

CITY OF SAN JOSÉ, CALIFORNIA
Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number
P.C. 10-27-04 Item: 4.e.1/4.e.2

STAFF REPORT

File Number
PDC04-018

Application Type
Planned Development Rezoning

Council District
3

Planning Area
Central

Assessor's Parcel Number(s)
259-13-054; -065; 259-14-011; -012; -014; -015

PROJECT DESCRIPTION

Completed by: Lesley Xavier

Location: Southwest corner of Coleman Avenue and West Taylor Street

Gross Acreage: 39.1

Net Acreage: 32.4

Net Density: NA

Existing Zoning: IP Industrial Park and HI Heavy Industrial

Existing Use: Vacant

Proposed Zoning: A(PD) Planned Development

Proposed Use: Community retail center of up to 385,000 square feet

GENERAL PLAN

Completed by: LX

Land Use/Transportation Diagram Designation
Combined Industrial/Commercial

Project Conformance:
 Yes No
 See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: LX

North: Industrial, Commercial, Guadalupe River Park and Gardens

HI Heavy Industrial and LI Light Industrial

West: Industrial, Commercial

HI Heavy Industrial and LI Light Industrial

South: Industrial and Future JPB Maintenance Operating Facility

HI Heavy Industrial

East: Guadalupe River

None

ENVIRONMENTAL STATUS

Completed by: LX

Environmental Impact Report resolution to be adopted
 Negative Declaration circulated on
 Negative Declaration adopted on

Exempt
 Environmental Review Incomplete

FILE HISTORY

Completed by: LX

Annexation Title: Original City

Date: 03/27/1850

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval
 Approval with Conditions
 Denial

Date: 10-20-04

Approved by: 
 Action
 Recommendation

APPLICANT/DEVELOPER

Cousins Properties, Inc.
8001 Irvine Center Drive #100
Irvine, CA 92618

OWNERS

Union Pacific Railroad
49 Stevenson, Suite 1050
San Francisco, CA 94105

Jean and Carol Bevans
15901 Matilija Drive
Los Gatos, CA 95030

Mr. and Mrs. Perez
15605 Camille Court
Morgan Hill, CA 95037

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: Lesley Xavier

Department of Public Works
See attached memorandum

Other Departments and Agencies

See attached memoranda from the Department of Transportation, Airport Land Use Commission, Airport Department, San Jose Police Department, San Jose Fire Department, Environmental Services Department, Urban Runoff Coordinator, Valley Transportation Authority (VTA), Santa Clara Valley Water District, and U.S. Fish and Wildlife Service

GENERAL CORRESPONDENCE

See attached letters from Alves Properties, Seven Flags Auto Care, Rose Garden Auto Care, Airgas, and Mr. George Rossmann, Jr. and City responses; Kathleen Muller, Executive Director, Guadalupe River Park and Gardens.

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicant, Cousins Properties, Inc., is proposing a Planned Development rezoning from IP Industrial Park and HI Heavy Industrial Zoning District to A (PD) Planned Development (PD) Zoning District on a 39.1 gross acre site located at the southwest corner of Coleman Avenue and West Taylor Street. Union Pacific Railroad Company currently owns the subject site except for APN 259-13-054 (Bevans) and APNs 259-14-011, -012, and -014 (Perez) (see plan set sheet 2B). The Director of Planning, Building and Code Enforcement initiated the proposed rezoning on the Bevans and Perez properties in advance of the transfer of ownership to the applicant.

The proposed PD rezoning would allow the development of a community retail center of up to 385,000 square feet containing a mixture of retailers, sit-down restaurants, drive-through restaurants, offices, a gas station, and other commercial uses. The project will also include related infrastructure improvements and improvements to the Guadalupe River Park.

The site is a former Union Pacific facility which is currently vacant except for four billboards and a small, triangular shaped single-story building fronting on Coleman Avenue. The site was historically used as a railroad yard and related storage. Uses surrounding the site include industrial service and suppliers, nightclub/public eating establishment, and the Guadalupe River Park and Gardens to the north; industrial and the future Peninsula Corridor Joint Powers Board Centralized Equipment Maintenance Operating Facility (CEMOF) to the south; and industrial and drinking establishment to the west. The Guadalupe River and related flood control improvements are located to the east.

Project Description

The proposed PD Zoning will allow up to 385,000 gross building square feet of commercial uses, excluding outdoor dining areas from this maximum gross square footage. Permitted, conditional, and special uses of the CG Commercial General zoning district are proposed. The proposed PD Zoning also establishes development standards for construction of the site,

including building areas, circulation and parking configuration, building height, and setbacks as follows:

- Maximum building height of 60 feet from grade level to top of parapet and mechanical/penthouse or architectural features;
- Building setbacks fronting public streets of 10 feet minimum, and 5 feet for articulated architectural projections;
- Parking setbacks of 10 feet on public streets and 6 feet from the property lines of the JPB and UPRR rail lines right-of-way, minimum;
- Parking ratio of 5.0 spaces per 1,000 square feet of floor area, with floor area defined as 85 percent of gross floor area, minimum.

The conceptual site plan for the project contains an on-site circulation system that includes an east-west internal "spine" connecting Taylor Street to future Autumn Street and four access points from the "spine" to Coleman Avenue, two major buildings located towards the rear of the site, and fourteen pad buildings located on the street frontages of Taylor Street, Coleman Avenue and future Autumn Street. Major buildings are placed along internal streets to allow maximum visibility from Coleman Avenue while maintaining views to Downtown. In this way, service to the major buildings could occur at the rear of the site while a series of 14 pad buildings address the street. The site plan allows parcels to be created so that the commercial center could intensify in the future as Downtown redevelops.

Coleman Avenue Improvements

Changes to Coleman Avenue are proposed as part of the project. These changes would include the widening of the south side of Coleman Avenue to allow for three eastbound lanes of traffic. A striped bicycle lane and 10-foot sidewalk with street trees is proposed on the south side of Coleman Avenue between Taylor Street and the proposed Autumn Street extension as part of the project. One of the intersections created by an internal drive and Coleman Avenue would be signalized approximately 300 feet south of Hobson Street. The existing median islands on Coleman Avenue would be reconfigured to preclude unsignalized left turns except for one unsignalized left turn into the project site between Hobson Street and Seymour Street (see plan set sheet 2A).

Autumn Street Extension

The proposed project includes the construction of a portion of Autumn Street at its new alignment as shown on the *San Jose 2020 General Plan Land Use/Transportation Diagram*. Autumn Street is an Arterial Street (80-106 feet wide) that will be located on the eastern side of the project site from Coleman Avenue to the Union Pacific railroad right-of-way. This new street would be signalized at Coleman Avenue and have one traffic lane, one parking lane and a striped bicycle lane in each direction, and a landscaped median. The eastern edge of this road would be set back 100 feet from the west bank of the Guadalupe River. In addition, the *San Jose 2020 General Plan Land Use/Transportation Diagram* designates Autumn Street to be further extended to Julian Street as properties along the realignment are redeveloped to the south of the project site. (see San Jose Market Center EIR page 34 and plan set sheet 2A).

Autumn Street At-Grade Railroad Crossing Relocation

Subject to approval of the California Public Utilities Commission (CPUC), the project includes the relocation of an existing at-grade crossing from existing North Autumn Street to the proposed realigned Autumn Street, across the track and right-of-way of Union Pacific. The relocated crossing would move the existing private crossing to a location approximately 480 feet to the northeast. This at-grade crossing would be a combination vehicular, bicycle and pedestrian crossing, providing access to the Autumn Street extension and the proposed Guadalupe River trail. The relocated at-grade crossing would be protected with automated warning devices.

If the Autumn Street crossing were approved by CPUC, the existing private at-grade crossings at North Autumn Street and Lenzen Street would be eliminated when the new crossing is constructed. The City submitted an application to the CPUC on October 8, 2004 for the construction of the new crossing and the closure of the other two private crossings. There is a 30-day protest period that started when CPUC calendared the application on October 13, 2004 and ends on November 12, 2004. After the protest period ends, the CPUC can take action to approve the crossing relocation and closures if no protest is received. According to CPUC staff, normal processing time is 60 days from the date the application is calendared (October 13 to December 13, 2004). If the Autumn Street crossing were not approved by the CPUC, the project applicant would work with the City of San Jose to pursue another alternative to construct the crossing. The draft development standards require CPUC approval of the Autumn Street at-grade crossing relocation prior to the issuance of a PD Permit.

Guadalupe River

The project includes the dedication of approximately 3 acres of the subject site between the Guadalupe River and the future Autumn Street extension for incorporation into the Guadalupe River Park. The project will install riparian landscaping and a pedestrian and bicycle path along this section of the Guadalupe River from Coleman Avenue to the proposed Autumn Street at-grade crossing of the Union Pacific rail lines. This path would be developed west of the top of bank and east of the future Autumn Street extension. The design and location of the pedestrian and bicycle path will be developed at the PD Permit stage.

GENERAL PLAN CONFORMANCE

The subject site has a *San Jose 2020 General Plan Land Use/Transportation Diagram* designation of Combined Industrial/Commercial. This designation allows for commercial, office, or industrial developments or a compatible mixture of these uses. The uses of the General Commercial and Neighborhood/Community Commercial land use categories are consistent with this use category, including "Big Box" retail as a stand-alone use or as part of a larger retail development. The proposed project is in conformance with the intent of the Combined Industrial/Commercial land use designation because it is a community retail

shopping center as allowed under the Neighborhood/Community Commercial and General Commercial land use categories.

The Land Use/Transportation Diagram also designates an extension of Autumn Street from West Julian Street to Coleman Avenue. As a part of the project, the portion of Autumn Street adjoining the project site will be constructed from the proposed relocated at-grade railroad crossing to Coleman Avenue consistent with the General Plan.

In addition, the proposed project furthers the General Plan's Economic Development, Downtown Revitalization, and Growth Management Major Strategies by (1) providing commercial uses to balance existing residential development, (2) providing employment opportunities, (3) replacing an underutilized site located in the Frame Area of Downtown with new uses to support Downtown, and (4) providing infill development on property that is already served by existing urban services.

ENVIRONMENTAL REVIEW

An Environmental Impact Report (EIR) was prepared for the proposed project in conformance with the California Environmental Quality Act (CEQA). The EIR analyzed impacts and proposed mitigation measures, where possible, on the following topics: land use, transportation, circulation and parking, air quality, noise, biological resources, geology, soils and seismicity, hydrology and water quality, hazards, cultural and paleontological resources, visual resources, shade and shadow, utilities and facilities, public services and facilities, and energy. Mitigation measures to reduce significant impacts to Less than Significant levels are included in the draft Development Standards.

A Notice of Preparation (NOP) of the Draft Environmental Impact Report was distributed on March 25, 2004 along with a notice of the EIR public scoping meeting date, which occurred on April 7, 2004. The Draft Environmental Impact Report (DEIR) was circulated for public review between August 20, 2004 and October 4, 2004. Six comment letters on the DEIR were received from the State of California Department of Transportation, Guadalupe-Coyote Resources Conservation District, Peninsula Corridor Joint Powers Board (Caltrain), Santa Clara Valley Transportation Authority, Vendome Neighborhood Association, and Debra Downs. The First Amendment provides the City's response to comments contained in these letters, which together with the Draft EIR constitutes the Final EIR.

Significant Unavoidable Impacts

The proposed project would result in several significant unavoidable impacts. Prior to approval of the proposed project, the City Council would be required to adopt appropriate findings for each significant impact, mitigation measure, and alternative as well as a Statement of Overriding Considerations that explains why the project's benefits outweigh its environmental costs. The specific impacts that have been identified as significant unavoidable include the following.

Transportation, Circulation and Parking

State Route 87 and Highway 280 would experience a significant impact from traffic resulting from the proposed project. The mitigation measure required to reduce this impact would be widening the freeway. However, this mitigation is not feasible because freeways are owned and maintained by Caltrans and significant right-of-way would be required resulting in the loss of homes and businesses. Therefore, this impact is significant and unavoidable. The project also has significant and unavoidable cumulative traffic impacts.

Air Quality

The long-term project related regional emissions would exceed the BAAQMD thresholds of significance for ozone precursors. While the project proposes measures that will reduce trip generation resulting in emission from the project. There is no mitigation available with currently feasible technology to reduce the project's regional air quality impact by an additional 50 percent to a less than significant level. Therefore, the project's regional air quality impacts would remain significant and unavoidable. The project also has significant and unavoidable cumulative air quality impacts.

Noise

Railroad operation, traffic on nearby roadways, and aircraft noise associated with the San Jose International Airport will expose on site land uses to noise levels of up to 71 dBA Ldn. Mitigation measures are included in the project to reduce the interior noise level to below the 45 dBA Ldn interior standard. However, it is not possible to reduce the exterior noise levels at outdoor dining areas below the City's exterior noise standards. Therefore, this impact would remain significant and unavoidable. The project also has significant and unavoidable cumulative noise impacts.

Final EIR

The comments received on the Draft EIR request refinements and clarifications of the information presented in the Draft EIR. City written responses to comments received were provided to State and local agencies on August 15, 2004. Staff believes none of the comments received on the Draft EIR raise "significant new information" requiring recirculation such as (1) a new impact, (2) a substantial increase in the severity of an impact, (3) a feasible alternative or mitigation measure that would clearly lessen identified impacts that the project proponent declines to adopt, and (4) the Draft EIR was so fundamentally inadequate and conclusory in nature that meaningful public review and comment were precluded.

Commission Action on Final EIR

The First Amendment was distributed to the Planning Commission on October 19, 2004. The Draft EIR was distributed to the Commission on September 8, 2004. Both components constitute the Final EIR. The Commission will hold a noticed public hearing on October 27, 2004 to consider certification of the Final EIR. To certify the Final EIR, the Commission must

find (1) they have read and considered the EIR, (2) the EIR was completed in compliance with CEQA, and (3) the EIR represents the independent judgement and analysis of the City of San Jose.

ANALYSIS

The primary issues analyzed for the proposed Planned Development rezoning are conformance with the *Commercial Design Guidelines*, and the *Guadalupe River Park and Gardens Urban Design Guidelines* as well as compatibility of the site with its adjacent uses.

Commercial Design Guidelines

Setbacks

The *Commercial Design Guidelines* state that shopping centers should have a portion of the total building area at the front setback line. The project proposes a building setback from the three street frontages of 10 feet, and 5 feet for articulated architectural projections. The conceptual site plan locates up to 14 pad buildings at this setback line. Parking setbacks are 10 feet to public rights-of-way, and 6 feet to the JPB and UPRR rights-of-way.

Landscaping

The Guidelines state that the perimeter, internal, and parking areas of a project should be landscaped to provide parking lot screening, a buffer for adjacent uses, and an attractive view from the street. The project provides perimeter landscaping as well as landscaping throughout the project, and one tree for every four parking spaces.

Parking and Circulation

The Guidelines state that clear, easy to understand circulation should be designed into the project to allow drivers and pedestrians to move through the site without confusion. The projects circulation system includes an east-west internal pedestrian and vehicular "spine" connecting Taylor Street to Autumn Street and four access points from the "spine" to Coleman Avenue, one being signalized. The proposed project contains a network of sidewalks that connects shops and plazas to parking and the public right-of-way. Loading access is located at the rear of the major buildings and can be accessed off of Autumn Street, as well as, from one of the driveways off of Coleman Avenue. The project proposes 5 parking spaces for every 1,000 square feet of floor area with floor area defined as 85 percent of gross floor area. A majority of this parking is located in the center of the project between the pad buildings and the major buildings with a small percentage located behind the major buildings.

Guadalupe River Park and Gardens Urban Design Guidelines

The *Guadalupe River Park and Gardens Urban Design Guidelines* specify a public walk along development with frontage on the Guadalupe River to ensure the continuity of the Guadalupe

River Park and riverwalk. The project site is specifically identified in the Guidelines stating that development should include public open space that relates directly to the river and that development at this site should provide a minimum 100-foot open space setback measured from the top of bank. The project is dedicating and improving 3 acres of the site for the Guadalupe River Park and riverwalk. New Autumn Street will be located 100 feet from the top of bank with the area between the street and the top of bank improved with a public walk and riparian landscaping. In addition, the project proposes a minimum 10-foot landscaped setback, and a greater landscaped setback up to 70 feet, on the retail-center portion of the site adjacent to the Autumn Street extension.

Compatibility of the Site with Adjacent Uses

The proposed project is compatible with its surroundings in that it is bounded by public streets, including future Autumn Street, on three sides, and the JPB and UPRR railroad rights-of-way to the south. The defined borders provide a greater effective setback to surrounding industrial and commercial land uses and the Guadalupe River Park. In addition, future Autumn Street would be setback 100 feet from the top-of-bank of the Guadalupe River.

City of San Jose and Outside Agency Memorandums

City of San Jose Department of Transportation

The Department of Transportation requested several improvements including (1) limit driveway access on Taylor Street to a right turn in only, (2) eliminate the Coleman Avenue left turn on to Seymour Street, (3) close the median at Hobson and Spring Streets, (4) signalize the project entrance midpoint on Coleman Avenue, and the intersection of Coleman Avenue and new Autumn Street, and (5) construct the railroad crossing at future Autumn Street and the UPRR railroad. The project plans were revised to include all of these items. The final design of the median islands and Autumn Street crossing will be developed at the PD Permit stage.

City of San Jose Police Department

The Police Department commented that the parking area between the two major buildings had limited surveillance and that the area should be reconfigured. The site plan was reconfigured to allow the drive to extend to this area with a pedestrian walkway for added surveillance. The Police also stated that access control should be implemented at the rear of the two major buildings for safety of its users. The site plan will be revised to include security gates in this area at the PD Permit stage.

Valley Transportation Authority (VTA)

The VTA requested that the project include bicycle parking and on site pedestrian circulation including connections to between sidewalks and building entrances. Through the development standards, the project proposes bicycling parking at a ratio of 1 per 40 automobile parking spaces. The project also includes pedestrian circulation as described in the project description above.

Airport Land Use Commission (ALUC)

At their July 28, 2004 meeting, the Airport Land Use Commission (ALUC) found the proposed project consistent with ALUC noise and height policies with conditions that (1) the proposed development within the 65 dBA CNEL contour for San Jose International Airport be designed to comply with applicable ALUC policies for acceptable noise levels, (2) the property owner grant an aviation easement to the City of San Jose for San Jose International Airport in accordance with Policy G-3 when specific development projects are proposed, and (3) height restrictions on the project be imposed in conformance with the FAA Part 77 restrictions.

The project will be designed to reduce interior noise levels to 45 dBA Ldn. However, exterior noise levels could not be mitigated and would thus be significant unavoidable. Granting of an aviation easement to the City and height restrictions in conformance with FAA Part 77 restrictions are included in the draft development standards.

Building Architecture

The conceptual building architecture was designed to be sympathetic to the Diridon Multi-Modal Transit Station because of the site's proximity to the railroad and the Airport approach zone. The conceptual design utilizes brick cladding, tile roofs, block columns, plastered cornices, and metal awnings. Redevelopment Agency architects provided valuable input into the conceptual design. As is typical for a Planned Development Rezoning, the conceptual architecture will undergo further review by staff at the Planned Development Permit stage. Building materials, roofing, colors, and other details will also be selected for their compatibility with the development pattern of the area.

Conclusion

The proposed project conforms to the Commercial Design Guidelines in that the proposed project will locate a portion of the total building area at the front setback line. Also, the project perimeter, internal use areas, and parking areas will be landscaped to provide parking lot screening, a buffer for adjacent uses, and an attractive view from the street. In addition, the project circulation system includes an east-west internal pedestrian and vehicular "spine" connecting Taylor Street and future Autumn Street with four connections to Coleman Avenue to provide a network of internal streets that intersect with public rights-of-way.

The proposed project conforms to Guadalupe River Park and Gardens Urban Design Guidelines in that the project will construct a public walk along its entire frontage on the Guadalupe River to ensure the continuity of the Guadalupe River Park and riverwalk. The project will improve public open space that relates directly to the river. In addition, future Autumn Street will be located 100 feet from the top of bank of the Guadalupe River. The project proposes a minimum 10-foot landscaped setback, and a greater landscaped setback up to 70 feet on the retail-center portion of the site adjacent to new Autumn Street.

COMMUNITY OUTREACH

The applicant presented the proposed project at a community meeting on September 27, 2004 to discuss the proposed project and solicit feedback from the community. Those in attendance were generally supportive of the proposed project. However, specific concerns were raised including (1) elimination of southbound left-turn access to Hobson Street from Coleman Avenue, (2) the need for traffic calming measures in the adjacent Vendome residential neighborhood, (3) the need to use recycled water for irrigation, and (4) pedestrian lighting, pedestrian street crossings, restricted parking (no arena parking), architecture, and directional signage on public streets to minimize neighborhood cut-through traffic.

Access to the Hobson Street businesses would occur from southbound Coleman Avenue to Taylor Street to Walnut Street. The final design of the medians will occur at the PD Permit stage. The applicant has agreed to implement traffic calming improvements and directional signage for the Vendome neighborhood at the PD Permit stage. Details related to pedestrian lighting, street crossings, restricted parking, and architecture will be finalized at the PD Permit stage.

Notices of the public hearings were mailed to all property owners and tenants within 1,000 feet of the subject site. The Planning Commission Agenda is posted on the City of San José website, which includes a copy of the staff report. Staff has been available to discuss the project with interested members of the public.

RECOMMENDATION

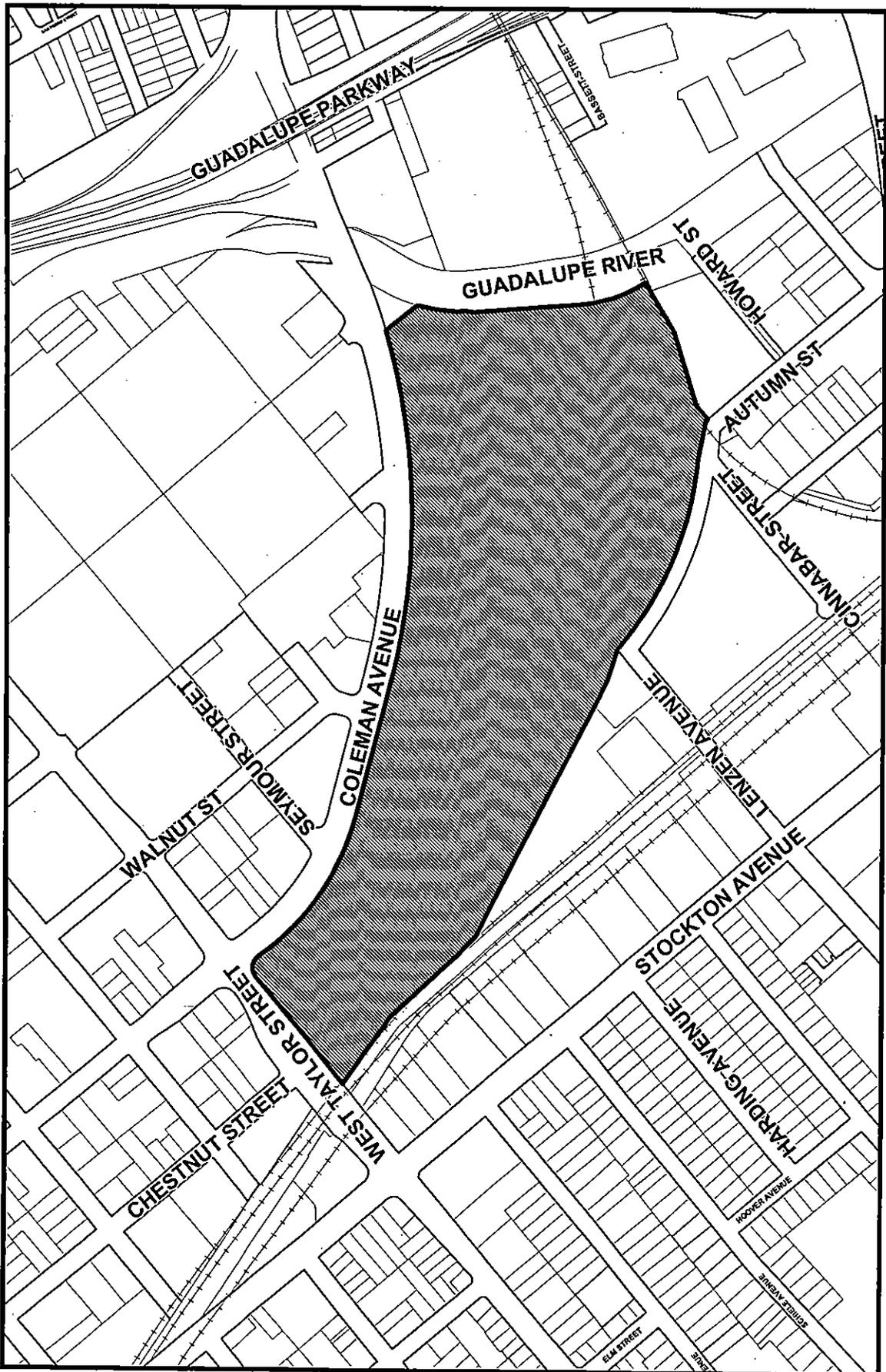
Planning staff recommends the Planning Commission:

1. Adopt a resolution to certify:
 - The Planning Commission has read and considered the San Jose MarketCenter Project Final Environmental Impact Report (EIR);
 - The Final EIR has been completed in compliance with the California Environmental Quality Act (CEQA);
 - The Final EIR reflects the independent judgment and analysis of the City of San Jose; and
 - The Director of Planning, Building and Code Enforcement shall transmit copies of the Final EIR to the applicant and to the decision-making body of the City of San Jose for the project.
2. Forward a recommendation to the City Council to approve the proposed Planned Development Rezoning for the following reasons:
 - The proposed project is consistent with the *San José 2020 General Plan Land Use/Transportation Diagram* designation of Combined Industrial/Commercial

- The project furthers the goals and objectives of the City's *San Jose 2020 General Plan* Economic Development, Downtown Revitalization, and Growth Management Major Strategies.
- The proposed project conforms to the *Commercial Design Guidelines*.
- The proposed project conforms to the *Guadalupe River Park and Gardens Urban Design Guidelines*.
- The proposed rezoning is compatible with existing and proposed uses on the adjacent and neighboring properties.

