

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. 10/13/04 Item # 3.f.

File Number
PDC04-054

Application Type
Planned Development Rezoning

Council District
7

Planning Area
South

Assessor's Parcel Number(s)
497-37-001

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Lori Moniz

Location: North side of Umbarger Road, approximately 1,200 feet westerly of Senter Road

Gross Acreage: 3.5

Net Acreage: 2.5

Net Density: 12 DU/AC

Existing Zoning: County

Existing Use: Residential and vacant (former storage yard)

Proposed Zoning: A(PD) Planned Development

Proposed Use: Up to 30 single-family detached residential units

GENERAL PLAN

Completed by: LM

Land Use/Transportation Diagram Designation
Medium Density Residential (8-16 DU/AC)

Project Conformance:
 Yes No
 See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: LM

North: Santa Clara County Fairgrounds &
Single-family detached residential

County &
R-1-8 Residence District

East: Mobilehome park & PG&E transformer site

R-MH Residence Districts & A Agricultural

South: Industrial, single-family detached residential

IP Industrial Park & A(PD) Planned Development

West: Light Industrial Uses

County

ENVIRONMENTAL STATUS

Completed by: LM

Environmental Impact Report found complete
 Negative Declaration circulated on September 23, 2004
 Negative Declaration adopted

Exempt
 Environmental Review Incomplete

FILE HISTORY

Completed by: LM

Annexation Title: Franklin No. 52

Date: Pending

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval
 Approval with Conditions
 Denial
 Uphold Director's Decision

Date: 10-6-04

Approved by: 
 Action
 Recommendation

OWNER

TLB Properties
Attn: Raymond E. Hutchings
208 Colibri Court
San José, CA 95119

APPLICANT/DEVELOPER

Dal Properties
Attn: Mark Lazzarini
255 W. Julian Street, Suite 502
San Jose, CA 95110

CONTACT

Lou N. Nepomuceno
Charles W. Davidson Co.
255 W. Julian Street, Suite 200
San José, CA 95110

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: LM

Department of Public Works

See attached memo

Other Departments and Agencies

n/a

GENERAL CORRESPONDENCE

None received

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicant, Dal Properties, is proposing to prezone a 3.5 gross-acre site from County to A(PD) Planned Development to allow up to 30 single-family detached residential units. The subject site, located in an unincorporated area of Santa Clara County, is rectangular in shape with approximately 209 feet of frontage on Umbarger Road and a depth of approximately 728 feet. The site is currently unoccupied, and developed with three structures, one of which is an office building that was converted from a single-family house. The other structures include a single-family residential unit along Umbarger Road and a metal shop building in the center of the site. The residential units were built approximately 40 years ago. Three storage containers are located behind the houses. Currently, there is one (1) ordinance-sized tree, a Poplar measuring 23 inches in diameter, on the project site.

The project site is bordered by the Santa Clara County Fairgrounds and single-family detached homes to the north, single-family homes and an Industrial Park development across Umbarger Road to the south, an existing mobile home park and a PG&E transformer to the east, and light industrial uses including a construction yard, tow yard and vehicle storage to the west. The Santa Clara Fairgrounds property adjacent to the site is currently vacant and is shown in the Fairgrounds Master Plan for future use as a parking lot.

Project Description

The proposed project consists of 30 traditional single-family detached units on individual lots averaging 3,600 square feet. The minimum lot size for these units is 3,000 square feet. The units will take access from a new public street off Umbarger Road. There are three proposed unit types, a 3-bedroom, a 3-bedroom with a loft or a 4th bedroom option and a 4-bedroom with a 5th bedroom option. The units are two stories and range in size from 1,625 to 2,139 square feet with an attached 2-car garage.

GENERAL PLAN CONFORMANCE

The proposed project has a net density of 12 DU/AC, which conforms to the site's General Plan Land Use/Transportation Diagram designation of Medium Density Residential (8-16 DU/AC). On June 1, 2004, the City Council approved a General Plan Amendment (File No. GP04-07-01) at the request of the applicant to facilitate the proposed residential project. The site had previously been designated as Light Industrial. The proposed project furthers one of the General Plan's Major Strategies by providing housing opportunities on infill property that is easily served by existing City services.

ENVIRONMENTAL REVIEW

An Initial Study was prepared for this project and the Director of Planning circulated a Mitigated Negative Declaration for public review on September 23, 2004. The key issues addressed included the potential impacts from hazardous materials, traffic and traffic noise. The project includes mitigation measures that reduce any potentially significant impacts to a less-than-significant level.

Hazardous Materials

A Phase I environmental site assessment was conducted to document environmental conditions at the site related to current and historic uses. Since the site had historically been used for agricultural uses, a soil investigation was conducted to determine if any residual agrichemicals are present in site surface soils. Pesticide levels are well below any threshold of concern and the metal concentrations are at background levels.

In addition, the site and surrounding properties have more recently been used for industrial and commercial purposes. Due to the nature of the various tenants' activities over the years, the site shall be viewed by a qualified environmental professional during demolition and pre-grading activities to observe areas of the property that may have been obscured by existing structures or pavement and to survey the structures for the presence of asbestos-containing materials and lead based paint. If found, a mitigation program shall be developed and implemented with such measures as soil testing, removal and/or offsite disposal at a permitted facility.

Traffic

The Public Works Department has determined, through an in-house analysis, that there is no level of service (LOS) impact presented by this project, therefore there is no traffic mitigation required in order to satisfy the requirements of the California Environmental Quality Act (CEQA).

Noise

Noise intrusion over the project site originates primarily from vehicular traffic sources along Umbarger Road. Special noise-attenuating windows and mechanical ventilation and will be installed in the units that will have the most potential to be impacted by noise. The noise report prepared for the project indicated that this mitigation will be sufficient to bring the interior noise levels into conformance with the General Plan's interior noise standard of 45 dB DNL.

The noise exposure levels at the most impacted units dwellings along Umbarger will exceed, by up to 9 dB, the General Plan's exterior noise standard of 60 dB DNL. However, the General Plan standard

recognizes that when exterior spaces are located near major roadways, it is sometimes impossible to achieve exterior noise standard conformance without eliminating the beneficial attributes of the exterior spaces. Requiring the installation of tall sound walls, greenhouse patio rooms or other intrusive mitigation measures reduces the benefits of the open space. Therefore, strict compliance of this exterior noise standard is not required of the project in this case.

ANALYSIS

The primary issues concerned in the proposed rezoning include: 1) compatibility with surrounding land uses, 2) site plan considerations, and 3) conformance to the City's Residential Design Guidelines.

Compatibility with Adjacent Land Uses

The existing neighborhoods to the northeast, southeast and south consists of one and two-story single-family detached residences built since the late 1950s. The neighboring lots range in size from approximately 3,000 square feet to 7,000 square feet. There is an existing mobile home park to the east.

The proposed residential development will continue the existing development pattern of single-family detached residences on individual lots facing traditional public streets in the area. This development will have two-story units with adequate setbacks from existing adjacent properties on all sides, which meet or exceed the development requirements applicable to the adjacent properties.

Site Design

The proposed street layout includes opportunities for the potential future residential development to the west to connect to the proposed project, providing a good opportunity for vehicular/pedestrian access and internal circulation within the future neighborhood. The City's General Plan Urban Design policies encourage street connectivity to enhance the sense of neighborhood and to avoid the creation of isolated enclaves. An independent site plan analysis was conducted by staff on a variety of potential site layouts on the underutilized residential properties to the west to ensure a logical point of connection to the adjacent property. The project will have single-family detached units fronting onto new public streets and Umbarger Road.

Conformance with the Residential Design Guidelines

The proposed project is in conformance with the development standards recommended in the *Residential Design Guidelines* for single-family detached houses with respect to setbacks, height/stories, parking, private open space, and architecture.

Setbacks and Height/Stories

The proposed setbacks and height and stories are consistent with the *Residential Design Guidelines* for 3,000 to 4,000 square foot lot single-family detached houses in that the proposed dwelling unit front and rear setbacks meet the Guidelines' minimum dimensions of 15-feet and a side setback of 4-feet. The applicant proposes to construct two-story single-family houses with a maximum height of 30 feet.

Parking

The *Residential Design Guidelines* recommend that two covered spaces and one additional off-lot parking space within 150 feet of each unit be provided. This project will provide the recommended two covered spaces in garages with more than ample off-lot or on-street parking spaces. Each unit will also have two parking spaces on the driveway apron.

Private Open Space

The *Residential Design Guidelines* recommend that each unit be provided with a minimum of 500 square feet of private open space. For projects with more than 20 units, an additional 150 square feet per unit should be provided unless common open space is provided. This project provides a minimum of 660 square feet of private open space per unit thus avoiding the requirement to provide common open space on the project site.

Architecture

The project's proposed conceptual architecture is attractive in appearance, and includes an appropriate amount of articulation and variation among units to avoid a monotonous appearance. The final design of the units will undergo additional review and fine-tuning at the Planned Development Permit stage.

PUBLIC OUTREACH

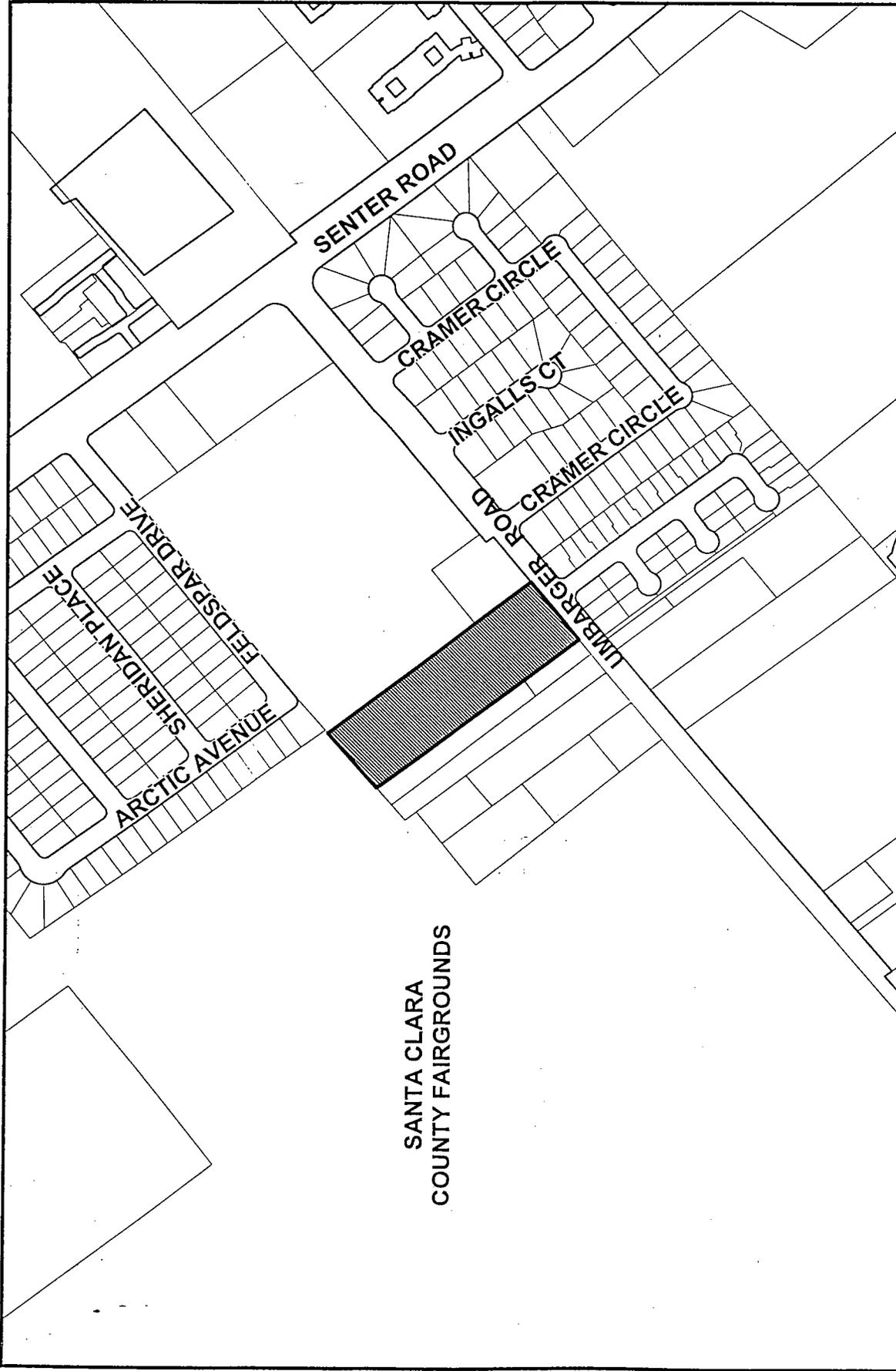
Notices for the public hearing were distributed to the owners and tenants of all properties located within 500 feet of the project site and published in the San Jose Post record in conformance with the City's Public Outreach Policy. The Planning Commission Agenda, which is posted on the City of San Jose's website includes a copy of the staff report for this project.

RECOMMENDATION

Planning staff recommends approval of the proposed Planned Development Rezoning for the following reasons:

1. The proposed rezoning conforms to the subject site's General Plan Land Use/Transportation Diagram designation of Medium Density Residential (8-16 DU/AC).
2. The proposed project substantially conforms to the *Residential Design Guidelines*.
3. The project furthers the goals and objectives of the City's in-fill housing strategies.
4. The proposed rezoning is compatible with existing and proposed uses on the adjacent and neighboring properties.

NOTE: Development standards and other notes are included on a separate 8 ½ "x 11" attachment. These supercede the notes currently shown on the plans. These notes will be included on the Land Use Plan (General Development Plan) for this project prior to final approval of the project by the City Council.



SANTA CLARA
COUNTY FAIRGROUNDS

File No: PDC04-054

District: 07

Quad No.: 100



Scale: 1"=400'
Created on 06/02/04

DRAFT
GENERAL DEVELOPMENT PLAN NOTES
PDC04-054

The following development standards shall be placed on the General Development Plan as soon as the rezoning has been approved by the City Council. All other development standards shall be removed from the plan set.

DEVELOPMENT LIMITATIONS AND PERMITTED USES:

Up to 30 single-family detached residential.

DEVELOPMENT STANDARDS:

Building height (max.): 30 feet

Number of stories: 2

Minimum lot size: 3,000 square feet

Minimum Setbacks:

Front (building)- 15 feet - except at street radius

Front (open porch)- 12 feet - except at street radius

Side Interior – 4 feet

Side Corner – 8 feet (Except at street radius)

Rear- 15 feet

Patio covers attached to building/unit- 7 feet

Private Open Space: 500 square feet

Minor Architectural projections, such as chimneys and bay windows, may project into the building setback by no more than two (2) feet for a horizontal distance not to exceed ten (10) feet in length. A minimum side setback of 3 feet and first floor rear setback of 15 feet must be maintained.

The Director of Planning at his/her discretion may reduce the required setbacks as deemed appropriate as part of the first Planned Development Permit for the project for a two (2) foot maximum encroachment for enhanced front porches.

ENVIRONMENTAL MITIGATION REQUIREMENTS: The developer shall comply with the following to the satisfaction of the Director of Planning:

Aesthetics

Trees and landscaping shall be provided.

Downward-directed low-pressure sodium vapor street lights along the public streets shall be provided in order to prevent offsite light and glare.

Public streets that are impacted by project construction activities shall be swept and washed down daily.

Debris, rubbish and trash shall be cleared from any areas onsite that are visible from a public street.

Air Quality

The BAAQMD has prepared a list of construction dust control measures that can reduce construction impacts to a less than significant level. The following construction practices will be implemented during all phases of construction on the project site:

Water all active construction areas at least twice daily or as often as needed to control dust emissions.

Cover all trucks hauling soil, sand, and other loose materials and/or ensure that all trucks hauling such materials maintain at least two feet of freeboard.

Pave, apply water three times daily (except during periods of rainfall), or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.

Sweep daily or as often as needed with water sweepers all paved access roads, parking areas and staging areas at construction sites to control dust.

Sweep public streets daily, or as often as needed, with water sweepers, to keep streets free of visible soil material.

Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).

Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.) sufficient to prevent visible airborne dust.

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.

Trees

Approval shall be obtained with the PD Permit for the removal of any tree with a diameter of 18 inches (56- inch circumference) or greater; and any such tree that is removed shall be replaced with a tree(s) as required by the San Jose Tree Ordinance.

Any Ordinance-sized (18-inch diameter or greater) tree that is removed shall be replaced by 4 new 24-inch box trees; the species of trees to be planted on the site shall be determined in consultation with the City

Archaeology

Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native

American burials on the property in a location not subject to further subsurface disturbance.

Should evidence of prehistoric cultural resources be discovered during construction, work in the immediate area of the find shall be stopped to allow adequate time for evaluation and mitigation, and a qualified professional archaeologist called in to make an evaluation; the material shall be evaluated; and if significant, a mitigation program including collection and analysis of the materials prior to the resumption of grading, preparation of a report and curation of the materials at a recognized storage facility shall be developed and implemented under the direction of the Director of the Planning Division.

Geology And Soils

The project shall be designed and constructed to (incorporate wall bracing, mudsill anchors, tie downs, and/or hinge connectors to) ensure structural stability as required by the earthquake design regulations of the Uniform Building Code.

All earthwork and foundation plans and specifications shall comply with the recommendations of the geotechnical exploration by ENGEO Incorporated. The geotechnical report lists approximately 55 recommendations that are included in the project for site grading, foundations, slabs-on-grade, retaining walls, asphalt pavement design, drainage, and utility trenches, most of which reflect standard engineering practices that are not required to mitigate environmental impacts. The recommendations that specifically address potential geotechnical hazards found on the site are included below.

Post-tensioned or conventionally-reinforced floating mat foundations or strip footing foundations shall be utilized in any residences subjected to expansive soils movement. Drainage shall be controlled and directed away from all structures and pavements.

A City approved erosion control plan shall be developed and implemented with such measures as: 1) the timing of grading activities during the dry months, if feasible; 2) temporary and permanent planting of exposed soil; 3) temporary check dams; 4) temporary sediment basins and traps and/or 5) temporary silt fences.

Hazardous Materials

The site shall be viewed by a qualified environmental professional during demolition and pre-grading activities to observe areas of the property that may have been obscured by existing structures or pavement for such items as stained soils, septic systems, underground storage tanks, and/or unforeseen buried utilities; and, if found, a mitigation program shall be developed and implemented with such measures as soil testing, removal and/or offsite disposal at a permitted facility.

