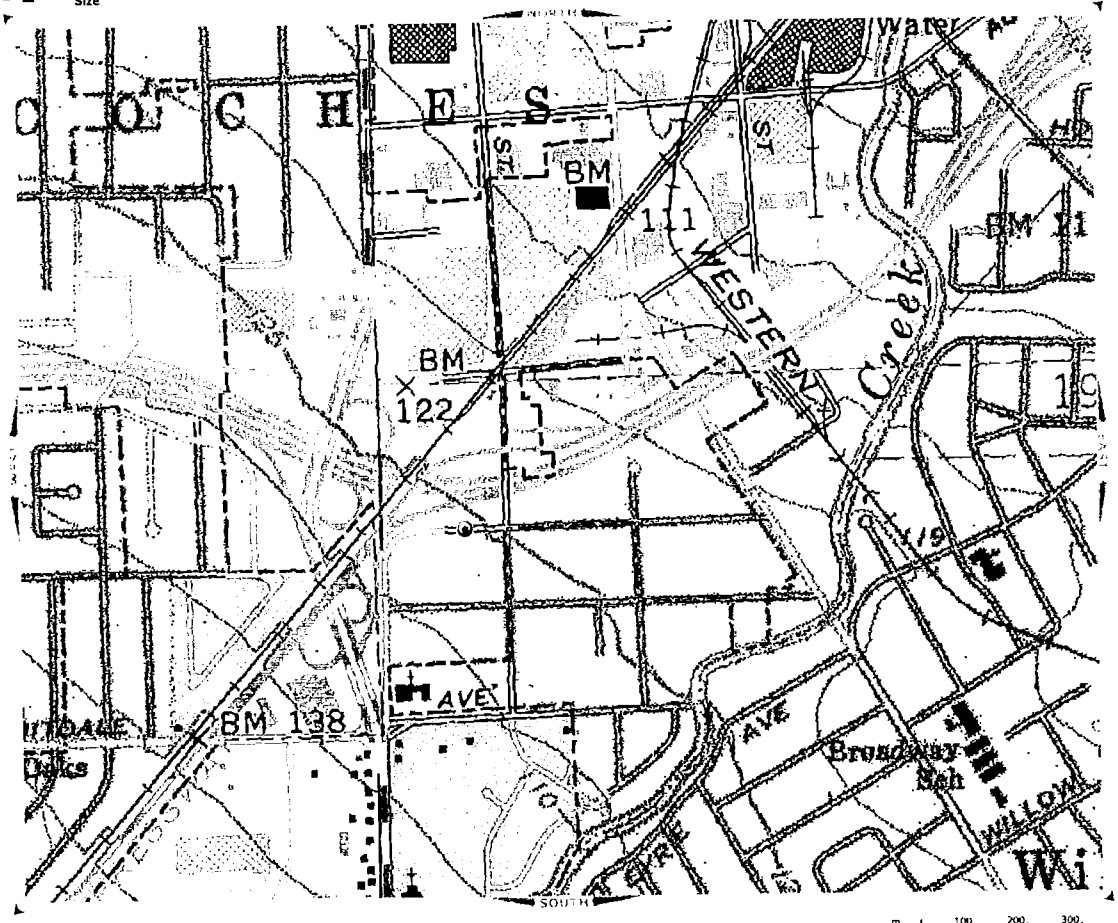

Image courtesy of the U.S. Geological Survey

Source=268365 Running Time 78.13 ms

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Server=TK2TERRAWEB11

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title of california

Primary Owner: ALMARIO, ALFREDO; ALMARIO, DINA
Secondary Owner:
Mail Address: 1024 PAULA ST
SAN JOSE CA 95126
Site Address: 1024 PAULA ST
SAN JOSE CA 95126
Assessor Parcel Number: 264-07-034
Phone: - -
Census Tract: 5019.00
Housing Tract Number:
Lot Number:
Page Grid: 853 -J2
Legal Description: City/Muni/Twp: UNINCORPORATED

Property Characteristics:

Bedrooms : 1	Year Built : 1910	Square Feet : 990 SF
Bathrooms : 1.0	Garage : Garage 1	Lot Size : 7,841 SF / 0.180 AC
Total Rooms : 5	Fireplace :	Number of Units : 0
Zoning : R1	Pool :	Use Code : Single Family Residential
No of Stories: 1	Latitude: 37.31385	Longitude: -121.9112
Building Style:		

Sale & Loan Information:

Last Transfer Date : 08/23/2006	Seller : ALMARIO, ALFREDO; ALMARIO, DINA	
Transfer Value : N/A	Document # : 19075526BK-PG: -	Cost/Sq. Feet : N/A
First Loan Amount : $536,000	Lender : COUNTRYWIDE BANK NA	
Title Company : OLD REPUBLIC TITLE COMPANY		

Assessment & Tax Information:

Assessed Value : $370,721	Percent Improvement : 29.17%	Homeowner Exemption :
Land Value : $262,575	Tax Amount : $4,532.36	Tax Rate Area : 98-008
Improvement Value : $108,146	Tax Account ID :	Tax Status : Current
Market Improvement Value :	Market Land Value :	Market Value:
TaxYear : 2005		

Data Deemed Reliable, But Not Guaranteed.
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title of california

Primary Owner: AHI, MICHAEL MOHSEN
Secondary Owner:
Mail Address: 1202 MERIDIAN AVE
SAN JOSE CA 95125
Site Address: 1044 PAULA ST
SAN JOSE CA 95126
Assessor Parcel Number: 264-07-033
Phone: - -
Census Tract: 5019.00
Housing Tract Number:
Lot Number:
Page Grid: 853 -J2
Legal Description: City/Muni/Twp: UNINCORPORATED

Property Characteristics:

Bedrooms : 2	Year Built : 1936	Square Feet : 922 SF
Bathrooms : 1.0	Garage : Garage 1	Lot Size : 7,841 SF / 0.180 AC
Total Rooms : 5	Fireplace :	Number of Units : 0
Zoning : R1	Pool :	Use Code : Single Family Residential
No of Stories: 1	Latitude: 37.31385	Longitude: -121.9113
Building Style:		

Sale & Loan Information:

Last Transfer Date : 03/01/2007	Seller : AHI, ELLIE	
Transfer Value : N/A	Document # : 19322955BK-PG: -	Cost/Sq. Feet : N/A
First Loan Amount : N/A	Lender :	
Title Company : ALLIANCE TITLE COMPANY		

Assessment & Tax Information:

Assessed Value : $312,044	Percent Improvement : 50.00%	Homeowner Exemption : H
Land Value : $156,022	Tax Amount : $3,785.70	Tax Rate Area : 98-008
Improvement Value : $156,022	Tax Account ID :	Tax Status : Current
Market Improvement Value :	Market Land Value :	Market Value:
TaxYear : 2005		

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title of california

Primary Owner: GONZALES, ROBERTO S; GONZALES, ALICE C
Secondary Owner:
Mail Address: 1050 PAULA ST
SAN JOSE CA 95126
Site Address: 1050 PAULA ST
SAN JOSE CA 95126
Assessor Parcel Number: 264-07-055
Phone: - -
Census Tract: 5019.00
Housing Tract Number:
Lot Number:
Page Grid: 853 -J2
Legal Description: City/Muni/Twp: UNINCORPORATED

Property Characteristics:

Bedrooms : 2	Year Built : 1952	Square Feet : 1,056 SF
Bathrooms : 1.0	Garage : Garage 2	Lot Size : 7,405 SF / 0.170 AC
Total Rooms : 5	Fireplace :	Number of Units : 0
Zoning : R1	Pool :	Use Code : Single Family Residential
No of Stories: 1	Latitude: 37.31384	Longitude: -121.9113
Building Style:		

Sale & Loan Information:

Last Transfer Date : 07/26/2005	Seller : GONZALES, ROBERTO S; GONZALES, ALICE	
Transfer Value : N/A	Document # : 18493457BK-PG: -	Cost/Sq. Feet : N/A
First Loan Amount : $127,000	Lender : SUNTRUST MORTGAGE INC	
Title Company : TICOR TITLE COMPANY		

Assessment & Tax Information:

Assessed Value : $32,119	Percent Improvement : 62.90%	Homeowner Exemption : H
Land Value : $11,915	Tax Amount : $601.00	Tax Rate Area : 98-008
Improvement Value : $20,204	Tax Account ID :	Tax Status : Current
Market Improvement Value :	Market Land Value :	Market Value:
TaxYear : 2005		

