

STAFF REPORT
PLANNING COMMISSION

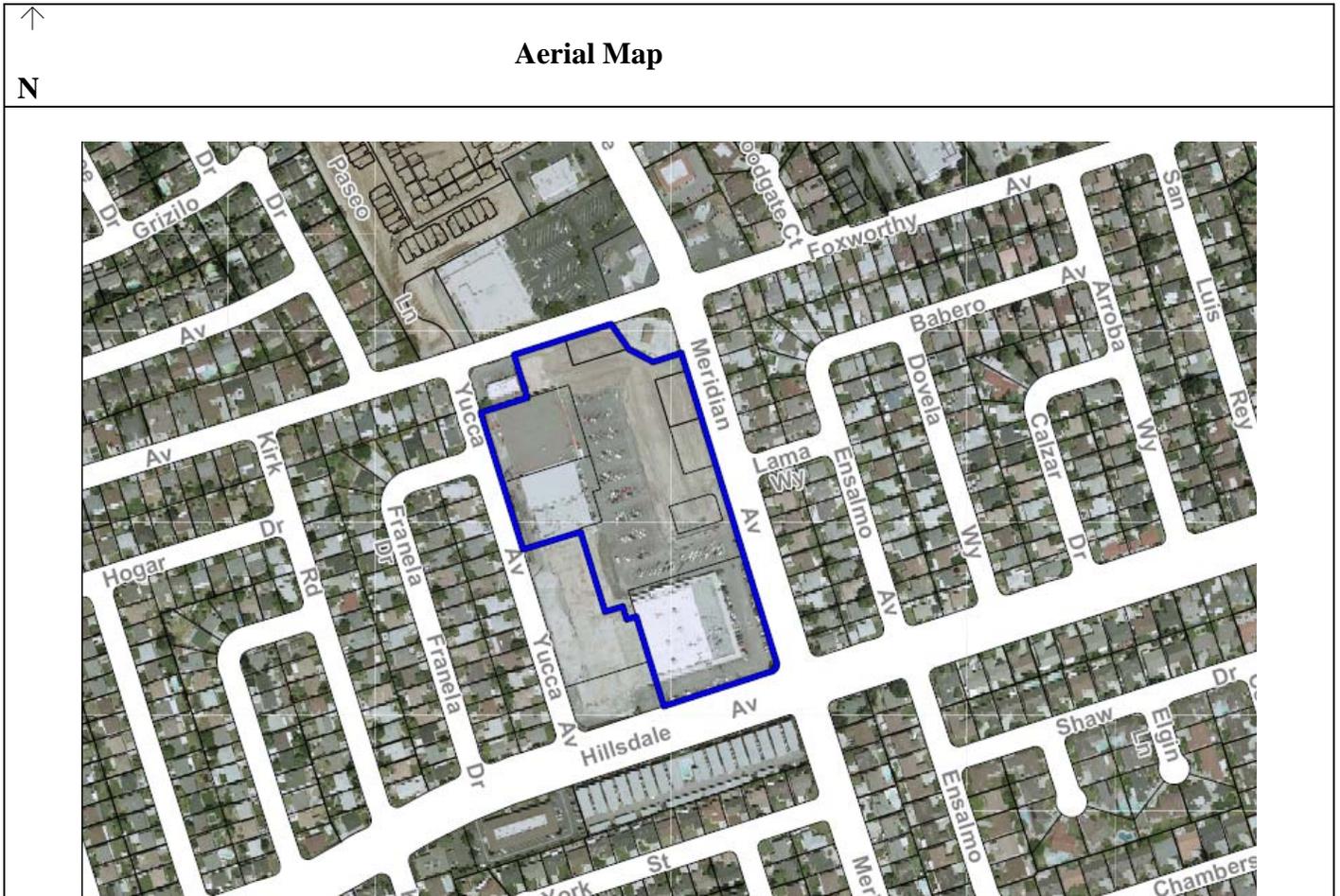
File No.: PD09-023

Appealed: 3/19/10

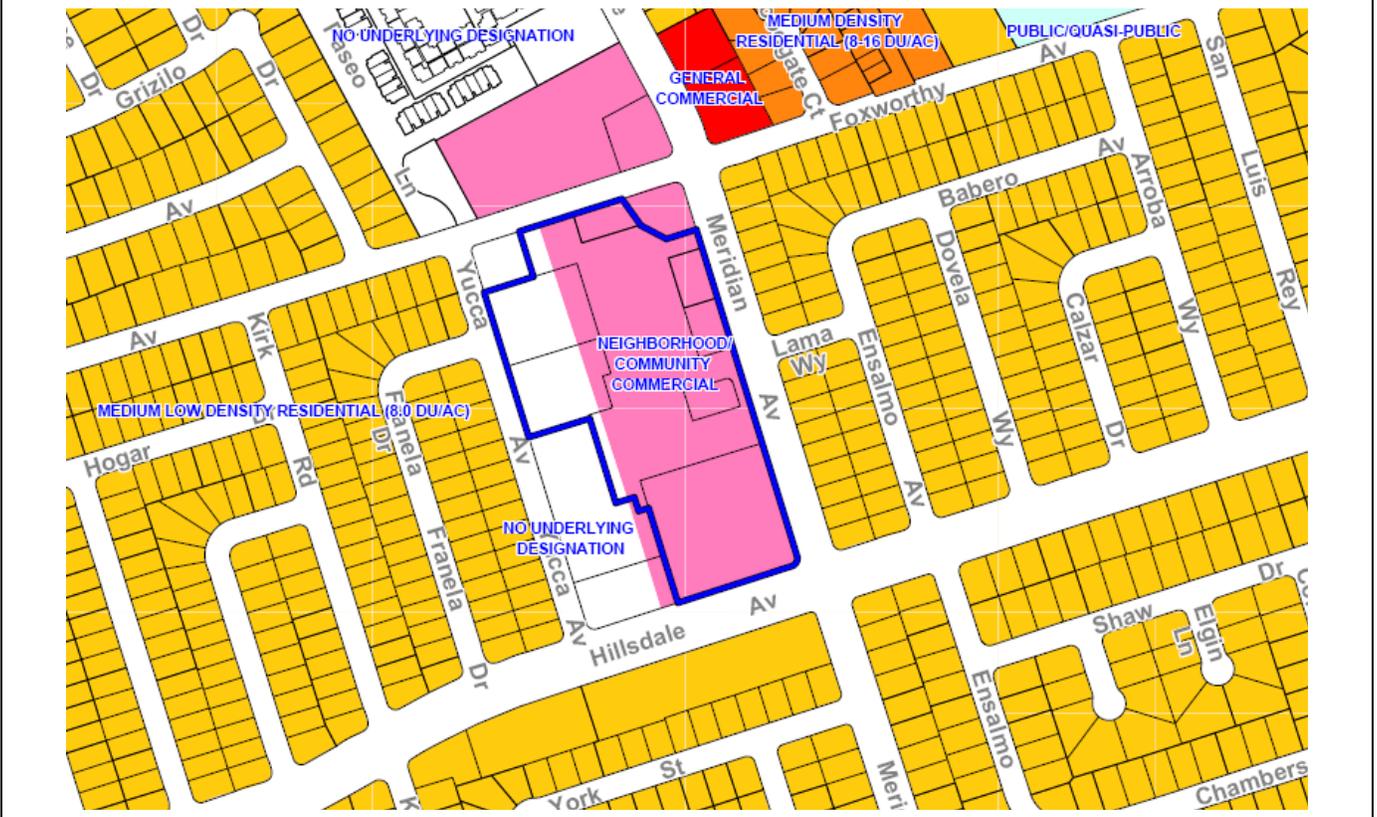
PROJECT DESCRIPTION: Appeal of the Director’s decision to approve a Planned Development Permit to demolish an existing commercial building and allow construction of a new 17,000 pad building for retail/commercial uses, reconfiguration of 13,090 square feet of previously approved in-line retail space, and allow the off-sale of alcohol on a 8.96 gross acre site.

Existing Zoning	A(PD) Planned Development
Proposed Zoning	No Change
General Plan	Mixed Use #13 (Neighborhood/Community Commercial)
Council District	9
Annexation Date	12/23/60
SNI	N/A
Redevelopment Area	N/A

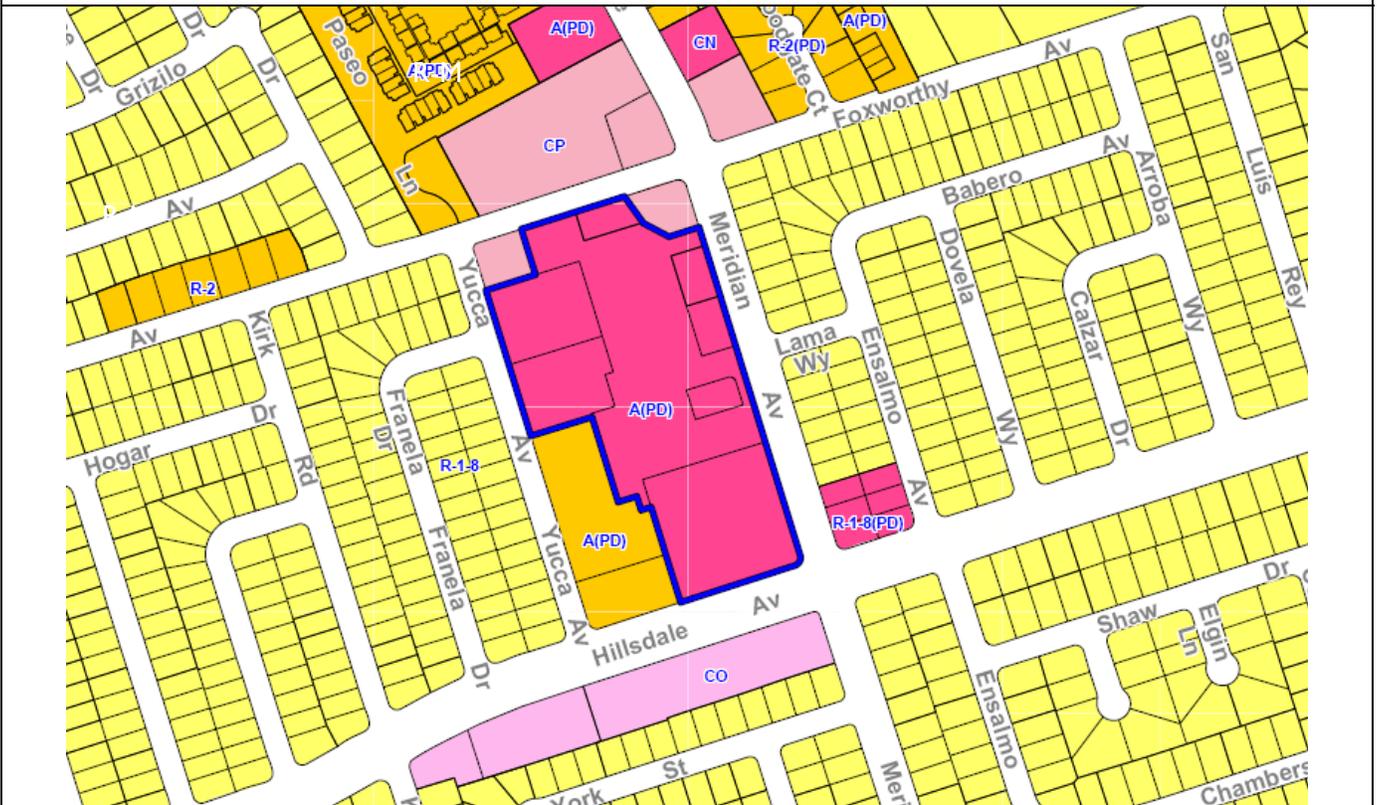
LOCATION: Northwest corner of Meridian Avenue & Hillsdale Avenue (Hacienda Gardens Shopping Center)



GENERAL PLAN



ZONING



RECOMMENDATION

Planning staff recommends that the Planning Commission uphold the Director's decision to approve a Planned Development Permit that allows the demolition of an existing commercial building and allow construction of a new 17,000 pad building for retail/commercial uses, reconfiguration of 13,090 square feet of previously approved in-line retail space, and allow the off-sale of alcohol on a 8.96 gross acre site as identified in the draft resolution and noted below:

1. The proposed project conforms to the General Plan Land Use/Transportation Diagram designation of Mixed Use #13 (Neighborhood/Community Commercial).
2. The proposed project conforms to the development standards for the A(PD) Planned Development Zoning District.
3. The project substantially conforms to the Commercial Design Guidelines.
4. The proposal will facilitate a project that is consistent with the commercial development pattern of the area.
5. The proposed project conforms to the requirements of CEQA.

BACKGROUND

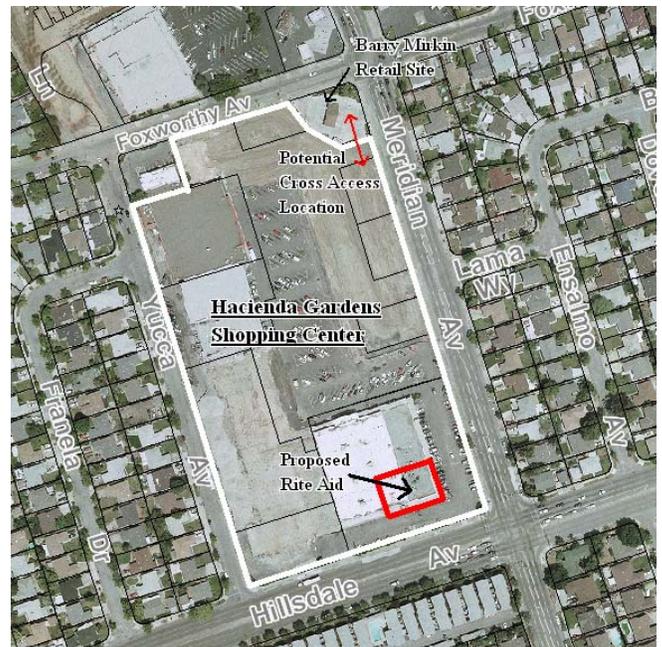
On June 30, 2009, Mark Tersini of Hacienda Gardens, LLC filed the subject Planned Development Permit to allow the demolition of an existing commercial building and allow construction of a new 17,000 pad building for retail/commercial uses, reconfiguration of 13,090 square feet of previously approved in-line retail space, and allow the off-sale of alcohol on 8.96 gross acres within the Hacienda Gardens Shopping Center.

The subject site is part of a larger Planned Development Zoning (File PDC02-053) approved in 2002 to remodel and expand the existing shopping center for up to 168,000 square feet of commercial uses and allow up to 299 new attached residential units. More recently, the project site was part of a recently approved General Plan Text Amendment (File GP09-T-04) to allow an increase in density from 12-25 DU/AC to 25-50 DU/AC for the residential component of the subject shopping center at the northeast corner of Yucca and Hillsdale Avenues. The shopping center encompasses most of the city block excluding an existing parcel developed with a 7-Eleven store at the southeast corner of Foxworthy and Yucca Avenues. Also excluded, is a recently approved 4,100 square foot retail building site (File H08-008) owned by Barry Mirkin which is not yet constructed at the southwest corner of Foxworthy and Meridian Avenues. This site was formerly a Chevron gas station site which was demolished in 2007. The future parking lot for this building will abut the parking lot for the subject site.

Upon review of the proposal and subsequent plan revisions in compliance with relevant codes, design policies and CEQA, the project was placed on the Director's Hearing agenda for February 24, 2010. At the hearing, Barry Mirkin, the adjacent commercial property owner and Larry Goldstein, an area resident identified their general support of the project provided that a draft permit condition for cross access between the two adjoining commercial sites was retained in the final permit. Mark Tersini, the developer, indicated an objection to this draft permit condition and expressed his opinion that there was not adequate nexus for such a condition. There were no other concerns raised. The original draft permit included the following condition:

“Cross Access Easement with APN 447-05-003. To reduce traffic congestion on Foxworthy and operational traffic conflicts on Meridian and Foxworthy Avenues from the driveways of the two adjoining commercial developments, this project shall offer an easement to allow cross access with the adjoining new retail building site located on APN 447-05-003. The applicant shall cooperate by allowing physical changes as necessary including, but not limited to, curb openings, paving, landscaping, irrigation and lighting improvements, however any such improvements and costs shall be provided by the adjacent property owner (owner of APN 447-05-003). Said offer may be rescinded after one year of the approval of this permit if the adjacent property has not secured a Permit Adjustment and has not commenced with the construction of the related physical improvements. The applicant is not required to enter into an agreement for a reciprocal parking arrangement. The Director will consult with the applicant regarding the final design of the Permit Adjustment plan prior to approval.”

Based on Mr. Tersini’s objection to the above draft permit conditions, the public hearing was continued to March 10, 2010 so that Planning Staff could further consult with the Department of Public Works, Department of Transportation and the City Attorney. Upon further review, staff concluded that there was not adequate nexus to require cross access based specifically on traffic safety issues (see analysis for additional information). At the subsequent hearing on March 10th, staff noted that the originally proposed draft permit condition requiring cross access was now proposed to be deleted. Additional testimony was received from Barry Mirkin and two area residents including Rhonda Hansen and Larry Goldstein, who continued to support the original draft permit condition for cross access. There were no other concerns raised at the hearing.



The permit was subsequently signed on March 11, 2010. On March 19, 2010, an appeal was filed by Rhonda Hansen based on the issue of the permit’s lack of inclusion of a condition for cross access between the Hacienda Gardens Shopping Center site and the adjoining commercial parcel owned by Barry Mirkin as previously described.

ANALYSIS

On the appeal form submitted by Rhonda Hansen, only one reason was identified for the appeal: “For operational and safety issues, the adjoining neighborhood believes that there should be a cross access easement with the adjoining (commercial) property as opposed to separate driveways”. The analysis section of this report addresses the subject of the appeal only and not other aspects of the site and architectural design of the proposed building.

Staff Response to Appeal

Prior to approval of the Planned Development Zoning (File PDC02-053) in 2003, the existing Hacienda Gardens Shopping Center had cross access with the adjacent Chevron gas station site, however, the approved conceptual site plan did not show the continuation of this cross access. The conceptual site plan did propose a driveway along the side the Chevron station site that could have easily facilitated cross access to link the two commercial properties. As part of the approval of the subsequent Planned Development Permit (File PD03-038), there was an oversight by staff, and the issue of cross access was not addressed. There were no specific discussions about cross access during the approval process. Given the magnitude and scope of the original Planned Development Permit, which also involved the design review of the entire parking lot, there was adequate justification to require cross access pursuant to the conformance with the Commercial Design Guidelines and good planning practices. There was, however, no specific condition to address cross access at that time, since staff did not anticipate that there would be a problem securing this with a subsequent Planned Development Permit.

The Chevron station was later demolished with appropriate permits in 2007. That site was later purchased and proposed for redevelopment by Barry Mirkin, who secured a Site Development Permit (File H08-008) for a new 4,100 square foot retail building. As part of the review process for Mr. Mirkin's Site Development Permit, staff had encouraged him to negotiate with Mark Tersini, owner of the Hacienda Gardens Shopping Center site, for cross access and/or reciprocal parking. Mr. Tersini had initially expressed to staff that he was hesitant to facilitate the request since he was not able to secure a mutually agreeable financial arrangement with Mr. Mirkin. Later, Mr. Tersini expressed a more general concern that cross access might result in unauthorized parking by patrons from the other commercial site. This in turn might reduce the attractiveness or perception of adequate on-site parking for a prospective anchor tenant. It should be noted that both sites provide adequate parking per the requirements of the Zoning Ordinance. The draft condition originally contemplated by staff was only for cross access and did not include a requirement for a reciprocal parking agreement.

Cross access between commercial projects is encouraged by the City's Commercial Design Guidelines to avoid confusing vehicular circulation between stores. Further, the intent of this policy to minimize the number of driveways curb cuts on the adjoining street(s) to maintain better traffic flow on streets. By reducing the number of driveway connections to the street, the continuity of front setback landscaping or building storefronts adjacent to streets can be maximized.

As part of additional work conducted by staff, it was concluded that although there would be benefits to having cross access between the two commercial sites, there was not adequate nexus to require cross access based specifically on traffic safety issues. The Department of Public Works and Department of Transportation concluded that if no cross access was provided that this would not specifically impair the safety of vehicular traffic on any of the adjacent public streets. Additionally, the scope of the subject construction activity is on the opposite site of the shopping center from the area where cross access would have been facilitated. In order for the City to require specific project improvements or conditions there must be a reasonable relationship (nexus) between the impacts of a project and the specific project condition.

Conclusion

Staff feels that there is not adequate nexus to mandate cross access based on traffic safety issues, given the scope of this specific Planned Development Permit for a new building at the opposite end of the shopping center. That said, while the City may not be in a position for force this issue, there would still be benefits in providing cross access for reasons unrelated to the specific matter of traffic safety. These would include the avoidance of a confusing vehicular circular element which, in essence, would require the use of the public street to travel between the two adjacent commercial sites. Another benefit is that cross access could allow the elimination of one of the driveways in close proximity to each other on Meridian Avenue, thereby allowing more continuous landscaping next to the sidewalk and a better pedestrian experience. It is unfortunate that staff neglected to secure the cross access as part of the larger, original Planned Development Permit. Staff would continue to encourage that the two commercial property owners enter into a private agreement that facilitates cross access and/or reciprocal parking.

ENVIRONMENTAL REVIEW

Environmental Clearance for this project is covered by the Mitigated Negative Declaration that was issued for the Planned Development Rezoning (File PDC02-053). The key issues addressed included the potential impacts of traffic on the level of service (LOS) and noise generated by the proposed project. Information regarding other environmental issues can be obtained by reviewing the staff report that was prepared for the Planned Development Rezoning on the Department's website link: <http://www.sjpermits.org/permits/permits/>.

PUBLIC OUTREACH/INTEREST

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

A notice of the public hearing was published, posted on the City's web site, and distributed to the owners and tenants of all properties located within 1000 feet of the project site. A sign has been posted on the project site. A community meeting was held on October 8, 2009 which jointly addressed the recent General Plan Amendment proposal (GP09-T-04) as described in the background section of this report. While there were significant comments about the General Plan Amendment for the residential component of the shopping center, there were no comments about the subject Planned Development Permit for new commercial building (Rite Aid) or about the issue of cross access. Copies of this staff report have also been posted on the City website. Staff has been available to discuss the proposal with members of the public.

Project Manager: Mike Enderby **Approved by:**  **Date:** 4/07/10

Owner/Appellant	Attachments:
<p>Owner: Mark Tersini Hacienda Gardens, LLC 21710 Stevens Creek Blvd., Suite 200 Cupertino, CA 95014</p> <p>Appellant: Rhonda Hansen 1695 Grizilo Drive San Jose, CA 95124</p>	<ul style="list-style-type: none">-Appeal request form dated 3/19/10-Letter from appellant (Rhonda Hansen) dated 4/5/10-Petition from community in support of cross access-Letter from Barry Mirkin, dated 4/5/10-Letter from Larry Goldstein, dated 4/7/10-Memorandum from the Dept. of Public Works, 3/3/10

RESOLUTION NO.

Resolution of the Planning Commission of the City of San José granting, subject to conditions, a Planned Development Permit to use certain real property described herein for the purpose of allowing demolition an existing commercial building and allowing construction of a new 17,000 pad building for retail/commercial uses, reconfiguration of 13,090 square feet of previously approved in-line retail space, and allow the off-sale of alcohol located at the northwest corner of Hillsdale and Meridian Avenues on a 8.96 gross acre site.