Attachments

Keven Doherty, Cousins Properties, Inc., 8001 Irvine Center Drive, #100 Irvine, CA 9261
Rick Gooch, Union Pacific Railroad, 49 Stevenson, Suite 1050, San Francisco, CA 94105
Jean and Carol Bevans, 15901 Matilija Drive Los Gatos, CA 95030
Mr. and Mrs. Perez, 15605 Camille Court, Morgan Hill, CA 95037

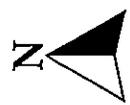


File No: PDC04-018

District: 03

Quad No: 83

Scale: 1"=500'
Created on 08/16/04



**PLANNED DEVELOPMENT ZONING
FILE NO. PDC04-018 DEVELOPMENT STANDARDS
SAN JOSE MARKET CENTER**

1.0 USES:

- 1.1 All Permitted Conditional, Special, and Administrative Uses allowed in the Commercial General Zoning District.
- 1.2 All uses shall comply with performance standards in Zoning Ordinance Sec. 20.40.600.

2.0 DENSITY:

A maximum of 385,000 gross square feet of building area, excluding outdoor dining area, shall be allowed on the site. Outdoor dining area may be unlimited in area.

3.0 BUILDING HEIGHT:

- 3.1 Maximum of 60 feet from ground level to the top of parapet, mechanical/penthouse or architectural features. Buildings within 40 feet from Autumn Ave. shall be limited to 40 feet in height from ground level to the top of parapet.
- 3.2 Maximum building heights shall conform to the Federal Aviation Administration (FAA) Part 77 restrictions.

4.0 BUILDING SETBACKS:

- 4.1 Taylor Street: 10 feet, 5 feet minimum for articulated architectural projections
- 4.2 Coleman Avenue: 10 feet, 5 feet minimum for articulated architectural projections
- 4.3 Autumn Street: 10 feet, 5 feet minimum for articulated architectural projections
- 4.4 Interior Property Lines: None required
- 4.5 Railroad right-of-way: 26 feet minimum

5.0 OFF STREET PARKING REQUIREMENTS:

- 5.1 Parking Setbacks:
 - 5.1.1 Public Streets: 10 feet minimum
 - 5.1.2 Railroad right-of-way: 6 feet minimum
- 5.2 Minimum Parking Ratio:
Retail Uses: 5.0 spaces per 1,000 net building SF excluding outdoor uses. Individual parcels within the project may contain parking ratios less than the minimum parking ratio as long as the property is covered by a reciprocal parking agreement and the overall project parking ratio for all the parcels in aggregate meets the minimum ratio.

- 5.3 Bicycle Parking Spaces: 1 per 40 automobile parking spaces

6.0 LANDSCAPING REQUIREMENTS:

- 6.1 General Parking Lot Requirements: One tree for every 4 parking spaces.
- 6.2 Parking within 300 feet of the top of the bank of the Guadalupe River: One 36" box tree for every 4 parking spaces
- 6.3 Enhanced Landscaping Driveways: Entrance Driveways from Coleman (four) and main spine driveway shall contain enhanced landscaping with accent trees spaced 30-35' apart.
- 6.4 Autumn Street/Guadalupe River Edge: Autumn/Guadalupe River frontage shall have Riparian inspired landscaping that will provide a transition between the Guadalupe River Park Landscaping and the more urban landscaping of the project.

7.0 SWC AUTUMN & COLEMAN INTERSCETION:

Create a pedestrian oriented corner plaza area with riparian-inspired landscaping to mark the entrance to the Guadalupe River Park and Guadalupe Gardens. Create pedestrian paseo connection from corner plaza to interior of the site.

8.0 AVIGATION EASEMENT:

Prior to the issuance of a Public Works Clearance, the property owner shall grant an avigation easement to the City of San Jose for the Norman Y. Mineta San Jose International Airport to the satisfaction of the Director of Planning, Building and Code Enforcement and the Director of Public Works.

9.0 AUTUMN STREET AT-GRADE RAILROAD CROSSING:

- 9.1 The applicant shall be responsible for constructing the Autumn Street At-Grade Railroad Crossing Relocation to the satisfaction of the Director of Planning, Building and Code Enforcement.
- 9.2 Prior to the issuance of a Planned Development Permit, the City of San Jose shall obtain approval from the California Public Utilities Commission (CPUC) for the Autumn Street At-Grade Railroad Crossing Relocation to the satisfaction of the Director of Planning, Building and Code Enforcement.

10.0 PUBLIC WORKS CONDITIONS:

- 10.1 **Construction Agreement:** The public improvements conditioned as part of this permit require the execution of a Construction Agreement that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. This agreement includes privately engineered plans, bonds, insurance, a completion deposit, and engineering and inspection fees.
- 10.2 **Grading/Geology:**
- A grading permit is required prior to the issuance of a Public Works Clearance.

- 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) 277-4304 for more information concerning the requirements for obtaining this permit.
 - 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.
 - The Project site is within the State of California Seismic Hazard Zone. A soil investigation report addressing the potential hazard of liquefaction must be submitted to, reviewed and approved by the City Geologist prior to issuance of a grading permit or Public Works Clearance. The investigation should be consistent with the guidelines published by the State of California (CDMG Special Publication 117) and the Southern California Earthquake Center ("SCEC" report). A recommended depth of 50 feet should be explored and evaluated in the investigation.
- 10.3 **Storm:** Grading plan must include the following:
- a) Indicate the overland release path in arrows.
 - b) The release path must be paved.
 - c) On-site ponding must be less than one foot.
 - d) Finished floor elevations must be one foot higher than overland release elevation.
- 10.4 **Flood:** Zone D (adjacent to Guadalupe River) This project should be referred to the Santa Clara Valley Water District. The District may have data available to determine if the project site will be subject to flooding from Guadalupe River.
- 10.5 **Storm Water Runoff Pollution Control Measures:** This project must comply with the City's Post-Construction Urban Runoff Management Policy (Policy) which requires implementation of Best Management Practices (BMPs) that include site design measures, source controls, and storm water treatment controls to minimize storm water pollutant discharges.
- 10.6 **Storm Water Peak Flow Control Measures:** This project may also be required to comply with the requirements of the watershed-wide Hydromodification Management Plan (HMP) if an HMP is approved by the City Council and Regional Board before this project's PD application is deemed complete by the Planning Division. Plans should show how the project would manage increases in runoff peak flow and volume, and/or how the project will prevent any increase in the potential for erosion of creek beds and banks or other adverse impacts to beneficial uses that may be attributable to changes in the amount and timing of runoff. Further information concerning compliance with the HMP will be provided once the City Council and Regional Board have approved an HMP.
- 10.7 **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.
- 10.8 **Undergrounding:**
- The In Lieu Undergrounding Fee shall be paid to the City for a portion of the frontage adjacent to Coleman Avenue prior to issuance of a Public Works clearance.

One hundred (100) percent of the base fee in place at the time of payment will be due. (Currently, the base fee is \$224 per linear foot of frontage.)

- The Director of Public Works may, at her discretion, allow the developer to perform the actual undergrounding of all off-site utility facilities fronting the project adjacent to Coleman Avenue. Developer shall submit copies of executed utility agreements to Public Works prior to the issuance of a Public Works Clearance.

10.9 Street Improvements:

- Dedication and improvement of the Coleman Avenue frontage is required to the satisfaction of the Director of Public Works.
- Remove and replace curb, gutter, and sidewalk along project frontage on both Coleman Avenue and Taylor Street.
- Close unused driveway cut(s).
- Proposed driveway width to be 26'.
- Dedication and improvement of the public streets to the satisfaction of the Director of Public Works.
- 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.

10.10 Transportation: The subject project will be in conformance with both the City of San Jose Transportation Level of Service Policy (Council Policy 5-3) and the Santa Clara County Congestion Management Program, and a determination for a negative declaration can be made with respect to traffic impacts with the inclusion of the following conditions:

- Coleman Avenue / Hedding Street: Add second left-turn lanes on both the east and west approaches. This mitigation requires right-of-way acquisition from the northwest, southwest, and southeast corners. Alternatively, the addition of a third southbound through lane along Coleman Avenue from Hedding Street to University Avenue would also satisfy this mitigation requirement. Right-of-way acquisition would be required along the east side of Coleman Avenue south of Hedding Street. Both alternatives require the modification of the traffic signal at the intersection of Coleman Avenue and Hedding Street.
- Coleman Avenue / Taylor Street: Add second left-turn lanes on both the north and south approaches along Coleman Avenue. Traffic signal modification is required.
- Signalize the Main/Project driveway at Coleman Avenue, and the intersection of Autumn Street at Coleman Avenue.
- Extend the left-turn pocket along the westbound approach of Taylor Street.
- Installation of CCTV's (Closed Circuit Television Cameras) is required at the intersections of Coleman Avenue / Taylor Street, Project Main Driveway / Coleman Avenue, and Autumn Street / Coleman Avenue.
- Signal interconnect raceway shall be placed along the project frontage to interconnect existing and proposed signalized intersections and the CCTV cameras.
- Additional operational improvements may be required at the PD Permit stage, including, but not limited to, traffic calming improvements at the intersection of Coleman Avenue and Santa Teresa Street, as well as directional traffic guide signs along Coleman Avenue.

10.11 Complexity Surcharge (In-Fill): This project has been identified as an in-fill project. Based on established criteria, the public improvements associated with this project have

been rated high complexity. An additional surcharge of 50% will be added to the Engineering & Inspection (E&I) fee collected at the street improvement stage.

10.12 Electrical:

- Installation of electrolier(s) on Coleman Avenue and Taylor Street frontage may be required.
- Relocation of electrolier(s) on Coleman Avenue and Taylor Street project frontage may be required.
- Locate and protect existing electrical conduit in driveway and/or sidewalk construction.
- Provide clearance for electrical equipment from driveways, and relocate driveway or electrolier. The minimum clearance from driveways is 10' in commercial areas and 5' in residential areas.
- Provide clearance for electroliers from overhead utilities and request clearance from utility companies. Clearance from electrolier(s) must provide a minimum of 10' from high voltage lines; 3' from secondary voltage lines; and 1' from communication lines.
- Painting and renumbering of existing electroliers along project frontage may be required.
- Replacement of existing HPS luminaires in electroliers along project frontage with LPS luminaires may be required.

10.13 Landscape:

- Install street trees within the public right-of-way along the entire street frontage per City standards.
- 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.

10.14 Median Island:

- Applicant will be required to construct a full width landscaped median island on Coleman Avenue.
- Retain landscape architect to prepare detailed planting and automatic irrigation plans and specifications for landscape within the public right-of-way (back-up areas & median islands) for review and approval. Plans shall be in accordance with "DEPARTMENT OF PUBLIC WORKS LANDSCAPE REQUIREMENTS MANUAL FOR PRIVATE DEVELOPMENT IN THE PUBLIC RIGHT-OF-WAY".

11.0 ENVIRONMENTAL MITIGATION:

LAND USE

- **LU-1:** Proposed development requiring notification to the FAA under Federal Aviation Regulations, Part 77, must receive a Determination of No Hazard prior to development permit approval. If any structure on the project site would exceed the FAA's imaginary surface standards, conditions of development approval shall include incorporation of any FAA requirements specified in a Determination of No Hazard as well as dedication of avigation easements to the City of San Jose in compliance with General Plan Aviation Policy #49 and the ALUC's project consistency determination. Implementation of this mitigation measure would reduce land use impacts related to the FAA's imaginary surface standards to a less-than-significant level.

TRANSPORTATION, CIRCULATION, AND PARKING

- **TRANS-1:** The necessary improvement to mitigate the project impact at this intersection would consist of the addition of second left-turn lanes on both the east and the west approaches. Right-of-way (ROW) from the northwest, southwest, and southeast corner at this intersection would need to be acquired to implement this improvement. The implementation of these improvements would improve intersection level of service from LOS F (average delay of 86 seconds) to LOS E (average delay of 75.9 seconds), which is better than that calculated under background conditions. Based on the City's standards, the proposed improvement would satisfactorily mitigate the project impact. A second improvement alternative is the addition of a third southbound through lane on Coleman Avenue from Hedding Street to University Avenue. To implement this improvement, ROW would need to be acquired from the east side of Coleman Avenue, south of Hedding Street. The implementation of this improvement would improve intersection level of service from LOS F (average delay of 86 seconds) to LOS D (average delay of 40.2 seconds). Based on the City's standards, the alternative improvement would satisfactorily mitigate the project impact.
- **TRANS-2:** The necessary improvement to mitigate the project impact at this intersection would consist of the addition of second left-turn lanes on the north, and the south approaches. Beyond the project's land dedication along Coleman, no ROW acquisition would be needed to implement this improvement. The implementation of these improvements would improve intersection level of service from LOS F (average delay of 117 seconds) to LOS E (average delay of 77 seconds), which is better than that calculated under background conditions. Based on the City's standards, the proposed improvement would satisfactorily mitigate the project impact.

AIR QUALITY

- **AIR-1:** Consistent with guidance from the BAAQMD, the following measures shall be required of construction contracts and specifications for the project.

Demolition. The following controls shall be implemented during demolition:

- Watering should be used to control dust generation during demolition of structures and break-up of pavement.
- Cover all trucks hauling demolition debris from the site.
- Use dust-proof chutes to load debris into trucks whenever feasible.

Construction. The following controls shall be implemented at all construction sites:

- Water all active construction areas at least twice daily and more often during windy periods; active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers to control dust;
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard;
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites;
- Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; water sweepers shall vacuum up excess water to avoid runoff-related impacts to water quality;

- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets;
- Apply non-toxic soil stabilizers to inactive construction areas;
- Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.);
- Limit traffic speeds on unpaved roads to 15 mph;
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways;
- Replant vegetation in disturbed areas as quickly as possible.
- Install baserock at entryways for all exiting trucks, and wash off the tires or tracks of all trucks and equipment in designated areas before leaving the site; and
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.

NOISE

- NOI-1a: The following measures shall be implemented during construction of the proposed project.
 - All construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.
 - Construction activities shall be restricted to between 7:00 a.m. and 7:00 p.m. Monday through Saturday. No construction shall be permitted on Sundays or federal holidays.
- NOI-1b: In the event that pile-driving and/or other extreme noise generating construction impacts are required, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. These attenuation measures shall include as many of the following control strategies as feasible and shall be implemented prior to any required pile-driving activities:
 - Implement “quiet” pile-driving technology, where feasible, in consideration of geotechnical and structural requirements and conditions;
 - Utilize noise control blankets on the building structure as it is erected to reduce noise emission from the site;
 - Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings; and
 - Monitor the effectiveness of noise attenuation measures by taking noise measurements.
- NOI-2: All on-site structures located within 120 feet of the railroad tracks shall include building façade upgrades to achieve a minimum noise attenuation of 30 dBA. This will reduce the interior noise level to below the 45 dBA L_{dn} interior standard (71 dBA – 30 dBA = 41 dBA).

BIOLOGICAL RESOURCES

- BIO-1: For ordinance-size trees that would be removed, a City of San Jose Tree Removal Permit shall be obtained prior to removal of trees from the site. Loss of ordinance size trees will be mitigated by implementation of landscaping plans approved by the City of San Jose, in conformance with the City of San Jose Landscape and Irrigation Guidelines and City of San Jose Planning Department specifications. The City of San Jose requires tree replacement for

those trees greater than 18 inches in diameter with 24-inch box trees at a ratio of 4:1 (trees planted to trees removed).

- **BIO-3a:** Pre-construction surveys to determine if burrowing owls are present within the grading footprint or on the subject site shall be conducted by a qualified wildlife biologist no more than 30 days prior to the initiation of any construction-related activities. Pre-construction surveys shall be required regardless of time of year as burrowing owls may use the site both as breeding and wintering habitat. If no burrowing owls are located during these surveys, then no additional action would be required. If burrowing owls are observed on or near the project area during these surveys, all burrowing owl burrows shall be avoided and no burrowing owls will be evicted during the nesting season (February 1 through August 31). A clearly delineated construction buffer shall be established at a minimum radius of 250 feet from the burrow during the breeding season (February 1 through August 31) and 160 feet from the burrow during the non-breeding season (September 1 through January 31).
- **BIO-3b:** In the event that breeding owls are determined to be present on the site (not wintering or transient owls), passive relocation measures may be implemented during the non-breeding season to encourage the owl(s) to move away from the burrow prior to construction. All passive relocation shall be conducted in coordination with CDFG. If no suitable alternate burrows are present within 500 feet of the destroyed burrow on the subject site, two artificial burrows shall be installed for each burrow destroyed at an appropriate location (likely within the open space area). The appropriate location of the artificial burrows shall be determined by a qualified wildlife biologist. Passive relocation methods and artificial burrow locations shall follow guidelines outlined in the CDFG *Staff Report on Burrowing Owl Mitigation*. Passive relocation shall not be conducted during the breeding season (February 1-August 31).
- **BIO-4:** All work on trees proposed for removal or pruning as part of the project should occur during the non-breeding season (August 1 to February 28) in the year prior to the start of grading. If tree pruning or removal cannot occur in the non-breeding season, then a pre-construction survey for active bird nests shall be undertaken. During the breeding season (March 1 – July 31), surveys to determine the presence of nesting birds shall be conducted by a qualified wildlife biologist, no more than 30 days prior to the initiation of pruning or removal. Since some species (e.g., songbirds) could initiate nesting within 30 days of the initial survey (due to shorter nesting cycles than raptors), a second survey shall be conducted no more than 14 days prior to the initiation of pruning or removal during the early part of the breeding season (March - May). If special-status species birds are observed nesting on or adjacent to the project site during these surveys, minimum 250 feet construction buffers shall be established around all active nests. All project-related activity shall occur outside of the exclusion area until a qualified biologist has determined that the young have fledged from the nest.

GEOLOGY, SOILS, AND SEISMICITY

- **GEO-1:** Prior to the issuance of any site-specific grading or building permits, a design-level geotechnical investigation shall be prepared and submitted to the City of San Jose Public Works Department for review and confirmation that the proposed development fully complies with the California Building Code. The report shall determine the project site's surface geotechnical conditions and address potential seismic hazards such as liquefaction and subsidence. The report shall identify building techniques appropriate to minimize seismic

damage. In addition, the following requirement for the geotechnical and soils report shall be met:

- Analysis presented in the geotechnical report shall conform with the California Division of Mines and Geology recommendations presented in the Guidelines for Evaluating Seismic Hazards in California.
- All mitigation measures, design criteria, and specifications set forth in the geotechnical and soils report shall be followed.
- GEO-2: In locations underlain by expansive soils and/or non-engineered fill, the designers of proposed building foundations and improvements (including sidewalks, roads, and utilities) shall consider these conditions. The design-level geotechnical investigation (required by Mitigation Measure GEO-1) shall include measures to ensure potential damage related to expansive soils and non-uniformly compacted fill is minimized. Options to address these conditions may range from removal of the problematic soils and replacement, as needed, with properly conditioned and compacted fill, to design and construction of improvements to withstand the forces exerted during the expected shrink-swell cycles and settlements.

HYDROLOGY AND WATER QUALITY

- HYD-1a: The project proponent shall prepare a Storm Water Pollution Prevention Plan (SWPPP) designed to reduce potential impacts to surface water quality through the construction-period of the project. The SWPPP must be maintained on-site and made available to RWQCB staff upon request. The SWPPP shall include:
 - Specific and detailed BMPs designed to mitigate construction related pollutants. At minimum, BMPs shall include practices to minimize the contact of construction materials, equipment, and maintenance supplies (e.g., fuels, lubricants, paints, solvents, adhesives) with storm water. The SWPPP shall specify properly-designed storage areas that keep these materials out of the rain.
 - An important component of the storm water quality protection effort is the knowledge of the site supervisors and workers. To educate on-site personnel and maintain awareness of the importance of storm water quality protection, site supervisors shall conduct regular tailgate meetings to discuss pollution prevention. The frequency of the meetings and required personnel attendance list shall be specified in the SWPPP.
 - The SWPPP shall specify a monitoring program to be implemented by the construction site supervisor, and must include both dry and wet weather inspections. In addition, in accordance with State Water Resources Control Board Resolution No. 2001-046, monitoring would be required during the construction period for pollutants that may be present in the runoff that are "not visually detectable in runoff." The developer shall retain an independent monitor to conduct weekly inspections and provide written monthly reports to the City of San Jose Department of Public Works to ensure compliance with the SWPPP. RWQCB personnel, who may make unannounced site inspections, are empowered to levy considerable fines if it is determined that the SWPPP has not been properly prepared and implemented.
 - BMPs designed to reduce erosion of exposed soil may include, but are not limited to: soil stabilization controls, watering for dust control, perimeter silt fences, placement of

straw wattles and sediment basins. The potential for erosion is generally increased if grading is performed during the rainy season as disturbed soil can be exposed to rainfall and storm runoff. If grading must be conducted during the rainy season, the primary BMPs selected shall focus on erosion control, that is, keeping sediment on the site. End-of-pipe sediment control measures (e.g., basins and traps) shall be used only as secondary measures. If hydroseeding is selected as the primary soil stabilization method, then these areas shall be seeded by the last week of September and irrigated as necessary to ensure that adequate root development has occurred prior to October 15. Entry and egress from the construction site shall be carefully controlled to minimize off-site tracking of sediment. Vehicle and equipment wash-down facilities shall be designed to be accessible and functional during both dry and wet conditions.

- **HYD-1b:** The project proponent shall design project features and operational Best Management Practices (BMPs) to reduce potential impacts to surface water quality associated with operation of the project. These features shall be included in the project grading and drainage plan and final development drawings. Specifically, the final design shall include measures designed to mitigate potential water quality degradation of runoff from all portions of the completed development that are subject to the City of San Jose's C.3 permits requirements. In general, passive, low-maintenance BMPs (e.g., grassy swales, porous pavements) are preferred in areas where year-round irrigation is already planned. If the design includes higher maintenance BMPs (e.g., sedimentation basins, hydrocarbon interceptors), then funding for long-term maintenance needs must be specified by the developer because the City will not assume maintenance responsibilities for these features. The final design team for the development project shall incorporate into the project as many concepts as practicable from Start at the Source, Design Guidance Manual for Stormwater Quality Protection. The final design team should also consider installing "end-of-pipe" treatment systems, including, but not limited to baffle boxes, catch basins, and hydrodynamic separators. Any use of end-of-pipe treatment systems must be accompanied by a viable maintenance program to be administered by the project owner(s). The City of San Jose Department of Planning, Building, and Code Enforcement shall ensure that the SWPPP and drainage plan are prepared and adequate prior to approval of the grading plan. Implementation of this mitigation would reduce the level of significance of this impact to a less-than-significant level.

HAZARDS

- **HAZ-1a:** Prior to the issuance of any grading, demolition, or building permits for the project, a Risk Management Plan (RMP) shall be prepared for the project site. At a minimum, the RMP shall establish soil and groundwater mitigation and control specifications for grading and construction activities at the site, including health and safety provisions for monitoring exposure to construction workers, procedures to be undertaken in the event that previously unreported contamination is discovered, and emergency procedures and responsible personnel. The RMP shall also include procedures for managing soils and groundwater removed from the site to ensure that any excavated soils and/or dewatered groundwater with contaminants are stored, managed, and disposed of in accordance with applicable regulations. The RMP shall describe groundwater monitoring wells that will be affected by the construction activities, provide procedures for the proper abandonment of those wells, and provide locations for replacement monitoring wells, if warranted. The RMP shall also include an Operations and Maintenance Plan component, to ensure that health and safety measures required for future

construction and maintenance at the project site shall be enforced in perpetuity or until discontinuance is approved by the RWQCB. The RMP shall be submitted to RWQCB for review and approval.

- HAZ-1b: Prior to the issuance of any grading, demolition, or building permits for the project site, Phase I site assessments shall be conducted at the Perez and Bevans parcels. The assessments shall be conducted by a qualified environmental professional (e.g., a California-registered environmental assessor, professional engineer, or geologist) to identify current or historical land uses that have or may have included the storage or generation of hazardous materials and the potential for releases of hazardous materials to have occurred that might impact the site. The assessments shall be performed in conformance with standards adopted by ASTM for Phase I site assessments. The Phase I site assessment shall identify any potential hazardous materials releases at the parcels, and present recommendations for further investigation of the site, if necessary. If these Phase I site assessments were to indicate that a release of hazardous materials could have affected the Perez and/or Bevans parcels, additional soil and/or groundwater investigations shall be conducted by a qualified environmental professional to assess the presence and extent of contamination at the site. If the results of the subsurface investigation(s) indicate the presence of hazardous material contamination at concentrations above Risk Based Concentrations developed for the project site (for compounds of concern identified at College Park Yard Parcel 1), or above U.S. EPA Preliminary Remedial Goals for industrial land uses (for compounds not previously identified as compounds of concern), the 2000 Risk Assessment Report for the project site shall be amended to reflect concentrations identified during the subsurface investigation, and the RMP for the project site (see Mitigation Measure HAZ-1a, above) shall include measures to reduce potential cumulative health risks to future construction workers and future commercial workers to a target risk range of 10^{-4} to 10^{-6} for carcinogenic risks, and a cumulative hazard index of 1.0 for non-carcinogenic risks. The Phase I and subsequent environmental documents shall be submitted to RWQCB with the RMP for review and approval.
- HAZ-2: The RMP for the project site shall include procedures for proper abandonment and replacement of groundwater monitoring wells affected by project construction (see Mitigation Measure HAZ-1a). No additional mitigation is required.
- HAZ-3: The RMP for the project site shall include emergency procedures and the management and disposal of contaminated soils and groundwater (see Mitigation Measure HAZ-1a, above). Use, storage, disposal, and transport of hazardous materials during construction activities shall be performed in accordance with existing local, State, and federal hazardous materials regulations. No additional mitigation is required.
- HAZ-4: Prior to the issuance of a demolition permit for a structure known or suspected to have been constructed prior to 1985, an asbestos and lead-based paint survey shall be performed. If asbestos-containing materials were determined to be present, the materials shall be abated by a certified asbestos abatement contractor in accordance with the regulations and notification requirements of the Bay Area Air Quality Management District. If lead-based paint were identified, then federal and State construction worker health and safety regulations shall be followed during renovation or demolition activities. If loose or peeling lead-based paint were identified, they shall be removed by a qualified lead abatement contractor and disposed of in

accordance with existing hazardous waste regulations. Implementation of this measure would reduce this impact to a less-than-significant level.