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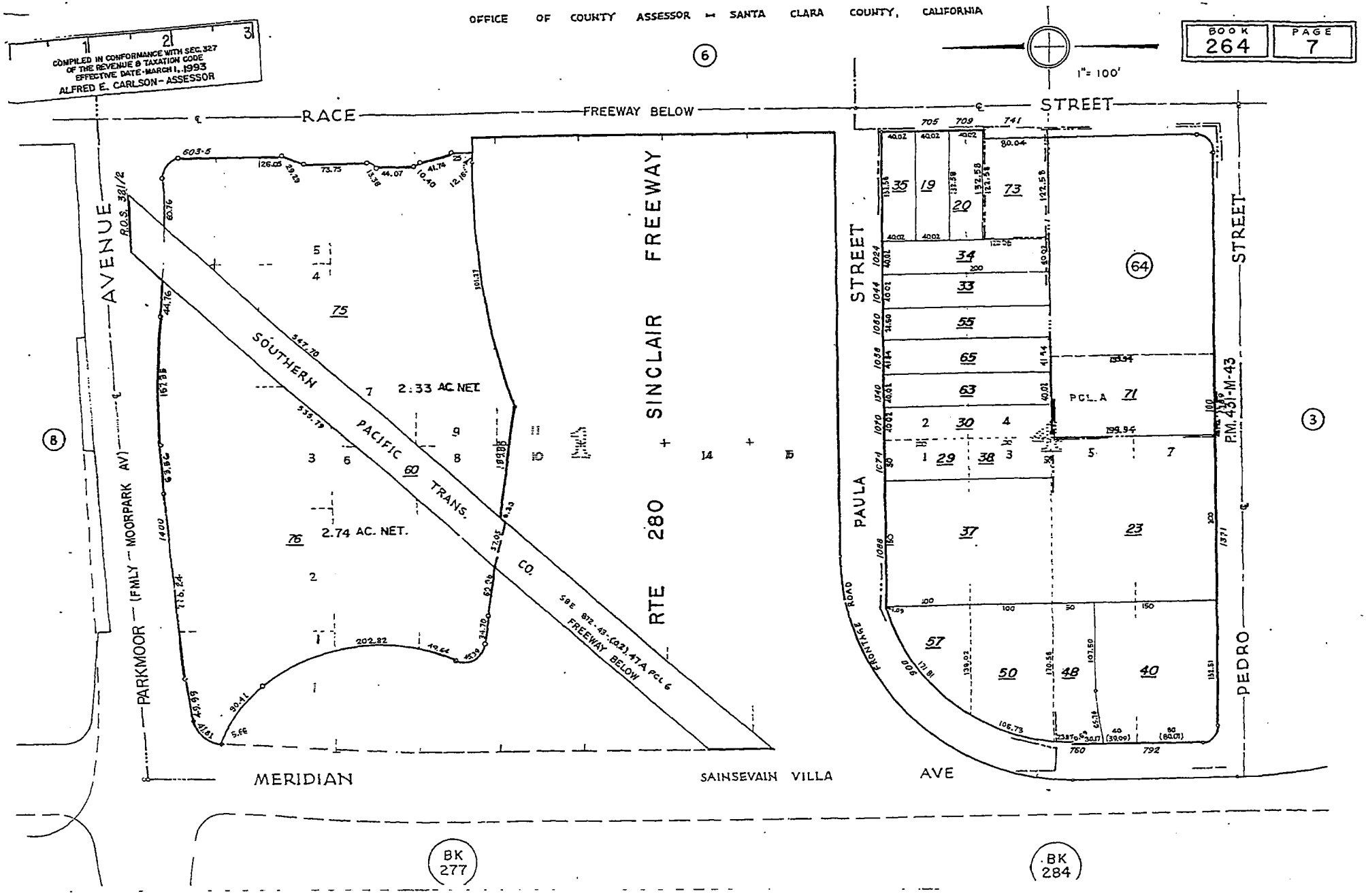
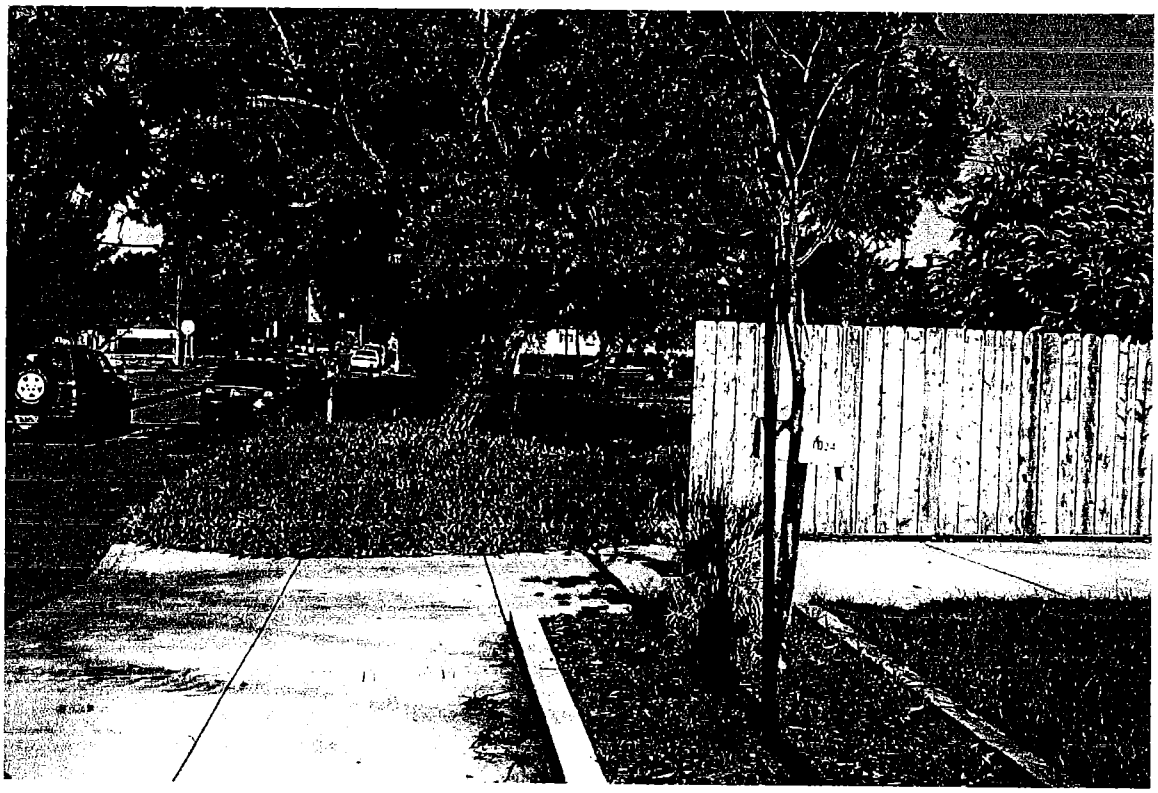
OFFICE OF COUNTY ASSESSOR — SANTA CLARA COUNTY, CALIFORNIA

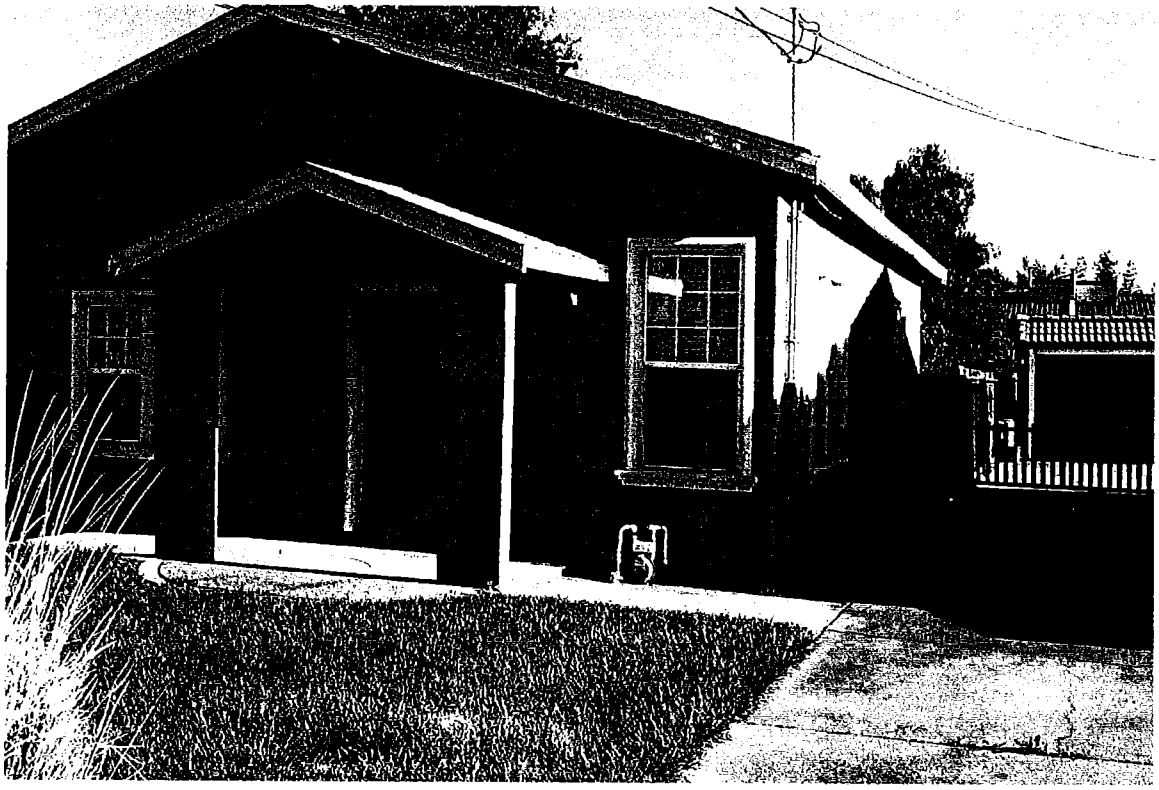
COMPILED IN CONFORMANCE WITH SEC. 327 OF THE REVENUE & TAXATION CODE
EFFECTIVE DATE - MARCH 1, 1993
ALFRED E. CARLSON - ASSESSOR