The structures to be removed shall be surveyed for the presence of asbestos-containing materials at the demolition permit stage; and if any suspect ACM are present, they shall be sampled prior to demolition in accordance with NESHAP guidelines, and all potentially friable ACM shall be removed prior to building demolition and disposed of by offsite burial at a permitted facility in accordance with NESHAP and Cal-OSHA requirements.

The structures to be removed shall be surveyed for the presence of lead based paint at the demolition permit stage; and if any suspect LBP is present, it shall be sampled prior to demolition, and all potential LBP shall be removed prior to building demolition and disposed of by offsite burial at a permitted facility in accordance with EPA and OSHA requirements.

Hydrology and Water Quality

A Notice of Intent and a Storm Water Pollution Prevention Plan that addresses both construction and post-construction periods and specifies erosion and sediment control measures, waste disposal controls, maintenance responsibilities, and non-stormwater management controls, shall be submitted to the RWQCB and maintained onsite, respectively, to comply with the stormwater discharge requirements of the NPDES General Permit.

A Storm Water Pollution Prevention Plan (SWPPP) in compliance with the local NPDES permit shall be developed and implemented including: 1) site description; 2) erosion and sediment controls; 3) waste disposal; 4) implementation of approved local plans; 5) proposed post-construction controls, including description of local post-construction erosion and sediment control requirements; 6) Best Management Practices (BMP) such as the use of infiltration of runoff onsite, first flush diversion, flow attenuation by use of open vegetated swales and natural depressions, stormwater retention or detention structures, oil/water separators, porous pavement, fossil filters, or a combination of these practices for both construction and post-construction period water quality impacts; and 7) non-storm water management.

Noise

Mechanical ventilation shall be provided in accordance with Uniform Building Code requirements when windows are to be closed for noise control.

Windows and sliding glass doors shall be installed with STC 30 or higher rated windows and doors at all upper floor and unshielded ground floor living spaces along Umbarger Road (Lots 1, 2, and 3), and having a direct or side view of the roadway.

The remaining windows within the project shall be constructed of dual-pane construction-grade glass.

Construction operations shall be limited to the daytime hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any onsite or offsite work within 500 feet of any residential unit so as to avoid the more sensitive evening, nighttime and weekend hours.

All construction equipment, fixed or mobile, shall be in proper operating condition and fitted with standard factory silencing features; mufflers shall be used on all heavy construction equipment.

PUBLIC IMPROVEMENTS. The developer shall provide the following to the satisfaction of the Director of Public Works.

Undergrounding

The In Lieu Undergrounding Fee shall be paid to the City for all frontages adjacent to Umbarger Road prior to issuance of a Public Works clearance. One hundred percent of the base fee in place at the time of payment will be due.

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 Umbarger Road. Developer shall submit copies of executed utility agreements to Public Works prior to the issuance of a Public Works Clearance.

WATER POLLUTION CONTROL PLANT CAPACITY. 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 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 discharge standards imposed on the city by the state of California regional water 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.



Department of Planning, Building and Code Enforcement

STEPHEN M. HAASE, AICP, DIRECTOR

**PUBLIC NOTICE
INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION
CITY OF SAN JOSÉ, CALIFORNIA**

Project File Number, Description, and Location

PDC04-054. Planned Development Rezoning from County to A(PD) Planned Development Zoning District to allow up to 31 single-family detached residences on a 3.49 gross acre site, located at the north side of Umbarger Road approximately 1,200 feet westerly of Senter Road (425 Umbarger Road) (TLB Properties LLC, Owner; DAL Properties LLC - Mark Lazzarini, Developer). Council District 7.

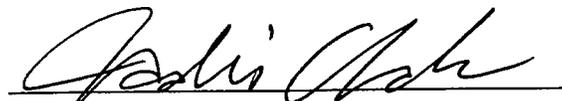
California State Law requires the City of San José to conduct environmental review for all pending projects that require a public hearing. Environmental review examines the nature and extent of any potentially significant adverse effects on the environment that could occur if a project is approved and implemented. The Director of Planning, Building & Code Enforcement would require the preparation of an Environmental Impact Report if the review concluded that the proposed project could have a significant unavoidable effect on the environment. The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed toxic sites are present. The project location **does not** contain a listed toxic site.

Based on an initial study, the Director has concluded that the project described above will not have a significant effect on the environment. We have sent this notice to all owners and occupants of property within 500 feet of the proposed project to inform them of the Director's intent to adopt a Mitigated Negative Declaration for the proposed project on **October 13, 2004**, and to provide an opportunity for public comments on the draft Mitigated Negative Declaration. The public review period for this draft Mitigated Negative Declaration begins on **September 23, 2004** and ends on **October 12, 2004**.

A public hearing on the project described above is tentatively scheduled for **Wednesday, October 13, 2004 at 6:00 p.m.** in the City of San Jose Council Chambers, 801 N. First Street, San Jose, CA 95110. The draft Mitigated Negative Declaration, initial study, and reference documents are available for review under the above file number from 9:00 a.m. to 5:00 p.m. Monday through Friday at the City of San Jose Department of Planning, Building & Code Enforcement, City Hall, 801 N. First Street, Room 400, San Jose, CA 95110. The documents are also available at the Dr. Martin Luther King, Jr. Main Library, 150 E. San Fernando St, San José, CA 95112, and the Seventrees Branch Library 3597 Cas Dr., San José, CA 95111 San Jose, and online at <http://www.ci.san-jose.ca.us/planning/sjplan/eir/mnd2004.htm> Adoption of a Negative Declaration does not constitute approval of the proposed project. The decision to approve or deny the project described above will be made separately as required by City Ordinance. For additional information, please contact **Lori Moniz**, at 277-8517 or lori.moniz@sanjoseca.gov.

Stephen M. Haase, AICP
Director, Planning, Building and Code Enforcement

Circulated on: September 23, 2004


Deputy



**DRAFT
MITIGATED NEGATIVE DECLARATION**

The Director of Planning, Building and Code Enforcement has reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of project completion. "Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

NAME OF PROJECT: Umbarger Road Property

PROJECT FILE NUMBER: PDC04-054

PROJECT DESCRIPTION: Planned Development Zoning from ML Light Industrial District to A(PD) Planned Development Zoning District to allow up to 30 single family detached residences on an approximately 3.5 gross acre site.

PROJECT LOCATION & ASSESSORS PARCEL NO.: Northwestern side of Umbarger Road, approximately 1/4-mile west of Senter Road (413, 425 Umbarger Road); 497-37-001

COUNCIL DISTRICT: 7

NAME OF APPLICANT: Braddock & Logan Group

MAILING ADDRESS AND PHONE NO. OF APPLICANT CONTACT PERSON:

4155 Blackhawk Plaza Circle, Suite 201, Danville, CA 94506 (925-736-4000)
Attn: Jim Sullivan

FINDING

The Director of Planning, Building & Code Enforcement finds the project described above will not have a significant effect on the environment in that the attached initial study identifies one or more potentially significant effects on the environment for which the project applicant, before public release of this draft Mitigated Negative Declaration, has made or agrees to make project revisions that clearly mitigate the effects to a less than significant level.

MITIGATION MEASURES INCLUDED IN THE PROJECT TO REDUCE POTENTIALLY SIGNIFICANT EFFECTS TO A LESS THAN SIGNIFICANT LEVEL

AESTHETICS

- Trees and landscaping shall be provided.
- Downward-directed low-pressure sodium vapor street lights along the public streets shall be provided in order to prevent offsite light and glare.
- Public streets that are impacted by project construction activities shall be swept and washed down daily.
- Debris, rubbish and trash shall be cleared from any areas onsite that are visible from a public street.

AIR QUALITY

- The following construction practices shall be implemented during all phases of construction for the proposed project: 1) water all active construction areas at least twice daily or as often as needed to control dust emissions; 2) cover all trucks hauling soil, sand, and other loose materials and/or ensure that all trucks hauling such materials maintain at least two feet of freeboard; 3) 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; 4) sweep daily or as often as needed with water sweepers all paved access roads, parking areas and staging areas at construction sites to control dust; 5) sweep public streets daily, or as often as needed, with water sweepers, to keep streets free of visible soil material; 6) hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more); 7) enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.) sufficient to prevent visible airborne dust; 8) limit traffic speeds on unpaved roads to 15 mph; 9) install sandbags or other erosion control measures to prevent silt runoff to public roadways; and 10) replant vegetation in disturbed areas as quickly as possible.

BIOLOGICAL RESOURCES

- Approval shall be obtained with the PD Permit for the removal of any tree with a diameter of 18 inches (56-inch circumference) or greater; and any such tree that is removed shall be replaced with a tree(s) as required by the San Jose Tree Ordinance.
- Any Ordinance-sized (18-inch diameter or greater) tree that is removed shall be replaced by 4 new 24-inch box trees; the species of trees to be planted on the site shall be determined in consultation with the City Arborist and the Planning Division.

CULTURAL RESOURCES

- Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.
- Should evidence of prehistoric cultural resources be discovered during construction, work in the immediate area of the find shall be stopped to allow adequate time for evaluation and mitigation, and a qualified professional archaeologist called in to make an evaluation; the material shall be

evaluated; and if significant, a mitigation program including collection and analysis of the materials prior to the resumption of grading, preparation of a report and curation of the materials at a recognized storage facility shall be developed and implemented under the direction of the Director of the Planning Division.

GEOLOGY AND SOILS

- The project shall be designed and constructed to (incorporate wall bracing, mudsill anchors, tie downs, and/or hinge connectors to) ensure structural stability as required by the earthquake design regulations of the Uniform Building Code.
- All earthwork and foundation plans and specifications shall comply with the recommendations of the geotechnical exploration by ENGEO Incorporated. The geotechnical report lists approximately 55 recommendations that are included in the project for site grading, foundations, slabs-on-grade, retaining walls, asphalt pavement design, drainage, and utility trenches, most of which reflect standard engineering practices that are not required to mitigate environmental impacts. The recommendations that specifically address potential geotechnical hazards found on the site are included below.
- Post-tensioned or conventionally-reinforced floating mat foundations or strip footing foundations shall be utilized in any residences subjected to expansive soils movement.
- Drainage shall be controlled and directed away from all structures and pavements.
- A City approved erosion control plan shall be developed and implemented with such measures as:
1) the timing of grading activities during the dry months, if feasible; 2) temporary and permanent planting of exposed soil; 3) temporary check dams; 4) temporary sediment basins and traps and/or 5) temporary silt fences.

HAZARDS AND HAZARDOUS MATERIALS

- The site shall be viewed by a qualified environmental professional during demolition and pre-grading activities to observe areas of the property that may have been obscured by existing structures or pavement for such items as stained soils, septic systems, underground storage tanks, and/or unforeseen buried utilities; and, if found, a mitigation program shall be developed and implemented with such measures as soil testing, removal and/or offsite disposal at a permitted facility.
- The structures to be removed shall be surveyed for the presence of asbestos-containing materials at the demolition permit stage; and if any suspect ACM are present, they shall be sampled prior to demolition in accordance with NESHAP guidelines, and all potentially friable ACM shall be removed prior to building demolition and disposed of by offsite burial at a permitted facility in accordance with NESHAP and Cal-OSHA requirements.
- The structures to be removed shall be surveyed for the presence of lead based paint at the demolition permit stage; and if any suspect LBP is present, it shall be sampled prior to demolition, and all potential LBP shall be removed prior to building demolition and disposed of by offsite burial at a permitted facility in accordance with EPA and OSHA requirements.

HYDROLOGY AND WATER QUALITY

- A Notice of Intent and a Storm Water Pollution Prevention Plan that addresses both construction and post-construction periods and specifies erosion and sediment control measures, waste disposal controls, maintenance responsibilities, and non-stormwater management controls, shall be submitted to the RWQCB and maintained onsite, respectively, to comply with the stormwater discharge requirements of the NPDES General Permit.
- A Storm Water Pollution Prevention Plan (SWPPP) in compliance with the local NPDES permit shall be developed and implemented including: 1) site description; 2) erosion and sediment controls; 3) waste disposal; 4) implementation of approved local plans; 5) proposed post-construction controls, including description of local post-construction erosion and sediment control requirements; 6) Best Management Practices (BMP) such as the use of infiltration of runoff onsite, first flush diversion, flow attenuation by use of open vegetated swales and natural depressions, stormwater retention or detention structures, oil/water separators, porous pavement, fossil filters, or a combination of these practices for both construction and post-construction period water quality impacts; and 7) non-storm water management.

NOISE

- Mechanical ventilation shall be provided in accordance with Uniform Building Code requirements when windows are to be closed for noise control.
- Windows and sliding glass doors shall be installed with STC 30 or higher rated windows and doors at all upper floor and unshielded ground floor living spaces along Umbarger Road (Lots 1, 2, and 3), and having a direct or side view of the roadway.
- The remaining windows within the project shall be constructed of dual-pane construction-grade glass.
- Construction operations shall be limited to the daytime hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any onsite or offsite work within 500 feet of any residential unit so as to avoid the more sensitive evening, nighttime and weekend hours.
- All construction equipment, fixed or mobile, shall be in proper operating condition and fitted with standard factory silencing features; mufflers shall be used on all heavy construction equipment.

PUBLIC REVIEW PERIOD

Before 5:00 p.m. on **October 12, 2004**, any person may:

- (1) Review the Draft Mitigated Negative Declaration (MND) as an informational document only; or
- (2) Submit written comments regarding the information, analysis, and mitigation measures in the Draft MND. Before the MND is adopted, Planning staff will prepare written responses to any comments, and revise the Draft MND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final MND; or
- (3) File a formal written protest of the determination that the project would not have a significant effect on the environment. This formal protest must be filed in the Department of Planning, Building and Code Enforcement, 801 North First Street, San Jose, Room 400 and include a \$100 filing fee. The written protest should make a "fair argument" based on substantial evidence that the project will have one or more significant effects on the environment. If a valid written protest is filed with the Director of Planning, Building & Code Enforcement within the noticed public review period, the Director may (1) adopt the Mitigated Negative Declaration and set a noticed public hearing on the protest before the Planning Commission, (2) require the project applicant to prepare an environmental impact report and refund the filing fee to the protestant, or (3) require the Draft MND to be revised and undergo additional noticed public review, and refund the filing fee to the protestant.

Stephen M. Haase, AICP
Director, Planning, Building and Code Enforcement

Circulated on: Sept 23, '04

Jodi Clark
Deputy

Adopted on: _____

Deputy



Memorandum

TO: Lori Moniz
Planning and Building

FROM: Ryan Do
Public Works

SUBJECT: SEE BELOW

DATE: 09/17/04

Approved

Date

9-17-04

SUBJECT: UMBARGER RD RESIDENTIAL: 30 SFD UNITS
PW NO. 3-16670 (PDC04-054)

We have completed the review of the traffic analysis for the subject project. The project consists of 30 single family detached residential dwelling units. The proposed development is located on the north side of Umbarger Road approximately 1,200 feet westerly of Senter Road. The proposed development is projected to generate 30 AM and 30 PM peak hour trips.

ACCESS

Access to the site will be provided by a new public street intersecting the north side of Umbarger Road.

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: Two (2) 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 both intersections meet the City LOS standards. The results of the analysis are summarized in the attached Table II.

RECOMMENDATION

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.

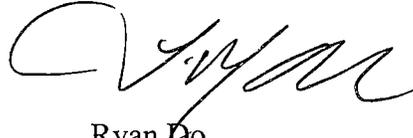
Planning and Building

09/17/04

Subject: Traffic Analysis for PDC04-054

Page 2

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

A handwritten signature in black ink, appearing to read 'Ryan Do', written in a cursive style.

Ryan Do

Project Engineer

Transportation and Development Services Division

C: Karen Mack
Candice Lownsbery
George Constantin, DOT
Pang Engineers, Inc.

TABLE II
SUMMARY
LEVEL OF SERVICE
SIGNALIZED INTERSECTIONS

| INTERSECTION | EXISTING ⁽¹⁾ | | | BACKGROUND ⁽²⁾ | | | WITH PROJECT | | | |
|---------------------------|-------------------------|--------------------------------------------------|-----|---------------------------|--------------------------------------------------|-----|--------------------|--------------------------------------------------|-----|--------------------|
| | Count Date | Intersect'n Delay ⁽³⁾ (sec/veh) | LOS | V/C ⁽⁴⁾ | Intersect'n Delay ⁽³⁾ (sec/veh) | LOS | V/C ⁽⁴⁾ | Intersect'n Delay ⁽³⁾ (sec/veh) | LOS | V/C ⁽⁴⁾ |
| 1. Monterey / Umbarger | AM | 19.8 | B | 0.640 | 19.7 | B- | 0.664 | 20.0 | B- | 0.666 |
| | PM | 18.0 | B | 0.624 | 18.2 | B- | 0.648 | 18.3 | B- | 0.648 |
| 2. Senter / Umbarger | AM | 8.9 | A | 0.547 | 8.9 | A | 0.561 | 9.1 | A | 0.566 |
| | PM | 11.1 | B | 0.604 | 11.1 | B+ | 0.620 | 11.3 | B+ | 0.624 |

Footnotes:

LOS = Level of Service

- (1) Existing= represents lane configuration for "Background" and "With Project" conditions
- (2) Existing + Approved Projects = "Background Traffic" condition.
- (3) Intersection delay = average delay for the whole intersection
- (4) V/C = critical volume / capacity ratio

LOS calculations with TRAFFIX per Santa Clara Valley Transportation Authority Congestion Management Program Guidelines.



RECEIVED
OCT 05 2004
CITY OF SAN JOSE
PLANNING DEPARTMENT

Memorandum

TO: Lori Moniz
Planning and Building

FROM: Ebrahim Sohrabi
Public Works

SUBJECT: FINAL RESPONSE TO
DEVELOPMENT APPLICATION

DATE: 10/05/04

PLANNING NO.: PDC04-054
DESCRIPTION: Planned Development Rezoning from County to A(PD) Planned Development Zoning District to allow up to 31 single-family detached residences on a 3.49 gross acre site
LOCATION: north side of Umbarger Road approximately 1,200 feet westerly of Senter Road
P.W. NUMBER: 3-16670

Public Works received the subject project on 10/04/04 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. **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.
2. **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.

