

CITY OF SAN JOSÉ, CALIFORNIA  
Department of Planning, Building and Code Enforcement  
200 East Santa Clara Street  
San José, California 95113

## STAFF REPORT

Hearing Date/Agenda Number  
PC: 12/4/07 Item No. 3.b.

File Number: CP07-073

Application Type:  
Conditional Use Permit

Council District: 6

SNI: Winchester

Planning Area: West Valley

Assessor's Parcel Number: 279-09-014, -015

### PROJECT DESCRIPTION

Completed by: Sanhita Mallick

Location: Northeast corner of Winchester Boulevard and Williams Road

Gross Acreage: 0.36

Net Acreage: N/A

Net Density: N/A

Existing Zoning: CP – Commercial Pedestrian

Existing Use: Single Family Residence, Commercial

Proposed Zoning: No Change

Proposed Use: Commercial

### GENERAL PLAN

Land Use/Transportation Diagram Designation:  
General Commercial

Project Conformance:

Yes  No

See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

North: Commercial

CO- Commercial Office

East: Single-family detached residence

R-1-8 Single-Family Residence

South: Single-family detached residence

CO- Commercial Office

West: Retail and multi-family residences (across  
Winchester Boulevard)

R-1-8 (PD) Planned Development & RM- Multi-Family  
Residence District

### ENVIRONMENTAL STATUS

Environmental Impact Report (GP2020 EIR certified 8-16-94)

Negative Declaration circulated on

Negative Declaration adopted on

Exempt

Environmental Review Incomplete

### FILE HISTORY

Date Filed: July 5, 2007

Annexation Title: Maypark No. 17

Date: June 10, 1980

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval

Approval with Conditions

Denial

Uphold Director's Decision

Date: December 3, 2007

Approved by:

Action

Recommendation

*Susan Walton*

### OWNERS

### ARCHITECT

Ronnie Berry Trustee & Et Al  
Po Box 9112  
San Jose, CA 95157

Eugene Sakai  
Studio S Squared Architecture  
19 N 2nd St Unit 205  
San Jose, CA 95112

### PUBLIC AGENCY COMMENTS RECEIVED

Department of Public Works: See attached Memorandum

Other Departments and Agencies: See attached Memorandum.

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**GENERAL CORRESPONDENCE:**

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None received

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**ANALYSIS AND RECOMMENDATIONS**

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**BACKGROUND**

Kathryn Berry, the property owner, is requesting a Conditional Use Permit to allow construction of a 4,230 square foot building for retail commercial uses with an outdoor seating area. The project site is located on the northeast corner of Winchester Boulevard and Williams Road.

The parcel is adjacent to single-family residences located on the north and east side of the property. Pursuant to section 20.40.520 of the Zoning Code, outdoor uses within 150 feet of residentially-zoned property require a Conditional Use Permit. This Conditional Use Permit also serves as the Site Development Permit for the demolition of the existing buildings on site, construction of the new building, and other associated site improvements.

*Site Description and Context*

The 0.38 gross acre rectangular site consists of two separate legal parcels. The northern parcel is currently developed with one detached single-family residence (circa 1950), and the southern parcel is developed with a commercial building (circa 1970). These structures were evaluated and were deemed to not be historic.

The project site is comprised of two legal lots which will be combined. The southern parcel is zoned CP-Commercial Pedestrian. A conforming conventional rezoning of the northern 0.18 acre parcel of the subject site from R-1-5 Single Family Residence Zoning District to CP-Commercial Pedestrian Zoning District has been set for the City Council hearing of December 4, 2007. If the rezoning is approved, and the Ordinance is adopted by the Council on December 18, 2007, the zoning on this northern parcel will be effective on January 17, 2008.

The site is surrounded by commercial uses to the north and west, by single-family detached residences to the east and south, and multi-family residences to the west across South Winchester Boulevard. The project site is located within the Winchester Transit-Oriented Development Corridor and Winchester Strong Neighborhood Initiative area.

*Project Description*

The applicant is proposing a 4,230 square foot-commercial building located at the southwest corner of the site, with a two-foot setback from the back of sidewalk. Buildings in the CP Commercial Pedestrian Zoning District are brought out to the pedestrian right-of-way. This setback area will be landscaped. A two-way driveway is proposed to wrap around the building with two proposed access points for the site from Winchester Boulevard and Williams Road. The proposed 22 parking stalls are to be located at right angle to the east and north property lines. Landscaped areas of between 8 to 10 feet wide, with existing and newly-planted screening trees, are proposed along the north and east property lines to provide a buffer between the proposed commercial use and the existing single-family homes.

The architectural elevation shows a new contemporary building with a curved facade nearest to the corner at Winchester and Williams. Clear glazing is proposed along the street frontage. Entry doors are proposed on the parking lot side as well as on the street side. A modest 100 square foot covered patio area is proposed along the north side of the building on Winchester Avenue.

There is one Redwood tree of 125 inches in circumference on the northwest corner of the site, which is proposed to be removed since the tree is located in an area that would be dedicated for street widening and improvements. Several other non-ordinance sized trees (Eugenia, Victorian box etc.) are proposed to be incorporated in the new landscaping.

## **GENERAL PLAN CONFORMANCE**

The General Plan Land Use Transportation Diagram designation of the site is General Commercial. The proposed use is consistent with the site's new General Plan Land Use/Transportation Diagram designation of General Commercial in that this designation supports a wide variety of commercial uses, and allows development of pedestrian-friendly buildings along a major transit corridor.

The project meets the intent of the Winchester Transit-Oriented Development Corridor goal by facilitating redevelopment of properties with commercial use along the identified transit corridor. The project also furthers the Winchester Strong Neighborhood Improvement Plan by facilitating commercial uses on an underutilized parcel, which is a top priority in the neighborhood improvement process.

## **ENVIRONMENTAL REVIEW**

Under the provisions of Section 15303 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), this project is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended. This project consists of the construction of a 4,300 square foot commercial building in an urbanized location. The category applies to the new construction of small project not exceeding 10,000 square feet in size.

## **ANALYSIS**

The issues analyzed for the project are 1) conformance with the Zoning Ordinance, 2) conformance with the Commercial Design Guidelines and 3) outdoor uses within 150 Feet of Residentially-Zoned Property.

### *Conformance with the Zoning Ordinance*

A retail/commercial building is allowed by right in CP-Commercial Pedestrian Zoning District. The proposed development meets the required setbacks in this district. Although no minimum front setback is required, planning staff believes that a small setback (2 feet proposed) with landscaping will help ensure compatibility with the current pattern of the neighborhood. The proposed 22 parking stalls are adequate for a 4,300 square foot commercial use. Per the Zoning Ordinance 19, parking spaces are required.

### *Conformance with Commercial Design Guidelines*

The project conforms to the commercial Design Guidelines with respect to the building placement near the corner to better "anchor" the intersection. Additionally, the project is designed to

substantially conform to the guidelines' setback recommendations with respect to providing an 8-foot wide landscaped buffer between the parking area and residential uses (10 feet is recommended by the *Guidelines*). The project also provides a covered trash enclosure located away from the adjacent residential uses.

#### *Outdoor Use within 150 Feet of Residentially-Zoned Property*

The site is adjacent to detached single-family home rear yards at the east and side yards at the north of the site. The project proposes an approximately 100 square foot outdoor patio on the north side of the building located adjacent to the sidewalk on Winchester Boulevard. The patio may be used as outdoor seating area for a future eating establishment. Approximately 5-6 people would be expected to use this patio at one time. Any noise generated by the use of this patio will, for practical purposes, be likely less than the day time noise from the adjacent busy six-lane road. Additionally, the homes on both sides are 55 feet away from this patio, and are buffered by an 8-foot wide landscaped strip and screen trees. Thus, it is not anticipated that this small scale outdoor patio would adversely impact the nearby residents. Use of the outdoor patio use is conditioned to be ceased at 10:00 p.m. Further, the draft permit resolution includes a condition that no amplified music is allowed on the patio.

#### *Conclusion*

Staff believes the proposed new building substantially conforms with the Commercial Design Guidelines, will be an enhancement for the neighborhood, will better anchor a busy intersection and that the modest 100 square foot patio seating area will be a small scale which should not impact nearby residents.

### **PUBLIC OUTREACH**

This Conditional Use Permit proposal has been presented to the Winchester Neighborhood Action committee during their scheduled NAC meeting on September 19, 2007. The NAC members and other residents indicated they were generally supportive of the project.

The property owners and occupants within a 500-foot radius were sent public hearing notices for the City Council hearing. This staff report has been posted on the City's web site. Signage has been posted at the site to inform the public about the proposed change. Staff has been available to discuss the proposal with interested members of the public.

### **RECOMMENDATION**

Planning staff recommends that the Planning Commission approve the requested Conditional Use Permit and include the findings and conditions in the attached draft resolution.

#### **Attachments:**

- Draft Resolution
- Location Map
- Memoranda From Different Departments
- Environmental Exemption
- Plan set

## **RESOLUTION NO. 07-**

Resolution of the Planning Commission of the City of San José granting, subject to conditions, a Conditional Use Permit to use certain real property described herein for the purpose of demolishing two existing structures, and allowing construction of a 4,300 square foot building for retail commercial uses, and allow outdoor patio on a 0.38 gross acre site located at 960-990 S. Winchester Boulevard.

