



CITY COUNCIL STAFF REPORT

File No.	C16-041 and H16-032
Applicant:	Jerry Kwok
Location	1090 South De Anza Boulevard
Existing Zoning	CP(PD) Planned Development
Council District	1
Historic Resource	No
Annexation Date:	October 15, 1956
CEQA:	Mitigated Negative Declaration for the 1090 S. De Anza Boulevard Hotel Project

APPLICATION SUMMARY:

File No. C16-041: Conforming Rezoning from the CP(PD) Planned Development Zoning District to the CP Commercial Pedestrian Zoning District on an approximately 0.61-gross acre site.

File No. H16-032: Site Development Permit to allow the demolition of a gas station building and fueling dispensers, accessory structures, removal of six ordinance-size trees, and construction of a four-story, 90-room hotel with one level of underground parking and the utilization of Transportation Demand Management (TDM) measures to reduce the parking requirements by 50 percent on a 0.61-gross acre site.

RECOMMENDATION:

Staff recommends that the City Council:

1. Adopt a resolution approving the 1090 South De Anza Boulevard Hotel Project Mitigated Negative Declaration, for which an Initial Study was prepared, in accordance with the California Environmental Quality Act, as amended (CEQA), and adopting a related Mitigation Monitoring and Reporting Plan;
2. Adopt an Ordinance of the City of San José rezoning certain real property of an approximately 0.61 gross acre site located at the northeast corner of S. De Anza Boulevard and Via Vico (1090 S. De Anza Boulevard) from the CP(PD) Planned Development Zoning District to the CP Commercial Pedestrian Zoning District;
3. Adopt a resolution approving the Site Development Permit, subject to conditions, to allow the demolition of a gas station and accessory structures and the removal of six ordinance-size trees, and to allow the construction of a 4-story, 90-room hotel with one level of underground parking in an alternative parking design on a 0.61 gross acre site.

PROJECT DATA

GENERAL PLAN CONSISTENCY			
General Plan Designation		Neighborhood/Community Commercial, S. De Anza Boulevard Urban Village (Horizon 3) <input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent	
Consistent Policies		Goal LU-4, LU-4.1, LU-4.3 FS-3.3 Goal CD-7, CD-7.1, IP-1.1, IP-8.2, IP-1.6	
SURROUNDING USES			
	General Plan Land Use	Zoning	Existing Use
North	Neighborhood/Community Commercial	CP Commercial Pedestrian	commercial retail
South	Neighborhood/Community Commercial	CP Commercial Pedestrian, R-M(PD) Planned Development	commercial retail/ townhomes (southeast)
East	Neighborhood/Community Commercial	CP Commercial Pedestrian, A(PD) Planned Development	commercial shopping center / multi-family residential
West	Neighborhood/Community Commercial	CP Commercial Pedestrian	commercial retail

PROJECT DESCRIPTION

On September 7, 2016, the applicant filed: (1) a Conforming Rezoning to rezone a 0.61-gross acre site from the CP(PD) Planned Development Zoning District to the CP Commercial Pedestrian Zoning District, and (2) a Site Development Permit application to allow removal of six ordinance-size trees, the demolition of a gas station building, car wash and fueling dispensers and canopy, and the construction of a 4-story, 90-room hotel with one level of underground parking.

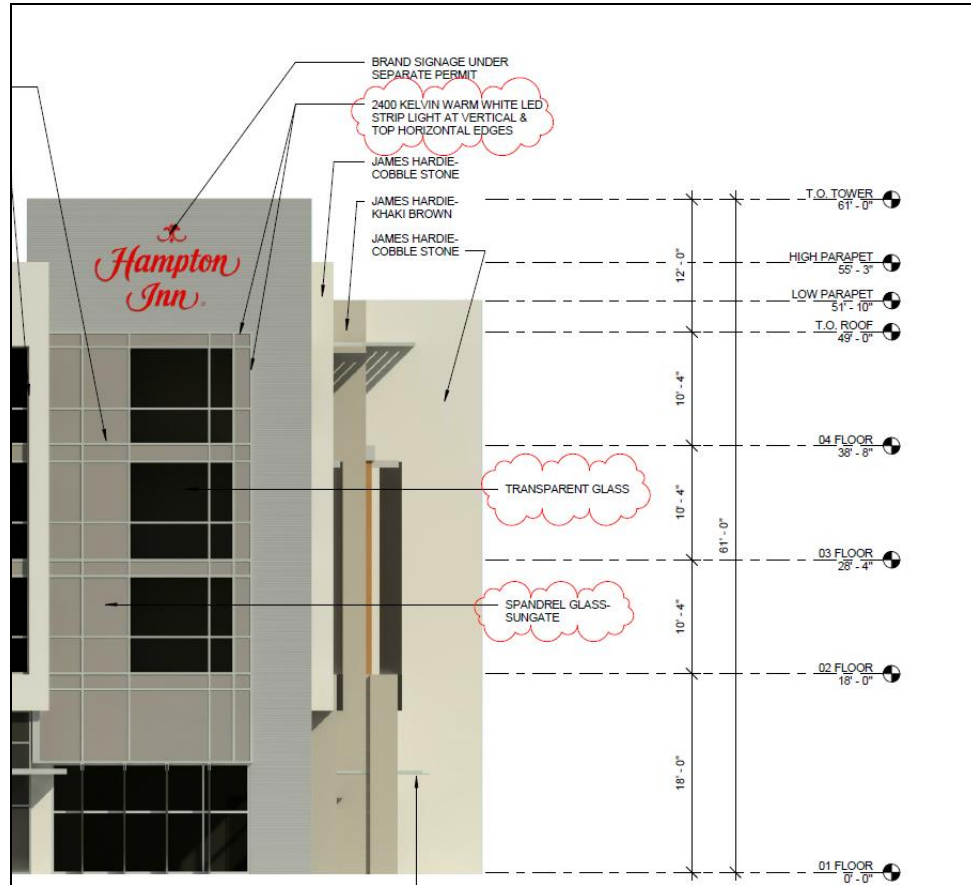


Figure 1: Height Elevations

The proposed hotel would be approximately 51,279 square feet and include 90 guestrooms, a lobby, fitness area, breakfast and food prep area, meeting room, and linen/laundry area. The proposed height of the four-story hotel would be approximately 55 feet and 3 inches at the higher parapet, 51 feet and 10 inches at the lower parapet, and 61 feet at the proposed tower at the southwest corner of the building at the street intersection. (Figure 1) The project would also include one level of underground parking with 51 vehicle parking spaces, including 3 ADA accessible spaces. The project includes a Transportation Demand Management Plan (TDM) to allow a 50% reduction in parking spaces under the Zoning Code. The TDM proposes a valet program that would use tandem parking to increase the amount of parking spaces to 79 parking spaces. The six redwood trees proposed to be removed are located within the building footprint of the proposed structure. The project is proposing to preserve seven redwood trees on the eastern property line.

Site Description and Surrounding Uses

The property is located on the northeast corner of South De Anza Boulevard and Via Vico. To the north of the property is a neighborhood shopping center with commercial retail, a restaurant and a swim school. The commercial shopping center continues east of the project. Approximately 200 feet further east is a two-story multi-family residential apartment complex. To the southeast of the property are two-story townhomes and south of the property is commercial retail and a café across Via Vico. Across South De Anza Boulevard, west of the property are restaurants within a small shopping center.



Figure 2: Site Location

The site currently operates as a gas station, convenience store, and car wash. The site has driveway access directly from both South De Anza Boulevard and Via Vico. The existing gas station facility operates 24 hours, seven days a week. There are eight gasoline pumps covered by a canopy and a drive-thru car wash with associated landscaping.

ANALYSIS

The proposed Rezoning and Site Development Permit were analyzed with respect to conformance with: 1) the Envision San José 2040 General Plan, 2) the Zoning Ordinance, 3) Commercial Design Guidelines, and 4) the California Environmental Quality Act (CEQA).

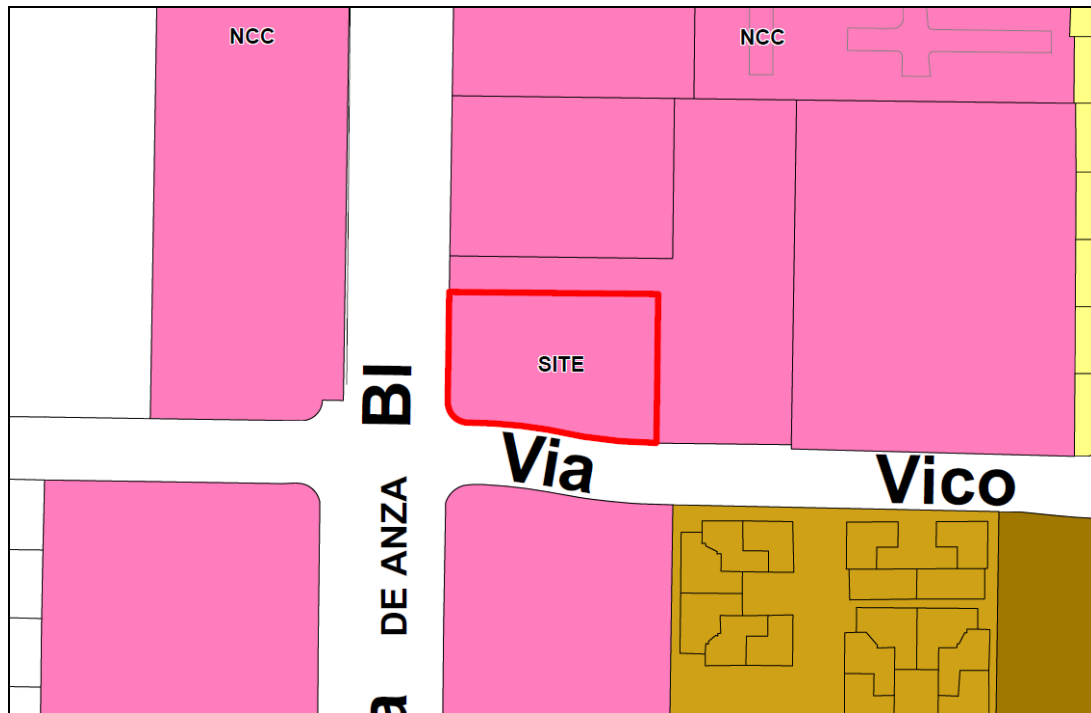


Figure 2: General Plan Designation

Envision San José 2040 General Plan Conformance

The subject site has a designation of Neighborhood/Community Commercial on the Envision San José 2040 General Plan Land Use/Transportation Diagram. This designation supports a broad range of commercial activity, including commercial uses that serve the communities in neighboring areas, such as neighborhood-serving retail and services and commercial/professional office development. The proposed project is consistent with this land use designation because it would facilitate a 90-room hotel, which is a commercial use that generates jobs and transit occupancy tax revenue. The proposed project would replace the existing commercial use of a gas station with the commercial use of a hotel. The proposed project will provide a commercial service to the area by providing overnight accommodations for business travelers and visitors to further bolster San José as a travel destination.

The subject site is also within the South De Anza Boulevard Urban Village Area (Horizon 3). Urban Village Areas are designated for future development as Urban Villages, in accordance with an Urban Village Plan. The planning efforts for this Urban Village Plan has not begun. The General Plan promotes Urban Villages as vibrant, walkable, mixed-use urban communities that are bicycle and transit-friendly. The proposed project is consistent with General Plan and Urban Village policies in that it proposes an intense development on a commercial property within an Urban Village Area and includes active ground-floor uses to activate the street, while still maintaining the relationship and appropriate interface with the surrounding community. Additionally, the proposed project replaces an existing auto-oriented use.

The project is consistent with the following goals and policies of the General Plan:

1. **Implementation Policy IP-1.1:** Use the Envision General Plan Land Use/Transportation Diagram designations to indicate the general intended land use, providing flexibility to allow for a mix of land uses, intensities and development forms compatible with a wide variety of neighborhood contexts and to designate the intended roadway network to be developed over the timeframe of the Envision General Plan. Use the Zoning designation to indicate the appropriate type, form and height of development for particular properties.
2. **Implementation Policy IP-8.2:** Use the City's conventional zoning districts, contained in its Zoning Ordinance, to implement the Envision General Plan Land Use / Transportation Diagram. These districts include a range of allowed land uses, development intensities, and standards within major land use categories (residential, commercial and industrial) together with zoning districts for other land uses such as mixed-use and open space. The various ranges of allowed use and development intensity correspond generally to the respective Envision General Plan land use designations, while providing greater detail as to the appropriate land uses and form of development.
3. **Implementation Policy IP-1.6:** Ensure that proposals to rezone and prezone properties conform to the Land Use/ Transportation Diagram, and advance *Envision General Plan* vision, goals and policies.

Analysis: Pursuant to Section 20.120.110, the proposed rezoning conforms to the Land Use/Transportation Diagram designation of Neighborhood/Community Commercial. The rezoning of the property would remove the Planned Development Zoning District that was approved on December 20, 2013 and replace it with a zoning district that is conventional and conforms to the Land Use/Transportation Diagram of the General Plan.

4. **Commercial Goal LU-4:** Establish commercial uses that maximize revenue to the City and provide employment for its residents in order to achieve fiscal sustainability and our desired jobs per employed resident ratio.
5. **Commercial Policy LU-4.1:** Retain existing commercial uses that maximize revenue to the City and provide employment for its residents in order to achieve fiscal sustainability and our desired jobs per employed resident ratio.
6. **Commercial Policy LU-4.3:** Concentrate new commercial development within identified growth areas and other sites designated for commercial uses on the Land Use/Transportation Diagram. Allow new and expansion of existing commercial development within established neighborhoods when such development is appropriately located and designed, and is primarily neighborhood serving.
7. **Fiscally Sustainable Land Use Framework Policy FS-3.3:** Promote land use policy and implementation actions that increase the ratio of Jobs to Employed Residents to improve our City's fiscal condition, consistent with economic development and land use goals and policies. Maintain or enhance the City's net total employment capacity collectively through amendments made to this General Plan in each Annual Review process.

Analysis: The proposed project is a 90-room hotel, which is a commercial use that generates jobs and transit occupancy tax revenue. The proposed project would replace the existing commercial use of a gas station with the commercial use of a hotel. The proposed

project will provide a commercial service to the area by providing overnight accommodations for business travelers and visitors to further bolster San José as a travel destination. The proposed project is appropriately located within a growth area with access to public transportation.

8. **Urban Village Design Goal CD-7:** Create thriving, attractive Urban Villages that reflect unique urban characteristics of an area and provide complete neighborhoods for residents, workers, and visitors.
9. **Urban Village Design Policy CD-7.1:** Support intensive development and uses within Urban Villages, while ensuring an appropriate interface with lower-intensity development in surrounding areas and the protection of appropriate historic resources.

Analysis: The project proposes a development on a commercial property within an Urban Village Area and includes active ground-floor uses to activate the street, while still maintaining the relationship and appropriate interface with the surrounding community. The proposed project is four-stories and does not directly interface with any residential uses, but is surrounded by commercial uses. The project is appropriately distanced from any residential use and is oriented to provide activity, light and massing away from residential properties. The nearest residential property is approximately 80 feet away and is a two-story residential property. The setback in relationship to the height of the project maintains an adequate daylight plane. The highest point of the project is located in the southwest corners, the further point from any residential use. The eastern property line nearest the residential use is lower and naturally screened by tall redwood trees to shield the building and provide privacy.

Zoning Ordinance Conformance

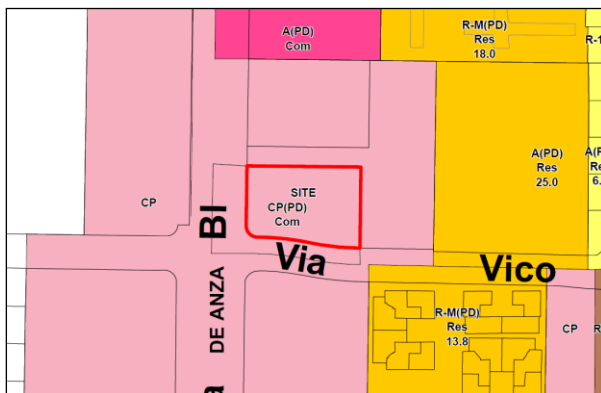


Figure 3. Existing Zoning District

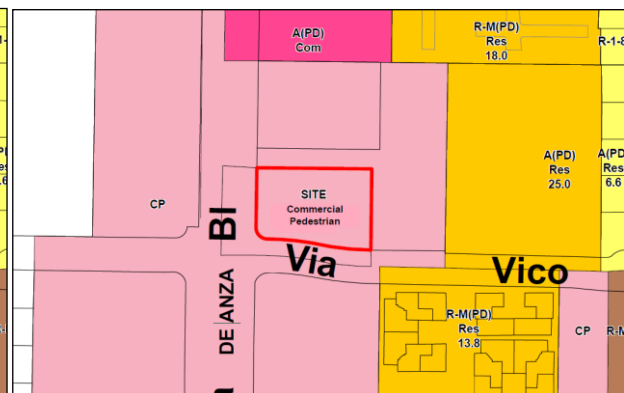


Figure 4: Proposed Zoning District

Land Use

The subject site is proposed to be rezoned from the CP(PD) Planned Development to the CP Commercial Pedestrian Zoning District (Figure 3). Pursuant to Section 20.40.100 of the San José Municipal Code, a hotel or motel is a permitted use in the CP Commercial Pedestrian Zoning District.