FILE NO. PD09-023

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 June 30, 2009, an application (File No. PD09-023) was filed for a Planned Development Permit Amendment for the purpose of allowing demolition an existing commercial building and allowing construction of a new 17,000 pad building for retail/commercial uses, reconfiguration of 13,090 square feet of previously approved in-line retail space, and allow the off-sale of alcohol on a 8.96 gross acre site on that certain real property (hereinafter referred to as "subject property"), situate in the A(PD) Planned Development Zoning District, located at the northeast corner of Hillsdale Avenue and Meridian Avenue in the Hacienda Gardens Shopping Center, 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, "Specific Development Plan- Hacienda Gardens- Retail Shopping Center", dated January 13, 2010. 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 proposed project would allow demolition of an existing commercial building and allow the construction of a new 17,000 pad building for retail/commercial uses, minor reconfiguration of 13,090 square feet of previously approved in-line retail space, and allow the off-sale of alcohol on an 8.96 gross acre site.
2. The project proposes a drive-through pharmacy for the new pad building.
3. The subject pad building is the largest single new construction element of the shopping center.
4. The subject site is part of a Planned Development Zoning that includes encompasses a larger shopping center with over 100,000 square feet of planned retail and commercial uses referred to as the Hacienda Gardens Shopping Center.
5. This Planned Development Zoning also includes 2.33 acres of contiguous area that was recently the subject of an approved General Plan Amendment (File GP09-T-04) to change the land use designation from High Density Residential (12-25 DU/AC) to Very High Density Residential (25-50 DU/AC) more specifically identified as Mixed Use #13 by San Jose's 2020 General Plan.
6. Mixed Use #13, which includes the subject commercial site, encompasses almost all of a City block and is bounded by four streets including Hillsdale Avenue, Meridian Avenue, Foxworthy Avenue and Yucca Avenue. Small exceptions to the block include an existing 7-Eleven Store at the southeast corner of Foxworthy and Yucca Avenues and a recently approved 4,100 square foot retail building at the southwest of Foxworthy and Meridian Avenues.
7. The proposed adjacent 4,100 square foot retail building aligns with new pad buildings already constructed on the Hacienda Gardens Shopping Center site. The parking area for said building is contiguous with the parking area for Hacienda Gardens Shopping Center. The adjacent approved building conforms to the parking requirements as required by the Zoning Ordinance.
8. Concerns were raised at public community meetings and/or hearings for the above noted General Plan Amendment and subject Planned Development Permit about traffic congestion contributions from the increase in residential units and on Foxworthy Avenue, a constrained thoroughfare, although it was also recognized that such increases in traffic would not specifically degrade the level of service rating at the intersection of Foxworthy and Meridian Avenues.

9. The Commercial Design Guidelines recommend that the parking lots of contiguous commercial uses be designed to facilitate cross access with one another to minimize operational traffic impacts on the adjoining public streets.
10. To reduce traffic congestion on Foxworthy and operational traffic conflicts on Meridian and Foxworthy Avenues from the driveways of the two adjoining commercial developments, the project as conditioned includes, a requirement for cross access with the adjoining new retail building site located at the southwest of Foxworthy and Meridian Avenues. Further, the applicant shall be required to cooperate by allowing physical changes to items such as curbs, landscaping, irrigation and lighting improvements as necessary to be provided by the adjacent property owner. Any such improvements and costs shall be provided by the adjacent property owner with no cost to the applicant. The applicant is not required to enter into an agreement with the adjacent property owner for a reciprocal parking arrangement.
11. There is currently a Rite Aid located within the same shopping center that will re-locate to the new proposed building, bringing its existing ABC license. No additional licenses for the off-sale of alcohol will be added to the site. The Rite Aid may also locate into an interim location on the site while their new building is under construction.
12. The project site is located within Census Tract 5029.02
13. The project site is not located within an area of high crime, but the area does have an over-concentration of existing off-sale liquor licenses.
14. The project is simply proposing to relocate an existing off-sale of alcohol license from another tenant space within the same shopping center, resulting in no increase of alcohol sales establishments on the site or in the same census tract.

FINDINGS

1. The Planned Development Permit, as issued, furthers the policies of the General Plan in that the zoning for the property is consistent with the General Plan Land Use designation of Neighborhood/Community Commercial as identified in Mixed Use #13.
2. The Planned Development Permit, as issued, conforms in all respects to the Planned Development Zoning of the property in that:
 - a. The proposed development conforms to the development standards and regulations of the approved General Development Plan.
3. The interrelationship between the orientation, location and mass and scale of building volumes, and elevations of proposed buildings, structures and other uses on-site are appropriate, compatible and aesthetically harmonious in that:
 - a. The exterior wall and roof materials of the proposed structure(s) match or are compatible in terms of color and texture.
 - b. The architectural elements of the proposed and/or existing structure(s) are integrated into a harmonious whole.
 - c. The proposed and/or existing structure(s) are comparable in terms of mass, scale and height.
 - d. Sufficient open space separates all structure(s) and uses.

- e. Parking spaces are conveniently located in relation to the uses they support.
 - a. The proposed number and size of parking spaces complies with the requirements of the approved Planned Development Zoning.
 - f. Substantial landscaping will be added to the site and an adequate automatic irrigation system will be provided to support this landscaping.
4. The environmental impacts of the project including, but not limited to, noise, vibration, dust, drainage, erosion, and odor which, even if insignificant for purposes of the California Environmental Quality Act (CEQA), will not have an unacceptable negative effect on adjacent property or properties in that:
- a. The environmental impacts of this project were addressed by a Mitigated Negative Declaration adopted on October 15, 2002 for the previously approved PD Zoning (File No. PDC02-053) The major environmental issues addressed were air quality, biological resources, cultural resources, geology/soils, hazards/hazardous materials, hydrology/water quality, noise, and transportation/traffic. The Mitigated Negative Declaration included appropriate mitigation to reduce these potential environmental impacts to less than significant levels.
 - b. The proposed project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the California Department of Fish and Game Code.
5. The Planning Director has considered all of the following criteria in evaluating the proposed demolition.
- a. The failure to approve the permit would result in the creation of continued existence of a nuisance, blight or dangerous condition.
 - b. The failure to approve the permit would jeopardize public health, safety or welfare.
 - c. The approval of the permit should maintain the supply of commercial space in the City of San José
 - d. Both inventoried and non-inventoried buildings, sites and districts of historical significance should be preserved to the maximum extent feasible.
 - e. Rehabilitation or reuse of the existing building would not be feasible.
 - f. The approval of the demolition of the building should facilitate a project which is compatible with the surrounding neighborhood.
 - g. The demolition of the building without an approved replacement building should not have an adverse impact on the surrounding neighborhood.
6. The benefits of permitting the demolition, removal or relocating of the subject structures outweigh the impacts of the demolition, removal or relocation.
7. Pursuant to section 20.80.900 of the Zoning Ordinance, criteria for approval of facilities engaging in the off-sale of alcoholic beverages, the proposed permit is found to conform in that:
- a. The proposed number of off-sale establishments for approval under this permit are the same as for the existing uses that were legally permitted prior to approval of the subject permit.

- b. There would be no increase in the number of off-sale establishments.
- c. The specific findings in the above noted in section 20.80.900 of the Zoning Ordinance are not applicable since there is not an additional off-sale establishment proposed on this site or within the census tract.

APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. **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.
2. **Permit Expiration.** This Planned Development Permit shall automatically expire four years from and after the date of issuance hereof by said Director, if within such time period, the construction of buildings has not commenced, pursuant to and in accordance with the provision of this Planned Development Permit. The date of issuance is the date this Permit is approved by the Director of Planning. However, the Director of Planning may approve a Permit Adjustment/ Amendment to extend the validity of this Permit in accordance with Title 20. The Permit Adjustment/Amendment must be approved prior to the expiration of this Permit.
3. **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.
4. **Building Permit/Certificate of Occupancy.** Procurement of a Building Permit and/or Certificate of Occupancy from the Building Official for the structures described or contemplated under this permit shall be deemed acceptance of all conditions specified in this permit and the applicant's agreement to fully comply with all of said conditions. No change in the character of occupancy or change to a different group of occupancies as described by the "Building Code" shall be made without first obtaining a Certificate of Occupancy from the Building Official, as required under San José Municipal Code Section 24.02.610, and any such change in occupancy must comply with all other applicable local and state laws.

5. **Demolition Permit.** Obtainment of a Demolition Permit is evidence of acceptance of all conditions specified in this document and the applicant's intent to fully comply with said conditions. No demolition of the structure may be implemented unless and until the Building Division issues a Demolition Permit pursuant to Section 301 of the Uniform Building Code, as adopted pursuant to the provisions of Chapter 17.04 of Title 17 of the San José Municipal Code.
6. **Conformance with Plans.** Construction and development shall conform to approved plans entitled, "Specific Development Plan- Hacienda Gardens- Retail Shopping Center", dated January 13, 2010, on file with the Department of Planning, Building and Code Enforcement and to the San José Building Code (San José Municipal Code, Title 17, Chapter 17.04).
7. **Applicability to Other Approved Permits.** Unless other noted in this permit, all conditions of the master Planned Development Permit (File PD03-038) shall remain in full force and effect.
8. **Revocation.** This Planned Development Permit is subject to revocation for violation of any of its provisions or conditions.
9. **Cross Access Easement with APN 447-05-003.** To reduce traffic congestion on Foxworthy and operational traffic conflicts on Meridian and Foxworthy Avenues from the driveways of the two adjoining commercial developments, this project shall offer an easement to allow cross access with the adjoining new retail building site located on APN 447-05-003. The applicant shall cooperate by allowing physical changes as necessary including, but not limited to, curb openings, paving, landscaping, irrigation and lighting improvements, however any such improvements and costs shall be provided by the adjacent property owner (owner of APN 447-05-003). Said offer may be rescinded after one year of the approval of this permit if the adjacent property has not secured a Permit Adjustment and has not commenced with the construction of the related physical improvements. The applicant is not required to enter into an agreement for a reciprocal parking arrangement. The Director will consult with the applicant regarding the final design of the Permit Adjustment plan prior to approval.
10. **Proposed Drive Through Use.** The Drive-through use for the subject pad building shall be limited to a pharmacy use only. Any modifications to said use shall require a Planned Development Permit or Amendment. The drive-through use shall be limited to operating hours between 7:00 a.m. and 10:00 p.m.
11. **Off-Sale of Alcohol.** This project includes the off-sale of alcohol within the new 17,000 square foot pad building as part of the relocation of Rite Aid which already is allowed for such a use. This permit also allows Rite Aid to relocate its use, including the off-sale of alcohol, into a temporary location within the same shopping center while the new building is under construction. The sale of alcoholic beverages shall be limited to 5% of the total floor area.
12. **Public Works Clearance for Building Permit(s) or Map Approval:** Prior to the approval of the Tract or Parcel Map (if applicable) by the Director of Public Works, or the issuance of Building permits, whichever occurs first, the applicant will be required to have satisfied all of the following Public Works conditions. The applicant is strongly advised to apply for any necessary Public Works permits prior to applying for Building permits.

- a. **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.
- b. **Transportation:** Contribute \$10,000 for post-project traffic evaluation as required per zoning approval (PDC02-053).
- c. **Grading/Geology:**
 - i. A grading permit is required prior to the issuance of a Public Works Clearance.
 - ii. If the project proposes to haul more than 10,000 cubic yards of cut/fill to or from the project site, a haul route permit is required. Prior to issuance of a grading permit, contact the Department of Transportation at (408) 535-3850 for more information concerning the requirements for obtaining this permit.
 - iii. Because this project involves a land disturbance of one or more acres, the applicant is required to submit a Notice of Intent to the State Water Resources Control Board and to prepare a Storm Water Pollution Prevention Plan (SWPPP) for controlling storm water discharges associated with construction activity. Copies of these documents must be submitted to the City Project Engineer prior to issuance of a grading permit.
- d. **Stormwater Runoff Pollution Control Measures:** This project must comply with the City's Post-Construction Urban Runoff Management Policy (Policy 6-29) which requires implementation of Best Management Practices (BMPs) that include site design measures, source controls, and stormwater treatment controls to minimize stormwater pollutant discharges. Post-construction treatment control measures, shown on the project's Stormwater Control Plan, shall meet the numeric sizing design criteria specified in City Policy 6-29.
 - i. The project's Stormwater Control Plan and numeric sizing calculations have been reviewed and this project will be in conformance with City Policy 6-29.
 - ii. Final inspection and maintenance information on the post-construction treatment control measures must be submitted prior to issuance of a Public Works Clearance.
 - iii. A post construction Final Report is required by the Director of Public Works from a Civil Engineer retained by the owner to observe the installation of the BMPs and stating the all post construction storm water pollution control BMPs have been installed as indicated in the approved plans and all significant changes have been reviewed and approved in advance by the Department of Public Works.
- e. **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.
- f. **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.

- g. **Easements:** Vacate existing PSE, EAE and IEE in conflict with the proposed Rite Aid structure prior to Public Works Clearance for Building Permit.
- h. **Street Improvements:**
 - i. Applicant shall be responsible to remove and replace curb, gutter, and sidewalk damaged during construction of the proposed project.
 - ii. Remove and replace broken or uplifted curb, gutter, and sidewalk along project frontages.
 - iii. Relocate existing bus stop and construct new PCC bus pad to the satisfaction of the Director of Public Works.
 - iv. All proposed driveways shall be 26' wide and constructed per City standards.
 - v. All driveways along Meridian Avenue shall be restricted to right turns only except for the signalized entrance at Meridian Avenue and Lama Way.
 - vi. Construct City standard wheel chair ramps with detectable warnings at project corners.
 - vii. Install pan tilt zoom camera on the traffic signal at Hillsdale and Meridian Avenue.
 - viii. 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.
 - i. **Electrical:** Existing electroliers along the project frontage will be evaluated at the public improvement stage and any street lighting requirements will be included on the public improvement plans.
 - j. **Street Trees:** The locations of the street trees will be determined at the street improvement stage. Street trees shown on this permit are conceptual only. Contact the City Arborist at (408) 277-2756 for the designated street tree. 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.
- 13. **Sign Approval.** No signs are approved at this time. All proposed signs shall be subject to approval by the Director of Planning.
- 14. **Materials.** All building and materials are to be those specified on the approved plan set.
- 15. **Loading Activities.** All loading activities shall be limited to the hours of 6:00 a.m. to 9:00 p.m.
- 16. **No Outside Storage.** No outside storage is permitted for the project except in designated enclosures. The trash enclosure doors shall remain closed except while in use. No outdoor storage is permitted within the loading area.
- 17. **Overflow Parking.** Pursuant to PD03-038, the commercial parking areas shall be made available as overflow parking by residents and guests of the future adjoining residential units on Yucca Avenue that are part of Mixed Use #13.

ADOPTED and issued this **21st day of April 2010**, by the following vote:

AYES:

NOES:

AB SENT:

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.

NOTICE OF PERMIT APPEAL

TO BE COMPLETED BY PLANNING STAFF

FILE NUMBER PD09.023	RECEIPT # —
PROJECT LOCATION	AMOUNT \$ 101.25
	DATE 3-19-2010
	BY HMEENA

TO BE COMPLETED BY PERSON FILING APPEAL

PLEASE REFER TO PERMIT APPEAL INSTRUCTIONS BEFORE COMPLETING THIS PAGE. THIS FORM MUST BE ACCOMPANIED BY THE APPROPRIATE FILING FEE.

THE UNDERSIGNED RESPECTFULLY REQUESTS AN APPEAL FOR THE PROPERTY WHICH IS LOCATED AT:

NW / C Hilldale & Meridian - Ritz And Project - File: PD09-023

REASON(S) FOR APPEAL (For additional comments, please attach a separate sheet.):

For Operational & Safety Issues the Adjoining Neighborhood Believes there should be a cross access Nexus with the adjoining property as opposed to separate driveways.

PERSON FILING APPEAL

NAME RHONDA HANSEN	DAYTIME TELEPHONE (408) 718-1782
ADDRESS 1695 GRIZIKO DRIVE	CITY SAN JOSE
	STATE CA
	ZIP CODE 95124
SIGNATURE <i>Rhonda J. Hansen</i>	DATE 3/19/10
RELATIONSHIP TO SUBJECT SITE: (e.g., adjacent property owner, property owner within one thousand (1,000) feet)	

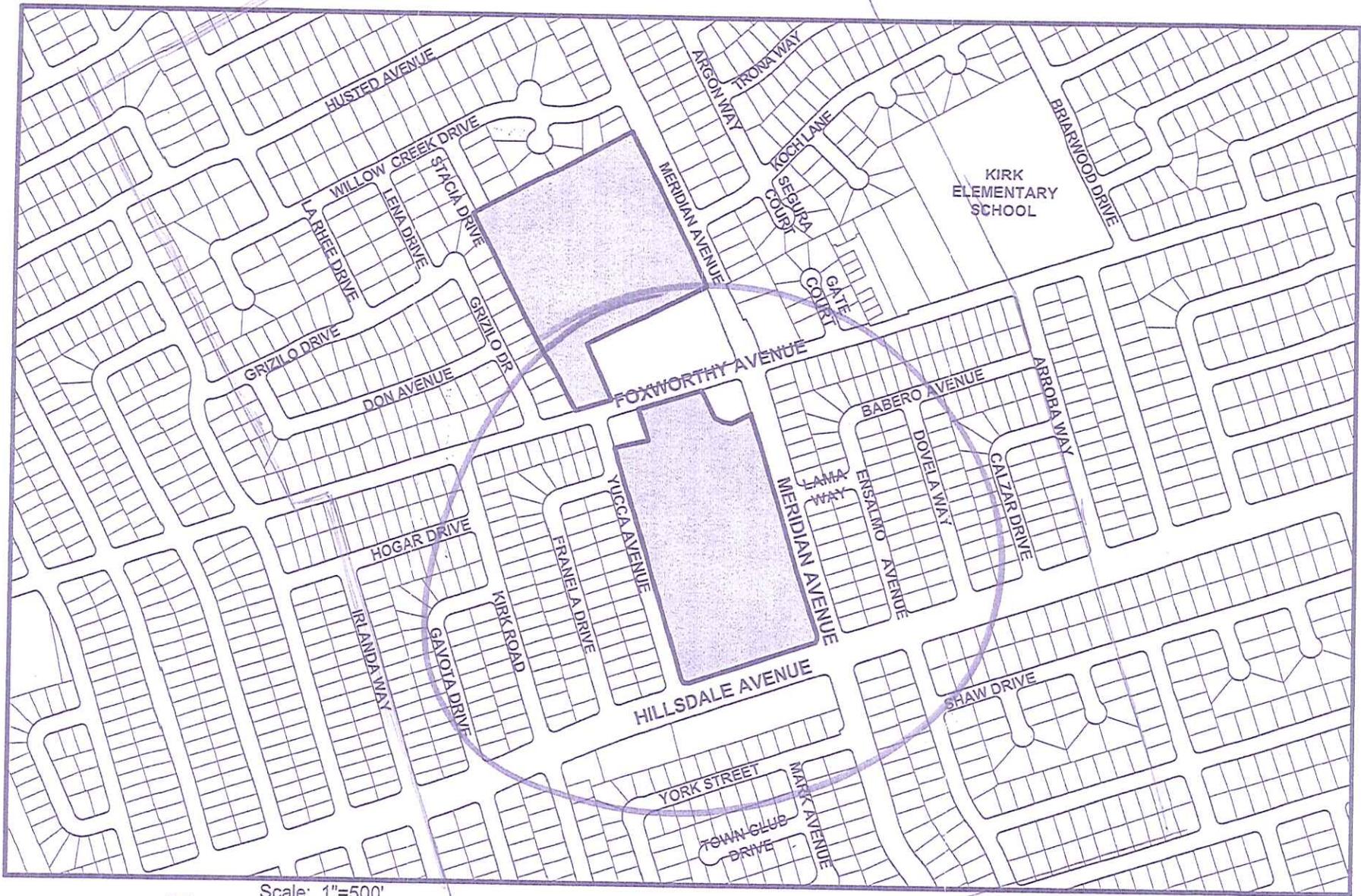
**CONTACT PERSON
(IF DIFFERENT FROM PERSON FILING APPEAL)**

NAME LARRY GOLDSTEIN			
ADDRESS 1700 FABIAN DRIVE		CITY SAN JOSE	STATE CA
		ZIP CODE 95104	
DAYTIME TELEPHONE (408) 761 0919	FAX NUMBER ()	E-MAIL ADDRESS LARRY63LAG@YAHOO.COM	

PROPERTY OWNER

NAME Hacienda Gardens, LLC Mark Tersini/Ritz And	DATE 3/19/2010
ADDRESS	CITY
	STATE
	ZIP CODE

PLEASE CALL THE APPOINTMENT DESK AT (408) 535-3555 FOR AN APPLICATION APPOINTMENT.



Scale: 1"=500'



~~File No: PT03-068~~

District: 09

Quad No: 114

**PETITION for
CROSS ACCESS NEXUS BETWEEN HACIENDA GARDENS AND THE OLD CHEVRON STATION
City of San Jose, California**

April 1, 2010

To the Honorable Mayor, City Council Members and Planning Commission, San Jose, California

We, the undersigned residence of San Jose District 9 do hereby petition the City Council and Planning Commission to take such action as may be necessary to cause the construction of a cross access nexus between Rite Aid Project - File: PD09-023 and the old Chevron Station (currently empty lot) owned by Barry Mirkin.

This cross access will significantly improve the operation and safety at the intersection of Meridian/Foxworthy as well as to benefit the new commercial, future residential, existing residential neighborhood and the City of San Jose as a whole.