### **FILE NO. CP07-073**

**BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN JOSÉ:**

WHEREAS, pursuant to the provisions of Chapter 20.100 of Title 20 of the San José Municipal Code, on September 27, 2007, an application (File No. CP07-073) was filed for a Conditional Use Permit for the purpose of allowing construction of a 4,300 square foot retail building with an outdoor patio use within 150 feet of residentially zoned property at a proposed commercial building, on that certain real property (hereinafter referred to as "subject property"), situate in the CP- Commercial Pedestrian Zoning District, located at northeast corner of Winchester Boulevard and Williams Road, San José, and

WHEREAS, the subject property is all that real property described in Exhibit "A," which is attached hereto and made a part hereof by this reference as if fully set forth herein; and

WHEREAS, pursuant to and in accordance with Chapter 20.100 of Title 20 of the San José Municipal Code, this Planning Commission conducted a hearing on said application, notice of which was duly given; and

WHEREAS, at said hearing, this Planning Commission gave all persons full opportunity to be heard and to present evidence and testimony respecting said matter; and

WHEREAS, at said hearing this Planning Commission received and considered the reports and recommendation of the Director of Planning, Building and Code Enforcement; and

WHEREAS, at said hearing, this Planning Commission received in evidence a development plan for the subject property entitled, "The Berry Building," dated June 30, 2007, last revised on October 3, 2007. Said plan is on file in the Department of Planning, Building and Code Enforcement and is available for inspection by anyone interested herein, and said development plan is incorporated herein by this reference, the same as if it were fully set forth herein; and

WHEREAS, said hearing was conducted in all respects as required by the San José Municipal Code and the rules of this Planning Commission;

**NOW, THEREFORE:**

After considering evidence presented at the Public Hearing, the Planning Commission finds that the following are the relevant facts regarding this proposed project:

The Planning Commission finds that the following are the relevant facts regarding this proposed project:

1. The subject parcel is designated General Commercial on the General Plan Land Use/Transportation Diagram.
2. The project site is located on the northeast corner of Winchester Boulevard and Williams Road.
3. The site is zoned CP-Commercial Pedestrian.
4. A Conditional Use Permit is required in order to allow outdoor use within 150 feet of residentially zoned property.
5. There are two existing buildings on the site that are proposed for demolition. The structures were built in 1950 and 1970.
6. The site is 0.38 gross acres in size.
7. The property owner is proposing construction of an approximately 4,300 square foot building for retail commercial uses with a 100 square foot outdoor seating area.
8. The project meets the intent of the Winchester Transit-Oriented Development Corridor Goal by facilitating redevelopment of properties with commercial use along the identified transit corridor.
9. The project also furthers the Winchester Strong Neighborhood Improvement Plan by facilitating commercial use on an underutilized parcel, which is a top priority in the neighborhood improvement process.
10. The project is adjacent to residences on the north and east sides.
11. The proposed outdoor dining area is separated from the residences by 55 feet and a landscaped strip 8-foot wide with screen trees.
12. The proposed patio is located adjacent to the Winchester Boulevard, a six-lane arterial street.
13. The outdoor dining area is proposed to operate until 10:00 p.m. daily.
14. The site is currently developed with a single-family residence and a commercial building which are proposed for demolition. Analysis has concluded the structures are not historically significant.
15. This project is exempt from environmental review under the Section 15303 provisions of the California Environmental Quality Act since the project involves the use of an existing facility involving negligible or no expansion of use beyond that for which the facility was constructed.
16. The project proposes 22 parking spaces on the site.
17. There is one Redwood tree 125 inches in circumference on the site in the area proposed for street dedication.

The Planning Commission, based on the facts above, finds the following:

1. The proposed project is consistent with the adopted San José 2020 General Plan Land Use/Transportation Diagram of the City of San José.
2. The proposed project complies with all applicable provisions of the Zoning Ordinance.
3. The proposed project is in compliance with the California Environmental Quality Act.

This Planning Commission concludes and finds, based upon an analysis of the above facts that:

1. The proposed project conforms to the City's General Plan.
2. The proposed project complies with all applicable provisions of the Zoning Ordinance.
3. The proposed project is in compliance with the California Environmental Quality Act.
4. The interrelationship between the orientation, location and elevations of the proposed building(s) and structure(s) and other uses on-site are mutually compatible and aesthetically harmonious in that:
  - a. The architectural elements of the proposed structure(s) are integrated into a harmonious whole.
  - b. Sufficient open space separates all structure(s) and uses.
  - c. Loading areas are located so as not to interfere with other uses.
  - d. Sufficient maneuvering room will be provided on site to allow smooth circulation and minimize interference with other uses.
  - e. Parking spaces are conveniently located in relation to the uses they support.
5. The orientation, location and elevation of the proposed building(s) and structure(s) and other uses on the site are compatible with and are aesthetically harmonious with adjacent development or the character of the neighborhood in that:
  - a. The exterior wall and roof materials of the proposed structure(s) on site match or are compatible with the materials of existing adjacent or nearby structures.
  - b. The structure(s) proposed on site are comparable in terms of mass, scale and height with existing adjacent or nearby structures.
  - c. The proposed structure(s) do not unreasonably interfere with the light and air available to adjacent sites.
  - d. The privacy of adjacent sites will be protected by adequate screening of, or orientation of activities away from, privacy sensitive areas adjacent to the site.
  - e. The use of the site will not interfere with the use of adjacent properties since sufficient buffering between uses will be provided.
6. Landscaping, irrigation systems, walls and fences, features to conceal outdoor activities, exterior hearing, ventilating, plumbing, utility and trash facilities are sufficient to maintain or upgrade the appearance of the neighborhood in that:
  - a. Substantial landscaping will be added to the site and an adequate automatic irrigation system will be provided to support this landscaping.

- b. Outdoor activities, exterior heating, ventilating, plumbing, utility and trash facilities will be screened by parapets, fences, walls or other devices compatible with the architectural treatment of the structure.
7. Traffic access, pedestrian access and parking are adequate in that:
    - a. Sufficient driveway curb cuts and driveways will be provided on site to provide access to the site without interfering with off-site circulation.
    - b. Pedestrian walkways will be provided to all major building entrances.
    - c. The proposed number and size of parking spaces complies with the requirements of the Zoning Ordinance.
  8. Under the provisions of Section 20.80.400(A) of the San José Municipal Code, except as specifically exempted by Section 20.80.450, no demolition permit or removal permit shall be issued unless and until a Development Permit which specifically approves such demolition or removal has been issued and has become effective pursuant to the provisions of Chapter 20.100. This permit includes the demolition of two existing structures. The Director of Planning has considered the following in evaluating the proposed demolition.
    - a. The approval of the permit would not negatively impact the supply of existing housing stock in the City of San José.
    - b. Both inventoried and non-inventoried buildings, sites and districts of historical significance should not be negatively impacted.
    - c. The approval of the demolition of the building would facilitate a project which is compatible with the surrounding neighborhood.
  9. After investigation and hearing held pursuant to Chapter 13.32 of the San José Municipal Code, the Planning Commission finds that the location of the tree with respect to a proposed improvement unreasonably restricts the economic development of the parcel in question in that the tree is located in an area of the parcel that will be dedicated for widening of Winchester Boulevard and associated street improvement as required by the Department of Public Works.

Finally, based upon the above-stated findings and subject to the conditions set forth below, the Planning Commission finds that:

1. The proposed use at the location requested will not:
  - a. Adversely affect the peace, health, safety, morals or welfare of persons residing or working in the surrounding area; or
  - b. Impair the utility or value of property of other persons located in the vicinity of the site; or
  - c. Be detrimental to public health, safety or general welfare; and
2. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features in this title, or as otherwise required in order to integrate said use with the uses in the surrounding areas; and

3. The proposed site is adequately served:
  - a. By highways or streets of sufficient width and improved as necessary to carry the kind and quality of traffic such use would generate; and
  - b. By other public or private service facilities as are required.

In accordance with the findings set forth above, a Conditional Use Permit to use the subject property for said purpose specified above and subject to each and all of the conditions hereinafter set forth is hereby granted. This Planning Commission expressly declares that it would not have granted this permit except upon and subject to each and all of said conditions, each and all of which conditions shall run with the land and be binding upon the owner and all subsequent owners of the subject property, and all persons who use the subject property for the use conditionally permitted hereby.

### CONDITIONS PRECEDENT

This Conditional Use Permit shall have no force or effect and the subject property shall not be used for the hereby-permitted uses unless and until all things required by the below-enumerated precedent conditions shall have been performed or caused to be performed and this Resolution has been recorded with the County Recorder.

1. **Permit Effective.** This Conditional Use Permit may not be recorded and will not be effective until after the effective date of the rezoning File No.C07-050.
2. **Acceptance of Permit.** Per Section 20.100.290(B), should the applicant fail to file a timely and valid appeal of this Permit within the applicable appeal period, such inaction by the applicant shall be deemed to constitute all of the following on behalf of the applicant:
  - a. Acceptance of the Permit by the applicant; and
  - b. Agreement by the applicant to be bound by, to comply with, and to do all things required of or by the applicant pursuant to all of the terms, provisions, and conditions of this permit or other approval and the provisions of Title 20 applicable to such Permit.