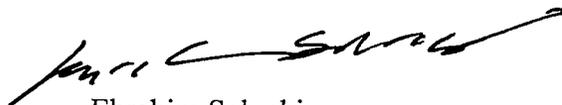
Copies of these documents must be submitted to the City Project Engineer prior to issuance of a grading permit.

- 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.
3. **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.
 4. **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 Planning Permit 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.
 5. **Flood: Zone D**
 - a) Although this property is shown on the Federal Emergency Management Agency's Flood Insurance Rate Map to be in Zone D, there is data from the Santa Clara Valley Water District Map showing this property to be located in an area with flooding up to 1 foot deep.
 - i) It is recommended that the lowest floor be elevated more than 1 foot above the highest adjacent grade to the proposed structures.
 - ii) Building support utility systems such as HVAC, electrical, plumbing, air conditioning equipment, including ductwork, and other service facilities are recommended to be elevated above the base flood elevation or protected from flood damage.
 - iii) Vent openings are recommended for all enclosures below the base flood elevation, except basements (ex. crawlspace, at-grade garages). The design must either be certified by a registered professional engineer or meet the following requirements:
 - a) Provide vent openings on at least two exterior walls of each enclosure to automatically equalize the lateral pressure of the floodwaters. The bottom of each opening shall be no higher than twelve inches above the exterior adjacent grade. Provide a

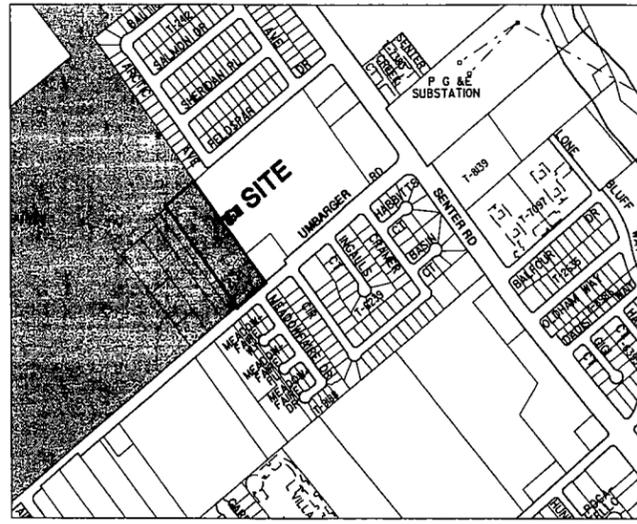
minimum of two vent openings having a total net area of not less than one square inch per one square foot of enclosed area.

6. **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.
7. **Undergrounding:** The In Lieu Undergrounding Fee shall be paid to the City for all frontage adjacent to Umbarger Road prior to issuance of a Public Works clearance. One hundred 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.)
8. **Street Improvements:**
 - a) Construct curb, gutter, and sidewalk along Umbarger Road and the proposed new public street's frontage.
 - b) Dedication and improvement of the public streets shall be to the satisfaction of the Director of Public Works.
 - c) Repair, overlay, or reconstruction of asphalt pavement will 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.
9. **Sanitary:** Submit a conceptive sanitary sewer plan at the PD permit stage.
10. **Electrical:** The existing electroliers will be evaluated at the street improvement stage and any necessary street lighting requirements will be included as part of the improvement plans.
11. **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.

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



Ebrahim Sohrabi
Senior Civil Engineer
Transportation and Development Services Division



LAND USE TABLE

| SYMBOL | USE | AREA | INTENSITY | ON SITE PARKING | NO. OF UNITS | NET DENSITY |
|--------|------------------|----------|-----------|-----------------|--------------|-------------|
| | PUBLIC STREET | 1.02 | 29.2 | | | |
| | SIN FAM DET RES | 2.47 | 70.8 | 2:1 | UP TO 30 | 12.1 |
| | (APRON SPACE) | (0.26) | (10.5) | | | |
| | (BUILDING) | (0.85) | (34.4) | | | |
| | (PVT OPEN SPACE) | (1.36) | (55.1) | | | |
| | TOTAL | 3.49 AC. | 100% | 2:1 | UP TO 30 | 12.1 |

BOUNDARY OF PD ZONING -----
 GROSS AREA = 3.49± AC; NET AREA = 2.47± AC
 APN 497-37-001

ENVIRONMENTAL MITIGATION

WATER POLLUTION CONTROL PLAN
 PURSUANT TO CHAPTER 15.12 OF THE SAN JOSE MUNICIPAL CODE, NO VESTED RIGHT TO A BUILDING PERMIT SHALL ACCRUE AS A 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 DISCHARGE STANDARDS IMPOSED ON THE CITY BY THE STATE OF CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD FOR THE SAN FRANCISCO BAY REGION. SUBSTANTIVE CONDITIONS DESIGNED TO DECREASE SANITARY SEWAGE ASSOCIATED WITH ANY LAND USE APPROVAL MAY BE IMPOSED BY THE APPROVING AUTHORITY.

ARCHAEOLOGICAL MITIGATION
 PURSUANT TO SECTION 7050.5 OF THE HEALTH AND SAFETY CODE, AND SECTION 5097.94 OF THE PUBLIC RESOURCES CODE OF THE STATE OF CALIFORNIA: IN THE EVENT OF THE DISCOVERY OF HUMAN REMAINS DURING CONSTRUCTION, THERE SHALL BE NO FURTHER EXCAVATION OR DISTURBANCE OF THE SITE OR ANY NEARBY AREA REASONABLY SUSPECTED TO OVERLIE ADJACENT REMAINS. THE SANTA CLARA COUNTY CORONER SHALL BE NOTIFIED AND SHALL MAKE A DETERMINATION AS TO WHETHER THE REMAINS ARE NATIVE AMERICAN. IF THE CORONER DETERMINES THAT THE REMAINS ARE NOT SUBJECT TO HIS AUTHORITY, HE SHALL NOTIFY THE NATIVE AMERICAN HERITAGE COMMISSION WHO SHALL ATTEMPT TO IDENTIFY DESCENDANTS OF THE DECEASED NATIVE AMERICAN. IF NO SATISFACTORY AGREEMENT CAN BE REACHED AS TO THE DISPOSITION OF THE REMAINS PURSUANT TO THIS STATE LAW, THEN THE LANDOWNER SHALL RE-ENTER THE HUMAN REMAINS AND ITEMS ASSOCIATED WITH NATIVE AMERICAN BURIALS ON THE PROPERTY IN A LOCATION NOT SUBJECT TO FURTHER SUBSURFACE DISTURBANCE.

NOISE
 THE PROJECT SHALL BE DEVELOPED WITH THE MITIGATION AS STATED IN THE NOISE ANALYSIS TO INSURE THAT THE PROPOSAL WILL CONFORM TO THE CITY'S GENERAL PLAN NOISE GUIDELINES AS WELL AS THOSE OF STATE 24 THAT PERTAIN TO MULTI-FAMILY UNITS.

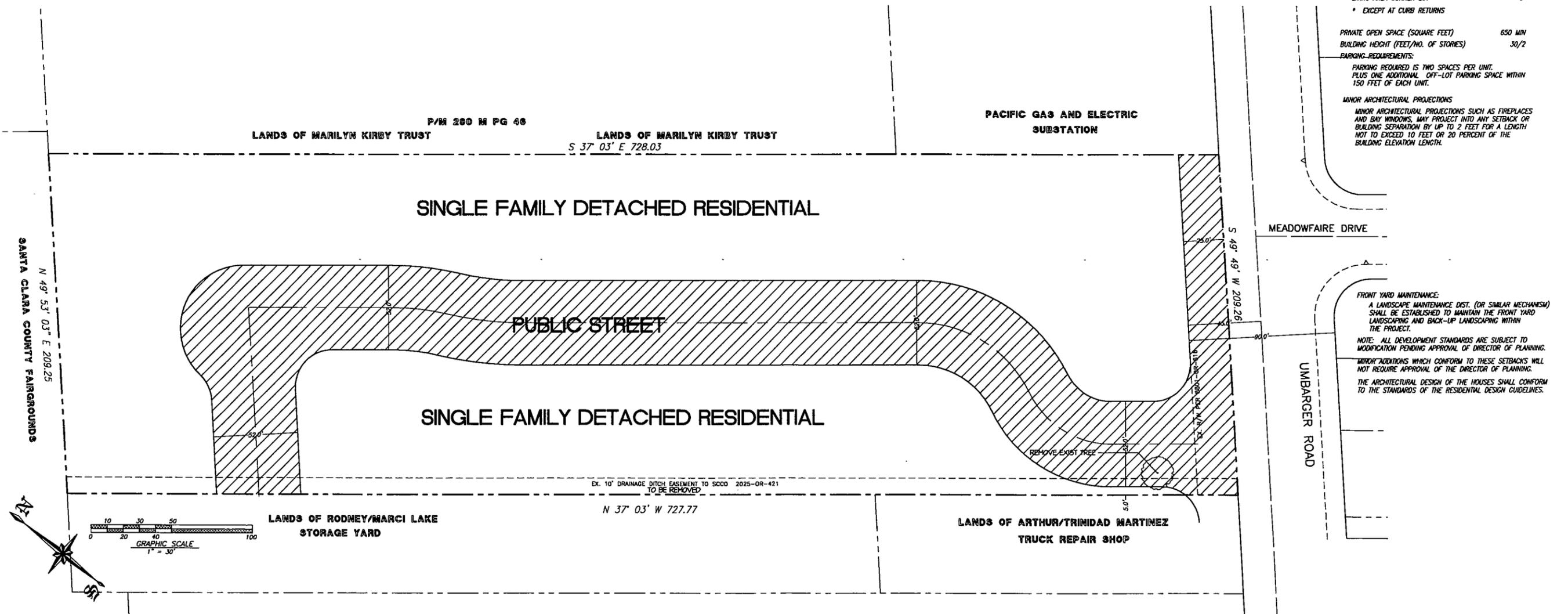
TREE MITIGATION
 EACH TREE TO BE REMOVED SHALL BE MITIGATED AT THE FOLLOWING RATIOS:
 EACH TREE LESS THAN 12" IN DIAMETER TO BE REMOVED=ONE 15 GALLON TREE
 EACH TREE 12" TO 17" DIAMETER TO BE REMOVED=TWO 24" BOX TREES
 TREES 18" AND GREATER IN DIAMETER SHALL NOT BE REMOVED UNLESS A TREE REMOVAL PERMIT HAS BEEN APPROVED FOR THE REMOVAL OF SUCH TREES. EACH TREE GREATER THAN 18" DIAMETER TO BE REMOVED=FOUR 24" BOX TREES

THE INFRASTRUCTURE FOR THIS PROJECT SHALL MEET OR EXCEED THE STANDARDS CONTAINED IN THE COMMON INTEREST DEVELOPMENT CONSTRUCTION STANDARDS AND PROCEDURES.

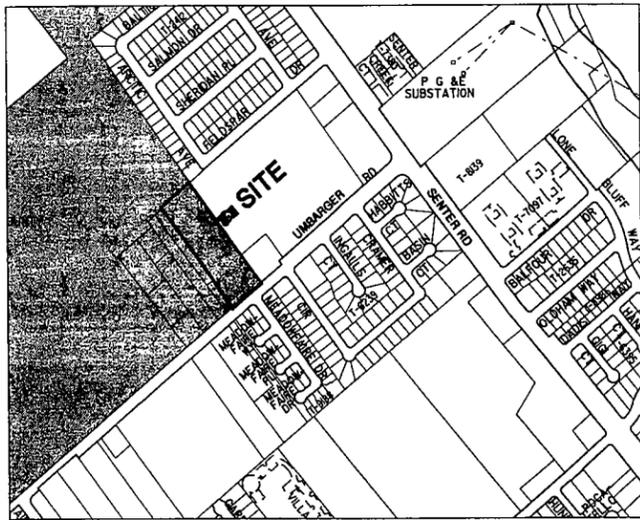
ALL EXISTING STRUCTURES AND PAVEMENTS WILL BE REMOVED PRIOR TO THE ISSUANCE OF A GRADING PERMIT.

IN COMPLIANCE WITH NPDES PERMIT REQUIREMENTS, THE PROJECT APPLICANT SHALL DEVELOP, IMPLEMENT AND MAINTAIN A STORM WATER POLLUTION PREVENTION PLAN TO CONTROL THE DISCHARGE OF STORM WATER POLLUTANTS INCLUDING SEDIMENTS ASSOCIATED WITH CONSTRUCTION ACTIVITIES, AND SHALL FILE A NOTICE OF INTENT WITH THE STATE WATER RESOURCES CONTROL BOARD.

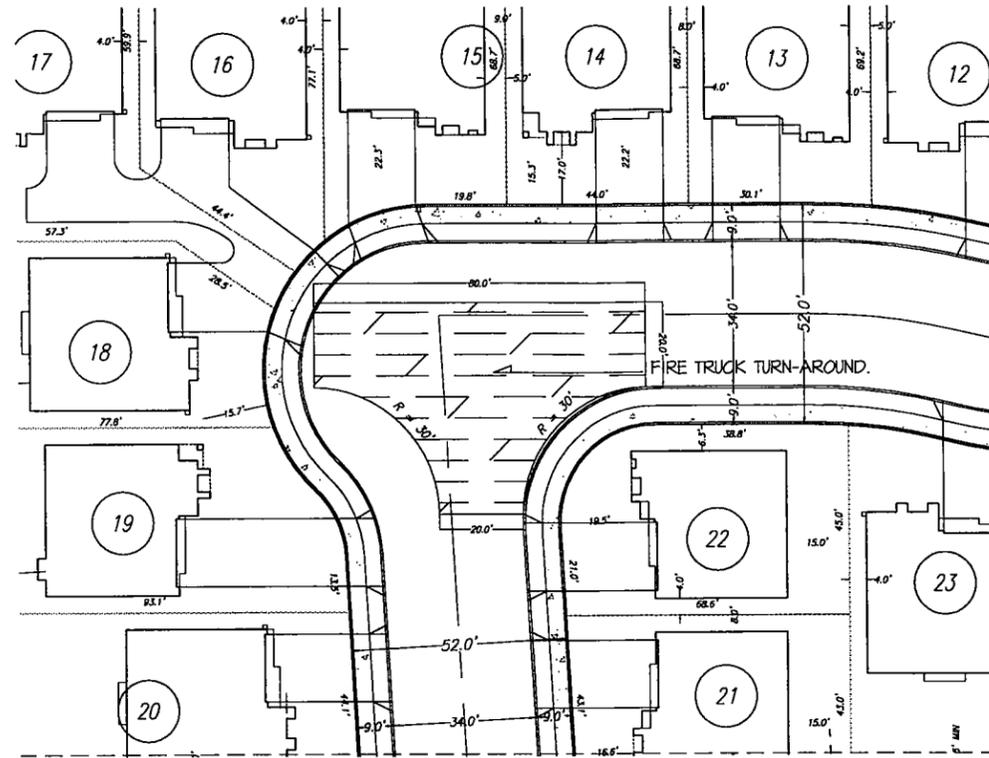
- PERIMETER SETBACKS: (IN FEET)**
- NORTH (FAIRGROUNDS)**
 LIVING AREA 5 SIDE-ON/20 REAR-ON
 PORCHES 5
- EAST (MOBILE HOMES/P.G. & E.)**
 LIVING AREA 5 SIDE-ON/15 REAR-ON
 PORCHES 5
- SOUTH (LUMBARGER RD)**
 LIVING AREA 20 FRONT-ON/15 SIDE-ON
 PORCHES 10
- WEST (TRUCKING CO/STORAGE YARD- FUTURE RESID'L)**
 LIVING AREA 4 SIDE-ON
 15 REAR-ON
 PORCHES 5
- DEVELOPMENT STANDARDS**
- MINIMUM LOT SIZE: 3000 SQ-FT
 PROPOSED NO. OF UNITS: 30 DU'S
 FRONT SETBACKS (IN FEET)
- LIVING AREA (1ST FLOOR) 6' @ BULB 15'
 PORCHES 6' @ BULB 15'
 LIVING AREA (2ND FLOOR) 15'
 LIVING AREA (2ND FLOOR AGGREGATE) 15'
 ATTACHED GARAGE (ENTRY/NON-ENTRY SIDE) 18/12
 * EXCEPT AT CURB RETURNS
- REAR SETBACKS (IN FEET)**
- LIVING AREA (1ST FLOOR) 15
 PORCHES 5
 LIVING AREA (2ND FLOOR) 15
 LIVING AREA (2ND FLOOR AGGREGATE) 15
- SIDE SETBACKS (IN FEET)**
- LIVING AREA (INTERIOR LOT) 4/8
 LIVING AREA CORNER LOT 6'
 * EXCEPT AT CURB RETURNS
- PRIVATE OPEN SPACE (SQUARE FEET) 650 MIN
 BUILDING HEIGHT (FEET/NO. OF STOREYS) 30/2
- PARKING REQUIREMENTS:**
 PARKING REQUIRED IS TWO SPACES PER UNIT, PLUS ONE ADDITIONAL OFF-LOT PARKING SPACE WITHIN 150 FEET OF EACH UNIT.
- MINOR ARCHITECTURAL PROJECTIONS**
 MINOR ARCHITECTURAL PROJECTIONS SUCH AS FIREPLACES AND BAY WINDOWS, MAY PROJECT INTO ANY SETBACK OR BUILDING SEPARATION BY UP TO 2 FEET FOR A LENGTH NOT TO EXCEED 10 FEET OR 20 PERCENT OF THE BUILDING ELEVATION LENGTH.
- FRONT YARD MAINTENANCE:**
 A LANDSCAPE MAINTENANCE DIST. (OR SIMILAR MECHANISM) SHALL BE ESTABLISHED TO MAINTAIN THE FRONT YARD LANDSCAPING AND BACK-UP LANDSCAPING WITHIN THE PROJECT.
- NOTE: ALL DEVELOPMENT STANDARDS ARE SUBJECT TO MODIFICATION PENDING APPROVAL OF DIRECTOR OF PLANNING.
- MODIFICATIONS WHICH CONFORM TO THESE SETBACKS WILL NOT REQUIRE APPROVAL OF THE DIRECTOR OF PLANNING.
- THE ARCHITECTURAL DESIGN OF THE HOUSES SHALL CONFORM TO THE STANDARDS OF THE RESIDENTIAL DESIGN GUIDELINES.