CULTURAL AND PALEONTOLOGICAL RESOURCES

- **CULT-1:** A qualified archaeologist, meeting the Professional Qualifications Standards of the *Secretary of the Interior's Standards and Guidelines*, shall monitor all ground disturbing activity within the project area. This monitoring shall continue until, in the archaeologist's judgment, a depth has been reached at which cultural resources are not likely to be encountered by project-related activities. If deposits of archaeological materials are encountered during project activities, all work within 50 feet of the discovery shall be redirected until the monitor has evaluated the finds and made recommendations regarding their disposition. If such cultural resources are found to be significant, in accordance with CEQA and the California Register, they should be avoided by project activities. If avoidance is not feasible, a mitigation and data recovery plan shall be developed, by which adverse effects to such resources shall be mitigated. Prehistoric materials can include flaked-stone tools (e.g. projectile points, knives, choppers) or obsidian, chert, or quartzite toolmaking debris; culturally darkened soil (i.e., midden soil often containing heat affected rock, ash and charcoal, shellfish remains, and cultural materials); and stone milling equipment (e.g., mortars, pestles, handstones). Historical materials can include wood, stone, concrete, or adobe footings, walls and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, and other refuse. Project personnel shall not collect or move any cultural material. Fill soils that may be used for construction purposes shall not contain archaeological materials. Upon completion of archaeological monitoring, a report shall be prepared documenting the methods, results, and recommendations of the monitoring archaeologist.
- **CULT-2:** In accordance with CCR Title 14 Section 150645(e), if human remains are encountered during construction, work within 50 feet of the discovery should be redirected and the County Coroner notified immediately. At the same time, an archaeologist should be contacted to evaluate the situation. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendent to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. If human remains are encountered during construction, the archaeologist contracted to evaluate the situation should prepare a report documenting the methods and findings of the investigation. This report should be submitted to the NWIC.

Memorandum

TO: Lesley Xavier
Planning and Building

FROM: Ebrahim Sohrabi
Public Works

**SUBJECT: FINAL RESPONSE TO
DEVELOPMENT APPLICATION**

DATE: 10/20/04

PLANNING NO.: PDC04-018
DESCRIPTION: Planned Development Rezoning from IP Industrial Park Zoning District to A(PD) Planned Development Zoning District to allow a retail shopping center of up to 385,000 square feet for commercial uses on a 39.1 gross acre site.
LOCATION: southerly corner of Coleman Street and West Taylor Street
P.W. NUMBER: 3-12873

Public Works received the subject project on 10/20/04 and submits the following comments and requirements.

Project Conditions:

Public Works Clearance for Building Permit(s): Prior to the issuance of Building permits, the applicant will be required to have satisfied all of the following Public Works conditions. The applicant is strongly advised to apply for any necessary Public Works permits prior to applying for Building permits.

1. **Public Works Development Review Fee:** An additional Public Works Review Fee is due. This project is located in a flood zone and is subject to the Flood Review Fee. Prior to PD permit approval, a sum of **\$150.00** shall be paid to the Department of Public Works (Room 308).
2. **Construction Agreement:** The public improvements conditioned as part of this permit require the execution of a Construction Agreement that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. This agreement includes privately engineered plans, bonds, insurance, a completion deposit, and engineering and inspection fees.
3. **Grading/Geology:**
 - a) A grading permit is required prior to the issuance of a Public Works Clearance.
 - b) If the project proposes to haul more than 10,000 cubic yards of cut/fill to or from the project site, a haul route permit is required. Prior to issuance of a grading permit, contact the Department of Transportation at (408) 277-4304 for more information concerning the requirements for obtaining this permit.

- c) 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) The Project site is within the State of California Seismic Hazard Zone. A soil investigation report addressing the potential hazard of liquefaction must be submitted to, reviewed and approved by the City Geologist prior to issuance of a grading permit or Public Works Clearance. The investigation should be consistent with the guidelines published by the State of California (CDMG Special Publication 117) and the Southern California Earthquake Center ("SCEC" report). A recommended depth of 50 feet should be explored and evaluated in the investigation.
4. **Storm:** Grading plan must include the following:
- a) Indicate the overland release path in arrows.
 - b) The release path must be paved.
 - c) On-site ponding must be less than one foot.
 - d) Finished floor elevations must be one foot higher than overland release elevation.
5. **Flood: Zone D (adjacent to Guadalupe River)** This project should be referred to the Santa Clara Valley Water District. The District may have data available to determine if the project site will be subject to flooding from Guadalupe River.
6. **Storm Water Runoff Pollution Control Measures:** This project must comply with the City's Post-Construction Urban Runoff Management Policy (Policy) which requires implementation of Best Management Practices (BMPs) that include site design measures, source controls, and storm water treatment controls to minimize storm water pollutant discharges.
7. **Storm Water Peak Flow Control Measures:** This project may also be required to comply with the requirements of the watershed-wide Hydromodification Management Plan (HMP) if an HMP is approved by the City Council and Regional Board before this project's PD application is deemed complete by the Planning Division. Plans should show how the project would manage increases in runoff peak flow and volume, and/or how the project will prevent any increase in the potential for erosion of creek beds and banks or other adverse impacts to beneficial uses that may be attributable to changes in the amount and timing of runoff. Further information concerning compliance with the HMP will be provided once the City Council and Regional Board have approved an HMP.
8. **Sewage Fees:** In accordance with City Ordinance all storm sewer area fees, sanitary sewer connection fees, and sewage treatment plant connection fees, less previous credits, are due and payable.

A-16

9. **Undergrounding:**

- a) The In Lieu Undergrounding Fee shall be paid to the City for a portion of the frontage adjacent to Coleman Avenue prior to issuance of a Public Works clearance. One hundred (100) percent of the base fee in place at the time of payment will be due. (Currently, the base fee is \$224 per linear foot of frontage.)
- b) The Director of Public Works may, at her discretion, allow the developer to perform the actual undergrounding of all off-site utility facilities fronting the project adjacent to Coleman Avenue. Developer shall submit copies of executed utility agreements to Public Works prior to the issuance of a Public Works Clearance.

10. **Street Improvements:**

- a) Dedication and improvement of the Coleman Avenue frontage is required to the satisfaction of the Director of Public Works.
- b) Remove and replace curb, gutter, and sidewalk along project frontage on both Coleman Avenue and Taylor Street.
- c) Close unused driveway cut(s).
- d) Proposed driveway width to be 26'.
- e) Relocation of existing utility poles along Coleman Avenue will be required.
- f) Dedication and improvement of the public streets to the satisfaction of the Director of Public Works.
- g) Repair, overlay, or reconstruction of asphalt pavement 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.

11. **Transportation:** The subject project will be in conformance with both the City of San Jose Transportation Level of Service Policy (Council Policy 5-3) and the Santa Clara County Congestion Management Program, and a determination for a negative declaration can be made with respect to traffic impacts with the inclusion of the following conditions:

- a) Coleman Avenue / Hedding Street: Add second left-turn lanes on both the east and west approaches. This mitigation requires right-of-way acquisition from the northwest, southwest, and southeast corners. Alternatively, the addition of a third southbound through lane along Coleman Avenue from Hedding Street to University Avenue would also satisfy this mitigation requirement. Right-of-way acquisition would be required along the east side of Coleman Avenue south of Hedding Street. Both alternatives require the modification of the traffic signal at the intersection of Coleman Avenue and Hedding Street.
- b) Coleman Avenue / Taylor Street: Add second left-turn lanes on both the north and south approaches along Coleman Avenue. Traffic signal modification is required.

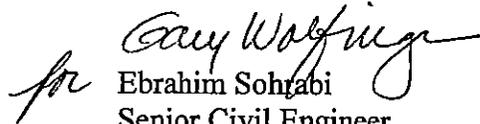
In addition, the following operational improvements are also required:

- c) Signalize the Main/Project driveway at Coleman Avenue, and the intersection of Autumn Street at Coleman Avenue.

- d) Extend the left-turn pocket along the westbound approach of Taylor Street.
 - e) Installation of CCTV's (Closed Circuit Television Cameras) is required at the intersections of Coleman Avenue / Taylor Street, Project Main Driveway / Coleman Avenue, and Autumn Street / Coleman Avenue.
 - f) Signal interconnect raceway shall be placed along the project frontage to interconnect existing and proposed signalized intersections and the CCTV cameras.
 - g) Additional operational improvements may be required at the PD Permit stage, including, but not limited to, traffic calming improvements at the intersection of Coleman Avenue and Santa Teresa Street, as well as directional traffic guide signs along Coleman Avenue.
12. **Complexity Surcharge (In-Fill):** This project has been identified as an in-fill project. Based on established criteria, the public improvements associated with this project have been rated high complexity. An additional surcharge of 50% will be added to the Engineering & Inspection (E&I) fee collected at the street improvement stage.
13. **Electrical:**
- a) Installation of electrolier(s) on Coleman Avenue and Taylor Street frontage may be required.
 - b) Relocation of electrolier(s) on Coleman Avenue and Taylor Street project frontage may be required.
 - c) Locate and protect existing electrical conduit in driveway and/or sidewalk construction.
 - d) Provide clearance for electrical equipment from driveways, and relocate driveway or electrolier. The minimum clearance from driveways is 10' in commercial areas and 5' in residential areas.
 - e) Provide clearance for electroliers from overhead utilities and request clearance from utility companies. Clearance from electrolier(s) must provide a minimum of 10' from high voltage lines; 3' from secondary voltage lines; and 1' from communication lines.
 - f) Painting and renumbering of existing electroliers along project frontage may be required.
 - g) Replacement of existing HPS luminaires in electroliers along project frontage with LPS luminaires may be required.
14. **Landscape:**
- a) Install street trees within the public right-of-way along the entire street frontage per City standards.
 - b) The locations of the street trees will be determined at the street improvement stage. Street trees shown on this permit are conceptual only.
 - c) Contact the City Arborist at (408) 277-2756 for the designated street tree.
15. **Median Island:**
- a) Applicant will be required to construct a full width landscaped median island on Coleman Avenue.

- b) Retain landscape architect to prepare detailed planting and automatic irrigation plans and specifications for landscape within the public right-of-way (back-up areas & median islands) for review and approval. Plans shall be in accordance with "DEPARTMENT OF PUBLIC WORKS LANDSCAPE REQUIREMENTS MANUAL FOR PRIVATE DEVELOPMENT IN THE PUBLIC RIGHT-OF-WAY".
15. **Referrals:** This project should be referred to Union Pacific Railroad and Santa Clara Valley Water District.

Please contact the Project Engineer, Mirabel Aguilar, at (408) 277-5161 if you have any questions.


for Ebrahim Sohrabi
Senior Civil Engineer
Transportation and Development Services Division

ES:ma
6000_28566662009.DOC



A-19

Memorandum

TO: Lesley Xavier

FROM: Mirabel Aguilar
Public Works

SUBJECT: SEE BELOW

DATE: 10/20/04

Approved

Date 10/20/04

SUBJECT: 3-12873TIA
PW NO. 3-12873 (PDC04-018)
San Jose MarketCenter Project

We have completed the review of the traffic analysis for the subject project. The project consists of 385,000 square feet of commercial development. The proposed development is located at southerly corner of Coleman Street and West Taylor Street. The proposed development is projected to add 385 a.m. peak hour trips and 1733 p.m. peak hour trips.

ACCESS

Access to the site will be provided via Coleman Avenue and Taylor Street.

Vehicular access to the site will be provided via four driveways along the Coleman Avenue project frontage, including one signalized full access driveway, and three right-in, right-out only driveways. Additional access shall be provided via three driveways along Autumn Street, including two full-access driveways, and one right-in/right-out only driveways. One right-in only driveway will be provided along Taylor Street.

ANALYSIS

Project traffic impacts and transportation level of service (LOS) have been calculated using Traffix, the City of San Jose and the Santa Clara County Congestion Management Program (CMP) approved software.

City of San Jose Methodology: Twenty-eight (28) signalized intersections were analyzed for the AM and PM peak commute hours using TRAFFIX and conforming to the City of San Jose Level-Of-Service (LOS) Policy impact criteria. The results indicate that the intersections of Coleman Avenue / Taylor Street and Coleman Avenue / Hedding Street are significantly impacted by the addition of the project traffic. The results of the analysis are summarized in the attached Table ES-1.

Santa Clara County CMP Methodology: Fourteen (14) signalized intersections were analyzed for the AM and PM peak commute hours using TRAFFIX and conforming to the Congestion

Management Program requirements. The results indicate that all of the intersections meet the CMP LOS standard. The results of the analysis are summarized in the attached Table ES-1.

Signal Warrant Studies: A signal warrant study was performed at two proposed signalized intersections: the Main Project driveway / Coleman Avenue, and at Autumn Street / Coleman Avenue. Both intersections meet the peak hour warrant.

Sight Distance Analysis: Site distance analysis was performed at the proposed right-turn in only driveway along Taylor Street, and at the proposed northbound left-turn in only median opening along Coleman Avenue. Results of the analysis indicate that the proposed driveway is adequate as a right-turn in only and the median island opening is adequate at the proposed location.

Freeway Analysis: Thirty six (36) freeway segments of State Route 87, Interstate 280, and Interstate 880 were analyzed for possible freeway impacts. The results of the analysis indicate the project would significant impact on the following four freeway study segments under the project conditions:

- SR 87, Alma to I-280 (southbound PM)
- SR 87, I-280 to Julian (southbound PM)
- SR 87, Julian to Coleman (northbound AM)
- I-280, Tenth to SR 87 (westbound PM)

Project conditions:

Mitigation Measures:

- a) Coleman Avenue / Hedding Street: Add second left-turn lanes on both the east and west approaches. This mitigation requires right-of-way acquisition from the northwest, southwest, and southeast corners. Alternatively, the addition of a third southbound through lane along Coleman Avenue from Hedding Street to University Avenue would also satisfy this mitigation requirement. Right-of-way acquisition would be required along the east side of Coleman Avenue south of Hedding Street. Both alternatives require the modification of the traffic signal at the intersection of Coleman Avenue and Hedding Street.
- b) Coleman Avenue / Taylor Street: Add second left-turn lanes on both the north and south approaches along Coleman Avenue. Traffic signal modification is required.

Operational Improvements:

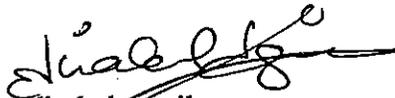
- c) Signalize the Main/Project driveway at Coleman Avenue, and the intersection of Autumn Street at Coleman Avenue.
- d) Extend the left-turn pocket along the westbound approach of Taylor Street.
- e) Installation of CCTV's (Closed Circuit Television Cameras) is required at the intersections of Coleman Avenue / Taylor Street, Project Main Driveway / Coleman Avenue, and Autumn Street / Coleman Avenue.

- f) Signal interconnect raceway shall be placed along the project frontage to interconnect existing and proposed signalized intersections and the CCTV cameras.
- g) Additional operational improvements may be required at the PD Permit stage, including, but not limited to, traffic calming improvements at the intersection of Coleman Avenue and Santa Teresa Street, as well as directional traffic guide signs along Coleman Avenue.

RECOMMENDATION:

With the inclusion of the above conditions, the subject project will be in conformance with both the City of San Jose Transportation Level of Service Policy (Council Policy 5-3) and the Santa Clara County Congestion Management Program. Therefore, a determination for a negative declaration can be made with respect to traffic impacts.

If you have any questions, please call me at extension 5161.



Mirabel Aguilar
Project Engineer
Transportation and Development Services Division

MA:ma

C: Karen Mack
Candice Lownsbery
George Constantin, DOT
Hexagon Transportation Consultants, Inc.

Table ES 1
Intersection Levels of Service Summary

Intersection	Existing			Background			Project Conditions			Mitigated			Cumulative			Mltig Cum			
	Peak Ave. Delay	LOS	Ave. Delay	LOS	Ave. Delay	LOS	Incr. In Delay	Crit. Delay	Incr. In Crit. V/C	Ave. Delay	LOS	Ave. Delay	Incr. In Delay	Crit. Delay	Incr. In Crit. V/C	Ave. Delay	LOS	Ave. Delay	LOS
1 I-880 and Coleman Avenue (N)*	AM 19	B	206	F	206	F	0.2	0.001	0.001	209.0	F	4.9	0.011	0.011	209.0	F	4.9	0.011	0.011
	PM 11	B	55	E	56	E	1.5	0.004	0.004	59.1	E	6.0	0.015	0.015	59.1	E	6.0	0.015	0.015
2 I-880 and Coleman Avenue (S)*	AM 12	B	146	F	147	F	2.2	0.005	0.005	150.8	F	7.7	0.018	0.018	150.8	F	7.7	0.018	0.018
	PM 12	B	16	B	17	B	2.3	0.051	0.051	17.7	B	2.8	0.061	0.061	17.7	B	2.8	0.061	0.061
3 The Alameda and Hedding Street*	AM 45	D	47	D	47	D	0.0	0.001	0.001	46.8	D	0.3	0.006	0.006	46.8	D	0.3	0.006	0.006
	PM 32	C	36	D	36	D	0.0	0.006	0.006	35.8	D	0.0	0.011	0.011	35.8	D	0.0	0.011	0.011
4 Coleman Avenue and Hedding Street	AM 38	D	119	F	120	F	3.1	0.008	0.008	131.2	F	22.1	0.054	0.054	131.2	F	22.1	0.054	0.054
	PM 37	D	76	E	86	F	16.7	0.043	0.043	98.3	F	37.1	0.092	0.092	98.3	F	37.1	0.092	0.092
5 The Alameda and Naglee Ave./Taylor St.*	AM 43	D	40	D	40	D	0.8	0.007	0.007	40.2	D	0.7	0.011	0.011	40.2	D	0.7	0.011	0.011
	PM 36	D	37	D	37	D	0.9	0.011	0.011	37.5	D	1.0	0.016	0.016	37.5	D	1.0	0.016	0.016
6 Stockton Avenue and Taylor Street	AM 21	C	21	C	21	C	0.1	0.020	0.020	20.9	C	0.1	0.020	0.020	20.9	C	0.1	0.020	0.020
	PM 22	C	17	B	17	B	1.5	0.040	0.040	17.2	B	1.5	0.039	0.039	17.2	B	1.5	0.039	0.039
7 Coleman Avenue and Taylor Street	AM 52	D	141	F	141	F	2.3	0.006	0.006	152.2	F	21.2	0.052	0.052	152.2	F	21.2	0.052	0.052
	PM 43	D	78	E	117	F	49.0	0.121	0.121	130.6	F	65.0	0.161	0.161	130.6	F	65.0	0.161	0.161
8 SR 87 and Taylor Street*	AM 38	D	55	D	55	D	0.1	0.002	0.002	54.7	D	0.2	0.003	0.003	54.7	D	0.2	0.003	0.003
	PM 38	D	59	E	59	E	0.8	0.013	0.013	58.8	E	0.8	0.013	0.013	58.8	E	0.8	0.013	0.013
9 First Street and Taylor Street	AM 61	E	70	E	71	E	1.2	0.008	0.008	76.7	E	8.3	0.044	0.044	76.7	E	8.3	0.044	0.044
	PM 53	D	57	E	60	E	2.7	0.037	0.037	63.4	E	7.5	0.079	0.079	63.4	E	7.5	0.079	0.079
10 Market Street and Julian Street	AM 20	B	21	C	21	C	0.0	0.004	0.004	23.1	C	0.9	0.056	0.056	23.1	C	0.9	0.056	0.056
	PM 23	C	24	C	24	C	0.5	0.024	0.024	31.5	C	9.6	0.156	0.156	31.5	C	9.6	0.156	0.156
11 SR 87 and Julian Street (E)*	AM 42	D	48	D	48	D	0.5	0.002	0.002	55.0	E	7.8	0.155	0.155	55.0	E	7.8	0.155	0.155
	PM 40	D	41	D	41	D	0.1	0.005	0.005	54.9	D	16.5	0.237	0.237	54.9	D	16.5	0.237	0.237
12 San Pedro Street and St. James Street	AM 5	A	5	A	5	A	-2.4	0.001	0.001	8.0	A	-5.8	0.152	0.152	8.0	A	-5.8	0.152	0.152
	PM 10	A	9	A	9	A	0.0	0.003	0.003	8.3	A	-5.3	0.146	0.146	8.3	A	-5.3	0.146	0.146
13 Market Street and St. James Street	AM 21	C	23	C	23	C	0.3	0.009	0.009	25.3	C	3.3	0.170	0.170	25.3	C	3.3	0.170	0.170
	PM 18	B	25	C	27	C	0.0	0.010	0.010	26.2	C	14.7	0.142	0.142	26.2	C	14.7	0.142	0.142
14 The Alameda and Race Street*	AM 34	C	35	C	35	C	0.1	0.005	0.005	35.0	C	2.3	0.010	0.010	35.0	C	2.3	0.010	0.010
	PM 29	C	29	C	30	C	7.0	0.034	0.034	30.4	C	3.7	0.048	0.048	30.4	C	3.7	0.048	0.048
15 Montgomery Street and Santa Clara St.*	AM 20	B	20	B	20	B	0.1	0.004	0.004	20.0	B	0.3	0.016	0.016	20.0	B	0.3	0.016	0.016
	PM 18	B	21	C	22	C	0.7	0.027	0.027	22.6	C	2.1	0.059	0.059	22.6	C	2.1	0.059	0.059
16 Autumn Street and Santa Clara Street*	AM 31	C	45	D	46	D	2.2	0.007	0.007	48.8	D	7.0	0.023	0.023	48.8	D	7.0	0.023	0.023
	PM 19	B	20	C	21	C	1.4	0.019	0.019	21.6	C	2.1	0.056	0.056	21.6	C	2.1	0.056	0.056
17 Almaden Blvd. and Santa Clara St. (W)	AM 5	A	6	A	6	A	0.0	0.001	0.001	6.0	A	0.3	0.115	0.115	6.0	A	0.3	0.115	0.115
	PM 12	B	12	B	12	B	0.3	0.006	0.006	12.0	B	0.2	0.072	0.072	12.0	B	0.2	0.072	0.072
18 Almaden Blvd. and Santa Clara St. (E)	AM 25	C	28	C	28	C	0.1	0.002	0.002	33.3	C	6.6	0.145	0.145	33.3	C	6.6	0.145	0.145
	PM 22	C	25	C	26	C	0.2	0.006	0.006	27.5	C	3.5	0.112	0.112	27.5	C	3.5	0.112	0.112
19 Market Street and Santa Clara Street	AM 24	C	24	C	24	C	0.1	0.003	0.003	24.7	C	1.7	0.060	0.060	24.7	C	1.7	0.060	0.060
	PM 22	C	29	C	30	C	0.1	0.006	0.006	25.2	C	1.6	0.054	0.054	25.2	C	1.6	0.054	0.054
20 Almaden Blvd. and San Carlos Street*	AM 30	C	40	D	40	D	0.0	0.001	0.001	41.1	D	3.4	0.062	0.062	41.1	D	3.4	0.062	0.062
	PM 37	D	48	D	48	D	0.0	0.003	0.003	49.6	D	3.3	0.032	0.032	49.6	D	3.3	0.032	0.032
21 Market Street and San Carlos Street*	AM 32	D	38	D	38	D	0.0	0.001	0.001	39.8	D	2.9	0.068	0.068	39.8	D	2.9	0.068	0.068
	PM 39	D	45	D	45	D	0.3	0.004	0.004	44.9	D	-1.0	-0.006	-0.006	44.9	D	-1.0	-0.006	-0.006

A-22

**Table ES 1
Intersection Levels of Service Summary**

Intersection	Existing		Background		Project Conditions			Mitigated		Cumulative			Mitig Cum			
	Peak Ave. Delay	LOS	Ave. Delay	LOS	Ave. Delay	LOS	Incr. In Crit. Delay	Ave. Delay	LOS	Incr. In Crit. Delay	LOS	Ave. Delay	LOS	Incr. In Crit. Delay	Ave. Delay	LOS
22 Almaden Boulevard and I-280	AM 13	B	13	B	13	B	0.0	0.002	13.4	B	0.0	0.002	13.4	B	0.0	0.002
23 First Street and Reed Street	PM 11	B	11	B	11	B	0.0	0.000	10.9	B	0.0	0.000	10.9	B	0.0	0.000
	AM 22	C	32	C	32	C	0.1	0.001	32.2	C	0.1	0.002	32.2	C	0.1	0.002
24 Bird Avenue and San Carlos Street*	PM 23	C	26	C	26	C	0.1	0.004	25.8	C	0.1	0.004	25.8	C	0.1	0.004
	AM 29	C	32	C	32	C	0.1	0.004	33.3	C	0.4	0.016	33.3	C	0.4	0.016
25 Bird Avenue and I-280 (N)*	PM 43	D	57	E	58	E	1.1	0.005	61.9	E	7.7	0.031	61.9	E	7.7	0.031
	AM 30	C	31	C	31	C	0.0	0.001	31.3	C	0.2	0.008	31.3	C	0.2	0.008
26 Bird Avenue and I-280 (S)*	PM 31	C	37	D	37	D	-0.1	0.000	38.2	D	4.6	0.019	38.2	D	4.6	0.019
	AM 26	C	33	C	33	C	0.0	0.002	33.5	C	0.3	0.015	33.5	C	0.3	0.015
27 Main Project Dwy and Coleman Ave (Future)	PM 23	C	27	C	27	C	0.0	0.000	27.3	C	0.3	0.005	27.3	C	0.3	0.005
	AM --	--	--	--	5	A	--	--	7.2	A	7.5	0.104	7.2	A	7.5	0.104
28 Autumn Street and Coleman Av (Future)	PM --	--	--	--	17	B	--	--	16.7	B	16.7	0.279	16.7	B	16.7	0.279
	AM --	--	--	--	3	A	--	--	4.7	A	3.8	0.075	4.7	A	3.8	0.075
	PM --	--	--	--	11	B	--	--	11.5	B	13.5	0.228	11.5	B	13.5	0.228

* Denotes CMP Intersection

/a/ Levels of service shown represent results for (1) proposed mitigation improvement that would add second left-turn lanes on the east and west approaches, and (2) the alternative improvement, which would add a third southbound through lane at this intersection. Results are shown in this format: **XX** = proposed mitigation (1) / alternative mitigation (2).
Note: Significant Impacts are shown boxed.