<u>Signature</u>	<u>Name (please print)</u>	<u>Address</u>
<u>Umaro Akkaid</u>	<u>DUANE SERRANO</u>	<u>1715 FABIAN DR.</u>
<u>Beverly Willet</u>	<u>Beverly Willet</u>	<u>1706 Fabian Dr.</u>
<u>Jane Novak</u>	<u>JAMES NAJBA</u>	<u>1708 FABIAN DR</u>
<u>Elizabeth Hady</u>	<u>Elizabeth Hendey</u>	<u>1712 Fabian Drive</u>
<u>S. Osborne</u>	<u>Sarah Osborne</u>	<u>1737 Fabian Dr</u>
<u>Jean Averman</u>	<u>Jean Averman</u>	<u>1741 Fabian Drive</u>
<u>Matthew Rabe</u>	<u>Matthew Rabe</u>	<u>1745 Fabian Drive</u>
<u>Joan Marie Denike</u>	<u>JOANIE M DENIKE</u>	<u>2693 Dumbarton AVE</u>
<u>Christina Conner</u>	<u>Christina Conner</u>	<u>2687 Dumbarton Ave</u>
<u>Cyril R. Denike</u>	<u>Cyril R. Denike</u>	<u>2693 Dumbarton Ave.</u>
<u>Mina Sagumbeni</u>	<u>MINA SAGUMBENI</u>	<u>2720 Dumbarton Ave.</u>
<u>Antonio Zambrano</u>	<u>ANTONIO ZAMBRANO</u>	<u>1740 Fabian Dr. S.J.</u>
<u>Mary Ann Niola</u>	<u>Mary Ann Niola</u>	<u>1738 Fabian Dr S.J.</u>
<u>Edward S Jacklitch</u>	<u>EDWARD S JACKLITCH</u>	<u>1736 FABIAN DR</u>
<u>Linda Rivas</u>	<u>LINDA RIVAS</u>	<u>1734 FABIAN DR S.J.</u>
<u>Kathleen Bandanza</u>	<u>Kathleen Bandanza</u>	<u>1728 Fabian Dr S.J.</u>
<u>Larry Cristofani</u>	<u>LARRY CRISTOFANI</u>	<u>1722 Fabian Dr.</u>
<u>Jean Paliotta</u>	<u>Jean Paliotta</u>	<u>1717 Fabian Dr.</u>
<u>Mike Paliotta</u>	<u>MIKE PALIOTTA</u>	<u>1717 FABIAN DR.</u>
<u>Sally Kim</u>	<u>SALLY KIM</u>	<u>1715 FABIAN DR</u>
<u>Josephine Bertaccini</u>	<u>Josephine Bertaccini</u>	<u>1704 Fabian Dr. S.J. 95124</u>
<u>Edwadda Bertaccini</u>	<u>EDWADDA BERTACCINI</u>	<u>1704 FABIAN DR. SJ 95124</u>
<u>Christopher Bidone</u>	<u>Christopher Bidone</u>	<u>1710 Fabian Dr SJ CA 95124</u>
<u>Velly Brindle</u>	<u>Velly Brindle</u>	<u>1710 Fabian Dr. SJ. CA 95124</u>
<u>Dennis Hendey</u>	<u>DENNIS HENDEY</u>	<u>1712 Fabian Dr. SJ CA 95124</u>
<u>Dennis Gordon</u>	<u>DENNIS GORDON</u>	<u>1719 Fabian DR, SJ 95124</u>
<u>P. Duckworth</u>	<u>P. DUCKWORTH</u>	<u>1719 Fabian DR, SJ 95124</u>
<u>Patricia Bellanca</u>	<u>PATRICIA BELLANCA</u>	<u>1723 FABIAN SJ 95124</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

April 5, 2010

City of San Jose Planning Commission
c/o Mike Enderby, Senior Planner
200 East Santa Clara Street, Room T-300
San Jose, CA 95113-1905



To Whom It May Concern:

My name is Rhonda Hansen and I am a founding member of the Ninth District Neighborhood Action Committee as well as a resident in the neighborhood of the Hacienda Gardens Shopping Center. I have been actively involved in the renovation of this project since it started eight long years ago.

I am writing to speak in favor of the cross access between the two parcels owned by Mark Tersini and Barry Mirkin at the Hacienda Gardens Shopping Center.

Two contiguous driveways with right turn only exits may suffice for safety parameters per legal guidelines but it does not make any sense when cross access would minimize traffic on already impacted neighboring streets, would not require shoppers to exit one parcel to enter the other and would not conflict with the existing bus stop on Meridian Avenue. Cross access, which existed between the shopping center and the former Chevron Station (which was what formerly occupied Mr. Mirkin's site), would be beneficial to the commercial tenants, the shoppers, the neighborhood, the developers and the City.

I do not understand Mr. Tersini's opposition to the cross access – especially when the financial burden falls on Mr. Mirkin and Mr. Tersini and his commercial tenants do not lose any parking. Mr. Tersini's personal issues should not supersede what benefits the neighborhood, the commercial tenants, and the City. If Mr. Tersini is acceptable to the cross access being a condition on Mr. Mirkin's property or if he is compensated by Mr. Mirkin (per his conversation with another member of the Ninth District Neighborhood Action Committee), then he should be acceptable to the cross access being a condition on his property – especially since there are no negative ramifications to Mr. Tersini, his commercial tenants or his property.

The only reason this condition does not already exist in the plans is because at the time of the original permit – over eight years ago – there was a Chevron Station at Mr. Mirkin's site which had an existing cross access with the shopping center so there was no need to include it in the plans. Why should the cross access, which previously existed between these two parcels, be removed from the current renovation plans?

We have all been dealing with the renovation of this shopping center for eight years. John DeQuisto was in office when it first started and now Judy Chirco, his successor, is months away from terming out. My daughter was 10 years old and in elementary school and now she is a freshman in college.

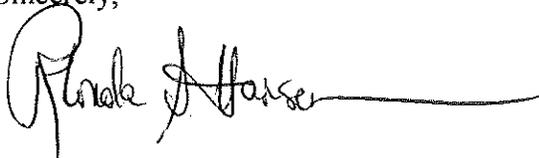
It is hard to believe that all projects are this painful and take this long to complete. It is inconceivable that this shopping center has been vacant this long –depriving the City of revenue and the neighborhood of commercial services.

The Toll Brothers parcel, which was purchased from Mr. Tersini 3 or 4 years ago, is 95% constructed and 50-75% occupied. On the other hand, Mr. Tersini eight years later is still fighting the neighborhood and the City, has a partially constructed site that is predominantly vacant and still without an anchor tenant.

It seems ludicrous that at this point we are debating a cross access that the Planning Department recommended in their initial approval of the current PD permit for the Rite Aid building, a cross access that existed for years at this very site, a cross access that would minimize traffic on already impacted neighboring streets, a cross access that would not necessitate moving an existing bus stop, a cross access that would facilitate ingress and egress between the two parcels thus benefiting the commercial tenants and the shoppers – all because of Mr. Tersini's personal resentment of Mr. Mirkin obtaining the parcel that he wanted.

Please reconsider and approve this cross access so that construction can move forward in a timely manner and this project can finally be completed.

Sincerely,

A handwritten signature in black ink that reads "Rhonda Hansen" followed by a long horizontal flourish.

Rhonda Hansen
Ninth District Neighborhood Action Committee
Resident

April 5, 2010

To: Planning Commission
City of San Jose, Ca
C/O Mike Enderby

From: Barry Mirkin
1697 Mulberry Lane
San Jose, Ca 95125



Re: Meridian and Foxworthy (APN# 447-05-003)

I am writing this memo as the owner of the closed Cevron Gas station that was formerly at this intersection. I am also writing in support of the neighborhoods request for cross access between the subject parcel and Hacienda Gardens.

Hacienda Gardens applied for a PD (#PD09-023) permit to demolish the existing Rite Aid building. In that draft development permit, the planning Department gave the rationale for a cross access agreement and the request that Hacienda Gardens and the subject parcel have a common driveway to Meridian Ave. This cross access would eliminate an additional driveway onto Meridian. It also suggested a shared parking agreement. At the Directors hearing the applicant requested a two week postponement, because he did not agree with some of the Planning Department statements in the draft development permit. The Planning Department then dropped that request at the subsequent Directors Hearing.

I support the neighborhoods petition to reinstate this cross access for the following reasons.

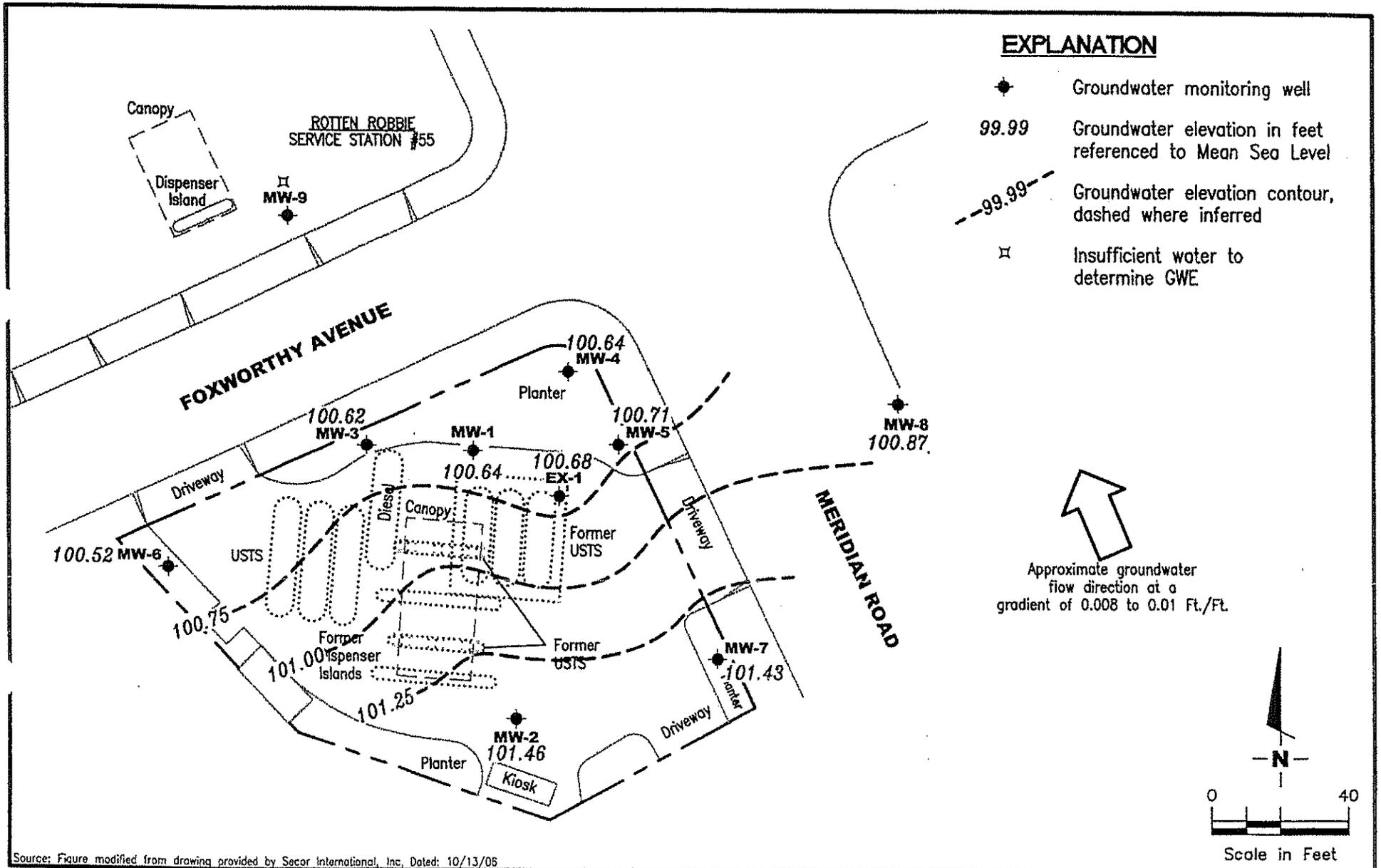
1. On November 25, 2009, Vice Mayor Judy Chirco sent a memo to the City Council, but while the memo does not specifically address the cross access, it does address the need to minimize traffic on the surrounding streets.
2. The Planning Department asked me for an irrevocable easement on Foxworthy to provide a turning lane in the future. I believe that this was due to the additional traffic generated by the redesigned Hacienda Gardens. I readily agreed to this request to donate the 550 sq ft (3.6%) for this purpose, as I believe that this would be better for the neighborhood.
3. The city's Commercial; Design Guidelines calls for the contiguous commercial uses be designed to facilitate cross access..... to minimize traffic on adjoining streets.

4. On March 3, 2010 the Public works department wrote a memo **supporting** the cross access for the following reasons.
 - a. It will improve circulation between the parcels, and reduce traffic on to Meridian.
 - b. Without the cross access the bus stop will need to be removed and relocated. According to VTA, “ the relocation of the bus stop is not desirable” (for several excellent reasons)
 - c. Pedestrian safety: With the additional driveway required without the cross access, pedestrians are exposed to additional vehicular traffic from two driveways.
5. When the Chevron Station was in operation there was an existing cross access to the center, thereby eliminating the need to go out to the street to shop at the other stores. I have attached a drawing of the station for your reference.
6. If this appeal is denied there will be a second driveway closer to the corner. We now have the opportunity to improve the circulation by reducing the number of driveways entering Meridian.
7. The neighborhood supports this cross access, and has filed this appeal in support of this position.
8. In GP09-T-04 The following statement was included in the staff report, “ The shopping center should have an integrated parking lot with share(d) access and reciprocal parking with the proposed new retail building on the former Chevron site to reduce traffic congestion on Foxworthy and Meridian Avenues.”

It further goes on to state that,” The applicant has indicated his willingness to explore or comply with all of these suggestion at the Planned Development stage.”

I hope that you will support the original staff recommendations, the Public Works recommendations, the Vice Mayor’s position, as well as the Community’s support for this cross access, and shared parking.

Thank You for your time in reading this memo.



Source: Figure modified from drawing provided by Secor International, Inc. Dated: 10/13/06

GETTLER - RYAN INC.
 6747 Sierra Court, Suite J
 Dublin, CA 94568 (925) 551-7555

POTENTIOMETRIC MAP
 Chevron Service Station #9-4793
 1656 Foxworthy Avenue
 San Jose, California

FIGURE
1

PROJECT NUMBER
386811

REVIEWED BY

DATE
 May 6, 2008

REVISED DATE

April 7, 2010

Mike Enderby, Senior Planner
City of San Jose, Planning Division
200 East Santa Clara Street, Room T-300
San Jose, CA 95113-1905

Dear Mr. Enderby:

My name is Larry Goldstein and I am a founding member of the Ninth District Neighborhood Action Committee as well as a resident in the neighborhood of the Hacienda Gardens Shopping Center. I have been actively involved in the renovation of this project since it started eight long years ago.

I am writing to speak in favor of the cross access between the two parcels owned by Mark Tersini and Barry Mirkin at the Hacienda Gardens Shopping Center.

Two contiguous driveways with right turn only exits may suffice for safety parameters per legal guidelines but it does not make any sense when cross access would minimize traffic on already impacted neighboring streets, would not require shoppers to exit one parcel to enter the other and would not conflict with the existing bus stop on Meridian Avenue. Cross access, which existed between the shopping center and the former Chevron Station (which was what formerly occupied Mr. Mirkin's site), would be beneficial to the commercial tenants, the shoppers, the neighborhood, the developers and the City.

I do not understand Mr. Tersini's opposition to the cross access – especially when the financial burden falls on Mr. Mirkin and Mr. Tersini and his commercial tenants do not lose any parking. Mr. Tersini's personal issues should not supersede what benefits the neighborhood, the commercial tenants, and the City. If Mr. Tersini is acceptable to the cross access being a condition on Mr. Mirkin's property or if he is compensated by Mr. Mirkin (per his 1 ½ hour conversation with me on March 16, 2010), then he should be acceptable to the cross access being a condition on his property – especially since there are no negative ramifications to Mr. Tersini, his commercial tenants or his property.

The only reason this condition does not already exist in the plans is because at the time of the original permit – over eight years ago – there was a Chevron Station at Mr. Mirkin's site which had an existing cross access with the shopping center so there was no need to include it in the plans. Why should the cross access, which previously existed between these two parcels, be removed from the current renovation plans?

We have all been dealing with the renovation of this shopping center for eight years. John DeQuisto was in office when it first started and now Judy Chirco, his successor, is months away from terming out.

It is hard to believe that all projects are this painful and take this long to complete. It is inconceivable that this shopping center has been vacant this long –depriving the City of revenue and the neighborhood of commercial services.

The Toll Brothers parcel, which was purchased from Mr. Tersini 3 or 4 years ago, is 95% constructed and 50% occupied. On the other hand, Mr. Tersini eight years later is still fighting the neighborhood and the City, has a partially constructed site that is predominantly vacant and still without an anchor tenant.

It seems ludicrous that at this point we are debating a cross access that the Planning Department recommended in their initial approval of the current PD permit for the Rite Aid building, a cross access that existed for years at this very site, a cross access that would minimize traffic on already impacted neighboring streets, a cross access that would not necessitate moving an existing bus stop, a cross access that would facilitate ingress and egress between the two parcels thus benefiting the commercial tenants and the shoppers.

Please reconsider and approve this cross access so that construction can move forward in a timely manner and this project can finally be completed.

Sincerely,



Larry Goldstein
Ninth District Neighborhood Action Committee (NDNAC)
Resident

TO: Mike Enderby
Planning and Building

FROM: Ebrahim Sohrabi
Public Works

**SUBJECT: SUPPLEMENTAL RESPONSE TO
DEVELOPMENT APPLICATION**

DATE: 03/03/10

PLANNING NO.: PD09-023
DESCRIPTION: Planned Development Permit to construct a new 17,000 retail building on a 8.96 gross acre site.
LOCATION: northwest corner of Meridian Avenue and Hillsdale Avenue
P.W. NUMBER: 3-05731

In response to the cross access issue between the subject project and the adjacent property located at the southwest corner of Foxworthy and Meridian Avenue (APN # 447-05-003) discussed during the last Planning Director's Hearing on 2/24/10, Public Works provides the following assessment and response:

1. **Circulation:** With cross access between the two contiguous parcels, it will allow patrons to cross from one shopping center to the other without existing and re-entering of driveways, thus reducing the impacts to the already congested public streets. Currently, the traffic volume at the intersection of Foxworthy and Meridian is very heavy during the PM peak hour. With cross access, vehicles existing from the adjacent property and traveling northbound on Meridian would also be able to utilize the new signal at Meridian Avenue and Lama Way, alleviating the impacts to Foxworthy Avenue.
2. **Bus Relocation:** A bus stop currently exists along Meridian Avenue fronting the adjacent property. Without cross access, the adjacent new development would have to construct another driveway along Meridian Avenue and the existing bus stop would be required to be relocated. According to VTA, the relocation of bus stop is not desirable because transit riders would have to walk much further to access the cross walk at the intersection and it may cause riders to cross at mid-block, which is a safety hazard.
3. **Pedestrian Safety:** With the additional driveway required for the adjacent property in absence of the cross access, pedestrians are exposed to additional vehicular traffic entering and existing multiple driveways.

Planning and Building

03/03/10

Subject: PD09-023

Page 2 of 2

With the above reasons, Public Works recommends a shared access between the subject project and the adjacent proposed development. If you have any questions, please contact the Project Engineer, Vivian Tom, at (408) 535-6819.

A handwritten signature in black ink, appearing to read "Ebrahim Sohrabi", with a long horizontal line extending to the right.

Ebrahim Sohrabi
Senior Civil Engineer
Development Services Division

ES:vt

SPECIFIC DEVELOPMENT PLAN

HACIENDA GARDENS

RETAIL SHOPPING CENTER
 LOCATED AT MERIDIAN AVE. & HILLSDALE AVE.
HACIENDA GARDENS, LLC - DEVELOPER

*A P.D. DISTRICT ESTABLISHED BY TITLE 20.36 & 20.40 OF THE SAN JOSE
 ZONING ORDINANCE EFFECTIVE FEB 19, 2001 AS AMENDED, THIS DOCUMENT IS PART
 OF P.D. ZONING PDC 02-053 APPROVED BY THE CITY OF SAN JOSE BY
 ORDINANCE NO. 26778 ADOPTED ON OCTOBER 15, 2002.*

TABLE OF CONTENTS

Sheet Number	Description
1	Title Sheet
2	Map of approved PD Zoning District
3	Site Plan
4.1 - 4.3	Grading and Drainage Plan & Storm Water Treatment Plan
5.1 - 5.3	Shop 2 & 3 - Floor Plans and Elevations
6.1 - 6.4	Rite Aid - Floor Plans and Elevations
7.0 - 7.2	Landscape Plan

PRIOR DEVELOPMENT PERMITS ISSUED

GP 01-09-02/GP 01-T-18
 PDC 02-053

DEVELOPER/OWNER:
 HACIENDA GARDENS, LLC
 21710 Stevens Creek Blvd., Suite 200
 Cupertino, CA 95014
 Phone Number: (408) 257-2100
 Fax Number: (408) 255-8620
 Contact Person: Mark Tersini

ARCHITECT:
 MCG Architects
 785 Market Street
 San Francisco, CA 94103
 Phone Number: (415) 974-6002
 Fax Number: (415) 974-1556
 Contact Person: David Blair

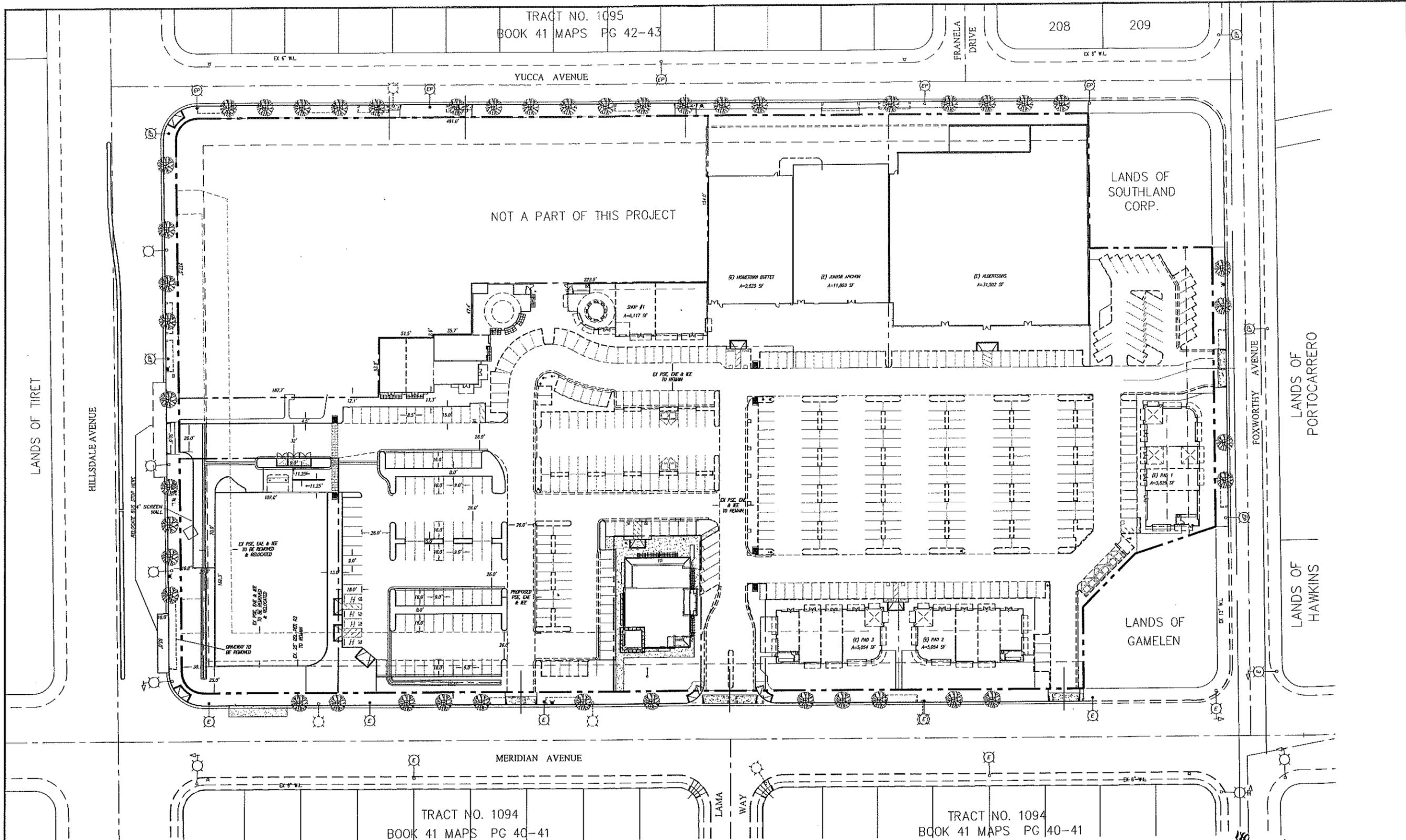
ARCHITECT:
 Rite Aid Corporation
 4421 Elliot Ranch Road
 Elk Grove, CA 95758
 Phone Number: (916) 683-6486
 Fax Number: (916) 683-0585
 Contact Person: Chris Lawton

LANDSCAPE ARCHITECT:
 Reed Associates
 477 South Taaffe Street
 Sunnyvale, CA 94086
 Phone Number: (408) 481-9020
 Fax Number: (408) 481-9022
 Contact Person: Paul Reed

ENGINEER:
 Charles W. Davidson Co.
 255 West Julian Street Suite 200
 San Jose, CA 95110
 Phone Number: (408) 295-9162
 Fax Number: (408) 287-6350
 Contact Person: Michelle Fisk

DATE	REVISIONS	DATE	AS SHOWN	DATE
January 22, 2010			M.H.F.	
SCALE	DRAWN BY	CHECKED BY		
	M.H.F.			
SUPERVISED BY REGISTERED CIVIL ENGINEER EXPIRES 3/31/27				
COVER SHEET LANDS OF HACIENDA GARDENS, LLC MERIDIAN AVE. & HILLSDALE AVE. SAN JOSE, CALIFORNIA				
A CALIFORNIA CORPORATION CONSULTING CIVIL ENGINEERS 255 W. JULIAN STREET, SUITE 200 TEL. (408) 295-9162 FAX (408) 287-6350				
JOB NO. 1694				
SHEET 1 OF 16				

SUBMIT FINAL 2-22-10



TRACT NO. 1095
BOOK 41 MAPS PG 42-43

208 209

YUCCA AVENUE

FRANELA DRIVE

LANDS OF SOUTHLAND CORP.