### CONCURRENT CONDITIONS

The subject property shall be maintained and utilized in compliance with the below-enumerated conditions throughout the life of the permit:

1. **Conformance with Plans.** Construction and development shall conform to approved development plans entitled; "The Berry Building," dated June 30, 2007, last revised on October 3, 2007, on file with the Department of Planning, Building and Code Enforcement.
2. **Plan Conformance Review.** Plan Conformance will be done as a part of Plan Check. The subject permit shall be incorporated into all construction plans submitted to the Building Division as follows:
  - a. Index Sheet shall reference the approved permit (and permit file number) any subsequent Amendments, or Adjustments to the approved permit prior to Building Plan Check submittal, and applicable sheets.

- b. The subject permit (with signature) shall be copied in its entirety onto plan set sheets.
- c. Construction plans shall also incorporate all elements of the approved permit included in the plan set.
3. **Building Permit.** Obtainment of a Building Permit is evidence of acceptance of all conditions specified in this document and the applicant's intent to fully comply with said conditions.
4. **Conformance with Municipal Code.** No part of this approval shall be construed to permit a violation of any part of the San José Municipal Code.
5. **Hours of Construction Activity.** No construction activity shall occur before 7.00 a.m. or after 7.00 p.m. on Mondays through Fridays or at anytime during Saturdays and Sundays.
6. **Lighting.** All lighting shall conform to the Outdoor Lighting Policy. Lighting shall be fully shielded and directed downward and away from the residential use adjacent to the site. Light fixture heights shall not exceed 12 feet.
7. **Nuisance.** This use shall be operated in a manner that does not create a public or private nuisance. Any such nuisance must be abated immediately upon notice by the City.
8. **Anti-Graffiti.** The applicant shall remove all graffiti from buildings, fences, and wall surfaces within 48 hours of defacement.
9. **Anti Litter.** The site and surrounding area shall be maintained free of litter, refuse, and debris.
  - a. Cleaning shall include keeping all publicly used areas free of litter, trash, cigarette butts and garbage and shall include daily damp washing of all exterior walls and sidewalks along the project's frontage.
  - b. Mechanical equipment used for outside maintenance, including blowers and street sweepers shall not be used between 10:00 p.m. and 6:00 a.m. daily.
  - c. The facility operator shall provide adequate ashtrays along the business frontage to accommodate patrons who wish to smoke outdoors. Patrons smoking outdoors shall not impede pedestrian traffic along the adjacent rights-of-way, nor create a nuisance for adjoining businesses.
10. **Alcohol Sales.** No off-sale of alcoholic beverages is permitted as part of this permit. The off-sales of alcoholic beverages shall be subject to further permit.
11. **Hours of Operation for the Outdoor Patio Area.** Use of the outdoor patio area shall cease at 10:00 p.m.
12. **Acoustics.** No amplified sound is permitted in the outdoor dining area.
13. **Noise.** Noise emission shall comply with policies identified in the Noise Element of the San José 2020 General Plan.
14. **Sewage Treatment Demand.** Chapter 15.12 of Title 15 of the San José Municipal Code requires that all land development approvals and applications for such approvals in the City of San José shall provide notice to the applicant for, or recipient of, such approval that no vested right to a Building Permit shall accrue as the result of the granting of such approval when and if the City Manager makes a determination that the cumulative sewage treatment demand of the San José-Santa Clara Water Pollution Control Plant represented by approved land uses in the area served by said Plant will cause the total sewage treatment demand to

meet or exceed the capacity of San José-Santa Clara Water Pollution Control Plant to treat such sewage adequately and within the discharge standards imposed on the City by the State of California Regional Water Quality Control Board for the San Francisco Bay Region. Substantive conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approval authority.

15. **Sign Approval.** No signs are approved at this time. All proposed signs shall be subject to approval by the Director of Planning, Building, and Code Enforcement.
16. **Biological Resources.** Street construction/improvement should be scheduled between October and December 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.
17. **Tree Removal.** The project shall confirm to the City of San José's Tree Ordinance. Ordinance sized trees to be removed shall be replaced at a minimum ratio of 4:1 with 24-inch box trees or larger as shown on the landscape plan.
18. **Refuse.** All trash areas shall be effectively screened from view and covered and maintained in an orderly state to prevent water from entering into the garbage container. Trash areas shall be maintained in a manner to discourage illegal dumping.
19. **Recycling.** Scrap construction and demolition material shall be recycled. Integrated Waste Management staff, Commercial Solid Waste Program, at 277-5533 can provide assistance on how to recycle construction and demolition debris from the project.
20. **Roof Equipment.** All roof equipment shall be screened from view.
21. **Utilities.** All on-site telephone, electrical and other overhead service facilities shall be placed underground.
22. **Outside Storage.** No outside storage is permitted except in areas designated on the approved plan set.
23. **Colors and Materials.** All building colors and materials are to be specified on the approved plan set.
24. **Fire Clearance.** A Fire Clearance shall be obtained from Fire Chief prior to the issuance of a building permit.
25. **Storm Water Stenciling.** All drain inlets shall be labeled "No Dumping--Flows to Bay." Please contact the City of San José, Department of Public Works, at (408) 277-5161 to obtain free stencils.
26. **Building Clearance for Issuing Permits.** Prior to the issuance of a building permit, the following requirements must be met to the satisfaction of the Chief Building Official:
  - a. **Construction Plans.** The permit file number, CP07-073, shall be printed on all construction plans submitted to the Building Division.
  - b. **Emergency Address Card.** The project developer shall file an Emergency Address Card, Form 200-14, with the City of San José Police Department.
  - c. **American With Disabilities Act.** The applicant shall provide appropriate access as required by the American With Disabilities Act (ADA).
  - d. **Mechanical Equipment.** No roof-mounted or other exterior mechanical equipment shall be located within 120 feet of a residential property line unless a Sound Engineer

has certified that noise level from such equipment will not exceed 55 DBA at the residential property line.

- e. **Lot Line Adjustment Required.** The two subject parcels shall be combined prior to construction.
27. **Street Cleaning and Dust Control.** During construction, the developer shall damp sweep the public and private streets within and adjoining the project site each working day sufficient to remove all visible debris and soil. On-site areas visible to the public from the public right-of-way shall be cleaned of debris, rubbish, and trash at least once a week. While the project is under construction, the developer shall implement effective dust control measures to prevent dust and other airborne matter from leaving the site.
28. **Hazardous Materials Storage.** This permit does not include any approval of facilities or areas on, within, or under the site to be used for the storage of hazardous, toxic, flammable, or combustible materials, and such facilities or areas are subject to review under separate Site Development Permit.
29. **Landscaping.** Planting and irrigation are to be provided, as indicated on the final Approved Plan Set. Landscaped areas shall be maintained and watered and all dead plant material is to be removed and replaced by the property owner. Irrigation is to be installed in accordance with Part 4 of Chapter 15.10 of Title 15 of the San José Municipal Code, Water Efficient Landscape Standards for New and Rehabilitated Landscaping and the City of San José Landscape and Irrigation Guidelines.
30. **Archaeology.** 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.
31. **Public Works Clearance for Building Permit(s):** Prior to the issuance of Building permits, the applicant will be required to have satisfied all of the following Public Works conditions (3-01002). The applicant is strongly advised to apply for any necessary Public Works permits prior to applying for Building permits.
32. **Minor Improvement Permit:** The public improvements conditioned as part of this permit require the execution of a Minor Street Improvement Permit that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. This permit includes privately engineered plans, insurance, surety deposit, and engineering and inspection fees.
33. **Transportation:** This project is exempt from the Level of Service (LOS) Policy, and no further LOS analysis is required because the project proposes 5,000 square feet of Retail use or less.
34. **Grading/Geology:**

- a. A grading permit is required prior to the issuance of a Public Works Clearance. The construction operation shall control the discharge of pollutants (sediments) to the storm drain system from the site. An erosion control plan may be required with the grading application.
  - b. A soils report must be submitted to and accepted by the City prior to the issuance of a grading permit.
35. **Stormwater Runoff Pollution Control Measures:** This project must comply with the City's Post-Construction Urban Runoff Management Policy (Policy 6-29) which requires implementation of Best Management Practices (BMPs) that include site design measures, source controls, and stormwater treatment controls to minimize stormwater pollutant discharges.
36. **Flood Zone D:** The project site is not within a designated Federal Emergency Management Agency (FEMA) 100-year floodplain. Flood zone D is an unstudied area where flood hazards are undetermined, but flooding is possible. There are no City floodplain requirements for zone D.
37. **Sewage Fees:** In accordance with City Ordinance all storm sewer area fees, sanitary sewer connection fees, and sewage treatment plant connection fees, less previous credits, are due and payable.
38. **Undergrounding:**
- a. The In Lieu Undergrounding Fee shall be paid to the City for all frontages adjacent to Winchester Blvd. prior to issuance of a Public Works clearance. 100 percent of the base fee in place at the time of payment will be due. (Currently, the base fee is \$224 per linear foot of frontage.)
  - b. The Director of Public Works may, at her discretion, allow the developer to perform the actual undergrounding of all off-site utility facilities fronting the project adjacent to Winchester Blvd. Developer shall submit copies of executed utility agreements to Public Works prior to the issuance of a Public Works Clearance.
39. **Street Improvements:**
- a. Applicant shall be responsible to remove and replace curb, gutter, and sidewalk damaged during construction of the proposed project.
  - b. Remove and replace curb, gutter, and sidewalk and handicap ramp along project frontage.
  - c. Dedicate 17-feet along Winchester Blvd. The dedication shall be processed as a separate instrument document prior to Public Works clearance for a Building Permit.
  - d. Close unused driveway cut(s).
  - e. Proposed City standard driveway width to be 26'.
  - f. Install handicap ramp at the corner of Winchester Boulevard and Williams Road.
  - g. Dedication and improvement of the public streets to the satisfaction of the Director of Public Works.
  - h. Repair, overlay, or reconstruction of asphalt pavement may be required. The existing pavement will be evaluated with the street improvement plans and any necessary pavement restoration will be included as part of the final street improvement plans.