| | | | | |
|-----------------------------------------------------------------------------------------|------------------|----------|-------------------|-------------------|
| DATE | REVISIONS | SCALE | DRAWN BY | CHECKED BY |
| FEBRUARY 23, 2004 | REVISED LAYOUT | 1" = 30' | CLARENCE P. QUINN | CLARENCE P. QUINN |
| | GENERAL REVISION | | | |
| SUPERVISED BY LAND USE PLAN LANDS OF TLB PROPERTIES, LLC. SAN JOSE, CALIFORNIA | | | | |
| REGISTERED CIVIL ENGINEER NO. 14212 EXPRESS 322028 | | | | |
| JOB NO. 1668 | | | | |
| SHEET 2 OF | | | | |



LOCATION MAP

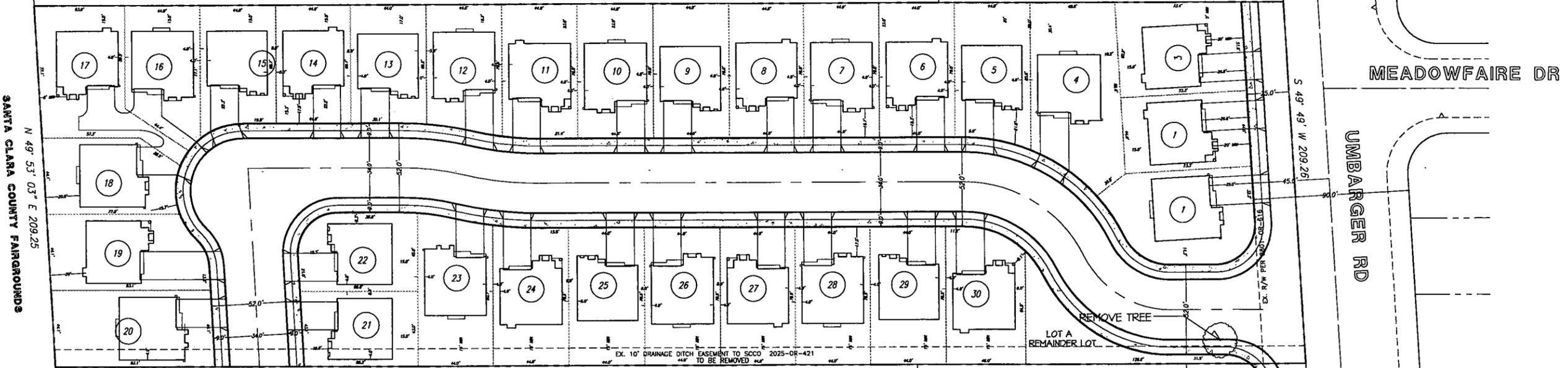


P/M 280 M PG 46

LANDS OF MARILYN KIRBY TRUST

LANDS OF MARILYN KIRBY TRUST
S 37° 03' E 728.03

PACIFIC GAS AND ELECTRIC
SUBSTATION



SANTA CLARA COUNTY FAIRGROUNDS
N 49° 53' 03" E 209.25

S 49° 49' W 209.26

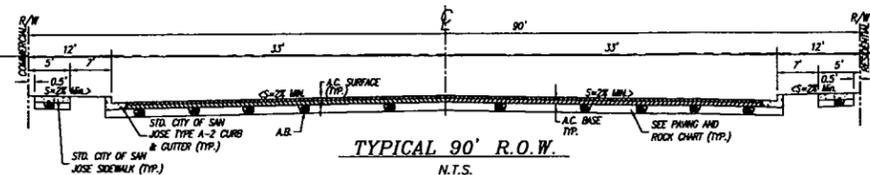
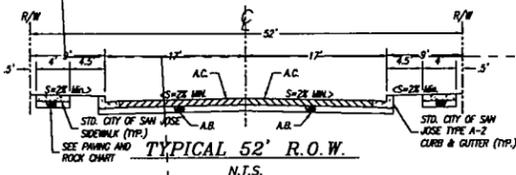
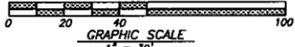
UMBARGER RD

MEADOWFAIRE DR

LANDS OF RODNEY/MARCI LAKE
STORAGE YARD

N 37° 03' W 727.77

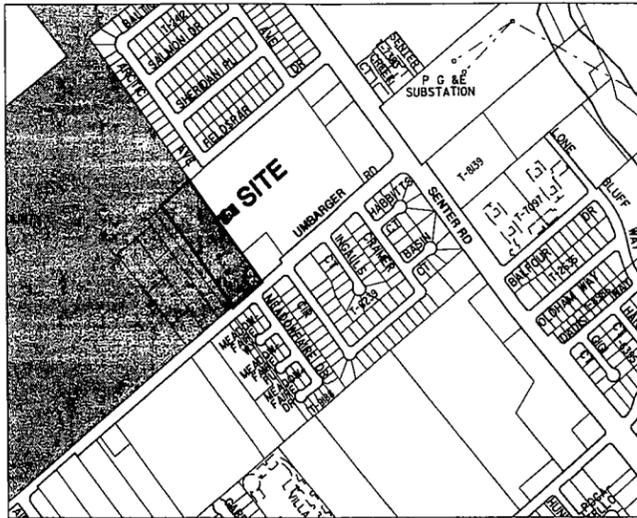
LANDS OF ARTHUR/TRINIDAD MARTINEZ
TRUCK REPAIR SHOP



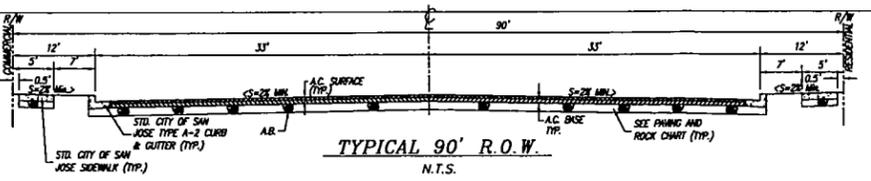
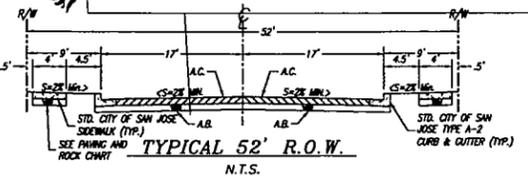
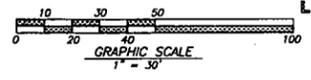
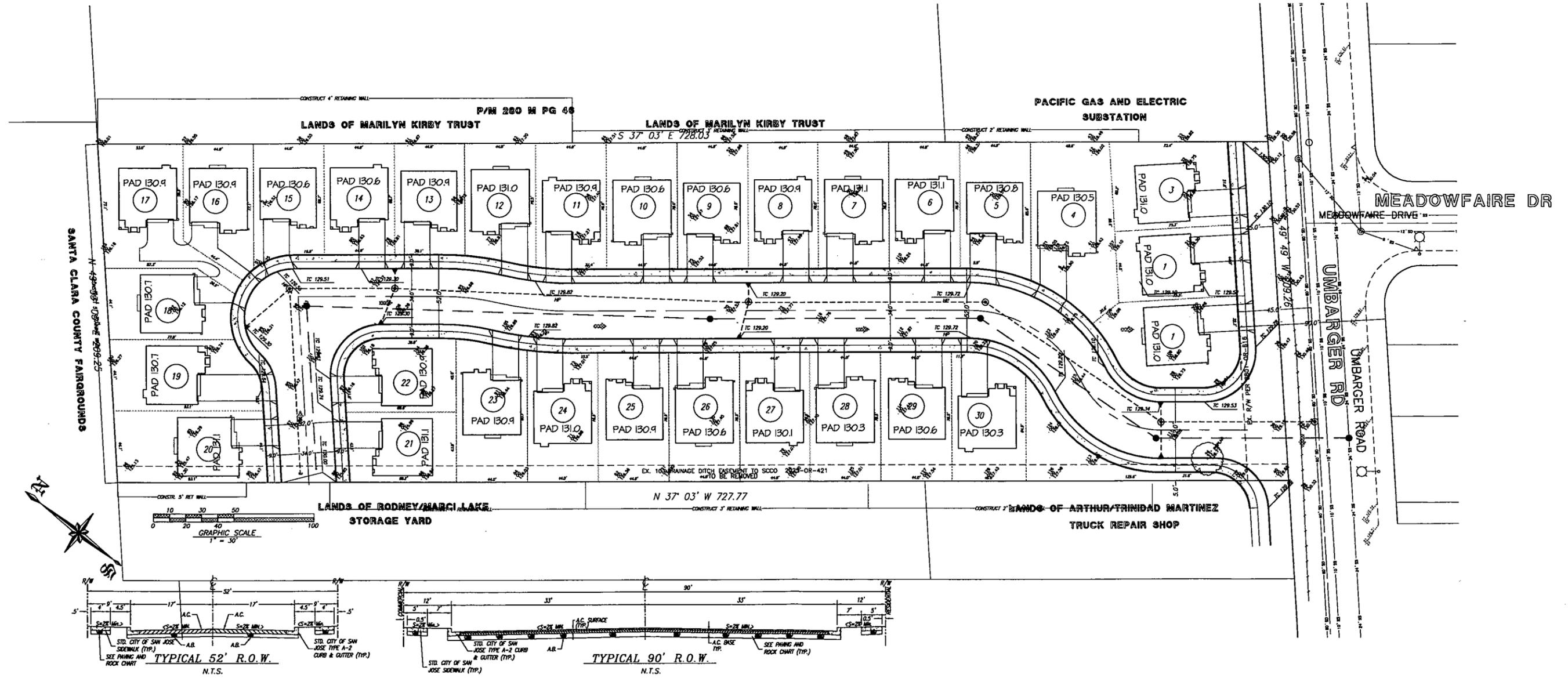
NOTE: HOUSE PLANS PLOTTED ARE SHOWN FOR SETBACK AND DRIVEWAY LOCATION PURPOSES ONLY. FINAL HOUSE MIX SHALL BE DETERMINED AT THE BUILDING PERMIT STAGE.

| | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| DATE | REVISIONS |
| 10/05/04 | GENERAL REVISION |
| 10/05/04 | REVISED LAYOUT |
| DATE | REVISIONS |
| FEBRUARY 23, 2004 | 1" = 30' |
| SCALE | DRAWN BY |
| 1" = 30' | lou |
| CHECKED BY | |
| | |
| Charles W. Davidson, Inc. A CALIFORNIA CORPORATION CONSULTING CIVIL ENGINEERS 255 W. JULIAN ST., #200 SAN JOSE, CA 95128-2468 TEL. (408) 255-3102 FAX (408) 255-1571 | |
| SUPERVISED BY REGISTERED CIVIL ENGINEER NO. 14212 BONNIE BULLOCK | |
| CONCEPTUAL SITE PLAN LANDS OF TLB PROPERTIES SAN JOSE, CALIFORNIA | |
| JOB NO. | 1688 |
| SHEET | 3 |
| OF | |

PDC 04-054

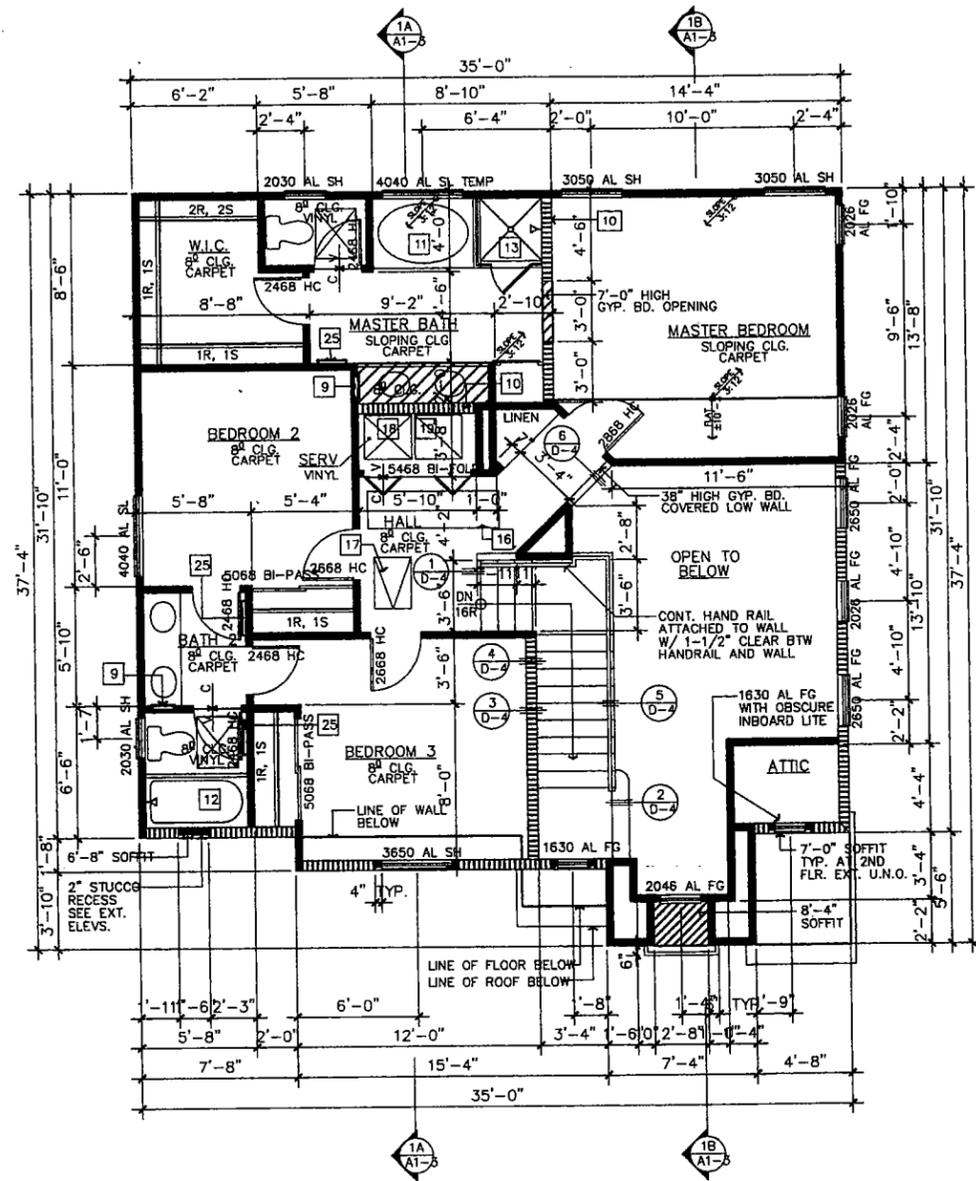


LOCATION MAP

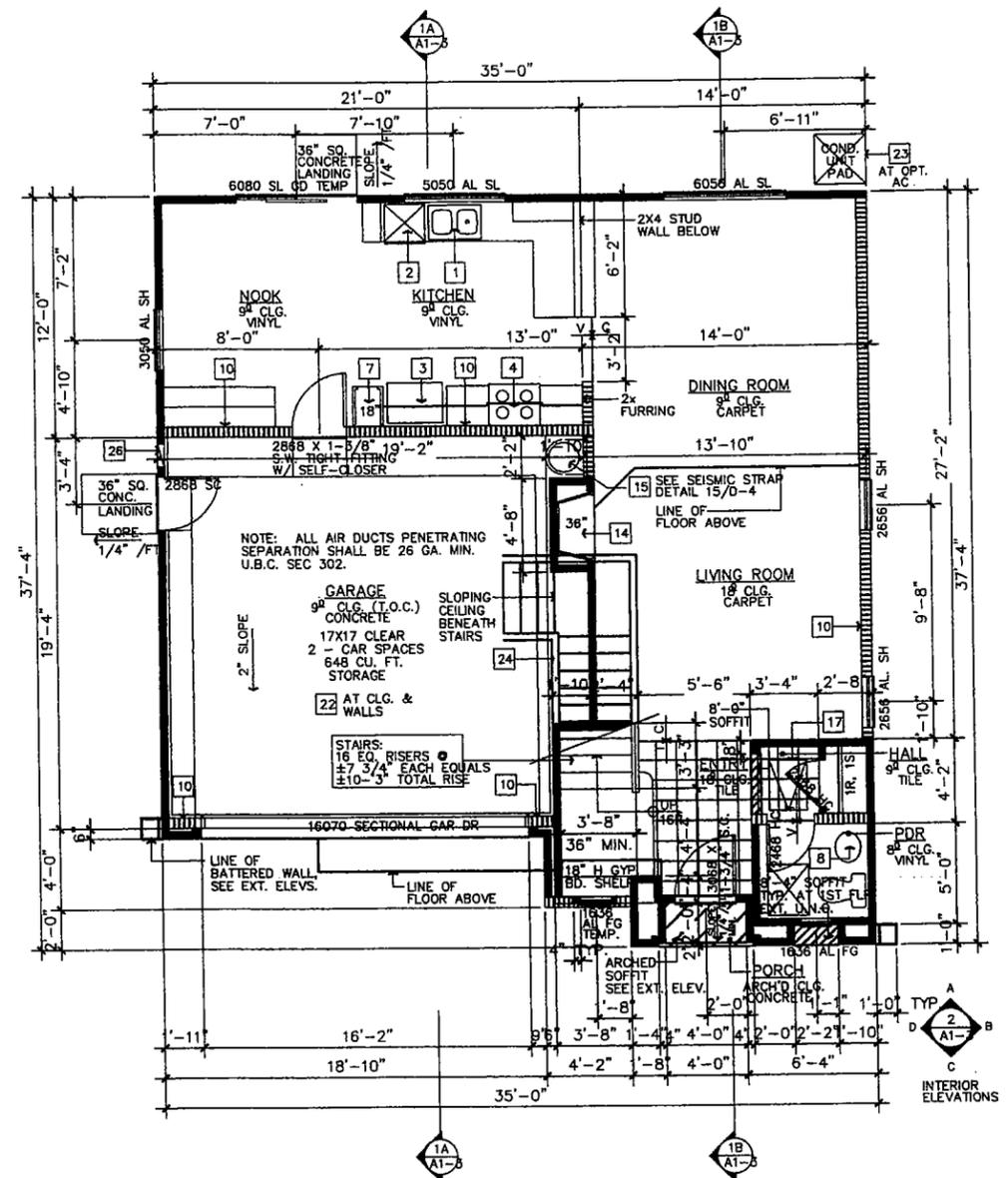


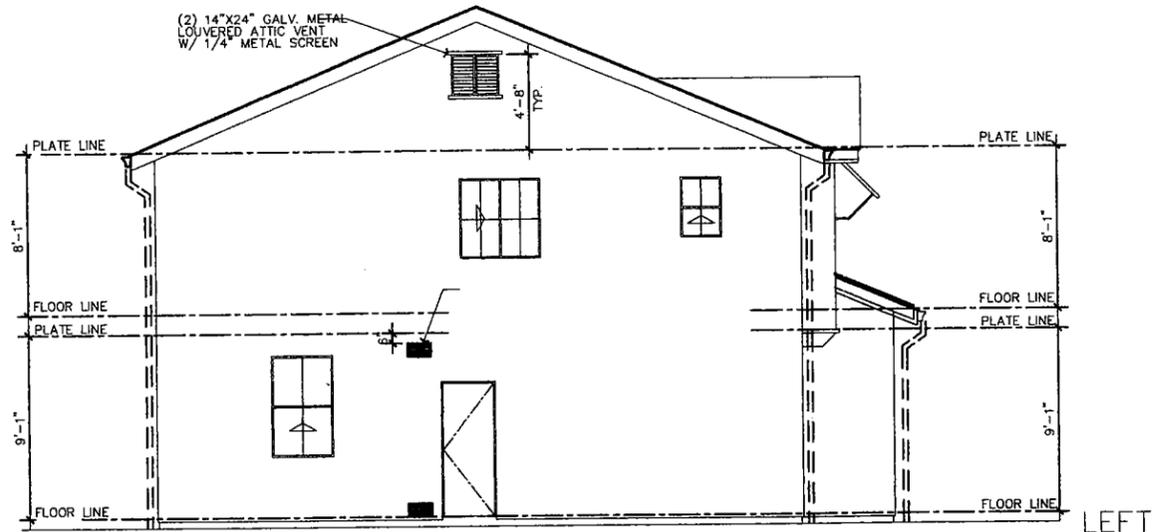
| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| DATE | REVISIONS |
| FEBRUARY 23, 2004 | GENERAL REVISION |
| SCALE | 1" = 30' |
| DRAWN BY | lou |
| CHECKED BY | |
| SUPERVISED BY Charles W. Davidson, Esq. A CALIFORNIA CORPORATION CONSULTING CIVIL ENGINEERS 255 N. JULIAN ST., #200 SAN JOSE, CA 95131-7106 TEL. (408) 253-2182 FAX (408) 253-1211 | |
| PROJECT NO. 1688 CONCEPTUAL GRADING AND DRAINAGE PLAN LANDS OF TLB PROPERTIES SAN JOSE, CALIFORNIA | |
| JOB NO. | 1688 |
| SHEET | 4 |
| OF | |