Setback

The proposed building conforms to the development regulations of the CP Commercial Pedestrian Zoning District. (Table 1.) There is no front, side or rear setback minimum, and a 10-foot front setback maximum is required pursuant to Section 20.40.200 of the San José Municipal Code.

Section 20.40.290 of the San José Municipal Code provides a zero feet rear setback for properties abutting a commercial or less restrictive district. The proposed building maintains a 20-foot rear setback and abuts a commercial district at the rear property line. Therefore, the project abides by the required setbacks.

Table 1.

Setbacks	Proposed	Zoning Ordinance	Urban Village
Front	0 feet front setback from front property line on S. De Anza Blvd.	No minimum, 10 feet maximum; or as established in approved Urban Village Plan	No approved Urban Village Plan
Side, corner	0 feet side setback, corner from side property line on Via Vico	None; or as established in approved Urban Village Plan	No approved Urban Village Plan
Side, interior	0 feet side setback, interior	None; or as established in approved Urban Village	No approved Urban Village Plan
Rear, corner	20 feet rear setback, corner	None; 20.40.290 – Rear Setback – Exception	No approved Urban Village Plan

Height

Pursuant to Section 20.85.020 E, the maximum allowable building height shall not exceed 120 feet on the property, or portion thereof, located within the Urban Village Area boundary. The proposed project is located wholly within an Urban Village Area boundary and is under 120 feet. The proposed project articulates in height with a maximum height of 61 feet. Therefore, the proposed project abides by the required height restriction.

Parking

Pursuant to Section 20.90.060 of the San José Municipal Code, the hotel requires one parking space per room or suite, plus one space per employee. The total number of proposed rooms is 90, and the proposed hotel would have ten employees during the maximum shift; therefore, 100 parking spaces are required. Pursuant to Section 20.90.220(A) of the San Jose Municipal Code, up to a 50 percent reduction in the number of required parking spaces with an approved transportation demand management (TDM) program is allowed. Therefore, with an approved TDM program, 50 parking spaces are required. The proposed project will provide a total of 51 parking spaces. With concerns of under parking expressed by community members, the applicant is proposing to provide an additional 28 parking spaces through tandem and valet parking, for a total of 79 parking spaces and an overall reduction of 21%. The TDM program includes:

1. Long-term and short-term bicycle parking spaces.
2. A transit incentive program for employees, including reimbursement for fares to and from work and a pre-tax credit.
3. Transit information center and TDM administrator on-staff during daytime shift.
4. Free shuttle service for guests to and from Mineta International Airport and two pre-selected destinations around San José, Downtown and Santana Row.
5. Use of ride-sharing coupons during high occupancy days for non-driving guests or employees.
6. Bike rental for local travelers.

The proposed project is conditioned to abide by the attached TDM program. The TDM program and the proposed reduction in parking requirements are supported by the traffic analysis conducted by RKH Engineer, dated October 14, 2016, which concluded that the proposed project would have a peak parking demand of 40 parking spaces. Therefore, the project meets the required parking and parking reduction requirements of the San José Municipal Code.

Required Findings for Site Development Permit

To make the Site Development Permit findings pursuant to San José Municipal Code Section 20.100.630, the City Council must determine that;

1. The Site Development Permit, as approved, is consistent with and will further the policies of the General Plan and applicable specific plans and area development policies.

Analysis: The site is designated Neighborhood/Community Commercial on the Envision San José 2040 General Plan Land Use/Transportation Diagram, which supports a very broad range of commercial activity. The project site is also within the South De Anza Boulevard Urban Village Area. The Site Development Permit is consistent with the designation of Neighborhood/Community Commercial. The Site Development Permit, as approved, will further Community Design Policy 7.1 and related policies pertaining to supporting intensive economic development within Urban Villages areas. Therefore, this finding can be made.

2. The Site Development Permit, as approved, conforms with the zoning code and all other provisions of the San José Municipal code applicable to the project.

Analysis: The proposed hotel is permitted in the CP Commercial Pedestrian Zoning District and also meets the development standards of this district. Therefore, this finding can be made.

3. The Site Development Permit, as approved, is consistent with applicable city council policies and counterbalancing considerations justify the inconsistency.

Analysis: The proposed project is consistent with all applicable City Council policies. Compliant with Council Policy 6-30: Public Outreach Policy, a notice of the public hearing was distributed to the owners and tenants of all properties located within 1,000

feet of the project site and posted on the City website. Further, staff held multiple meetings with community members. Therefore, this finding can be made.

4. The interrelationship between the orientation, location, and elevations of proposed buildings and structures and other uses on-site are mutually compatible and aesthetically harmonious.

The proposed building will occupy the site in its entirety. No additional buildings are proposed. The various on-site uses have been designed to be mutually compatible and aesthetically harmonious. For example, the breakfast area and conference rooms are designed to be viewed on the corner to activate the public right-of-way and provide an interesting and lively pedestrian environment. The pool and outdoor lounge of the building are enclosed by the building to ensure privacy and limit any ambient noise. Therefore, this finding can be made.

5. The orientation, location and elevation of the proposed buildings and structures and other uses on the site are compatible with and are aesthetically harmonious with adjacent development or the character of the neighborhood.

The proposed project is not abutting any proposed or existing residential use. The proposed building is adequately designed with regard to height and setback to be harmonious with the existing character of the neighborhood by providing a one-and-a-half-foot setback per foot of height from any proposed or existing residential use. Further, the proposed building has an overall consistent design on all elevations with quality architecture that enhances the aesthetics of the existing neighborhood and is naturally screened by existing redwood trees. Therefore, this finding can be made.

6. The environmental impacts of the project, including but not limited to noise, vibration, dust, drainage, erosion, storm water runoff, and odor which, even if insignificant for purposes of the California Environmental Quality Act (CEQA), will not have an unacceptable negative affect on adjacent property or properties.

The site has an existing gas station and car wash, which would be replaced by a four-story, 90-room hotel. The proposed project would marginally induce more vehicle trips, 4 a.m. peak hour trips and 14 p.m. peak hour trips, than the existing gas station. However, the increase in traffic would not have an unacceptable negative impact on adjacent properties or nearby intersections, as analyzed in the Initial Study/Mitigated Negative Declaration prepared for the project (August 2017). Further, the TDM program is designed to encourage alternative modes of transportation to reduce the number of parking spaces and vehicle trips. The construction of the building would cause a temporary increase in ambient noise but will be mitigated through the limited construction hours and other measures included in the Mitigation Monitoring and Reporting Program for the project. The project is also proposing to remove six ordinance-size trees from the property but will comply with the City's standard replacement ratio and will be subject to additional tree protection measures for the existing trees. The proposed project has been evaluated to be in compliance with the City's stormwater requirements and provides on-site bio-treatment. Therefore, this finding can be made.

7. Landscaping, irrigation systems, walls and fences, features to conceal outdoor activities, exterior heating, ventilating, plumbing, utility and trash facilities are sufficient to maintain or upgrade the appearance of the neighborhood.

The proposed project is appropriately designed to upgrade the appearance of the neighborhood. The design of the proposed building is consistent and provides changes of color, materials and textures to create an attractive and interesting appearance. The proposed project incorporates heating, ventilation and air conditioning within the building, and encloses all plumbing and trash facilities to upgrade the appearance of the neighborhood. Therefore, this finding can be made.

8. Traffic access, pedestrian access and parking are adequate.

The subject site is adequately served by the adjacent public streets and can be directly accessed from South De Anza Boulevard, a major arterial. The Department of Transportation reviewed the on-site circulation of traffic and the Transportation Demand Management plan and finds that the project is sufficiently accessible. No issues were found with regards to the driveway or access to the underground parking. Therefore, this finding can be made.

Required Tree Removal Permit Findings

In order to make the Live Tree Removal Permit findings pursuant to San José Municipal Code Section 13.32.100, the City Council must determine that;

1. The tree affected is of a size, type and condition, and is in such a location in such surroundings, that its removal would not significantly frustrate the purposes of this chapter as set forth in Section 13.32.010; or
2. The location of the tree, with respect to a proposed improvement, unreasonably restricts the economic development of the parcel in question; or
3. The condition of the tree with respect to disease, danger of falling, proximity to an existing or proposed structure, and/or interference with utility services, is such that preservation of the public health or safety requires its removal; or

The location of the six redwood trees that are proposed to be removed are such that their location would be within the new building footprint of the proposed structure and may interfere with utility service or impact the safety of the building. The preservation of the trees would not be feasible within the context of the development because the existing trees would further constrain an already limited site and would unreasonably restrict the development of the entire parcel. The development would adhere to the mitigation measures required for the tree removals including replacement of the trees. Therefore, this finding can be made.

Demolition Permit Evaluation Criteria

Under the provisions of Section 20.80.460 of the San José Municipal Code, prior to the issuance of any development permit, which allows for the demolition, removal or relocation of a building, the following shall be considered to determine whether the benefits of permitting the demolition, removal or relocation outweigh the impacts of the demolition, removal or relocation:

- a. The failure to approve the permit would result in the creation or continued existence of a nuisance, blight or dangerous condition;

Not Applicable. The existing gas station is operational and would not create or continue existing or a nuisance, blight or dangerous conditions.

- b. The failure to approve the permit would jeopardize public health, safety or welfare;

Not applicable. The existing gas station is operational and does not currently jeopardize public health, safety or welfare.

- c. The approval of the permit should facilitate a project which is compatible with the surrounding neighborhood;

As discussed in Site Development Permit Finding 3, the permit will facilitate a project that is compatible with the surrounding development.

- d. The approval of the permit should maintain the supply of existing housing stock in the City of San José;

Not applicable. The site has commercial zoning and land use designation.

- e. Both inventoried and non-inventoried buildings, sites and districts of historical significance should be preserved to the maximum extent feasible;

The existing building and structures have been determined to have no historical significance; therefore, preservation of the building and structures is not warranted.

- f. Rehabilitation or reuse of the existing building would not be feasible; and

The building is not intended for the proposed use and cannot feasibly be reused to meet the objectives of the project, which are to construct a modern hotel.

- g. The demolition, removal or relocation of the building without an approved replacement building should not have an adverse impact on the surrounding neighborhood.

Not applicable. The proposed project would replace the gas station and existing structures with a hotel.

Required Findings for Transportation Demand Management Programs

Under the provisions of Section 20.90.220 of the San José Municipal Code, prior to the issuance of any project that requires a TDM program:

- a. The decision maker for the project application shall first find in addition to other required findings that the project applicant has demonstrated that it can maintain the TDM program for the life of the project, and it is reasonably certain that the parking shall continue to be provided and maintained at the same location for the services of the building or use for which such parking is required, during the life of the building or use; and

Based upon the design features of the project and the TDM plan provided, it is reasonably demonstrated that the applicant can maintain the reduced parking through programs which encourage car sharing, bike sharing, and overall reduced car usage. Incentives will be provided to employees to use transit and other TDM program features developed to reduce parking demand. The project is required to submit an annual monitoring report, which measures the effectiveness of the TDM plan. Additional TDM measures may be required if the TDM measures are not effective.

- b. The decision maker for the project application also shall first find that the project applicant will provide replacement parking either on-site or off-site within reasonable walking distance for the parking required if the project fails to maintain a TDM program.

If the project fails to maintain a TDM program, a Site Development Permit Amendment would be required to address the increased parking demand by installing parking lifts. The system could potentially have two vehicles per parking space on a portion of the garage. The garage height could be adjusted to include an addition of one to two feet to allow for installation. The TDM program may also be adjusted to reflect increase demand, which may include adding additional shuttle services or increasing the incentives for alternative modes of transportation.

Commercial Design Guidelines



Figure 5

The Commercial Design Guidelines state that hotels and motels should be stylistically consistent and should not create a nuisance for adjoining residential properties. The Guidelines also outline specific building setbacks, site organization and building design guidelines to reduce and avoid any potentially adverse impacts.

The Commercial Design Guidelines discourage placing hotels and motels adjacent to any future or existing residential uses, and encourages a one and a half setback for every foot of building height from any existing or future residential use. The proposed building is not abutting residential uses and is surrounded by commercial use on all property lines. The nearest residential homes are located southeast, across Via Vico, and are approximately 80 feet from the property line. The proposed building is consistent with the guideline of one and half feet setback for each foot of building height and is appropriately distanced. Further, the proposed project is oriented to provide activity, light and massing away from residential properties. The highest point of the project is located in the southwest corners, the farthest point from any residential use. The eastern property line nearest the residential use is lower and naturally screened by tall redwood trees to shield the building and provide privacy.

The Commercial Design Guidelines for site organization emphasize the street frontage and encourages buildings to be the primary interface with the sidewalk, not the parking lots. Consistent with the guidelines, the building is the primary interface with the sidewalk and the proposed parking spaces are located underground where they will not be visible, and will reduce any noise impacts to the area. The project proposes to enhance the public realm by providing wider sidewalks, street trees and adequate lighting. The project also incorporates a loading and drop-off zone for ease of check-in with circulation that does not interfere with the public right-of-way or the residential neighborhood. The loading and drop-off zone is located in front of the hotel, off of South De Anza Boulevard, a six-lane major arterial roadway, to prevent congestion and impact to the adjacent neighborhood.

The Commercial Design Guideline for building design emphasize screening and promote a stylistically consistent design to prevent over-emphasis of just the front façade. The proposed building has a consistent style represented on all sides and engages the street frontage with active ground-floor uses which promotes a lively pedestrian atmosphere. All mechanical equipment, including the swimming pool, and all stairways and walkways are shielded from the public right-of-way and are incorporated into the building to reduce any noise and/or visual impacts. Further, the building is screened by the preserved large redwood trees, in order to ensure privacy and limit any visual impact. Lastly, the building façade incorporates changes in materials, textures and colors to provide interesting and attractive architecture (Figure 5).

Based on the above analysis, staff concludes that the proposed use is consistent with the Commercial Design Guidelines.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

An Initial Study/Mitigated Negative Declaration (IS/MND) entitled “1090 S. De Anza Boulevard Hotel Project” was prepared by the Director of Planning, Building, and Code Enforcement for the subject Rezoning and Site Development Permit. The IS/MND was completed in compliance with the California Environmental Quality Act (CEQA), as amended, to reflect an independent judgment and analysis of the project.

The IS/MND identified potentially significant environmental impacts and determined that the proposed project would not have a significant effect on the environment. The environmental issues addressed in the IS/MND were the potential impacts to biological resources and hazards and hazardous materials. Mitigation measures are outlined for both of these resource areas which will reduce any potentially significant project impacts to a less-than-significant level. These mitigation measures include conducting pre-construction bird surveys, clearing violation clearances, sampling organochlorine pesticides and pesticide-based metals, and preparing a Site Management Plan. The mitigation measures and associated compliance methods are included in the Mitigation Monitoring and Reporting Program.

The IS/MND was initially circulated from August 25, 2017 to September 14, 2017, but was extended to September 25, 2017, for a 31-day review period, per the request of the community residents. A total of 46 comment letters were received during the public review period and three comments after the end of the review period. The comments were predominantly from the residential community in opposition to the project. The general areas where the comments focused on include: neighborhood parking and traffic concerns from increased congestion due to the new hotel use, tree removals of the redwood trees lining Via Vico on the project site,

aesthetic impacts due to the proposed heights, impacts to view sheds, air and noise pollution, and hazardous materials during construction and operation.

The responses to these comments were posted online on the Planning website available for public review. Additionally, a Final IS/MND was prepared that incorporated corrections or additional text discussed in the responses to comments. The comments and responses do not require any “substantial revisions” to the IS/MND as defined in the CEQA Guidelines Section 15073.5. No new unavoidable significant impacts have been identified and no mitigation measures or project revisions must be added in order to reduce the effect to less-than-significant levels. Accordingly, recirculation of the IS/MND is not required.

The IS/MND identified that the implementation of the project would not result in any significant effects to the environment. The circulated draft and final IS/MND, associated appendices, response to comments, and other related environmental documents are available on the Planning website at: <http://www.sanjoseca.gov/index.aspx?nid=5674>.

PUBLIC HEARING NOTIFICATION

Staff followed Council Policy 6-30: Public Outreach Policy. A notice of the public hearing was distributed to the owners and tenants of all properties located within 1,000 feet of the project site and posted on the City website. The staff report is also posted on the City’s website. Staff has been available to respond to questions from the public.

Community Meeting

On October 23, 2017, at Calabazas Library, approximately 75 community members attended a joint community meeting for File Nos. C16-041 and H16-032. Residents and stakeholders expressed their concerns and asked questions related to parking, traffic, environmental impacts, circulation, height and the procedural process.

Residents of the nearby townhomes were specifically concerned about the amount of parking available, and the impact the development would have on congestion. They stated that the amount of parking was not enough and people would begin parking on streets in their neighborhood. Staff from the Department of Transportation responded with information from the proposed Transportation Demand Management Plan and the traffic report. Staff stated that a reduction in parking would be warranted if the hotel could provide a program to reduce the amount of vehicle trips. The developer stated that a shuttle service, bike rentals and public transit vouchers would be available.

Residents were also concerned about the height of the project, stating that the four-story hotel is too tall and would not fit into the existing character of the area. Staff said that the project would respect the interface between residential uses by being appropriate setback to allow a daylight plane. Staff explained that the daylight plane would ensure that the massing of the building would not overwhelm the massing of any adjacent residential buildings. Lastly, residents asked for clarification as to how the project could be approved prior to the adoption of an Urban Village Plan. Staff stated non-residential projects can move forward in advance of an adopted Urban Village plan if it complies with the General Plan and Municipal Code. A future Urban Village plan would provide additional planning considerations and requirements; projects proposed after the plan is adopted would be subject to the plan at that time.