Table ES-2
Freeway Segment Levels of Service - Project Conditions

Freeway	Segment	Direction	Peak Hour	Existing Plus Project Trips				Existing Plus Project Trips				Project Trips						
				Mixed-Flow		HOV Lane		Mixed-Flow		HOV Lane		Mixed-Flow		HOV Lane				
				LOS	Ave. Speed/Al	# of Lanes	Volume/Al	Density	LOS	Ave. Speed/Al	# of Lanes	Volume/Al	Density	LOS	Volume	Capacity	Volume	Capacity
SR 87	SR 85 to Capitol Expwy	NB	AM	C	88	2	3,172	24.0		C								
			PM	C	86	2	3,437	26.0		D								
SR 87	Capitol Expwy to Curtner	NB	AM	F	29	2	3,774	65.1		F								
			PM	C	86	2	3,183	24.1		C								
SR 87	Curtner to Almaden Expwy	NB	AM	F	17	2	3,068	90.2		F								
			PM	C	86	2	3,328	25.2		C								
SR 87	Almaden Expwy to Alma	NB	AM	F	18	2	3,142	87.3		F								
			PM	C	27	2	3,709	88.7		F								
SR 87	Alma to I-280	NB	AM	D	65	2	3,768	29.1		D								
			PM	D	66	2	3,619	27.4		D								
SR 87	I-280 to Julian	NB	AM	C	67	2	3,139	23.4		C								
			PM	C	67	2	1,931	14.4		B								
SR 87	Julian to Coleman	NB	AM	F	6	2	1,689	140.8		F								
			PM	B	67	2	2,071	15.5		B								
I-280	I-680 to Meridian	EB	AM	D	66	3.7	6,848	28.0		D								
			PM	F	15	3.7	5,403	97.4		F								
I-280	Meridian to Blvd	EB	AM	D	59	4	8,748	37.1		D								
			PM	F	22	4	7,002	78.8		F								
I-280	Blvd to SR 87	EB	AM	D	64	4	8,208	32.1		D								
			PM	F	18	4	6,992	86.8		F								
I-280	SR 87 to Tenth	EB	AM	C	68	4	8,351	24.1		C								
			PM	F	21	4	6,881	81.9		F								
I-280	Tenth to McLaughlin	EB	AM	C	66	4	6,809	25.0		C								
			PM	F	25	4	7,285	72.7		F								
I-280	McLaughlin to US 101	EB	AM	D	65	4	7,545	29.0		D								
			PM	D	84	4	8,489	33.2		D								
I-880	Bascom to The Alameda	NB	AM	F	24	3	5,350	74.3		F								
			PM	C	67	3	4,685	23.3		C								
I-880	The Alameda to Coleman	NB	AM	F	18	3	4,770	86.3		F								
			PM	D	85	3	6,115	31.4		D								
I-880	Coleman to SR 87	NB	AM	F	20	3	4,989	83.1		F								
			PM	D	54	3	6,705	41.4		D								
I-880	SR 87 to First	NB	AM	F	26	3	5,549	71.1		F								
			PM	D	54	3	6,705	41.4		D								
I-880	First to US 101	NB	AM	F	6	3	3,029	126.2		F								
			PM	F	22	3	5,275	79.9		F								

**Table ES-2 (Cont'd)
Freeway Segment Levels of Service - Project Conditions**

Freeway	Segment	Direction	Peak Hour	Existing LOS		Ave. Speed/ Lane	Existing Plus Project Trips			HOV Lane			Project Trips						
				Mixed-Flow	HOV		Density	LOS	Ave. Speed/ Lane	# of Lanes	Volume/ Lane	Density	LOS	Total Volume	Mixed-Flow Volume	Capacity	%	HOV Lane Volume	Capacity
I-880	US 101 to First	SB	AM	D	D	85	3	5,870	30.1	D	3	20	20	0.3%	20	0.3%			
I-880	First to SR 87	SB	PM	F	F	27	3	6,855	89.8	F	3	65	65	0.9%	65	0.9%			
I-880	SR 87 to Coleman	SB	AM	C	C	67	3	4,440	22.1	C	3	20	20	0.3%	20	0.3%			
I-880	Coleman to The Alameda	SB	PM	F	F	25	3	5,465	72.9	F	3	65	65	0.9%	65	0.9%			
I-880	The Alameda to Bascom	SB	AM	D	D	66	3	6,660	28.1	D	3	20	20	0.3%	20	0.3%			
I-880	US 101 to McLaughlin	WB	AM	E	E	37	3	6,175	65.6	E	3	65	65	0.9%	65	0.9%			
I-880	McLaughlin to Tenth	WB	PM	C	C	68	3	4,759	24.0	C	3	9	9	0.1%	9	0.1%			
I-880	Tenth to SR 87	WB	AM	F	F	28	3	5,605	71.9	F	3	65	65	0.9%	65	0.9%			
I-880	SR 87 to Coleman	SB	AM	D	D	63	3	6,439	34.1	D	3	9	9	0.1%	9	0.1%			
I-880	Coleman to The Alameda	SB	PM	E	E	38	3	6,225	57.6	E	3	65	65	0.9%	65	0.9%			
I-880	The Alameda to Bascom	SB	AM	F	F	11	4	4,842	112.3	F	4	12	12	0.1%	12	0.1%			
I-880	US 101 to McLaughlin	WB	AM	F	F	81	4	8,819	36.1	F	4	39	39	0.4%	39	0.4%			
I-880	McLaughlin to Tenth	WB	AM	D	D	20	4	6,660	83.3	D	4	20	20	0.2%	20	0.2%			
I-880	Tenth to SR 87	WB	PM	F	F	58	4	8,865	36.3	D	4	65	65	0.7%	65	0.7%			
I-880	SR 87 to Coleman	SB	AM	F	F	24	4	7,225	75.3	F	4	25	25	0.3%	25	0.3%			
I-880	Coleman to The Alameda	SB	PM	E	E	35	4	8,201	58.9	F	4	81	81	0.9%	81	0.9%			
I-880	The Alameda to Bascom	SB	AM	F	F	7	4	3,617	129.2	F	4	7	7	0.1%	7	0.1%			
I-880	US 101 to McLaughlin	WB	AM	F	F	14	4	5,852	100.9	F	4	52	52	0.6%	52	0.6%			
I-880	McLaughlin to Tenth	WB	AM	F	F	10	4	4,607	115.2	F	4	7	7	0.1%	7	0.1%			
I-880	Tenth to SR 87	WB	AM	E	E	37	4	8,192	55.4	E	4	52	52	0.6%	52	0.6%			
I-880	SR 87 to Coleman	SB	AM	F	F	9	3.7	4,063	122.0	F	3.7	4	4	0.0%	4	0.0%			
I-880	Coleman to The Alameda	SB	PM	A	A	65	3.7	7,000	28.1	D	3.7	30	30	0.3%	30	0.3%			
I-880	The Alameda to Bascom	SB	AM	B	B	67	2	2,306	17.2	B	2	28	28	0.8%	28	0.8%			
I-880	US 101 to McLaughlin	WB	AM	D	D	66	2	3,891	28.6	D	2	191	191	4.3%	191	4.3%			
I-880	McLaughlin to Tenth	WB	AM	C	C	67	2	2,576	19.2	C	2	26	26	0.6%	26	0.6%			
I-880	Tenth to SR 87	WB	AM	F	F	17	2	3,281	96.5	F	2	191	191	4.3%	191	4.3%			
I-880	SR 87 to Coleman	SB	AM	C	C	67	2	2,688	20.1	C	2	8	8	0.2%	8	0.2%			
I-880	Coleman to The Alameda	SB	PM	F	F	15	2	2,909	97.0	F	2	59	59	1.3%	59	1.3%			
I-880	The Alameda to Bascom	SB	AM	D	D	52	2	4,376	42.1	D	2	6	6	0.1%	6	0.1%			
I-880	US 101 to McLaughlin	WB	AM	F	F	18	2	3,049	95.3	F	2	39	39	0.9%	39	0.9%			
I-880	McLaughlin to Tenth	WB	AM	C	C	67	2	2,553	18.1	C	2	3	3	0.1%	3	0.1%			
I-880	Tenth to SR 87	WB	AM	E	E	49	2	4,288	49.3	E	2	28	28	0.6%	28	0.6%			
I-880	SR 87 to Coleman	SB	AM	C	C	68	2	3,172	24.0	C	2	2	2	0.0%	2	0.0%			
I-880	Coleman to The Alameda	SB	AM	E	E	41	2	4,183	51.1	E	2	13	13	0.3%	13	0.3%			
I-880	The Alameda to Bascom	SB	AM	C	C	67	2	3,081	23.0	C	2	1	1	0.0%	1	0.0%			
I-880	US 101 to McLaughlin	WB	AM	D	D	68	2	3,587	27.0	D	2	7	7	0.1%	7	0.1%			

/s/ Source: Santa Clara Valley Transportation Authority Congestion Management Program Monitoring Study, 2002.
Box indicates significant impact according to CMP standards.

Memorandum

TO: Mirabel Aguilar

FROM: George Constantine

**SUBJECT: PDC04-018 Cousins Development
Coleman Ave at Taylor Ave**

DATE: 04-12-04

Approved

Date

This memo is in response to the proposed planned development rezoning application from industrial park to a planned development zoning district to allow up to 420,000 square feet for commercial uses on the 38 gross acre partial located on the southwest corner of Coleman Ave. and Taylor Ave.

DOT staff has reviewed the proposed site plan and has the following comments:

- Driveway located on Taylor Ave approximately 100 feet west of the intersection of Coleman Ave/Taylor Ave should allow only rights turns into the site.
- Signalized intersection of Coleman Ave/Taylor Ave should incorporate a CCTV (Closed Circuit Television Camera) for DOT staff use in real time traffic monitoring.
- Driveway located on Coleman Ave that line up with Seymour St. should be modified to allow for limited access. The median island should be modified to eliminate the southbound Coleman Ave left turn at this location and left turns out of the Seymour St and the project driveway should be restricted.
- Median island opening at Coleman Ave/Hobson St should be closed off.
- Project main entrance located midpoint Coleman Ave between Hobson St and Spring St should include a traffic signal for controlled safe access to the site. The new traffic signal should incorporate a CCTV camera.
- Median island opening at the intersection of Coleman Ave/Spring St should be eliminated.
- New intersection of Coleman Ave/Autumn St connection should be signalized with CCTV camera.
- Signal interconnect raceway should be placed along the project frontage to interconnect existing and new traffic signals and the CCTV cameras.
- Median island on Autumn St should be extended to railroad tracks to limit access to right-turn in only for the western most driveway.
- The Autumn St. intersection that will serve as the project entrance and exit as well as the future development site to the south across the river should be prepared for signalization with easements and utility infrastructure.
- Project should construct railroad crossing for Autumn St. as part of the project.
- Provide on-site truck circulation plan.

Please feel free to contact me to discuss these comments at (408) 277-4304.

A-27

Thank you,

A handwritten signature in black ink, appearing to read "George Constantin", with a long horizontal flourish extending to the right.

George J. Constantin

Department of Transportation

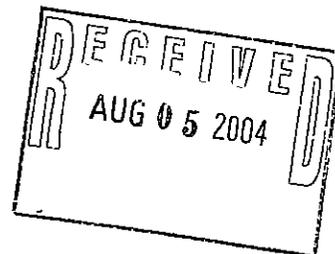


Airport Land Use Commission

County Government Center, East Wing, 70 West Hedding Street, 7th Floor, San Jose, California 95110
(408) 299-2521 • FAX (408) 279-8537

A-28

August 3, 2004



Ms. Lesley Xavier
City of San Jose
Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San Jose, CA 95110

RE: *City of San Jose File No. PDC04-018*
Proposed Rezoning from IP Industrial Park Zoning District to A(PD) Planned Development Zoning District on a 38 gross acre site located south of Coleman Avenue, east of Taylor Street, north of the Union Pacific Railroad line, and west of the Guadalupe River

Dear Ms. Xavier,

Please find enclosed the Summary of Actions for the July 28, 2004 regular meeting of the Airport Land Use Commission (ALUC).

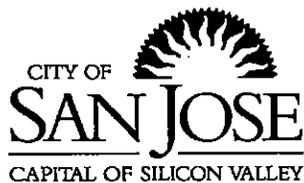
The ALUC found the proposed project consistent with ALUC noise and height policies, as defined in the *Land Use Plan for Areas Surrounding Santa Clara County Airports*, with the following conditions:

- The proposed development within the 65dB CNEL Contour for San Jose International Airport shall be designed to comply with applicable ALUC policies for acceptable noise levels.
- Property owner shall grant an avigation easement to the City of San Jose for San Jose International Airport in accordance with Policy G-3 when specific development projects are proposed.
- Height restrictions on the project site shall be imposed in conformance with the FAA Part 77 restrictions.

Sincerely,

Dana Peak
ALUC Staff Coordinator

Attachment



RECEIVED
MAR 29 2004
CITY OF SAN JOSE
PLANNING DEPARTMENT

A-29

Memorandum

TO: Lesley Xavier
Planning Department

FROM: Cary Greene
Airport Department

SUBJECT: PDC04-018

DATE: March 29, 2004

The Airport Department has reviewed PBCE's April 1st Staff Review Agenda and finds the subject 38-acre Rezoning project at 481 Coleman Avenue (UP property at the southwest corner of Coleman & Taylor) to be located within the noise impact and height restriction areas of San Jose International Airport as well as within the ALUC referral area.

Therefore, pursuant to General Plan and ALUC policy, conditions of rezoning approval should require compliance with federal airspace obstruction standards and dedication of an aviation easement to the City prior to issuance of building permits.

If the project is approved, the applicant can be directed to contact my office at 501-7702 for information on height restrictions or to initiate the easement dedication process.

Cary Greene
Airport Planner

Memorandum

TO: Stephen Haase
Director of Planning

FROM: Officer Bill Miller #2786
CPTED Program

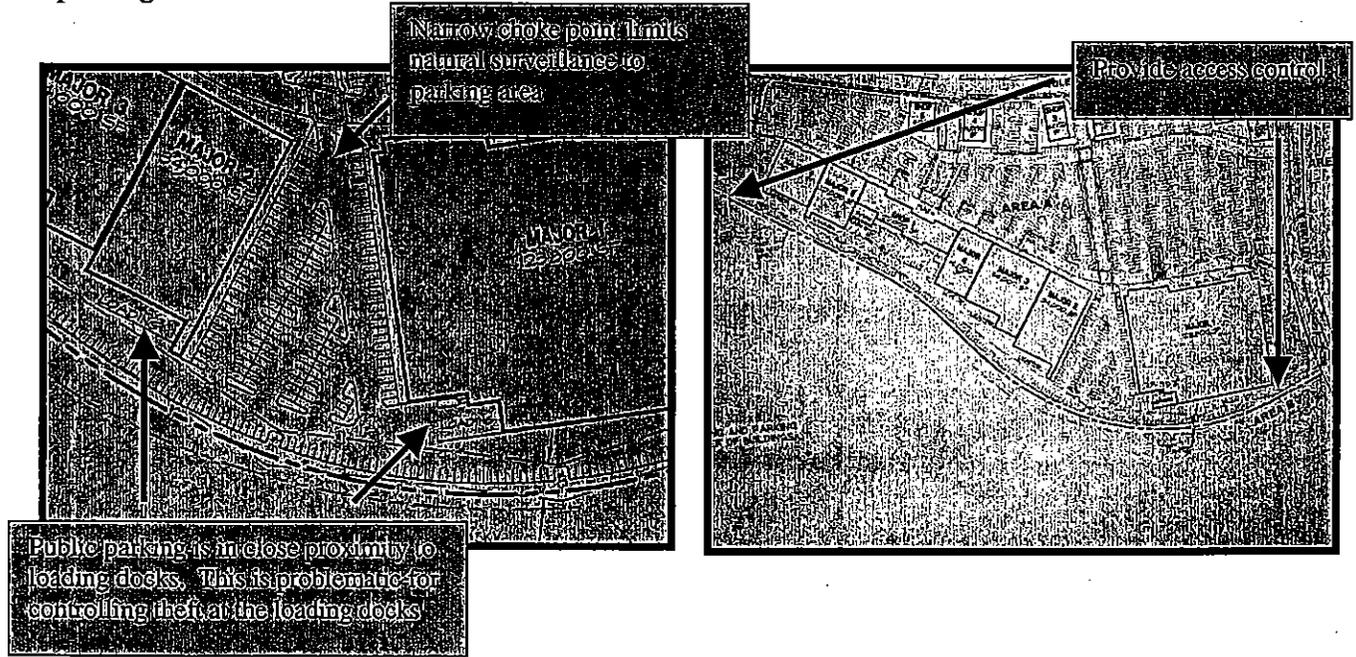
PROJECT MANAGER: Lesley Xavier
PLANNING FILE #: PDC04-018

DATE: April 6, 2004

LOCATION: southerly corner of Coleman Street and West Taylor Street
DESCRIPTION: Planned Development Rezoning from IP Industrial Park Zoning District to A (PD) Planned Development Zoning District to allow up to 420,000 square feet for commercial uses on a 38 gross acre site

The Chief of Police requests that the following conditions be appended to the subject application for Planned Development Rezoning.

- 1) The Police Department is concerned about the planned parking between buildings Major 1, and Major 2. The surveillance in this area is limited, and in close proximity to loading docks which are subject to theft. The lack of natural surveillance is also dangerous for patrons parking their vehicles, and attractive for vehicle thefts, and break-ins. The Police Department is requesting a reconfiguration of this area to limit public access.
- 2) The Police Department is recommending access control to the rear of the buildings Major 1 through Major 6. This will limit illegal dumping, loitering, vehicle crimes, and provide safety for the employees parking in this area.



Officer William R. Miller #2786
Crime Prevention Unit
Environmental Design Detail



PRELIM # 2
APR 01 2004 A-31

Memorandum

TO: Lesley Xavier
Planning and Building

FROM: Nadia Naum-Stoian,
Fire Prevention Engineer
San Jose Fire Department

SUBJECT: INITIAL RESPONSE TO
DEVELOPMENT APPLICATION

DATE: 04/01/04

Approved

Date

PLANNING NO.: PDC04-018
DESCRIPTION: Planned Development Rezoning from IP Industrial Park Zoning District to A(PD) Planned Development Zoning District to allow up to 420,000 square feet for commercial uses on a 38 gross acre site
LOCATION: southerly corner of Coleman Street and West Taylor Street
ADDRESS: southerly corner of Coleman Street and West Taylor Street (481 COLEMAN ST)
FOLDER #: 04 104860 ZN

The San Jose Fire Department has reviewed the related plans as submitted and has the following comments and requirements.

- Comply with comments from the Building/Fire Departments at the plan review stage.
- A permit must be obtained from the Building and Fire Departments. Submit three (3) sets of construction plans to the Building Department, one (1) of those sets of plans will be routed to the San Jose Fire Department for review and comments.
- Fire Department comments to Planning Department File No. PRE03-378 apply to this project.
- We reserve the right to make comments at a future date.

If you have any questions regarding these items, please contact me at (408) 277-8754.

BY: Nadia Naum-Stoian, FPE
Bureau of Fire Prevention
San Jose Fire Department

APR 11 2004 A-32

Memorandum

TO: John Davidson
Planning and Building

FROM: Nadia Naum-Stoian,
Fire Prevention Engineer
San Jose Fire Department

SUBJECT: INITIAL RESPONSE TO
DEVELOPMENT APPLICATION

DATE: 11/06/03

Approved

Date

PLANNING NO.: PRE03-378
DESCRIPTION: 350,546 sf of retail on a 32.64 gross acre site.
LOCATION: 481 Coleman Street
ADDRESS: 481 Coleman Street
FOLDER #: 03 126442 AO

The San Jose Fire Department has reviewed the related plans as submitted and has the following comments and requirements.

- These comments are based on the following information:
 - Largest building: 135,152_sq. ft.
 - Construction Type: VN
 - Occupancy Group: M
- Site fire flow requirement: 4,500 G.P.M.
- Average hydrant(s) spacing: 250 feet - Subject to Fire Department approval
- Comply with comments from the Building/Fire Departments at the plan review stage.
- A permit must be obtained from the Building and Fire Departments. Submit three (3) sets of construction plans to the Building Department, one (1) of those sets of plans will be routed to the San Jose Fire Department for review and comments.

- **THE FOLLOWING CORRECTIONS SHALL APPLY TO THE SUBJECT APPLICATION:**

1. The needed fire flow noted above shall be provided from a minimum of 5 hydrants and shall be spaced apart on average 250 feet from the proposed project.
2. All fire department connections shall be located within 100 feet from a standard public fire hydrant. All alternate means of protections shall be reviewed by the Fire Department. The public fire hydrant(s) shall be located on the same frontage as all fire service connections.
3. Approved access road(s) and hydrant(s) shall be provided once wood framing is available at site or provide an alternate means of water suppression subject to the approval of the Fire Department. Obtain permit and pay applicable fees prior to the installation. Contact the San Jose Fire Department's Fire Protection Systems Section at (408) 277-8756.
4. All Fire Department access roads, water mains, and fire hydrants shall be installed and operational during construction in accordance with Article 87 of the Fire Code and all other applicable standards.
5. All buildings under construction, three or more stories in height, shall have at least one standpipe for use during construction. Such standpipe shall be provided with fire department hose connections. Location(s) and numbers of standpipe(s) shall be reviewed and approved by the Fire Department.
6. All buildings exceeding 6,200 square feet shall be provided with an approved automatic fire extinguishing system(s) as per the adopted San Jose Municipal Code. All alternate means of protection shall be reviewed by the Fire Department.
7. Buildings shall be provided with automatic fire extinguishing systems. Systems serving more than 100 sprinklers shall be supervised by a remote alarm system.
8. All roads used for emergency vehicle access shall be designed for a live load capacity of 69,000 pounds to accommodate our fire apparatus.

- **THE FOLLOWING GENERAL REQUIREMENTS ARE APPLICABLE TO THE SUBJECT APPLICATION:**

- Facilities for emergency vehicle access:
 - A. Roads and/or driveways shall have a minimum clear width of 20 feet. Uniform Fire Code, Section 902.2.2.
 - B. Minimum turning radius shall be 30 feet inside and 50 feet outside.

A-34

- **THE FOLLOWING GENERAL REQUIREMENTS ARE APPLICABLE TO THE SUBJECT APPLICATION:** (Continued)
 - C. A bulb or hammerhead turn-around shall be provided at the end of all dead-end driveways over 150 feet in length.
 - D. Fire lanes shall be suitably marked with standard signs, painted curbs, and/or other markers as approved or authorized for use by the Chief. Fire lane markings shall be indicated on plans submitted through the building permit process for review and approval by the Fire Department.
- Each locked gate on site shall have an approved device with unlocking capability. Contact the Fire Department's Bureau of Fire Prevention at (408) 277-4656 for approved devices. Provide a manual means of opening gate if there is a power failure.
- Public (off-site) and private (on-site) fire hydrants shall be provided. All hydrants must meet the specifications for the City of San Jose's Fire Department. For hydrant locations please contact the San Jose Fire Department's Fire Protection Engineering Division at (408) 277-5357.
- All existing and new fire hydrants shall be at least 10 feet from all driveways.
- All structures shall be located wholly within 450 feet (road distance) of an accessible standard street hydrant.
- All dead-end streets or roads shall have a hydrant within 100 feet from the most remote end of the rear lot as per the Uniform Fire Code.
- Street numbers shall be visible day and night from the nearest street, either by means of illumination or by the use of reflective materials.

IF APPLICABLE

- The Hazardous Materials process can be lengthy and complex. The applicant should contact the Hazardous Materials Division at (408) 277-4659 as soon as possible to initiate the process.

Use or storage of hazardous materials, liquids, gases and/or chemicals will be subject to meeting the requirements of the Hazardous Materials Storage Ordinance, the Toxic Gas Ordinance, the applicable sections of the San Jose Fire Code, and the National Fire Codes. Submit names and amount of any hazardous materials, if they are to be stored or used, to the Bureau of Fire Prevention for review and approval.

Planning and Building
11/6/03
Subject: PRE03-378
Page 4 of 4

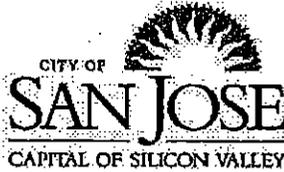
A-35

- We reserve the right to make comments at a future date.

If you have any questions regarding these items, please contact me at (408) 277-8754.

BY: Nadia Naum-Stoian, FPE
Bureau of Fire Prevention
San Jose Fire Department

Fire Site Memo to Planning Application



RECEIVED
 APR 01 2004
 CITY OF SAN JOSE
 PLANNING DEPARTMENT

A-36

Memorandum

ENVIRONMENTAL SERVICES DEPARTMENT (ESD)

TO: Lesley Xavier
 Department of Planning,
 Building, & Code Enforcement

FROM: Geoff Blair
 Environmental Services Department

SUBJECT: Response to Development Application

DATE: Staff Review Agenda
 April 1, 2004

APPROVED: *Geoff Blair* **DATE:** 4-1-04

PLANNING NO. :	PDC04-018
LOCATION:	481 Coleman Street. Southerly corner of Coleman Street and West Taylor Street.
DESCRIPTION:	Planned Development Rezoning from IP Industrial Park Zoning District to A(PD) Planned Development Zoning District to allow up to 420,000 square feet for commercial uses on a 38 gross acre site.
APN:	25913065

ESD received the subject project and is submitting the following conditions and comments. Questions regarding these comments may be directed to the program contact given or to me at (408) 945-5332.