PDC 04-054

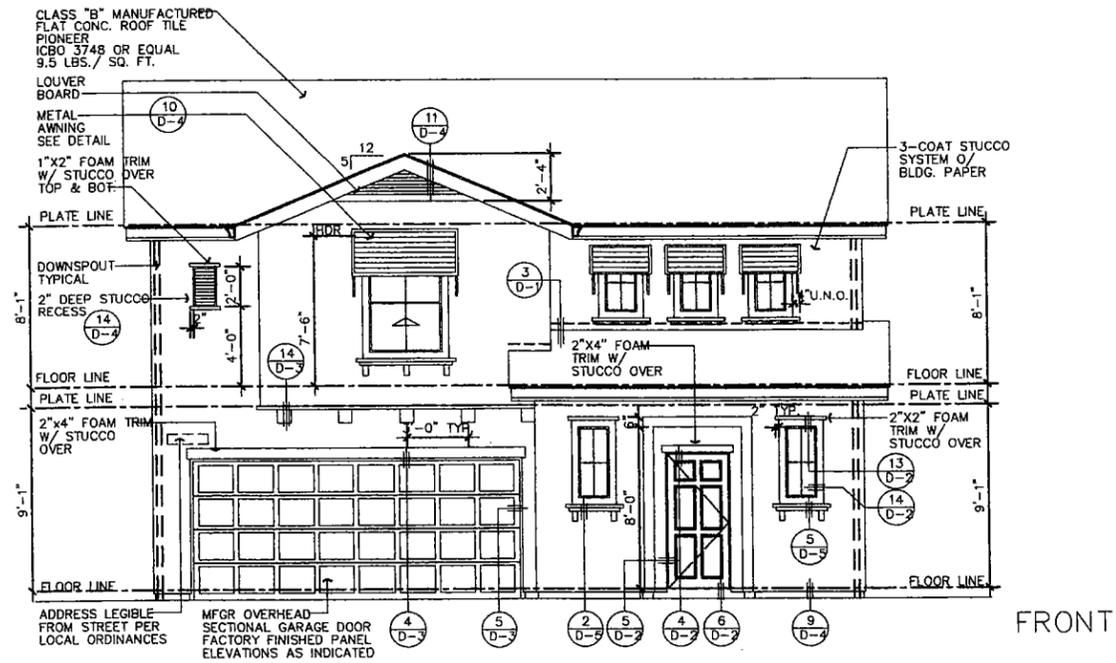


772 sf
 853 sf
 1625 sf
 391 sf





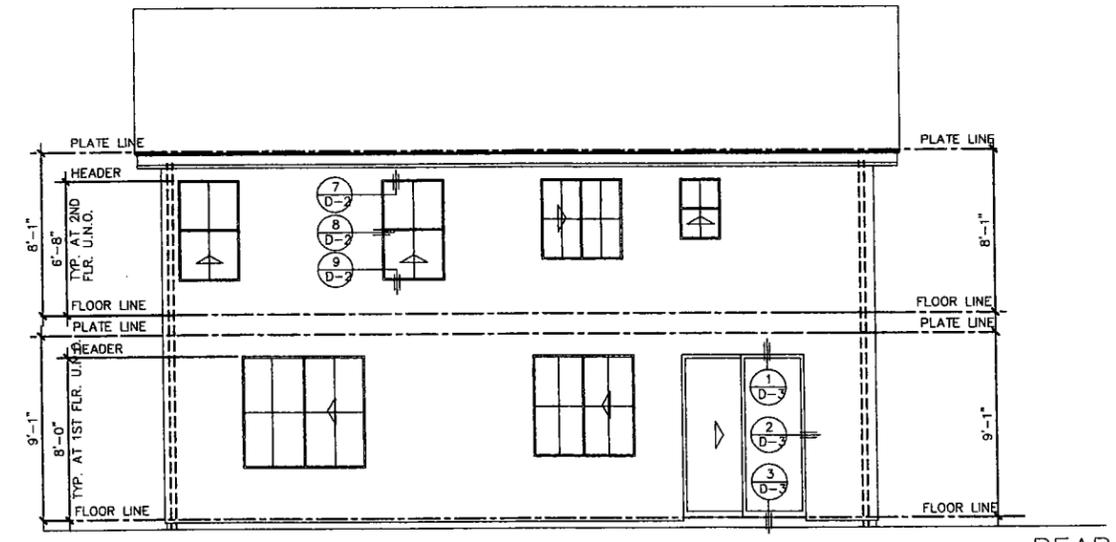
LEFT



FRONT

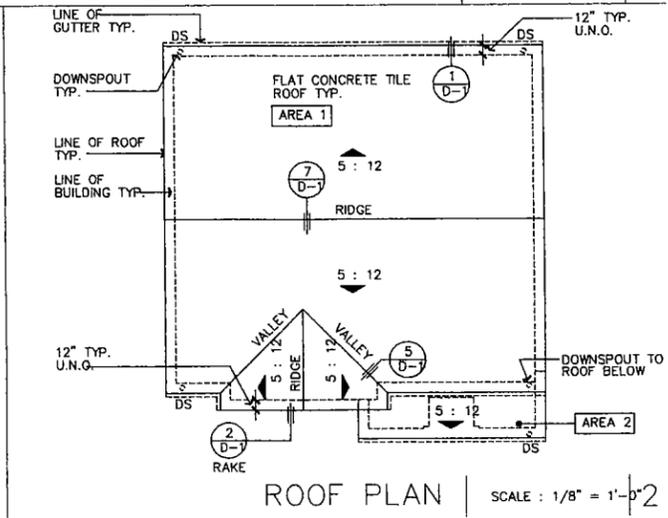


RIGHT



REAR

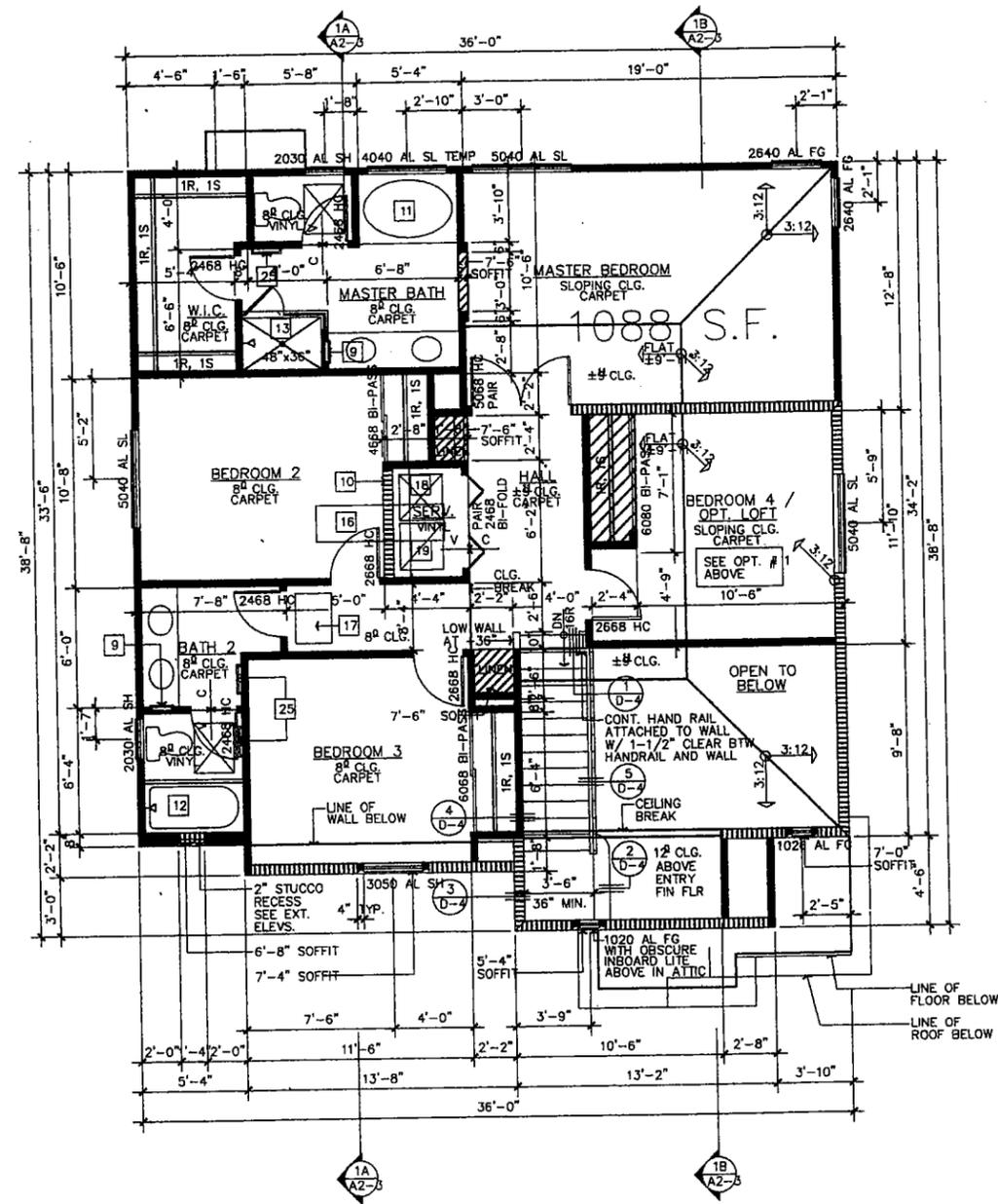
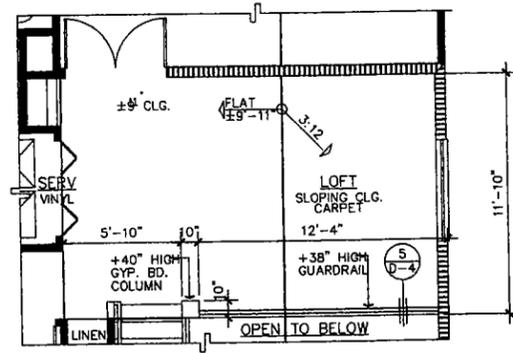
EXTERIOR ELEVATIONS SCALE : 1/4" = 1'-0"



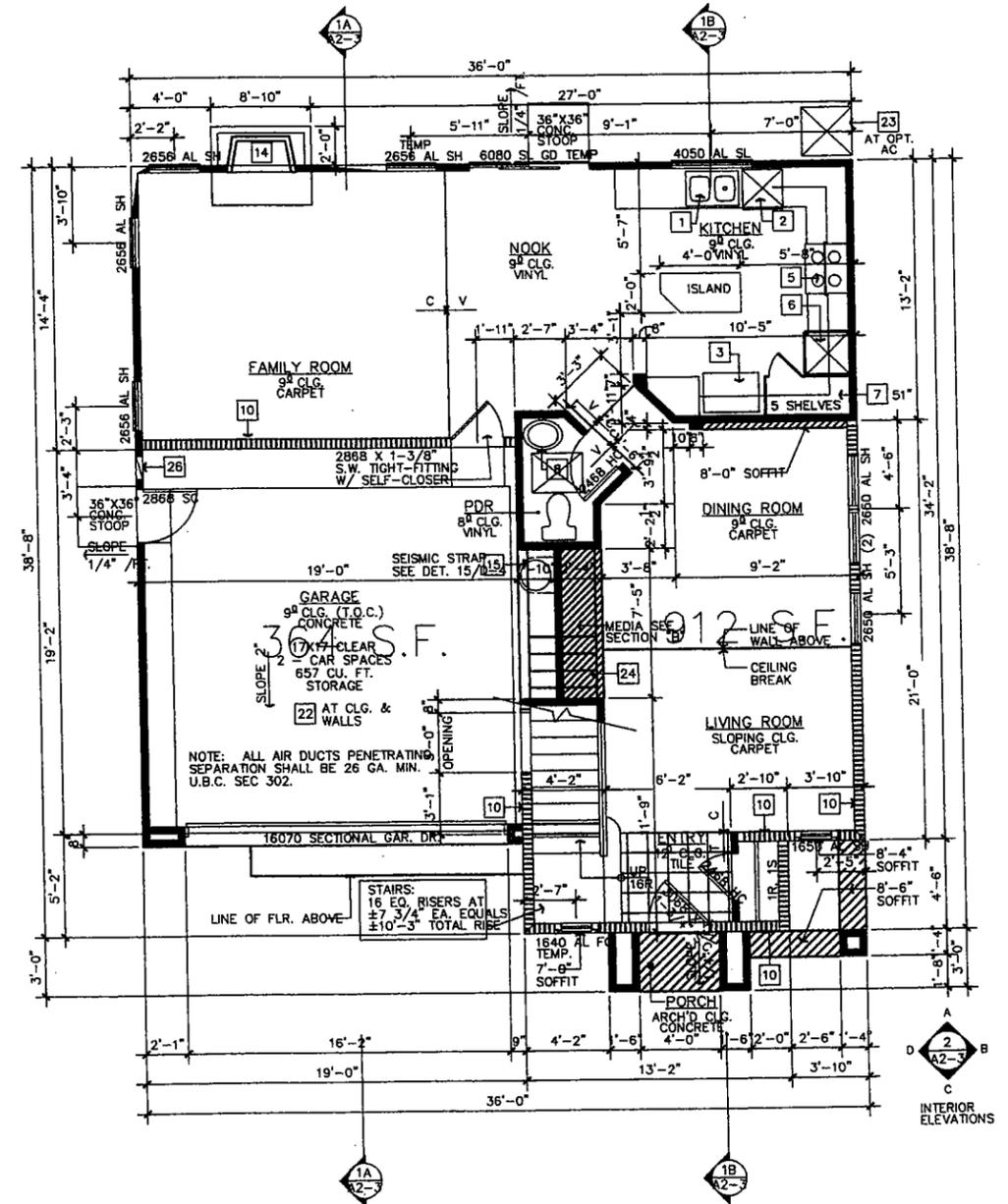
ROOF PLAN SCALE : 1/8" = 1'-0"

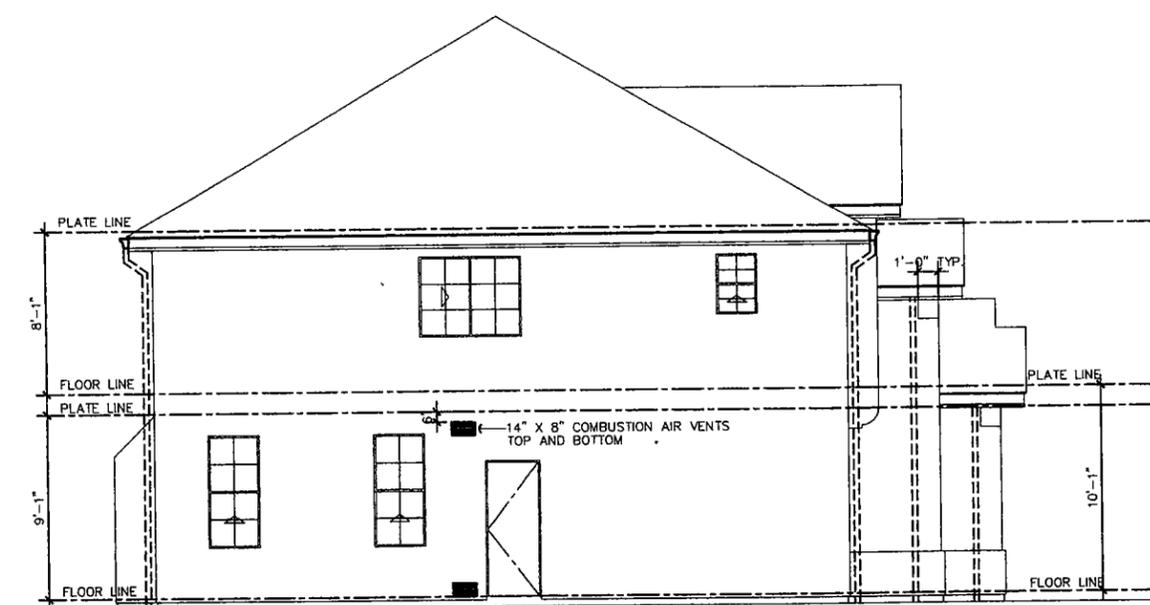
PLAN 1625 'B' EXTERIOR ELEVATIONS & ROOF PLAN