Approved by: /s/ Rosalynn Hughey, Director, Planning, Building and Code Enforcement

For questions, please contact Jared Hart, Supervising Planner, at (408) 535-7896.

Attachments: Draft CEQA Resolution with signed MMRP

Draft Rezoning Ordinance

Draft Site Development Permit Resolution

Public Correspondence

Transportation Demand Management Plan and Traffic Report

Project Plans

MITIGATION MONITORING AND REPORTING PROGRAM

1090 S. De Anza Boulevard Hotel Project Initial Study/Mitigated Negative Declaration

File Nos. C16-041 and H16-032

CITY OF SAN JOSE

August 2017



P R E F A C E

Section 21081.6 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring and Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the monitoring and reporting program is to ensure compliance with the mitigation measures during project implementation.

The Initial Study/Mitigated Negative Declaration prepared for the 1090 S. De Anza Boulevard Hotel Project concluded that the implementation of the project could result in significant effects on the environment and mitigation measures were incorporated into the proposed project or are required as a condition of project approval. This Mitigation Monitoring and Reporting Program addresses those measures in terms of how and when they will be implemented.

This document does *not* discuss those subjects for which the Initial Study/Mitigated Negative Declaration concluded that the impacts from implementation of the project would be less than significant.

I, JERRY KWOK, the applicant, on the behalf of Cupertino De Anza Hospitality, LLC, hereby agree to fully implement the Mitigation Measures described below which have been developed in conjunction with the preparation of an Initial Study/Mitigated Negative Declaration for my proposed project. I understand that these mitigation measures or substantially similar measures will be adopted as conditions of approval with my development permit request to avoid or significantly reduce potential environmental impacts to a less than significant level, where feasible.

Project Applicant's Signature



Date

5/4/18

MITIGATIONS		MONITORING AND REPORTING PROGRAM			
		Documentation of Compliance [Project Applicant/Proponent Responsibility]		Documentation of Compliance [Lead Agency Responsibility]	
		Method of Compliance Or Mitigation Action	Timing of Compliance	Oversight Responsibility	Monitoring Timing or Schedule
Biological Resources					
Impact BIO-1: Construction activities associated with the proposed project would remove existing trees that could potentially support nesting birds protected under the Migratory Bird Treaty Act.					
Mitigation Measure BIO-1-1: To avoid disturbance of nesting and special-status birds, the project applicant shall schedule activities related to the project, including, but not limited to, vegetation removal, ground disturbance, construction, and demolition to occur outside of the bird nesting season. The nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February 1 st through August 31 st (inclusive).		Schedule construction activities to occur outside of the nesting season.	Prior to the issuance of a grading permit.	PBCE Supervising Environmental Planner	Confirm construction activities occur outside of nesting season. Prior to construction activities.
Mitigation Measure BIO-1.2: If it is not possible to schedule demolition and construction between September 1 st and January 31 st (inclusive), pre-construction surveys for nesting birds shall be completed by a qualified biologist or ornithologist to ensure that no nests shall be disturbed during project implementation. The nesting bird pre-construction survey shall be conducted within the project boundary, including a 300-foot buffer (500-foot for raptors), on foot. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in the area. The pre-construction survey shall be completed no more than 14 days prior to the initiation of construction activities during the early part of the breeding season (February 1 st through April 30 th , inclusive) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May 1 st through August 31 st , inclusive).		Pre-construction surveys shall be conducted by a qualified biologist or ornithologist and construction-free buffer zones shall be designated around active nests. Submit a report indicating the results of the survey and any	Prior to the issuance of a grading permit. Surveys to be conducted during the appropriate time prior to initiation of construction activities.	PBCE Supervising Environmental Planner	Review and approve report indicating the results of the survey and designated buffer zones; verify implementation in field Prior to issuance of any demolition or grading permits.

MITIGATIONS	MONITORING AND REPORTING PROGRAM				
	Documentation of Compliance [Project Applicant/Proponent Responsibility]		Documentation of Compliance [Lead Agency Responsibility]		
	Method of Compliance Or Mitigation Action	Timing of Compliance	Oversight Responsibility	Actions/Reports	Monitoring Timing or Schedule
<p>If active nests are found, the qualified biologist or ornithologist, in consultation with California Department of Fish and Wildlife (CDFW), shall determine the extent of a construction-free buffer zone to be established around the nest, typically 250 feet, to ensure that raptor or migratory bird nests will not be disturbed during project construction (which is dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site). The buffer zone shall be demarcated by the qualified biologist or ornithologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and shall be instructed to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within this buffer until the qualified biologist or ornithologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.</p> <p>The project applicant shall submit a report to the City's Environmental Supervising Planner indicating the results of the survey and any designated buffer zones, and is to be completed to the satisfaction of the Director of Planning, Building and Code Enforcement prior to the issuance of any demolition or grading permits.</p>	<p>designated buffer zones to the PBCE Supervising Environmental Planner.</p>				

MITIGATIONS		MONITORING AND REPORTING PROGRAM			
		Documentation of Compliance [Project Applicant/Proponent Responsibility]		Documentation of Compliance [Lead Agency Responsibility]	
		Method of Compliance Or Mitigation Action	Timing of Compliance	Oversight Responsibility	Monitoring Timing or Schedule
Hazards and Hazardous Materials					
Impact HAZ 1: The proposed project has the potential to expose the public or the environment to on-site hazardous materials.					
Mitigation Measure HAZ-1: UST Violation Clearance. To avoid potential on-site hazardous material exposure to the public or the environment, the project applicant shall confirm proper administrative actions are taken by the onsite underground storage tank (UST) system permit holder to clear the two existing violations in order to bring the system into compliance. The violations must be closed with the California EPA and Santa Clara County Department of Environmental Health. Documentation confirming the closure of these violations shall be provided to the City's Environmental Supervising Planner prior to issuance of any grading or building permit.		Confirm the permit holder of the existing UST system on the project site clears the two existing violations through the listed regulatory agencies.	Prior to grading activities	PBCE Supervising Environmental Planner in coordination with the Environmental Services Department (ESD) Compliance Officer.	Receive confirmation of the clearance of two existing UST system permit violations from the California EPA and Santa Clara County Department of Environmental Health.
Impact HAZ-2: The proposed project site has the potential to contain soils that are contaminated with residual agricultural pesticides and/or pesticide based metals.					
Mitigation Measure HAZ-2: Organochlorine Pesticide and Pesticide-Based Metal Testing. The project applicant shall retain a qualified hazardous materials specialist to collect and analyze shallow soil samples for organochlorine pesticides (OCPs) using the EPA Test Method 8081A and for pesticide-based metals (arsenic and lead) using EPA Test Method 6010B/7471.		Retain a qualified hazardous materials specialist to collect and analyze shallow soil samples for pesticides	Prior to grading activities	Santa Clara County Department of Environmental Health or the Department of Toxic Substances Control	Receive copies of the environmental investigations Confirm project applicant receives No Further Action letter or

MITIGATIONS		MONITORING AND REPORTING PROGRAM			
		Documentation of Compliance [Project Applicant/Proponent Responsibility]		Documentation of Compliance [Lead Agency Responsibility]	
		Method of Compliance Or Mitigation Action	Timing of Compliance	Oversight Responsibility	Monitoring Timing or Schedule
Based upon the analytical results, if pesticides are found and are above regulatory environmental screening levels for public health and the environment, the project applicant shall implement the appropriate soil management mitigation under regulatory oversight from the Santa Clara County Department of Environmental Health or the Department of Toxic Substances Control. These soil management mitigation measures shall be required and implemented prior to issuance of any grading or building permit. Copies of the environmental investigations shall be submitted to the City's Environmental Supervising Planner and the Environmental Services Department Compliance Officer prior to issuance of any building or grading permits.				PBCE Supervising Environmental Planner in coordination with the Environmental Services Department (ESD) Compliance Officer.	equivalent assurance documenting completion of cleanup activities.
Impact HAZ-3: Project implementation could expose construction workers, future employees, and/or the environment to a significant health risk during earthwork activities.					
Mitigation Measure HAZ-3: Site Management Plan. The project applicant shall prepare a Site Management Plan (SMP) to establish management practices for identifying, handling, and disposing of contaminated soils encountered during construction activities. At a minimum, the SMP shall include the following: <ul style="list-style-type: none"> • Stockpile management including; dust control, sampling, stormwater pollution prevention and the installation of BMPs • Mitigation of soil vapors (if required) 		Complete and submit the SMP to PBCE Supervising Environmental Planner for approval.	Prior to and during construction activities.	PBCE Supervising Environmental Planner in coordination with the Environmental Services Department (ESD) Compliance Officer Review and approve the SMP. Confirm implementation of SMP.	Prior to issuance of any grading or demolition permit. Implementation during construction activities.

MITIGATIONS	MONITORING AND REPORTING PROGRAM				
	Documentation of Compliance [Project Applicant/Proponent Responsibility]		Documentation of Compliance [Lead Agency Responsibility]		
	Method of Compliance Or Mitigation Action	Timing of Compliance	Oversight Responsibility	Actions/Reports	Monitoring Timing or Schedule
<ul style="list-style-type: none"> • Proper disposal procedures of contaminated materials (if required) • Monitoring, reporting, and regulatory oversight notifications. • A health and safety plan (HSP) for each contractor working at the site that addresses the safety and health hazards of each phase of site operations that includes the requirements and procedures for employee protection. The HSP will also outline proper soil handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction. <p>The SMP shall detail procedures and protocols for management of soil containing environmental contaminants during site development activities. If applicable, cleanup and remediation activities on the site shall be conducted in accordance with the SMP prior to construction activities. All measures shall be printed on all construction documents, contracts, and project plans. The SMP shall be reviewed and approved by the City's Supervising Environmental Planner and Environmental Services Department Compliance Officer prior to issuance of any grading or building permit.</p>					

Source: 1090 S. De Anza Boulevard Hotel Project Initial Study/MND, August 2017.

DRAFT

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF SAN JOSE REZONING
CERTAIN REAL PROPERTY OF APPROXIMATELY 0.61-
GROSS ACRE SITUATED AT THE NORTHEAST CORNER
OF SOUTH DE ANZA BOULEVARD AND VIA VICO (1090
SOUTH DE ANZA BOULEVARD) FROM THE CP(PD)
PLANNED DEVELOPMENT ZONING DISTRICT TO THE CP
COMMERCIAL PEDESTRIAN ZONING DISTRICT**

WHEREAS, all rezoning proceedings required under the provisions of Chapter 20.120 of Title 20 of the San José Municipal Code have been duly had and taken with respect to the real property hereinafter described; and

WHEREAS, a Mitigated Negative Declaration was prepared in conformance with the California Environmental Quality Act of 1970 ("CEQA"), as amended, for the subject rezoning to the CP Commercial Pedestrian Zoning District under Planning File Nos. C16-041 and H16-032 (the "MND"); and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to the CP Commercial Pedestrian Zoning District; and

WHEREAS, this Council of the City of San José has considered and approves the information contained in the IS/MND and Mitigation Monitoring and Reporting Program under separate Council resolution prior to taking any approval actions on this project.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. The recitals above are incorporated herein.

SECTION 2. All that real property hereinafter described in this section, hereinafter referred to as "subject property," is hereby rezoned as Commercial Pedestrian Zoning District.

The subject property referred to in this section is all that real property situated in the County of Santa Clara, State of California, described in Exhibit "A" and depicted in Exhibit "B" attached hereto and incorporated herein by this reference.

SECTION 3. The district map of the City is hereby amended accordingly.

SECTION 4. The land development approval that is the subject of City File No. C16-041 is subject to the operation of Part 2.75 of Chapter 15.12 of Title 15 of the San José Municipal Code. The applicant for or recipient of such land use approval hereby acknowledges receipt of notice that the issuance of a building permit to implement such land development approval may be suspended, conditioned or denied where the City Manager has determined that such action is necessary to remain within the aggregate operational capacity of the sanitary sewer system available to the City of San José or to meet the discharge standards of the sanitary sewer system imposed by the California Regional Water Quality Control Board for the San Francisco Bay Region.

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PASSED FOR PUBLICATION of title this _____ day of _____, 2018 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING, SUBJECT TO CONDITIONS, A SITE DEVELOPMENT PERMIT TO ALLOW THE DEMOLITION OF AN EXISTING GAS STATION BUILDING AND FUELING DISPENSERS, THE REMOVAL OF SIX ORDINANCE-SIZE TREES, THE CONSTRUCTION OF A 4-STORY, 90-ROOM HOTEL, AND THE UTILIZATION OF TRANSPORTATION DEMAND MANAGEMENT (TDM) MEASURES TO REDUCE THE PARKING REQUIREMENTS BY 50 PERCENT ON A 0.61 GROSS ACRE SITE LOCATED AT THE NORTHEAST CORNER OF SOUTH DE ANZA BOULEVARD AND VIA VICO (1090 SOUTH DE ANZA BOULEVARD)

FILE NO. H16-032

WHEREAS, pursuant to the provisions of Chapter 20.100 of Title 20 of the San José Municipal Code, on September 7, 2016, an application (File No. H16-032) was filed by the applicant, Jerry Kwok, as owner of Cupertino De Anza Hospitality LLC, with the City of San José for a Site Development Permit to allow the demolition of an existing gas station building and fueling dispensers, the removal of six ordinance-size trees, the construction of a 4-story, 90-room hotel, and the utilization of Transportation Demand Management (TDM) measures to reduce the parking requirements by 50 percent on a 0.61 gross acre site, on that certain real property situated in the CP Commercial Pedestrian Zoning District and located at the northeast corner of South De Anza Boulevard and Via Vico (1090 South De Anza Boulevard, San José, which real property is sometimes referred to herein as the “subject property”); and

WHEREAS, the subject property is all that real property more particularly described in Exhibit "A", entitled “Legal Description,” and depicted in Exhibit “B”, entitled “Plat Map,” which is attached hereto and made a part hereof by this reference as if fully set forth herein; and

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

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

WHEREAS, at said hearing this City Council received and considered the reports and recommendations of the City's Director of Planning, Building and Code Enforcement; and

WHEREAS, at said hearing, this City Council received in evidence a plan for the subject property entitled "Hampton Inn," last revised May 24, 2018, said plan is on file in the Department of Planning, Building and Code Enforcement and is available for inspection by anyone interested herein, and said development plan is incorporated herein by this reference, the same as if it were fully set forth herein; and

WHEREAS, said public hearing before the City Council was conducted in all respects as required by the San José Municipal Code and the rules of this City Council;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

After considering all of the evidence presented at the Public Hearing, the City Council finds that the following are the relevant facts regarding this proposed project:

1. **Site Description and Surrounding Uses.** The site is located on the northeast corner of South De Anza Boulevard and Via Vico (1090 South De Anza Boulevard), within the South De Anza Boulevard Urban Village Growth Area. The site currently has an existing gas station with a gas station building, 8 fueling pumps, canopy, two gasoline underground storage tanks (one 20,000 gallon and one 15,000 gallon) and a car wash. The site has driveway access directly from both South De Anza Boulevard and Via Vico. The existing gas station facility operates 24 hours a day, 7 days a week.

To the north of the property is a neighborhood shopping center with commercial retail,

restaurant and a swim school. The commercial shopping center continues east of the project. Approximately 200 feet further east is a two-story multi-family residential apartment complex. To the southeast of the property are two-story townhomes and south of the property is commercial retail and a café across Via Vico. Across South De Anza Boulevard, west of the property are restaurants within a small shopping center.

2. **Project Description.** The proposed project would demolish the existing gas station building, car wash, fueling dispensers and canopy, and remove the two gasoline underground storage tanks; remove six ordinance-size trees; and construct a 51,279-square foot hotel that would include 90 guestrooms, a lobby, fitness area, breakfast and food prep area, meeting room, and linen/laundry area. The hotel would have approximately 10 to 20 employees in shifts each day. The proposed height of the four-story hotel would be approximately 55 feet, 3 inches at the higher parapet, 51 feet, 10 inches at the lower parapet, and 61 feet at the proposed tower at the southwest corner of the building at the street intersection. The project would also include one level of underground parking with 51 vehicle parking spaces, including three Americans with Disabilities Act (ADA) accessible spaces, and would have 12 bicycle parking spaces.

The project also includes a Transportation Demand Management Plan (TDM) to allow for a 50 percent reduction in parking spaces. The TDM proposes a valet program that would use tandem parking to increase the amount of parking spaces from 51 to 79.

3. **General Plan Conformance.**

The subject site has a designation of Neighborhood/Community Commercial on the Envision San José 2040 General Plan Land Use/Transportation Diagram. This designation supports a very broad range of commercial activity, including commercial uses that serve the communities in neighboring areas, such as neighborhood serving retail and services and commercial/professional office development. The proposed project is consistent with this land use designation because it would facilitate a 90-room hotel, which is a commercial use that generates jobs and transit occupancy tax revenue. The proposed project would replace the existing commercial use of a gas station with the commercial use of a hotel. The proposed project will provide a commercial service to the area by providing overnight accommodations for business travelers and visitors to further bolster San José as travel destination.