(To assist the Applicant in better understanding the potential cost implications resulting from these requirements, existing pavement conditions can be evaluated during the Planning permit review stage. The Applicant will be required to submit a plan and the applicable fees to the PW Project Engineer for processing. The plan should show all project frontages and property lines. Evaluation will require approximately 20 working days.)

40. **Complexity Surcharge (In-Fill):** This project has been identified as an in-fill project, and as such is subject to the following: Based on established criteria, the public improvements associated with this project have been rated medium complexity. An additional surcharge of 25% will be added to the Engineering & Inspection (E&I) fee collected at the street improvement stage.
41. **SNI:** This project is located within the Winchester SNI area. Public improvements shall conform to the approved EIR and neighborhood improvement plan.
42. **Sanitary:** The proposed sanitary lateral to the Public main shall be 6" VCP.
43. **Electrical:** Installation, relocation and upgrading of electroliers on project frontage may be required. Existing electroliers along the project frontage will be evaluated at the public improvement stage and any street lighting requirements will be included on the public improvement plans
44. **Street Trees:**
  - a. The locations of the street trees will be determined at the street improvement stage. Street trees shown on this permit are conceptual only.
  - b. Contact the City Arborist at (408) 277-2756 for the designated street tree.
  - c. Install street trees within public right-of-way along entire project street frontage per City standards; refer to the current "Guidelines for Planning, Design, and Construction of City Streetscape Projects". Street trees shall be installed in cut-outs at the back of curb. Obtain a DOT street tree planting permit for any proposed street tree plantings.
  - d. Show all existing trees by species and diameter that are to be retained or removed. Obtain a street tree removal permit for any street trees that are over 6 feet in height that are proposed to be removed.

## CONDITIONS SUBSEQUENT

1. **Deadline for Commencing Construction.** This Conditional Use Permit shall automatically expire two years from and after the date of adoption of the Resolution by the Planning Commission, or by the City Council on appeal, granting this Permit, if within such two-year period, the proposed use of this site has not commenced, pursuant to and in accordance with the provisions of this Conditional Use Permit. The date of adoption is the date the Resolution granting this Conditional Use Permit is approved by the Planning Commission. However, the Director of Planning may approve a Permit Adjustment to extend the validity of this Permit for a period of up to two years. The Permit Adjustment must be approved prior to the expiration of this Permit.
2. **Revocation, Suspension, Modification.** This Conditional Use Permit may be revoked, suspended or modified by the Planning Commission, or by the City Council on appeal, at any time regardless of who is the owner of the subject property or who has the right to possession

thereof or who is using the same at such time, whenever, after a noticed hearing in accordance with Part 3, Chapter 20.44, Title 20 of the San José Municipal Code it finds:

- a. A violation of any conditions of the Conditional Use Permit/Liquor License Exception Permit was not abated, corrected or rectified within the time specified on the notice of violation; or
- b. A violation of any City ordinance or State law was not abated, corrected or rectified within the time specified on the notice of violation; or
- c. The use as presently conducted creates a nuisance.

In accordance with the findings set forth above, a permit to use the subject property for said purpose specified above is hereby approved.

**Approved this 10<sup>th</sup> day of December 2007 by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Chairperson

ATTEST:

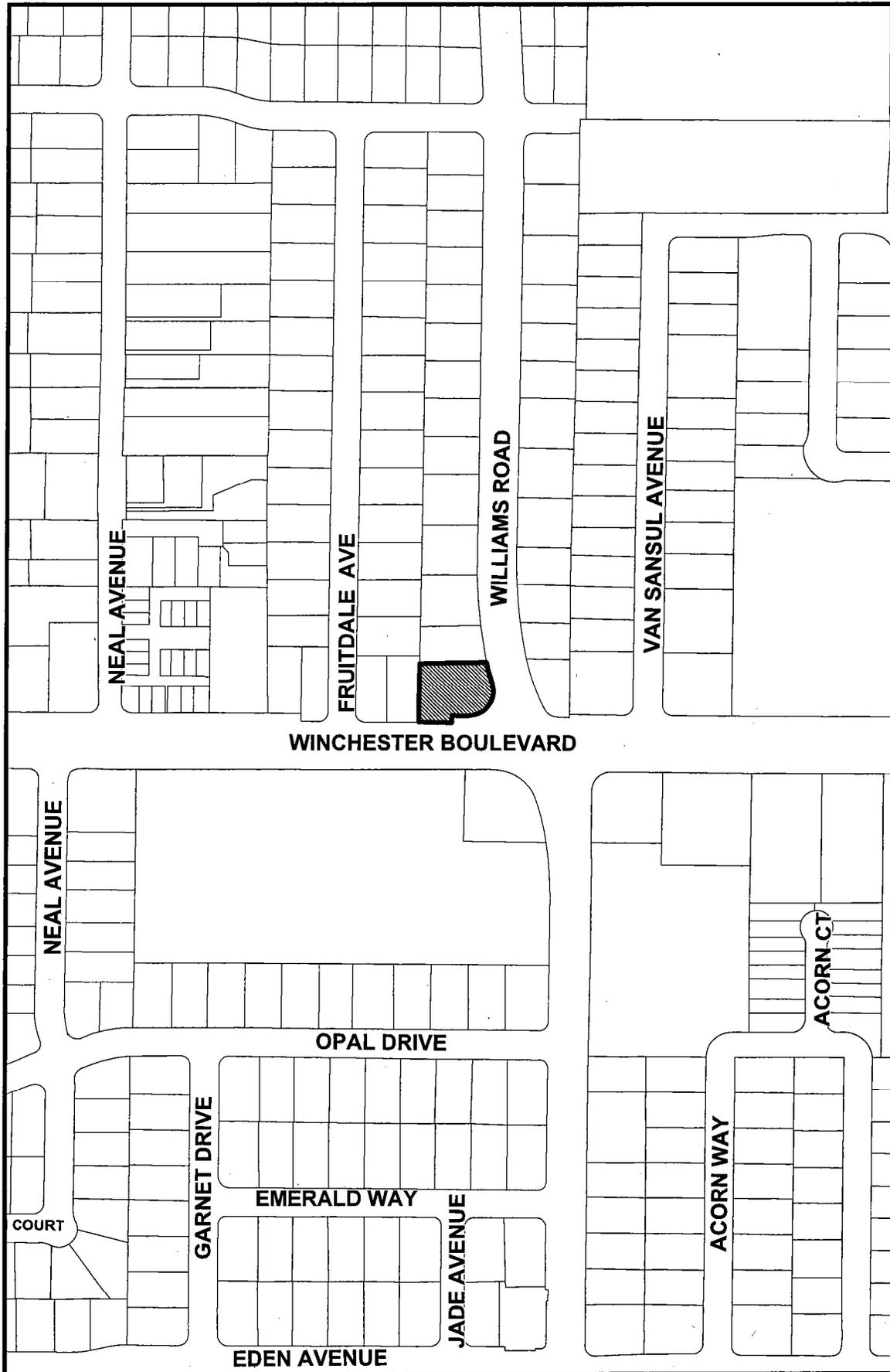
Joseph Horwedel, Secretary

---

Deputy

### **NOTICE TO PARTIES**

*The time within which judicial review must be sought to review this decision is governed by the provisions of the California Code of Civil Procedure Section 1094.6.*



File No: CP07-073

District: 6

Quad No: 98

Scale: 1"= 300'

Map Created On: 09/24/2007

Noticing Radius: 500 feet





# Memorandum

**TO:** Sanhita Mallick

**FROM:** Russell Chung

**SUBJECT: INITIAL RESPONSE TO  
DEVELOPMENT APPLICATION**

**DATE: 10/11/07**

Re: Plan Review Comments

PLANNING NO: CP07-073

DESCRIPTION: Conditional Use Permit to demolish an existing structure, construct 4,230 square foot building for retail commercial uses, and allow outdoor use within 150 feet of residential use properties on a 0.38 gross acre site

LOCATION: northeast corner of Winchester Boulevard and Williams Road

ADDRESS: northeast corner of Winchester Boulevard and Williams Road (960 S WINCHESTER BL)

FOLDER #: 07 032489 AO

The Fire Department's review was limited to verifying compliance of the project to Article 9, Appendix III-A, and Appendix III-B of the 2001 California Fire Code with City of San Jose Amendments (SJFC). Compliance with all other applicable fire and building codes and standards relating to fire and panic safety shall be verified by the Fire Department during the Building Permit process.

These comments are based on the following information from drawings dated 6/30/07 by Studio S Square

Largest building: 4,230 sq. ft.

Construction Type: VN

Occupancy Group: M/B

Number of stories: 1

1. The project plans as submitted, do not comply with the Fire Code. We recommend that the applicant be advise to address the following immediately.