NOT A PART OF THIS PROJECT

FOXWORTHY AVENUE

LANDS OF PORTOCARRERO

LANDS OF HAWKINS

LANDS OF GAMELEN

MERIDIAN AVENUE

TRACT NO. 1094
BOOK 41 MAPS PG 40-41

TRACT NO. 1094
BOOK 41 MAPS PG 40-41

STATEMENTS AND TABLES:
APH 447-05-013, 014, 015, 016, 017, 018 & 019

1. Total acres of subject property: 389,801 ± sqft
0.95 ± ac

2. Total existing & proposed gross sqft of floor space, for each non-residential use:

17,340	Rite Aid
9,629	Hometown Buffet
11,603	Junior Anchor
6,117	New Retail Shop #1
3,400	New Retail Shop #2
3,573	New Retail Shop #3
5,625	Pad #1
5,054	Pad #2
5,054	Pad #3
5,177	Pad #4
31,502	Existing Albertsons
104,270	Sqft Total Retail Space

3. Total existing & proposed net sqft of floor space (85% of total) for each non-residential use:

14,739	Rite Aid
8,184	Hometown Buffet
10,038	Junior Anchor
5,199	New Retail Shop #1
2,890	New Retail Shop #2
3,037	New Retail Shop #3
4,785	Pad #1
4,296	Pad #2
4,296	Pad #3
4,400	Pad #4
26,777	Existing Albertsons
86,636	Sqft Total Retail Space

4. Site coverage (footprint) of net areas:

buildings	104,270 ± sqft
parking & loading	264,526 ± sqft
landscaping	21,489 ± sqft

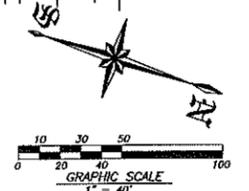
5. Site coverage (footprint) of net areas:

buildings	26.7%
parking & loading	67.6%
landscaping	5.5%

C. Total number of off-street parking:
Required: 401 stalls total
(1 stall @ 95% x 104,270 sqft) / 225 sqft = 304 stalls
HC stalls required: 304 x .02 = 6 stalls
*For every 6 required HC stalls, 1 shall be van accessible

Provided:

544 stalls total
User stalls: 530 stalls
HC stalls: 14 stalls



DATE: January 22, 2010
SCALE: 1" = 40'
DRAWN BY: MHF
CHECKED BY:

REVISIONS:

DATE: January 22, 2010
SCALE: 1" = 40'
DRAWN BY: MHF
CHECKED BY:

SUPERVISED BY: *Blanca M. Sanchez Esq.*
A CALIFORNIA CORPORATION
CONSULTING CIVIL ENGINEERS
REGISTERED OFF. ENGINEER NO. 55110-2406
255 W. JULIAN ST. #200 SAN JOSE, CA 95110-2406
TEL. (408) 285-9165 FAX (408) 285-5111

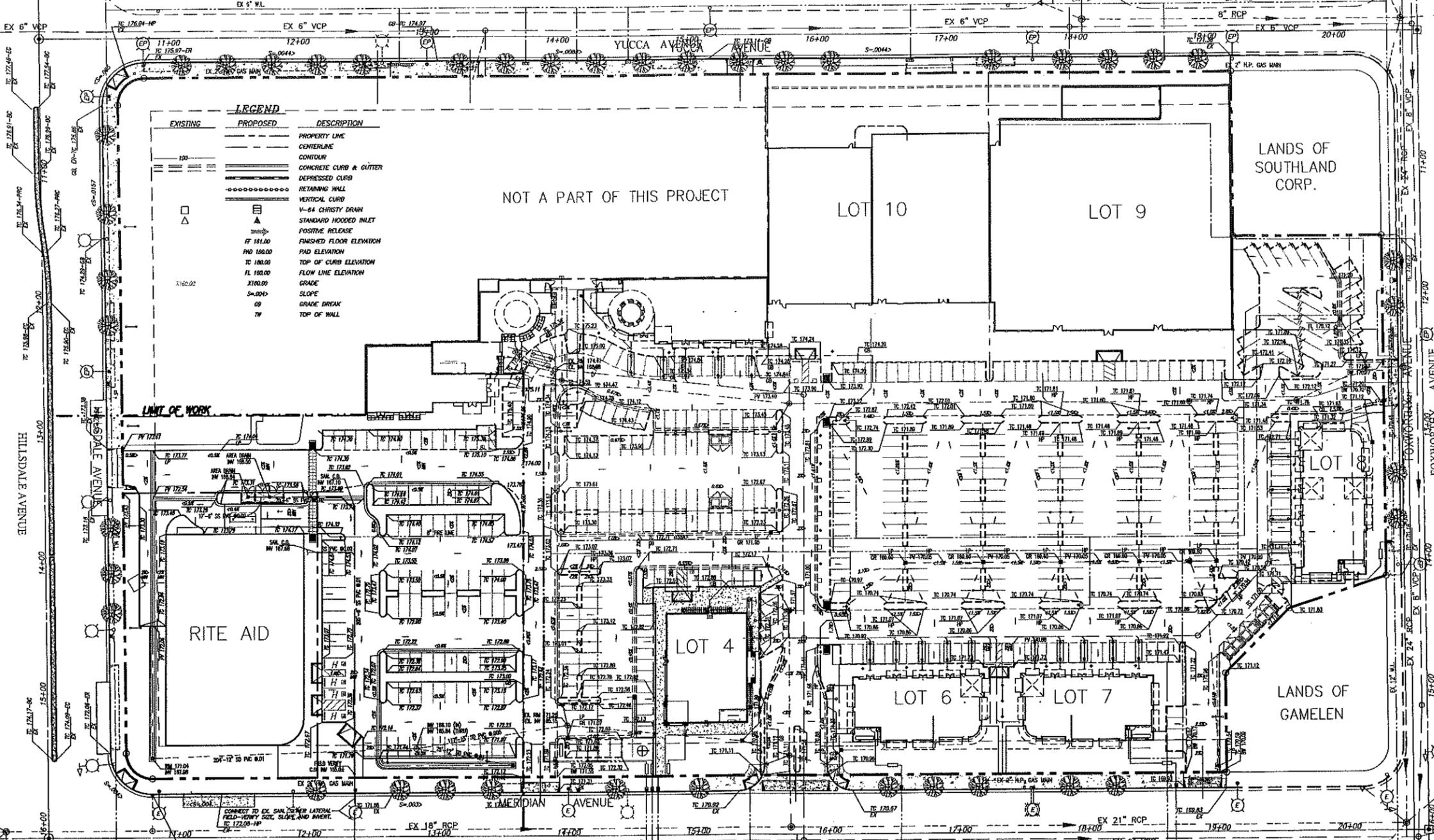
SITE PLAN
LANDS OF HACIENDA GARDENS, LLC
MERIDIAN AVE. & HILLSDALE AVE.
SAN JOSE, CALIFORNIA

JOB NO. 1694
SHEET 3
OF

PD09-023

TRACT NO. 1095
BOOK 41 MAPS PG 42-43

208 209



NOT A PART OF THIS PROJECT

LANDS OF SOUTHLAND CORP.

LOT 10

LOT 9

RITE AID

LOT 4

LOT 6

LOT 7

LANDS OF GAMELEN

LANDS OF PORTOCARRERO

LANDS OF HAWKINS

LANDS OF TIRET

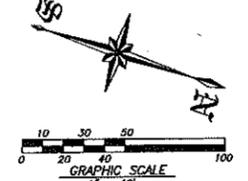
HILLSDALE AVENUE

HILLSDALE AVENUE

MERIDIAN AVENUE

TRACT NO. 1094
BOOK 41 MAPS PG 40-41

TRACT NO. 1094
BOOK 41 MAPS PG 40-41



DATE	10-05-09
REVISIONS	
SCALE	1" = 40'
DRAWN BY	MHF/CO
CHECKED BY	
SUPERVISED BY	Blanche M. Davidson, Esq. A CALIFORNIA CORPORATION 255 N. JULIAN ST. P.O. BOX 5110-2409 SAN JOSE, CA 95110-2409 TEL: (408) 296-5102 FAX: (408) 983-1911
REGISTERED CIVIL ENGINEER NO.	14213
EXPIRES	3/31/07
JOB NO.	1694
SHEET	4.1
OF	

PD09-023

PROJECT INFORMATION:

Soil Type (per soils report by USE, dated 4-18-02).
Soil below the existing pavement section consists of reddish brown, moist, hard gravelly sandy clay to a depth of 12 feet. From a depth of 12ft to 40ft, the soil became brown, moist, very dense, clayey sandy gravel. From a depth of 40ft to 45ft, a brown, moist, hard gravelly sandy clay was encountered. From a depth of 45ft to the end of boring 50ft, the soil became brown, moist, very dense, clayey sandy gravel.

Groundwater was not encountered in all borings to the depth explored.

100 year flood elevation: ZONE D

Name of receiving water body: Guadalupe River

POLLUTANTS AND POLLUTANT SOURCE AREAS:

SEDIMENT: roads, parking lots and roofs
The main component of total suspended solids (TSS), and is detrimental to aquatic life. They also transport pollutants such as trace metal, nutrients, and hydrocarbons that attach to each particle.

ORGANIC COMPOUNDS: automotive fluids, pesticides and fertilizers
Organic compounds often attach to soil particles

NUTRIENTS: organic litter, fertilizers, food waste, sewage and sediment.
Nutrients include nitrogen, phosphorus and other organic compounds. Excess nutrients impact creek health and impair use of water in water supply sources by promoting excessive growth of algae or vegetation.

METALS: motor vehicles, roofing and construction materials and chemicals.
Trace metals such as copper, lead, cadmium, chromium, nickel and zinc can be toxic to aquatic organisms and, in accumulated quantities, can contaminate drinking water supplies.

BACTERIA & VIRUSES: animal excrement (areas where pets are often walked), sanitary overflow, and trash handling areas (dumpsters).
Bacteria & viruses may pose public health and safety concerns if they are present in drinking water sources.

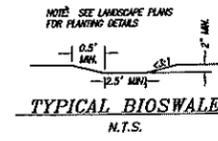
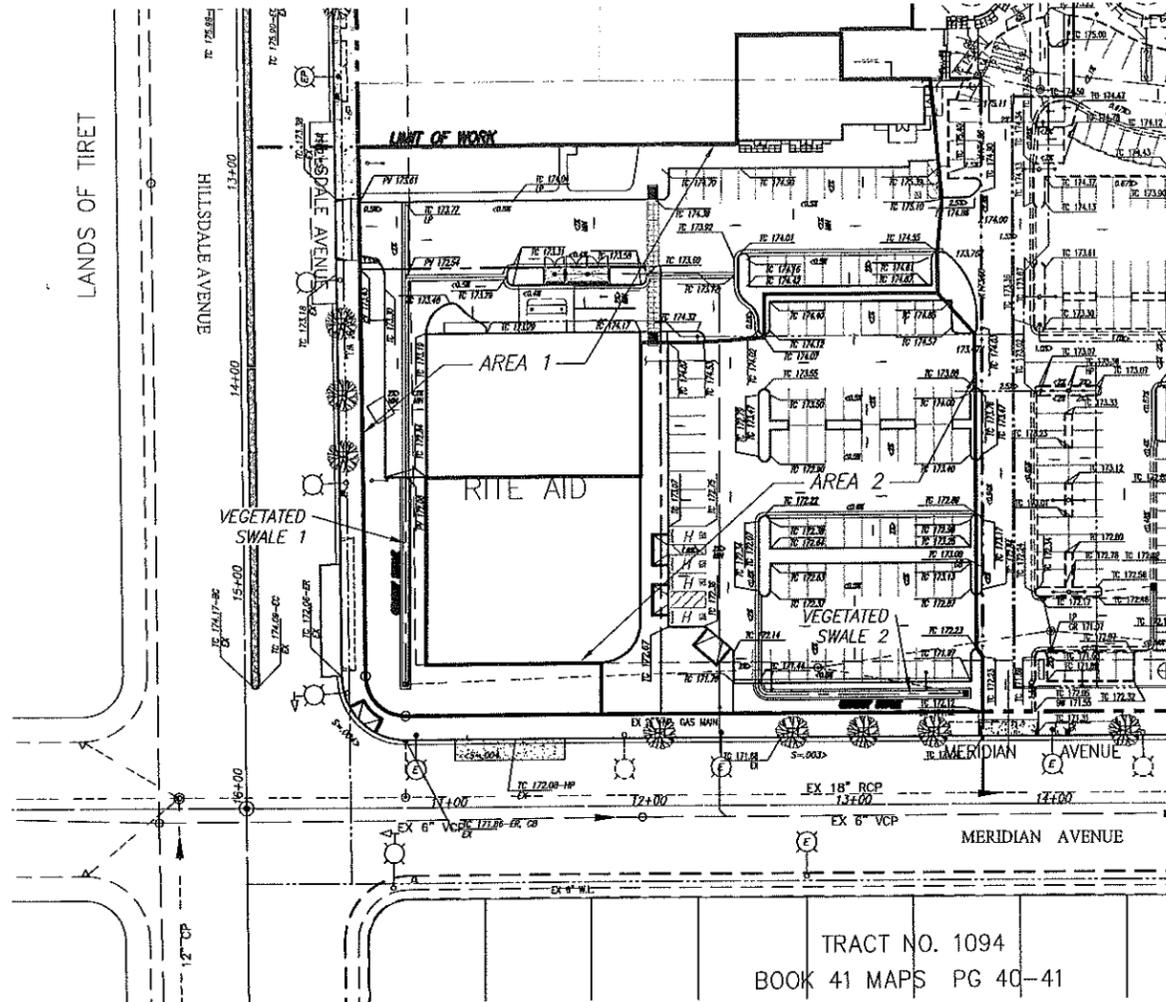
OIL & GREASE: motor vehicles, food service establishments and fueling stations.

Oil & grease act as carriers for heavy metals and contain hydrocarbon compounds, which even at low concentrations may be toxic to aquatic organisms.

STORMWATER TREATMENT SUMMARY:

The fill site will be designed to minimize the Directly Connected Impervious Area (DCIA). The downspouts will not be directly connected to the storm sewer system and will be directed to vegetated swales in landscape areas. The parking lot will flow into the vegetated swales as well; this will maximize the opportunity for the runoff to be cleaned before it enters the collection system.

These measures will be maintained by the commercial building owner association.



LEGEND

EXISTING	PROPOSED	DESCRIPTION
---	---	PROPERTY LINE
---	---	CENTERLINE
---	---	CONTOUR
---	---	CONCRETE CURB & GUTTER
---	---	DEPRESSED CURB
---	---	RETAINING WALL
---	---	VERTICAL CURB
---	---	V-64 CHRISTY DRAIN
---	---	STANDARD HOODED RALET
---	---	POSITIVE RELEASE
---	---	FINISHED FLOOR ELEVATION
---	---	PAD ELEVATION
---	---	TOP OF CURB ELEVATION
---	---	FLOW LINE ELEVATION
---	---	GRADE
---	---	SLOPE
---	---	GRADE BREAK
---	---	TOP OF HILL
---	---	LANDSCAPE AREA
---	---	ROOF AREA
---	---	STREET AREA
---	---	PAVER AREA
---	---	CONCRETE PAVERS

Previous and Impervious Surfaces Comparison

Category	Existing (sq.ft.)	%	Proposed (sq.ft.)	%	Difference (sq.ft.)	%
Total Site (sq-ft)	896		390,173			
Portion Of Site To Remain Unchanged (sq-ft)	6,832	Site %	389,032	77%		
Portion Of Site To Be Modified (sq-ft)	2,068	Site %	61,141	23%		
Building Footprint(s)	83,338	28%	83,338	28%	0	0%
Parking/Private Drive (paved)	157,130	52%	157,130	52%	0	0%
Sidewalks, Paths, Patios, etc	29,590	10%	29,590	10%	0	0%
Public Streets	0	0%	0	0%	0	0%
Landscape	29,974	10%	29,974	10%	0	0%
Total	300,032	100%	300,032	100%	0	0%
Impervious Surfaces	270,058	90%	270,058	90%	0	0%
Previous Surfaces	29,974	10%	29,974	10%	0	0%
Total	300,032	100%	300,032	100%	0	0%

RUNOFF CALCULATIONS FOR STORM WATER TREATMENT

ID	Type of Treatment	Land Type	Tributary Area (S.F.)	Area Treated (Acres)	Runoff Coef.	Intensity (in/hr)	Treatment Flow (cfs)	Swale Slope (ft)	Bottom Width (feet)	Flow Depth (feet)	n	Side to 1' vert (ft)	Calculated Top Width (feet)	P wctted Per.	Area (S.F.)	R Hyd. Radius	Flow Manning's (chs)	V Velocity (ft/sec)	Residence Time (min)	Calculated Swale Length (feet)	Used Swale Length (feet)		
																						Flow (cfs)	Flow (cfs)
1	Vegetated Swale	Landscape Self Treating Areas	0	0.000																			
		Landscape	10,964	0.252	0.252	0.10	0.20	0.005															
		Hardscape	21,985	0.505	0.505	0.70	0.20	0.071															
		Roof Tops	11,209	0.257	0.257	0.90	0.20	0.046															
2	Vegetated Swale	Landscape Self Treating Areas	0	0.000																			
		Landscape	3,467	0.080	0.080	0.10	0.20	0.002															
		Hardscape	29,405	0.675	0.675	0.70	0.20	0.095															
		Roof Tops	9,740	0.224	0.224	0.90	0.20	0.040															
Total			44,155	1.014	1.014	0.60	0.20	0.122	0.010	3.00	0.192	0.25	3.0	4.15	4.21	0.69	0.16	0.122	0.178	9.00	540	96	96

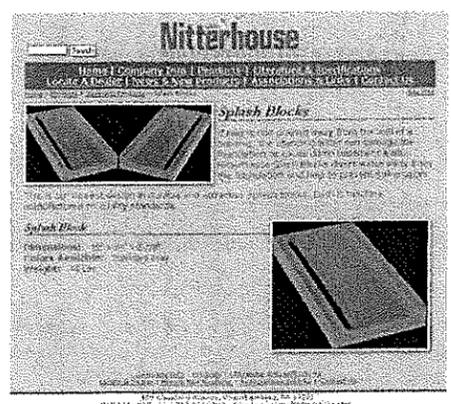
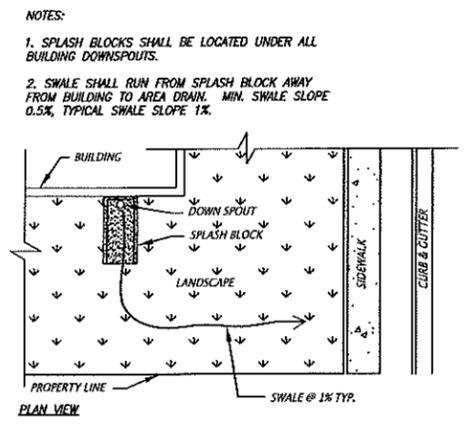
Runoff Equations For Stormwater Treatment:
The Runoff Calculations Are Based On The Rational Uniform Intensity Method.

$Q_w = C \times I \times A$
 $Q_w = \text{Discharge Flow For Water Quality Treatment in cfs.}$
 $C = \text{Runoff Coefficient}$
 $I = \text{Uniform Rainfall Intensity in Inches Per Hour} = 0.2 \text{ in/hr}$
 $A = \text{Watershed Area in Acres} = 2.62 \text{ Ac}$

Capacity Equations Of Stormwater Treatment BMPs:
The Capacity Equations for Trapezoidal Channel Are Based On Manning's Formula.

$Q = 1.486/n \times A \times R^{2/3} \times S^{1/2}$
 Where:
 $Q = \text{Flow in cubic feet per second (cfs)}$
 $n = \text{Roughness Coefficient}$
 $S = \text{Slope in ft per foot}$
 $A = \text{Area of flow in square feet}$
 $R = \text{Hydraulic Radius} = \text{Area/Wet Perimeter}$

First Row Calculation Example:
 $Q = 1.486/0.25 \times 0.69 \times 0.16^{2/3} \times 0.01^{1/2}$
 $Q = 0.122 \text{ cfs}$
 Note: Check that Q is equal or greater than Q_w



SPLASH BLOCK
NTS

DATE: 10-05-09
SCALE: 1" = 40'
DRAWN BY: MHP/00
CHECKED BY: [Signature]
SUPERVISED BY: [Signature]
STORM WATER TREATMENT PLAN
LANDS OF HACIENDA GARDENS, LLC
MERIDIAN AVE & HILLSDALE AVE.
SAN JOSE, CALIFORNIA
JOB NO. 1694
SHEET 4.2
OF [blank]
PD09-023

Vegetated Swale Maintenance Plan

1 Objectives: The maintenance objectives for vegetated swale systems include keeping up the hydraulic and removal efficiency of the channel and maintaining a dense, healthy grass (or plant) cover.

2 Inspection Schedule

2.1 Visual inspections shall be conducted monthly, particularly after heavy runoff, to ensure normal functioning of swale (i.e. no pooling, or blockage)

2.2 Detailed inspections shall be conducted at least twice annually with inspections occurring (1) at the end of the wet season to schedule summer maintenance, (2) before major fall runoff in preparation for winter, and (3) after periods of heavy runoff. The objective of detailed inspections is to identify erosion, damage to vegetation, grass or plant height, debris, litter, areas of sediment accumulation, and pools/standing water. If any issues exist, activities as outlined in Section 3, Maintenance Activities will be conducted.

3 Maintenance Activities

3.1 Routine or preventative maintenance refers to procedures that are performed on a regular basis to keep the swale aesthetically and in proper working order. Routine maintenance includes debris removal, silt and sediment removal, and clearing of vegetation around flow control devices to prevent clogging. Routine maintenance also includes the maintenance of a healthy vegetative cover. Dead turf or other unhealthy vegetative areas will need to be replaced after being discovered.

3.1.1 Erosion: Areas of erosion and slope failure shall be repaired and reseeded (or sodded) as soon as possible. Eroded areas near the inlet or outlet may also need to be lined with riprap, which will be determined on a case by case basis.

3.1.2 Damage to vegetation: If the channel develops ruts or holes, it shall be repaired utilizing a suitable soil that is properly tamped and seeded. The grass cover should be thick; if it is not, it shall be reseeded as necessary. If possible, flow will be redirected until new grass is firmly established to avoid deterioration. If invasive species and/or weeds develop, promptly remove to avoid disruption to original vegetation.