The subject site is also within the South De Anza Boulevard Urban Village Area (Horizon 3). Urban Village Areas are designated for future development as Urban Villages, in accordance with an Urban Village Plan. There is no specific date to begin planning efforts for this Urban Village. The General Plan promotes Urban Villages as vibrant, walkable, mixed-use urban communities that are bicycle and transit-friendly. The proposed project is consistent with General Plan and Urban Village policies in

that the project proposes an intense development on a commercial property within an Urban Village Area and includes active ground-floor uses to activate the street, while still maintaining the relationship and appropriate interface with the surrounding community.

The project is consistent with the following goals and policies of the General Plan:

- a. Implementation Policy IP-1.1: Use the Envision General Plan Land Use/Transportation Diagram designations to indicate the general intended land use, providing flexibility to allow for a mix of land uses, intensities and development forms compatible with a wide variety of neighborhood contexts and to designate the intended roadway network to be developed over the timeframe of the Envision General Plan. Use the Zoning designation to indicate the appropriate type, form and height of development for particular properties.
- b. Implementation Policy IP-8.2: Use the City's conventional zoning districts, contained in its Zoning Ordinance, to implement the Envision General Plan Land Use / Transportation Diagram. These districts include a range of allowed land uses, development intensities, and standards within major land use categories (residential, commercial and industrial) together with zoning districts for other land uses such as mixed-use and open space. The various ranges of allowed use and development intensity correspond generally to the respective Envision General Plan land use designations, while providing greater detail as to the appropriate land uses and form of development.

Analysis: The proposed rezoning conforms to the Land Use/Transportation Diagram designation of Neighborhood/Community Commercial. The rezoning of the property would remove the Planned Development Zoning District that was approved on December 20th, 2013 and replace it with a zoning district that is conventional and conforms to the Land Use/Transportation Diagram of the General Plan. The CP Commercial Pedestrian Zoning District provides greater flexibility and allows for a greater variety of uses. The CP Commercial Pedestrian Zoning District allows for offices, restaurants, hotels, recreation and other retail activities.

- c. Commercial Goal LU-4: Establish commercial uses that maximize revenue to the City and provide employment for its residents in order to achieve fiscal sustainability and our desired jobs per employed resident ratio.
- d. Commercial Policy LU-4.1: Retain existing commercial uses that maximize revenue to the City and provide employment for its residents in order to achieve fiscal sustainability and our desired jobs per employed resident ratio.
- e. Commercial Policy LU-4.3: Concentrate new commercial development within identified growth areas and other sites designated for commercial uses on the Land Use/Transportation Diagram. Allow new and expansion of existing commercial development within established neighborhoods when such

development is appropriately located and designed, and is primarily neighborhood serving.

- f. Fiscally Sustainable Land Use Framework Policy FS-3.3: Promote land use policy and implementation actions that increase the ratio of Jobs to Employed Residents to improve our City's fiscal condition, consistent with economic development and land use goals and policies. Maintain or enhance the City's net total employment capacity collectively through amendments made to this General Plan in each Annual Review process.

Analysis: The proposed project would replace the existing commercial use of a gas station with the commercial use of a hotel. The project is a 90-room hotel, which is a commercial use that will generate approximately 10 to 20 jobs and transit occupancy tax revenue. The proposed project will provide a commercial service to the area by providing overnight accommodations for business travelers and visitors to further bolster San José as travel destination. The proposed project is appropriately located within a growth area with access to public transportation.

- g. Urban Village Design Goal CD-7: Create thriving, attractive Urban Villages that reflect unique urban characteristics of an area and provide complete neighborhoods for residents, workers, and visitors.
- h. Urban Village Design Policy CD-7.1: Support intensive development and uses within Urban Villages, while ensuring an appropriate interface with lower-intensity development in surrounding areas and the protection of appropriate historic resources.

Analysis: The project proposes a development on a commercial property within an Urban Village Area and includes active ground-floor uses to activate the street, while still maintaining the relationship and appropriate interface with the surrounding community. The project is four stories and does not directly interface with any residential uses, but is surrounded by commercial uses. The project is appropriately distanced from any residential use. A 1.5-foot setback is provided per foot of height to nearest residential use, which is approximately 80 feet away. The building is oriented to provide activity, light and massing away from residential properties. The highest point of the project is located in the southwest corners, the further point from any residential use. The eastern property line nearest the residential use is slightly lower and naturally screened by tall redwood trees to shield the building and provide privacy.

4. Zoning Ordinance Compliance.

Land use. Pursuant to Section 20.40.100 of the San José Municipal Code, a hotel or motel is a permitted use in the CP Commercial Pedestrian Zoning District.

Setbacks. The proposed building conforms to the development regulations of the CP Commercial Pedestrian Zoning District. There are no front, side or rear setback minimums, and a 10-foot front setback maximum is required pursuant to Section 20.40.200 of the San José Municipal Code. Section 20.40.290 of the San José

Municipal Code allows a zero-foot rear setback for properties abutting a commercial or less restrictive district. The proposed building maintains a 20-foot rear setback and abuts a commercial district at the rear property line and maintains a zero front and side setback. Therefore, the project setbacks are in compliance with the zoning ordinance conforms to the required setbacks.

Height. The South De Anza Boulevard Urban Village allows for a maximum building height of 120 feet. The proposed height of the four-story hotel would be approximately 55 feet and 3 inches at the higher parapet, 51 feet and 10 inches at the lower parapet, and 61 feet at the proposed tower at the southwest corner of the building. Therefore, the project height is in compliance.

Parking. Pursuant to Section 20.90.060 of the San José Municipal Code, the hotel requires one parking space per room or suite, plus one space per employee. The total number of hotel rooms is 90 and the hotel would have 10 employees per shift; therefore, 100 parking spaces are required. However, pursuant to Section 20.900.220(A) of the San José Municipal Code, the project initially applied for a 50 percent reduction in the number of parking spaces. Section 20.900.220(A) allows for a reduction in the number of parking spaces if the “structure or use is located within two thousand feet of a proposed or an existing rail station or bus rapid transit station, or an area designated as a neighborhood business district, or as an urban village, if the structure or use provides bicycle parking spaces in conformance with the requirements of Table 20-190 in the Municipal Code, and if the project implements a total of at least three TDM measures.” Because the project is located within the South De Anza Boulevard Urban Village Area, meets the bicycle parking requirement with 12 bicycle parking spaces, and will implement a TDM plan, the project is allowed to reduce the number of parking spaces by 50 percent, or from 100 required spaces to 50 spaces.

The project initially proposed 51 parking spaces. However, due to concerns from the public of the project being under-parked, the project will provide an additional 28 parking spaces through tandem and valet parking, for a total of 79 parking spaces, for an overall reduction of 21 percent. Therefore, based on the above analysis, the project abides by the required parking and parking reduction requirements of the San José Municipal Code.

Transportation Demand Management (TDM) Plan. A Transportation Demand Management plan (“TDM Plan”) has been submitted and approved for this project. The TDM Plan dated September 15, 2017 entitled “1090 South De Anza Boulevard Hotel” prepared by RYS Architects, is on file with the Department of Public Works and is incorporated fully herein by this reference. Based on the TDM measures included in the approved TDM Plan, the project shall meet the 50 percent parking reduction requirement. The project is required to submit an annual monitoring report (and pay associated administrative cost for City’s time to review), which measures the effectiveness of the approved TDM plan, in a form approved by the Director of Public

Works. The report shall be provided to the City on or before each June 30th for the reporting period of the prior calendar year. Additional TDM measures, or changes to existing TDM measures, may be required at the discretion of the Director of Public Works if the TDM measures are not effective in reducing the parking demand by a minimum of 50 percent.

The project shall also implement control measures to prohibit any parking in the adjacent and surrounding neighborhoods, businesses, and areas. Permittee shall ensure no person living, working, visiting or using the project site in any manner shall create any parking impact to the surrounding neighborhoods, businesses, and areas.

Permittee shall also implement the following TDM measures for the life of the project:

- (a) Six long-term and six short-term bicycle parking spaces.
- (b) A transit incentive program for employees. Including reimbursement for fares to and from work and a pre-tax credit.
- (c) Free shuttle service for guests to and from Mineta International Airport and two pre-selected destinations around San José, potentially Santana Row and Downtown.
- (d) Use of ride-sharing coupons during high occupancy days for non-driving guests or employees.
- (e) Bike rental for local travelers.
- (f) Provide onsite TDM Coordinator (minimum 8 hours per day) to monitor and implement the TDM measures, including providing information packets on transportation options, implementing a car share/ride share program, and monitoring parking demand. The TDM Coordinator shall have comprehensive knowledge of local transit, trip planning services, car share services, private shuttles, as well as local contact for car sharing service.
- (g) Establish an up-to-date TDM services on their website. The site should give Information on local transit, car sharing services and how guests can get and manage their visit. The TDM Coordinator shall manage and continuously update the website

5. Commercial Design Guidelines. The Commercial Design Guidelines state that hotels and motels should be stylistically consistent and should not create a nuisance for adjoining residential properties, and outlines specific building setbacks, site organization and building design guidelines to reduce and avoid any potentially adverse impacts.

Location and Setback. The Commercial Design Guidelines discourages placing hotels and motels adjacent to any future or existing residential uses, and encourages a one-and-a-half-foot setback for every foot of building height from any existing or future residential use. The proposed building is not abutting any residential use and is

surrounded by commercial use on all property lines. The nearest residential homes are located southeast of the project site, across Via Vico, and are approximately 80 feet from the property line. The proposed building is consistent with the guideline of one and half feet of setback for each foot of building height and is appropriately distanced (51 feet high x 1.5 feet equals 76.5 feet in setback) approximately 80 feet from the nearest residential use. Further, the proposed project is oriented to provide activity, light and massing away from residential properties. The highest point of the project (55 feet, 3 inches tall) is located in the southwest corners, the farthest point from any residential use. The eastern property line nearest the residential use is lower (51 feet, 10 inches tall) and naturally screened by tall redwood trees to shield the building and provide privacy.

Site Organization. The Commercial Design Guidelines for site organization emphasize the street frontage and encourages buildings to be the primary interface with the sidewalk, not the parking lots. Consistent with the guidelines, the building is the primary interface with the sidewalk and parking will be located underground where it will not be visible from the street level. The project will enhance the public area by providing larger sidewalks, street trees and adequate lighting. The project also incorporates a loading and drop-off zone for ease of check-in with circulation that does not interfere with the public right-of-way or the residential neighborhood. The loading and drop-off zone is located in front of the hotel, off of South De Anza Boulevard, a six-lane major arterial roadway, to prevent congestion and impact to the adjacent neighborhood along Via Vico.

Building Design. The Commercial Design Guideline for building design emphasize screening and promote a stylistically consistent design to prevent over-emphasis of just the front façade. The proposed building has a consistent style represented on all sides and engages the street frontage with active ground-floor uses that promotes a lively pedestrian atmosphere. All mechanical equipment, including the swimming pool, and all stairways and walkways are shielded from the public right-of-way and are incorporated into the building to reduce any noise and/or visual impacts. Further, the building is screened by the large redwood trees on the adjacent property along the eastern side of the site, in order to ensure privacy and limit any visual impact. Lastly, the building façade incorporates changes in materials, textures and colors to provide interesting and attractive architecture.

Based on the above analysis, the project is consistent with the Commercial Design Guidelines.

6. **Environmental Review.** An Initial Study/Mitigated Negative Declaration (IS/MND) entitled "1090 S. De Anza Boulevard Hotel Project" was prepared by the Director of Planning, Building, and Code Enforcement for the subject Rezoning and Site Development Permit. The IS/MND was completed in compliance with the California Environmental Quality Act (CEQA), as amended, to reflect an independent judgment and analysis of the project.

The IS/MND identified potentially significant environmental impacts and determined that the proposed project would not have a significant effect on the environment. The environmental issues addressed in the IS/MND included potential impacts to biological resources and hazards and hazardous materials. Mitigation measures are included for both of these resource areas to reduce the potentially significant project impacts to a less-than-significant level. These mitigation measures include conducting pre-construction bird surveys, clearing violation clearances, sampling organochlorine pesticides and pesticide-based metals, and preparing a Site Management Plan. The mitigation measures and associated compliance methods are included in the Mitigation Monitoring and Reporting Program.

The IS/MND was initially circulated from August 25, 2017 to September 14, 2017, but was extended to September 25, 2017, for a 31-day review period, per the request of the neighborhood. A total of 46 comment letters were received during the public review period and three comments after the end of the review period. The comments were predominantly from the residential community in opposition to the project. The comments focused on: neighborhood parking and traffic concerns from increased congestion due to the new hotel use, tree removals of the existing redwood trees along Via Vico on the project site, aesthetics impacts due to proposed height and impacts to view sheds, air and noise pollution, and hazardous materials during construction and operation.

The responses to these comments were posted online on the Planning website available for public review. Additionally, a Final IS/MND was prepared that incorporated corrections or additional text discussed in the responses to comments. The comments and responses do not require any “substantial revisions” to the IS/MND as defined in the CEQA Guidelines Section 15073.5. No new unavoidable significant impacts have been identified and no mitigation measures or project revisions must be added in order to reduce the effect to less-than-significant levels. Accordingly, recirculation of the IS/MND is not required.

The IS/MND identified that the implementation of the project would not result in any significant effects to the environment. The circulated draft and final IS/MND, associated appendices, response to comments, and other related environmental documents are available on the Planning website at: <http://www.sanjoseca.gov/index.aspx?nid=5674>.

7. Site Development Permit Findings

In order to make the Site Development Permit findings pursuant to San José Municipal Code Section 20.100.630, the City Council must determine that:

1. The Site Development Permit, as approved, is consistent with and will further the policies of the General plan and applicable specific plans and area development policies.

Analysis: The site is designated Neighborhood/Community Commercial on the Envision San José 2040 General Plan Land Use/Transportation Diagram, which supports a very broad range of commercial activity. The project site is also within the South De Anza Boulevard Urban Village Area. As discussed in the General Plan Conformance section above, the Site Development Permit is consistent with the designation of Neighborhood/Community Commercial. The Site Development Permit, as approved, will further Community Design Policy 7.1 and related policies pertaining to supporting intensive economic development within Urban Villages, as analyzed above. Therefore, this finding can be made.

2. The Site Development Permit, as approved, conforms with the Zoning Code and all other provisions of the San José Municipal Code applicable to the project.

Analysis: As discussed in the Zoning Conformance section above, the proposed hotel is permitted in the CP Commercial Pedestrian Zoning District and also meets the development standards of this district. Therefore, this finding can be made

3. The Site Development Permit, as approved, is consistent with applicable City Council Policies, or counterbalancing considerations justify the inconsistency.

Analysis: The proposed project is consistent with all applicable City Council policies. Compliant with Council Policy 6-30: Public Outreach Policy, a notice of the public hearing was distributed to the owners and tenants of all properties located within 1,000 feet of the project site and posted on the City website. Further, there were multiple meetings held with community members and developers. Therefore, this finding can be made.

4. The interrelationship between the orientation, location, and elevation of proposed buildings and structures and other uses on-site are mutually compatible and aesthetically harmonious.

Analysis: The proposed building will occupy the site in its entirety. No additional buildings exist or are proposed. The various uses on site have been carefully designed to be mutually compatible and aesthetically harmonious. For example, the breakfast area is designed to be viewed on the corner to activate the public right-of-way and provide an interesting and lively pedestrian environment, and the pool and outdoor lounge of the building are enclosed by the building to ensure privacy and limit any ambient noise. Therefore, this finding can be made.

5. The orientation, location and elevation of the proposed buildings and structures and other uses on the site are compatible with and are aesthetically harmonious with adjacent development or the character of the neighborhood.

Analysis: As discussed in the Commercial Design guidelines section below, the proposed project is not abutting any proposed or existing residential use. The

proposed building is adequately designed with regard to height and setback to be harmonious with the existing character of the neighborhood by providing a one-and-a-half-foot setback per foot of height from any proposed or existing residential use. Further, the proposed building has an overall consistent design on all elevations with quality architecture that enhances the aesthetics of the existing neighborhood and is naturally screened by existing redwood trees. Therefore, this finding can be made.

6. The environmental impacts of the project, including, but not limited to noise, vibration, dust, drainage, erosion, storm water runoff, and odor which, even if insignificant for purposes of the California Environmental Quality Act (CEQA), will not have an unacceptable negative affect on adjacent property or properties.

Analysis: The site has an existing gas station and car wash, which would be replaced by a four-story, 90-room hotel. The proposed project would marginally induce more vehicle trips, 4 a.m. peak hour trips and 14 p.m. peak hour trips, than the existing gas station; however, the increase in traffic would not have an unacceptable negative impact on adjacent properties or nearby intersections, as analyzed in the Initial Study/Mitigated Negative Declaration prepared for the project (August 2017). The construction of the building would cause a temporary increase in ambient noise which would be reduced through the limited construction hours and other measures included in the Standard Permit Conditions for the project. The project is also proposing to remove six ordinance-size trees from the property in accordance with the City's standard replacement ratio and will be subject to additional tree protection measures for the existing trees which are included in the conditions of approval. The proposed project has been evaluated to be in compliance with the City's stormwater requirements and provides on-site bio-treatment features. Therefore, this finding can be made.

7. Landscaping, irrigation systems, walls, and fences, features to conceal outdoor activities, exterior heating, ventilating, plumbing, utility and trash facilities are sufficient to maintain or upgrade the appearance of the neighborhood.

Analysis: As discussed above in the Commercial Design Guidelines section, the proposed project is appropriately designed to upgrade the appearance of the neighborhood. The design of the proposed building is consistent and provides changes of color, materials and textures to create an attractive and interesting appearance. The proposed project incorporates their heating, ventilation and air conditioning within the building, and encloses all plumbing and trash facilities to upgrade the appearance of the neighborhood. Therefore, this finding can be made.