BOOK	PAGE
264	7

1" = 100'







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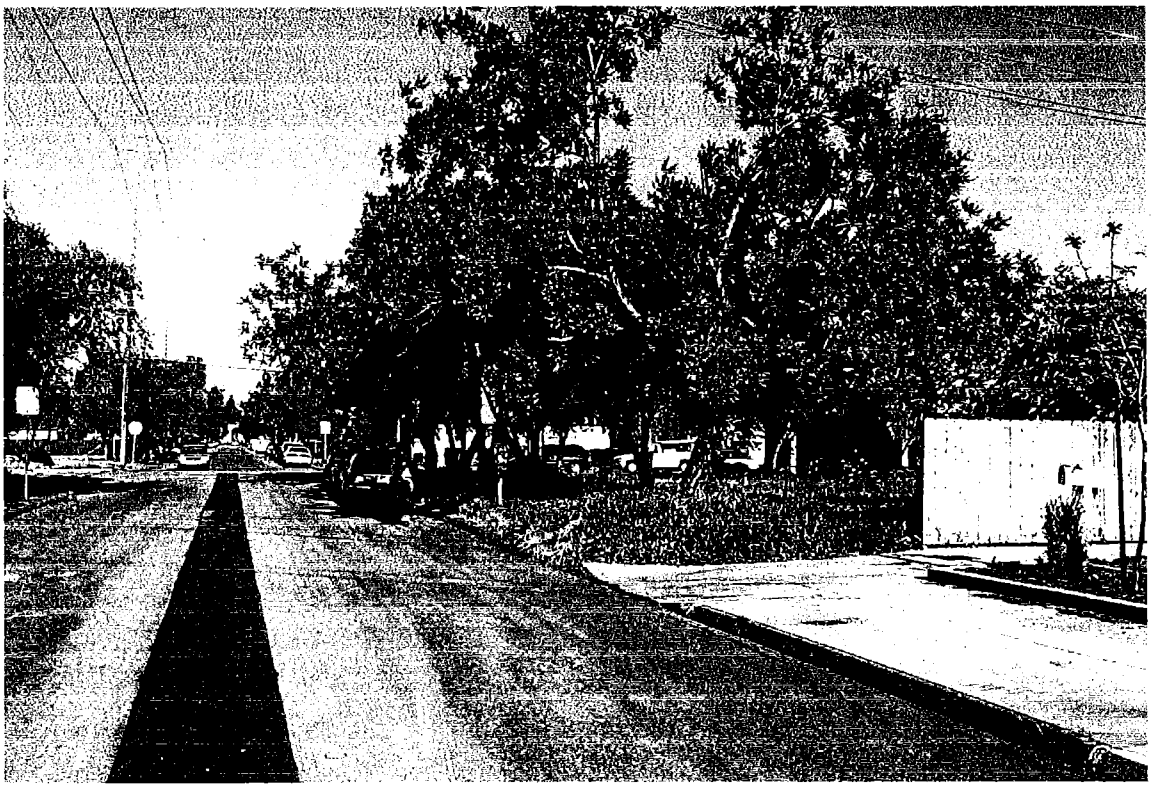
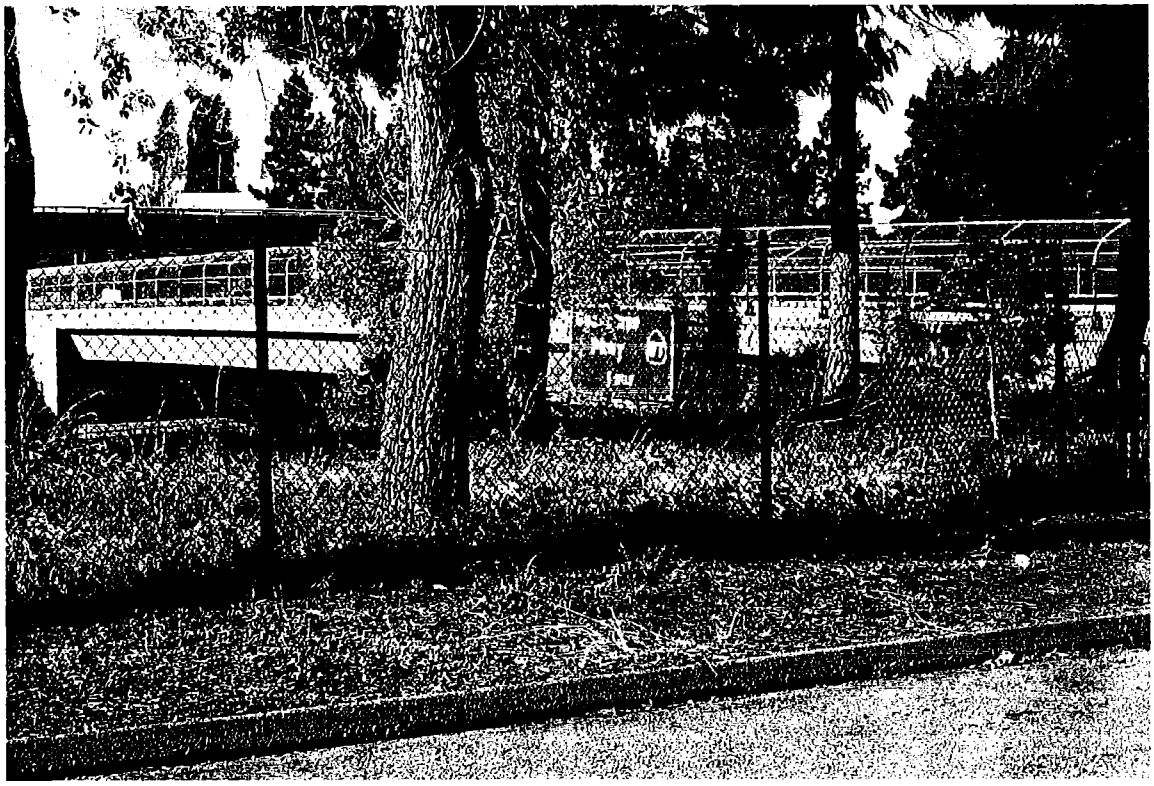




MH engineering Co.

16075 Vineyard Blvd., Morgan Hill, CA 95037
(408) 779-7381/226-3050; Fax (408) 226-5712

MHE 27042.1
PAULA TERRACE STORM WATER TREATMENT SYSTEM
SIZING CALCULATIONS
September 06, 2011

REGISTERED PROFESSIONAL ENGINEER
HARINDER SINGLA
C 49717
EXP 9-30-2012
CIVIL
STATE OF CALIFORNIA

9/06/11

Attachment IV-1

Sizing for Volume-Based Treatment Controls

Section B – Sizing Volume-Based Treatment Controls based on the Adapted California Stormwater BMP Handbook Approach

The equation that will be used to size the BMP is:

BMP Volume = (Correction Factor) X (Unit Storage) X (Drainage Area to the BMP)

Step 1. Determine the drainage area for the BMP, A = 0.16 acres

Step 2. Determine percent imperviousness of the drainage area:

a. Estimate the amount of impervious surface (rooftops, hardscape, streets, and sidewalks, etc.) in the area draining to the BMP: acres

b. % impervious area=(amount of impervious area/drainage area for the BMP)*100
% impervious area= **(Step 2a./Step 1)***100
% impervious area= 95 %

Step 3. Determine from Figure 1 the mean annual precipitation (MAP_{site}) at the project site location: (see Section II. Step 4 for more explanation.)

MAP_{site} = 26 inches

Step 4 Identify the reference rain gage closest to the project site from the following list and record the MAP_{gage}:

MAP_{gage} = 19 inches

Reference Rain Gages	**Mean Annual Precipitation (MAP_{gage}) (in)**
San Jose Airport	13.9
Palo Alto	13.7
Gilroy	18.2
Morgan Hill	19.5

Attachment IV-1

Sizing for Volume-Based Treatment Controls

Section B —Adapted California Stormwater BMP Handbook Approach (continued)

Step 5 Determine the rain gage correction factor for the precipitation at the site using the information from **Step 3** and **Step 4**.