- a) The plans do not indicate that the required fire flow of 2000 GPM will be available at the project site. Please ask the applicant to immediately contact Jim Bariteau of San Jose Water Co. at 408-279-7874 to get the water flow information.
- b) The plans do not show location of hydrants. The required fire flow shall be provided through 2 hydrants. Flow hydrants located as follows: A-12640 at the corner of Williams Rd and Winchester Blvd and B-07298 NW from property on Winchester BL.

2. Please advise the applicant to submit plans to the Fire Department that provide the following information:

- a) Width, length, and grade of the fire apparatus access roads, streets, avenues, and the like. Every portion of all building exterior walls shall be within 150 feet of an access road. The fire access shall:
  - **Curbs are required to be painted red and marked as "Fire Lane - No Parking" under the following conditions: (show exact locations on plan)**
    - i) **Roads, streets, avenues, and the like that are 20 to less than 26 feet wide measured from face-of-curb to face-of-curb shall have curbs on both sides of the road painted and marked**
    - i) **Roads, streets, avenues, and the like that are 26 to less than 32 feet wide measured from face-of-curb to face-of-curb shall have one curb painted and marked**
- b) Location of fire hydrants. The average distance between hydrants shall not exceed 450 feet.
- c) Available fire flow. Provide a copy of the letter from the San Jose Water Co. that indicates the water flow available.

Fire Apparatus Access on property is not required-structure is within 150 feet from street frontage.

**Note:** The plans shall be submitted to the Fire Department *by appointment only* (call Russell Chung) as soon as possible.

Russell Chung  
Fire Protection Engineer  
Bureau of Fire Prevention  
Fire Department  
(408) 535-7697

**STATEMENT OF EXEMPTION**

**FILE NO.** CP07-073

**LOCATION OF PROPERTY** Northeast corner of Winchester Boulevard and Williams Road (960 S WINCHESTER BL)

**PROJECT DESCRIPTION** Conditional Use Permit request to demolish two existing structures, construct 4,300 square foot building for retail commercial uses, and allow outdoor patio for restaurant use on a 0.38 gross acre site

**ASSESSOR'S PARCEL NUMBER** 279-09-015, -014

**CERTIFICATION**

Under the provisions of Section 15303 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), this project is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended. This project consists of the construction of a 4,300 square foot commercial building in an urbanized location. The category applies to the new construction of small project not exceeding 10,000 square feet in size.

Joseph Horwedel, Director  
Planning, Building and Code Enforcement

\_\_\_\_\_

Deputy

Date December 04, 2007

Project Manager: Sanhita Mallick

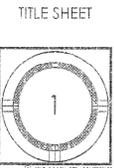


STUDIO 5  
19 N 2nd St., Ste. 205  
San Jose, CA 95113  
P : (408) 958-0983  
F : (408) 958-0982

THE BERRY BUILDING  
NEW RETAIL CENTER  
960-990 S. WINCHESTER BLVD., SAN JOSE, CA  
MRS. KATHY BERRY



NO.	DATE	REVISION
1		ISSUED FOR PERMITTING



# THE BERRY BUILDING

960-990 S. WINCHESTER BLVD. SAN JOSE, CALIFORNIA

LOCATION MAP

SHEET INDEX

PROJECT TEAM



- 1 Title Sheet
- 2 Site Plan
- 3A Grading and Drainage Plan
- 3B Grading and Drainage Plan
- 3C Stormwater Control Plan
- 4A Building Elevations
- 4B Building Elevations
- 4C Perspective Renderings
- 4D Perspective Renderings
- 5A Floor Plan
- 5B Landscape Plan
- 6 Detail
- 7A

**OWNER**  
Mrs. Pamela Berry  
c/o Ms. Kathryn Berry  
P.O. Box 9112  
San Jose, CA 95137  
Work: 408 765 9588  
E-Mail: kberry@berry-studio.com

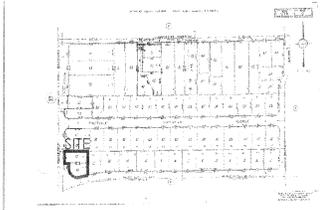
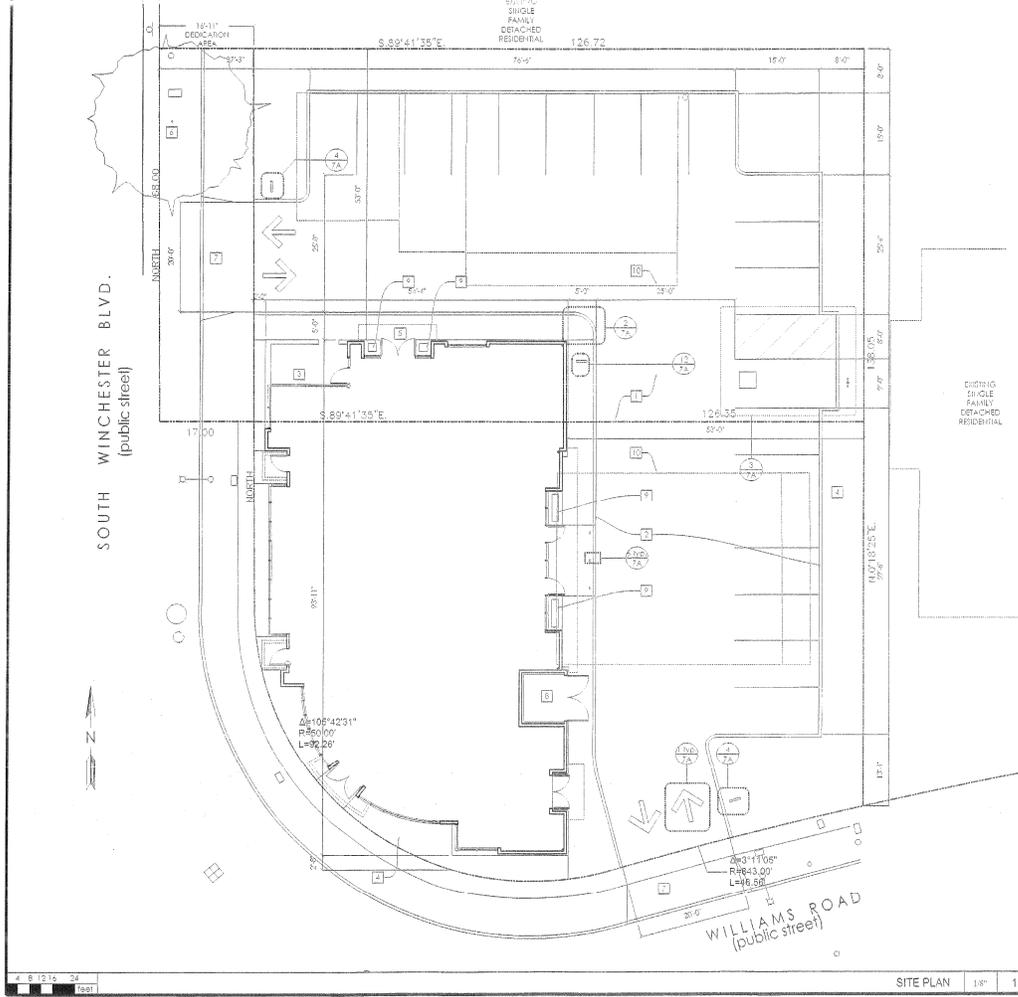
**ARCHITECT**  
Studio 5 Spatial Architecture  
19 North Second Street, Ste. 205  
San Jose, CA 95113  
John Eugene H. Sakai, AIA  
ph: 408 998 0983  
fu: 408 998 0982  
e-mail: euh@studio5sac.com

**CIVIL ENGINEER**  
WEC Engineering  
2025 Midway Road, Room 808  
Folsom, CA 95630-5514  
916 90 110 88  
Mobile: 408 623 4446  
Fax: 408 627 7322  
E-Mail: e@weceng.com

**LANDSCAPE ARCHITECT**  
Greig and Associates Landscape Architecture  
1552 The Alameda, Ste. 201  
San Jose, CA 95126  
408 939 0919  
Work: 408 937 3201  
Fax: 408 258 4640  
E-Mail: greg@greigassoc.com

PROJECT DESCRIPTION

NEW "WAKEM SHIELD" RETAIL BUILDING OF 4,220 SF.  
SCALE: 1/8"=1'-0" (VERTICALS ARE FOR ILLUSTRATIVE PURPOSES ONLY AND IS NOT PART OF THIS PLANNING PERMIT).



PARCEL MAP	
Site Area:	13,686.00 sf 0.36 acres
Building Area (gross):	4,230.00 sf
Building Area (net) @ 65% gross:	3,555.00
Roof Area Ratio/Blgd. Footprint:	27%
Parking Provided:	22.00 stalls
Parking/paving Area:	7,354.00 sf
Parking/paving Percentage:	47%
Landscape Area:	4,100.00
Landscape Percentage:	26%

TABULATION	
1	AVC PAVING OVER SUBGRADE PREPARATION PER CIVIL DRAWINGS
2	6" CONCRETE CURB PER CIVIL DRAWINGS
3	PATIO AREA-SEE LANDSCAPE DRAWINGS FOR HARDSCAPE SPECIFICATION
4	PLANTING AREA-SEE LANDSCAPE DRAWINGS
5	CONCRETE WALKWAY WITH HATCH PAVING FOR HARDSCAPE SPECIFICATION
6	PLANTING REDWOOD TREE TO RBV414
7	NEW CURB CUT PER CITY OF SAN JOSE DEPARTMENT OF PUBLIC WORKS STANDARDS
8	COMMON TRASH/RECYCLING ROOM
9	PLANTER BOX-SEE LANDSCAPE DRAWINGS
10	INDICATES EXISTING BUILDING TO BE REMOVED

- IV. NOTES
1. All civil infrastructure standards to meet or exceed public improvement standards.
  2. Performance standards from Part 7 of Chapter 20.30 of the San Jose Municipal Code are applicable.