8. Traffic access, pedestrian access and parking are adequate.

Analysis: The subject site is adequately served by the adjacent public streets and can be directly accessed from South De Anza Boulevard, a major arterial and secondary access from Via Vico, a residential street. The Department of Transportation reviewed the on-site circulation of traffic and the Transportation Demand Management plan and finds that the project is sufficiently accessible. No issues were found with regards to the driveway or access to the underground parking. Therefore, this finding can be made.

8. Required Tree Removal Permit Findings. In order to make the Live Tree Removal Permit findings pursuant to San José Municipal Code Section 13.32.100, the City Council must determine that;

1. That the tree affected is of a size, type and condition, and is in such a location in such surroundings, that its removal would not significantly frustrate the purposes of this chapter as set forth in Section 13.32.010; or
2. That the location of the tree with respect to a proposed improvement unreasonably restricts the economic development of the parcel in question; or
3. That the condition of the tree with respect to disease, danger of falling, proximity to an existing or proposed structure, and/or interference with utility services, is such that preservation of the public health or safety requires its removal; or

Analysis: Six onsite redwood trees are located within the new building footprint of the proposed structure and may interfere with utility service or impact the safety of the building. Preservation of the trees would not be feasible within the context of the development because the existing trees would further constrain an already limited site and would unreasonably restrict the economic development of the entire parcel. The development would adhere to the standard conditions required for the tree removals including replacement and contribution to Department of Transportation. Therefore, this finding can be made.

9. Demolition Permit Evaluation Criteria

Under the provisions of Section 20.80.460 of the San José Municipal Code, prior to the issuance of any development permit, which allows for the demolition, removal or relocation of a building, the following shall be considered to determine whether the benefits of permitting the demolition, removal or relocation outweigh the impacts of the demolition, removal or relocation:

1. The failure to approve the permit would result in the creation or continued existence of a nuisance, blight or dangerous condition;

Analysis: Not Applicable. The existing gas station is operational and would not create or continue the existence of a nuisance, blight or dangerous conditions.

2. The failure to approve the permit would jeopardize public health, safety or welfare;

Analysis: Not applicable, as the current gas station does not jeopardize public health, safety or welfare and is operational.

3. The approval of the permit should facilitate a project which is compatible with the surrounding neighborhood;

Analysis: As discussed in the Site Development Permit section above, the permit will facilitate a project that is compatible with the surrounding development.

4. The approval of the permit should maintain the supply of existing housing stock in the City of San José;

Analysis: Not applicable as the project does not require the removal of housing units.

5. Both inventoried and non-inventoried buildings, sites and districts of historical significance should be preserved to the maximum extent feasible;

Analysis: As analyzed in the IS/MND, the gas station building has been determined to have no historical significance; therefore, preservation of the building is not warranted.

6. Rehabilitation or reuse of the existing building would not be feasible; and

Analysis: The gas station building is not compatible with the new development and cannot feasibly be reused or repurposed to meet the objectives of the project, which are to construct a modern hotel.

7. The demolition, removal or relocation of the building without an approved replacement building should not have an adverse impact on the surrounding neighborhood.

Analysis: Not applicable.

10. Transportation Demand Management Evaluation Criteria. Under the provisions of Section 20.90.220 of the San José Municipal Code, prior to the issuance of any project that requires a TDM program:

1. The decision maker for the project application shall first find in addition to other required findings that the project applicant has demonstrated that it can maintain the TDM program for the life of the project, and it is reasonably certain that the parking shall continue to be provided and maintained at the same location for the services of the building or use for which such parking is required, during the life of the building or use; and

Analysis: Based upon the design features of the project and the TDM plan provided, it is reasonably demonstrated that the applicant can maintain the reduced parking through programs which encourage car sharing, bike sharing, and overall reduced car usage. Incentives will be provided to employees to use transit and other TDM program features developed to reduce parking demand.

2. The decision maker for the project application also shall first find that the project applicant will provide replacement parking either on-site or off-site within reasonable walking distance for the parking required if the project fails to maintain a TDM program.

Analysis: If the TDM program fails, a Site Development Permit Amendment would be required to address the increased parking demand by installing parking lifts. The system could potentially have two vehicles per parking space on a portion of the garage. The garage height could be adjusted to include an additional one to two feet to allow for installation. The TDM program may also be adjusted to reflect increased demand, which may include adding additional shuttle services or increasing the incentives for alternative modes of transportation.

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

CONDITIONS:

1. **Acceptance of Permit.** Per Section 20.100.290(B) of the San José Municipal Code, should the permittee fail to file a timely and valid appeal of this Site Development Permit within the applicable appeal period, such inaction by the permittee shall be deemed to constitute all of the following on behalf of the permittee:
 - a. Acceptance of the Site Development Permit by the permittee; and
 - b. Agreement by the permittee to be bound by, to comply with, and to do all things required of or by the permittee pursuant to all of the terms, provisions, and conditions of this Permit or other approval and the provisions of Title 20 of the San José Municipal Code applicable to such Permit.
2. **Permit Expiration.** This Site Development Permit shall automatically expire two (2) years from and after the date of issuance hereof by the City Council, if within such time period, a Building Permit has not been obtained or the use, if no Building Permit is required, has not commenced, pursuant to and in accordance with the provision of

this Permit. The date of issuance is the date this Permit is approved by the City Council. However, the Director of Planning may approve a Permit Adjustment to extend the validity of this Permit in accordance with Title 20 of the San José Municipal Code. The Permit Adjustment must be approved prior to the expiration of this Permit.

3. **Sewage Treatment Demand.** Chapter 15.12 of Title 15 of the San José Municipal Code requires that all land development approvals and applications for such approvals in the City of San José shall provide notice to the permittee for, or recipient of, such approval that no vested right to a Building Permit shall accrue as the result of the granting of such approval when and if the City Manager makes a determination that the cumulative sewage treatment demand of the San José-Santa Clara Regional Wastewater Facility represented by approved land uses in the area served by said Facility will cause the total sewage treatment demand to meet or exceed the capacity of San José-Santa Clara Regional Wastewater Facility to treat such sewage adequately and within the discharge standards imposed on the City by the State of California Regional Water Quality Control Board for the San Francisco Bay Region. Substantive conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approval authority.
4. **Conformance to Plans.** The development of the site shall conform to the approved Site Development Permit plans entitled, "Hampton Inn," dated May 24, 2018 on file with the Department of Planning, Building and Code Enforcement, as may be amended and approved by the Director of Planning, Building, and Code Enforcement, and to the San José Building Code (San José Municipal Code, Title 24). The plans are referred to herein as the "approved plans" or the "Approved Plan Set."
5. **Certificate of Occupancy.** The permittee shall obtain a Certificate of Occupancy. Procurement of a Certificate of Occupancy from the Building Official for the structures described or contemplated under this Permit shall be deemed acceptance of all conditions specified in this Permit and the permittee's agreement to fully comply with all of said conditions. No change in the character of occupancy or change to a different group of occupancies as described by the Building Code shall be made without first obtaining a Certificate of Occupancy from the Building Official, as required under San José Municipal Code Section 24.02.610, and any such change in occupancy must comply with all other applicable local and state laws.
6. **Compliance with Local and State Laws.** The subject use shall be conducted in full compliance with all local and state laws, regulations and required permits. No part of this approval shall be construed to permit a violation of any part of the San José Municipal Code. The Permit shall be subject to revocation if the subject use is conducted in such a manner as to cause a nuisance.
7. **Conformance to MMRP.** This project shall conform to all applicable requirements of the Mitigation Monitoring and Reporting Program (MMRP) approved for this development by City Council Resolution No. _____.

8. Standard Environmental Conditions:

- a. **Air Quality.** Consistent with the BAAQMD CEQA Air Quality Guidelines, the project shall implement the following measures during all phases of construction on the project site, to reduce dust fall-out emissions:
- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - All vehicle speeds on unpaved roads shall be limited to 15 mph.
 - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
 - All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
 - Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
- b. **Biological Resources.** The removed trees would be replaced according to tree replacement ratios required by the City. In the event the project site does not have sufficient area to accommodate the required tree mitigation, one or more of the following measures will be implemented, to the satisfaction of the City's Environmental Supervising Planner, prior to issuance of a development permit:
- The size of a 15-gallon replacement tree can be increased to 24-inch box and count as two replacement trees.
 - Identify an alternative site(s) for additional tree planting. Alternative sites may

include local parks or schools or installation of trees on adjacent properties for screening purposes to the satisfaction of the Director of the Department of Planning, Building, and Code Enforcement. Contact the Department of Parks, Recreation & Neighborhood Services (PRNS) Landscape Maintenance Manager for specific park locations in need of trees.

- Donate \$300 per mitigation tree to the Department of Transportation for in-lieu off-site tree planting in the community. These funds will be used for tree planting and maintenance of planted trees for approximately three years. A donation receipt for off-site tree planting shall be provided to the Planning Project Manager prior to issuance of a development permit.

The project is subject to applicable Habitat Plan conditions and fees (including the nitrogen deposition fee) prior to issuance of any grading permit. The project permittee shall submit a Santa Clara Valley Habitat Plan Coverage Screening Form to the Supervising Environmental Planner of the Department of Planning, Building, and Code Enforcement for review and will complete subsequent forms, reports, and/or studies as needed.

- c. **Cultural Resources.** In the event that prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped, the Director of Planning, Building and Code Enforcement shall be notified, and the archaeologist will examine the find and make appropriate recommendations prior to issuance of building permits. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Director of Planning, Building and Code Enforcement.
- 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 that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped. The Santa Clara County Coroner shall be notified and make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.
 - If vertebrate fossils are discovered during construction, all work on the site will stop immediately until a qualified professional paleologist can assess the nature and importance of the find and recommend appropriate treatment. Treatment may include preparation and recovery of fossil materials so that they

can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds. The project proponent would be responsible for implementing the recommendations of the paleontological monitor.

- d. **Geology and Soils.** 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 José Public Works Department for review and confirmation that the proposed development fully complies with the California Building Code and the requirements of City of San José Ordinance No. 25015 and Building Division Policy No. SJMC 24.02.310-4-94. The report shall determine the project site's surface geotechnical conditions and address potential seismic hazards, such as seismicity, expansive soils, and liquefaction. 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 to the California Division of Mines and Geology recommendations presented in the "Guidelines for Evaluating Seismic Hazards in California."
- e. **Hazards and Hazardous Materials.** To ensure conformance with state and local laws related to asbestos and lead-based paint, the following must be adhered to:
- In conformance with state and local laws, a visual inspection/pre-demolition survey, and sampling, if warranted based on observations, shall be conducted prior to the demolition of onsite buildings to determine the presence of asbestos-containing materials and/or lead-based paint.
 - Prior to demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, California Code Regulations (CCR) 1532.1, including employee training, employee air monitoring, and dust control. Any debris or soil containing lead-based paint or coatings shall be disposed of at landfills that meet acceptance criteria for the waste being disposed.
 - All potentially friable asbestos-containing materials shall be removed in accordance with National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines prior to any building demolition or renovation that may disturb the materials. All demolition activities shall be undertaken in accordance with Cal/OSHA standards contained in Title 8 of the CCR, Section 1529, to protect workers from exposure to asbestos.
 - A registered asbestos abatement contractor shall be retained to remove and dispose of asbestos-containing materials identified in the asbestos survey performed for the site in accordance with the standards stated above.
 - Materials containing more than one percent asbestos are also subject to

BAAQMD regulations. Removal of materials containing more than one percent asbestos shall be completed in accordance with BAAQMD requirements (see BAAQMD Regulation 11, Rule 2, Asbestos Demolition, Renovation and Manufacturing).

- f. **Hydrology and Water Quality.** The following conditions shall be implemented to prevent stormwater pollution and minimize potential sedimentation during construction.
- Utilize onsite sediment control BMPs to retain sediment on the project site.
 - Utilize standardized construction entrances and/or wash racks.
 - Implement damp street sweeping.
 - Provide temporary cover of disturbed surfaces to help control erosion during construction.
 - Provide permanent cover to stabilize the disturbed surfaces after construction is complete.
- g. **Noise.** The City's standard for interior noise levels in residences, hotels, motels, residential care facilities, and hospitals is 45 dBA DNL. The project shall include appropriate site and building design, building construction and noise attenuation techniques in new development to meet this standard. For sites with exterior noise levels of 60 dBA DNL or more, an acoustical analysis following protocols in the City-adopted California Building Code is required to demonstrate that development projects can meet this standard. The acoustical analysis shall base required noise attenuation techniques on expected Envision General Plan traffic volumes to ensure land use compatibility and General Plan consistency over the life of this plan. A design-level acoustical analysis will be completed at the building permit stage as a routine step, in conformance with the Building Code, to document the noise attenuation measures necessary to reduce interior noise to 45 dBA DNL or lower prior to the issuance of building permits.

Consistent with the, General Plan Policy EC-1.7 and Municipal Code, the project proposes to implement the following standard measure to reduce construction-related noise impacts to a less than significant level:

- Construction activities shall be limited to the hours between 7:00 AM and 7:00 PM, Monday through Friday, unless permission is granted with a development permit or other planning approval. No construction activities are permitted on the weekends at sites within 500 feet of a residence.
- Construct solid plywood fences around ground-level construction sites adjacent to operational businesses, hotels, and other noise-sensitive land uses.
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.

- Unnecessary idling of internal combustion engines should be strictly prohibited.
 - Locate stationary noise-generating equipment such as air compressors or portable power generators as far as possible from sensitive receptors. Construct temporary noise barriers to screen stationary noise-generating equipment when located near adjoining sensitive land uses. Temporary noise barriers could reduce construction noise levels by 5 dBA.
 - Utilize "quiet" air compressors and other stationary noise sources where technology exists.
 - Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
 - Notify all adjacent business, residences, and other noise-sensitive land uses of the construction schedule, in writing, and provide a written schedule of "noisy" construction activities to the adjacent land uses and nearby residences.
 - A temporary noise control blanket barrier could be erected, if necessary, along building facades facing construction sites. This mitigation would only be necessary if conflicts occurred which were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected.
 - Pre-drill foundation pile holes to minimize the number of impacts required to seat the pile.
 - Consider the use of "acoustical blankets" for receptors located within 100 feet of the site during pile driving activities.
 - Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.
9. **Discretionary Review.** The Director of Planning, Building and Code Enforcement maintains the right of discretionary review of requests to alter or amend structures, conditions, or restrictions of this Permit incorporated by reference in accordance with Chapter 20.100 of the San José Municipal Code.
10. **Outdoor Storage or Uses.** No outdoor storage or uses are allowed or permitted unless otherwise shown on the approved plans.
11. **Outdoor Security.** Outdoor security shall be provided by a surveillance system that maintains a recording for a minimum of thirty days.
12. **Nuisance.** This use shall be operated in a manner that does not create a public or

private nuisance. Nor shall the use adversely affect the peace, health, safety, morals or welfare of persons residing or working in the surrounding area or be detrimental to public health, safety or general welfare. Any such nuisance shall be abated immediately upon notice by the City.

13. **Refuse.** All trash areas shall be effectively screened from view and covered, and maintained in an orderly state to prevent water from entering into the garbage container. Trash areas shall be maintained in a manner to discourage illegal dumping.
14. **Anti-Graffiti.** The permittee shall remove all graffiti from buildings, fences, and wall surfaces within 48 hours of defacement.
15. **Anti-Litter.** The site and surrounding area shall be maintained free of litter, refuse, and debris.
16. **Sign Approval.** No signs are approved at this time. All proposed signs shall be subject to approval by the Director of Planning.
17. **Colors and Materials.** All building colors and materials are to be as specified on the Approved Plan Set.
18. **Street Cleaning and Dust Control.** During construction, the permittee shall sweep and wash down the public streets each working day. In any on-site area visible to the public from the public right-of-way, the site shall be clean of debris, rubbish and trash at least once a week. The permittee shall implement effective dust control measures to prevent dust and other airborne matter from leaving the construction site.
19. **Construction Hours.** Construction shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any on-site or off-site work within 500 feet of any residential unit. Interior construction that is not audible at the adjacent property lines is permitted on Saturday and Sunday between 9:00 a.m. and 6:00 p.m.
20. **Landscaping.** Planting and irrigation shall be provided by the permittee for all landscaped areas as indicated on the final Approved Plan Set. Landscaped areas shall be improved as per the final plans, maintained and watered and all dead plant material shall be removed and replaced by the property owner. Irrigation shall be installed in accordance with the State Model Water Efficient Landscape Ordinance Part 4 of Chapter 15.10 of Title 15 of the San José Municipal Code, Water Efficient Landscape Standards for New and Rehabilitated Landscaping and the City of San José Landscape and Irrigation Guidelines.
21. **Irrigation Standards.** The permittee shall install an adequately sized irrigation distribution system with automatic controllers in all areas to be landscaped that shall conform to the Zonal Irrigation Plan in the Approved Plan Set. The design of the system shall be approved and stamped by a California Registered Landscape Architect.
22. **Certification.** Pursuant to San José Municipal Code, Section 15.10.486, certificates of substantial completion for landscape and irrigation installation shall be completed

by licensed or certified professionals and provided to the Department of Planning, Building and Code Enforcement prior to approval of the final inspection of the project.