Correction Factor = MAP_{site} (**Step 3**)/MAP_{gage} (**Step 4**)

Correction Factor = 1.05

Step 6. Identify representative soil type for the BMP drainage area.

a) Identify from Figure 1, the soil type that is representative of the pervious portion of the project shown here in order of increasing infiltration capability:

____ Clay ____ Sandy Clay ✓ Clay Loam

____ Silt Loam ____ Loam

b) Does the site planning allow for protection of natural areas and associated vegetation and soils so that the soils outside the building footprint are not graded/compacted? Y

If your answer is no, and the soil will be compacted during site preparation and grading, the soil's infiltration ability will be decreased. Modify your answer to a soil with a lower infiltration rate (e.g., Silt Loam to Clay Loam or Clay).

Modified soil type: _____

7. Determine the average slope for the drainage area for the BMP: 1 %

8. Determine the unit basin storage volume from sizing curves.

a) Slope ≤ 1%

Use the figure entitled "Unit Basin Volume for 80% Capture, 1% Slope" corresponding to the nearest rain gage: Figure 2-A, B, C, or D for San Jose, Palo Alto, Gilroy and Morgan Hill, respectively. Find the percent imperviousness of the drainage area (see answer to **Step 2**, above) on the x-axis. From there, find the line corresponding to the soil type (from **Step 6**), and obtain the unit basin storage on the y-axis.

Unit Basin Storage for 1% slope ($UBS_{1\%}$) = 0.55 (inches)

b) Slope ≥ 15%

Use the figure entitled "Unit Basin Volume for 80% Capture, 15% Slope" corresponding to the nearest rain gage: Figure 3-A, B, C, or D for San Jose, Palo Alto, Gilroy and Morgan Hill, respectively. Find the percent imperviousness of the drainage area (see answer to **Step 2**, above) on the x-axis. From there, find the line corresponding to the soil type (from **Step 6**), and obtain the unit basin storage on the y-axis.

Unit Basin Storage for 15% slope ($UBS_{15\%}$) = _____ (inches)

Attachment IV-1

Sizing for Volume-Based Treatment Controls

Section B —Adapted California Stormwater BMP Handbook Approach (continued)

c) Slope > 1% and < 15%

Find the unit basin volumes for 1% and 15% using the techniques in **Steps 8a** and **8b** and interpolate by applying a slope correction factor per the following formula:

$UBS_x = UBS_{1\%} + (UBS_{15\%} - UBS_{1\%})*(x\%-1\%) / (15\% - 1\%)$
$= $ **(Step 8a)** + **(Step 8b- Step 8a)** * (x%-1%)/(15%-1%)

Where UBS_x= Unit Basin Storage volume for drainage area of intermediate slope, x %

Unit Basin Storage volume (USB_x) = _____ (inches)
(corrected for slope of site)

9. Size the BMP, using the following equation:

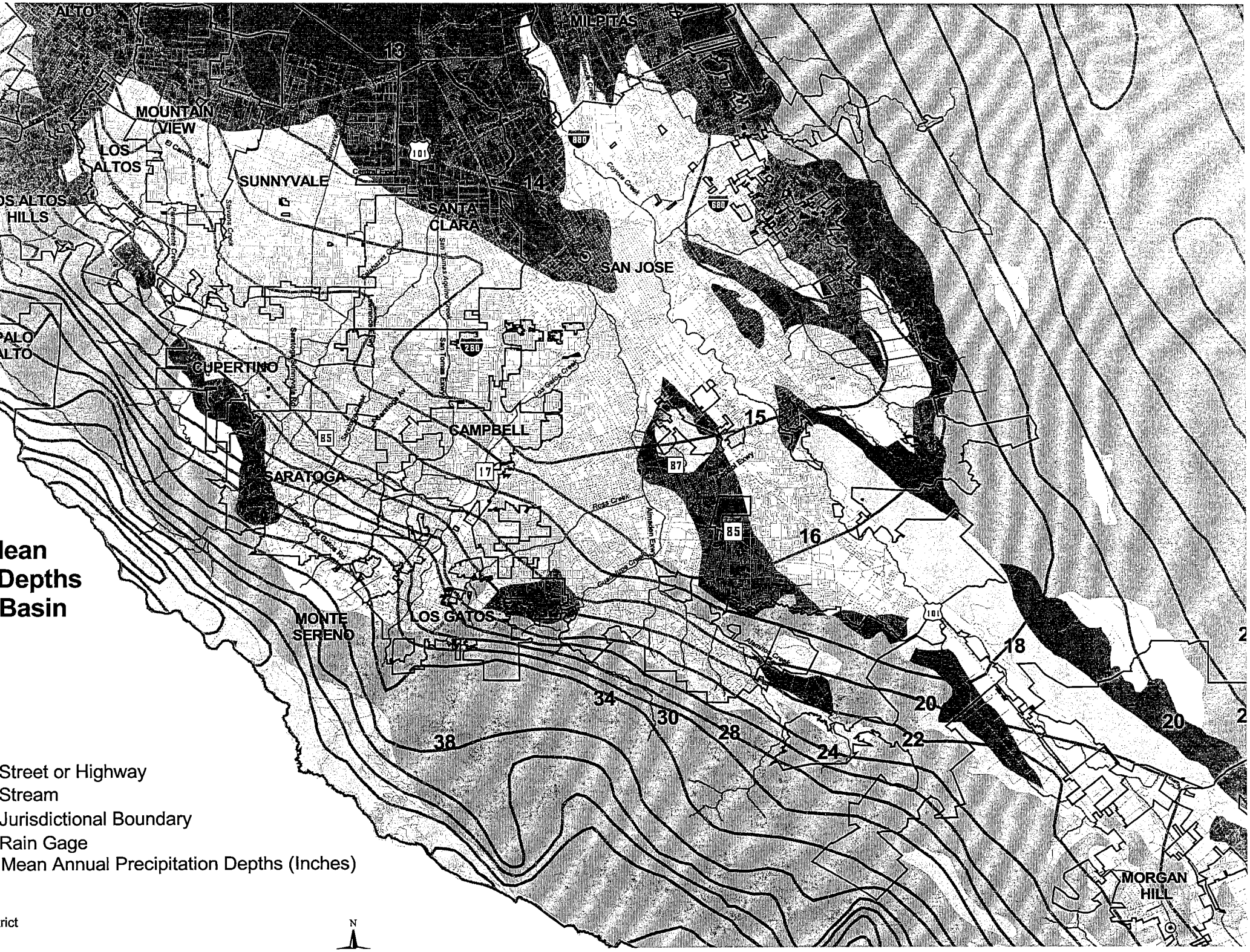
BMP Volume = Rain Gage Correction Factor * Unit Basin Storage Volume * Drainage Area

BMP Volume = **(Step 5)** * **(Step 8** unit storage) * **(Step 1** Drainage area) * 1 foot/12 in.

BMP Volume = _____ acre-feet

1.05 x (0.55/12) 0.16 = 0.0077 acre ft

≃ 336 ft³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13
MOUNTAIN VIEW
LOS ALTOS
SUNNYVALE
14
SANTA CLARA
SAN JOSE
CUPERTINO
CAMPBELL
15
SARATOGA
16
MONTE SERENO
LOS GATOS
18
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Almaden Expy
San Tomas Aquino Creek
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Foothill Expy
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lean
Depths
Basin
Street or Highway
Stream
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Rain Gage
Mean Annual Precipitation Depths (Inches)
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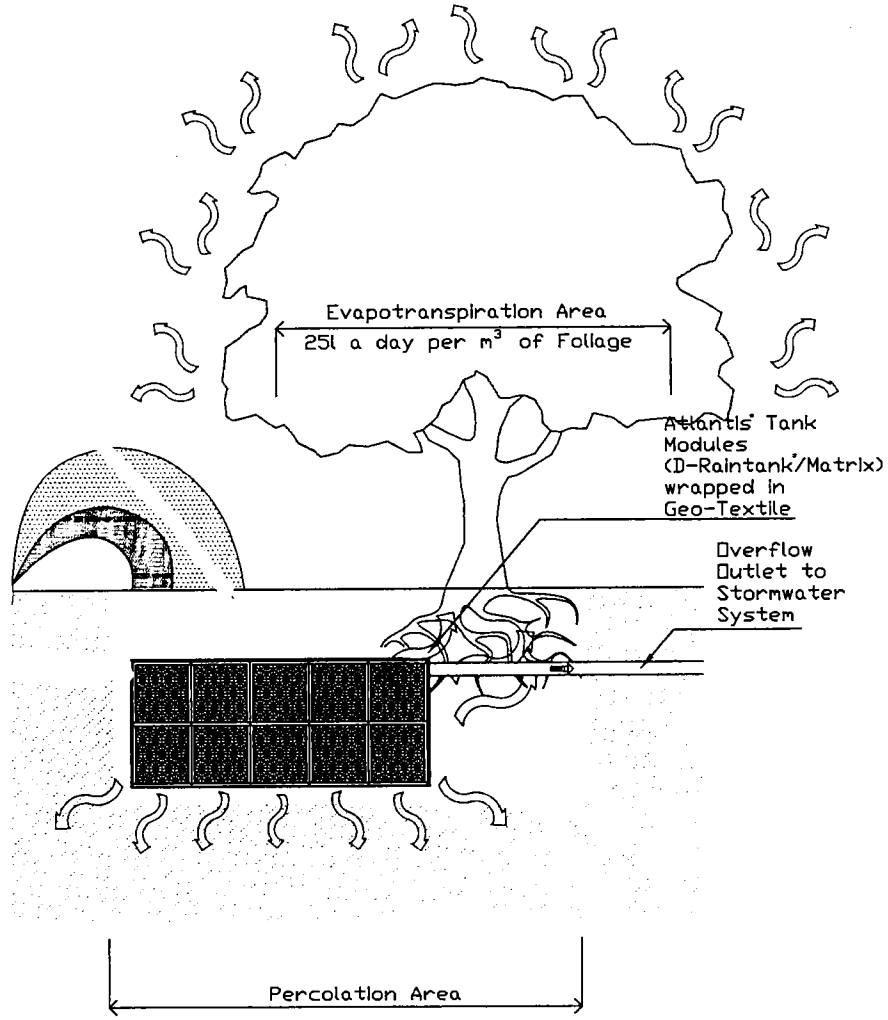