IN ACCORDANCE WITH PART 7 OF CHAPTER 20.30 OF THE SAN JOSE MUNICIPAL CODE, THE WATER TREATMENT BY A POLLUTION PREVENTION PLAN IS REQUIRED IN THE EVENT OF ANY LAND DEVELOPMENT APPROVAL AND APPLICATION WHEN THE CITY MANAGER MAKES A DETERMINATION THAT THE POLLUTION PREVENTION PLAN IS REQUIRED ON THE BASIS OF THE CITY'S WATER POLLUTION CONTROL REGULATIONS THAT ARE APPLICABLE TO THE DEVELOPMENT AND PROJECT. AS PART OF THE POLLUTION PREVENTION PLAN, THE DEVELOPER SHALL SUBMIT TO THE CITY OF SAN JOSE THE STATE OF CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD FOR THE SAN JOSE/SAN JOSE REGION. A DETAILED POLLUTION PREVENTION PLAN SHALL BE SUBMITTED WITH ANY OTHER APPLICATION TO THE APPROVING AGENCY.



1911 2nd St. Ste. 205  
San Jose, CA 95113  
P: (408) 998-0783  
F: (408) 998-0982

THE BERRY BUILDING  
NEW RETAIL CENTER  
9400 S WINCHESTER BLVD, SAN JOSE, CA  
MRS. NOHME BERRY



NO.	DATE	DESCRIPTION

SITE PLAN



4 8 12 16 24  
1/8" = 1'

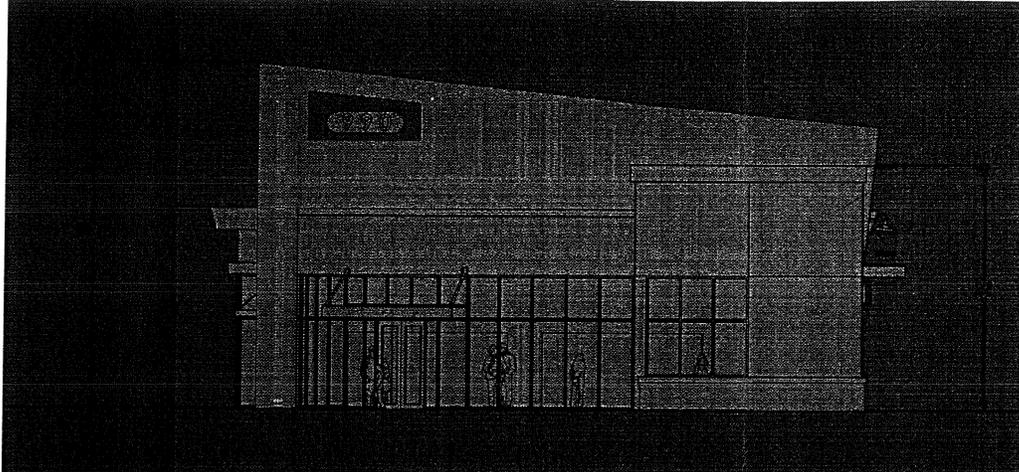
SITE PLAN 1/8" = 1'

NOTES





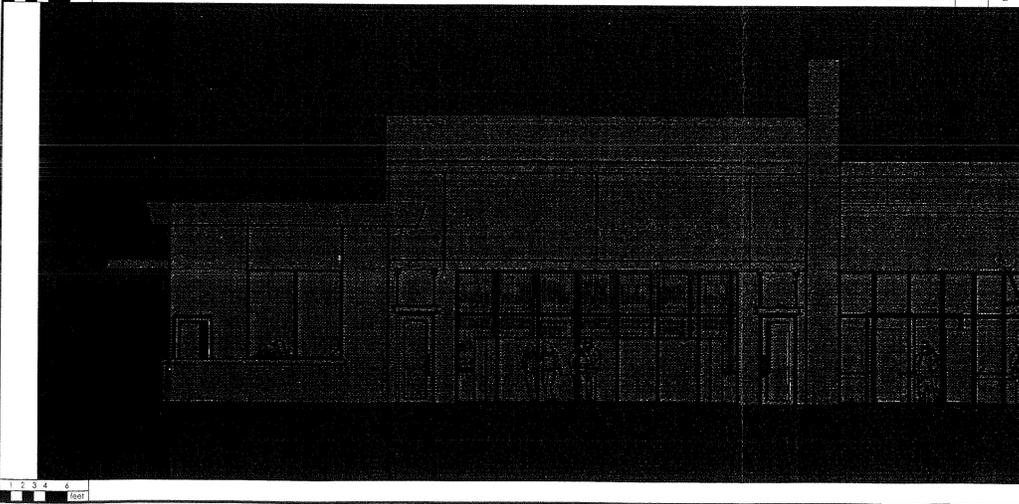




SOUTH ELEVATION 1/4" = 2'

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KEYNOTES



WEST ELEVATION 1/4" = 1'

studio s  
architecture

19 N. 2nd St., Ste. 205  
San Jose, CA 95113  
P: (408) 998-0983  
F: (408) 998-0982

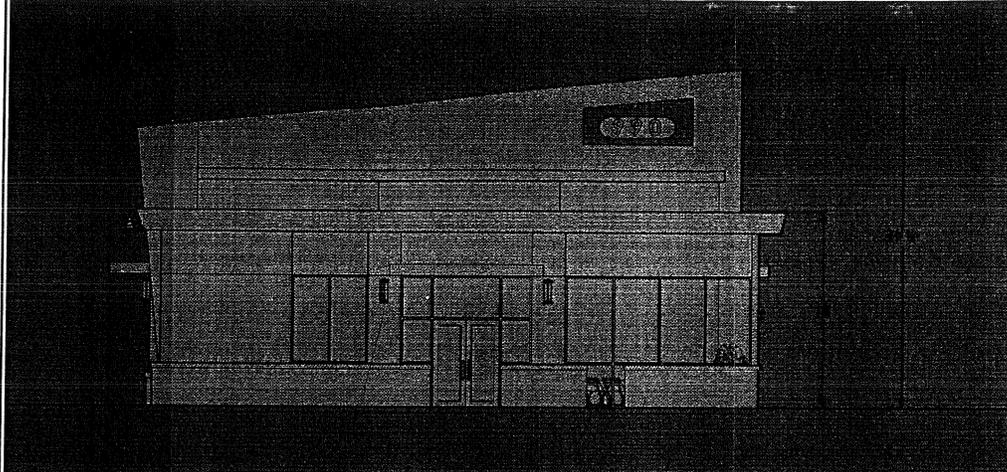
**THE BERRY BUILDING**  
NEW RETAIL CENTER  
940-9905 WINCHESTER BLVD., SAN JOSE, CA  
MR. JUDITH BERRY



NO.	DATE	DESCRIPTION
1	06.30.2007	PRELIMINARY DEVELOPMENT PERMITS
2	07.03.2007	FINAL DEVELOPMENT PERMITS
3		
4		
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ELEVATIONS

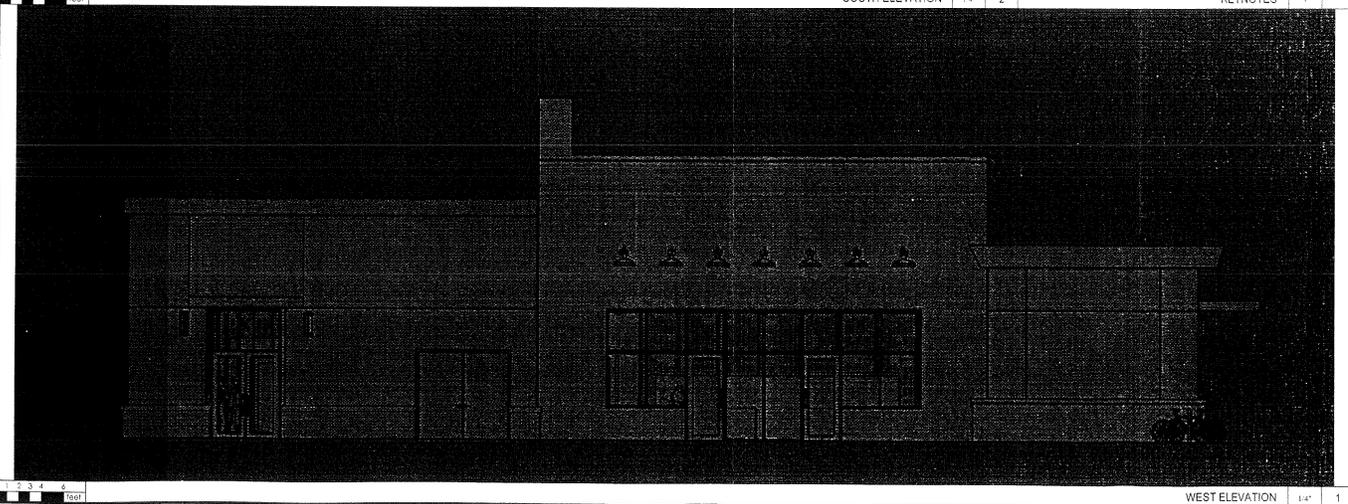




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SOUTH ELEVATION 1/4" = 1'