3.1.3 Grass or plant height: Mow as required by plant variety to maintain at least a 4-6" grass height or to suppress weeds and woody vegetation. Litter must be removed prior to mowing. During the growing season mow as indicated by species to promote growth and pollutant uptake. Remove cuttings and dispose /compost. Species in the swale include: Grasses: *Agrostis Gigantea* (Red Top), *Agrostis Tenuis* (Colonial Bent Grass), *Festuca Elatior* (Dwarf Tall Fescue); Trees: *Platanus Acerifolia* (London Plane Tree); Shrubs: *Dietes Bicolor* (Fortnight Lily)

3.1.4 Debris / litter: Remove all litter or debris within swale and prior to mowing and as inspections warrant. Keep swale free of debris.

3.1.5 Areas of sediment accumulation: Remove sediment by hand with a flat-bottomed shovel whenever sediment covers vegetation or begins to reduce swale capacity. Maintain clean curb cuts to avoid soil and vegetation buildup. Sediment accumulating near culverts and in channels should be removed when it builds up to 75 mm (3 in.) at any spot, or covers vegetation. If inlet flow spreaders and/or under drains installed: keep all inlet flow spreaders even and free of debris. If cobbles or other similar flow spreaders are used, ensure that cobbles do not become embedded in sediment. Remove any debris in under drains that could cause clogging. [At least two times per year]

3.1.6 Pools and standing water: Observe soil at the bottom of the swale for uniform percolation throughout. If portions of the swale do not drain within 5 days after the end of a storm, the soil shall be tilled and replanted. Remove any debris or accumulation of sediment.

3.1.7 Irrigation: Water plants in swales during dry conditions. Confirm that irrigation is adequate and not excessive.

3.1.8 Pesticides and Fertilizers: Application of pesticides and fertilizers shall be minimal. Biological, physical, and cultural controls shall be used prior to pesticide and fertilizer use.

3.2 Non-routine or corrective maintenance refers to any rehabilitative activity that is not performed on a regular basis. This includes flow control structure replacement or the major replacement and clearing of aquatic vegetation. Non-routine maintenance will be completed as needed.

4 Vector Control

4.1 Objective: To prevent conditions within swales that attract and/or promote the growth of disease vectors, including but not limited to mosquitoes, rodents, and flies.

4.2 Maintenance Activities for Vector Control

4.2.1 Inspections: Regular inspections will determine if swales have pools of standing water or debris accumulation. Inspections will be conducted prior to the rainy season, after major storm events, and at least once during the dry season to ascertain that standing water drains from the swale within 5 days.

4.2.2 Holes in ground: Abate potential vectors by filling holes in the ground in and around the swale and by insuring that there are no areas where water stands longer than 5 days following a storm.

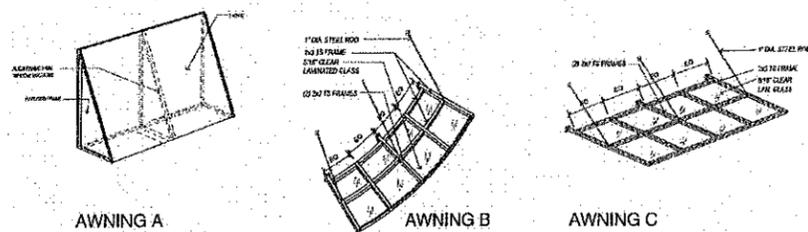
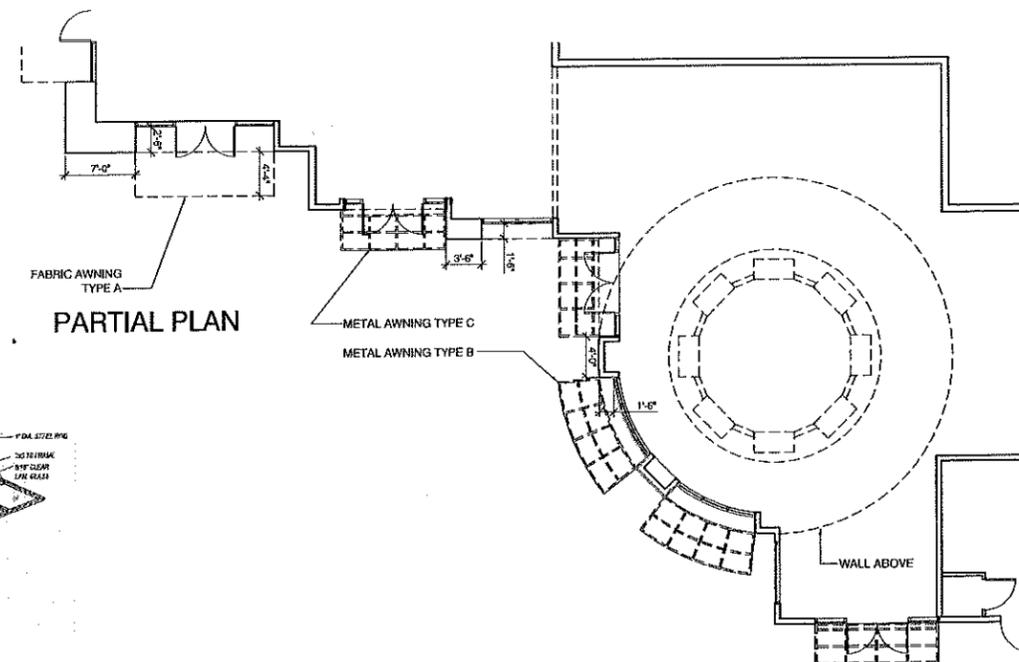
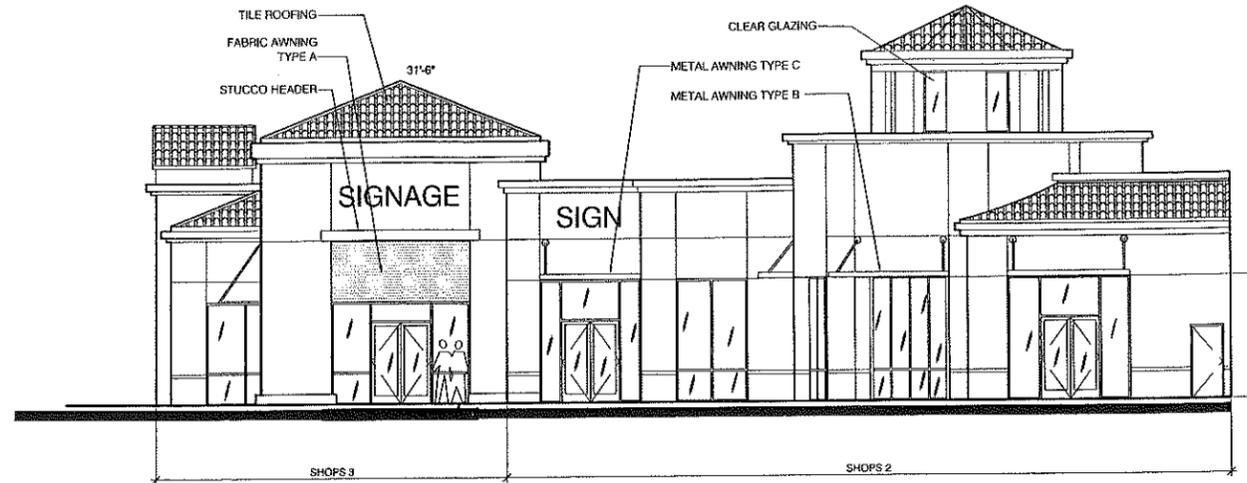
4.2.3 Other maintenance activities: If any obstructions develop (e.g. debris accumulation, invasive vegetation, clogging of outlets and/or under drains) within the swale, appropriate maintenance activities shall be implemented to correct the obstruction. Refer to Section 3 for details on specific maintenance activities.

4.3 Mosquito Abatement: The authority in Santa Clara County in charge of mosquito abatement shall be contacted as needed for assistance should any mosquito issues arise. Mosquito larvicides should be applied only when absolutely necessary and then only by a licensed professional or contractor.

5 Correspondence
Correspondence regarding operations, inspections and maintenance of the storm water treatment measures will be provided to the City of San Jose's Environmental Services Division as required and according to the schedule outlined in the Operations and Maintenance Agreement.

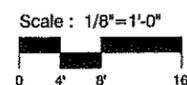
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SCALE	1" = 40'		
DRAWN BY	MHF/DO		
CHECKED BY			
<p><i>Charles W. Davidson Co.</i> A CALIFORNIA CORPORATION CONSULTING CIVIL ENGINEERS 255 W. JULY (408) 251-3182 FAX (408) 332-1311</p>			
<p>STORM WATER TREATMENT PLAN LANDS OF HACIENDA GARDENS, LLC MERIDIAN AVE. & HILLSDALE AVE. SAN JOSE, CALIFORNIA</p>			
SUPERVISED BY		PROJECT NO.	1694
ISSUED DATE	3/21/02	SHEET	4.3
		OF	

PRINTED: 05/05/09 11:00 AM
 PLOT: 1694-043.DWG
 PLOTTER: HP DesignJet 5000



AWNING DETAILS

SHOPS 2 AND 3
NORTH ELEVATION



HACIENDA GARDENS
SAN JOSE, CALIFORNIA

HACIENDA GARDENS, L.L.C.

DATE: JANUARY 4, 2010
MCG JOB #: 08227.05

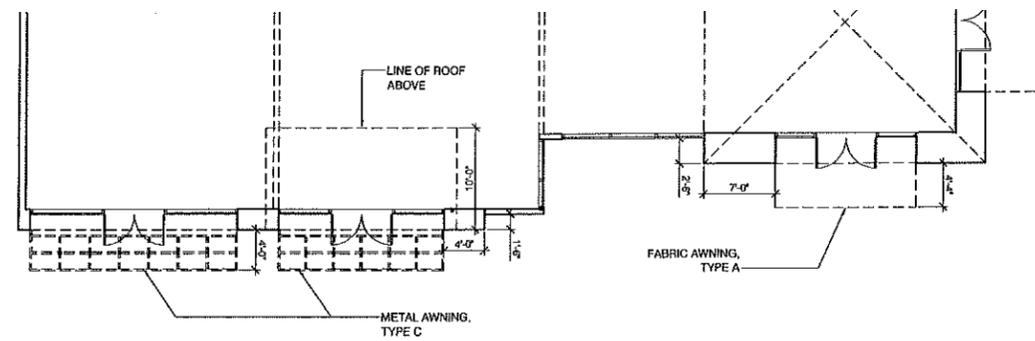
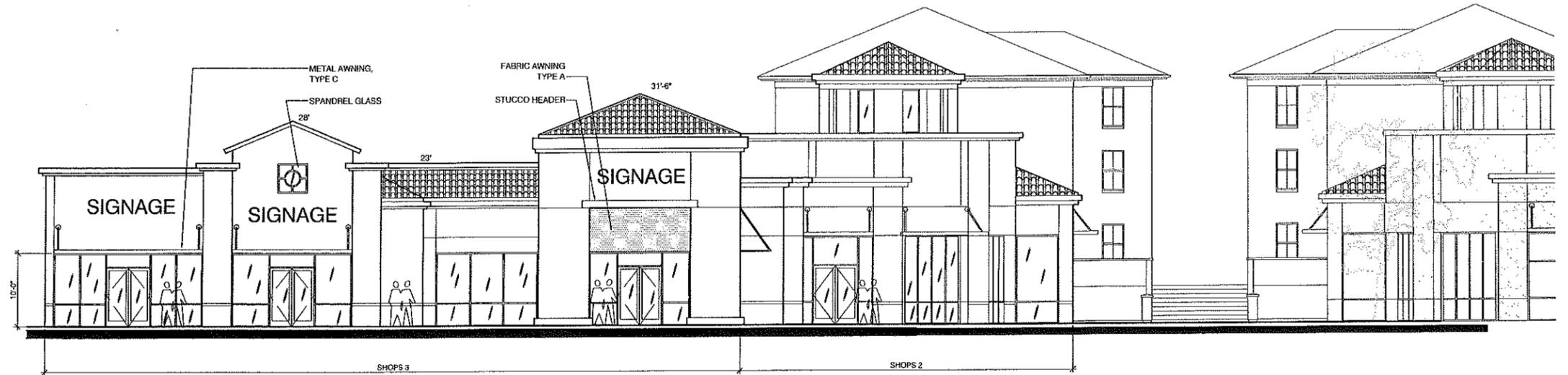
DATE	REVISIONS

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SHEET 5.2

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PARTIAL PLAN

HACIENDA GARDENS
SAN JOSE, CALIFORNIA

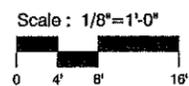
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DATE: JANUARY 4, 2010
MCG JOB #: 08227.05

DATE	REVISIONS

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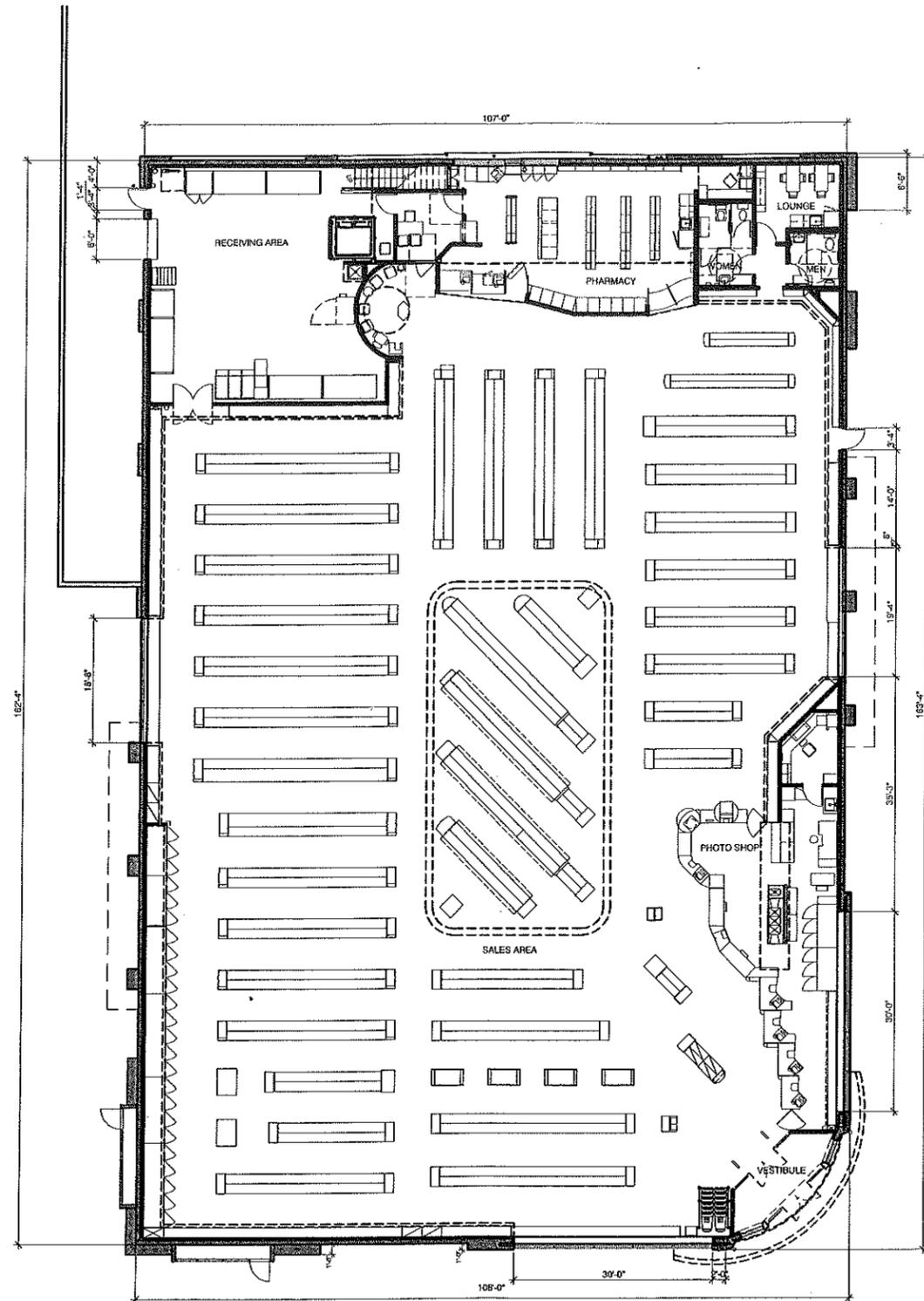
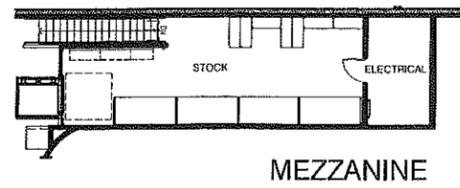
SHOPS 2 AND 3
EAST ELEVATION



SHEET 5.3

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DATE: JANUARY 4, 2010
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DATE	REVISIONS

RITE AID
FLOOR PLAN

Scale : 3/32" = 1'-0"



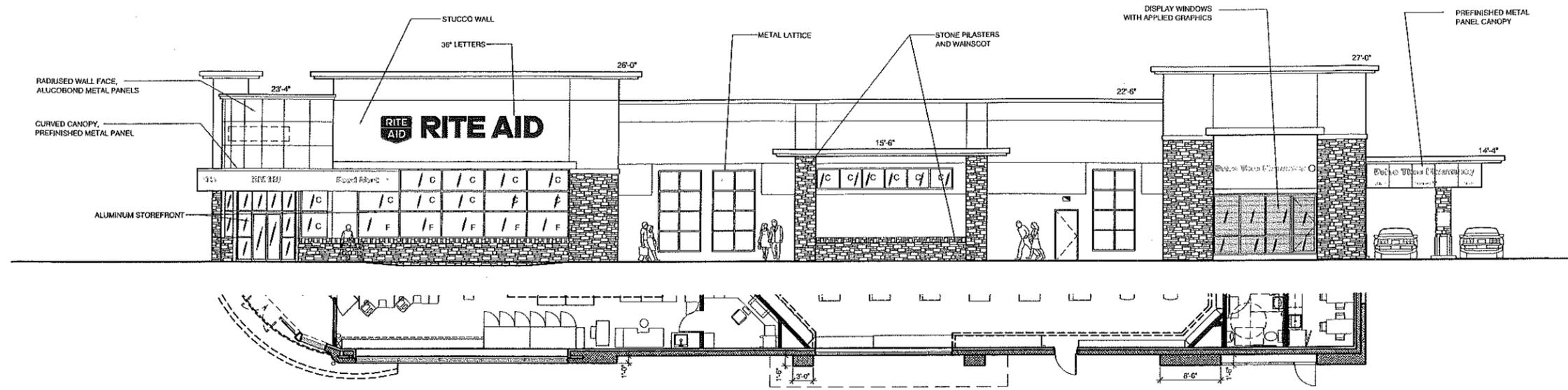
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SHEET 6.1

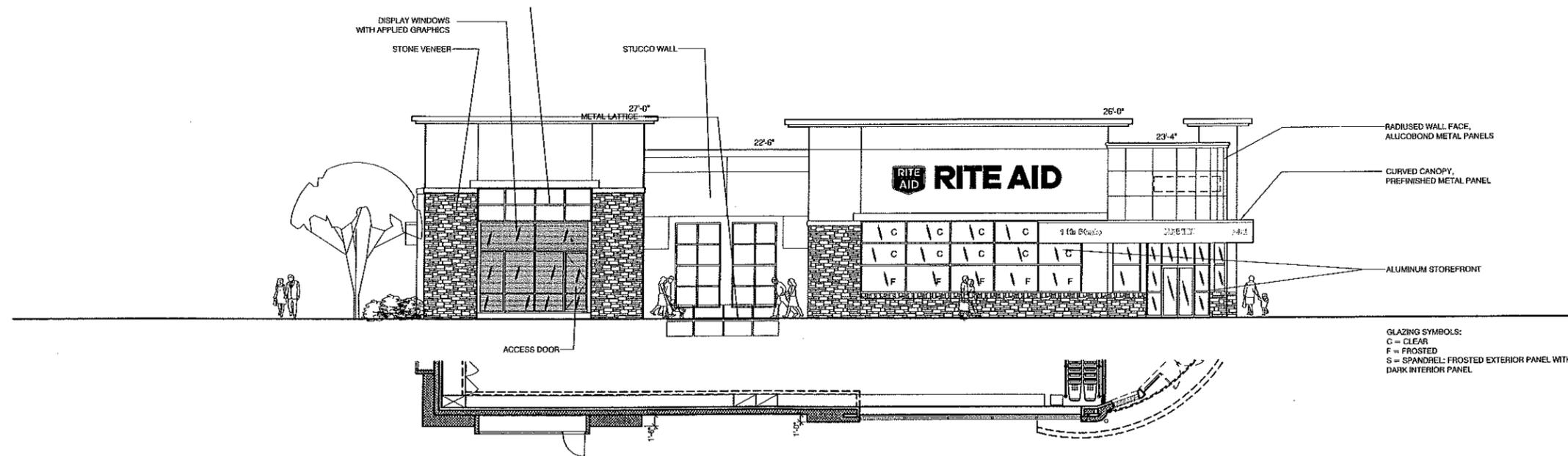
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SM



NORTH ELEVATION



EAST ELEVATION

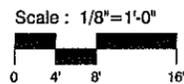
HACIENDA GARDENS
SAN JOSE, CALIFORNIA

HACIENDA GARDENS, L.L.C.