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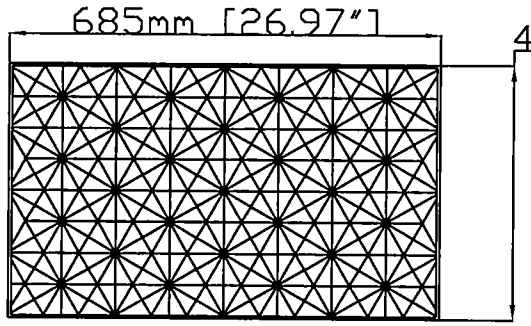
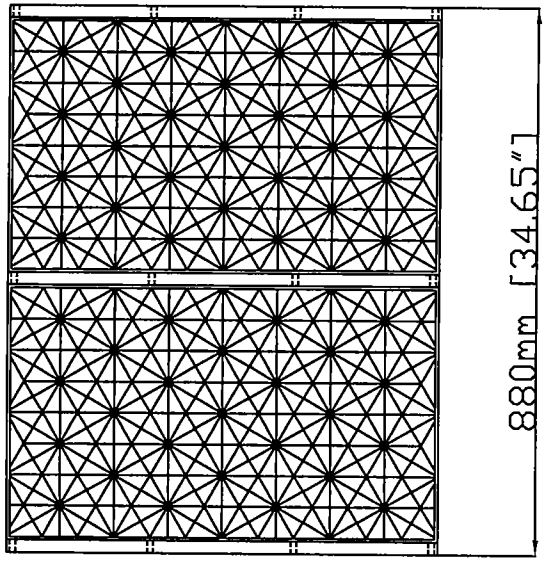
Drawing No: AOP 0014

2.25'

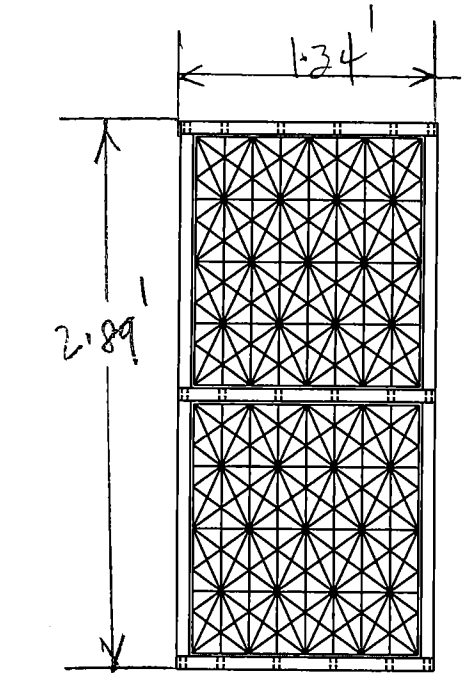
64 units @ 8.69 ft³ = 556 ft³



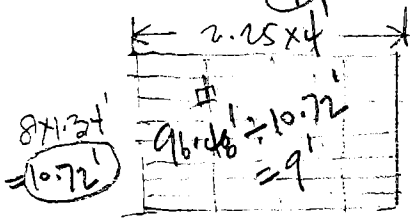
Plan View



Side View



Front View



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336 ft³ ÷ 8.69
+25% freeboard ≃ 49 doubles

3.011 ft² x 24.5
Total footprint ≃ 74 ft²

Drawing No: AOP 0020

Atlantis®
Water Management for Life

Atlantis® Double Matrix®/ Flo-Tank®/ D-Raintank® Module - *Part No. 70004*

Dimensions (W x L x H)	408mm x 685mm x 880mm	16.06" x 26.97" x 34.65"
Module Footprint	0.2795 m²	3.011 ft²
Ultimate Compressive Strength	24 t / m²	34 PSI
Gross Volume	0.246 m³	8.69 ft³
Storage Capacity	233 L	61.56 gal

19 August 2009

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1975 HAMILTON AVENUE
SUITE 26
SAN JOSE, CA 95125

Acoustical Consultants

TEL: 408-371-1195
FAX: 408-371-1196
www.packassociates.com

June 3, 2011
Project No. 39-069-1

Mr. Kamil Navai
Rockwell Homes
2160 South Bascom Avenue
Suite 1
Campbell, CA 95008

Subject: Traffic Noise Assessment Study for the Planned "Paula Terrace" Single-Family Development, Paula Street, San Jose

Dear Mr. Navai:

This report presents the results of a traffic noise assessment study for the planned "Paula Terrace" single-family development along Paula Street in San Jose, as shown on the Site Plan, Ref. (a). The noise exposures at the site were evaluated against the standards of the City of San Jose Noise Element, Ref. (b). An analysis of the on-site sound level measurements indicates that the existing noise environment at the site is due primarily to vehicular traffic sources on Interstate 280. Noise from traffic on Paula Street or Race Street does not impact the site. The results of the study reveal that the exterior and interior noise exposures will exceed the limits of the standards. Mitigation measures will be required.

Sections I and II of this report contain a summary of our findings and recommendations, respectively. Subsequent sections contain the site, traffic and project descriptions, analyses and evaluations. Attached hereto are Appendices A, B, and C, which include the list of references, descriptions of the applicable standards, definitions of the terminology, descriptions of the acoustical instrumentation used for the field survey, ventilation requirements, general building shell controls, and the on-site noise measurement data and calculation tables.

I. Summary of Findings

The noise assessment results presented in the findings were evaluated against the standards of the City of San Jose Noise Element, which utilizes the Day-Night Level (DNL) descriptor. The Noise Element standards specify an exterior limit of 60 decibels (dB) DNL for residential land use impacted by transportation related noise sources. A limit of 45 dB DNL is specified for interior living spaces.

A. Exterior Noise Exposures

The noise exposures shown below are without the application of mitigation measures, and represent the noise environment under existing site conditions.

- The existing exterior noise exposures at the most impacted planned building setback and rear yards from I-280 (248 ft. from the centerline) are 67 dB DNL at first floor elevations and 70 dB DNL at second floor elevations. Under future traffic conditions, the noise exposure is expected to remain at 67 and 70 dB DNL at first and second floor elevations, respectively. Thus, the noise exposures in the exterior living areas will be up to 7 dB in excess of the standards of the City of San Jose Noise Element.

B. Interior Noise Exposures

- The interior noise exposures in the most impacted living spaces of the homes closest to I-280 will be 52 and 55 dB DNL at first and second floor elevations, respectively, for both existing and future traffic conditions. Thus, the noise exposures will be up to 7 dB in excess of the City of San Jose Noise Element standards.

As shown above, exterior and interior noise exposure excesses will occur and mitigation measures will be required.

II. Recommendations

A. Exterior Noise Control

To achieve compliance with the 60 dB DNL standard of the City of San Jose Noise Element the following noise control barriers will be required:

- Construct 10 to 12 ft. high acoustically-effective barriers along east and west property lines of the project site. Turn the barriers to connect air-tight to the sides of the homes on Lots 1 and 8.
- Construct 8 ft. high acoustically-effective fences between the homes on Lots 1 and 2 and between the homes on Lots 7 and 8.
- Construct 7 ft. high acoustically-effective fences between the homes on Lots 2 and 3 and between the homes on Lots 6 and 7.
- The barrier heights are in reference to the nearest building pad elevation.

Please see Figure 1 for the locations of the recommended noise control barriers.