KEYNOTES



WEST ELEVATION 1/4" = 1'



19 N. 2nd St., Ste. 205  
 San Jose, CA 95113  
 P : (408) 998-0783  
 F : (408) 998-0782

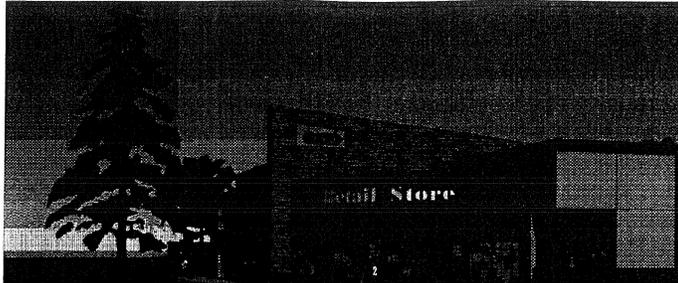
**THE BERRY BUILDING**  
 HAWK HILL CENTER  
 940 770 S. WINCHESTER BLVD., SAN JOSE, CA  
 MRS. ROSELE EITNER



| NO. | DATE     | DESCRIPTION                      |
|-----|----------|----------------------------------|
| 1   | 10/15/10 | PRELIMINARY DEVELOPMENT STUDY    |
| 2   | 11/10/10 | FINAL DEVELOPMENT STUDY          |
| 3   | 12/15/10 | CONCEPTUAL DESIGN                |
| 4   | 01/10/11 | SCHEMATIC DESIGN                 |
| 5   | 02/15/11 | PRELIMINARY DESIGN               |
| 6   | 03/10/11 | FINAL DESIGN                     |
| 7   | 04/15/11 | CONSTRUCTION DOCUMENTS           |
| 8   | 05/10/11 | CONSTRUCTION ADMINISTRATION      |
| 9   | 06/15/11 | POST-CONSTRUCTION ADMINISTRATION |

ELEVATIONS





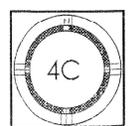
1974, 2nd St., Ste. 205  
San Jose, CA 95113  
P: (408) 998-0983  
F: (408) 998-0982

**THE BERRY BUILDING**  
1100 PULASKI CIRCLE  
SAN JOSE, CALIFORNIA 95128  
ARCHITECT: JOHN R. BERRY



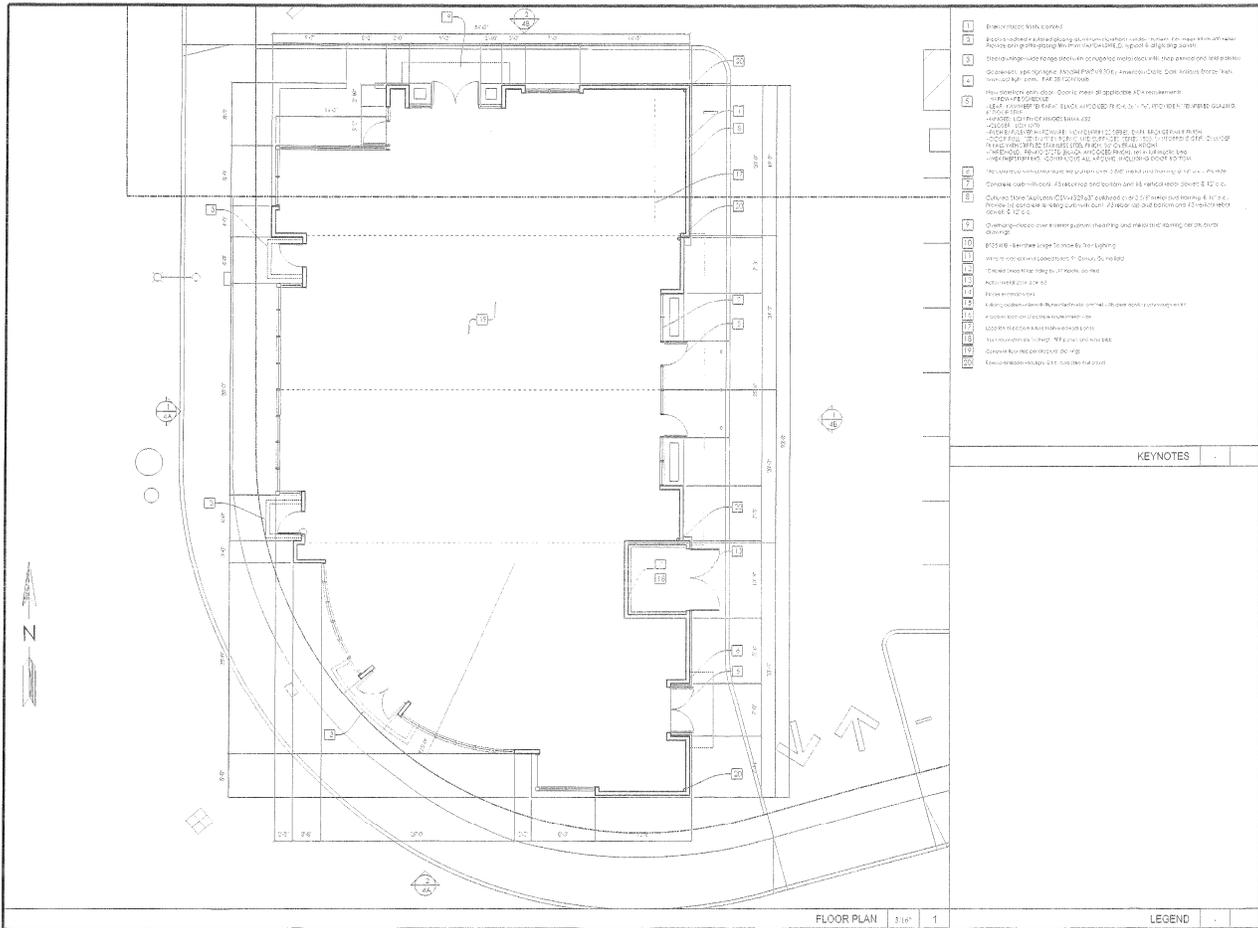
|         |   |
|---------|---|
| NO.     | 12345                                   |
| NAME    | JOHN R. BERRY                           |
| ADDRESS | 1100 PULASKI CIRCLE, SAN JOSE, CA 95128 |
| CITY    | SAN JOSE                                |
| STATE   | CALIFORNIA                              |
| EXPIRES | 12/31/85                                |
| ISSUED  | 12/31/84                                |

PERSPECTIVE RENDERINGS



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1. Elevator lobby with stairs  
 2. Elevator lobby with stairs and wheelchair access  
 3. Elevator lobby with stairs and wheelchair access  
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KEYNOTES

| KEYNOTE | DESCRIPTION                                      |
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| 1       | Elevator lobby with stairs                       |
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FLOOR PLAN 3/14 1

LEGEND

15 N. 2nd St., Ste. 205  
 San Jose, CA 95113  
 P: (408) 998-0985  
 F: (408) 998-0922

**THE BERRY BUILDING**  
 NEW RETAIL CENTER  
 500995 S. WINCHESTER BLVD., SAN JOSE, CA  
 MRS. BETH BERRY



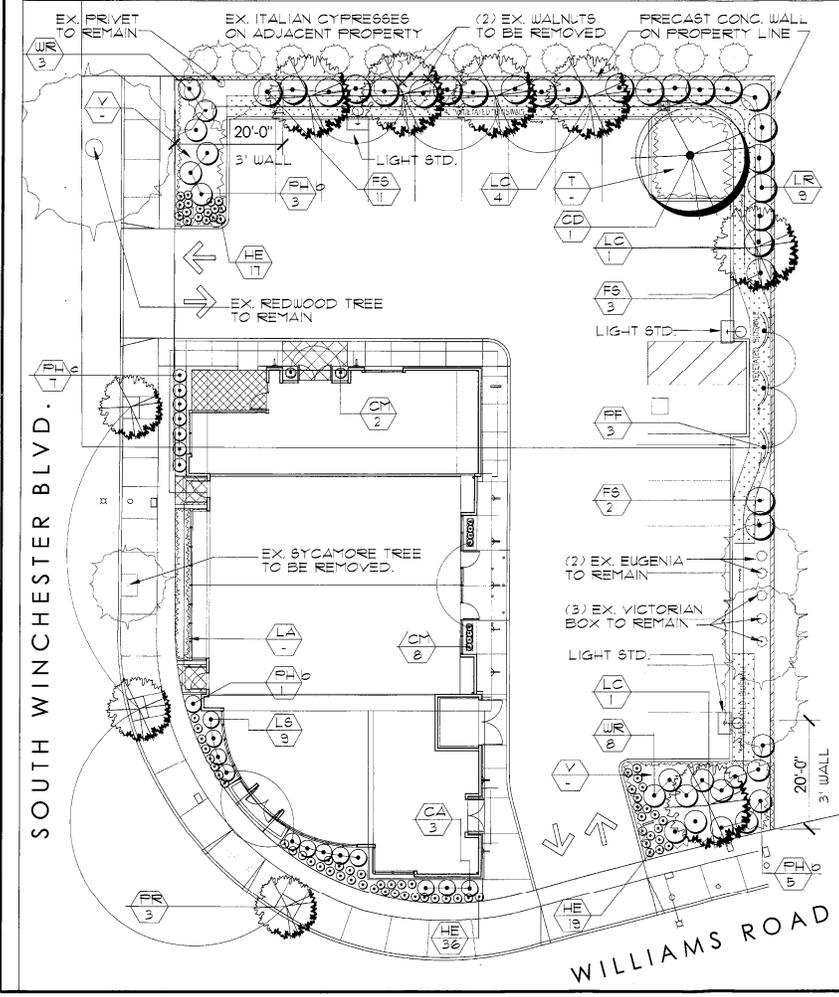
| DATE     | DESCRIPTION           |
|----------|-----------------------|
| 05/20/10 | ISSUED FOR PERMITTING |