Municipal Environmental Compliance (MEC)	San Jose/Santa Clara Water Pollution Control Plant (Plant)	Source Control	South Bay Water Recycling (SBWR)	Water Efficiency	Integrated Waste Management (IWM)	Energy Efficiency
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source Control

Commercial

We recommend defining the activities planned for the facility.

The proposed development must conform to the City of San Jose (City) industrial waste discharge regulations¹. Any non-domestic wastewater discharge into the sanitary sewer system will require Source Control staff to review and approve the final plans. An Industrial Wastewater Discharge Permit may also be required. Implementation of Best Management Practices (BMPs) adopted by the City for specific commercial groups may also be required.

The inclusion of any of the following commercial uses requires Source Control staff to review and approve the final plans:

- Restaurant
- Photoprocessor
- Medical Clinic
- Dry Cleaner
- Analytical Lab
- x-ray Clinic
- Laundry
- Dentist
- Pathological Lab

¹ In accordance with the San Jose Municipal Code, Chapter 15.14 - Industrial Waste Discharge Regulations

South Bay Water Recycling (SBWR)

Landscape Irrigation

The proposed development has been identified as a potential future recycled water customer and is required to comply with Chapters 15.10 and 15.11 of the San Jose Municipal Code. The Code states that all new and rehabilitated landscaping for projects requiring a development permit from the City, and containing over 10,000 ft² of landscaped area, must design and construct their irrigation system to receive recycled water. The proposed development should connect their irrigation system to potable water until recycled water becomes available to the site.

The design and construction of the irrigation system must conform to SBWR Rules and Regulations and must be submitted to and approved by SBWR. Standard Details, Specifications and Notes are available to assist with the design and are available by calling (408) 277-4036. Questions regarding recycled water use or the approval process should be directed to SBWR staff at the above number.

Integrated Waste Management (IWM)

Commercial, Industrial, and Institutional Buildings

1. The proposed commercial development must follow the requirements for recycling container space². When 30 percent or more of the original floor space is added to a new or existing building, provision must be made for the storage and collection of recyclables. Project plans must show the placement of recycling containers, for example, within the details of the solid waste enclosures.
2. It is recommended that scrap construction and demolition debris be recycled instead of disposing of it in a landfill. An infrastructure exists within San Jose to accommodate such recycling efforts. Integrated Waste Management staff can provide assistance on how to recycle construction and demolition debris from the project, including information on where to conveniently recycle the material. For further information, contact the Commercial Solid Waste Program at (408) 277-5533.

² In accordance with the California Public Resources Code, Chapter 18, Articles 1 and 2

TO: Lesley Xavier, Project Manager

FROM: Bill Scott
Urban Runoff Coordinator

SUBJECT: See Below

DATE: April 8, 2004

SUBJECT: PDC 04-018 (Cousins) Planned Development Rezoning to construct 385,000 square feet of retail commercial development on a 39.1 acre site located generally on the southeasterly corner of Coleman Avenue and Taylor Street.

BACKGROUND

The project is proposing approximately 365,000 square-feet of new impervious surface and a total of 1,215,000 square feet of impervious surface on the 39.1-acre site project site in close proximity to the western bank of the Guadalupe River. The Guadalupe River is the primary waterway in the Santa Clara County watershed. Stormwater from the site would be discharged directly into Guadalupe River and ultimately would flow into the Bay. The California Regional Water Quality Control Board of the San Francisco Bay Region has mandated that the City of San Jose and all cities in the Bay Area impose new and more stringent requirements to control runoff from development projects.

Pollutants present in urban runoff from a project site may result from both on-site and off-site sources. Examples include: products of internal combustion engine operation; heavy metals, such as copper from brake pad wear and zinc from tire wear; dioxins as products of combustion; mercury resulting from atmospheric deposition; and natural-occurring minerals from local geology. These pollutants, which are harmful to humans and aquatic ecosystems, may be deposited on impervious surfaces, including paved areas and roofs, as fine air-borne particles, and can then enter the City of San Jose's municipal separate storm sewer system (MS4) in urban runoff. An increase in the flow of urban runoff discharged from new impervious surfaces created by new development or redevelopment can also significantly impact beneficial uses of aquatic ecosystems through bank erosion and channel widening. However, through construction and post-construction best management practices and measures (BMPs), a new development or redevelopment project can minimize pollutants and flow of runoff into the MS4 and receiving waters.

Please note, as per State requirements, all Development Permit applications, as of October 15, 2003, may be subject to additional quantitative requirements for post construction urban runoff treatment. (Please see pages 6-7 of this memo for more specific information).

SUBMITTAL ITEMS REQUIRED

1. **Stormwater Management Guidance Documents.** We recommend that you access the Planning Divisions' Stormwater Management webpage and review: (1) the City Council Policy on Post-Construction Urban Runoff Management revised October 7, 2003; (2) the publication entitled "Start at the Source;" and (3) the "California Stormwater Best Management Practice New Development and Redevelopment Handbook." The links are listed below.

<http://www.ci.san-jose.ca.us/planning/siplan/counter/stormwater/index.htm>

A-39

<http://www.cabmphandbooks.com/Development.asp>

2. **Swales.** Swales can be provided in landscaped medians between parking aisles and in setback areas adjacent to impervious surfaces as an effective type of landscape-based stormwater quality control. To protect groundwater quality and address clayey soils, the swale should incorporate a perforated pipe underdrain with an impervious layer underneath. Grading and drainage plans and landscape plans should be adequately notated to show proper installation of swales, and a section detail of the swale should be included in the plans. Typical urban runoff treatment control installation drawings can be found in Appendix H of Portland's 2002 Stormwater Management Manual viewable at the following link:

[http://www.cleanrivers-pdx.org/tech_resources/smm/2002%20Stormwater%20Manual/Adobe%20Acrobat%20\(S\)%20AppendixH-%20Supplemental%20Drawings.pdf](http://www.cleanrivers-pdx.org/tech_resources/smm/2002%20Stormwater%20Manual/Adobe%20Acrobat%20(S)%20AppendixH-%20Supplemental%20Drawings.pdf)
3. **On-site Detention.** Post project runoff should not exceed estimated pre-project runoff rates. The project should employ measures to detain and/or infiltrate water on site as well, as employ site design measures and source control measures to reduce the volume and velocity of runoff created. If the project proposes a new outfall into a waterway, or otherwise affects the Guadalupe River directly, it will require RWQCB certification. Typically the RWQCB can be anticipated to impose requirements for water quality treatment that go beyond what the City's NPDES Permit or the City's ordinances and policies would otherwise require.
4. **Trees .** Trees provide an effective method for capturing rainfall (thereby reducing stormwater volume), reducing heat island effects, and encouraging pedestrian activity. Tree preservation is encouraged by the Green Building Policy and is an effective site design BMP for stormwater management. We encourage you to plant as many trees as practicable. Please locate trees away from swales and other landscape areas that will serve as runoff detention or filtering measures. Tree roots tend to impede runoff infiltration into soil and the trees can suffer from the frequent inundation that is characteristic of swales.
5. **Amount of Parking.** Stormwater runoff will decrease under project conditions as the amount of impervious surfaces (buildings and pavement) decreases. As proposed the project site appears to be vastly overparked. The project plans indicate a total of 1,870 parking spaces are proposed. For shopping centers over 100,000 square feet the zoning code requires a minimum of one (1) parking space for each 225 net square feet of building area. Based upon the proposed 385,000 square feet of building area a total of 1,455 parking spaces is required. Therefore 415 parking spaces totaling over 59,965 square-feet or 1.4-acres of impervious surface could be eliminated and replaced with decorative landscaping designed to treat sromwwater. A parking structure is recommended over the vast expanse of paved areas as the preferred method to accommodate the required on-site parking. The parking structure should be connected with a pretreatment device to the sanitary sewer, and a permit would be required from the Water Pollution Control Plant.
6. **Proximity to Riparian Corridor.** The project is proposing uses including a public street within the Guadalupe River riparian corridor. The City's *Riparian Corridor Policy* specifies a 100-foot setback from the outer boundary of the existing Guadalupe River riparian vegetation (*Guideline 1C*). To protect water quality as well as minimize erosion potential direct surface drainage from roads and parking lots should be graded to drain away from the riparian corridor. The applicant should work with staff to establish appropriate (passive or intermittent) uses within the 100-foot riparian setback as

specified by the policy. Some of the appropriate uses could possibly include park/trail amenities or stormwater treatment facilities that could ultimately benefit the project.

7. **Bicycle Parking.** To minimize automobile trips, bicycle parking should be provided in conformance with Section 20.90 Part Four of the San Jose Zoning Ordinance.
8. **Roof Downspouts.** Where feasible, for new buildings, we encourage you to disconnect downspouts. Please show elevation details and clearly note where downspouts will be disconnected and where they will drain. All roof downspouts that are disconnected from the storm sewer system should drain into an unpaved, pervious, and appropriately landscaped area. Avoid directing downspout water into an area that is too small for adequate drainage. Generally, downspout water drainage areas should be located at least 10 feet away from building foundations and retaining walls. Please consult with a professional engineer to determine the appropriate minimum distance requirement.
9. Building elevation details should show the downspout disconnection. Illustrations of typical treatment installation section details that show disconnected downspouts with splash block and landscaping filters for urban runoff can be found in Appendix H of Portland's 2002 Stormwater Management Manual viewable at the following link:

[http://www.cleanrivers-pdx.org/tech_resources/smm/2002%20Stormwater%20Manual/Adobe%20Acrobat%20\(S\)%20AppendixH-%20Supplemental%20Drawings.pdf](http://www.cleanrivers-pdx.org/tech_resources/smm/2002%20Stormwater%20Manual/Adobe%20Acrobat%20(S)%20AppendixH-%20Supplemental%20Drawings.pdf)

10. **No Copper, Nickel, or Zinc for Construction.** Due to the identification of these metals as pollutants in local waterways, the use of copper, nickel, and zinc in exterior construction materials such as roofing, ornamental usage, or building cladding, is strongly discouraged.
11. **Pedestrian Circulation and Sidewalks.** Automobile trips create many of the pollutants found in urban runoff. To encourage use of mass transit to the project site, we recommend pedestrian connections from nearby transit be designed so that they are safe and attractive. To minimize runoff, we also recommend that you provide pervious paved surfaces for pedestrian connections to parking areas. Consider installing ungrouted unit pavers for paved pedestrian areas. Pathways should be shaded with trees and landscaped to absorb runoff. Consider discussing with Public Works the feasibility of draining sidewalks into park strips or other landscaped areas.
12. **Emergency Vehicle Access.** Consider turf block or another pervious paved surface for required emergency vehicle access (EVA) roads. Please note that per Uniform Fire Code/902.2.2 and T-19 - State Fire Marshal, access roads must be all-weather surfaced and support a minimum of 69,000 lbs.

Permeable paving minimizes the creation of impervious surfaces and can treat some of the runoff prior to entering the stormdrain system or the soil. There are many permeable paving options that will achieve this purpose. Key issues to keep in mind: 1) ensure that you are complying with Title 24 accessibility requirements; 2) with gravel or turf block use a structural "geogrid" (e.g. a concrete rectangular "honeycomb") to maintain the integrity and permeability of the paving; 3) for less permeable soils employ an underdrain that connects to the stormdrain system; 4) in situations where groundwater contamination may be a concern due to a high groundwater table, install the underdrain above the groundwater table with an impermeable layer below the underdrain to prevent runoff from contaminating groundwater; 5) install the permeable paving as the last step of the construction process to minimize plugging up of the paving by construction sediment. It is important to remember that permeable paving is serving as a stormwater treatment facility as well as a surface for circulation. Therefore, the costs and maintenance considerations may be different than for a conventionally paved surface. However, there are often aesthetic as well as environmental benefits gained from its use in a

A-41

project.

Below are some links to fact sheets that provide more information on permeable pavement including engineering considerations and specifications for permeable pavement. The interlocking pavement option looks good (first link) and there is a lot of literature on how to design and install it in various soil conditions.

http://www.icpi.org/design/tech_specs.cfm

http://www.lid-stormwater.net/permeable_pavers/permcomind_home.htm

<http://www.epa.gov/owm/mtb/porouspa.pdf>

http://cfpub.epa.gov/npdes/stormwater/menuofbmps/post_1.cfm

http://nemo.uconn.edu/reducing_runoff/

13. **Structural Treatment Controls.** Please provide section details, dimensioned and to scale, showing installation of all proposed treatment controls. Proposed maintenance information should also be provided. In addition, your soils and geotechnical report should address whether or not the soil conditions are appropriate for the runoff treatment measures being proposed. Information regarding the benefits and disadvantages of various treatment controls and suggested maintenance techniques can be found in fact sheets available as a PDF at the following web addresses:

<http://www.epa.gov/OW-OWM.html/mtb/mtbfact.htm>

<http://www.cabmphandbooks.com/Development.asp>

Typical urban runoff treatment control installation drawings can be found in Appendix H of Portland's 2002 Stormwater Management Manual viewable at the following link:

[http://www.cleanrivers-pdx.org/tech_resources/smm/2002%20Stormwater%20Manual/Adobe%20Acrobat%20\(S\)%20AppendixH-%20Supplemental%20Drawings.pdf](http://www.cleanrivers-pdx.org/tech_resources/smm/2002%20Stormwater%20Manual/Adobe%20Acrobat%20(S)%20AppendixH-%20Supplemental%20Drawings.pdf)

14. **Illegal Dumping to Storm Drain Inlets and Waterways.** All on-site drain inlets that are connected to the municipal separate storm sewer system (MS4) must be labeled "No Dumping—Flows to Bay." Please contact the City of San Jose, Department of Public Works, at (408) 277-5161 to obtain free stencils.
15. **Pesticide Minimization.** Landscaping should be designed to minimize irrigation and runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution. Structures should be designed to discourage the occurrence and entry of pests into buildings, thus minimizing the need for pesticides. For example, dumpster areas should be located away from occupied buildings, and building foundation vents should be covered with screens.
16. **Refuse Areas.** Buildings should provide a covered and enclosed area for dumpsters and recycling containers. The area should be designed to prevent water run-on to the area and runoff from the area. Areas around trash enclosures, recycling areas, and food compactor enclosures should not discharge to the storm drain system. Any drains installed beneath dumpsters and compactors serving food service facilities should be connected to a grease removal device prior to discharging to the sanitary

sewer. The applicant should contact the Water Pollution Control Plant for specific connection and discharge requirements.

17. **Loading Areas.** To the extent feasible, loading areas should be covered and graded to minimize run-on and runoff. Roof downspouts should be positioned to direct stormwater away from the loading area. Water from loading areas should be drained to the sanitary sewer, or diverted and collected for ultimate discharge to the sanitary sewer. The applicant should contact the Water Pollution Control Plant for specific connection and discharge requirements. Loading areas draining directly to the sanitary sewer should be equipped with a fail-safe valve, which should be kept closed during periods of operation. Door skirts between the trailers and the building should be installed to prevent exposure of loading activities to rain.
18. **Outdoor Equipment/Materials Storage.** Outdoor equipment and materials storage areas should be covered or designed to limit the potential for runoff to contact pollutants. Storage areas containing non-hazardous liquids should be covered by a roof and contained by berms, dikes, liners or vaults. The storage area may be required to drain to the sanitary sewer system. The applicant should contact the Water Pollution Control Plant for specific connection and discharge requirements. Any hazardous materials regulated by Chapter 17.68 of the San Jose Municipal Code on the site must be used and stored in full compliance with the City's Hazardous Material Ordinance and the Hazardous Materials Management Plan for the site approved by the San Jose Fire Prevention Bureau.
19. **Regular Sweeping and Maintenance of Outdoor Areas.** Sidewalks and parking lots must be swept regularly to prevent the accumulation of litter and debris. Debris resulting from pressure washing must be trapped and collected to prevent entry into the storm drain system. Washwater containing any cleaning agent or degreaser must be collected and discharged to the sanitary sewer and must not be discharged to a storm drain. The applicant must contact the local permitting authority and/or sanitary district with jurisdiction for specific connection and discharge requirements.
20. **Storm Water Pollution Prevention Plan (SWPPP).** This project results in a land disturbance of more than one acre. Prior to the commencement of any clearing, grading, or excavation, the project shall comply with the State Water Resources Control Board's National Pollutant Discharge Elimination System (NPDES) General Construction Activities Permit as follows:
 - a) The applicant shall develop, implement, and maintain a Storm Water Pollution Prevention Plan (SWPPP) to control the discharge of storm water pollutants including sediments associated with construction activities.
 - b) The applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB.)

Along with these documents, the applicant may also be required to prepare an Erosion Control Plan. The Erosion Control may include BMPs as specified in the California Storm Water Best Management Practice Handbook for reducing impacts on the City's storm drainage system from construction activities.

Prior to the issuance of a grading permit, the applicant shall submit copies of the NOI and Erosion Control Plan (if required) to the City Project Engineer, Department of Public Works, Room 308, 801 North First Street, San Jose, California 95110-1795. To obtain an NOI application and further information about the Erosion Control Plan and the NPDES permit requirements, please call the Department of Public Works at (408) 277-5161 or the SWRCB at (916) 657-1146. The applicant shall maintain a copy of the most current SWPPP on site, and shall provide a copy to any City representative or inspector on demand.

21. **BMP Limitations.** Please note that soil types, groundwater levels, geohazards such as liquefaction, and proximity of building foundations, are just some of the issues to be considered when choosing and designing a treatment control. Given the groundwater conditions and soil conditions on the project site, infiltration methods may not be appropriate. We therefore recommend that the applicant work closely with the Santa Clara Valley Water District, the applicant's engineers and other appropriate consultants.



A-44

April 16, 2004

City of San Jose
Department of Planning and Building
801 North First Street
San Jose, CA 95110

Attention: Lesley Xavier

Subject: City File No. PDC04-018 /San Jose Market Center

Dear Ms. Xavier:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the NOP for a Draft EIR for the project referenced above for a planned development rezoning to allow up to 385,000 square feet of commercial uses on 1.17 acres at the southwest corner of Taylor Street and Coleman Avenue. We have the following comments.

Development Design

The proposed grid layout is commendable, as it will facilitate walking between buildings within the development. However, due to the lack of information on the parking layout, it is hard to provide detailed comments. Please ensure that sidewalks will connect directly and conveniently directly to building entrances.

VTA's *Community Design & Transportation (CDT) Guidelines* should be used when designing this development. This document provides guidance on site planning, building design, street design, preferred pedestrian environment, intersection design and parking requirements. The *CDT Guidelines* are available upon request to any agency staff. For more information on *CDT Guidelines*, please call Chris Augenstein of the CMP at 408-321-5725.

Bicycle Parking

Please provide 17 Class I bike parking spaces (lockers) and 49 Class I bike parking spaces (racks) distributed around the retail commercial elements of the project. Bicycle parking provisions are also cited in the City of Santa Clara Bicycle Plan. Please see VTA's Bicycle Technical Guidelines for guidance on estimating supply, design, and siting of bicycle parking. For more information, please contact Celia Chung at 408.321.5725.

Transportation Impact Analysis Report

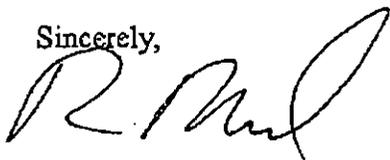
VTA's Congestion Management Program (CMP) requires a Transportation Impact Analysis for any project that is expected to generate 100 or more new peak-hour trips. Based on the information provided on the size of the project, a TIA may be required.

A-45

City of San Jose
April 16, 2004
Page 2

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-5784.

Sincerely,



Roy Molseed
Senior Environmental Planner

RM:kh

cc: Ebrahim Sohrabi, San Jose Public Works Department
Samantha Swan, VTA

RECEIVED
APR 19 2004
CITY OF SAN JOSE
PLANNING DEPARTMENT

5750 ALMADEN EXPWY
SAN JOSE, CA 95118-3686
TELEPHONE (408) 265-2600
FACIMILE (408) 266-0271
www.valleywater.org
AN EQUAL OPPORTUNITY EMPLOYER

A-46

File: 29959
Guadalupe River

April 15, 2004

Lesley Xavier
City of San Jose
Department of Planning, Building and
Code Enforcement
801 North First Street, Room 400
San Jose, CA 95110-1795

Subject: City File No. PDC04-018, APN 259-54, Planned Development Rezoning for
Southerly Corner of Coleman Avenue and West Taylor Street, San Jose, CA

Dear Lesley Xavier:

The Santa Clara Valley Water District (District) has reviewed the subject land use plan for the 38 acre site which we received from the City of San Jose (City) on March 22, 2004. The District can offer the following comments on the proposed rezoning of the parcel(s):

1. According to current Federal Insurance Rate Maps (Panel) the site is not subject to inundation during a 100-year flood.
2. The District is in the process of constructing the flood conveyance improvements of the Downtown Guadalupe River Flood Protection Project, which are currently scheduled for completion by the end of 2004. Enclosed for your reference is a right-of-way map which reflects the current and proposed land rights for the flood protection project. Please note that the land use map submitted for review does not accurately identify the current property lines and land rights adjacent to the site.

The District has acquired both easement and fee title to properties beyond the Guadalupe River westerly top of bank for the flood protection project. The flood protection easement along the west side of the river on the lands of the Union Pacific Railroad extends 40 feet beyond what is indicated on the land use map. Transmitted for your reference is a plat for the easement which the District has acquired from the railroad. In addition, the District has acquired fee title on parcel Nos. 259-14-012, 011, and 014. Please correct the General Development Plan to accurately reflect the existing land rights on the river.

3. The site is located in area four (4) of the City's Guadalupe River Gardens Master Plan Design Guidelines which were completed and adopted by the City in 2003. The Master Plan identifies a minimum 100-foot setback from the Guadalupe River top of bank. The proposed public street adjacent to Area C of the land use plan should be set back 100 feet from the river top of bank. Please have the applicant mark the sheet(s) with the

A-47

existing river top of bank and realign the proposed public road and revise the land use plan accordingly.

4. The lands which are between the District's right-of-way and the future public street may be planted with riparian vegetation and plants which are native to the Guadalupe River watershed. This buffer area and planting strip should utilize locally grown seedlings gathered from the watershed within 5 miles of the site.
5. The Guadalupe River Flood Protection Project's mitigation, landscaping, irrigation, and trail improvements are scheduled for construction in 2005. When the District acquired the 40-foot easement from the Union Pacific Railroad, a recreation provision was included in the deed. This recreation provision can be used for the pedestrian and bicycle trail on this reach of the river.
6. Two new bridges will be constructed to cross the Guadalupe River south of Coleman Avenue. One will be located north of the warehouse and one will be south of the warehouse. The existing abandoned railroad bridge (UPRR bridge 3) crossing the river will be replaced with a vehicle bridge. The interior roads of the land use plan in Area A must align with the existing railroad bridge for vehicle traffic circulation and the future road extension to the railroad lands on the east side of the river. The second bridge is located south of the warehouse and will be rebuilt to accommodate the existing railroad alignment and crossing. The bridge is known as the UPRR bridge 4.

The District would like to review and comment on the revised Land Use Plan and Draft Environmental Impact Report or Initial Study for the proposed project(s) when they are available for review.

Please reference District File No. 29959 on further correspondence regarding this matter.

If you have any questions or need additional information, you can reach me at (408) 265 2607, extension 2439.

Sincerely,



Vincent M. Stephens
Associate Civil Engineer
Community Projects Review Unit

Enclosure

cc: S. Tippetts, S. Ferranti, D. Chesterman, C. Haggerty, V. Stephens, File (2)
VMS:mf
0415e-pl.doc

Xavier, Lesley

From: Mary_Hammer@fws.gov
Sent: Friday, March 26, 2004 9:19 AM
To: Lesley.Xavier@sanjoseca.gov
Subject: File number PDC04-018

A-48

We received from the City of San Jose a request to review a planned development rezoning from an industrial park zoning district to a planned development zoning district. The property is located at the southerly corner of Coleman Street and West Taylor Street in San Jose, California (APN 25913065). The City of San Jose file number is PDC04-018. This technical assistance correspondence is based upon a: March 18, 2004, letter from Lesley Xavier of the City of San Jose Department of Planning, Building, and Code Enforcement, a review of aerial photos of the site, a schematic showing the location of the proposed development, and review of the California Department of Fish and Game Natural Diversity Database. Upon review of all available information, the Service concludes this project is not likely to result in "take" of any listed species. Therefore, unless new information reveals effects of the proposed project that may affect a federally listed species in a manner or to an extent not considered, or a new species is listed or critical habitat is designated that may be affected by the proposed action, no further action pursuant to the Endangered Species Act of 1973, as amended, is necessary. If you have further questions, you can contact me at the number below.

We only have time to provide a very informal response to many of the requests we receive. We will not follow up this email with any formal correspondence.

Sincerely,

Mary Hammer
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
2800 Cottage Way, Rm. W-2605
Sacramento, CA 95825-1846
(916) 414-6600
Fax: (916) 414-6712

Alves Properties

590 Coleman Ave
San Jose, CA
95110

A-49

May 11, 2004

City of San Jose Department of Planning
Ron G. Eddow – Senior Planner
801 North First Street
San Jose, CA
95110

Dear Sir:

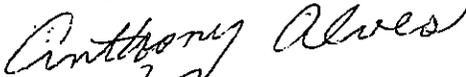
We appreciated the opportunity to meet with you on April 7, 2004 at the Public Scoping Meeting for the San Jose Market Center Development Project Environmental Impact Report. As a long time local business and property owner in the Coleman Avenue corridor, we certainly have seen many changes in our neighborhood. We are very happy to learn of the recent proposal from Cousins Properties Inc. to develop the property on the west side of Coleman Avenue, directly across from our auto service center. The preliminary site plans and design concepts appear to be very exciting and Cousins Properties Inc. has made a great impression as a professional and "long run" business.