As 10 to 12 ft. high barriers may be considered unreasonably high for a small single-family development and may be objectionable by the neighbors, the implementation of the following noise control barriers will result is exterior noise exposures in the rear and side yards to no more than 65 dB DNL.

- Construct 8 ft. high acoustically-effective barriers along east and west property lines of the project site. Turn the barriers to connect air-tight to the sides of the homes on Lots 1 and 8.
- Construct 6 ft. high acoustically-effective fences between the homes on Lots 1 and 2 and between the homes on Lots 7 and 8.
- The barrier heights are in reference to the nearest building pad elevation.

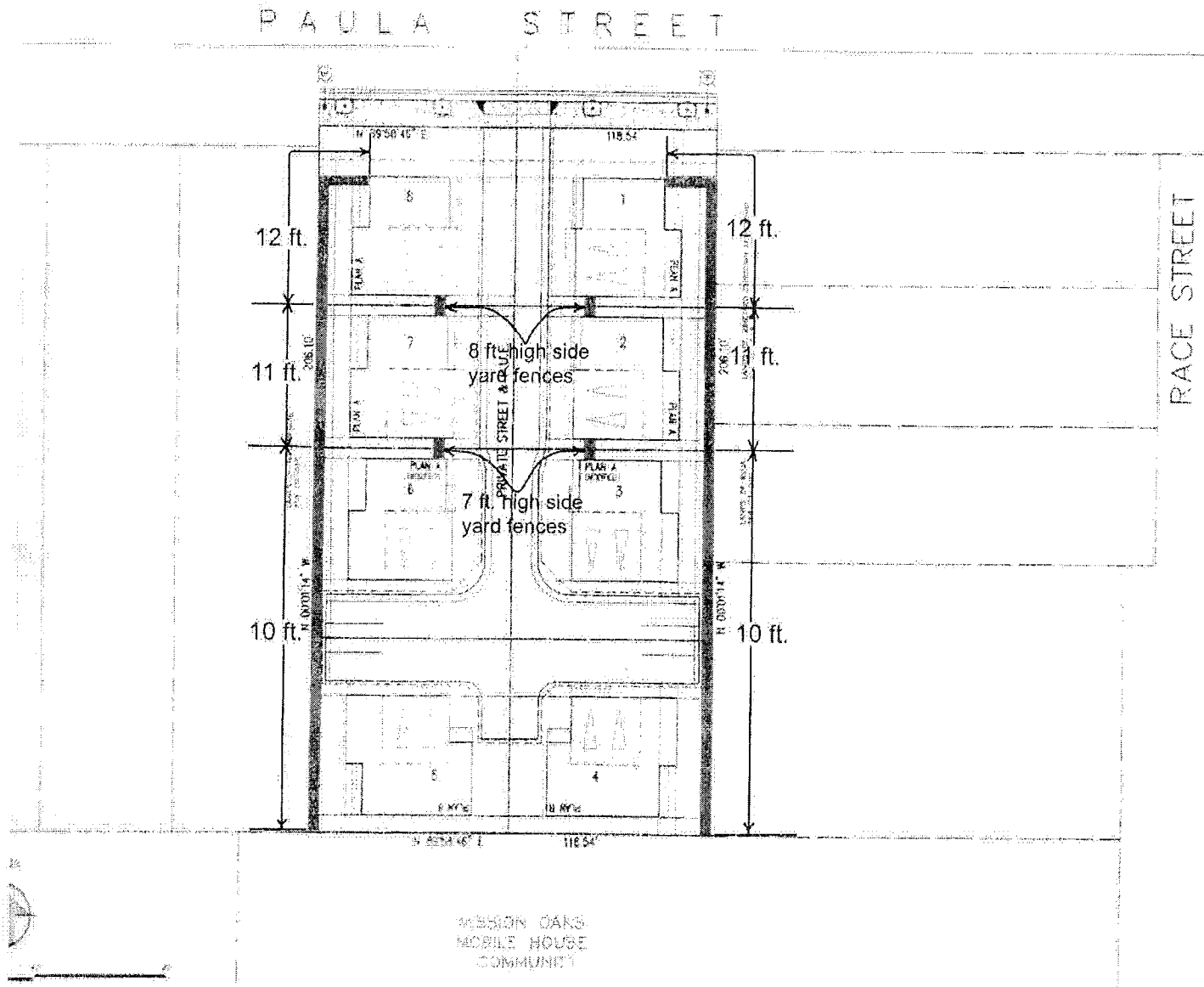

FIGURE 1

Locations of the recommended 10-12 ft. high noise control barriers. The barrier heights are in reference to the nearest building pad elevation.

SHEET INDEX

1 TITLE SHEET
2 CONCEPTUAL LAND USE PLAN
3 CONCEPTUAL SITE PLAN
4 CONCEPTUAL GRADING & DRAINAGE PLAN
5 CONCEPTUAL STORM WATER CONTROL PLAN
6-8 CONCEPTUAL BUILDING ELEVATIONS
9-10 CONCEPTUAL FLOOR PLANS
11 CONCEPTUAL LANDSCAPE PLAN

GENERAL DEVELOPMENT PLAN

TITLE SHEET

ROCKWELL HOMES - PAULA TERRACE

Please see Figure 2 for the locations of the recommended noise control barriers.

To achieve an acoustically-effective barrier, it must be made air-tight, i.e., without cracks, gaps, or other openings and must provide for long-term durability. The barriers can be constructed of wood, concrete, stucco, masonry, earth berm or a combination thereof and must have a minimum surface weight of 2.5 lbs. per sq. ft. If wood fencing is used, homogeneous sheet materials are preferable to conventional wood fencing as the latter has a tendency to warp and form openings with age. However, high quality, air-tight, tongue-and-groove, shiplap, or board and batten construction can be used, provided the minimum surface weight requirement is met and the construction is air-tight. Gates may be incorporated into the fencing between the homes, however, the gates must meet the minimum surface weight requirement, must be constructed air-tight and shall fit tight to the fence in which they are situated. Astragals shall be placed over the gap at the hinge and closure jambs. The gate at the bottom of the gate shall be no more than 1". The noise control barriers must be constructed so that all joints, including connections with posts, pilasters or the building shells are sealed air-tight and no openings are permitted between the upper barrier components and the ground.

The implementation of the above recommended measures will reduce the exterior noise exposures to 60 dB DNL or lower or 65 dB DNL or lower, depending upon which barrier alternative is chosen.