23. **Recycling.** It is required that scrap construction and demolition debris be recycled instead of disposing of it in a landfill. An infrastructure exists within San José 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. Additional information may be found at <http://www.sjrecycles.org/construction-demolition/cddd.asp> or by contacting the Commercial Solid Waste Program at (408) 535-8550.
24. **Building and Property Maintenance.** The property owner or management company shall maintain the property in good visual and functional condition. This shall include, but not be limited to all exterior elements of the buildings such as paint, roof, paving, signs, lighting and landscaping.
25. **Police Issues.** The permittee shall maintain a liaison with the Police Department to effectively control crime, gang, drug and other police problems which may arise from the operation between 12:00 midnight and 6:00 a.m.
26. **Building Clearance for Issuing Permits.** Prior to the issuance of any Building Permit, the following requirements must be met to the satisfaction of the Chief Building Official:
 - a. **Construction Plans.** This permit file number, H16-032, shall be printed on all construction plans submitted to the Building Division.
 - b. **Americans with Disabilities Act.** The permittee shall provide appropriate access as required by the Americans with Disabilities Act (ADA).
 - c. **Emergency Address Card.** The permittee shall file an Emergency Address Card, Form 200-14, with the City of San José Police Department.
 - d. **Construction Conformance.** A project construction conformance review by the Planning Division is required. Planning Division review for project conformance will begin with the initial plan check submittal to the Building Division. Prior to final inspection approval by the Building Department, permittee shall obtain a written confirmation from the Planning Division that the project, as constructed, conforms to all applicable requirements of the subject Permit, including the plan sets. To prevent delays in the issuance of Building Permits, please notify Planning Division staff at least one week prior to the final Building Division inspection date.
27. **Fire Department Requirements.** The project shall conform to the requirements of the Fire Department at the building plan review stage to the satisfaction of the Chief Building Official and the Fire Chief.
28. **Storm Water Stenciling.** All drain inlets shall be labeled "No Dumping-Flows to Bay." Please contact the City of San José, Department of Public Works, at (408) 277-5161

to obtain free stencils.

29. Protection of Storm Drains. No hazardous materials, paint, rinse water, or construction sediments or debris shall be allowed to enter the public right-of-way or any storm drain inlet.

30. Public Works. Public Works Clearance for Building Permit(s) or Map Approval: Prior to the approval of the Tract or Parcel Map (if applicable) by the Director of Public Works, or the issuance of Building permits, whichever occurs first, the permittee will be required to have satisfied all of the following Public Works conditions. The permittee is strongly advised to apply for any necessary Public Works permits prior to applying for Building permits. Standard review timelines and submittal instructions for Public Works permits may be found at the following: <http://www.sanjoseca.gov/index.aspx?nid=2246>.

a. **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.

b. **Transportation:**

- i. A Traffic Impact Analysis has been performed for this project based on 4 AM and 14 PM peak hour trips. Applying credit from the existing gas station use, the subject project will be in conformance with the City of San José Transportation Level of Service Policy (Council Policy 5-3) and a determination for a negative declaration can be made with respect to traffic impacts. See separate Traffic memo dated 05/04/18 for additional information.
- ii. An approved Transportation Demand Management (TDM) plan is required to allow a 50 percent parking reduction as part of the project's Conditions of Approval for Planning Permit H16-032.
- iii. The City of Cupertino has required a \$10,000 contribution for signal timing and infrastructure improvements along De Anza Boulevard. This payment is required prior to issuance of a building permit.
- iv. Based on the TDM measures included, the project meets the 50 percent parking reduction goal. The permittee is required to submit an annual monitoring report, which measures the effectiveness of the TDM plan. Additional TDM measures may be required if the TDM measures are not effective.
- v. Permittee shall also implement the following TDM measures for the life of the project:

1. Long-term and short-term bicycle parking spaces.
2. A transit incentive program for employees, including reimbursement for fares to and from work and a pre-tax credit.
3. Transit information center and TDM administrator on-staff during daytime shift.
4. Shuttle service for guests to and from Mineta International Airport and two pre-selected destinations around San José, Downtown and Santana Row.
5. Use of ride-sharing coupons during high occupancy days for non-driving guests or employees.
6. Bike rental for local travelers.
7. Provide onsite TDM Coordinator (minimum 8 hours per day) to monitor and implement the TDM measures, including providing information packets on transportation options, implementing a car share/ride share program, and monitoring parking demand. The TDM Coordinator shall have comprehensive knowledge of local transit, trip planning services, car share services, private shuttles, as well as local contact for car sharing service.
8. Establish an up-to-date TDM services on their website. The site should give Information on local transit, car sharing services and how guests can get and manage their visit. The TDM Coordinator shall manage and continuously update the website

The project shall also implement control measures to prohibit any parking in the adjacent and surrounding neighborhoods, businesses, and areas. Permittee shall ensure no person living, working, visiting or using the project site in any manner shall create any parking impact to the surrounding neighborhoods, businesses, and areas.

- c. **Urban Village Plan:** This project is located in a designated Urban Village per the Envision San José 2040 General Plan. Urban Villages are designed to provide a vibrant and inviting mixed-use setting to attract pedestrians, bicyclists, and transit users of all ages and to promote job growth.
- d. **Grand Boulevard:** This project fronts De Anza Boulevard which is designated as one of the seven Grand Boulevards per the Envision San José 2040 General Plan. Grand Boulevards are identified to serve as major transportation corridors for primary routes for VTA light-rail, bus rapid transit, standard or community buses, and other public transit vehicles.
- e. **Grading/Geology:**
 - i. A grading permit is required prior to the issuance of a Public Works Clearance. The construction operation shall control the discharge of pollutants (sediments) to the storm drain system from the site. An erosion

control plan may be required with the grading application.

- ii. All on-site storm drainage conveyance facilities and earth retaining structures 4 feet in height or greater (top of wall to bottom of footing) or is being surcharged (slope of 3:1 or greater abutting the wall) shall be reviewed and approved under Public Works grading and drainage permit prior to the issuance of Public Works Clearance. The drainage plan should include all underground pipes, building drains, area drains and inlets. The project shall provide storm drainage calculations that adhere to the 2013 California Plumbing Code or submit a stamped and signed alternate engineered design for Public Works discretionary approval and should be designed to convey a 10-year storm event.
- iii. A soils report must be submitted to and accepted by the City prior to the issuance of a grading permit.

f. Shoring:

- i. Shoring plans will be required for review and approval as part of the Grading Permit for this project.
- ii. If tie-backs are proposed in the Public right-of-way as a part of the shoring operation, a separate Revocable Encroachment Permit must be obtained by the Permittee or Contractor and must provide security, in the form of a CD or Letter of Credit, in the amount of \$100,000. All other shoring will not be allowed to encroach within the public right-of-way (i.e. soldier beams).
- iii. If tie-backs are proposed for use along the adjacent property(ies) (APN's 372-25-021) agreements between the permittee and the adjacent property owner(s) will need to be secured, executed and provided to the Public Works Project Engineer prior to approval of the Grading Permit for this project.

g. Stormwater Runoff Pollution Control Measures: This project must comply with the City's Post-Construction Urban Runoff Management Policy (Policy 6-29) which requires implementation of Best Management Practices (BMPs) which includes site design measures, source controls and numerically-sized Low Impact Development (LID) stormwater treatment measures to minimize stormwater pollutant discharges.

- i. The project's Stormwater Control Plan and numeric sizing calculations have been reviewed and this project will be in conformance with City Policy 6-29.
- ii. Final inspection and maintenance information on the post-construction treatment control measures must be submitted prior to issuance of a Public Works Clearance.

h. Stormwater Peak Flow Control Measures: The project is located in a non-Hydromodification Management area and is not required to comply with the City's

Post- Construction Hydromodification Management Policy (Council Policy 8-14).

- i. **Flood: Zone X:** The project site is not within a designated Federal Emergency Management Agency (FEMA) 100-year floodplain. Flood Zone X is an area of moderate or minimal flood hazard. Zone X is used on new and revised maps in place of Zones B and C. There are no City floodplain requirements for Zone X.
- j. **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 prior to Public Works clearance.
- k. **Reimbursement:** The developer will be required to reimburse the City for costs advanced for the construction of street improvements along De Anza Boulevard in accordance with City Ordinance No.19663.
- l. **Undergrounding:** Commercial Street and Oakland Road are designated streets and are subject to the In-Lieu Undergrounding fee. The In-Lieu Undergrounding fee is a percentage of the intensification of the project and shall be paid to the City for all frontage adjacent to Commercial Street and Oakland 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 2018 base fee is \$485 per linear foot of frontage and is subject to change every January 31st based on the Engineering News Record's City Average Cost Index for the previous year. The project will be required to pay the current rate in effect at the time the Public Works Clearance is issued (based on 2018 rate, the fee is approximately \$288,090).
- m. **Street Improvements:**
 - i. Construct 15-foot sidewalk with tree wells at back of curb along South De Anza Boulevard to City and ADA standards. An approximate 5-foot wide street easement dedication will be required.
 - ii. Construct 10-foot sidewalk along Via Vico to meet City and ADA standards. One-way driveways shall be 20 feet wide.
 - iii. Close unused driveways.
 - iv. Reconstruct handicap ramp at the northeast corner of Via Vico and South De Anza Boulevard to meet City and ADA standard.
 - v. Permittee shall be responsible to remove and replace curb, gutter, and sidewalk damaged during construction of the proposed project.
- n. **Assessment:** This project proposes a hotel use. The City of San José on September 30, 2008, implemented a special tax for Convention Center Facilities District (CCFD) No. 2008-1 for all existing hotel properties with the intent that future hotel properties would participate as well. The special tax was authorized to be levied on hotel properties for the purpose of paying for the acquisition, construction, reconstruction, replacement, rehabilitation and upgrade of the San

José Convention Center. The special tax is levied and collected in addition to and in a manner similar to the City's Transient Occupancy Tax. The special tax may not be apportioned in any tax year on any portion of property in residential use in that tax year, with the understanding that transient occupancy of hotel rooms is not residential use. The base special tax is 4% of gross rents and may be subject to an additional special tax up to 1% of gross rents. All new hotel properties within San José are encouraged to annex into the CCFD. Please contact Public Works at (408) 535-6831 to coordinate the annexation process.

o. Electrical:

- i. Existing electroliers along the project frontage will be evaluated at the public improvement stage and any street lighting requirements will be included on the public improvement plans.
- ii. Locate and protect existing electrical conduit in driveway and/or sidewalk construction.

p. Site Utilization Plan and Revocable Encroachment Permit (Street/Sidewalk Closures): At the Implementation stage, Developer shall provide to the Public Works Project Engineer a Site Utilization Plan with the application of a Revocable Encroachment Permit for any proposed sidewalk and lane closures to support the onsite construction activities.

- i. The following should be included with the Site Utilization Plan and Revocable Permit application, but are not limited to:

1. **Site Utilization Plan and Letter of Intent:** The site utilization plan should provide a detailed plan of the location of the temporary facilities within the boundary of the construction site. The Letter of Intent should provide a description operations of the site as well as the reasons for the sidewalk/lane closures and why the activities/uses that are proposed within the Public right-of-way can't occur within the construction site. These include the use of the right of way for temporary facilities and activities such as man lifts, baker tanks, staging area, concrete pumping activities, etc. This would also provide a discussion as to the reasons why covered pedestrian walkways will not be provided (e.g., swinging loads over sidewalk not safe for pedestrians).
2. **Multi-Phased Site Specific Sketches:** These sketches should show the phased closures during the course of construction with a provided timeframe estimate of when each phase would be implemented. These sketches should include the type and location of the work to be accomplished within the right-of-way. The exhibit should show in detail the vehicular and/or pedestrian diversion route that shows the appropriate safety equipment, such as barricades, cones, arrow boards, signage, etc.

ii. Permittee shall minimize the potential impact to vehicular and pedestrian traffic by:

1. Implementing the closures at the time the onsite activities dictate the need for the closure.
2. Minimizing the closure timeframes to accomplish the onsite tasks and implement the next phase of the closure as outlined in condition p.ii.2 above.

iii. If proposed lane and parking closures are a part of the Revocable Permit Application, Permittee shall submit Downtown Lane Closure and Tow Away Permit Applications to DOT. These applications may be obtained at: <http://www.sanjoseca.gov/index.aspx?NID=3713>. Permittee shall contact DOT at (408) 535-8350 for more information concerning the requirements of these applications.

q. **Street Trees:**

- i. The locations of the street trees will be determined at the street improvement stage. Contact the City Arborist at (408) 794-1901 for the designated street tree. Install street trees within public right-of-way along entire project street frontage per City standards; refer to the current "Guidelines for Planning, Design, and Construction of City Streetscape Projects". Street trees shall be installed in cutouts at the back of curb. Obtain a DOT street tree planting permit for any proposed street tree plantings. Street trees shown on this permit are conceptual only.
- ii. The City does not support the use of *Eucalyptus leucoxylon* (or any *Eucalyptus*) as a street tree in tree wells. Consult the City Arborist for other street tree options.

31. Revocation, Suspension, Modification. This Site Development Permit may be revoked, suspended or modified by the Planning Commission, or the City Council on appeal, at any time regardless of who is the owner of the subject property or who has the right to possession thereof or who is using the same at such time, whenever, after a noticed hearing in accordance with Part 2, Chapter 20.100, Title 20 of the San José Municipal Code it finds:

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

In accordance with the findings set forth above, a permit to use the subject property for

said purpose specified above is hereby approved.

EFFECTIVE DATE

The effective date of this Permit shall be the effective date of the Conforming Rezoning for File No. C16-041 adopted on _____, 2018 (the "Commercial Pedestrian Zoning District Ordinance") and shall be no earlier than the effective date of said Planned Development Zoning Ordinance.

ADOPTED this ____ day of _____ 2018, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

NOTICE TO PARTIES

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

Rivera, Robert

From: Allen Chang <allenc@marvell.com>
Sent: Tuesday, October 17, 2017 2:16 PM
To: Rivera, Robert
Subject: Community Meeting for Project H16-032 - Voice from local resident

Categories: Public Outreach

Hi Robert,

My name is Allen. I am a local resident that live nearby the propose project (site at 109 South De Anza Blvd), facing the site. In the recent year, numerous project meeting has been hold, with the two most recent one being 1. Music Tunnel KTV & 2. Indian Cash & Curry grocery store. During both meeting, a pretty was painting but both never lived up to their promised. Please allow me to go into the specific in my email below:

- 1) **Parking Issue:** In both cases, project owner always proposed an ideal situation of the parking scenario but never present what actually may happen to the city. Promising that parking will not be an issue, yet that's not the actual case. You don't have to take my word for it, but if you have the time, please go out and take a look at the parking situation in any evening hour or on the weekend. Extra parking always overflow well into the neighborhood (the streets behind) and causing tremendous parking hassle for the local resident.

Given that the proposed project is only building 50 parking space for 90 guestroom. It's hard for one to see how 50 parking space will fit all the potential guest (as car is close to a must for one to get around in this particular neighborhood) + the employee that will be working there (which one can easily assume to be greater than 10 at any given moment). The number simply doesn't add up.

- 2) **Rat Issue:** Both business (KTV & grocery store) promise to properly maintain their disposal. Yet, one can easily find trash not properly maintain in the dumpster and rotten has become a serious issue. I am living next to the place with only 1 house in between my place and the KTV business. I have been catching rat month after month. I will be more than happy to provide actual picture of the rotten issue if you are interested in seeing it. It is a huge problem for the resident, complains has been filed. Never seen any response or improvement.

With the propose project going to be able to sell food at their location, it is hard to one to believe that they will properly maintain their disposal especially as I have been through 2 straight broken promises.

- 3) **Customer Management:** I can't comment on the grocery market but I have heard a lot of terrible story which you must have been getting emails about. As a resident that lives nearby the Music Tunnel KTV, I want to raise the concern I have been seeing from the customer at the KTV.
 - a. **Smoker – Cigarette smoker** always linger outside the store at night, causing health concern for the resident. Cigarette butts can always be found on the floor, with ashes everywhere. KTV promised this will never happen in the hearing, yet, now this is the reality.
 - b. **Noise – Music Tunnel** does do a good job in term of creating noise isolation within their room to prevent noise issue. However, due to their operation hour, one can often hear their customer shutting outside the store at midnight. Laughing and shouting without any consideration for the local resident.

Those are just some of the concern I want to raise for your attention. If you can spare sometimes, I would be gladly to guide you in person and show you the problem those business has create for the community in person. This is not even to meaning the ideal of creating a 4 story building next to a residential area which will totally change the view and block

out the sun for the neighbors. Please help us inspect the potential issue this proposed project can bring to the community. It is just not a feasible idea.

If you have any question, please let me know. I can be easily reach by email or by phone (408) 406-1345.

Thanks and best regards,

7196 Via Vico Residents

**COMMUNITY MEETING REGARDING
PROPOSED HOTEL AT 1090 SOUTH DE ANZA BOULEVARD**

File No. H16-032

Monday, October 23, 2017

6:30 p.m. – 8:00 p.m.

Calabazas Library, 1230 S. Blaney Avenue, San José

Dear Neighbor,

As a property owner or tenant in the area of the proposed project described below, you are receiving this invitation to a community meeting where the project will be discussed. The meeting is hosted by the City of San José Planning Division and the project applicant. This is an opportunity for you to learn about the proposal and provide input. City staff will consider all comments at this meeting as well as comments made by phone or submitted in writing during the evaluation period of the proposal.