Our concerns primarily pertain to safe and convenient access to our facility at 590 Coleman Avenue and Hobson Street. Clients currently access our facility from southbound Coleman Avenue to Hobson Street east via a convenient left turn lane. We feel that it is essential for our clients safety and convenience that the turn lane to Hobson Street continue to be provided as part of the area traffic plan. For traffic control between the multiple clients and businesses that will be sharing the area, we believe that the main feed entrance/exit of the proposed development complex should be located at Hobson Street. The new four-way intersection, controlled by a traffic light signal system, would create a far safer regulated neighborhood traffic environment.

As a long time business resident to this critical corner I can assure you that eliminating a safe and convenient turn lane to the users at Hobson Street and Walnut Street would have a negative impact on our business as well as our surrounding neighbors.

Overall, we believe that the proposed development will be a positive enhancement in our neighborhood and are hopeful that our concerns will be addressed fairly. We look forward to working with Cousins Development as our new neighbor and wish to be as helpful in the development process as possible.

Sincerely,

A handwritten signature in cursive script that reads "Anthony Alves".

Alves Properties

Anthony and Norma Alves

Seven Flags Auto Care

590 Coleman Ave
San Jose, CA
95110

A-51

May 11, 2004

City of San Jose Department of Planning
Ron G. Eddow – Senior Planner
801 North First Street
San Jose, CA
95110

Dear Sir:

We appreciated the opportunity to meet with you on April 7, 2004 at the Public Scoping Meeting for the San Jose Market Center Development Project Environmental Impact Report. As requested at the meeting we are following up with our concerns and recommendations that we hope will be helpful with the review process.

Traffic control on Coleman Avenue, Hobson Street, Walnut Street, Taylor Street, and surrounding feeders:

Preliminary site plans presented for the project at the scoping meeting were open to discussion and recommendations pertaining to traffic control in and around the project and neighborhood vicinities. It was further understood that final decisions specifically pertaining to divider medians, u-turns, traffic lights, turn lanes and other traffic considerations would be contingent on public input and a traffic study to be completed by the City of San Jose Department of Streets and Traffic. Although we appreciate that the final plan will require a certain amount of study, we are seriously concerned with changes along Coleman Avenue that could have an adverse affect on our operations at 590 Coleman Avenue and 702 Coleman Avenue.

Specifically, it is our recommendation that the traffic accessing Hobson Street have a dedicated left turn lane controlled by a traffic light signal system. Hobson Street currently receives customers to our auto center as well as heavy customer and truck traffic to our industrial neighbors via an already existing left turn lane from Coleman Avenue. As a long time business resident to this critical corner I can assure you that denying a safe and convenient turn lane to the businesses in and around Hobson Street and Walnut Street would have a significant negative impact on traffic flow. Optimally, the Hobson Street intersection would coincide with the main feeder to the new development.

Additional traffic considerations:

Locating the project main entrance intersection at Hobson Street would place the northbound Coleman Avenue left turn lane into the new shopping center, on the straight section of Coleman Avenue instead of on the proposed curved section at Spring Street. This location would create a safer traffic environment as well as a greater allowance for a length expansion of the turn lane entrance itself. The lengthened turn lane would allow for better left turn stacking control, especially during spike shopping hours and seasons.

To allow for a greater length for the main entrance/exit accommodating the proposed Cousins project, a gradual "S" curve could be incorporated into the design plan.

The traffic currently traveling on Coleman Avenue (especially in the northbound direction) travels at high rates of speed, as currently there are no buffer lights between San Pedro Street and Taylor Street. Most recently two individuals on bicycles were struck and killed on this particular stretch of Coleman Avenue.

Traffic to Taylor Street in the eastbound direction for right turns from northbound Coleman Avenue is relieved via Hobson Street to Walnut Street (a.m. traffic especially).

Hobson Street is exactly .2 miles from the proposed signal intersection at the Autumn Street extension and .2 miles from the signaled intersection at Taylor Street, a perfect halfway point.

We further request clear curb painting to control parking along Coleman Avenue as well as on the turns onto Hobson Street.

Dust control during the construction phase:

We request that the areas surrounding the project site be regularly swept and washed down to control dust and debris.

Parking control:

Has consideration been given to constructing a multi level parking structure in the project? Less surface parking, along with additional landscape would give the project a greater appeal.

Overall outlook:

We are optimistic that the proposed development will be a positive addition to our neighborhood. We look forward to working with Cousins Development as our new neighbor and wish to be as helpful in the development of this project as possible. Casual screening of our customers and neighbors pertaining to the development has received positive feedback as well.

Sincerely,



James R. Alves
Owner and General Manager

cc: Alves Properties - Norma and Anthony Avles
Hardcastle Autothon Inc. - Jay Burnette
AJ Auto Detail - Albert Wheeler
Rose Garden Auto Care- George Fota
Air Gas- Al Shull
Carbonic Service - George Rossman
Friends of Guadalupe Garden - Kathleen Muller
Cousins Properties - John Loper
San Jose City Council - Honorable Cindy Chavez

A-54

May 3, 2004

Mr. Ron G. Eddow
Senior Planner
City of San Jose Department of Planning
801 North First Street
San Jose, Ca 95110

Dear Mr. Eddow:

I am writing you today concerning the proposed location of a new traffic signal on Coleman Avenue. Our business, Rose Garden Auto Care is located at 590-B Coleman Avenue and we would like to suggest the traffic signal and a dedicated left turn lane be installed at Coleman and Hobson Avenues. As you probably know Coleman Avenue is a heavily traveled road with no buffer lights between San Pedro and Taylor Streets. Motorist using this road travel at a high rate of speed. Most of our customers make a left hand turn into our facility from southbound Coleman Avenue and they must cross northbound traffic without a dedicated left hand turn lane. The shopping center and Coleman Road modifications are going to create more traffic than we have now. Without the traffic signal and dedicated left hand turn lane, one of our customers, neighbors or employees will have an accident someday. Our auto repair business caters to a diverse clientele but we do have quite a few senior citizens and we are concerned about their safety. In addition, our neighbors use or are serviced by tractor trailers and for trucker and motorist safety a traffic signal and dedicated left turn lane would be beneficial.

Our customers are very excited about the new shopping center across the street. They look forward to dropping off their car and walking across the street to shop or dine. A light signal at the intersection of Coleman and Hobson Avenues would allow them a convenient and safe access to the shopping center.

The proposed tenants will be a welcome addition to our surrounding neighborhood.

If you would like to speak with me about my concerns, I can be reached at 408-243-6392.

Sincerely,



George Fota
Rose Garden Auto Care
590-B Coleman Avenue
San Jose, CA 95110
408-243-6392

A-55

Airgas NCN
P.O. Box 19255, Sacramento, CA 95819
6790 Florin-Perkins Road, Suite 300
Sacramento, CA 95828
(916) 379-1000 Fax: (916) 381-0617
www.airgas.com

April 27, 2004

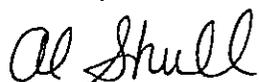
San Jose City Planning Commission

To Whom it May Concern;

The development proposed to be located off Coleman between Taylor and Autumn has brought one concern, which could affect our neighboring business. We are located at 441 Hobson Street and have a fleet of 15 tractor-trailers. Our concern is regards information that we have received dealing with the placement of a traffic signal. Evidently, the proposed signal would be placed south of our facility on Coleman and an "island" would be installed to separate traffic. This "island" would require our trucks to negotiate a u-turn, if allowed. We propose that if a traffic light is needed that it be placed at Hobson and Coleman allowing our business and our neighboring businesses to operate more efficiently.

Any consideration would be greatly appreciated.

Sincerely,



Al Shull
District Sales Manager / Facilities Manager



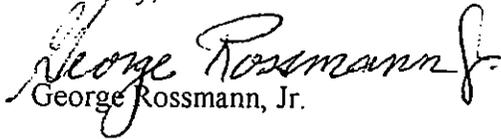
A-56

April 26, 2004

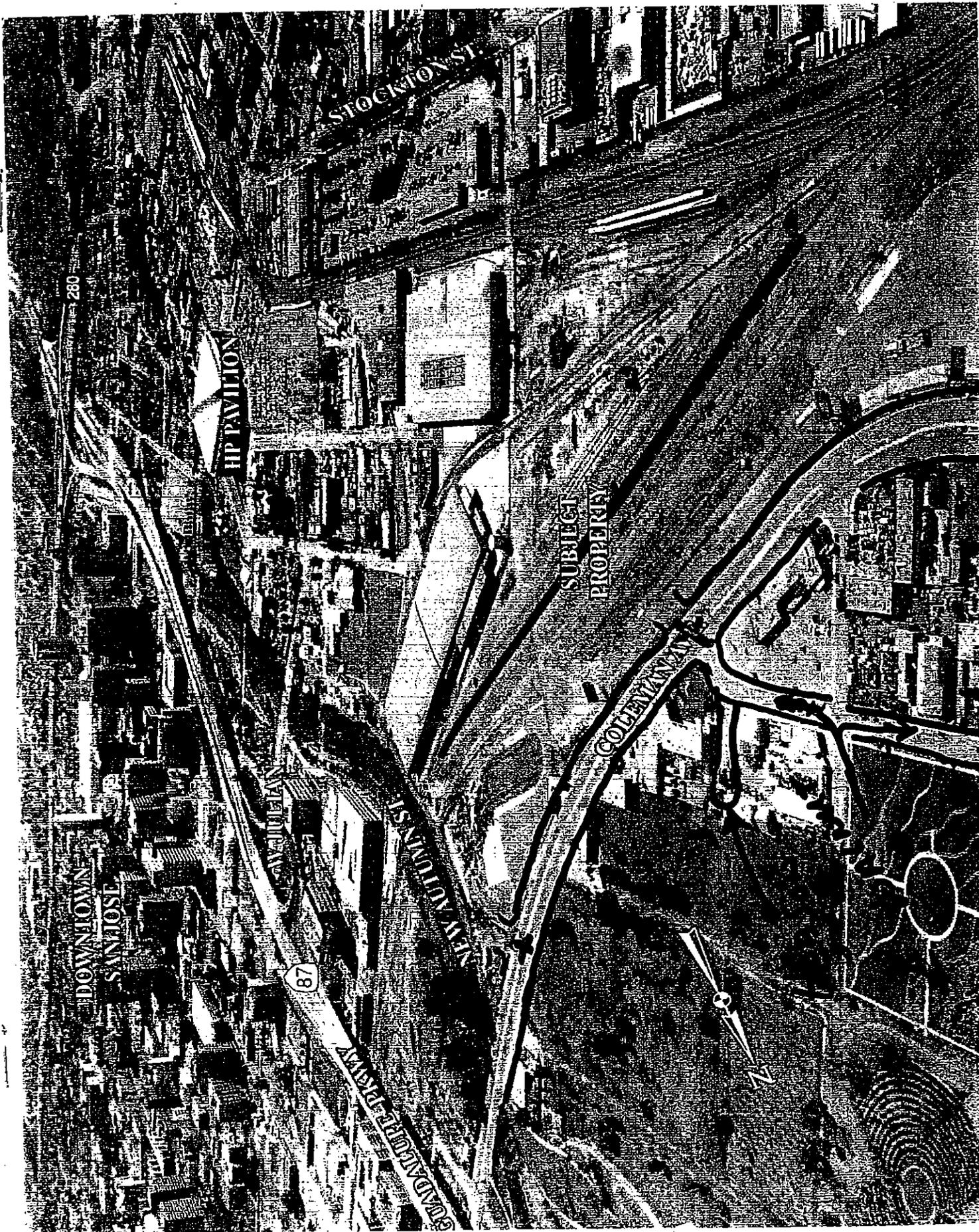
San Jose Planning Commission:

I, George Rossmann, Jr. and my son Kirk Maier Rossmann are writing in regards to a matter concerning our property at 441 Hobson St., San Jose, which is currently occupied by Airgas. We recently became aware of a plan to put in a stop light on Coleman Ave. We are requesting your consideration to put the stop light at Hobson St to give better access to customers and deliveries to Airgas. It is our business to provide quality service to our customers and continue to operate in a productive and prosperous fashion adding value to the San Jose community. We have been at the establishment since 1947 and would appreciate if the San Jose Planning Commission would consider our plea. No one knows better than myself who has lived here for 85 years that development and changes are necessary for the betterment of the community. However, I believe that it is in the best interest of the community of San Jose that our large 18 wheel delivery trucks can enter and exit without disturbing or hindering the neighboring local businesses. As you can imagine, without a left hand turn signal onto Hobson St., it would make the deliveries of products to and from Airgas extremely difficult. We would appreciate your consideration to add a left-hand signal for the success and future of our local, and long time established business, Airgas. Please take into account my plea for I am a loyal, law-abiding citizen that loves this great city we live in called San Jose. Thank you for your time and consideration.

Sincerely,


George Rossmann, Jr.

Kirk Maier Rossmann



TAYLOR ST



A-58

Department of Planning, Building and Code Enforcement

STEPHEN M. HAASE, AICP, DIRECTOR

June 9, 2004

Mr. James R. Alves
Owner and General Manager
Seven Flags Auto Care
702 Coleman Avenue
San Jose, CA 95110

Dear Mr. Alves:

Re: PDC04-018 - San Jose Market Center

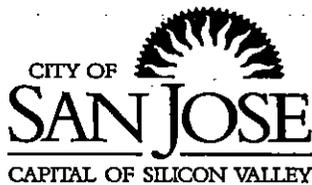
I wanted to respond to your letter dated May 11, 2004 regarding access to your site from Coleman Avenue, Hobson Street, Walnut Street, and Taylor Street. The Traffic Impact Analysis (TIA) prepared for the proposed project recommends a signalized intersection on Coleman Avenue approximately 300 feet south of Hobson Street. The TIA recommends closing the existing left-turn pocket to Hobson Street from southbound Coleman Avenue. Vehicles would have access to Hobson Street from Taylor Street to Walnut Street, and from southbound Coleman Avenue by making a U-turn at the signalized intersection on Coleman Avenue approximately 300 feet south of Hobson Street.

The main access to the proposed shopping center could not be located opposite Hobson Street because there is insufficient depth for vehicle storage on that portion of the site. The current street section for Coleman Avenue adjacent to the proposed shopping center contains three travel lanes and a bicycle lane. Parking on Coleman Avenue will be restricted by signage. The City requires daily sweeping and washing of the public right-of-way adjacent to a construction site as a standard condition of approval. Parking structures are not proposed at this time because the cost of such structures is prohibitive in relation to the overall cost of the project. The site is planned to allow for a greater intensity of development in the future when land values rise.

The City of San Jose plans to circulate a Draft Environmental Impact Report (EIR) for public review in August 2004. The Draft EIR will (1) describe the proposed project, (2) analyze its possible environmental effects, and (3) suggest ways to avoid or significantly lessen the possible environmental effects. The public and decision-makers will use the EIR to understand and discuss environmental issues related to the project before taking action on the project. You are welcome to obtain a copy of the Draft EIR when it is available. Please feel free to contact me if you have any questions.

Sincerely,

Ron Eddow
Senior Planner



A-59

Department of Planning, Building and Code Enforcement

STEPHEN M. HAASE, AICP, DIRECTOR

June 9, 2004

Mr. and Mrs. Anthony Alves
590 Coleman Avenue
San Jose, CA 95110

Dear Mr. and Mrs. Alves:

Re: PDC04-018 - San Jose Market Center

I wanted to respond to your letter dated May 11, 2004 regarding access to your site from Coleman Avenue, Hobson Street, Walnut Street, and Taylor Street. The Traffic Impact Analysis (TIA) prepared for the proposed project recommends a signalized intersection on Coleman Avenue approximately 300 feet south of Hobson Street. The TIA recommends closing the existing left-turn pocket to Hobson Street from southbound Coleman Avenue. Vehicles would have access to Hobson Street from Taylor Street to Walnut Street, and from southbound Coleman Avenue by making a U-turn at the signalized intersection on Coleman Avenue approximately 300 feet south of Hobson Street.

The main access to the proposed shopping center could not be located opposite Hobson Street because there is insufficient depth for vehicle storage on that portion of the site. The current street section for Coleman Avenue adjacent to the proposed shopping center contains three travel lanes and a bicycle lane. Parking on Coleman Avenue will be restricted by signage. The City requires daily sweeping and washing of the public right-of-way adjacent to a construction site as a standard condition of approval. Parking structures are not proposed at this time because the cost of such structures is prohibitive in relation to the overall cost of the project. The site is planned to allow for a greater intensity of development in the future when land values rise.

The City of San Jose plans to circulate a Draft Environmental Impact Report (EIR) for public review in August 2004. The Draft EIR will (1) describe the proposed project, (2) analyze its possible environmental effects, and (3) suggest ways to avoid or significantly lessen the possible environmental effects. The public and decision-makers will use the EIR to understand and discuss environmental issues related to the project before taking action on the project. You are welcome to obtain a copy of the Draft EIR when it is available. Please feel free to contact me if you have any questions.

Sincerely,

Ron Eddow

Ron Eddow
Senior Planner



A-60

Department of Planning, Building and Code Enforcement

STEPHEN M. HAASE, AICP, DIRECTOR

June 9, 2004

Mr. George Fota
Rose Garden Auto Care
590-B Coleman Avenue
San Jose, CA 95110

Dear Mr. Fota:

Re: PDC04-018 - San Jose Market Center

I wanted to respond to your letter dated May 3, 2004 regarding access to your site from Coleman Avenue, Hobson Street, Walnut Street, and Taylor Street. The Traffic Impact Analysis (TIA) prepared for the proposed project recommends a signalized intersection on Coleman Avenue approximately 300 feet south of Hobson Street. The TIA recommends closing the existing left-turn pocket to Hobson Street from southbound Coleman Avenue. Vehicles would have access to Hobson Street from Taylor Street to Walnut Street, and from southbound Coleman Avenue by making a U-turn at the signalized intersection on Coleman Avenue approximately 300 feet south of Hobson Street.

The main access to the proposed shopping center could not be located opposite Hobson Street because there is insufficient depth for vehicle storage on that portion of the site. The current street section for Coleman Avenue adjacent to the proposed shopping center contains three travel lanes and a bicycle lane. Parking on Coleman Avenue will be restricted by signage. The City requires daily sweeping and washing of the public right-of-way adjacent to a construction site as a standard condition of approval. Parking structures are not proposed at this time because the cost of such structures is prohibitive in relation to the overall cost of the project. The site is planned to allow for a greater intensity of development in the future when land values rise.

The City of San Jose plans to circulate a Draft Environmental Impact Report (EIR) for public review in August 2004. The Draft EIR will (1) describe the proposed project, (2) analyze its possible environmental effects, and (3) suggest ways to avoid or significantly lessen the possible environmental effects. The public and decision-makers will use the EIR to understand and discuss environmental issues related to the project before taking action on the project. You are welcome to obtain a copy of the Draft EIR when it is available. Please feel free to contact me if you have any questions.

Sincerely,

Ron Eddow
Senior Planner

A-61

June 9, 2004

Mr. Al Shull
District Sales Manager / Facilities Manager
P. O. Box 19255
Sacramento, CA 95828

Dear Mr. Shull:

Re: PDC04-018 - San Jose Market Center

I wanted to respond to your letter dated April 27, 2004 regarding access to your site from Coleman Avenue, Hobson Street, Walnut Street, and Taylor Street. The Traffic Impact Analysis (TIA) prepared for the proposed project recommends a signalized intersection on Coleman Avenue approximately 300 feet south of Hobson Street. The TIA recommends closing the existing left-turn pocket to Hobson Street from southbound Coleman Avenue. Vehicles would have access to Hobson Street from Taylor Street to Walnut Street, and from southbound Coleman Avenue by making a U-turn at the signalized intersection on Coleman Avenue approximately 300 feet south of Hobson Street.

The main access to the proposed shopping center could not be located opposite Hobson Street because there is insufficient depth for vehicle storage on that portion of the site. The current street section for Coleman Avenue adjacent to the proposed shopping center contains three travel lanes and a bicycle lane. Parking on Coleman Avenue will be restricted by signage. The City requires daily sweeping and washing of the public right-of-way adjacent to a construction site as a standard condition of approval. Parking structures are not proposed at this time because the cost of such structures is prohibitive in relation to the overall cost of the project. The site is planned to allow for a greater intensity of development in the future when land values rise.

The City of San Jose plans to circulate a Draft Environmental Impact Report (EIR) for public review in August 2004. The Draft EIR will (1) describe the proposed project, (2) analyze its possible environmental effects, and (3) suggest ways to avoid or significantly lessen the possible environmental effects. The public and decision-makers will use the EIR to understand and discuss environmental issues related to the project before taking action on the project. You are welcome to obtain a copy of the Draft EIR when it is available. Please feel free to contact me if you have any questions.

Sincerely,

Ron Eddow

Ron Eddow
Senior Planner



A-62

Department of Planning, Building and Code Enforcement

STEPHEN M. HAASE, AICP, DIRECTOR

June 9, 2004

Mr. George Rossmann, Jr.
Mr. Kirk Maier Rossmann
Carbonic Service
1920 De La Cruz Boulevard
Santa Clara, CA 95050

Dear Mr. Rossmann:

Re: PDC04-018 - San Jose Market Center

I wanted to respond to your letter dated April 26, 2004 regarding access to your site from Coleman Avenue, Hobson Street, Walnut Street, and Taylor Street. The Traffic Impact Analysis (TIA) prepared for the proposed project recommends a signalized intersection on Coleman Avenue approximately 300 feet south of Hobson Street. The TIA recommends closing the existing left-turn pocket to Hobson Street from southbound Coleman Avenue. Vehicles would have access to Hobson Street from Taylor Street to Walnut Street, and from southbound Coleman Avenue by making a U-turn at the signalized intersection on Coleman Avenue approximately 300 feet south of Hobson Street.

The main access to the proposed shopping center could not be located opposite Hobson Street because there is insufficient depth for vehicle storage on that portion of the site. The current street section for Coleman Avenue adjacent to the proposed shopping center contains three travel lanes and a bicycle lane. Parking on Coleman Avenue will be restricted by signage. The City requires daily sweeping and washing of the public right-of-way adjacent to a construction site as a standard condition of approval. Parking structures are not proposed at this time because the cost of such structures is prohibitive in relation to the overall cost of the project. The site is planned to allow for a greater intensity of development in the future when land values rise.

The City of San Jose plans to circulate a Draft Environmental Impact Report (EIR) for public review in August 2004. The Draft EIR will (1) describe the proposed project, (2) analyze its possible environmental effects, and (3) suggest ways to avoid or significantly lessen the possible environmental effects. The public and decision-makers will use the EIR to understand and discuss environmental issues related to the project before taking action on the project. You are welcome to obtain a copy of the Draft EIR when it is available. Please feel free to contact me if you have any questions.

Sincerely,

Ron Eddow
Senior Planner

A-63

**GUADALUPE**
RIVER PARK & GARDENS

RECEIVED
OCT 19 2004
CITY OF SAN JOSE
PLANNING DIVISION

2004 Board of Directors

Bill Del Biaggio, Jr.

President

Leslee Hamilton

Vice President

Elliott Green

Secretary

Bob Rhodes

Chief Financial Officer

Vic Giacalone

Past President

Brian Adams

Elizabeth Bliss

Joan Corsiglia

Gerry DeYoung

Susan Fitts

Mary Ellen Fox

Terri Fukuda

Alicia Gallegos

Jean Gomes

Marty Gothberg

Linda Herschbach

Virginia Holtz

Jennifer Hull

Mel Hulse

Tom Hutson

Kelly Kline

Desiree LaMaggiore

Jeff Lawson

Shirley Lewis

Derek McKee

Mike O'Kane

Alicia Recktenwald

Eileen Rothschild

Dave Sandretto

Phil Sims

Jim Towery

Keith Watt

Nanci Williams

Ken Yeager

Michelle Yesney

Michele Young

Council of Advisors

Gloria Duffy

Jerry Estruth

Doug McLendon

David Pandori

Executive Director

Kathleen Muller

www.grpg.org

October 19, 2004

Ron Eddow, Senior Planner
City of San Jose Planning Department
801 N. First Street, Rm. 400
San Jose, CA 95110

Dear Ron,

On behalf of the Board of Directors of the Friends of Guadalupe River Park & Gardens, I am writing to express support for the proposed San Jose MarketCenter development on Coleman Avenue and W. Taylor Street.

We believe that rezoning of this property to a planned development zoning district is appropriate, and San Jose MarketCenter will help to transform Coleman Avenue into a much more attractive gateway to downtown. It will serve surrounding residential neighborhoods, but should also bring increased awareness of the Guadalupe River Park & Guadalupe Gardens. Our organization is eager to have appropriate and attractive commercial development adjacent to the park, to enhance public use of this new urban open space, and Cousins Properties has responded positively to our comments and concerns.

We are particularly pleased with the dedication of three acres of additional parkland and pedestrian amenities, including new trail segments, on the east side of Autumn Street, adjacent to the Guadalupe River Park. Representatives of Cousins Properties have shared their preliminary landscape design ideas for this area with us, and we believe their plan will complement and enhance the park. Their landscape architects, RHAA, are also consultants on the River Park project, and understand the need to transition appropriately from the riparian plantings along the river.

The Friends of GRPG also endorse the proposal to construct a segment of Autumn Street, including the Guadalupe River trail, from Coleman Avenue to, and including, the existing UPRR rail line. This new Autumn Street alignment will help to create a buffer between the retail center and the Guadalupe River Park and, at the same time, open up the park visually. The addition of wide sidewalks and bike lanes along Coleman Avenue will also serve the park.

A-64

Thank you for inviting us to participate in community meetings regarding this proposed development and providing a copy of the EIR for our review.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kathleen Muller".