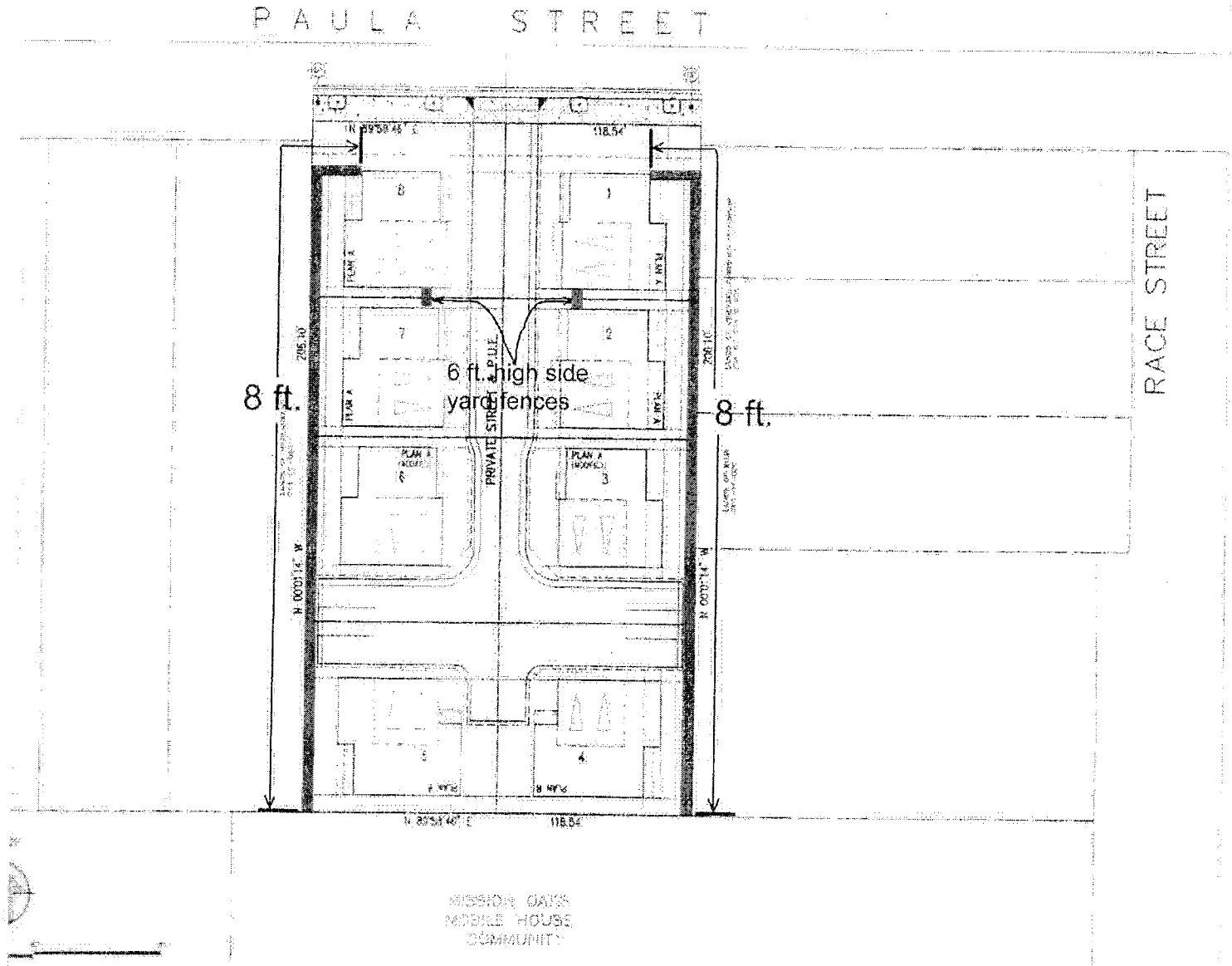

FIGURE 2

location of the recommended 8 ft. high noise control barrier alternative. The barrier height is in reference to the nearest building pad elevation.

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ROCKWELL HOMES - PAULA TERRACE

B. Interior Noise Control

To achieve compliance with the 45 dB DNL interior standards of the City of San Jose Noise Element, the following window controls will be required. In addition, general building shell controls are recommended, as described in Appendix B.

With the 10-12 ft. high noise control barriers:

- Maintain closed at all times all windows of second floor and unshielded first floor (not behind a noise control barrier) living spaces that have a direct or side view to I-280. Install windows rated minimum Sound Transmission Class (STC) 30 at these spaces. Provide some type of mechanical ventilation for these spaces.

With the 8 ft. high noise control barriers:

- Maintain closed at all times all windows of the project. Install windows and glass doors rated minimum STC 30. Provide some type of mechanical ventilation for these spaces.

When windows are maintained closed for noise control, some type of mechanical ventilation to assure a habitable environment must be provided. The mechanical ventilation requirements specified by the Uniform Building Code (UBC) are described in Appendix B. The windows specified to be maintained closed are to be operable, as the requirement does not imply a "fixed" condition. All other windows of the project and all bathroom windows may have any type of glazing and may be kept opened as desired unless the bathroom is an integral part of a living space without a closeable door.

In addition to the required STC ratings, the windows and doors shall be installed in an acoustically-effective manner. To achieve an acoustically-effective window construction, the sliding window panels must form an air-tight seal when in the closed position and the window frames must be caulked to the wall opening around their entire perimeter with a non-hardening caulking compound to prevent sound infiltration. Exterior doors must seal air-tight around the full perimeter when in the closed position.

Please be aware that many dual-pane window assemblies have inherent noise reduction problems in the traffic noise frequency spectrum due to resonance that occurs within the air space between the window lites, and the noise reduction capabilities vary from manufacturer to manufacturer. Therefore, the acoustical test report of all sound rated windows and doors should be reviewed by a qualified acoustician to ensure that the chosen windows and doors will adequately reduce traffic noise to acceptable levels.

The implementation of the above recommended measures will reduce excess noise exposures to achieve compliance with the 45 dB DNL interior noise exposure standard of the City of San Jose Noise Element.

III. Site, Traffic and Project Descriptions

The proposed development site is located along Paula Street in San Jose. The site is presently three separate parcels containing single-family homes that will be combined into one parcel. The site is relatively flat and at-grade with Paula Street. I-280 is approximately 25 ft. below the elevation of the site. Surrounding land uses include single-family residential adjacent to the east and west. Multi-family residential is adjacent to the south. I-280 is across Paula Street to the north.

The primary source of noise at the site is I-280 traffic, which carries an existing Average Daily Traffic (ADT) volume of 190,000 vehicles, as reported by CalTrans, Ref. (c).

The planned project includes the combining the three existing lots into one lot and constructing 8 two-story single-family homes. Ingress and egress to the project will be by way of a common driveway off of Paula Street.

III. Analysis of the Noise Levels

A. Existing Noise Levels

To determine the existing noise environment at the site, continuous recordings of the sound levels were made at a location 240 ft. from the centerline of I-280 at the front property line of the site. The measurements were made on May 26-27, 2011 for a continuous period of 24 hours at the first floor elevation. Because of the depression of the freeway, a four hour measurement of the I-280 noise levels were also made at the same location but at a 15 ft. height corresponding to the second floor elevation of the project structures. The noise levels were recorded and processed using Larson-Davis Model 812 Precision Integrating Sound Level Meters, which yields, by direct read-out, a series of descriptors of the sound levels versus time, as described in Appendix B. The measured descriptors include the L_1, L_{10}, L_{50}, and L_{90}, i.e., those levels exceeded for 1%, 10%, 50%, and 90% of the time. Also measured were the maximum and minimum levels and the continuous equivalent-energy levels (L_{eq}), which are used to calculate the DNL. The results of the sound measurements are shown in Appendix C.

The results of the field survey revealed that the L_{eq}'s at the first floor measurement location 240 ft. from the centerline of I-280 ranged from 63.5 to 67.6 dBA during the daytime and from 54.3 to 62.9 dBA at night.

The second floor noise measurements were made from 11:00 a.m. to 3:00 p.m. The L_{eq}'s ranged from 68.8 to 69.6 dBA, while the first floor L_{eq}'s ranged from 65.2 to 66.3, indicating a 3 decibel difference between the two elevations.

The sloping topography of the freeway cut provides 8 dB of noise shielding for the first floor elevation and 5 dB of noise shielding for the second floor elevation at the site property boundary.

Traffic noise dissipate at the rate of 3 to 6 dB for each doubling of the distance from the source (centerline of the roadway) to the receiver. Thus, locations on the site at greater distances from I-280 will have lower noise levels. Additional noise shielding for the rear yards will be provided by the project structures and the greater setback from the freeway cut shoulder.

B. Future Noise Levels

Future traffic volume information for I-280 is not available from CalTrans. Therefore, reference was made to the 1989 traffic volumes reported by CalTrans, Ref. (d). The 1989 traffic volume on I-280 was 174,000 ADT. The 2009 traffic volume was 190,000 ADT. The annual average growth rate over those 20 years was calculated to be 0.44% per year. Using that same growth rate for the next 20 years, the 2029 traffic volume is estimated to be 207,437 vehicles ADT. This increase in traffic volume yields a less than 0.5 dB increase in the traffic noise levels, which is negligible.

IV. Evaluation of the Noise Exposures

A. Exterior Noise Exposures

To evaluate the on-site noise exposures against the City of San Jose Noise Element standards, the DNL for the survey location was calculated by decibel averaging of the L_{eq}'s as they apply to the daily time periods of the DNL index. The DNL is a 24-hour noise descriptor that uses the measured L_{eq} values to calculate a 24-hour time-weighted average noise exposure. The formula used to calculate the DNL is described in Appendix B. Adjustments were applied to the measured noise levels to account for the various setback distances from the measurement location using methods established by the Highway Research Board, Ref. (e).

The results of the calculations indicate that the exterior noise exposure at most impacted planned building setback and at the most impacted rear yards is 67 dB DNL. Under future traffic conditions, the noise exposure is expected to remain at 67 dB DNL. The noise exposures are up to 7 dB in excess of the City of San Jose Noise Element standards.

The exterior noise exposure at the most impacted second floor elevation is 70 dB DNL under existing and future traffic conditions.

B. Interior Noise Exposures

To evaluate the interior noise exposures in project living spaces, a 15 dB reduction was applied to the exterior noise exposure at the building setback to represent the attenuation provided by the building shell under *annual-average* conditions. The *annual-average* condition assumes that windows have single-strength (3/32") glass and are kept open up to 50 % of the time for ventilation.

The interior noise exposures in the most impacted first floor living spaces will be 52 dB DNL under existing and future traffic conditions. The interior noise exposures in the most impacted second floor living spaces will be up to 55 dB DNL. Thus, the interior noise exposures will be up to 7 dB in excess of the City of San Jose Noise Element standards.

As shown by the above evaluations, exterior and interior noise exposures will exceed the limits of the standards of the City of San Jose Noise Element. Mitigation measures will be required. The recommended measures are provided in Section II of this report, which includes a noise control barrier alternative to reduce the necessary heights of the barrier while maintaining a relatively reasonable noise exposure in the rear yards.

This report presents the results of a noise assessment study for the planned "Paula Terrace" single-family development along Paula Street in San Jose. The study findings for present conditions are based on field measurements and other data and are correct to the best of our knowledge. Future noise level predictions were based upon information reported by CalTrans. Significant changes in future traffic volumes, or changes in speed limits, motor vehicle technology, noise regulations, or other changes beyond our control may produce long-range noise results different from our estimates.