FLOOR PLAN









### Planting Legend

| SYM.                | QTY. | SIZE    | BOTANICAL NAME                           | COMMON NAME                    | COMMENTS   |
|---------------------|------|---------|--|--------------------------------|--|
| CD                  | 1    | 24" Box | <i>Calceolaria discolora</i>             | Incense Cedar                  |  |
| LC                  | 6    | 24" Box | <i>Lophostemon confertus</i>             | Dracena Box                    |  |
| PR                  | 3    | 24" Box | <i>Pyrus c. Redspire</i>                 | Ornamental Pear                | Proposed street trees in new strip, a street on each |
| <b>SHRUBS</b>       |      |         |  |                                |  |
| CA                  | 3    | 5 Gal.  | <i>Cordyline australis 'Red Star'</i>    | Cordyline australis 'Red Star' |  |
| CM                  | 10   | 5 Gal.  | <i>Clivia miniata 'Boltonero Hybrid'</i> | Yellow Kaffir Lily             |  |
| FB                  | 11   | 5 Gal.  | <i>Fajoua salicifolia</i>                | Pineapple Guava                |  |
| LR                  | 5    | 5 Gal.  | <i>Larodendron s. 'Ruby Glow'</i>        | New Zealand Tea Tree           |  |
| PF                  | 3    | 5 Gal.  | <i>Prothia Fraseri asperata</i>          | Prothia on walls               |  |
| UR                  | 11   | 5 Gal.  | <i>Ulex regia fulvicoma</i>              | Coast Rosemary                 |  |
| <b>PERENNIALS</b>   |      |         |  |                                |  |
| AH                  | 8    | 1 Gal.  | <i>Arizemithes Bush quartz hybrid</i>    | Kangaroo Paw                   | 18" oc. spacing                                      |
| FS                  | 8    | 1 Gal.  | <i>Festuca glauca</i>                    | Common Blue Fescue             |  |
| HE                  | 11   | 1 Gal.  | <i>Helleboron</i>                        | Blue Cat Grass                 |  |
| LA                  | 1    | 1 Gal.  | <i>Lavandula 'robusta'</i>               | English Lavender               | 18" oc. spacing                                      |
| LS                  | 13   | 1 Gal.  | <i>Lavandula aspiculata</i>              | Spiral Lavender                |  |
| PH                  | 1    | 5 Gal.  | <i>Phormium 'Borose Baby'</i>            | Hybrid Flax                    |  |
| PH                  | 1    | 5 Gal.  | <i>Phormium 'Platt's Back'</i>           | Hybrid Flax                    |  |
| <b>GROUNDCOVERS</b> |      |         |  |                                |  |
| T                   | 1    | 1 Gal.  | <i>Tubegia violacea variegata</i>        | Variegated Society Garlic      | 2' oc. spacing                                       |
| V                   |      | Flats   | <i>Verbena Tipton Hybrid</i>             | Tipton Hybrid Verbena          | 18" oc. spacing                                      |
| <b>BIOMASS</b>      |      |         |  |                                |  |
| *                   |      | Flats   | <i>Carex Lurida</i>                      | Banking Sedge                  | Biomass planting * 18" oc. spacing                   |

\*\*Proposed street trees to be installed as per the City of San Jose standard details and specifications and w/ deep root curb barriers.

### General Legend

|  |  |
|--|--|
|  | CONCRETE FLATWORK, COLORED AND TEXTURED STAMPED CONCRETE, 2" OR 3" OR 4" SLAB THICKNESS. NOTE: ALL OTHER ON-SITE WALLS AND FOUNDATIONS TO BE COLORED CONCRETE WITH SCORE JOINTS AS SHOWN.  |
|  | PATIO FLATWORK, COLORED AND TEXTURED STAMPED CONCRETE IN 3" OR 4" SLAB THICKNESS. COLOR TO COMPLEMENT BUILDING EXTERIOR.   |
|  | AREA LIGHTING, TYPICAL OF 3 GARGOYLE 10' LOU PRESSURE SODIUM ON 10' POLE SIDE JAW MOUNT, SINGLE ASSEMBLY, TYPE IV DISK, 500W, LIGHTING SERVICE ANCHORED FROM MODEL 1, 84K-11R-5SLP8  |
|  | PRECAST CONCRETE WALL, 3" IN 10" PL. SETBACK. CONCRETE TO MATCH EXISTING PRECAST. FINISH TO COMPLEMENT BUILDING EXTERIOR. COLOR TO COMPLEMENT BUILDING EXTERIOR. FINISH TO BE COLORED CONCRETE WITH SCORE JOINTS AS SHOWN. PHONE: 1-800-54-2747, WEBSITE: www.williamsroad.com |

### Landscape Plan

Scale: 1/16" = 1' - 0"

**Greg C. Ing & Associates**  
 Landscape Architecture  
 1585 The Alameda, Suite 207  
 San Jose, California 95128  
 408.937.4474

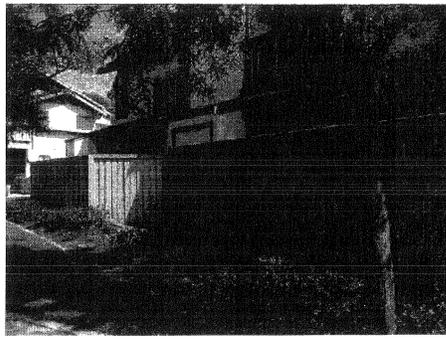
**THE BERRY BUILDING**  
 NEW RETAIL CENTER  
 9609915, WINCHESTER BLVD., SAN JOSE, CA  
 MRS. RONNIE BERRY

LANDSCAPE ARCHITECT  
 No. 2444  
 State of California

DATE: \_\_\_\_\_  
 100% OF CITY COMMENTS  
 75% OF CITY COMMENTS

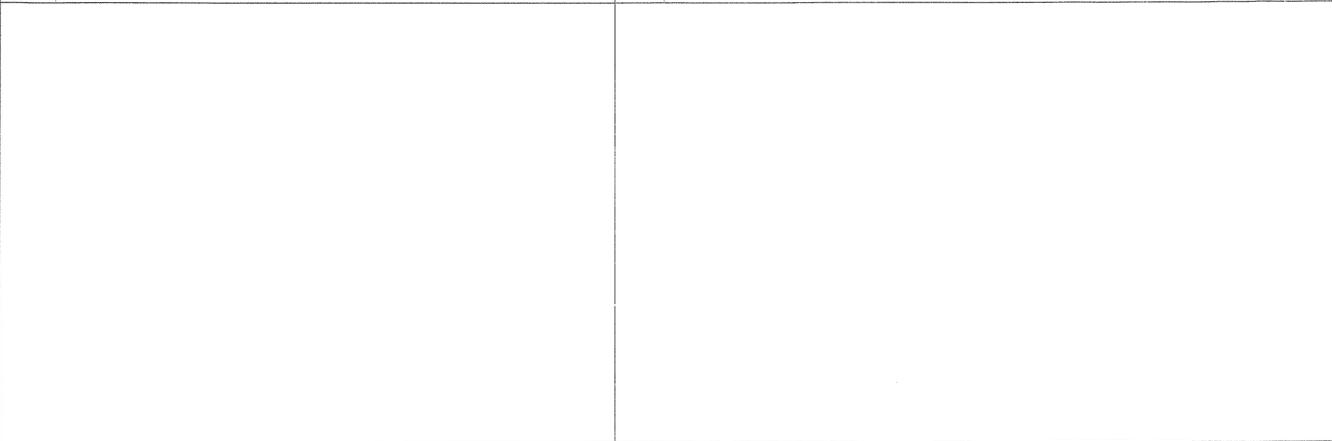
6





6' PRECAST CONCRETE WALL, 3" IN 10' PL. SETBACK  
 CONCRETE BY ARTISAN PRECAST INC  
 ON APPROX. 80' EQUAL. EARTH-TONE COLOR  
 FINAL COLOR TO BE DETERMINED.  
 PHONE: 1-800-311-2747. WEBSITE: www.artisancast.com

A B 3 AND 6' HIGH PRECAST CONCRETE WALL NOT TO SCALE



C D

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 408.297.1111

**THE BERRY BUILDING**  
 NEW RETAIL CENTER  
 900-9001 WINCHESTER BLVD., SAN JOSE, CA  
 MRS. POUNE BERRY



|           |  |
|-----------|--|
| DATE:     |  |
| PROJECT:  |  |
| CLIENT:   |  |
| DESIGNER: |  |
| CHECKED:  |  |
| DATE:     |  |

LANDSCAPE  
 ARCHITECTURAL  
 DETAILS