CADFILE: H:\KTCY\B080UNIO\B080DE1B.DWG
PLOT DATE:

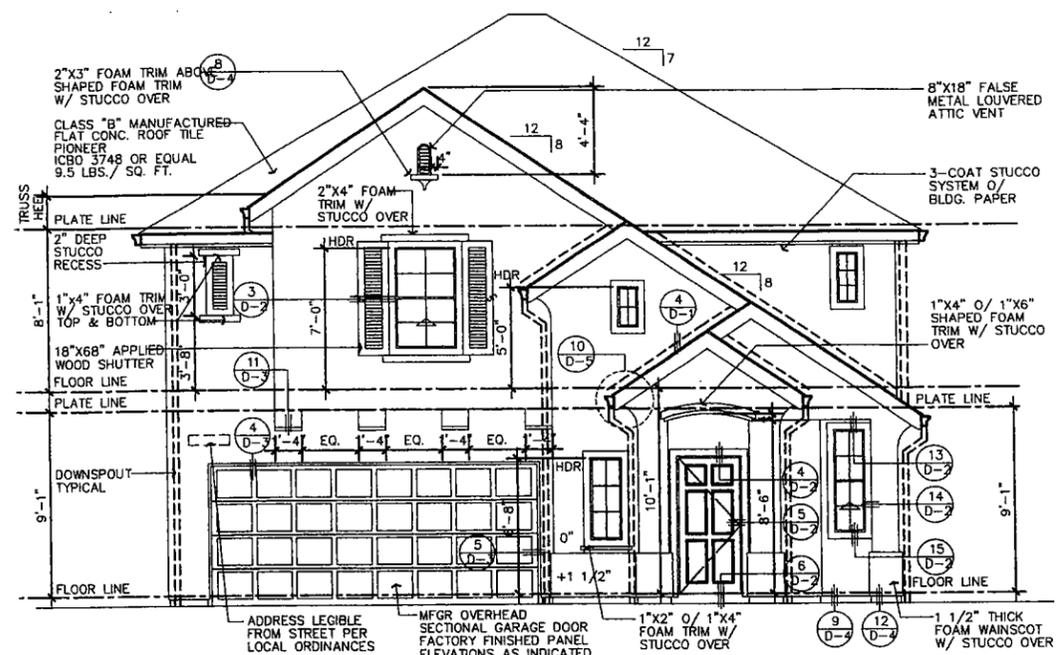


912 S.F.
 1088 S.F.
 2,000 S.F.
 364 S.F.

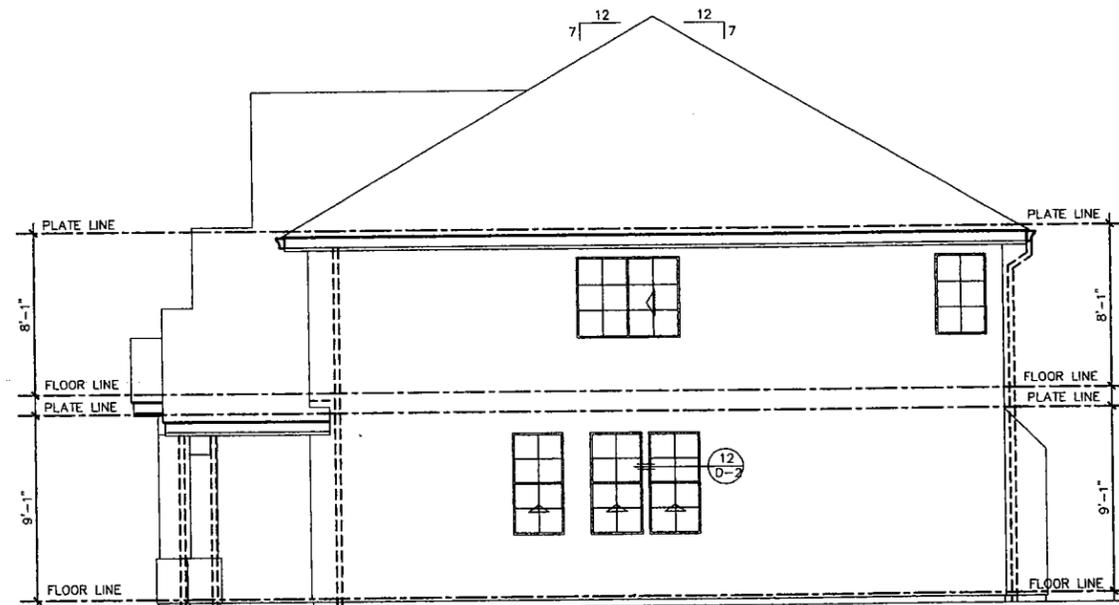




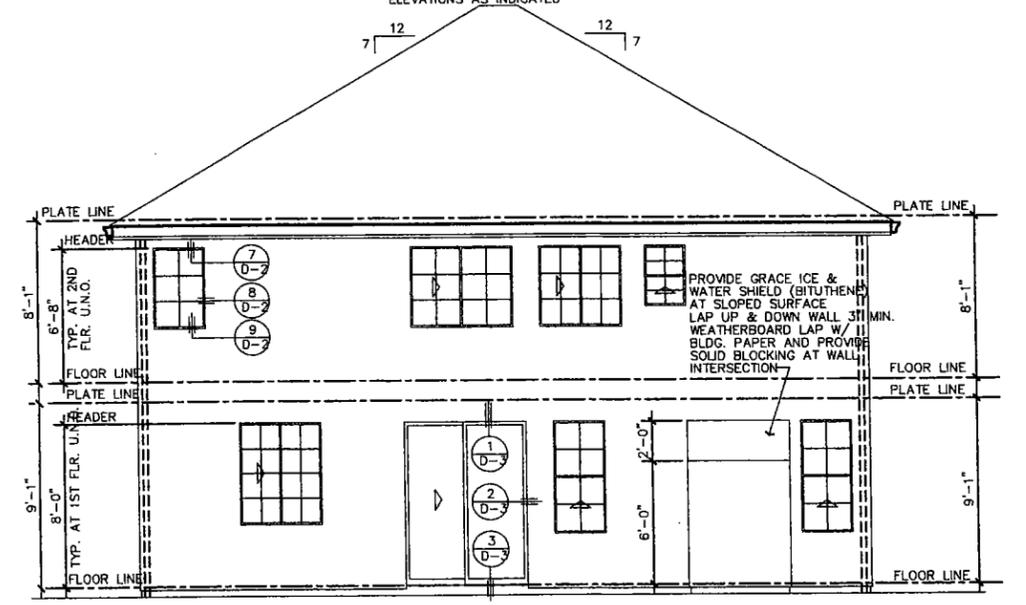
LEFT



FRONT

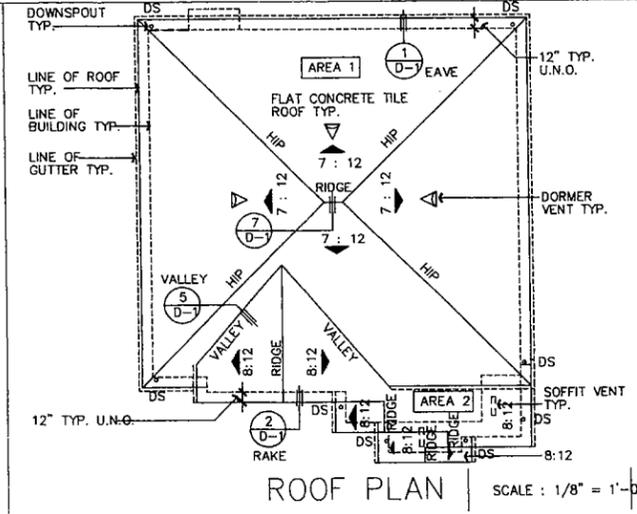


RIGHT



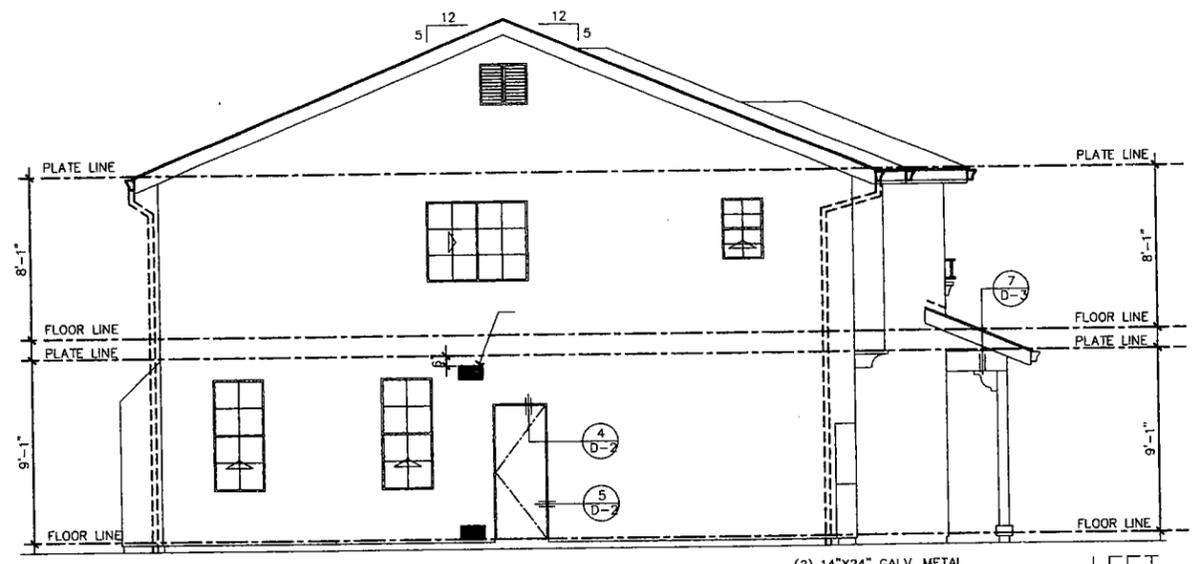
REAR

EXTERIOR ELEVATIONS SCALE: 1/4" = 1'-0"

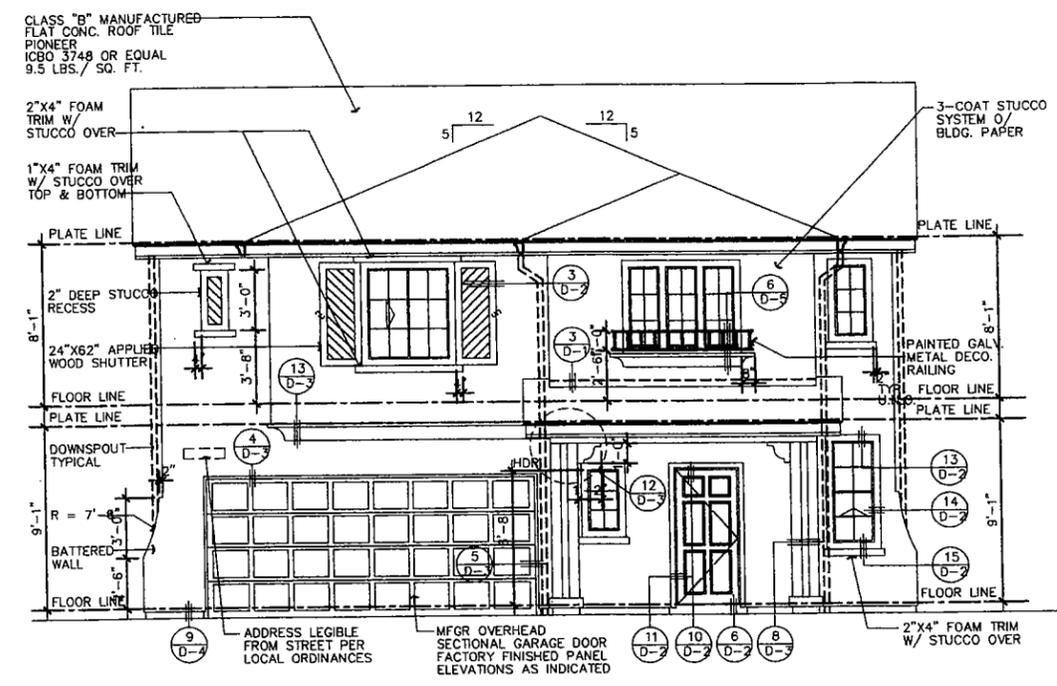


ROOF PLAN SCALE: 1/8" = 1'-0"

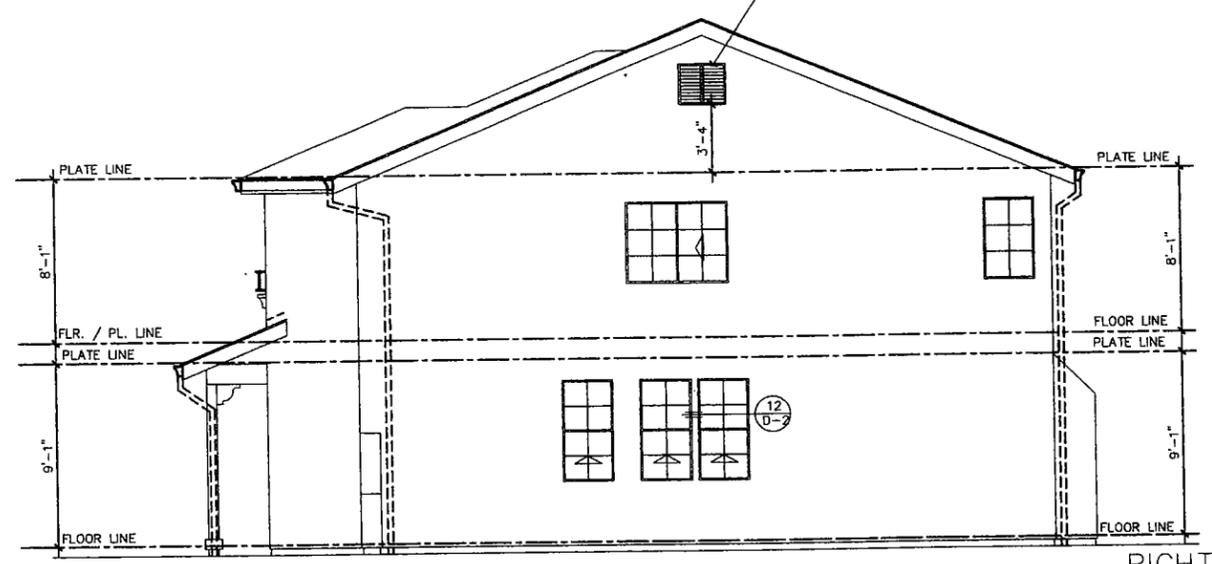
PLAN 2000
'A' EXTERIOR
ELEVATIONS &
ROOF PLAN