If you have any questions or would like an elaboration on this report, please call me.

Sincerely,

EDWARD L. PACK ASSOC., INC.

Jeffrey K. Pack
President

Attachments: Appendices A, B, and C

APPENDIX A

References`

(a) Site Plan, Paula Terrace, by MH Engineering, December 2010

(b) San Jose 2020 General Plan, Focus on the Future, City of San Jose, Department of City Planning and Building, August 16, 1994

(c) http://www.dot.ca.gov/hq/traffops/saferesr/trafdata/2009all/Route280-405i.htm, State of California Department of Transportation, Division of Traffic Operations

(d) 1989 Traffic Volumes on California State Highways, State of California Department of Transportation, Division of Traffic Operations, June, 1990

(e) Highway Research Board, "Highway Noise - A Design Guide for Highway Engineers", Report 117, 1971

APPENDIX B

Noise Standards, Terminology, Instrumentation Ventilation Requirements, and Building Shell Controls

1. Noise Standards

A. City of San Jose "Noise Element" Standards

The noise section of the San Jose 2020 General Plan, Focus on the Future, adopted August 16, 1994 identifies an exterior limit of 60 dB Day-Night Level (DNL) at outdoor living or recreation areas of residential developments. This standard applies at the property line of residential areas impacted by transportation related noise sources. For off-site noise sources, such as commercial and industrial operations, an exterior limit of 55 dB DNL for residential areas is specified. A long-term goal of 55 dB DNL from transportation sources anticipates future reductions in transportation noise due to improvements in design, such as quieter engines and improved muffler systems.

At interior living spaces of residential areas, the standards established an interior limit of 45 dB DNL for noise levels due to exterior sources.

2. Terminology

A. Statistical Noise Levels

Due to the fluctuating character of urban traffic noise, statistical procedures are needed to provide an adequate description of the environment. A series of statistical descriptors have been developed which represent the noise levels exceeded a given percentage of the time. These descriptors are obtained by direct readout of the sound measuring equipment. Some of the statistical levels used to describe community noise are defined as follows:

L_1 - A noise level exceeded for 1% of the time.

L_{10} - A noise level exceeded for 10% of the time, considered to be an "intrusive" level.

L_{50} - The noise level exceeded 50% of the time representing an "average" sound level.

L_{90} - The noise level exceeded 90 % of the time, designated as a "background" noise level.

L_{eq} - The continuous equivalent-energy level is that level of a steady-state noise having the same sound energy as a given time-varying noise. The L_{eq} represents the decibel level of the time-averaged value of sound energy or sound pressure squared and is used to calculate the DNL and CNEL.

B. Day-Night Level (DNL)

Noise levels utilized in the standards are described in terms of the Day-Night Level (DNL). The DNL rating is determined by the cumulative noise exposures occurring over a 24-hour day in terms of A-Weighted sound energy. The 24-hour day is divided into two subperiods for the DNL index, i.e., the daytime period from 7:00 a.m. to 10:00 p.m., and the nighttime period from 10:00 p.m. to 7:00 a.m. A 10 dB weighting factor is applied (added) to the noise levels occurring during the nighttime period to account for the greater sensitivity of people to noise during these hours. The DNL is calculated from the measured L_{eq} in accordance with the following mathematical formula:

$$DNL = [(L_d+10\log_{10}15) \,\&\, (L_n+10+10\log_{10}9)] - 10\log_{10}24$$

Where:

L_d = L_{eq} for the daytime (7:00 a.m. to 10:00 p.m.)

L_n = L_{eq} for the nighttime (10:00 p.m. to 7:00 a.m.)

24 - indicates the 24-hour period

& - denotes decibel addition.

C. A-Weighted Sound Level

The decibel measure of the sound level utilizing the "A" weighted network of a sound level meter is referred to as "dBA". The "A" weighting is the accepted standard weighting system used when noise is measured and recorded for the purpose of determining total noise levels and conducting statistical analyses of the environment so that the output correlates well with the response of the human ear.

3. Instrumentation

The on-site field measurement data were acquired by the use of one or more of the sound analyzer listed below. The instrumentation provides a direct readout of the L exceedance statistical levels including the equivalent-energy level (L_{eq}). Input to the meters were provided by microphones extended to a height of 5 ft. above the ground. The "A" weighting network and the "Fast" response setting of the meters were used in conformance with the applicable standards. The Larson-Davis meters were factory modified to conform with the Type 1 performance standards of ANSI S1.4. All instrumentation was acoustically calibrated before and after field tests to assure accuracy.

Bruel & Kjaer 2231 Precision Integrating Sound Level Meter
Larson Davis LDL 812 Precision Integrating Sound Level Meter
Larson Davis 2900 Real Time Analyzer

4. Ventilation Requirements

Ventilation requirements to be applied when windows are maintained closed for noise control are specified in the Uniform Building Code (UBC), 2007 edition, Section 12.03.3 as follows:

> "In lieu of required exterior openings for natural ventilation, a mechanical ventilating system may be provided. Such system shall be capable of providing two air changes per hour in guest rooms, dormitories, habitable rooms, and in public corridors with a minimum of 15 cubic feet per minute (7L/s) of outside air per occupant during such time as the building is occupied."

Based on our previous experience, a "summer switch" on the furnace fan is normally considered acceptable as a ventilation system by FHA and other agencies. Air-conditioning is also an acceptable system.

5. Building Shell Controls

The following additional precautionary measures are required to assure the greatest potential for exterior-to-interior noise attenuation by the recommended mitigation measures. These measures apply at those units where closed windows are required:

- Unshielded entry doors having a direct or side orientation toward the primary noise source must be 1-5/8" or 1-3/4" thick, insulated metal or solid-core wood construction with effective weather seals around the full perimeter. Mail slots should not be used in these doors or in the wall of a living space, as a significant noise leakage can occur through them.

- If any penetrations in the building shell are required for vents, piping, conduit, etc., sound leakage around these penetrations can be controlled by sealing all cracks and clearance spaces with a non-hardening caulking compound.

APPENDIX C

On-Site Noise Measurement Data and Calculation Tables

DNL CALCULATIONS

CLIENT: ROCKWELL HOMES
FILE: 39-069-1
PROJECT: PAULA ST. SINGLE-FAMILY
DATE: 5/26-27/2011
SOURCE: I-280

LOCATION 1 Paula St./I-280
Dist. To Source 240 ft. First Floor Elevation

TIME	Leq	10^Leq/10		
7:00 AM	63.9	2454708.9		
8:00 AM	64.4	2754228.7		
9:00 AM	64.6	2884031.5		
10:00 AM	64.6	2884031.5		
11:00 AM	65.2	3311311.2		
12:00 PM	65.8	3801894.0		
1:00 PM	66.1	4073802.8		
2:00 PM	66.3	4265795.2		
3:00 PM	65.2	3311311.2		
4:00 PM	66.4	4365158.3		
5:00 PM	67.6	5754399.4		
6:00 PM	66.3	4265795.2		
7:00 PM	66.2	4168693.8		
8:00 PM	65.0	3162277.7		
9:00 PM	63.5	2238721.1	SUM=	53696161
10:00 PM	62.9	1949844.6	Ld=	65.5
11:00 PM	60.3	1071519.3		
12:00 AM	58.4	691831.0		
1:00 AM	57.1	512861.4		
2:00 AM	56.1	407380.3		
3:00 AM	54.3	269153.5		
4:00 AM	55.1	323593.7		
5:00 AM	58.7	741310.2		
6:00 AM	62.1	1621810.1	SUM=	7589304
			Ld=	59.3

Daytime Level=	77.3
Nighttime Level=	78.8
DNL=	**67**
24-Hour Leq=	64.1

LOCATION 1 Paula St./I-280
Dist. To Source 240 ft. Second Floor Elevation

TIME	Leq	10^Leq/10		
7:00 AM		1.0		
8:00 AM		1.0		
9:00 AM		1.0		
10:00 AM		1.0		
11:00 AM	68.8	7585775.8		
12:00 PM	69.1	8128305.2		
1:00 PM	69.4	8709635.9		
2:00 PM	69.6	9120108.4		
3:00 PM		1.0		
4:00 PM		1.0		
5:00 PM		1.0		
6:00 PM		1.0		
7:00 PM		1.0		
8:00 PM		1.0		
9:00 PM		1.0	SUM=	33543836
10:00 PM		1.0	Ld=	63.5
11:00 PM		1.0		
12:00 AM		1.0		
1:00 AM		1.0		
2:00 AM		1.0		
3:00 AM		1.0		
4:00 AM		1.0		
5:00 AM		1.0		
6:00 AM		1.0	SUM=	9
			Ld=	0.0

Daytime Level=	
Nighttime Level=	
DNL=	**70**
24-Hour Leq=	