DATE: FEBRUARY 22, 2010
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DATE	REVISIONS

RITE AID
EXTERIOR ELEVATIONS



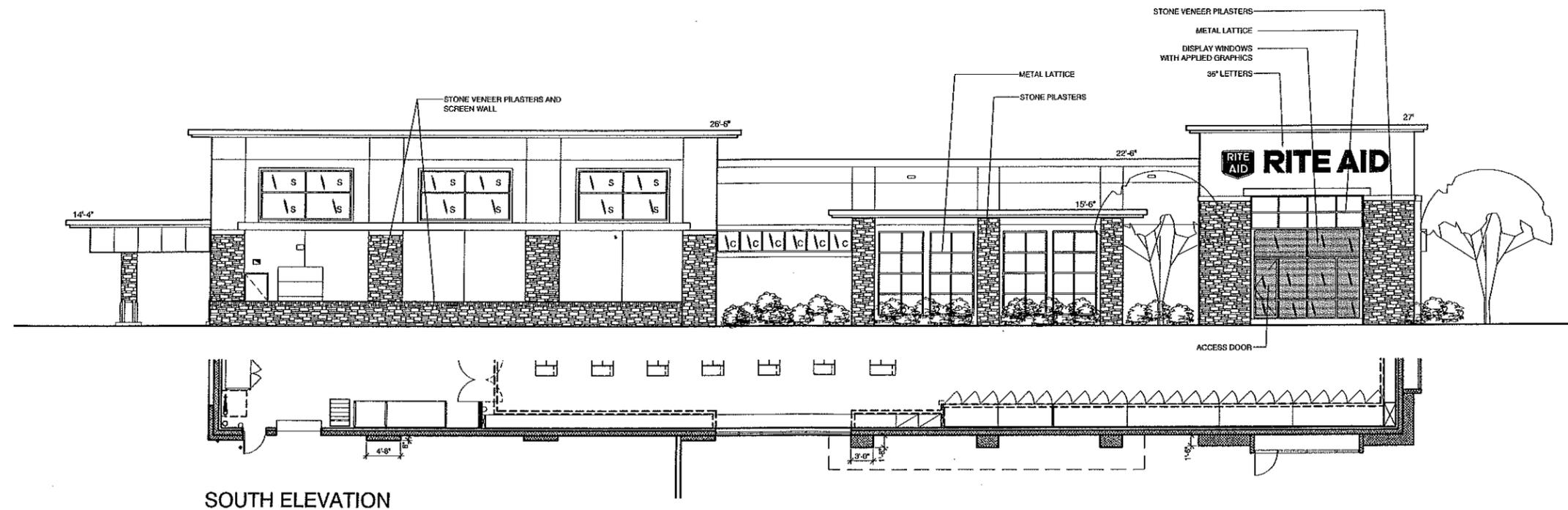
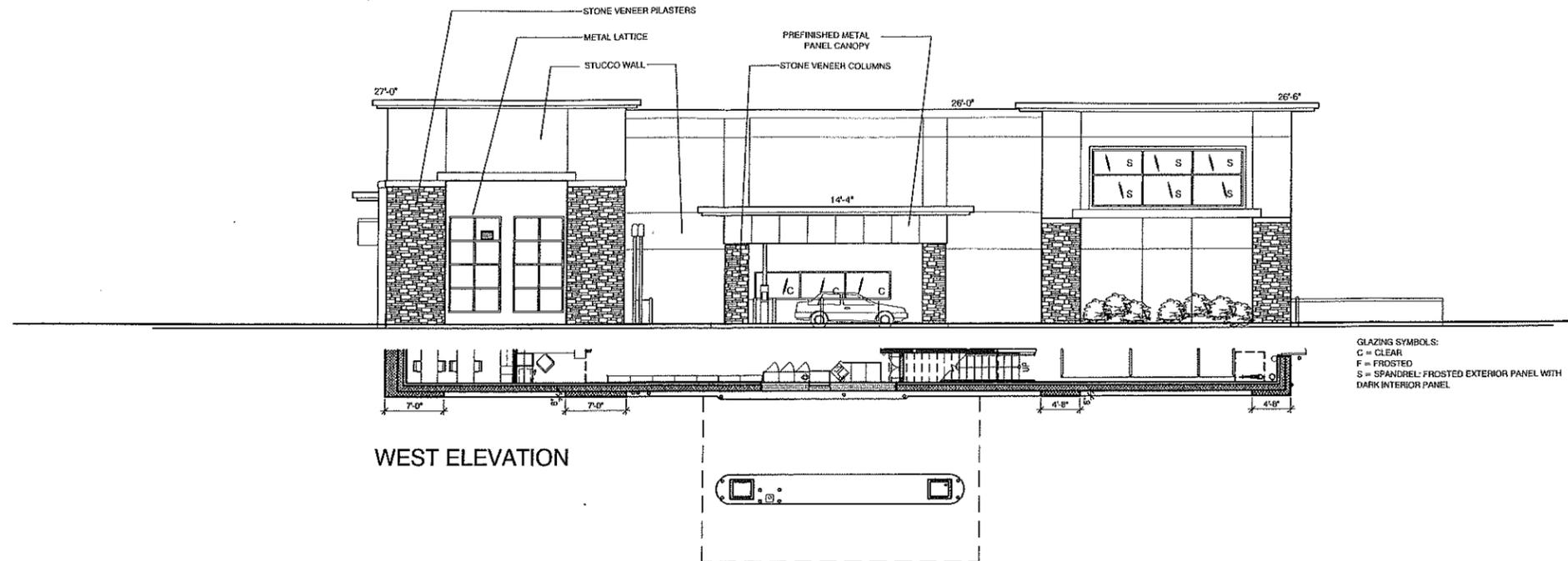
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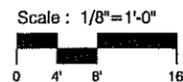


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HACIENDA GARDENS, L.L.C.

DATE:	FEBRUARY 22, 2010
MCG JOB #:	08227.05
DATE	REVISIONS

RITE AID
EXTERIOR ELEVATIONS

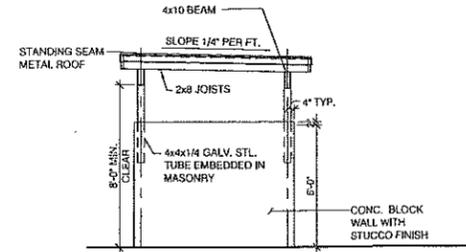


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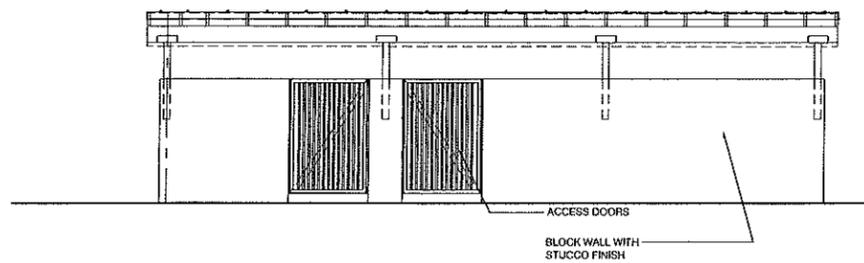
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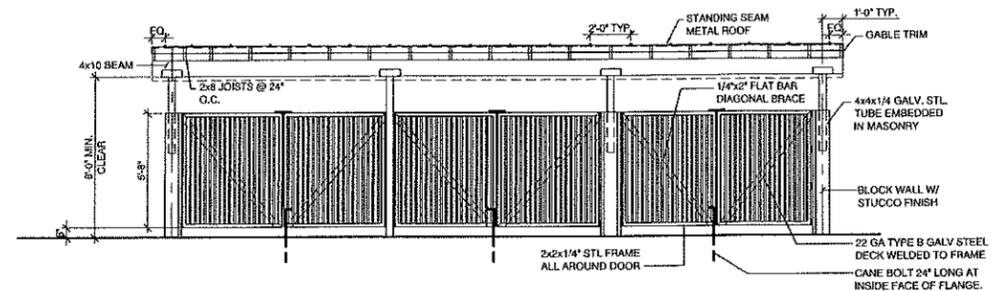
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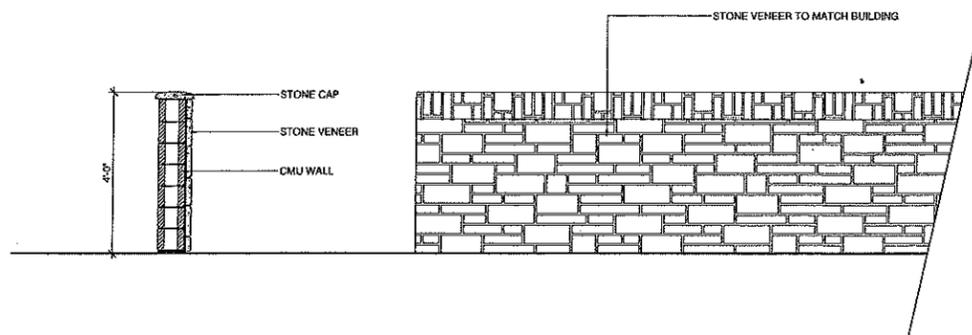
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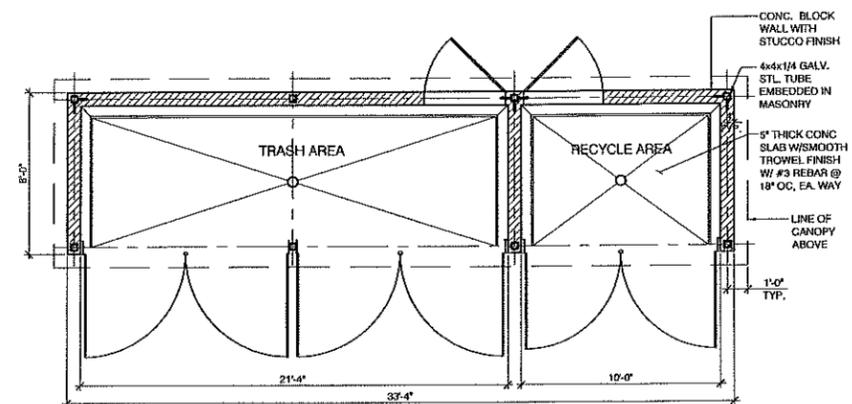
REAR ELEVATION



FRONT ELEVATION



SCREEN WALL DETAILS
1/2" = 1'-0"



TRASH ENCLOSURE PLAN

HACIENDA GARDENS
SAN JOSE, CALIFORNIA

HACIENDA GARDENS, L.L.C.

SHEET 6.4

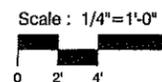
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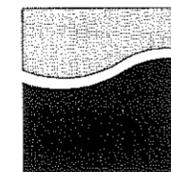
DATE: FEBRUARY 22, 2010
MCG JOB #: 08227.05

DATE	REVISIONS

TRASH ENCLOSURE AND SCREEN WALL



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HACIENDA GARDENS
COMMERCIAL PROJECT
(RITE-AID)

MERIDIAN AVENUE @ FOXWORTHY
SAN JOSE, CA

PD09-023

ISSUE	DATE
Δ NOTES	08.02.09
CITY COMMENTS	08.17.09
CITY COMMENTS	02.10.10
STREET TREE WELL	02.16.10

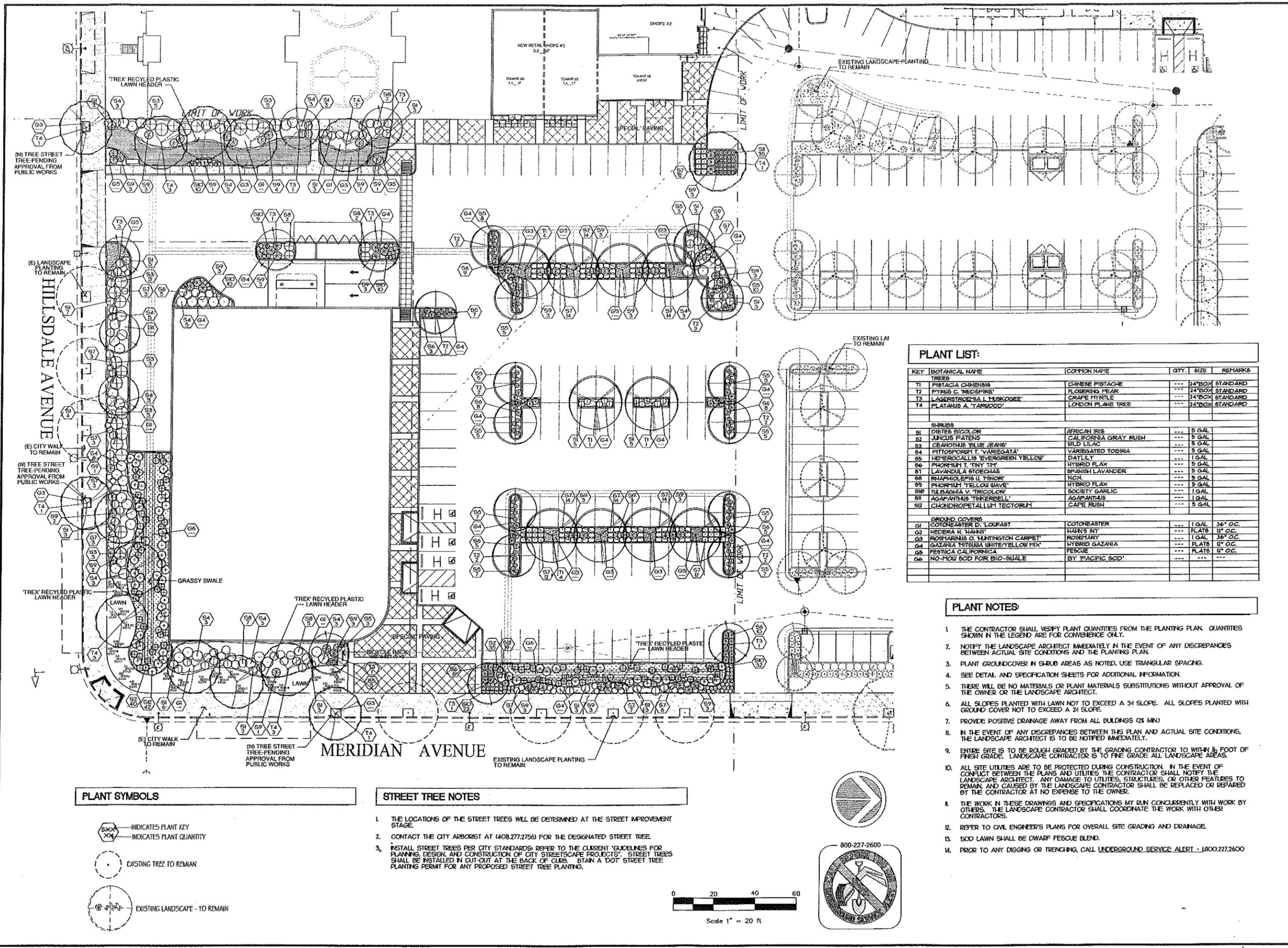


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Drawn: *[Signature]* Reviewed: *[Signature]*
Project No.: *[Number]*
Scale: 1"=20' Issue Date: 6.28.09

PRELIMINARY
LANDSCAPE
PLANTING PLAN

7.0



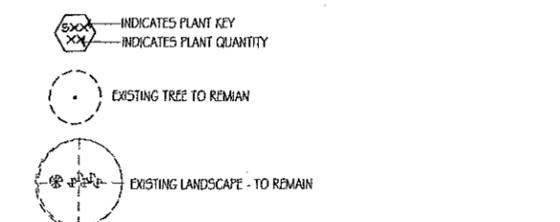
PLANT LIST:

KEY	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
TREES					
T1	PISTACIA CHINENSIS	CHINESE PISTACHE	---	24"BOX	STANDARD
T2	PIRUS C. 'REDFIRE'	FLOWERING PEAR	---	24"BOX	STANDARD
T3	LAGERSTROEMIA I. 'TUSKOGEE'	CRAPE MYRTLE	---	24"BOX	STANDARD
T4	PLATANUS A. 'YARWOOD'	LONDON PLANE TREE	---	24"BOX	STANDARD
SHRUBS					
S1	DIETES BICOLOR	AFRICAN IRIS	---	5 GAL	
S2	JUNCUS PATENS	CALIFORNIA GRAY RUSH	---	5 GAL	
S3	GEANOTHUS 'BLUE JEANS'	WILD LILAC	---	5 GAL	
S4	FITTSOPORIUM T. 'VARIEGATA'	VARIEGATED TOBIRA	---	5 GAL	
S5	HEMEROCALLIS 'EVERGREEN YELLOW'	DAY LILY	---	1 GAL	
S6	PHORHIZUM T. 'TINY TIT'	HYBRID FLAX	---	5 GAL	
S7	LAVANDULA STOECHAS	SPANISH LAVANDER	---	5 GAL	
S8	RHAPHIOLEPIB U. 'PINOR'	NON	---	5 GAL	
S9	PHORHIZUM 'YELLOW WAVE'	HYBRID FLAX	---	5 GAL	
S10	TILBAGHIA V. 'TRICOLOR'	SOCIETY GARLIC	---	1 GAL	
S11	ACAPANTHUS 'TINKERBELL'	ACAPANTHUS	---	1 GAL	
S12	GHZNDROPETALLUM TECTORIUM	CAPE RUSH	---	5 GAL	
GROUND COVERS					
G1	COTONEASTER D. 'LOUPAST'	COTONEASTER	---	1 GAL	36" O.C.
G2	HEDEERA H. 'HARRIS'	HARRIS Ivy	---	FLATB	36" O.C.
G3	ROSMARINUS O. 'MUNTINGTON CARPET'	ROSEMARY	---	1 GAL	36" O.C.
G4	GAZANIA 'MITSUBA WHITE/YELLOW MIX'	HYBRID GAZANIA	---	FLATB	12" O.C.
G5	FESTUCA CALIFORNICA	FESCUE	---	FLATB	12" O.C.
G6	NO-MOW SOD FOR BIO-SWALE	BY 'PACIFIC SOD'	---	---	---

PLANT NOTES:

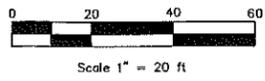
1. THE CONTRACTOR SHALL VERIFY PLANT QUANTITIES FROM THE PLANTING PLAN. QUANTITIES SHOWN IN THE LEGEND ARE FOR CONFORMANCE ONLY.
2. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IN THE EVENT OF ANY DISCREPANCIES BETWEEN ACTUAL SITE CONDITIONS AND THE PLANTING PLAN.
3. PLANT GROUND COVER IN SHRUB AREAS AS NOTED, USE TRIANGULAR SPACING.
4. SEE DETAIL AND SPECIFICATION SHEETS FOR ADDITIONAL INFORMATION.
5. THERE WILL BE NO MATERIALS OR PLANT MATERIALS SUBSTITUTIONS WITHOUT APPROVAL OF THE OWNER OR THE LANDSCAPE ARCHITECT.
6. ALL SLOPES PLANTED WITH LAWN NOT TO EXCEED A 3:1 SLOPE. ALL SLOPES PLANTED WITH GROUND COVER NOT TO EXCEED A 2:1 SLOPE.
7. PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDINGS (2' MIN).
8. IN THE EVENT OF ANY DISCREPANCIES BETWEEN THIS PLAN AND ACTUAL SITE CONDITIONS, THE LANDSCAPE ARCHITECT IS TO BE NOTIFIED IMMEDIATELY.
9. ENTIRE SITE IS TO BE ROUGH GRADED BY THE GRADING CONTRACTOR TO WITHIN 1/8" FOOT OF FINISH GRADE. LANDSCAPE CONTRACTOR IS TO FINE GRADE ALL LANDSCAPE AREAS.
10. ALL SITE UTILITIES ARE TO BE PROTECTED DURING CONSTRUCTION. IN THE EVENT OF CONFLICT BETWEEN THE PLANS AND UTILITIES THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT. ANY DAMAGE TO UTILITIES, STRUCTURES, OR OTHER FEATURES TO REMAIN, AND CAUSED BY THE LANDSCAPE CONTRACTOR SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR AT NO EXPENSE TO THE OWNER.
11. THE WORK IN THESE DRAWINGS AND SPECIFICATIONS MY RUN CONCURRENTLY WITH WORK BY OTHERS. THE LANDSCAPE CONTRACTOR SHALL COORDINATE THE WORK WITH OTHER CONTRACTORS.
12. REFER TO CIVIL ENGINEER'S PLANS FOR OVERALL SITE GRADING AND DRAINAGE.
13. SOD LAWN SHALL BE DWARF FESCUE BLEND.
14. PRIOR TO ANY DIGGING OR TRENCHING, CALL UNDERGROUND SERVICE ALERT - 1.800.277.2600

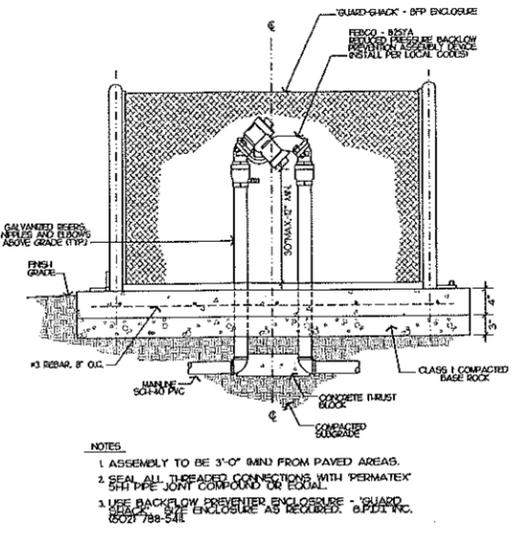
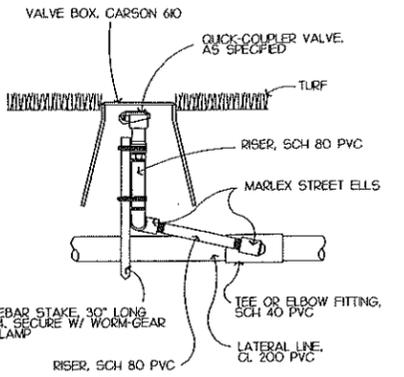
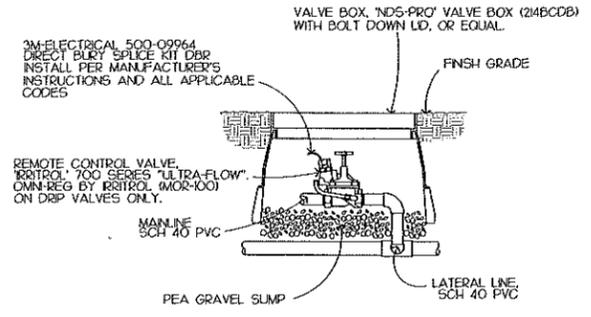
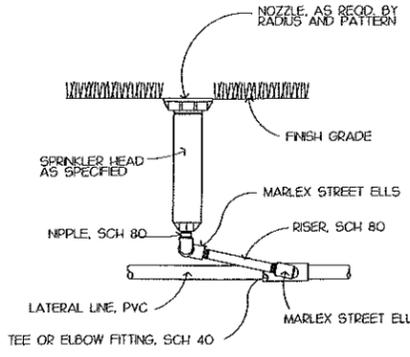
PLANT SYMBOLS



STREET TREE NOTES

1. THE LOCATIONS OF THE STREET TREES WILL BE DETERMINED AT THE STREET IMPROVEMENT STAGE.
2. CONTACT THE CITY ARBORIST AT (408.277.2756) FOR THE DESIGNATED STREET TREE.
3. INSTALL STREET TREES PER CITY STANDARDS. REFER TO THE CURRENT 'GUIDELINES FOR PLANNING, DESIGN AND CONSTRUCTION OF CITY STREETSCAPE PROJECTS'. STREET TREES SHALL BE INSTALLED IN CUT-OUT AT THE BACK OF CURB. OBTAIN A 'DOT' STREET TREE PLANTING PERMIT FOR ANY PROPOSED STREET TREE PLANTING.