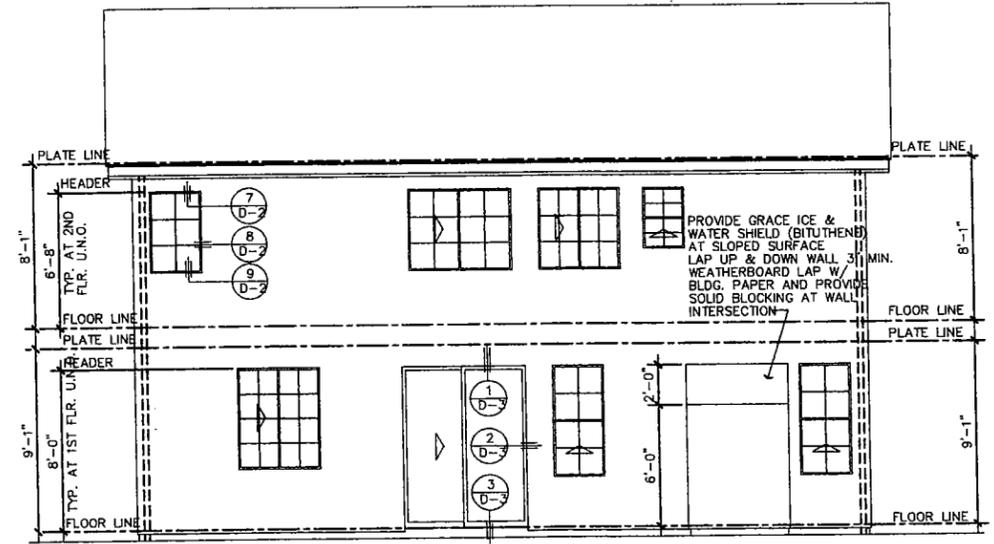
LEFT



FRONT

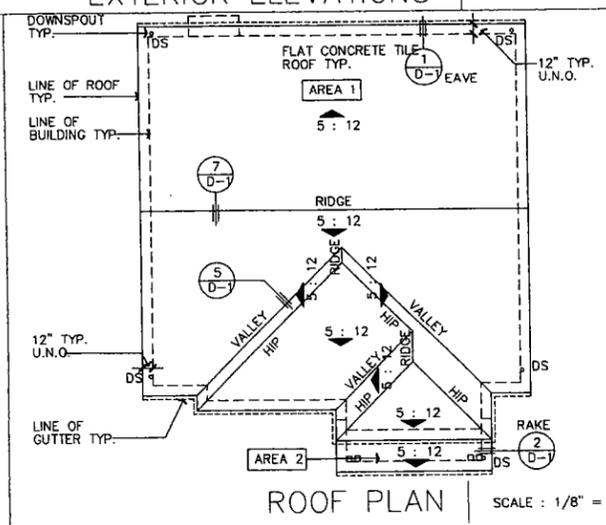


RIGHT



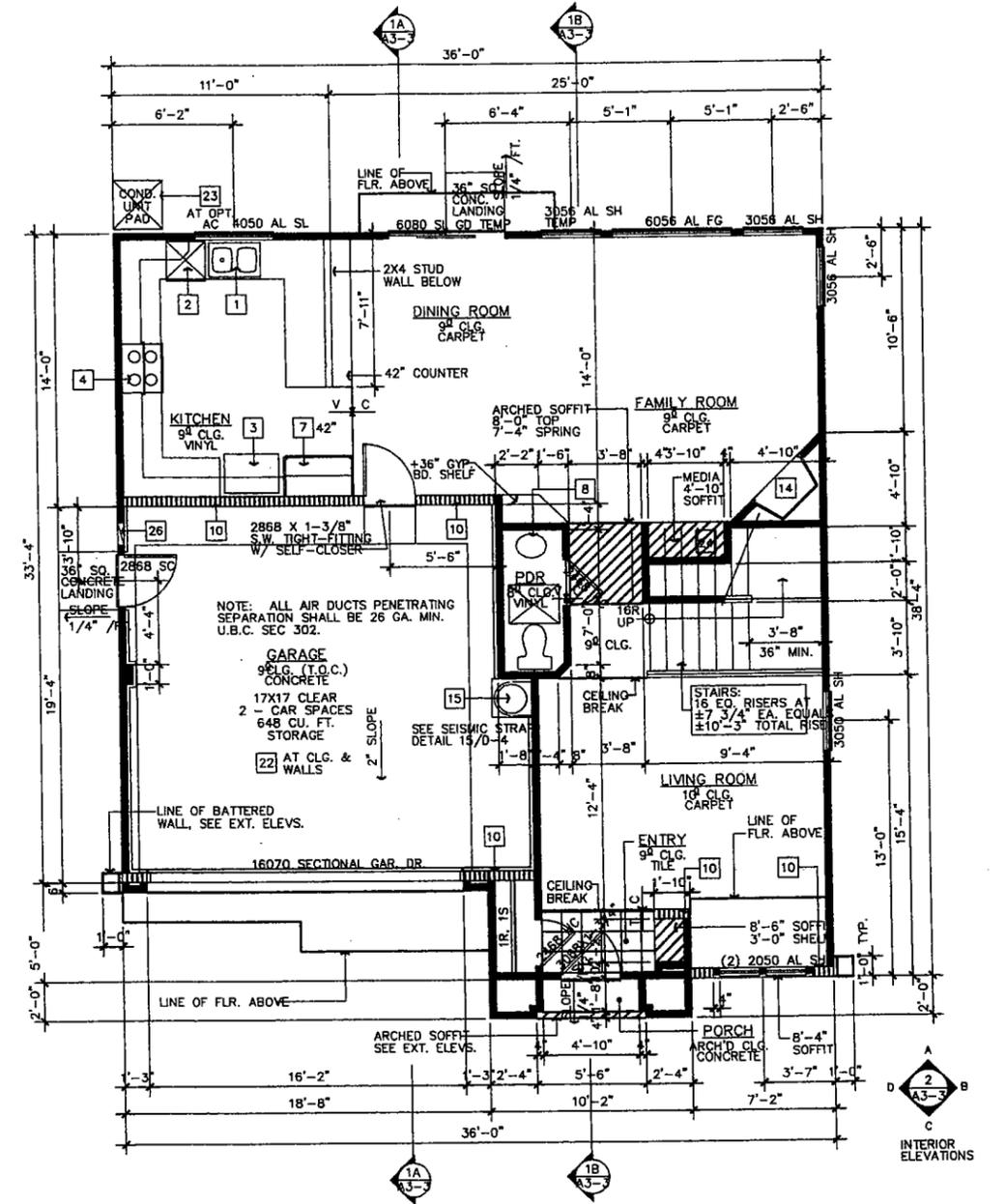
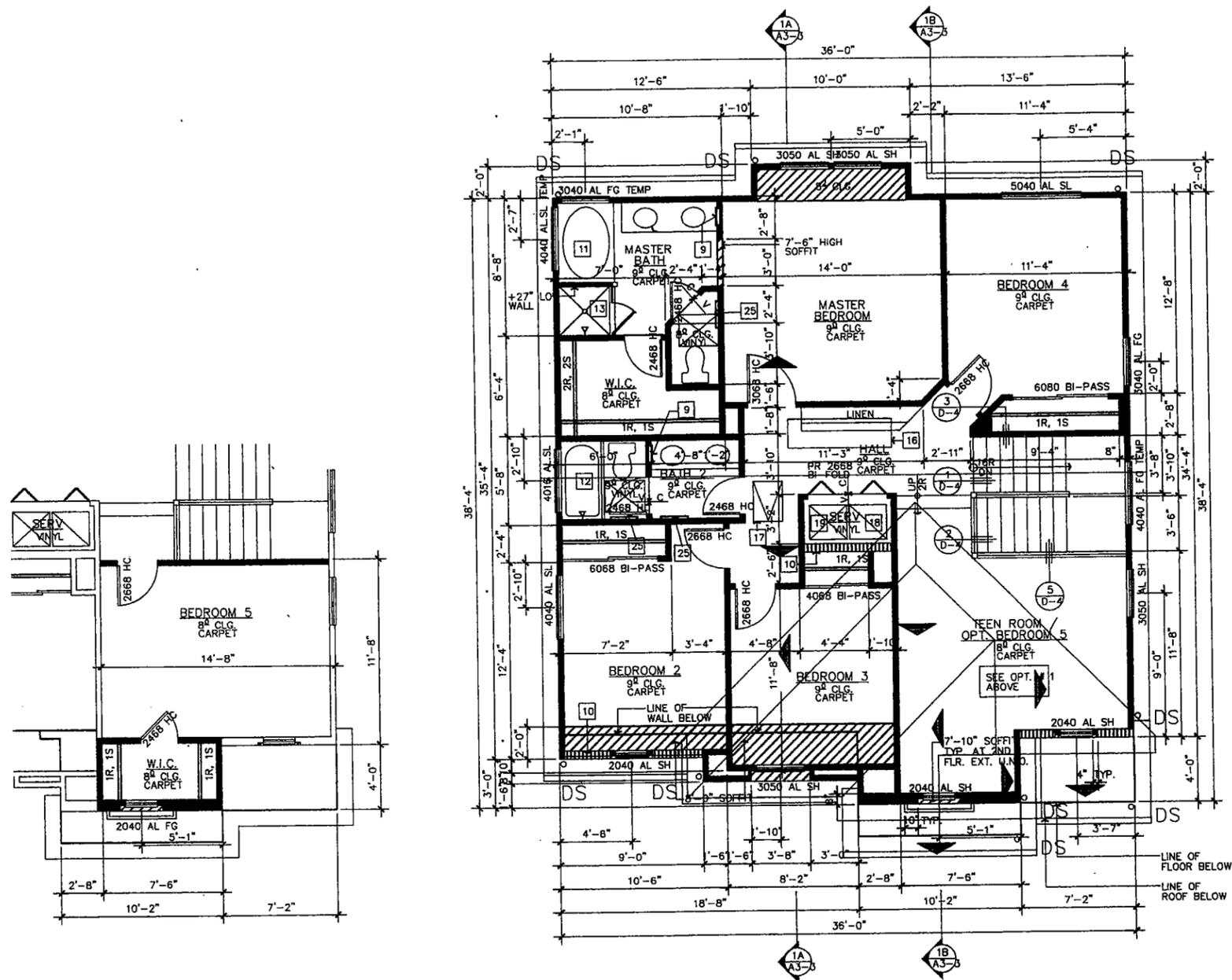
REAR

EXTERIOR ELEVATIONS SCALE: 1/4" = 1'-0"

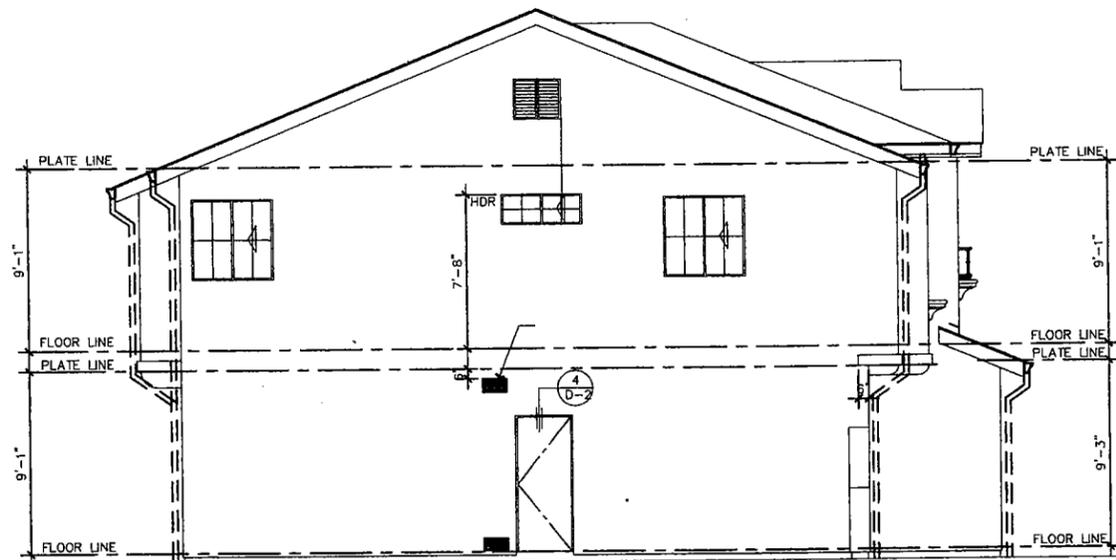


ROOF PLAN SCALE: 1/8" = 1'-0"

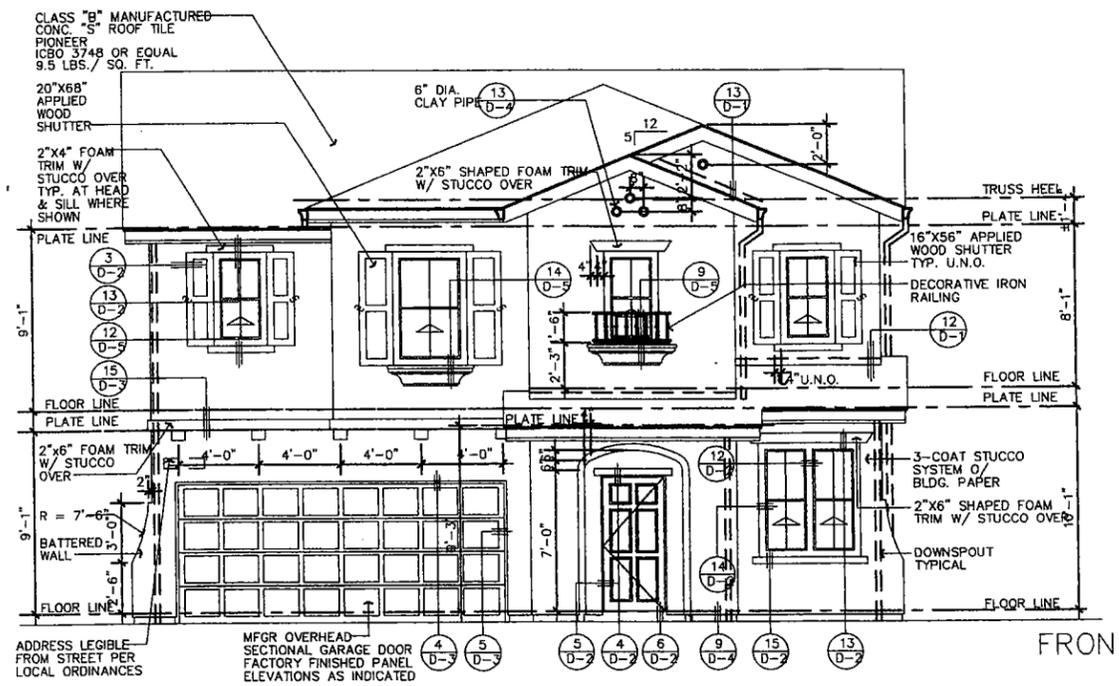
PLAN 2000 'B' EXTERIOR ELEVATIONS & ROOF PLAN



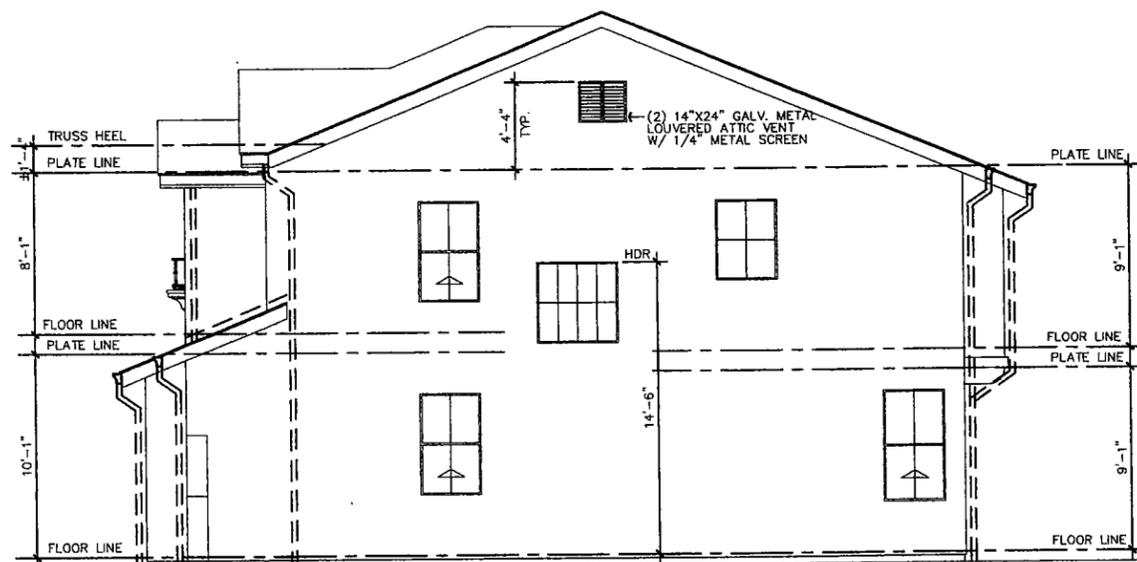
first floor 897 sf
 second floor 1242 sf
 total 2139 sf
 garage 390 sf



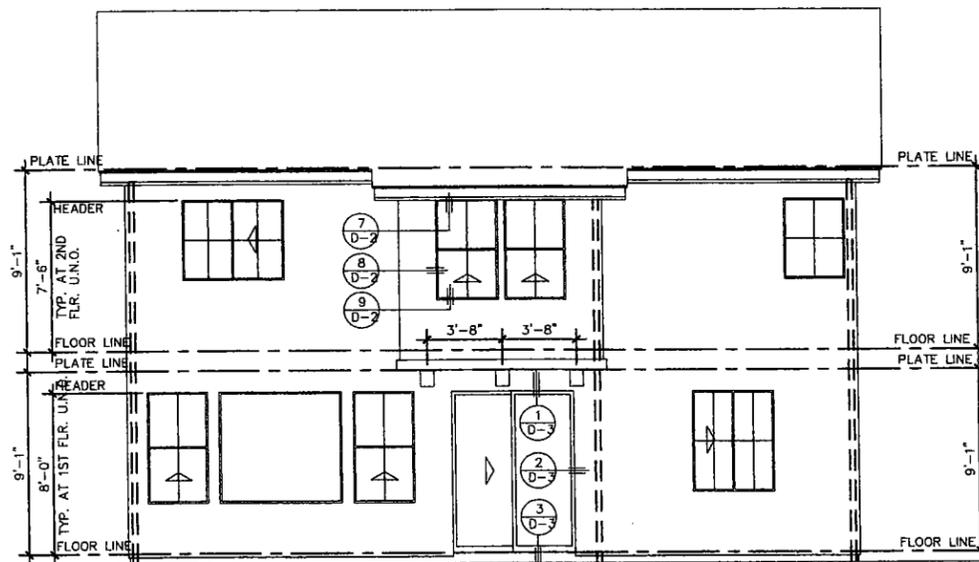
LEFT



FRONT

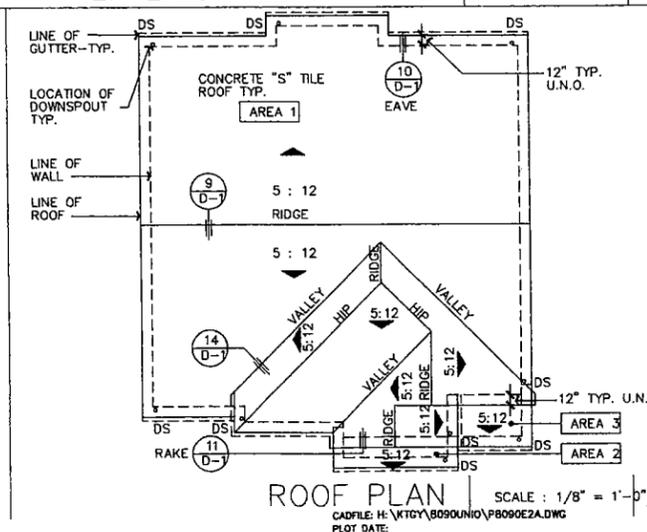


RIGHT



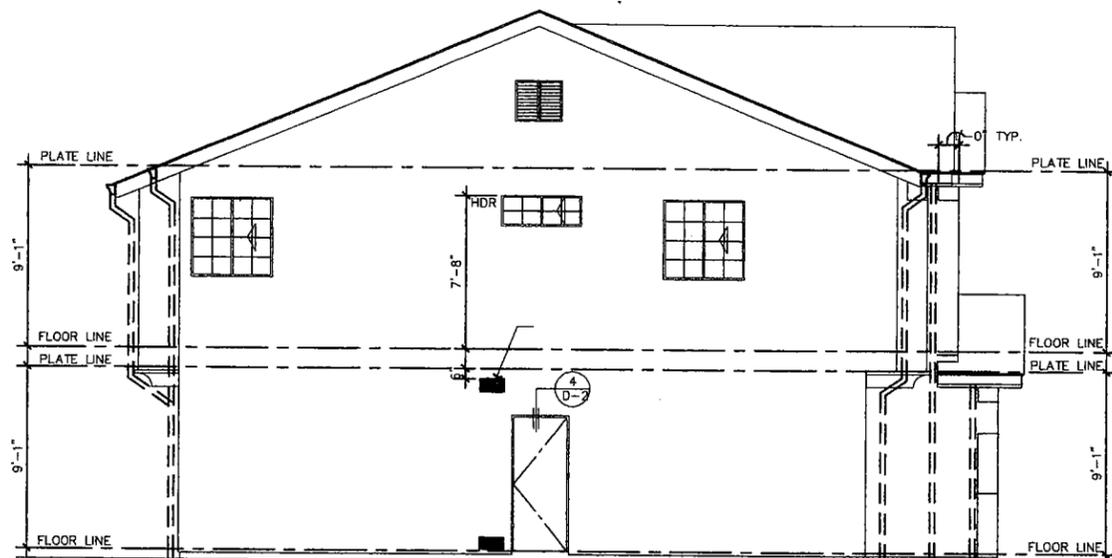
REAR

EXTERIOR ELEVATIONS SCALE: 1/4" = 1'-0"