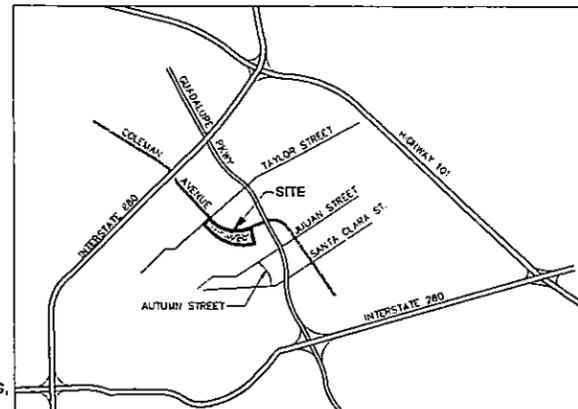
Kathleen Muller
Executive Director

MODIFIED SIGNALIZED INTERSECTION AT COLEMAN AND HEDDING

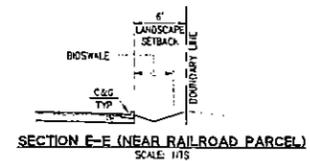
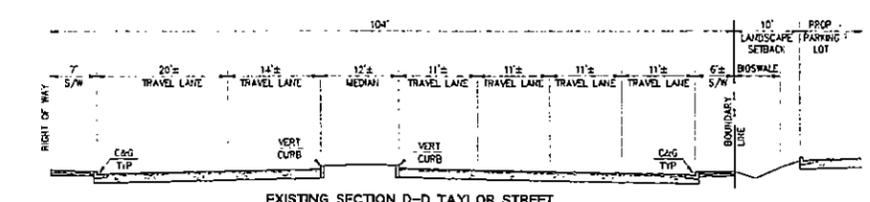
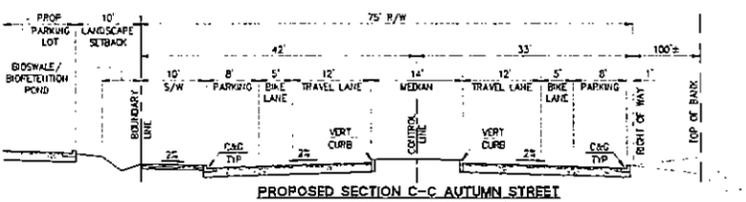
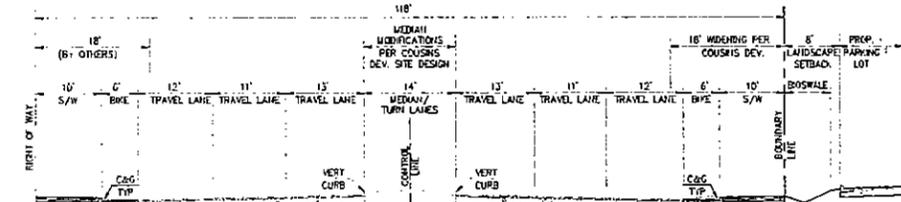
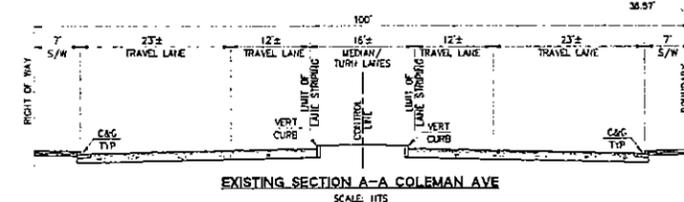
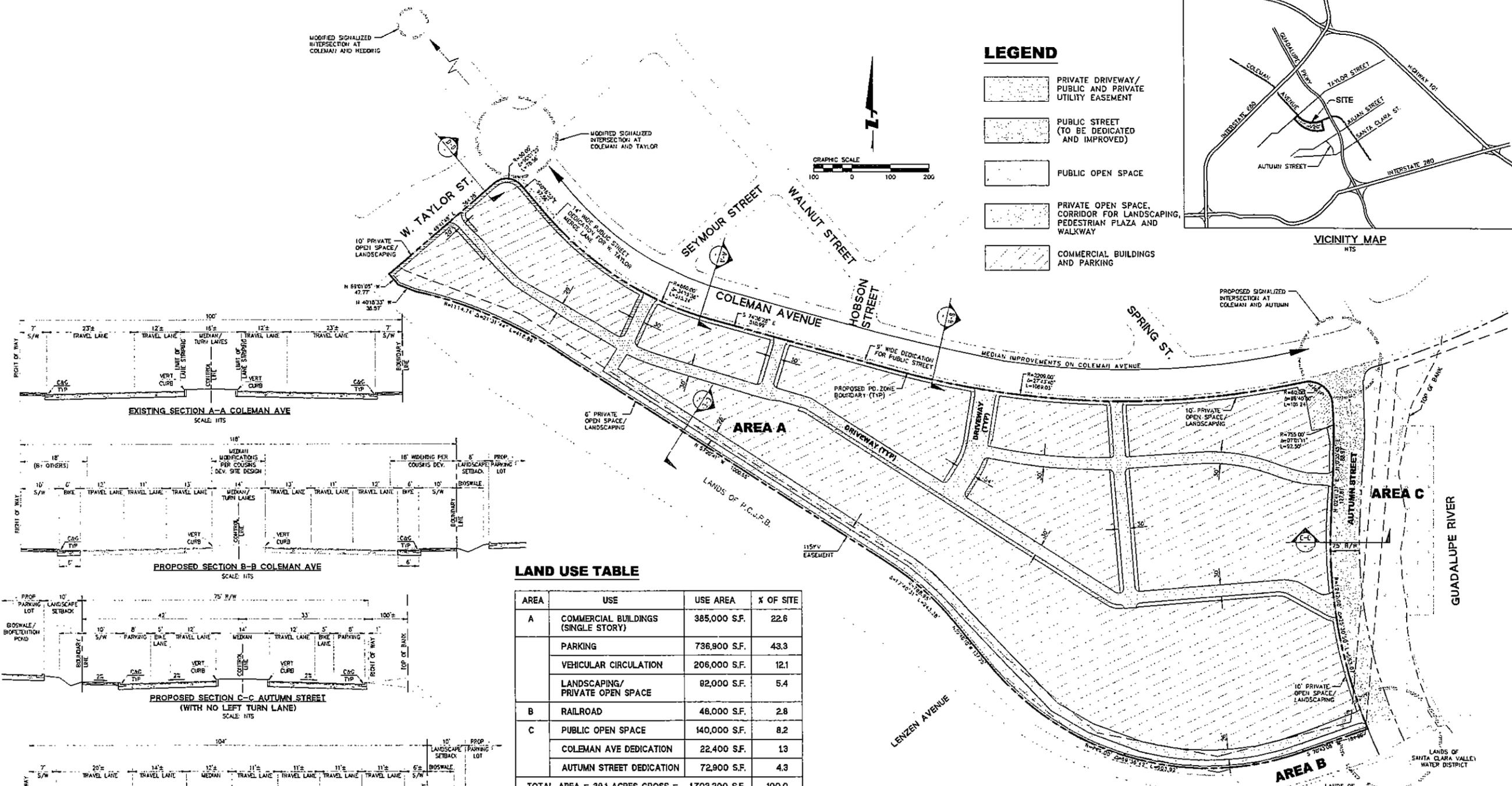
MODIFIED SIGNALIZED INTERSECTION AT COLEMAN AND TAYLOR

LEGEND

- PRIVATE DRIVEWAY/PUBLIC AND PRIVATE UTILITY EASEMENT
- PUBLIC STREET (TO BE DEDICATED AND IMPROVED)
- PUBLIC OPEN SPACE
- PRIVATE OPEN SPACE, CORRIDOR FOR LANDSCAPING, PEDESTRIAN PLAZA AND WALKWAY
- COMMERCIAL BUILDINGS AND PARKING



VICINITY MAP
NTS



LAND USE TABLE

AREA	USE	USE AREA	% OF SITE
A	COMMERCIAL BUILDINGS (SINGLE STORY)	385,000 S.F.	22.6
	PARKING	736,900 S.F.	43.3
	VEHICULAR CIRCULATION	206,000 S.F.	12.1
	LANDSCAPING/PRIVATE OPEN SPACE	82,000 S.F.	5.4
B	RAILROAD	48,000 S.F.	2.8
C	PUBLIC OPEN SPACE	140,000 S.F.	8.2
	COLEMAN AVE DEDICATION	22,400 S.F.	1.3
	AUTUMN STREET DEDICATION	72,900 S.F.	4.3
TOTAL AREA = 39.1 ACRES GROSS =		1,703,200 S.F.	100.0

NOTES:

1. ENVIRONMENTAL MITIGATION REQUIREMENTS FOR THIS PROJECT ARE BEING DEVELOPED BY CEDA REVIEW.
2. WATER POLLUTION CONTROL PLAN NOTE:
Part 2.75 of Chapter 15.12 of the San Jose Municipal Code requires that an applicant acknowledge the effect of Wastewater treatment capacity on Land development approvals at the time of application. As owner (s) of the property subject to this development application, (we) hereby acknowledge the requirements of the Municipal Code, as stated below, and understand that these requirements will apply to the development permit for which (we) and (we) are applying.
Pursuant to Part 2.75 of Chapter 15.12 of the San Jose Municipal Code, no vested right to a building permit shall accrue as the result of the granting of any land development approvals and applications when and if the City Manager makes a determination that the cumulative sewage treatment demand on the San Jose-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 the San Jose-Santa Clara Water Pollution Control Plant to treat such sewage adequately and within the design 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 approving authority.

GENERAL DEVELOPMENT PLAN - EXHIBIT C - LAND USE PLAN

SAN JOSE MARKETCENTER
SEC COLEMAN & TAYLOR, SAN JOSE, CA



SHEET 2A

PDC04-018

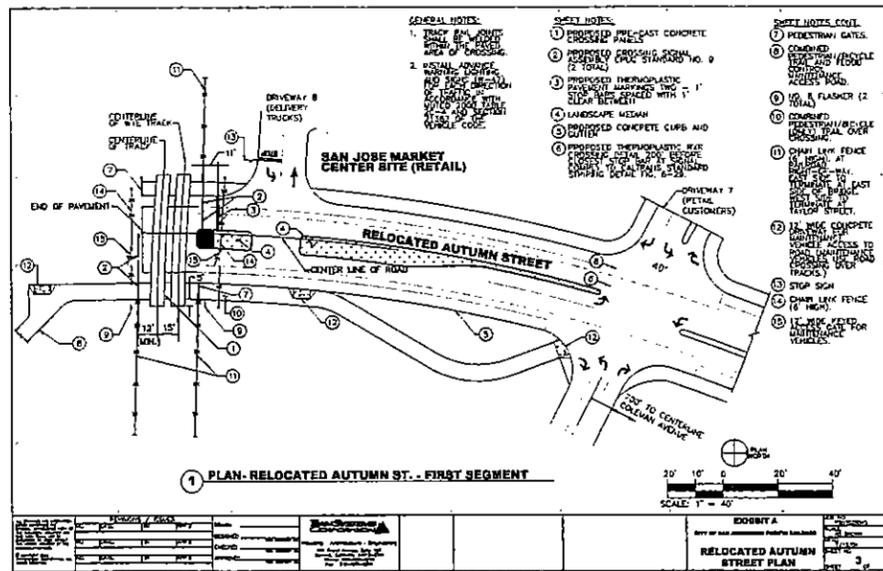


DATE: March 17, 2004
BY: JOB# 027050-10

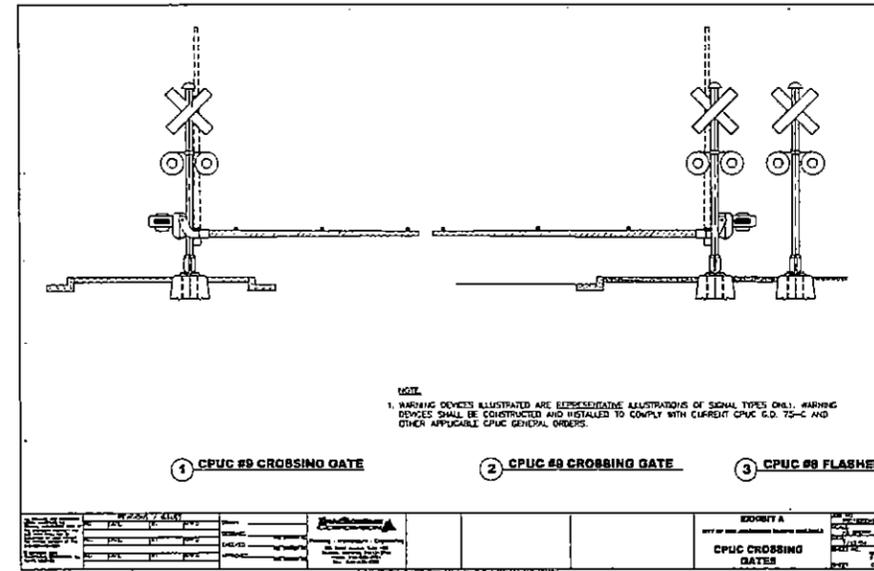
4780 CHABOT DR., SUITE 104
PLEASANTON, CA 94588
925/396-7700 (TEL)
925/396-7799 (FAX)

8001 Irvine Center Drive, suite 100
Irvine, California 92618
Tel (949) 585-9270
Fax (949) 585-9267

DRAWING NAME: SAN JOSE MARKETCENTER SEC COLEMAN & TAYLOR - PDC04.dwg
PLOT DATE: 07-27-04 PLOTTED BY: fmm



RELOCATED AUTUMN STREET, FIRST SEGMENT
(SOURCE: PLAN FROM TRANSYSTEMS CORPORATION, EXHIBIT A, SHEET 3)



CPUC CROSSING GATES
(SOURCE: PLAN FROM TRANSYSTEMS CORPORATION, EXHIBIT A, SHEET 7)

DRAWING NAME: SAN JOSE MARKET CENTER SEC COLEMAN & TAYLOR - PRELIMINARY
PLOT DATE: 02-27-04
PLOTTER: B7 - 11m

GENERAL DEVELOPMENT PLAN - EXHIBIT C - LAND USE DETAILS

SAN JOSE MARKETCENTER
SEC COLEMAN & TAYLOR, SAN JOSE, CA



3090 BRISTOL ST., SUITE 500
COSTA MESA, CA 92626
T: 714.540.5000 F: 714.755.3013
WWW.NADELARC.COM



4780 CHABOT DR., SUITE 104
PLEASANTON, CA 94588
925/396-7700 (TEL)
925/396-7799 (FAX)

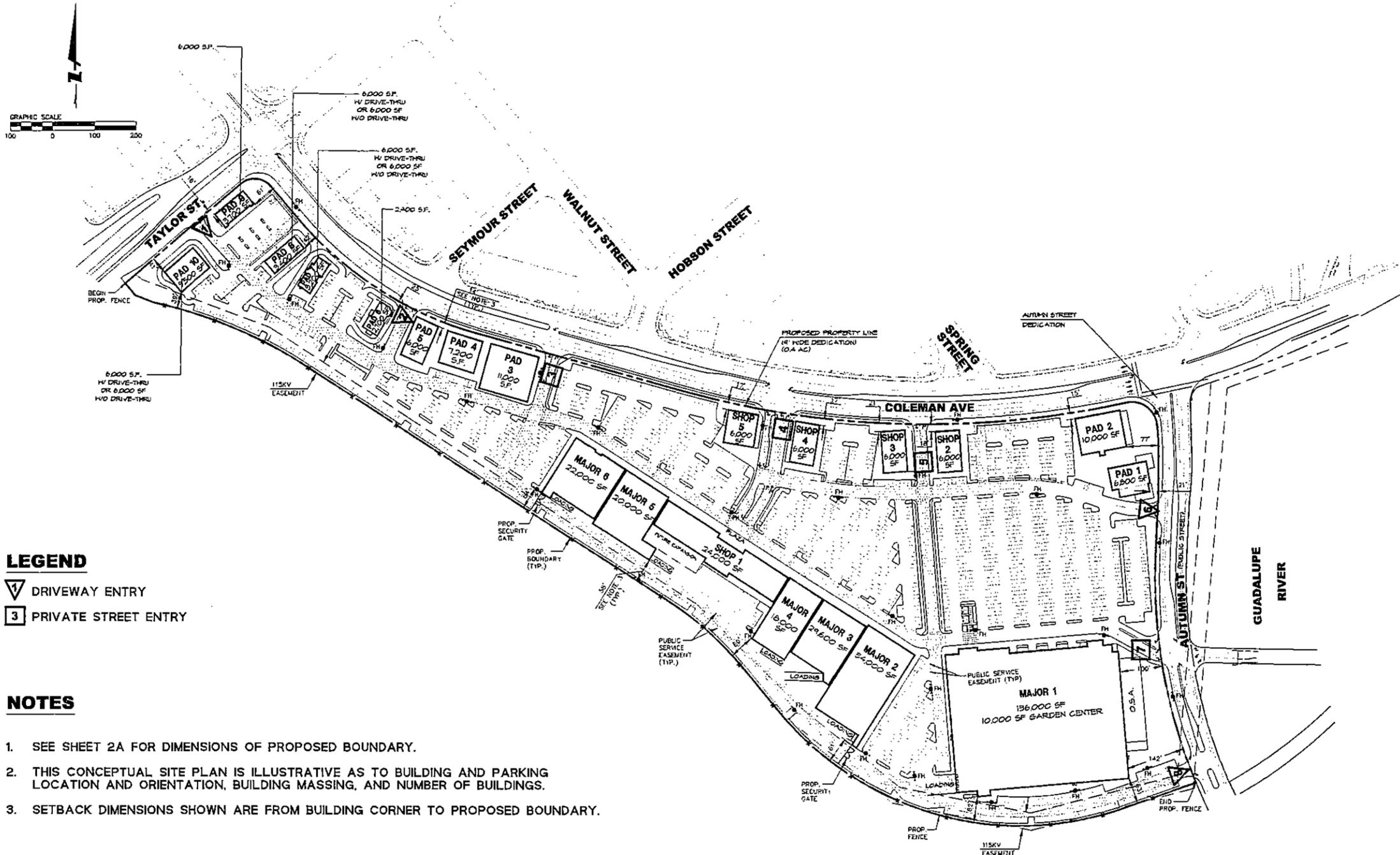
SHEET 2D

PDC04-018



Cousins

8001 Irvine Center Drive, suite 100
Irvine, California 92618
Tel (949) 585-9270
Fax (949) 585-9267



LEGEND

- DRIVEWAY ENTRY
- PRIVATE STREET ENTRY

NOTES

1. SEE SHEET 2A FOR DIMENSIONS OF PROPOSED BOUNDARY.
2. THIS CONCEPTUAL SITE PLAN IS ILLUSTRATIVE AS TO BUILDING AND PARKING LOCATION AND ORIENTATION, BUILDING MASSING, AND NUMBER OF BUILDINGS.
3. SETBACK DIMENSIONS SHOWN ARE FROM BUILDING CORNER TO PROPOSED BOUNDARY.

GENERAL DEVELOPMENT PLAN - EXHIBIT C - CONCEPTUAL SITE PLAN

SHEET 3

PDC04-018

SAN JOSE MARKETCENTER
 SEC COLEMAN & TAYLOR, SAN JOSE, CA

Nadel Architects Inc

3080 BRISTOL ST. SUITE 500
 COSTA MESA, CA 92626
 T: 714.540.5000 F: 714.755.3013
 WWW.NADELARC.COM

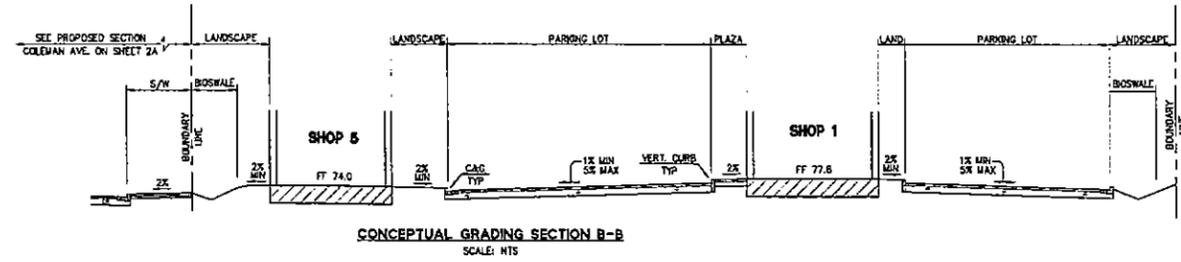
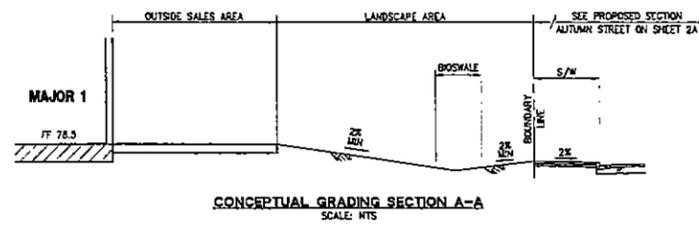
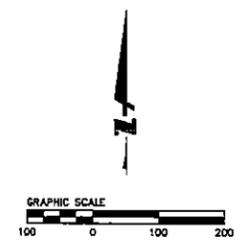
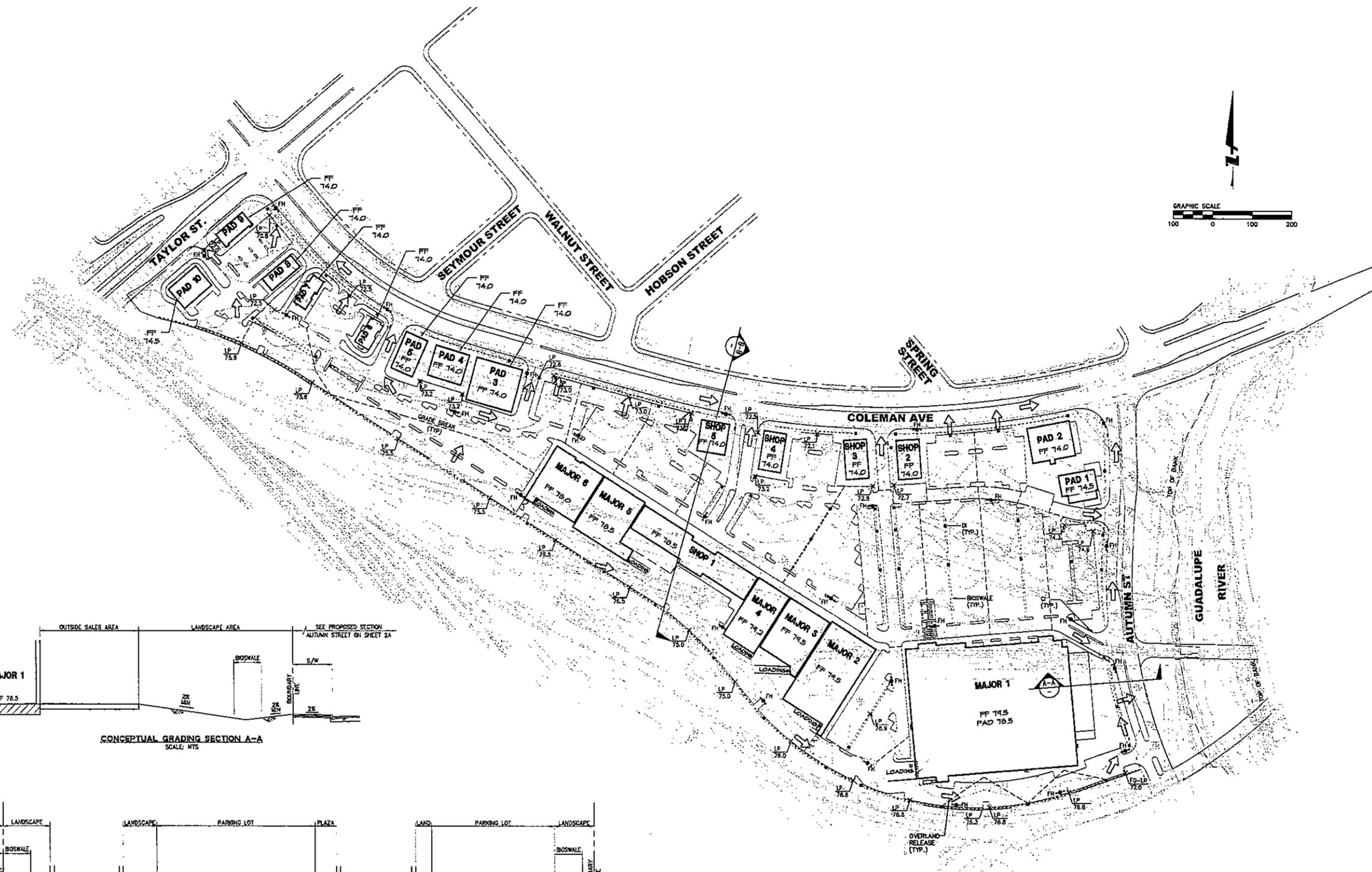
BKF
 ENGINEERS | SURVEYORS | PLANNERS

DATE: March 17, 2004
 BKF JOB#: 027060-10
 478C CHABOT DR., SUITE 104
 PLEASANTON, CA 94588
 925/396-7700 (TEL)
 925/396-7799 (FAX)

Cousins

8001 Irvine Center Drive, suite 100
 Irvine, California 92618
 Tel (949) 585-9270
 Fax (949) 585-9267

DRAWING NAME: X:\proj\027060\027060.dwg, 03-17-04, PLOTTED BY: jlm
 PLOT DATE: 03-17-04



GENERAL DEVELOPMENT PLAN - EXHIBIT C - CONCEPTUAL GRADING & DRAINAGE

SHEET 4A

SAN JOSE MARKETCENTER
SEC COLEMAN & TAYLOR, SAN JOSE, CA

Nadel Architects Inc

3080 BRISTOL ST. SUITE 500
COSTA MESA, CA 92626
714.540.5000 F:714.755.3013
WWW.NADELARC.COM

BKF
ENGINEERS / SURVEYORS / PLANNERS

DATE: March 17, 2004
BKF JOB#: 027080-10
4780 CHABOT DR., SUITE 104
PLEASANTON, CA 94588
925/396-7700 (TEL)
925/396-7799 (FAX)

Cousins
8001 Irvine Center Drive, suite 100
Irvine, California 92618
Tel (949) 585-9270
Fax (949) 585-9267

PDC04-018

DRAWING NAME: K:\proj02\027080\DWG\PRO\CONTR\04A-PDC04.dwg
PLOT DATE: 10-26-04 PLOTTED BY: [unclear]



NOTES

1. ONLY STORM DRAIN AND SANITARY SEWER INFORMATION IS SHOWN ON THIS SHEET.
2. THIS CONCEPTUAL SITE PLAN IS ILLUSTRATIVE AS TO BUILDING AND PARKING LOCATION AND ORIENTATION, BUILDING MASSING, AND NUMBER OF BUILDINGS.