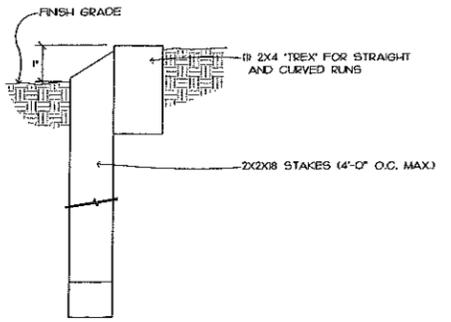


1 IRRIGATION HEAD DETAIL

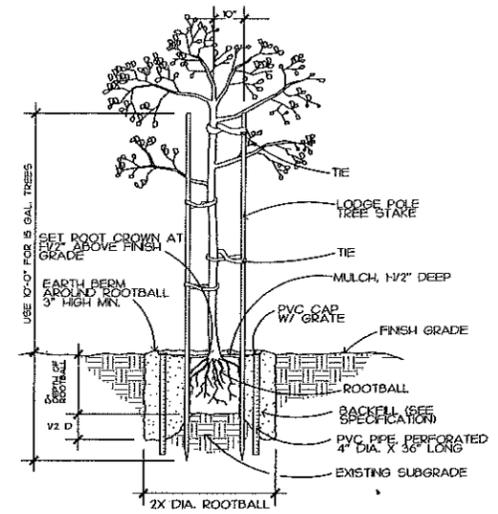
2 CONTROL VALVE DETAIL

3 QUICK-COUPLER DETAIL

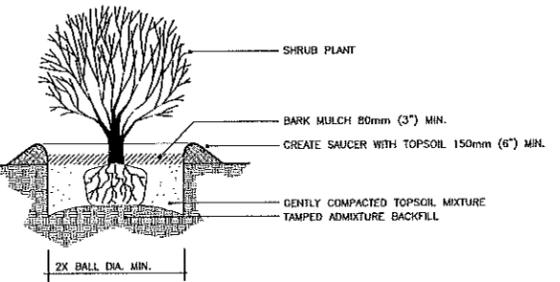
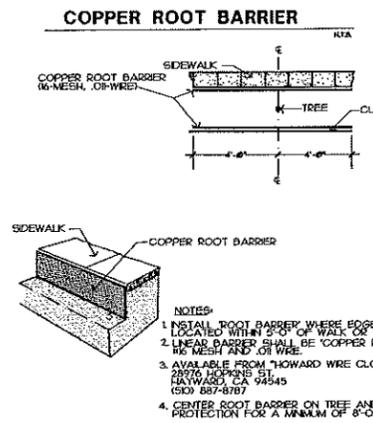
4 BACKFLOW PREVENTER DETAIL



1. WOOD STAKES SHALL BE CONSTRUCTION HEART REDWOOD.
 2. USE GALVANIZED SCREWS
 3. USE GALVANIZED SCREWS AT SPLICES.



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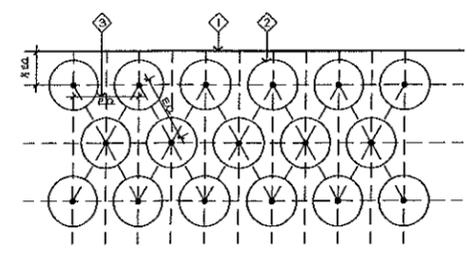


5 'Trex' LAWN HEADER DETAIL

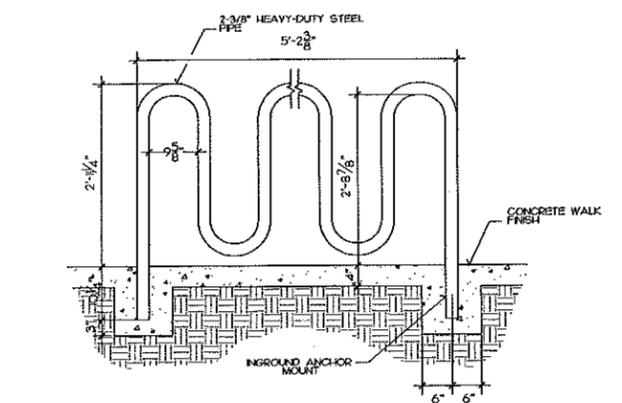
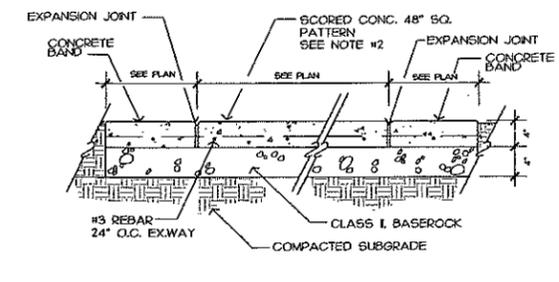
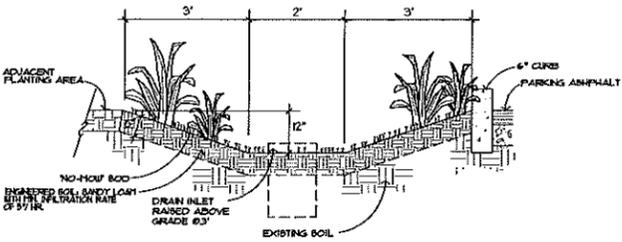
6 TREE PLANTING DETAIL

7 TREE ROOT BARRIER DETAIL

8 SHRUB PLANTING DETAIL



- GENERAL NOTES:
 1. BUILDING, PAVEMENT EDGE OR LAWN HEADER
 2. GROUND COVER OR SHRUB PLANTING
 3. E.G. = EQUAL DISTANCE. SEE PLANT LIST FOR DIMENSION

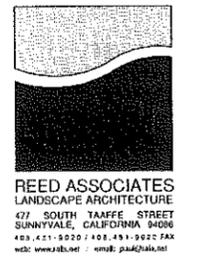


9 GROUND COVER SPACING

10 GRASSY SWALE DETAIL - SECTION

11 SPECIAL PAVING DETAIL

12 'RIBBON RACK' BICYCLE RACK DETAIL



HACIENDA GARDENS COMMERCIAL PROJECT (RITE-AID)

MERIDIAN AVENUE @ FOXWORTHY SAN JOSE, CA

PD09-023

ISSUE	DATE
NOTES	08.05.09
CITY COMMENTS	08.17.09
CITY COMMENTS	02.10.10
STREET TREE WELL	02.18.10



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Approved	pr	Reviewed	pr
Drawn	DS	Reviewed	pr
Project No.			
Scale	NFS	Issue Date	6.28.09

LANDSCAPE CONSTRUCTION DETAILS

7.1

LANDSCAPE SPECIFICATIONS

IRRIGATION SPRINKLER SYSTEM AND LANDSCAPE PLANTING

1.0 GENERAL

- A. THE WORK INCLUDES LABOR, MATERIALS, AND EQUIPMENT REQUIRED TO COMPLETE WORK INDICATED IN DRAWINGS AND SPECIFICATIONS.
 - 1. PERFORM WORK IN ACCORDANCE WITH BEST STANDARDS OF PRACTICE RELATING TO VARIOUS TRADES, AND UNDER CONTINUOUS SUPERVISION OF A COMPONENT FOREMAN CAPABLE OF INTERPRETING DRAWINGS AND SPECIFICATIONS.
 - B. PRIOR TO CONSTRUCTION, VERIFY THAT CONTRACT DOCUMENTS REFLECT LATEST REVISIONS, INCLUDING PLAN CHECK REQUIREMENTS.
 - C. CONSTRUCT IRRIGATION SYSTEM USING MATERIAL AND METHODS CONFORMING TO APPLICABLE PROVISIONS OF UNIFORM PLUMBING CODE, PUBLISHED BY WESTERN PLUMBING OFFICIALS ASSOCIATION, NATIONAL ELECTRICAL CODE, AND OTHER CODES PROPERLY GOVERNING THESE ACTIVITIES AT THE LOCATION OF THE WORK.
 - 1. VERIFY LOCATIONS OF EXISTING UTILITIES WHETHER OR NOT SHOWN IN DRAWINGS. ASSUME RESPONSIBILITY FOR THEIR PROTECTION.
 - D. THE CONTRACT DOCUMENTS ARE NOT INTENDED TO CONFLICT WITH REQUIREMENTS OF GOVERNING ORDINANCES. WHEN DRAWINGS AND SPECIFICATIONS DESCRIBE MATERIALS, WORKMANSHIP, OR CONSTRUCTION OF BETTER QUALITY, HIGHER STANDARD, PROVISIONS OF DRAWINGS AND SPECIFICATIONS TAKE PRECEDENCE.
 - E. OBTAIN AND PAY FOR PERMITS AND INSPECTIONS REQUIRED FOR THE WORK.
 - F. BEFORE PROCEEDING WITH THE WORK, VERIFY DIMENSIONS AND QUANTITIES. IMMEDIATELY NOTIFY LANDSCAPE ARCHITECT OF DISCREPANCY BETWEEN DRAWINGS, SPECIFICATIONS, AND ACTUAL CONDITIONS. COMMENCE WORK IN AREAS OF DISCREPANCY ONLY AFTER RECEIVING INSTRUCTIONS FROM LANDSCAPE ARCHITECT.
 - G. DIMENSIONS INDICATED IN DRAWINGS ARE APPROXIMATE. PROVIDE OFFSETS, FITTINGS, SLEEVES, ETC., REQUIRED TO COMPLETE THE PROJECT. PERFORM SIMILAR OPERATIONS FOR LIKE CONDITIONS WITHOUT ADDITIONAL COST TO OWNER.
- 1.1 SUBSTITUTIONS**
- A. FURNISH MATERIALS IN QUANTITIES, SIZE, AND MANUFACTURE INDICATED IN DRAWINGS AND SPECIFICATIONS.
 - B. FOR A PERIOD OF 30 DAYS AFTER EXECUTION OF CONTRACT, LANDSCAPE ARCHITECT WILL CONSIDER FORMAL REQUESTS FROM CONTRACTOR FOR SUBSTITUTION OF PRODUCTS IN PLACE OF THOSE SPECIFIED ONLY UNDER THESE CONDITIONS.
 - 1. WHEN SPECIFIED PRODUCTS ARE NOT AVAILABLE THROUGH NO FAULT OF SUB-CONTRACTOR.
 - 2. WHEN IT IS CLEARLY SEEN IN THE JUDGMENT OF OWNER THAT A SUBSTITUTION WILL BE TO OWNER'S BEST INTERESTS IN TERMS OF TIME, COST, OR OTHER CONSIDERATIONS.
 - C. SUBMIT A SEPARATE REQUEST FOR EACH SUBSTITUTION. PROVIDE COMPLETE DATA SUBSTANTIATING COMPLIANCE OF PROPOSED SUBSTITUTION, INCLUDING PRODUCT IDENTIFICATION, MANUFACTURER'S NAME AND ADDRESS, MANUFACTURER'S LITERATURE, AND SAMPLES AS APPLICABLE.
 - D. MANUFACTURER'S WARRANTIES WILL NOT RELIEVE SUB-CONTRACTOR OF HIS LIABILITY UNDER THE GUARANTEE, ONLY SUPPLEMENT THE GUARANTEE.
- 1.2 RECORD DRAWINGS**
- A. FURNISH OWNER WITH A SET OF RECORD DRAWINGS (REPRODUCIBLE VELLUMS) OF IRRIGATION SPRINKLER SYSTEM AT CONCLUSION OF THE INSTALLATION.
 - 1. OBTAIN VELLUMS FROM LANDSCAPE ARCHITECT AT COST OF REPRODUCTION PLUS 25 PERCENT.
 - B. INDICATE IN RECORD DRAWINGS ALL CHANGES MADE TO IRRIGATION SYSTEM DESIGN.
- 1.3 EXTRA MATERIALS**
- A. FURNISH OWNER WITH 2 EACH OF THE FOLLOWING MATERIALS FOR EACH TYPE OF VALVE AND SPRINKLER HEAD INSTALLED IN THE SYSTEM:
 - 1. VALVE KEYS.
 - 2. SERVICE WRENCHES.
 - 3. QUICK COUPLER VALVE KEYS.
 - 4. HOSE SWIVELS COMPATIBLE WITH QUICK COUPLER VALVES.
 - 5. KEYS TO OPEN AUTOMATIC CONTROL CABINET.

1.4 WARRANTY

- A. FURNISH OWNER WITH GUARANTEE THAT IRRIGATION SPRINKLER SYSTEM IS FREE FROM DEFECTS IN MATERIALS AND WORKMANSHIP, AND THE WORK HAS BEEN COMPLETED IN ACCORDANCE WITH DRAWINGS AND SPECIFICATIONS, ORDINARY WEAR AND TEAR, UNUSUAL ABUSE, OR NEGLECT ACCEPTED.
- B. PROVIDE GUARANTEE FOR REPAIR OR REPLACEMENT OF DEFECTS IN MATERIAL OR WORKMANSHIP OR SETBACK OF BACKFILLED TRENCHES, AND TO REPAIR OR REPLACE DAMAGE RESULTING FROM THE REPAIRS OR REPLACEMENTS OF DEFECTS WITHOUT ADDITIONAL COST TO OWNER.
- C. MAKE REPAIRS OR REPLACEMENTS, INCLUDING COMPLETE RESTORATION OF DAMAGED PLANTING, PAVING, OR OTHER IMPROVEMENTS OF ANY KIND, WITHIN A REASONABLE TIME AS DETERMINED BY OWNER, AFTER RECEIPT OF WRITTEN NOTICE.
- D. IN THE EVENT OF FAILURE BY CONTRACTOR TO MAKE REPAIRS OR REPLACEMENTS WITHIN A TEN DAY AFTER RECEIPT OF WRITTEN NOTICE, REPAIRS OR REPLACEMENTS WILL BE MADE BY OTHERS AT THE EXPENSE OF SUB-CONTRACTOR.
- E. WARRANTY PERIOD FOR IRRIGATION SPRINKLER SYSTEM, 1 YEAR FROM DATE OF ACCEPTANCE BY OWNER.

1.5 LANDSCAPE MAINTENANCE AND GUARANTEE

- A. PROVIDE MAINTENANCE FOR PLANTING AND IRRIGATION FOR 60 CALENDAR DAYS AFTER STAGE ACCEPTANCE.
 - 1. WORK INCLUDES, BUT IS NOT LIMITED TO, WATERING, WEEDING, MOWING, FERTILIZING, CULTIVATING, SPRAYING, CUTTING, AND PRUNING NECESSARY TO KEEP PLANTS IN A HEALTHY GROWING CONDITION, AND TO KEEP PLANTED AREAS NEAT AND ATTRACTIVE IN APPEARANCE THROUGHOUT MAINTENANCE PERIOD.
 - 2. IMMEDIATELY REPLACE DAMAGED, UNHEALTHY, OR DEAD TREES, SHRUBS, AND GROUND COVERS WITH SIZE AND KIND INDICATED IN DRAWINGS.
 - 3. PRIOR TO END OF MAINTENANCE PERIOD, APPLY FERTILIZER 'D' (15-2-6) AT THE RATE OF 4 POUNDS PER 1,000 SQUARE FEET UNIFORMLY OVER ALL PLANTING AREAS.
 - 4. UPON COMPLETION OF INITIAL 60 DAY MAINTENANCE PERIOD, NOTIFY LANDSCAPE ARCHITECT 48 HOURS PRIOR TO DATE OF INITIAL INSPECTION.
- B. GUARANTEE THAT PLANTS AND PLANTING AREAS ARE IN HEALTHY, THRIVING CONDITION FOR AN ADDITIONAL 60 DAYS AFTER INITIAL ACCEPTANCE OF PROJECT BY LANDSCAPE ARCHITECT.
 - 1. FINAL ACCEPTANCE MAY BE GRANTED AT THIS TIME AS DETERMINED BY LANDSCAPE ARCHITECT.

2.0 PRODUCTS

- 2.1 IRRIGATION SPRINKLER MATERIALS**
- A. PVC PLASTIC PIPE AND FITTINGS**
- 1. MAIN LINE (PRESSURE) PIPING, TYPE 1120-1220 SCHEDULE 40, NSF APPROVED, LASCO, JOHNS MANVILLE, OR APPROVED EQUAL.
 - A. MAIN LINE PVC PIPE FITTINGS, TYPE 1-11 SCHEDULE 40, NSF APPROVED.
 - 2. LATERAL (NON-PRESSURE) LINE PIPING, TYPE 1120-1220 SCHEDULE 40, CLASS 200, NSF APPROVED, LASCO, JOHNS MANVILLE, OR APPROVED EQUAL.
 - A. LATERAL PVC PIPE FITTINGS, TYPE 1-11 SCHEDULE 40, NSF APPROVED, LASCO, SLOAN, OR APPROVED EQUAL.
 - 3. SOLVENT TYPE APPROVED BY MANUFACTURER OF PIPE AND FITTINGS. USE SCHEDULE 80 PVC THREADED nipples IN RISER ASSEMBLIES.
 - 4. USE ONLY PVC PLASTIC PIPE FREE FROM BUSTERS, INTERNAL STRATIFICATIONS, GENTS, WRINKLES, CRACKS, HOLES, FOREIGN MATERIALS, SMOOTH INTERIOR WALL WITH A GLASS-LIKE APPEARANCE.
 - A. CONTINUOUSLY AND PERMANENTLY MARK EACH PIPE WITH MANUFACTURER'S NAME, KIND OF PIPE, MATERIAL, SIZE SCHEDULE OR TYPE, AND MANUFACTURER'S QUALITY CONTROL IDENTIFICATION.
- B. GALVANIZED PIPE AND FITTINGS**
- 1. WHERE INDICATED IN DRAWINGS, USE ASA SCHEDULE 40 MILD STEEL SCREWED PIPE, GALVANIZED, WITH MEDIUM GALVANIZED SCREWED BEADED MALLEABLE IRON FITTINGS.
 - A. GALVANIZED COUPLINGS MAY BE MERCHANT COUPLING.

C. CONTROL WIRE

- 1. DIRECT BURIAL REMOTE CONTROL WIRES, U.L. APPROVED TYPE U.F. MINIMUM OF 4/64 INCH VINYL INSULATION. CONSULT VALVE MANUFACTURER'S CURRENT WIRE SIZING CHART FOR REQUIRED WIRE SIZES.
- 2. COMMON RETURN WIRE = WHITE, PILOT WIRE = RED, ORANGE, OR BLACK.
- 3. MAKE SPLICES WITH "SCOTCH LOCK" NO. 3577 CONNECTOR SEALING PACKS, OR APPROVED EQUAL.

D. SPRINKLER HEADS, REMOTE CONTROL VALVES, AUTOMATIC CONTROLLER, QUICK COUPLER

- 1. TYPE, SIZE, AND LOCATION INDICATED IN DRAWINGS.
- 2. LOCATE REMOTE CONTROL VALVES AND QUICK COUPLERS A MAXIMUM OF 12 INCHES FROM CURB, WALK, OR HEADERBOARD.

E. BACKFLOW PREVENTION

- 1. BACKFLOW PREVENTERS AS INDICATED IN DRAWINGS OR AS APPROVED BY LOCAL GOVERNING BODY.
- 2. DO NOT LOCATE IN LAWN AREAS.
- 3. SCREEN UNIT WITH PLANT MATERIAL SHOWN ON PLANTING PLAN IN LOCATION OF BACKFLOW PREVENTER OR ELSEWHERE ON SITE WHEN DIRECTED BY LANDSCAPE ARCHITECT.
- 4. AVOID USING PVC PIPING IN BACKFLOW PREVENTER ASSEMBLIES.

F. VALVE BOXES

- 1. CONTROL VALVE BOXES, AMETEK NO. 10-70-00 WITH GREEN COVER LID NO. 10-173-004, OR EQUAL. PROVIDE EXTENSIONS IF REQUIRED.

2.2 LANDSCAPE PLANTING MATERIALS

- A. SOIL**
- 1. EXISTING SURFACE SOIL, UNLESS OTHERWISE INDICATED IN DRAWINGS, FREE FROM SUBSOIL, REFUSE, ROOTS, HEAVY OR STIFF CLAY, ROCKS, STICKS, BRUSH OR OTHER DELETERIOUS MATERIALS.
 - 2. NATIVE SOIL, MATERIAL EXCAVATED FROM PLANTING HOLES, FREE FROM ROCK OVER 1/2 INCH IN DIAMETER.
 - 3. IMPORTED SOIL, IF REQUIRED, SANDY LOAM TEXTURE.
 - A. SUBMIT SOIL SAMPLES AND ANALYSIS OF IMPORTED SOIL TO LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO DELIVERY TO PROJECT SITE.
 - B. SHOULD LANDSCAPE ARCHITECT REJECT ANY PORTION OF DELIVERED SOIL FOR ANY REASON, SELECT SOIL MATERIAL FROM A DIFFERENT SOURCE AND RESUBMIT TO LANDSCAPE ARCHITECT FOR APPROVAL WITHOUT ADDITIONAL COST TO OWNER.
- B. FERTILIZERS AND SOIL AMENDMENTS**
- 1. COMMERCIAL GRADE FERTILIZERS AND SOIL AMENDMENTS, UNIFORM IN COMPOSITION, DRY AND FREE-FLOWING, DELIVERED TO SITE IN ORIGINAL UNOPENED CONTAINERS, EACH BEARING THE MANUFACTURER'S GUARANTEED ANALYSIS.
 - 2. MATERIAL WHICH BECOMES CAKED OR OTHERWISE DAMAGED, MAKING IT UNSUITABLE FOR USE, WILL BE REJECTED.
 - A. FERTILIZER 'A': FERTILIZER FOR GENERAL SOIL FERTILITY IMPROVEMENT IN ALL TURF AND PLANTING AREAS SHALL BE PELLETED TYPE HAVING A N6-P20-K20 FORMULA.
 - B. FERTILIZER 'B': FERTILIZER TO BE APPLIED TO LAWN AREAS PRIOR TO SEEDING OR SOODING SHALL BE PELLETED TYPE HAVING N6-P2-K6 (WITH 1% IRON).
 - C. FERTILIZER 'C': FERTILIZER TO BE INCORPORATED IN EACH PLANT PIT SHALL BE A PLANT TAB WITH FORMULA N20-P10-K5, SUCH AS AGRIFORM.
 - D. FERTILIZER 'D': FERTILIZER TO BE APPLIED TO LAWN AREAS AFTER TURF IS ESTABLISHED AND AROUND INSTALLED CONTAINER PLANTS DURING THE MAINTENANCE PERIOD SHALL BE PELLETED TYPE COMBINATION CHEMICAL ORGANIC FORMULA N15-P2-K6.
 - E. SOIL AMENDMENT: RECYCLED COMPOST MATERIAL.

F. IRON SULFATE: STANDARD COMMERCIAL BRAND.

C. WOOD CHIP MULCH

- 1. ALL PLANTED AREAS, EXCEPT TURF, SHALL RECEIVE A TOP DRESSING OF MULCH CONSISTING OF RECYCLED, DYED WOOD CHIPS OR FIR CHIPS, MEDIAN GRID 3/8 TO 3/4" DIAMETER. SHREDDED BARK IS UNACCEPTABLE.

D. PLANT MATERIAL

- 1. CONFORM PLANT MATERIAL INDICATED IN DRAWINGS BY THE LISTED NAMES, TO STANDARD PLANT NAMES - SECOND EDITION EXCEPT FOR NAMES NOT INCLUDED, FOLLOW THE ESTABLISHED CUSTOMS OF THE NURSERY TRADE.
- 2. ALL PLANTS SHALL BE TRUE TO NAME. TAG ONE OF EACH BUNDLE OR LOT WITH THE NAME AND SIZE OF THE PLANT, IN ACCORDANCE WITH STANDARDS OF PRACTICE RECOMMENDED BY AMERICAN ASSOCIATION OF NURSERYMEN.
- 3. ALL PLANT MATERIALS SHALL MEET THE SPECIFICATIONS OF FEDERAL, STATE, AND COUNTY LAWS, REQUIRING INSPECTION FOR PLANT DISEASES AND INSECT INFESTATIONS.
- 4. PLANTS SHALL BE SYMMETRICAL, TYPICAL FOR VARIETY AND SPECIES, SOUND, HEALTHY, VIGOROUS, FREE FROM PLANT DISEASES, INSECT PESTS, OR OTHER EGGS, WITH HEALTHY NORMAL ROOT SYSTEMS, WELL FILING THEIR CONTAINERS, BUT NOT TO THE POINT OF BEING ROOT BOUND.
- 5. USE ONLY PLANT MATERIALS THAT ARE FIRST CLASS REPRESENTATIVE OF THE SPECIES AND CULTIVARS SPECIFIED AND THAT CONFORM TO ALL STATE AND LOCAL LAWS GOVERNING THE SALE, TRANSPORTATION, AND INSPECTION OF PLANT MATERIALS.
- 6. PROVIDE ONLY PLANTS WITH STRAIGHT, SINGLE TRUNKS, UNLESS OTHERWISE INDICATED IN DRAWINGS.
- 7. THOSE SPECIFIED TO BE MULTI-TRUNK SHALL HAVE AT LEAST THREE MAIN LEADERS FROM THE BASE.
- 8. PLANTS THAT HAVE ENCIRCLING ROOTS, NOT ROOT BOUND, SHALL HAVE ROOTBALLS LIGHTLY SLASHED ON A MINIMUM OF 3 SIDES TO STOP ENCIRCLING ROOT GROWTH.
- 9. THE HEIGHT AND SPREAD OF PLANT MATERIALS SHALL BE MEASURED WITH BRANCHES IN THEIR NORMAL POSITION. MEASURE SIZES OF PLANTS ON THE PLANT LIST.
 - A. 5 AND 15 GALLON CAN CONTAINER STOCK SHALL HAVE BEEN GROWN IN THAT CONTAINER NOT LESS THAN SIX (6) MONTHS, BUT SHALL NOT HAVE BEEN OVERGROWN IN THE CONTAINERS SO AS TO HAVE BECOME ROOT BOUND.
 - B. 15 GALLON CAN CONTAINER STOCK SHALL HAVE A PLANTED HEIGHT OF 6 FEET WITH 1" INCH CAULPUS TRUNK.