Proposed Project: File No. H16-032 (SJSC Towers) - 39 North 5th Street, located on the northwesterly corner of East Santa Clara Street and North 5th Street. Site Development Permit to allow a 4 story hotel with a total building area of 51,279 square feet and would include 90 guestrooms, a lobby, fitness area, breakfast and food prep area, meeting room, and linen/laundry area. The project includes underground parking for approximately 50 vehicles and a proposed alternative parking design to accommodate vehicles past the maximum threshold on approximately 0.60 gross acre site.

If you have comments or questions about this project, please contact:

City of San José Planning Division

Robert Rivera

Project Manager

Phone: (408)535-4843

Email: Robert.Rivera@sanjoseca.gov

Project Applicant

Company Name

Contact Name: Jerry Kwok

Phone: (408) 507-3291

Email: jkwokrealtor@gmail.com

Rivera, Robert

From: chelakara prakash <mail4csp@gmail.com>
Sent: Sunday, January 21, 2018 1:10 PM
To: Rivera, Robert
Cc: Ferguson, Jerad
Subject: Re: 1090 S De Anza Blvd - Hotel Proposal

Hello Robert,

As an owner of a home in Chiala lane, a lane adjacent to the proposed hotel in question, I am strongly registering my objection to this project in its current form.

Having adequate parking for all the hotel guests who are staying, employees, and any floating guests is an absolute must for any projects of this scale, especially considering residential neighborhoods nearby. Without this, there will be a massive spillover of cars into residential neighborhoods creating a nightmare for neighborhood residents.

Thank You

C.S Prakash

408 439 8658 (cell)

On Fri, Jan 19, 2018 at 1:57 PM, Rivera, Robert <robert.rivera@sanjoseca.gov> wrote:

Hello C.S.,

The project is proposing 51 parking spaces in one level of underground parking, and a valet program to increase the parking to 79 parking spaces during peak capacity. Further the project is proposing a transportation demand management plan (TDM) that would alleviate the demand of parking for the hotel. Some components of the TDM are:

- Shuttle service to and from the airport and to select locations in San José
- Employee subsidies for public transportation
- Bike rentals for local travel
- Uber and Lyft offers during peak periods of capacity

You asked *"Would [the parking reduction] mean the rest of the cars (40 of even more) will spill over to the neighboring streets?"*

- No, not necessarily. The reason why a parking reduction and a TDM plan is used together is to reduce the demand on our roads. As a planner and as a citizen, we're all aware of congestion on the streets of San José. The only way to

combat congestion is to have fewer vehicles on our roads. To do this, the city must promote multi-modes of transportation, like shuttles, buses, bikes and walking. The reason this hotel can have less parking is because it has access to public transit, includes a shuttle and is walking distance from many amenities, so less people need to drive and therefore less parking is necessary.

I hope this answers your question. Thank you for your interest and your comment will be noted.

Thanks,

Robert Rivera

Planner I

City of San Jose

(408) 535-4843

www.sanjoseca.gov/planning

From: chelakara prakash [mailto:mail4csp@gmail.com]

Sent: Thursday, January 18, 2018 2:56 PM

To: Rivera, Robert <robert.rivera@sanjoseca.gov>; Ferguson, Jerad <Jerad.Ferguson@sanjoseca.gov>

Subject: Re: 1090 S De Anza Blvd - Hotel Proposal

I just read that the proposal says 90 rooms with 50 car parking slots. Would this mean the rest of the cars (potentially 90-50= 40 or even more) will spill over to the neighboring streets?

thx

-CS

On Thu, Jan 18, 2018 at 2:45 PM, chelakara prakash <mail4csp@gmail.com> wrote:

Hello,

1) Please advise if there be more than enough parking structures for the hotel so that hotel parking does not spill over to the neighboring streets.

2) Assume that status quo of Via Vico blocking at Chiala lane intersection will not be altered? Please confirm.

Thank You

C.S Prakash

7074 Chiala lane,

San Jose, CA 95129

Rivera, Robert

From: Catherine Wong <ccywwong@yahoo.com>
Sent: Sunday, November 12, 2017 2:31 PM
To: Rivera, Robert; Mathur, Krinjal
Subject: Fwd: A photo followup to hotel proposal!

Categories: Public Outreach

Hello to you both,

This is in regards to the proposed hotel at 1090 S De Anza Blvd File no. H16-032 (4 story, 90 guestrooms, a lobby, fitness area, breakfast and food prep area, meeting rooms, and linen/laundry area with an underground parking for 50 vehicles). I have written to Mr. Rivera dated October 27, and received customary reply with no specific answers. With the forwarded photo I would like to have some questions answered.

- 1) I have tried unsuccessfully numerous times to open up your web site www.sjpermits.org to look at our file. Could you explain why?
- 2) While the residents are patiently waiting to hear from you for the next step, Mr. Kwok dared to put up the sign enclosed below as if the project has been approved. Is he right?
- 3) Looking at the sign, Mr. Kwok has changed the applicant's name to Cupertino De Anza Hospitality LLC ? What is the reason? Is this to have influence from the City of Cupertino which has enough hotel proposals on their hands.
- 3) How about us who live right in the vicinity of the proposed hotel which will be encased on all three sides by the street Via Vico, and retail stores on the other two sides. Via Vico is also not a through street, and is packed with townhouses on both sides that were not indicated on the map provided at the October 23 meeting. So the only way in and out of the proposed hotel is the loop that goes around which is such a fire trap for future hotel guests and the businesses around. Don' t you agree?
- 4) How about the thirteen majestic California Redwood trees enclosing along the perimeter of the proposed hotel on the Via Vico side. Do you have to grant special permits to have these removed? What an environmental disaster it will be.
- 5) Finally, I would like you to address all the other bullet points not discussed at the above meeting namely overcrowding with air pollution which will persist from the clean up operation (you just can' t pluck in a 4 story hotel in a tiny space with only one exit to the right and ruin our low line landscape), parking congestion and safety concerns from no left turns to S De Anza Blvd (current residents have to wait for 3 cycles of lights before making U turns to enter 85 N and S), no public transportation, and the infrastructure might not be able to support water supply. We, the residents have to suffer all the above consequences as well as a big drop in our property values. Please help us to preserve our quality of life here, and explain all the above concerns. Thank you very much for your cooperation.

Yours sincerely,

Harold & Catherine Wong

Sent from my iPad

Sent from my Samsung Galaxy smartphone.

Hi Mr. Roadshow,

The only way I know how to send this photo to you. Thanks.

C W Wong

Sent from my Samsung Galaxy smartphone.



NOTICE OF DEVELOPMENT PROPOSAL

The City of San Jose's Planning, Building and Code Enforcement Department has received an application for a development permit at this property



PROJECT DESCRIPTION: Site Development Permit to allow the construction of a 4-story, 90 room hotel with one-level of underground parking on a .608 gross acre site

PROJECT ADDRESS: northeasterly corner of Via Vico and South De Anza Boulevard (1030 South De Anza Boulevard)

PROJECT FILE: H16-032

APPLICANT: Cupertino De Anza Hospitality

COUNCIL DISTRICT: 1

SNI AREA: No

For Additional Information:

- View information and/or submit comments at the City of San Jose's Online Permitting webpage at <http://www.sjpermits.org> by using the project file number located above.
- Contact Robert Rivera in the Planning Division at (408) 535-4843 or by e-mail at robert.rivera@sanjosocal.gov.
- Visit the Planning Division's Public Information Counter, Monday through Friday, located at City Hall, 200 East Santa Clara Street.
- Muốn biết tin tức bằng tiếng Việt Nam về tờ thông tin này, xin quý vị liên lạc Kaolan Pham ở số 408-793-4174 và đọc số dự án H16-032.
- Para información en Español acerca de esta solicitud, comuníquese con Jennifer Provedor al 408-793-4100e indique el número de proyecto H16-032.

Rivera, Robert

From: Catherine Wong <ccywwong@yahoo.com>
Sent: Friday, December 08, 2017 8:47 PM
To: Planning Commission 1
Cc: Rivera, Robert; Mathur, Krinjal
Subject: Proposed Hotel on South De Anza File Nos. H16-032

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Commissioner Abelite,

We read with interest regarding SJMN article dated Tuesday, December 5, 2017 titled "Neighbors urge San Jose officials to put the brakes on Bascom Urban Village plan". It echoes the same feelings that we, the residents here have about the proposed hotel site with exactly the same concerns.

First of all, even the necessity of the proposed 4 story Hampton Inn (90 guest rooms with 50 underground parking) is debatable, and it will be encased on all three sides by the street Via Vico and retail stores on the other two sides on an overcrowded 0.68 acres facing S De Anza Blvd. thoroughfare. There is only one loop around the proposed hotel for in & out traffic. The applicant Cupertino De Anza Hospitalities LLC is encroaching onto the San Jose Border from Cupertino, and is a perfect example of cities fighting over growth rather than working together. City Councilman Donald Rocha's SJMN Development article on Monday, November 27, 2017 clearly stated that there are needs to have a Countywide Planning Policy Committee to regulate and work together with all the cities.

The December 5 article also stated that "neighbors often feel misled by vague assurances from the city" and "they're making us promises for somebody else to keep". We understand that you and Planning Commissioner Michelle Yesney have felt confident about the efficacy of the existing guidelines per the article. The residents here sure hope that you look carefully into this project application, or better still make a trip here to see for yourselves. The many problems that we anticipate to have will be with traffic and parking congestions, pedestrians' safety, air pollution due gasoline station cleanup, the cutting down of seven majestic Redwood trees, the infrastructure not able to support the growth due to residential density of apartments, condos, town houses, and single family homes, and fire hazards. Least of all, our low line landscape aesthetic will be disrupted with the consequential drop in our property values. We disagree with the findings from the San Jose Planning Division, and we urge you to review all the impacts according to CEQA (California Environmental Quality Act) guidelines again before making recommendations to the Mayor and the San Jose City Council. We would like to preserve our quality, safe, healthy, attractive, vibrant locations to live, work, and play which is the Mission of the Department of Planning. Thank you for your attention.

Yours sincerely,

Harold & Catherine Wong & the 122 who attended & opposed at the Community meeting 10-23
1068 Weyburn Lane
San Jose, CA 95129

Sent from my iPad

Rivera, Robert

From: Catherine Wong <ccywwong@yahoo.com>
Sent: Friday, October 27, 2017 7:45 PM
To: Rivera, Robert
Subject: Community Meeting for Project H16-032 follow up

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Rivera,

This is Catherine Wong to follow up on the Community Meeting which was held on Monday, October 23, 2017. As you remembered, those in attendance were emotionally charged and upset: some tried to dominate the conversation, but numerous talking points and questions were written on the chart pads. Along the way, Patrick Kelly and you did a good job calming the attendees, the traffic/land use staff Karen Mack and the environmental impact personnel introjected their findings and were not well received. In the end, an hour and half went by fast, and none of the questions was addressed specifically. The relatively new verbiage "urban village" was mentioned with no further explanation, and it was made clear that S De Anza Blvd. is zoned as a commercial street.

Here are the points that I would like you to consider as you know that the City reviews a project for California Environmental Quality Act (CEQA) to determine any significant environmental effects before approval of the project namely:

aesthetics (4 story, 90 rooms with 50 underground parking spaces and 20 employees, & disrupt the low line landscape), air quality (during construction & traffic congestion pollution), traffic will be horrific with impossible left turns from the hotel s loop, and no additional traffic lights'll be installed since they have to be 600 ft apart), geology/soils (think of the elegant, treasured grove of Redwood trees), hazardous material of gasoline station cleanup, population/housing on Via Vico will be severely impacted with traffic moving & parking on the street, public services (no VTA transit lines soon), recreation (the indoor swimming pool facility unsafe for youngsters going about as well as the retail stores behind that are in tight proximity, hotel's own maintenance & delivery needs, and most of all due to all the increased congestion, fire hazards should be on the top of the list to be considered. The site is just not suitable for a hotel project since it is such an invasion of the settled neighborhood that'll affect our quality of life. The city staff did mention other options like restaurant, office spaces or retail stores for the site. There is talk of a possible second Holiday Inn Express Hotel proposal in the works within the vicinity of this high in demand area code 95129 real estate properties.

Please consider each point diligently in order to preserve our safe, healthy, attractive, vibrant locations to live, work, and play in San Jose that is the Mission of the Department of Planning for you to make the informed decision.

Best wishes to us all,

Harold & Catherine Wong
1068 Weyburn Lane
San Jose, CA 95129

Rivera, Robert

From: Jennifer C. Zhang <jennifer_c_zhang@yahoo.com>
Sent: Thursday, October 19, 2017 9:10 PM
To: Rivera, Robert
Subject: NO to File#H16-032(SJSC Towers)

Dear Mr. Rivera,

We are the owners of 7147 Phyllis Ave, San Jose, CA 95129 and we would like you to know that we are against this project due to it will make traffic worse to the community and cause dangers to the children who walk or bike home after school.

Please let us know if you have any questions or concerns.

Best regards,

Jian Jin & Jennifer

Rivera, Robert

From: Joy Walsh <joywalsh1@comcast.net>
Sent: Wednesday, November 01, 2017 9:13 PM
To: Rivera, Robert
Subject: Re: Proposed Hotel Project H16-032

I sincerely hope the project won't be moving forward. I suggest everyone in the planning department drive down Via Vico and try to exit onto DeAnza at morning, evening and during lunch hours. It is currently a nightmare and a hotel will add to it. Also, It practically takes a court order to remove a street tree on one's property that is lifting the sidewalk or street or both and the developer gets to remove six native California Redwoods? Shameful!

Maybe it could be built on Gerry Kwok's street.

Joy

> On Oct 31, 2017, at 3:50 PM, Rivera, Robert <robert.rivera@sanjoseca.gov> wrote:

>

> Hello Ms. Walsh,

>

> Thank you for your comments. They will be recorded in the public record and you will be notified of the project moving forward.

>

> Thank you,

>

> Robert Rivera

> Planner I

> City of San Jose

> (408) 535-4843

> www.sanjoseca.gov/planning

>

> -----Original Message-----

> From: Joy Walsh [mailto:joywalsh1@comcast.net]

> Sent: Saturday, October 28, 2017 2:00 PM

> To: Rivera, Robert <robert.rivera@sanjoseca.gov>

> Subject: Proposed Hotel Project H16-032

>

> Dear Mr Rivera:

>

> Thank you for the meeting last Monday evening. I appreciate that the meeting was held in our neighborhood and we didn't have to come to City Hall and try to find parking. Maybe the next meeting could be held in one of our school's auditoriums (Hyde or Miller). I suggest you bring at least two microphones so all the people can hear the speakers as well as the attendees.

>

> I would like to apologize for some of the neighbors. You are probably used to rude people, but I'm not. I was angry with the neighbors who ignored the Code of Conduct and tried to dominate the conversation repeating the same things others had already said. I would have liked to have had more input from the other neighbors that maybe had other perspectives on the proposed project.

>

> I personally feel that the project should be denied because of the traffic and safety issues, as well as the removal of the redwood trees. I also do not want to see Via Vico opened onto Weyburn and Chiala Lane. We already have too much traffic speeding on our streets and parking on our blocks.

>

> Joy

Rivera, Robert

From: Joy Walsh <joywalsh1@comcast.net>
Sent: Saturday, October 28, 2017 2:00 PM
To: Rivera, Robert
Subject: Proposed Hotel Project H16-032

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr Rivera:

Thank you for the meeting last Monday evening. I appreciate that the meeting was held in our neighborhood and we didn't have to come to City Hall and try to find parking. Maybe the next meeting could be held in one of our school's auditoriums (Hyde or Miller). I suggest you bring at least two microphones so all the people can hear the speakers as well as the attendees.

I would like to apologize for some of the neighbors. You are probably used to rude people, but I'm not. I was angry with the neighbors who ignored the Code of Conduct and tried to dominate the conversation repeating the same things others had already said. I would have liked to have had more input from the other neighbors that maybe had other perspectives on the proposed project.

I personally feel that the project should be denied because of the traffic and safety issues, as well as the removal of the redwood trees. I also do not want to see Via Vico opened onto Weyburn and Chiala Lane. We already have too much traffic speeding on our streets and parking on our blocks.

Joy

Rivera, Robert

From: VERBRUGGE <verbrugge2@sbcglobal.net>
Sent: Wednesday, October 25, 2017 3:16 PM
To: Rivera, Robert
Subject: 1090 South DeAnza Blvd.

Dear Mr. Rivera,

Due to health restrictions I was unable to attend the Community Meeting at the Calabazas Library last night.

I just want you to know that as a resident in the area of the proposed hotel at 1090 South DeAnza Blvd. File No. H16-032, my wife and I oppose the proposal. It is just too close to existing single family dwellings and would put additional automobile traffic in the immediate area. That traffic could endanger school children who walk or ride their bicycles to and from school.

If you have any question/s of me, I can be reached at the telephone number indicated below.

Thank you,
Richard F. Verbrugge
7134 Chiala Lane
San Jose, CA 95129

Telephone: 408.253.1288

Rivera, Robert

From: June Oberdorfer <jaoberdorfer@gmail.com>
Sent: Sunday, October 22, 2017 10:26 AM
To: Rivera, Robert
Cc: Sergio Zarantonello; Roger Hewitt; deepak.sabnis@gmail.com; Emanuel Beer
Subject: Re: Community Meeting for Project H16-032

Thank you for the clarifications, Mr. Rivera. The revised parking management plan the you sent me on Oct. 2 (file name included "v3") did not mention self-parking at all but only referred to valet parking being available around the clock. Is there a further update to that plan? If so, could you please send it?
June Oberdorfer

Sent from my iPad

On Oct 19, 2017, at 10:42 AM, Rivera, Robert <robert.rivera@sanjoseca.gov> wrote:

Hi Ms. Oberdorfer,

Please see below for the answers to your questions.