GENERAL DEVELOPMENT PLAN - EXHIBIT C - CONCEPTUAL UTILITIES PLAN

SHEET 4B



Cousins

SAN JOSE MARKETCENTER
SEC COLEMAN & TAYLOR, SAN JOSE, CA



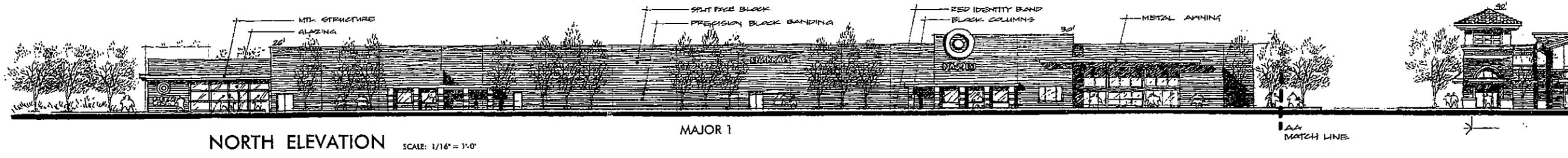
3080 BRISTOL ST. SUITE 500
COSTA MESA, CA 92626
T: 714.540.5000 F: 714.755.3013
WWW.NADELARC.COM



DATE: March 17, 2004
EKF JOB#: 027050-10
4780 CHABOT DR., SUITE 104
PLEASANTON, CA 94588
925/396-7700 (TEL)
925/396-7799 (FAX)

8001 Irvine Center Drive, suite 100
Irvine, California 92618
Tel (949) 585-9270
Fax (949) 585-9267

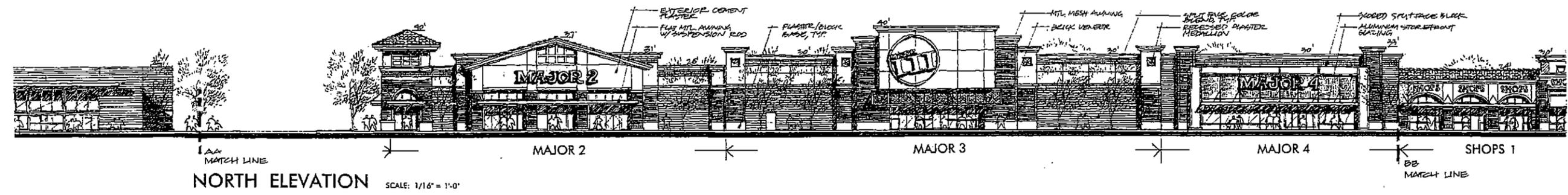
DRAWING NAME: K:\Projects\027050\027050\027050\04B-PRZDUT.dwg
PLOT DATE: 10-28-04 PLOTTED BY: am



NORTH ELEVATION SCALE: 1/16" = 1'-0"

MAJOR 1

MATCH LINE



NORTH ELEVATION SCALE: 1/16" = 1'-0"

MAJOR 2

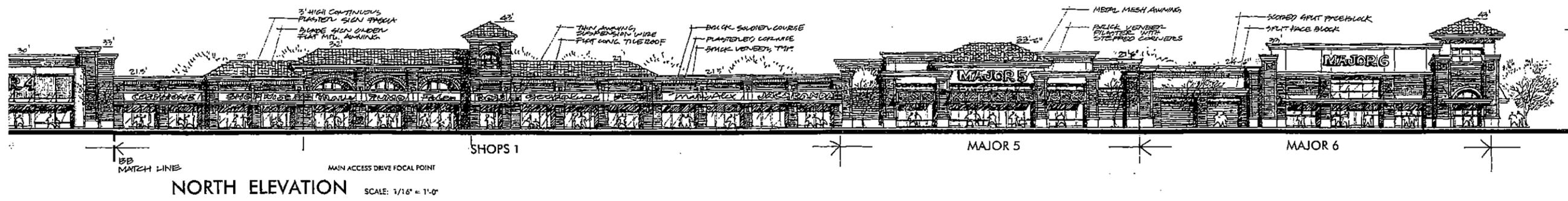
MAJOR 3

MAJOR 4

SHOPS 1

MATCH LINE

MATCH LINE



NORTH ELEVATION SCALE: 1/16" = 1'-0"

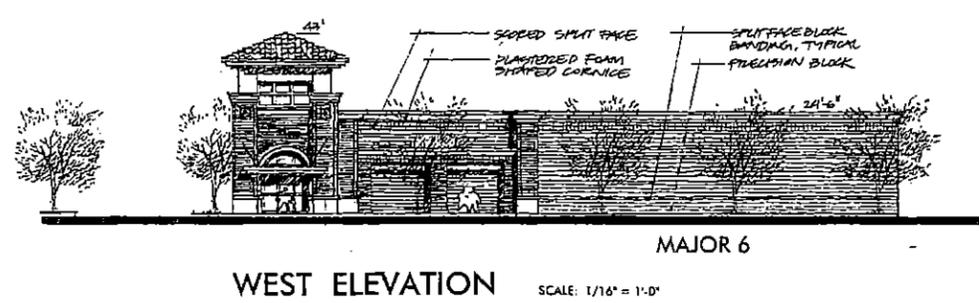
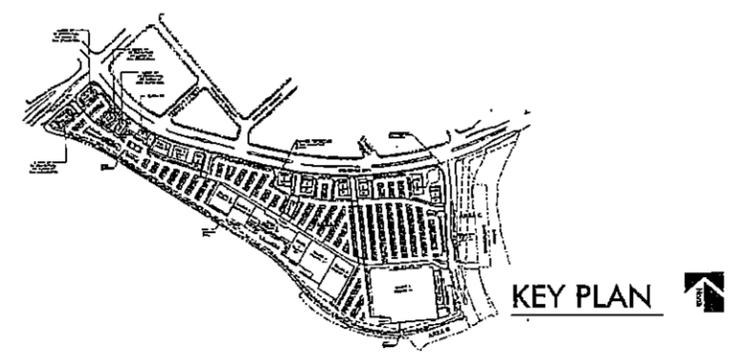
SHOPS 1

MAJOR 5

MAJOR 6

MATCH LINE

MAIN ACCESS DRIVE FOCAL POINT



WEST ELEVATION SCALE: 1/16" = 1'-0"

MAJOR 6

GENERAL DEVELOPMENT PLAN - EXHIBIT C - CONCEPTUAL BUILDING ELEVATIONS

SHEET 5A

PDC04-018

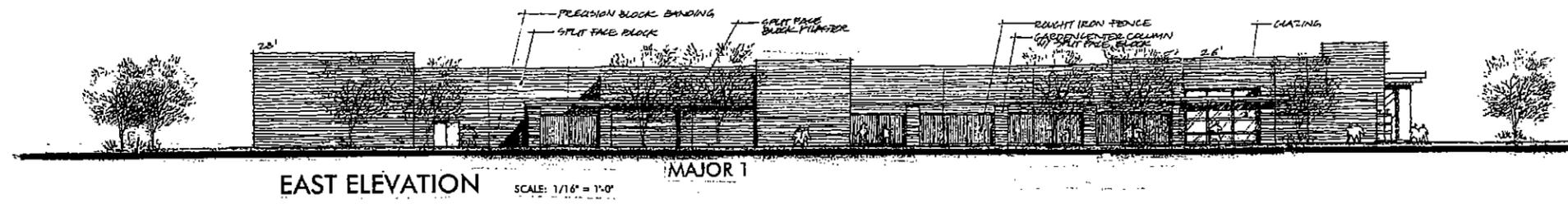
SAN JOSE MARKETCENTER
SEC COLEMAN & TAYLOR, SAN JOSE, CA



3080 BRISTOL ST. SUITE 600
COSTA MESA, CA 92626
T: 714.540.5000 F: 714.755.3013
WWW.NADELARC.COM

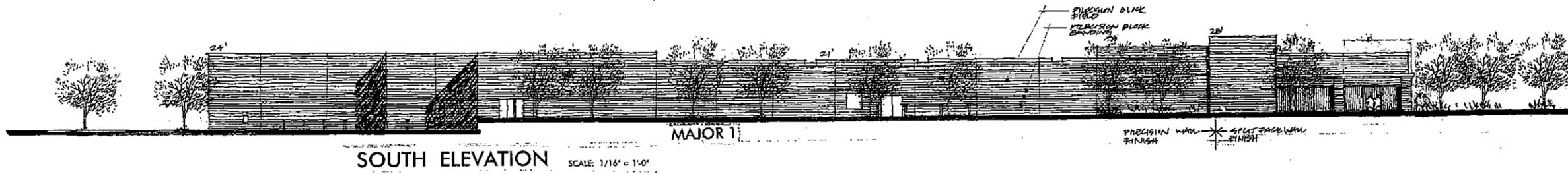


8001 Irvine Center Drive, suite 100
Irvine, California 92618
Tel (949) 585-9270
Fax (949) 585-9267



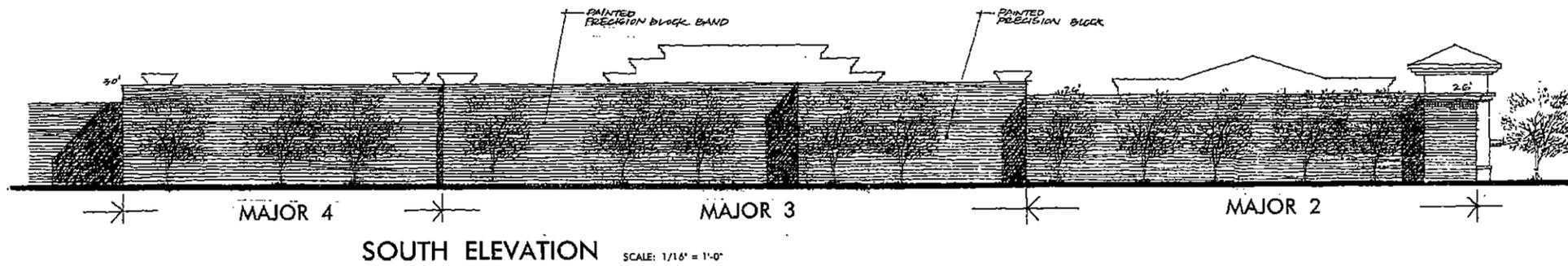
EAST ELEVATION SCALE: 1/16" = 1'-0"

MAJOR 1



SOUTH ELEVATION SCALE: 1/16" = 1'-0"

MAJOR 1

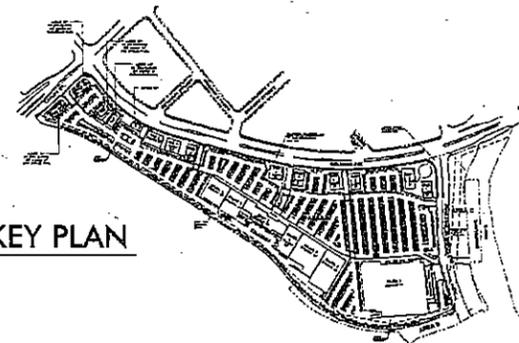


SOUTH ELEVATION SCALE: 1/16" = 1'-0"

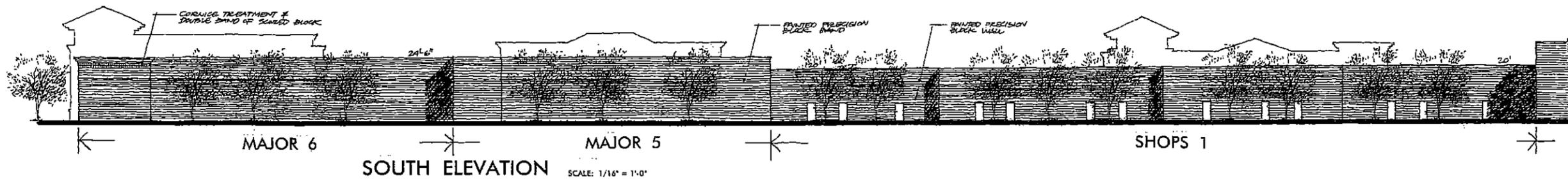
MAJOR 4

MAJOR 3

MAJOR 2



KEY PLAN



SOUTH ELEVATION SCALE: 1/16" = 1'-0"

MAJOR 6

MAJOR 5

SHOPS 1

GENERAL DEVELOPMENT PLAN - EXHIBIT C - CONCEPTUAL BUILDING ELEVATIONS

SHEET 5B

PDC04-018

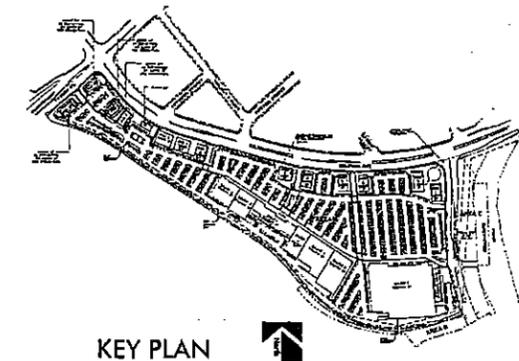
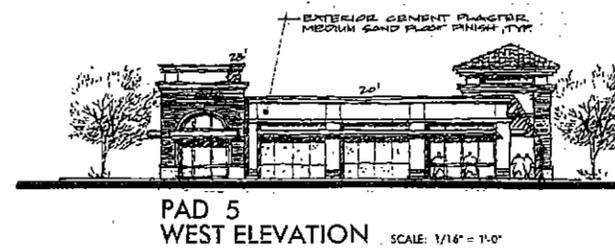
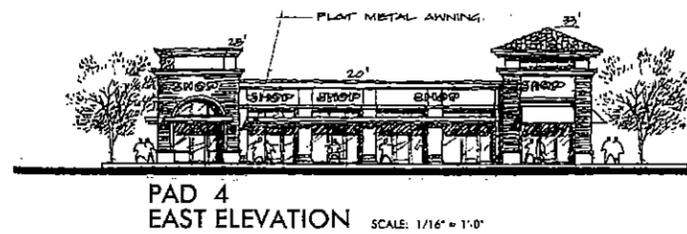
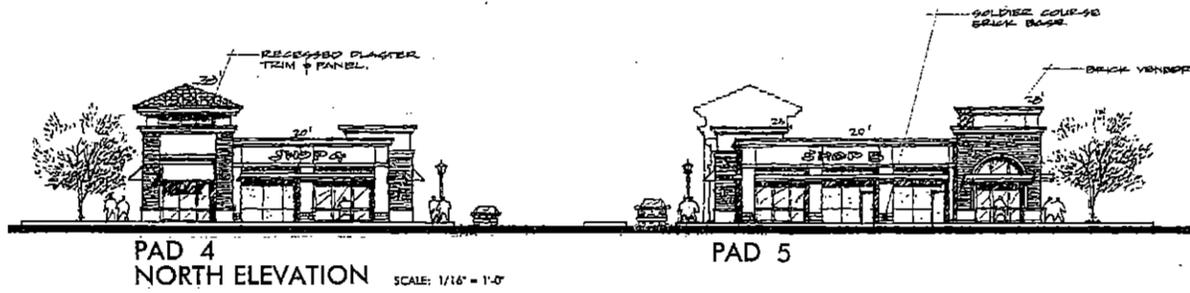
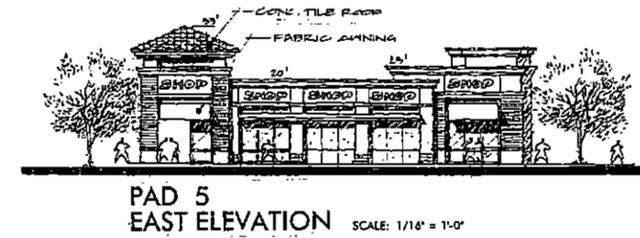
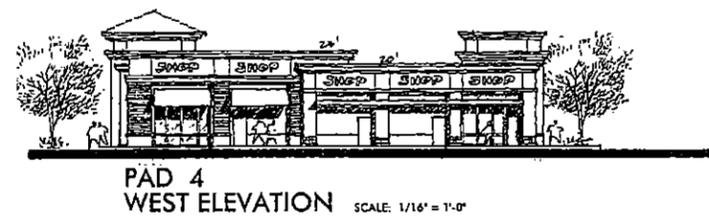
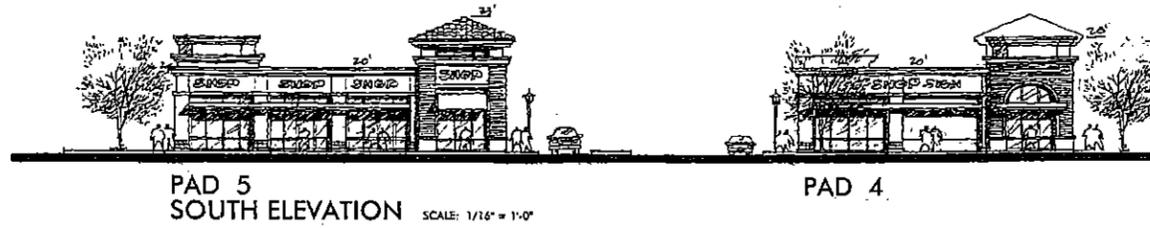
SAN JOSE MARKETCENTER
SEC COLEMAN & TAYLOR, SAN JOSE, CA



3080 BRISTOL ST. SUITE 500
COSTA MESA, CA 92626
T: 714.540.5000 F: 714.755.3013
WWW.NADELARC.COM



8001 Irvine Center Drive, suite 100
Irvine, California 92618
Tel (949) 585-9270



GENERAL DEVELOPMENT PLAN - EXHIBIT C - CONCEPTUAL BUILDING ELEVATIONS

SHEET 5C

PDC04-018

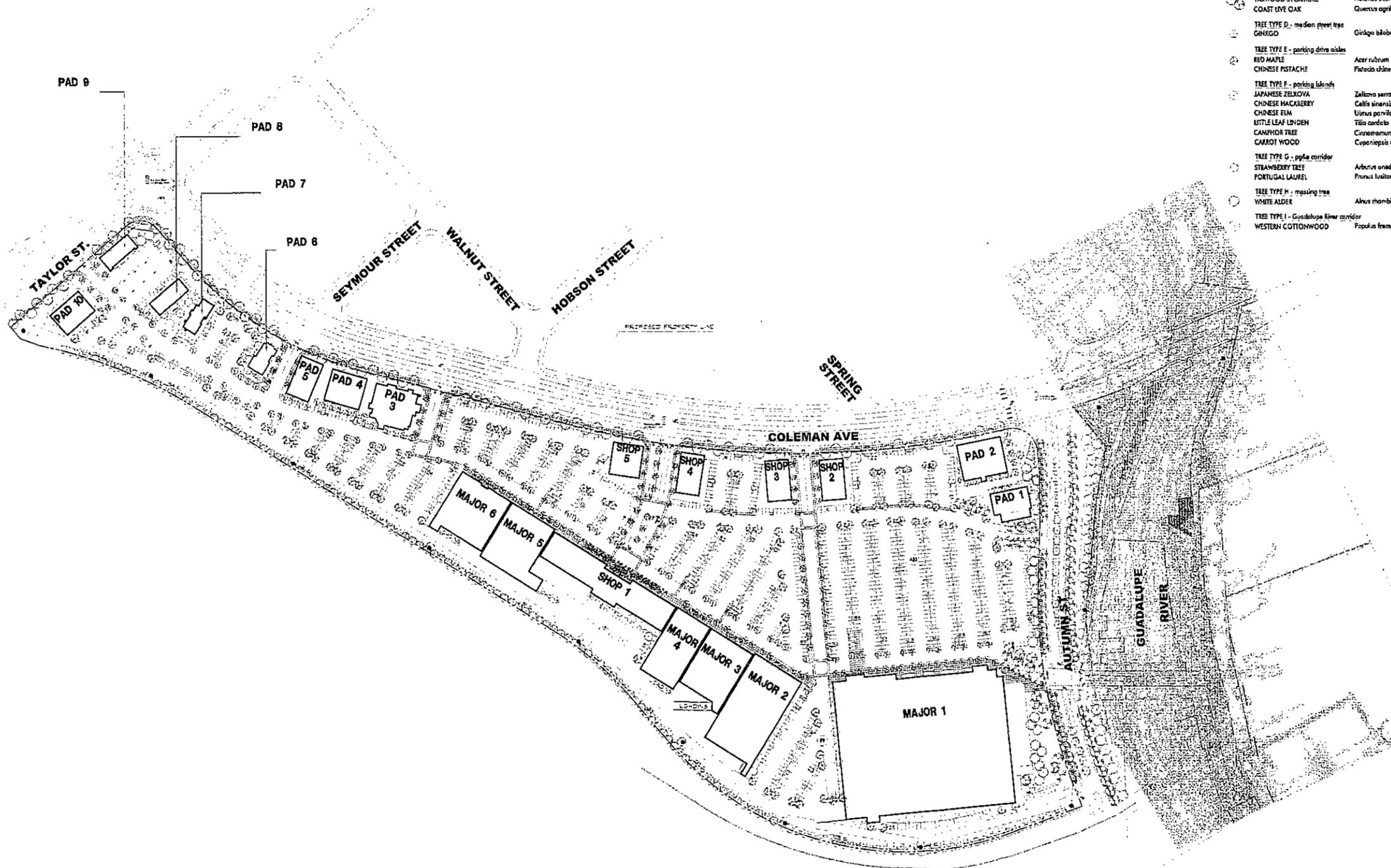


SAN JOSE MARKETCENTER
SEC COLEMAN & TAYLOR, SAN JOSE, CA



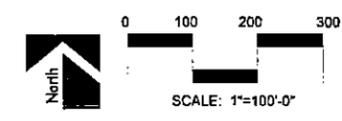
2080 BRISTOL ST. SUITE 500
COSTA MESA, CA 92626
T: 714.540.5000 F: 714.755.3013
WWW.NADELARC.COM

8001 Irvine Center Drive, suite 100
Irvine, California 92618
Tel (949) 585-9270
Fax (949) 585-9267



SCHEMATIC PLANT LIST

SYMBOL	COMMON NAME	BOTANICAL NAME
⊗	TREE TYPE A - palms	
	DATE PALM	<i>Phoenix dactyloides</i>
	FAN PALM	<i>Washingtonia hybrid</i>
⊙	TREE TYPE B - flowering accent tree	
	ARISTOCRAT PEAR	<i>Pyrus calleryana 'Aristocrat'</i>
	CAPE MYRTLE	<i>Leptospermum indicum</i>
⊕	TREE TYPE C - large canopy tree	
	YARWOOD SYCAMORE	<i>Platanus occidentalis 'Yarwood'</i>
	COAST LIVE OAK	<i>Quercus agrifolia</i>
⊖	TREE TYPE D - medium street tree	
	GINXGO	<i>Ginkgo biloba</i>
⊗	TREE TYPE E - parking drive sides	
	RED MAPLE	<i>Acer rubrum</i>
	CHINESE PISTACHE	<i>Pistacia chinensis</i>
⊙	TREE TYPE F - parking islands	
	JAPANESE ZELKOVA	<i>Zelkova serrata</i>
	CHINESE HACKBERRY	<i>Celtis sinensis</i>
	CHINESE ELM	<i>Ulmus parvifolia</i>
	LITTLE LEAF LINDEN	<i>Tilia cordata</i>
	CAMPHOR TREE	<i>Cinnamomum camphora</i>
	CARROT WOOD	<i>Cyperopsis anacardioides</i>
	TREE TYPE G - ppfa corridor	
STRAWBERRY TREE	<i>Arbutus unedo</i>	
PORTUGAL LAUREL	<i>Prunus lusitana</i>	
⊖	TREE TYPE H - massing tree	
	WHITE ALDER	<i>Alnus rhombifolia</i>
⊖	TREE TYPE I - Guadalupe River corridor	
	WESTERN COTTONWOOD	<i>Populus fremontii</i>
	COMMON BUSH	
	GRASSES	
	BUNCH GRASSES	
	ACCENT PLANTINGS	
	SEASONAL COLOR	
	DAYLILIES	
	LILY OF THE Nile	



GENERAL DEVELOPMENT PLAN - EXHIBIT C - CONCEPTUAL LANDSCAPE PLAN

SHEET 6

PDC04-018



SAN JOSE MARKETCENTER
SEC COLEMAN & TAYLOR, SAN JOSE, CA



3080 BRISTOL ST. SUITE 500
COSTA MESA, CA 92626
T:714.540.5000 F:714.755.3013
WWW.NADELARC.COM

ROYSTON HANAMOTO ALLEY & ABEY
R | H | A | A
LANDSCAPE ARCHITECTS & PLANNERS
225 MIKE AVENUE MID VALLEY, CA 94041 415.353.7900
171 CERRY STREET #203 SAN FRANCISCO, CA 94107 415.861.7900

8001 Irvine Center Drive, suite 100
Irvine, California 92618
Tel (949) 585-9270
Fax (949) 585-9267