2.3 SOURCE QUALITY CONTROL

- A. PERFORM INSPECTIONS OF CONSTRUCTION FOR THE FOLLOWING PARTS OF THE WORK:
 - 1. INSPECTION UPON COMPLETION OF PRELIMINARY FINISH GRADING AND IRRIGATION SPRINKLER SYSTEM.
 - 2. INSPECTION OF PLANTS PRIOR TO LAYOUT.
 - 3. LAYOUT INSPECTION OF SPOTTED PLANTS.
 - 4. INITIAL INSPECTION UPON COMPLETION OF PLANTING AND TREE STAKING, PRIOR TO COMMENCEMENT OF MAINTENANCE PERIOD.
 - 5. FINAL INSPECTION AT CONCLUSION OF ADDITIONAL 60 DAY LANDSCAPE MAINTENANCE PERIOD.
 - B. LISTED INSPECTIONS WILL BE MADE BY LANDSCAPE ARCHITECT OR AN AUTHORIZED REPRESENTATIVE.
 - 1. REQUEST INSPECTION BY LANDSCAPE ARCHITECT AT LEAST 48 HOURS IN ADVANCE OF TIME INSPECTION IS REQUIRED.
- 3.0 EXECUTION**
- 3.1 IRRIGATION SPRINKLER SYSTEM**
- A. PREPARATION**
- 1. COORDINATE INSTALLATION OF SPRINKLER MATERIALS, INCLUDING PIPE, TO ELIMINATE INTERFERENCE WITH, OR DIFFICULTY IN PLANTING SHRUBS, TREES, GROUND COVER, EXISTING OR PROPOSED, AND OTHER CONSTRUCTION. RESTORE TO ORIGINAL CONTOURS AND ESTABLISHED GRADES CHANGED DURING COURSE OF THE WORK.
 - A. IN THE EVENT OF SUCH COMPACTION, CONTRACTOR WILL BE REQUIRED TO RECULTIVATE COMPACTED AREAS.
 - 2. SOODING: RAKE AREAS TO FINISH GRADE ELEVATION TO 1 INCH LOWER THAN ADJACENT PAVED SURFACE TO ACCOMMODATE SOIL THICKNESS.
 - A. SPREAD 20 POUNDS PER 1,000 SQUARE FEET OF FERTILIZER 'B' ON SOIL SURFACES PRIOR TO SOODING. THEN NEATLY INSTALL 500 SLABS.
 - B. STAGGER END JOINTS, TIGHTLY JOINED WITH NO VISIBLE SPACES.
 - C. LIGHTLY WATER AND ROLL ENTIRE AREAS. THEN HEAVILY WATER TO ASSURE WATER PENETRATION OF AT LEAST A DEPTH OF 8 INCHES.
 - 3. SEEDING: APPLY FERTILIZER 'B' TO FINISH GRADED SURFACES AT THE RATE OF 4 POUNDS PER 1,000 SQUARE FEET.
 - A. USE ONLY SEED THAT IS WEEED FREE, FRESH, RECLEANED, GRADE A, NEW CROP CONSISTING OF THE PERCENTAGE OF MIX AS DESCRIBED IN DRAWINGS.
 - B. LABEL SEED IN ACCORDANCE WITH THE U.S. DEPARTMENT OF AGRICULTURE RULES AND REGULATIONS UNDER THE FEDERAL SEED ACT PRESENTLY IN EFFECT AND SHALL BE DELIVERED TO PROJECT SITE IN BAGS BEARING DEALER'S LABEL AND GUARANTEED ANALYSIS.
 - C. SOW SEED IN 2 DIRECTIONS AT A TOTAL COMBINED RATE OF 10 POUNDS PER 1,000 SQUARE FEET.
 - D. SOW SEED BY EXPERIENCED PERSONNEL AT A TIME WHEN LITTLE OR NO WIND IS BLOWING.
 - E. LIGHTLY RAKE INTO TOP 1/8 INCH OF SOIL.
 - F. DO NOT MOW UNTL TURF IS 2-1/2 INCHES HIGH, AND FOR INITIAL MOWING DO NOT MOW LOWER THAN 1-1/2 INCHES. REMOVE ALL CLIPPINGS.
 - 4. FERTILIZING DURING MAINTENANCE: APPLY FERTILIZER 'D', 30 CALENDAR DAYS AFTER PLANTING, AT THE RATE OF 5 POUNDS PER 1,000 SQUARE FEET.
 - A. REPEAT EVERY 30 DAYS THROUGH MAINTENANCE.
- F. WEED CONTROL, PEST CONTROL, & MULCHING**
- 1. WEED CONTROL MATERIAL SHALL BE A PRE-EMERGENT HERBICIDE, TRIFLURLOLIN (TRIFLAN) OR DIFENAMID (DYNO) OR ENDED OR APPROVED EQUAL, APPLIED ON PLANTED AREAS. DON'T APPLY TO TURF DEVELOPED AREAS.
 - 2. CONSIDER IT PART OF CONTRACTOR'S WORK TO CONTROL ON-SITE OR NEARBY PESTS THAT ARE DISTURBING THE CONDITION OF LANDSCAPE IMPROVEMENTS.
 - 3. CONTROL OF PESTS INCLUDES, BUT IS NOT LIMITED TO RODENTS, RABBITS, INSECTS, DEER, ETC.
 - 4. REPAIR DAMAGE THAT OCCURS TO THE ORIGINAL CONDITION OF IMPROVEMENTS, INCLUDING REPLACEMENT OF PLANT MATERIAL WHEN REQUIRED, WITHOUT ADDITIONAL COST TO OWNER.
 - 5. SPREAD BARK CHIP MULCH EVENLY OVER ENTIRE PLANTED AREA, EXCEPT TURF DEVELOPED AREAS, TO A MINIMUM DEPTH OF 3".
- G. PRELIMINARY INSPECTION AND STAGE ACCEPTANCE**
- 1. UPON COMPLETION OF PLANTING WORK, NOTIFY LANDSCAPE ARCHITECT THAT PROJECT IS READY FOR INSPECTION.
 - 2. UPON INSPECTION, IF LANDSCAPE ARCHITECT FINDS ENTIRE PROJECT COMPLETE AND IN COMPLIANCE WITH DRAWINGS AND SPECIFICATIONS, STAGE ACCEPTANCE WILL BE GRANTED.
 - 3. IF ASPECTS OF PROJECT ARE INCOMPLETE OR IMPROPERLY INSTALLED, CONTRACTOR WILL BE NOTIFIED AND HAVE 5 WORKING DAYS IN WHICH TO CORRECT OR COMPLETE THE WORK.
 - 4. STAGE ACCEPTANCE WILL BE GIVEN ONLY WHEN ALL WORK IS CORRECT AND COMPLETE.
 - 5. THE STAGE ACCEPTANCE BY LANDSCAPE ARCHITECT OF LANDSCAPE PROJECT WILL ESTABLISH THE BEGINNING OF PLANT MAINTENANCE PERIOD.

3.3 CLEANING

- A. UPON COMPLETION OF WORK, REMOVE EXCESS MATERIALS, RUBBISH, DEBRIS, AND SUB-CONTRACTOR'S CONSTRUCTION AND INSTALLATION EQUIPMENT FROM THE PREMISES.
- B. FINAL INSPECTION OF THE WORK WILL BE MADE BY LANDSCAPE ARCHITECT IN THE PRESENCE OF THE SUB-CONTRACTOR WHEN WORK IS COMPLETED. NOTIFICATION SHALL BE MADE BY THE CONTRACTOR 48 HOURS IN ADVANCE OF SUCH INSPECTION.

B. INSTALLATION

- 1. PRIOR TO INSTALLATION, LAYOUT AND STAKE PRESSURE SUPPLY LINES, LATERAL LINES, AND LOCATION OF SPRINKLER HEADS. OBTAIN APPROVAL LAYOUT FROM LANDSCAPE ARCHITECT.
 - A. IF EQUIPMENT IS INCORRECTLY LOCATED WITHOUT APPROVAL, RELOCATE PER DIRECTIONS OF LANDSCAPE ARCHITECT WITHOUT ADDITIONAL COST TO OWNER.
 - 2. CONNECT SPRINKLER IRRIGATION SYSTEM TO POINT OF CONNECTION (P.O.C.) INDICATED IN DRAWINGS.
 - A. MAKE CONNECTIONS AT APPROXIMATE LOCATIONS SHOWN IN DRAWINGS.
 - B. ASSUME RESPONSIBILITY FOR CHANGES CAUSED BY ACTUAL SITE CONDITIONS.
- C. TRENCHING & BACKFILLING**
- 1. EXCAVATION INCLUDES REMOVAL OF WATER AND MATERIALS, OR OBSTRUCTIONS OF ANY NATURE THAT WOULD INTERFERE WITH THE WORK.
 - 2. REMOVE FROM THE SITE EXCESS AND WASTE MATERIAL RESULTING FROM TRENCHING OPERATIONS.
 - 3. DIG TRENCHES STRAIGHT AND SUPPORT PIPE CONTINUOUSLY ON BOTTOM OF DITCH. A LAY PIPE TO AN EVEN GRADE. FOLLOW LAYOUT FOR TRENCHING EXCAVATION INDICATED IN DRAWINGS AND AS NOTED.
 - 4. COVERAGES
 - A. PROVIDE MINIMUM COVER OF 18 INCHES FOR PRESSURE SUPPLY LINES.
 - B. PROVIDE MINIMUM COVER OF 15 INCHES FOR ALL NON-PRESSURE LINES INDICATED IN DRAWINGS.
 - C. PROVIDE MINIMUM COVER OF 24 INCHES OVER PIPE UNDER VEHICULAR WAYS.
 - D. PROVIDE MINIMUM COVER OF 18 INCHES FOR CONTROL WIRING.
 - E. PROVIDE 3 INCH SAND BACKFILL, ALL SIDES OF PVC PIPE, WHERE SOILS CONTAIN GREATER THAN 50% ROCKS OR OTHER MATERIAL 1/2 INCH OR LARGER IN DIAMETER WITH NATIVE BACKFILL MATERIAL.
- D. COMPACTION**
- 1. COMPACT BACKFILL FOR TRENCHING TO A DRY DENSITY EQUAL TO ADJACENT UNDISTURBED SOIL IN PLANTING AREAS AND TO 90% IN PAVED AREAS.
 - 2. CONFORM TO ADJACENT GRADES WITHOUT DIPS, SUNKEN AREAS, HUMPS, OR OTHER IRREGULARITIES.
 - 3. PLACE INITIAL BACKFILL ON ALL LINES OF A FINE GRANULAR MATERIAL.
 - 4. FOREIGN MATTER LARGER THAN 1/2 INCH IN SIZE WILL NOT BE PERMITTED.
 - 5. IF SETTLEMENT OCCURS AND ADJUSTMENTS IN PIPE, VALVES, SPRINKLER HEADS, LAWN OR PLANTING, OR OTHER CONSTRUCTION ARE NECESSARY, MAKE REQUIRED ADJUSTMENTS WITHOUT ADDITIONAL COST TO OWNER.
- E. HANDLING OF PIPE**
- 1. INSTALL PVC PIPE ALLOWING A SMALL AMOUNT OF EXCESS LENGTH IN THE LINE TO COMPENSATE FOR CONTRACTION OR EXPANSION OF THE PIPE.
 - A. ACCOMPLISH EXCESS LENGTH BY "SNAKING" THE LINE IN THE TRENCH DURING TIME OF INSTALLATION.
 - 2. HANDLE AND ASSEMBLE PIPE, FITTINGS, AND ACCESSORIES BY SKILLED TRADESMEN USING APPROVED METHODS AND TOOLS. EXERCISE CARE TO PREVENT DAMAGE TO MATERIALS OR EQUIPMENT.
 - A. KEEP INTERIOR OF PIPES, FITTINGS, AND ACCESSORIES CLEAN AT ALL TIMES. CLOSE OPENINGS IN PIPING RUNS AT THE END OF WORK EACH DAY TO PREVENT ENTRY OF FOREIGN MATERIALS.
 - B. BENDING OF GALVANIZED STEEL PIPE WILL NOT BE PERMITTED.
 - 3. PERFORM JOINTING BY COMPETENT TRADESMEN SPECIALLY TRAINED IN THE TYPE OF WORK REQUIRED, USING TOOLS AND EQUIPMENT RECOMMENDED BY THE MANUFACTURERS OF THE PIPE, FITTINGS, OR EQUIPMENT.
 - A. TAKE EVERY PRECAUTION TO SECURE A PERMANENT, WATER-TIGHT JOINT BETWEEN EACH LENGTH OF PIPE.
 - B. JOINTING PROCEDURES AND METHODS ADOPTED BY CONTRACTOR SHALL BE IN STRICT ACCORDANCE WITH RECOMMENDATIONS OF MANUFACTURER OF JOINTING MATERIAL USED.

F. SPRINKLER HEADS

- 1. INSTALL TURF HEADS, WHERE ADJACENT TO FIXED OBJECTS SUCH AS HEADERBOARDS, CURBS, OR MOWING STRIPS, SO POWERED EDGING TOOLS CAN PASS BETWEEN TURF HEAD AND FIXED OBJECT WITHOUT DIFFICULTY.
- 2. LOCATE SHRUB HEADS MINIMUM 12 INCHES FROM BACK OF CURBS AND EDGE OF WALKWAYS WHEN SHRUB HEAD IS MOUNTED ABOVE GRADE ON A RISER.

G. CONTROL VALVES

- 1. INSTALL ELECTRIC, NORMALLY CLOSED ANGLE CONTROL VALVES AS INDICATED IN DRAWINGS AND AS SPECIFIED BY MANUFACTURER.
- 2. SET VALVES IN VERTICAL POSITION, HOUSED IN AMETEK OR EQUAL VALVE BOX WITH REMOVABLE COVER, FLUSH WITH FINISHED GRADE. WHEREVER POSSIBLE, INSTALL IN A SHRUB AREA.

H. ELECTRICAL WORK

- 1. PERFORM ELECTRICAL WORK IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE, THE STATE OF CALIFORNIA ELECTRICAL SAFETY ORDERS, OTHER APPLICABLE STATE AND LOCAL CODES AND REGULATIONS.
- 2. ASSUME RESPONSIBILITY FOR THE COORDINATION OF ALL ELECTRICAL SERVICE CONNECTIONS TO THE CONTROLLER.

I. FIELD QUALITY CONTROL

- 1. FLUSH PIPES BY REMOVING HEADS AND OPERATING THE SYSTEM AT FULL PRESSURE UNTIL ALL RUST, SCALE, SAND, ETC., IS REMOVED.
 - A. DIVERT FLUSHING WATER TO PREVENT PONDING OR SOIL EROSION.
- 2. TEST PIPING UNDER FULL PRESSURE, WITH RISERS CAPPED FOR A PERIOD OF TWO HOURS.
- 3. INSPECT PIPE FOR LEAKS.
 - A. CORRECT ANY LEAKAGE DISCOVERED DURING TESTS.
- 4. REPEAT TESTS UNTIL SATISFACTORY.
- 5. TEST SPRINKLER HEADS:
 - A. TO DETERMINE THAT THEY FUNCTION ACCORDING TO MANUFACTURER'S DATA, AND
 - B. TO DETERMINE THAT THE INSTALLATION WILL PROVIDE DESIGN COVERAGE.
- 6. ALLOW OR CAUSE WORK TO BE COVERED UP OR ENCLOSED ONLY AFTER IT HAS BEEN INSPECTED, TESTED, AND APPROVED, MAKE ALL REPAIRS WITH MATERIALS AS MAY BE NECESSARY TO RESTORE DISTURBED WORK TO ITS ORIGINAL AND PROPER CONDITION WITHOUT ADDITIONAL COST TO OWNER.

3.2 LANDSCAPE PLANTING PROCEDURES

- A. CLEARING & GRUBBING**
- 1. PRESERVE EXISTING TREES IN AN UNDISTURBED CONDITION.
 - 2. ROUGH GRADE EARTHEN MOUNDS TO CONTOURS INDICATED IN DRAWINGS.
 - 3. CONSTRUCT MOUNDS WITH ENOUGH EXCESS MATERIAL TO ALLOW FOR FUTURE SETTLEMENT.
 - A. FINAL LOCATION OF MOUNDS SHALL NOT CONFLICT WITH EXISTING UTILITIES, UTILITY BOXES, VALVE BOXES, ETC.
 - 4. NO COMPACTION WILL BE ALLOWED, EXCEPT FOR NORMAL GRADING AND SHAPING OPERATIONS.
 - 5. UPON COMPLETION OF GRADING OPERATIONS, SPREAD EXCESS MATERIAL IN AREAS DIRECTED BY LANDSCAPE ARCHITECT.
- B. SOIL CONDITIONS**
- 1. CULTIVATE PLANTED AREAS TO A LIGHT AND FRABLE CONSISTENCY. UNIFORMLY TILL THE

FOLLOWING MATERIAL PER 1,000 SQUARE FEET, INTO THE TOP 6 INCHES OF SOIL, USING A ROTOTILLER OR SIMILAR MACHINE, THEN THOROUGHLY WATER.

- 26 CU. YDS. - RECYCLED COMPOST MATERIAL (SOIL AMENDMENT)
 - 25 LBS. - FERTILIZER 'A'
 - 15 LBS. - SOIL SULPHUR
2. CULTIVATE EXISTING PLANTING AREAS WITH HAND TOOLS.
3. PREPARED SOIL MIX FOR BACKFILL IN PITS FOR TREES, VINES, AND SHRUBS, CONSISTING OF THE FOLLOWING:
- 1/3 YD. - RECYCLED COMPOST MATERIAL (SOIL AMENDMENT)
 - 2/3 YD. - NATIVE SOIL
 - 1 LB. - IRON SULPHATE
- AND FERTILIZER 'C' AS FOLLOWS
- 1 GAL: 1-TAB
 - 2 GAL: 2-TABS
 - 15 GAL: 6-TABS
- 6-8 TABS FOR BOXED MATERIAL
4. CONDUCT SOIL PREPARATION AND PLANTING OPERATIONS ONLY UNDER FAVORABLE WEATHER CONDITIONS. SOIL SHALL NOT BE WORKED WHEN EXCESSIVELY DRY OR WET.
- A. LANDSCAPE ARCHITECT RESERVES THE RIGHT TO STOP WORK TAKING PLACE DURING A PERIOD WHEN CONDITIONS ARE CONSIDERED DETRIMENTAL TO SOIL STRUCTURE OR PLANT GROWTH.**

C. PLANTING TREES, SHRUBS, & VINES

- 1. DIG PITS FOR PLANTS SQUARE PER DETAIL IN DRAWINGS.
 - A. LEVEL SIZE OF PITS SHALL BE 2 TIMES DIAMETER OF ROOT BALL, AND ONE-HALF AGAIN AS DEEP AS THE DEPTH OF ROOT BALL.
 - B. SOIL AT SIDES AND BOTTOMS SHALL BE LOOSESED BY SCARIFYING TO ENSURE ROOT PENETRATION. AVOID SMOOTH CIRCULAR SIDES.
- 2. BACKFILL PITS WITH "PREPARED SOIL" TO THE BOTTOM OF THE ROOT BALL. THEN SET THE PLANT IN AN UPRIGHT POSITION IN CENTER OF HOLE. BACKFILL SPACE AROUND IT WITH PLANTING MIX.
 - A. WHEN THE BACKFILL AROUND THE PLANT IS APPROXIMATELY TWO-THIRDS COMPLETED, THOROUGHLY WATER. BACKFILL COMPLETE TO THE GRADE OF THE SURROUNDING AREA.
 - B. THE CROWN OF THE PLANT SHALL BE 1-1/2 INCHES ABOVE (MINIMUM) FINISHED GRADE.
- 3. PREPARE A SOIL RING AT LEAST 3 INCHES HIGH AND AS WIDE AS ROOT BALL AROUND EACH PLANT (NOT IN A TURF AREA).
 - A. WATER THOROUGHLY TO ELIMINATE AIR POCKETS.
 - B. REMOVE TURF IN A 24 INCH DIAMETER RING AROUND EACH TREE BASE IN TURF AREAS.

D. PLANTING GROUND COVERS

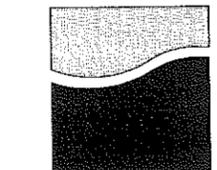
- 1. PLANTING SHALL TAKE PLACE IN THE EXISTING PREPARED MOST AND FRABLE SOIL, NEVER DRY OR WET AND SOGGY.
 - A. THE MOST CONDITION SHALL EXTEND TO THE FULL DEPTH OF CULTIVATION.
- 2. SPACE GROUND COVER PLANTS AS INDICATED IN DRAWINGS AND IN THE PLANT LIST.
- 3. PLANT IN EVENLY SPACED ROWS WITH STAGGERED TRIANGULAR SPACING AND AROUND SHRUBS AND TREES TO WITHIN ONE FOOT.
- 4. NO GROUND COVER SHALL BE PLANTED LESS THAN ONE-HALF OF THE SPECIFIED SPACING FROM ANY CURB OR WALKWAY.

E. PLANTING TURF GRASS

- 1. AFTER ALL SOIL AMENDMENT AND FERTILIZERS HAVE BEEN APPLIED AND CULTIVATED INTO SOIL, FINE GRADE ALL AREAS.
- 2. REMOVE RIDGES AND DEPRESSIONS. AREAS SHALL BE SMOOTH, CONTINUOUS, FIRM PLANES THAT ENSURE PROPER SURFACE DRAINAGE.
- 3. REMOVE ROCKS, SOIL LUMPS, AND DELETERIOUS MATERIALS LARGER THAN 1 INCH, RAKE AND COMPACT AREAS WITH A 200 POUND ROLLER.
- 4. AVOID ADDITIONAL COMPACTION OF THE SOILS AFTER TREATMENT. DO NOT PERMIT VEHICULAR OR EQUIPMENT TRAFFIC OVER AREAS.

3.3 CLEANING

- A. UPON COMPLETION OF WORK, REMOVE EXCESS MATERIALS, RUBBISH, DEBRIS, AND SUB-CONTRACTOR'S CONSTRUCTION AND INSTALLATION EQUIPMENT FROM THE PREMISES.
- B. FINAL INSPECTION OF THE WORK WILL BE MADE BY LANDSCAPE ARCHITECT IN THE PRESENCE OF THE SUB-CONTRACTOR WHEN WORK IS COMPLETED. NOTIFICATION SHALL BE MADE BY THE CONTRACTOR 48 HOURS IN ADVANCE OF SUCH INSPECTION.



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