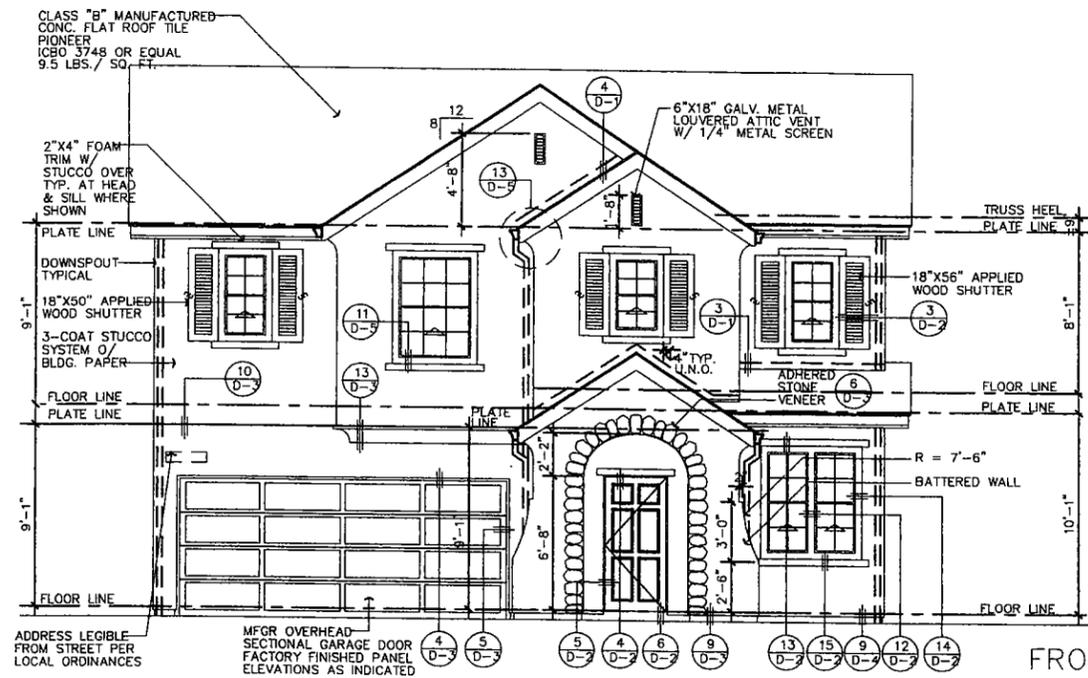


ROOF PLAN SCALE: 1/8" = 1'-0"

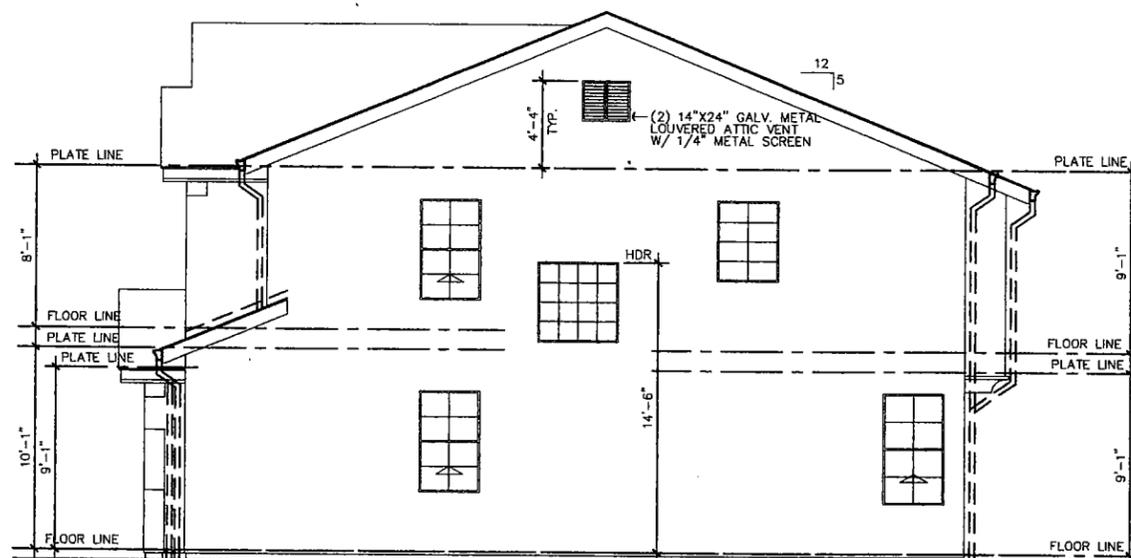
PLAN 2139
'A' EXTERIOR
ELEVATIONS &
ROOF PLAN



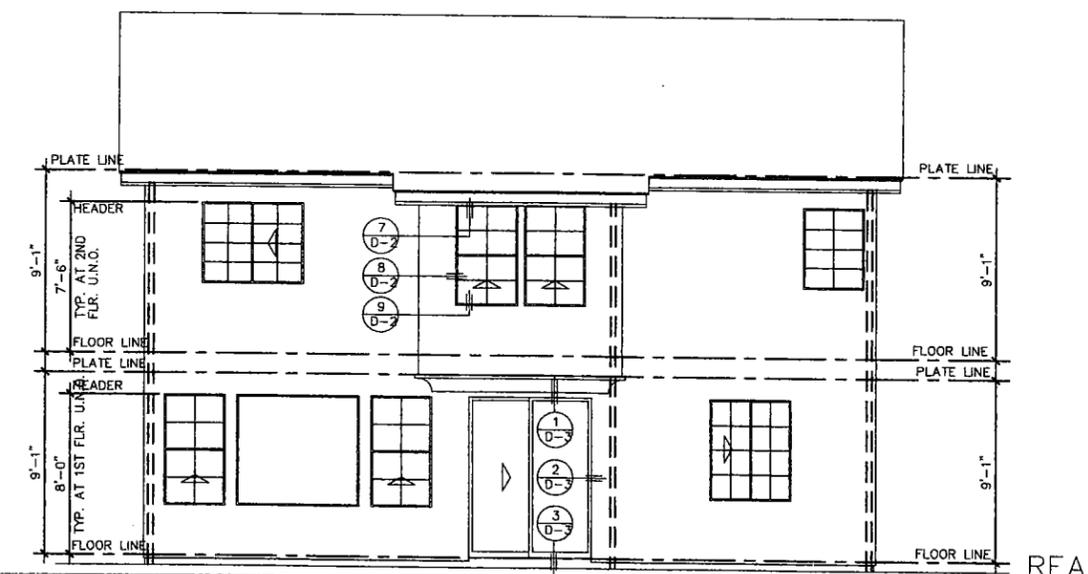
LEFT



FRONT



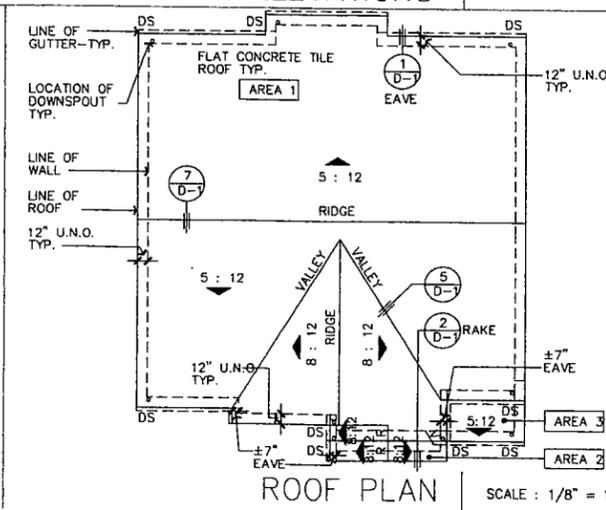
RIGHT



REAR

EXTERIOR ELEVATIONS

SCALE : 1/4" = 1'-0"

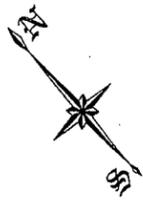


ROOF PLAN

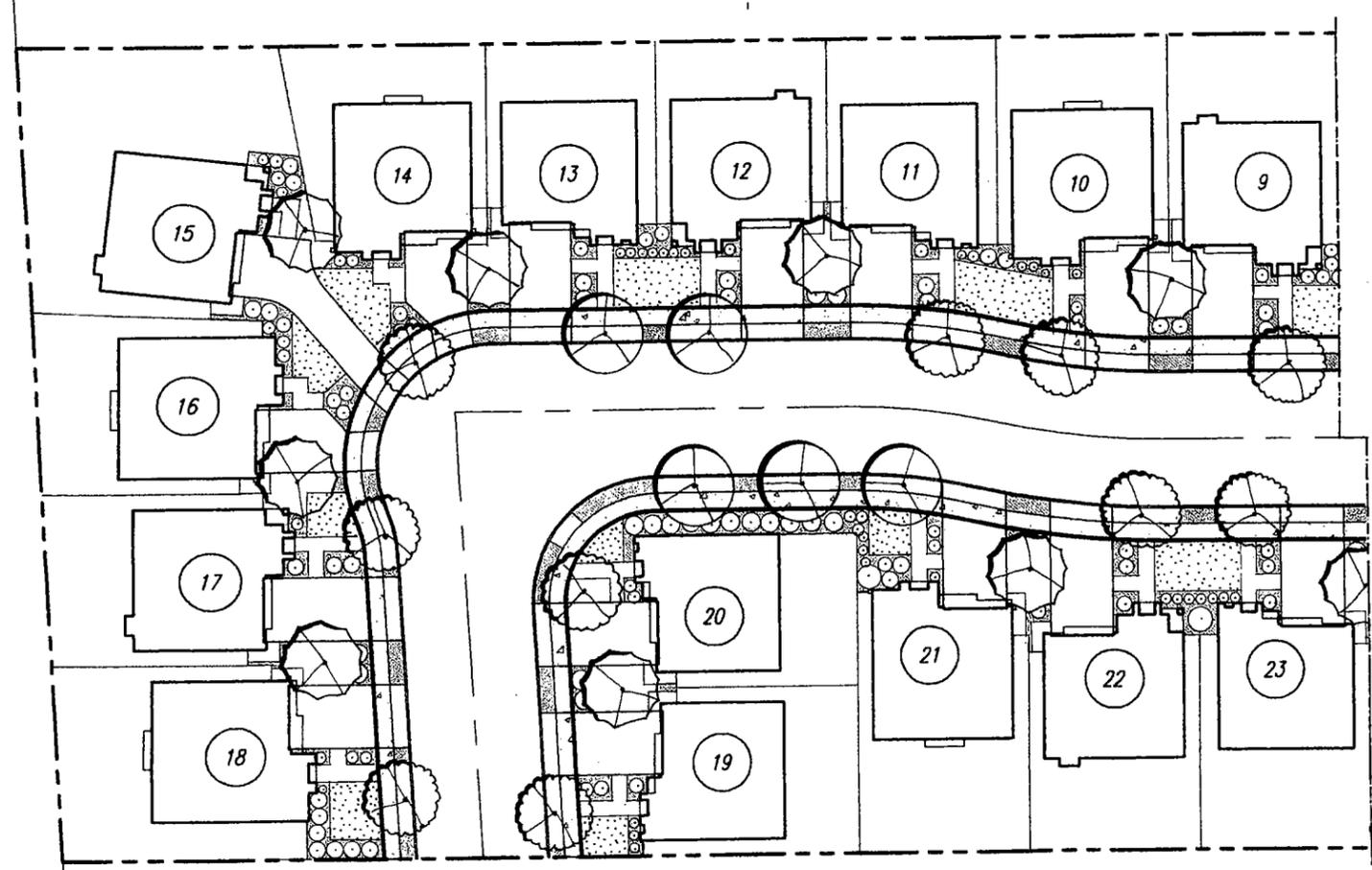
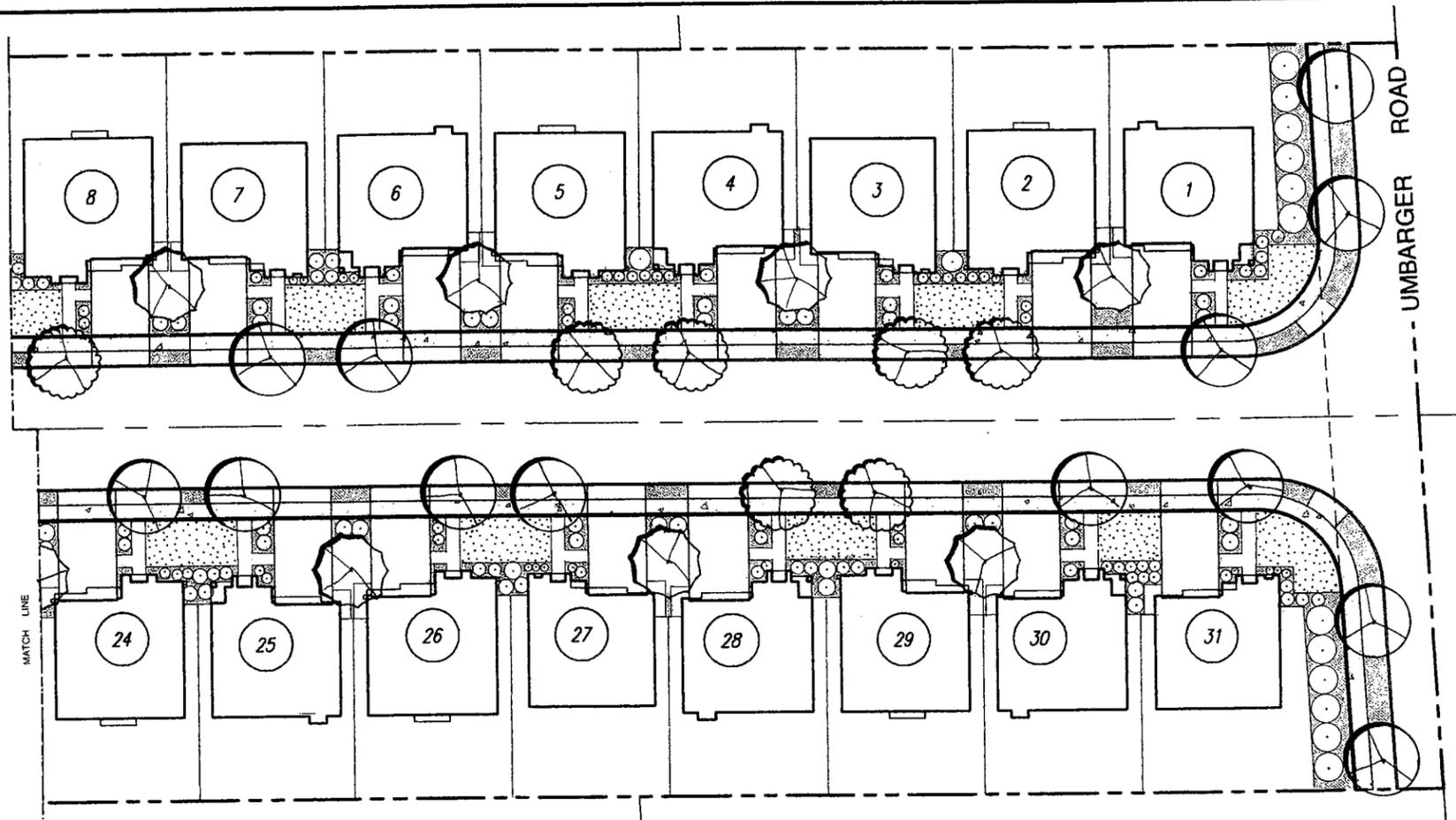
SCALE : 1/8" = 1'-0"

CADFILE: H:\KTGY\8090UNIO\P8080E2C.DWG
PLOT DATE:

PLAN 2139
'B' EXTERIOR
ELEVATIONS &
ROOF PLAN



SCALE: 1"=20'-0"



GENERALIZED PLANT MATERIAL LIST

- 
 STREET TREE DECIDUOUS CANOPY 20 FEET TALL 15 GAL. SIZE
 LAGERSTROEMIA F. 'NATCHEZ' WHITE CRAPE MYRTLE
- 
 STREET TREE DECIDUOUS CANOPY 20 FEET TALL 15 GAL. SIZE
 LAGERSTROEMIA F. 'MUSKOGEE' LAVENDER CRAPE MYRTLE
- 
 EVERGREEN TREE 30 FEET TALL 15 GAL. SIZE
 MAYTENUS BOARIA MAYTEN TREE
 ERICOTRYA DERLEKA LOQUAT TREE
- 
 EVERGREEN SHRUBS 5 GALLON SIZE
 RAPHOLEPIS ENCHANTRESS HAWTHORNE
 PITTOSPORUM TOBIRA PITTOSPORUM
 ESCALLONIA FRADESI ESCALLONIA
 COPROSMIA KIRKI COPROSMIA
 CAMELLIA SASANGUA CAMELLIA
 NANDINA DOMESTICA NANDINA
 XYLOSMA SENTICOSA XYLOSMA
 MAHONIA AQUIFOLIUM MAHONIA
 LIGUSTRUM TEXANUM TEXAS PRIVET
- 
 EVERGREEN GROUND COVER 1 FOOT TALL FLAT STOCK
 FRAGARIA CHILOENSIS STRAWBERRY
- 
 SOD LAWN
 BONSAI DWARF FESCUE

| REVISIONS | BY |
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Danielson
Land Planners
& Associates
Landscape Architects

**PRELIMINARY LANDSCAPE PLAN
FOR FRONT YARD AREAS**

LANDS OF TLB PROPERTIES

| | |
|-----------|----------|
| DATE | |
| SCALE | |
| DRAWN | |
| JOB | |
| SHEET | 6 |
| OF SHEETS | |

PDC 04-054

2/11/2004 10:00 AM C:\PROJECTS\104\104.DWG
 PLOT DRAFTING FORM NO. 10-01