Thank you for providing clarification for the following questions.

1. Will the responses to the comments on the EIS be available prior to the hearing with the Planning Commissioner? It's important that we know those responses to have an informed discussion during the hearing.

The responses will be available prior to the Planning Commission Hearing. The project is not yet complete and has not been scheduled for hearing.

2. The height of the proposed hotel exceeds the height limit of 50 feet designated in Table 20-100 of the San Jose Municipal Code. An exemption is made in that table for areas with an Urban Village Plan. There is no Urban Village Plan (and none anticipated in the near-future according to Michael Brilliot) for the S. De Anza Urban Village so this exemption does not apply. Doesn't the proposed height violate the zoning limit?

The highest point of the building sits at 61 feet. The Table in 20-1000 says "50, **unless a different maximum is established in Chapter 20.85** or as established in approved Urban Village Plan. As we look at Chapter 20.85 we can see that an Urban Village Plan does not need to be adopted. The property is within an Urban Village Boundary and has an **neighborhood/** community commercial designation. The proposed height is subject to Chapter 20.85, and **does not** violate the municipal code.

Chapter 20.85 – SPECIFIC HEIGHT RESTRICTIONS

20.85.020 – Geographic area specific height restrictions.

E. Urban village areas. For properties identified on the general plan land use/transportation diagram as being located wholly or partially **within an urban village area boundary**, and which have an urban village, **neighborhood/ community commercial**, regional commercial or public

quasi/public general plan land use/ transportation diagram designation, the maximum allowable building height shall not exceed **one hundred twenty feet** on the property, or portion thereof, located within the urban village area boundary.

3. You indicated when you spoke to our HOA that the project would include the recommended mitigation of a raised rear driveway to protect the redwood trees on the adjacent property. The Geotechnical Investigation report recommended that the piers supporting the raised driveway extend a minimum of 12 feet into the subsurface. These piers would penetrate well into the underground garage space (now specified to occupy the entire 25,502 ft² parcel size, Table 1, Initial Study – Mitigated Negative Declaration) and would eliminate about ten parking spaces. Shouldn't this loss of parking space be taken into account in the Parking Management Plan?

Please see the attached photographs from the landscape and building elevations. We can see the piers would not impact the parking therefore there would be no impact to the Parking Management Plan.

<image001.jpg><image003.jpg>

4. How will the City assure that the mitigation measures in the Parking Management Plan are consistently implemented for the life of the hotel project? Having five full-time valet shifts and four full-time shuttle shifts, plus the costs of two shuttle vans, will become very expensive for this moderately-priced hotel. That is not even counting the potential provision for ride-sharing coupons during high occupancy. There is a strong economic incentive for the hotel to drop these measures with time. How will the implementation of these measures be verified and enforced?

The mitigation measures are conditioned within the site development permit of the hotel. This is consistent with all developments and use permits in San José. The permits are revocable and enforceable through code enforcement. Violations would result in revocation of the permit and subject to fines from the City. The TDM will be including in the history of the permit and the hotel is expected to honor the program for the life of the project.

5. Will the proposed hotel have 90 rooms (what appears in all the documents) or 92 rooms (what you stated when you addressed our HOA Board on Sept. 14)?

The proposed hotel has 90 rooms.

6. Use of public transportation by guests or employees is not very feasible as the one available bus (VTA Bus 53) runs only from 7 a.m. to 6 p.m. on Monday to Friday, thus only being of use to employees during the day shift. This bus route is designed to shuttle community college students between West Valley and De Anza and really wouldn't be useful for most hotel guests (and most employees) without one or two transfers. Will the use of public transit be taken as meeting one of the requirements of the mitigation of limited parking?

The use of public transportation is available within walking distance of the proposed hotel, therefore an alternative mode of transportation is available to use. This is a small portion of the overall transportation demand management plan but will be accounted within the plan.

7. As a hotel guest I would balk at the inconvenience/time-loss of valet parking as well as at being charged an unspecified amount for that inconvenience. This valet parking will encourage guests to park along Via Vico and in the neighboring strip malls. How will the City enforce that hotel guests with vehicles park in the hotel's garage and not on the adjacent street?

The proposed TDM plan is to offer both self-parking and a paid valet parking. I believe the cost of the parking arrangement should be transferred to the business instead of the customer, once the number of self parking stalls reach capacity. The valet parking is available, but once triggered during peak hours and the cost should be a burden toward the hotel for not encouraging the use of their shuttle and ride share program.

More clarification is necessary for the valet program.

Best regards, June Oberdorfer

Thank you for comments and look forward to speaking about the project during the meeting.

Best regards,

Robert Rivera

Planner I

City of San Jose

(408) 535-4843

www.sanjoseca.gov/planning

From: June Oberdorfer [mailto:jaoberdorfer@gmail.com]

Sent: Tuesday, October 17, 2017 12:58 PM

To: Rivera, Robert <robert.rivera@sanjoseca.gov>

Cc: Sergio Zarantonello <szarantonello@scu.edu>; Roger Hewitt <Rogerio@aol.com>;
deepak.sabnis@gmail.com; Emanuel Beer <emanuel.beer@gmail.com>

Subject: Re: Community Meeting for Project H16-032

Dear Mr. Rivera,

Thank you for providing clarification for the following questions.

1. Will the responses to the comments on the EIS be available prior to the hearing with the Planning Commissioner? It's important that we know those responses to have an informed discussion during the hearing.
2. The height of the proposed hotel exceeds the height limit of 50 feet designated in Table 20-100 of the San Jose Municipal Code. An exemption is made in that table for areas with an Urban Village Plan. There is no Urban Village Plan (and none anticipated in the near-future according to Michael Brilliot) for the S. De Anza Urban Village so this exemption does not apply. Doesn't the proposed height violate the zoning limit?
3. You indicated when you spoke to our HOA that the project would include the recommended mitigation of a raised rear driveway to protect the redwood trees on the adjacent property. The Geotechnical Investigation report recommended that the piers supporting the raised driveway

extend a minimum of 12 feet into the subsurface. These piers would penetrate well into the underground garage space (now specified to occupy the entire 25,502 ft² parcel size, Table 1, Initial Study – Mitigated Negative Declaration) and would eliminate about ten parking spaces. Shouldn't this loss of parking space be taken into account in the Parking Management Plan?

4. How will the City assure that the mitigation measures in the Parking Management Plan are consistently implemented for the life of the hotel project? Having five full-time valet shifts and four full-time shuttle shifts, plus the costs of two shuttle vans, will become very expensive for this moderately-priced hotel. That is not even counting the potential provision for ride-sharing coupons during high occupancy. There is a strong economic incentive for the hotel to drop these measures with time. How will the implementation of these measures be verified and enforced?

5. Will the proposed hotel have 90 rooms (what appears in all the documents) or 92 rooms (what you stated when you addressed our HOA Board on Sept. 14)?

6. Use of public transportation by guests or employees is not very feasible as the one available bus (VTA Bus 53) runs only from 7 a.m. to 6 p.m. on Monday to Friday, thus only being of use to employees during the day shift. This bus route is designed to shuttle community college students between West Valley and De Anza and really wouldn't be useful for most hotel guests (and most employees) without one or two transfers. Will the use of public transit be taken as meeting one of the requirements of the mitigation of limited parking?

7. As a hotel guest I would balk at the inconvenience/time-loss of valet parking as well as at being charged an unspecified amount for that inconvenience. This valet parking will encourage guests to park along Via Vico and in the neighboring strip malls. How will the City enforce that hotel guests with vehicles park in the hotel's garage and not on the adjacent street?

Best regards, June Oberdorfer

On Mon, Oct 16, 2017 at 11:13 AM, Rivera, Robert <robert.rivera@sanjoseca.gov> wrote:

Hi June,

I'd be happy to answer any questions you have via email that are project related. South De Anza development is part of the City Wide Planning. I believe Michael Brilliot has answered your questions via email regarding the development of the Urban Village Plan for De Anza Blvd.

Are you not able to make the community meeting on Monday next week? I'm sure many of your questions will be answered as there are similar concerns throughout the community. If they're CEQA related, Krinjal would be the main source of information and she would be able to answer any environmental related questions.

Thank you,

Robert Rivera

Planner I

City of San Jose

(408) 535-4843

www.sanjoseca.gov/planning

From: June Oberdorfer [mailto:jaoberdorfer@gmail.com]

Sent: Monday, October 16, 2017 10:38 AM

To: Rivera, Robert <robert.rivera@sanjoseca.gov>

Cc: Sergio Zarantonello <szarantonello@scu.edu>

Subject: Re: Community Meeting for Project H16-032

Dear Mr. Rivera,

Would you have a few minutes to meet at your office to answer a few questions about the 1090 S. De Anza Blvd. hotel project and to discuss development along the De Anza Blvd. corridor in San Jose.

Because of my teaching schedule at SJSU, the times I have available are scattered:

Tuesday Oct. 17 at 4 p.m.

Wednesday Oct. 18 at 9:15 a.m., 12:15 p.m. or 3:15 p.m.

Thank you,

June Oberdorfer

On Wed, Oct 11, 2017 at 4:04 PM, Rivera, Robert <robert.rivera@sanjoseca.gov> wrote:

Hi All,

Please find attached the community meeting flyer for the proposed project on 1090 S. De Anza Boulevard.

COMMUNITY MEETING REGARDING
PROPOSED HOTEL AT 1090 SOUTH DE ANZA BOULEVARD

File No. H16-032

Monday, October 23, 2017

6:30 p.m. – 8:00 p.m.

Calabazas Library, 1230 S. Blaney Avenue, San José

Dear Neighbor,

As a property owner or tenant in the area of the proposed project described below, you are receiving this invitation to a community meeting where the project will be discussed. The meeting is hosted by the City of San José Planning Division and the project applicant. This is an opportunity for you to learn about the proposal and provide input. City staff will consider all comments at this meeting as well as comments made by phone or submitted in writing during the evaluation period of the proposal.

Proposed Project: File No. H16-032 (SJSC Towers) - 39 North 5th Street, located on the northwesterly corner of East Santa Clara Street and North 5th Street. Site Development Permit to allow a 4 story hotel with a total building area of 51,279 square feet and would include 90 guestrooms, a lobby, fitness area, breakfast and food prep area, meeting room, and linen/laundry area. The project includes underground parking for approximately 50 vehicles and a proposed alternative parking design to accommodate vehicles past the maximum threshold on approximately 0.60 gross acre site.

If you have comments or questions about this project, please contact:

City of San José Planning Division

Project Applicant

Robert Rivera

Company Name

Project Manager

Contact Name: Jerry Kwok

Phone: (408)535-4843

Phone: (408) 507-3291

Email: Robert.Rivera@sanjoseca.gov

Email: jkwokrealtor@gmail.com

Rivera, Robert

From: Rivera, Robert
Sent: Tuesday, May 29, 2018 9:31 AM
To: June Oberdorfer
Cc: Weerakoon, Ru; Catherine Wong; Mathur, Krinjal; Mack, Karen; Provenzano, Joe; Ferguson, Jerad; Jim Rato; jkwokrealtor (jkwokrealtor@gmail.com); Louie Barbara & Clarence; Shelley Giles; Margaret Metcalfe
Subject: Re: Thank you for coming to the meeting to-day 5/23!

Hi June,

Let me clarify, no additional limits have been agreed upon and no additional use permit will be required. I believe Ms. Wong is speaking about the procedural process, which we spoke about during the last meeting. The CEQA conditions and mitigation measures will be included into the project and the project is bound by their mitigation measures. There are no mitigation measures for noise.

Again referring to Ms. Wong's statement, "conditions e.g. no parking access to hotel guests/employees and construction trucks on Via Vico", *this is not a condition of approval*. PW and Building will control the construction process on Via Vico and will issue encroachment permits if necessary. Hotel guests could be encouraged to use the parking garage but the city would not condition guests to not park on the street through this permit. If you'd like to pursue permit only parking, please speak with Department of Transportation. The operations of garbage and delivery are such that the hotel will pull out the garbage for pick-up, and deliveries will enter through S. De Anza and exit on Via Vico. There are no mitigation measures limiting access of Via Vico.

From: June Oberdorfer <jaoberdorfer@gmail.com>
Sent: Sunday, May 27, 2018 3:17:40 PM
To: Rivera, Robert
Cc: Weerakoon, Ru; Catherine Wong; Mathur, Krinjal; Mack, Karen; Provenzano, Joe; Ferguson, Jerad; Jim Rato; jkwokrealtor (jkwokrealtor@gmail.com); Louie Barbara & Clarence; Shelley Giles; Margaret Metcalfe
Subject: Re: Thank you for coming to the meeting to-day 5/23!

Dear Mr. Rivera,

As part of the CEQA finding of Less Than Significant Impact (p. 102 of the Final Finding of NNI) with respect to Noise, the document states that deliveries and trash truck pick-ups would be made on the hotel's driveways. The cover of the document states that the Negative Declaration was prepared by the City of San Jose.

I was surprised by your statement to Catherine Wong (this email chain) that no limits have been placed on garbage pick-ups or deliveries. This would appear to contradict the noise mitigation in the City's CEQA

document. Aren't the City and the hotel bound by what is stated in this public document? If they are, then restrictions on the location of deliveries and trash pick-up should be included in the conditions for the hotel.

Respectfully, June Oberdorfer

On Fri, May 25, 2018 at 3:03 PM, Rivera, Robert <robert.rivera@sanjoseca.gov> wrote:

Hi Catherine,

Thank you for meeting with us on Wednesday. I'll be sure to include this email into the public record. Responding to your questions below; the project is scheduled for June 19th City Council Hearing, at 6:00 pm. The environmental mitigation measures will be located in the resolution. The project will need to conform to the conditions of approval and obtain all other permits required to build the project, which include building permit, grading permit, encroachment permit, foundation permit, demo permit and occupancy. The City of Cupertino and the City of San José are collaborating to look at S. De Anza Boulevard for safety and traffic management. The applicant has agreed to contribute to future transportation improvements. We did not agree on separate use permits for conditions like what you've listed below. *Public access to Via Vico is not limited and construction trucks and access has not been limited or proposed to be limited from Via Vico.* Garbage pick ups from the hotel and deliveries have not been limited. The TDM plan is included within the approved plan set and will be available to review as an attachment to the Staff Report.

I'm listing the following for the record, and also to be sure that it is correct. We were informed that the proposal will be on the City Council agenda June 19 for voting to the first step of issuing developer's entitlement to proceed. This includes all the mitigating measures e.g. hazardous materials testing including soil, pesticide, asbestos, and lead based paint and tree protection. The second step will be granting other permits which include the building permit, grading permit, foundation permit, and clarification from the Santa Clara County of Environmental Health. The final step is to issue the certificate of occupancy when all the above are completed. The possibility of installing a signal light at S DE Anza Blvd/Via Vico in collaboration with the City of Cupertino was suggested to alleviate traffic congestion/safety. There will also be separate use permits listing all the conditions e.g. no parking access to hotel guests/employees and construction trucks on Via Vico, minimize use of exit onto Via Vico with deliveries to be made on the driveway from S De Anza Blvd, garbage pick ups from the hotel only, and TDM for parking with valet, shuttle, & ride sharing coupons.

Thank you,

Robert Rivera

Planner I

City of San Jose

(408) 535-4843

www.sanjoseca.gov/planning

From: Weerakoon, Ru

Sent: Thursday, May 24, 2018 7:05 PM

To: Catherine Wong <ccywwong@yahoo.com>; Rivera, Robert <robert.rivera@sanjoseca.gov>; Mathur, Krinjal <krinjal.mathur@sanjoseca.gov>; Mack, Karen <Karen.Mack@sanjoseca.gov>; Provenzano, Joe <Joe.Provenzano@sanjoseca.gov>; Ferguson, Jerad <Jerad.Ferguson@sanjoseca.gov>

Cc: June Oberdorfer <jaoberdorfer@gmail.com>; Louie Barbara & Clarence <bnclouie@sbcglobal.net>; Shelley Giles <shelley.giles@yahoo.com>; Margaret Metcalfe <pudden671@gmail.com>

Subject: RE: Thank you for coming to the meeting to-day 5/23!

Catherine. It was a pleasure meeting with you again. I appreciate very much the dialog we've all engaged in over the past month. I'm going to leave it up to Robert Rivera, the official Planning Project Manager to respond to the second paragraph of your email below. Please stay in touch with other City staff as needed to respond to your questions. I know that Karen, Joe, Krinjal, Robert and Pat will be more than glad to assist you. If I can be of any assistance please don't hesitate to reach out to me. Goodnight. Ru

Ru Weerakoon

Sr. Policy Advisor Land Use and Economic Development
Office of Mayor Sam Liccardo
408.535.4812

From: Catherine Wong [mailto:ccywwong@yahoo.com]

Sent: Wednesday, May 23, 2018 9:39 PM

To: Weerakoon, Ru <Ru.Weerakoon@sanjoseca.gov>; Rivera, Robert <robert.rivera@sanjoseca.gov>; Mathur, Krinjal <krinjal.mathur@sanjoseca.gov>; Mack, Karen <Karen.Mack@sanjoseca.gov>; Provenzano, Joe <Joe.Provenzano@sanjoseca.gov>; Ferguson, Jerad <Jerad.Ferguson@sanjoseca.gov>

Cc: June Oberdorfer <jaoberdorfer@gmail.com>; Louie Barbara & Clarence <bnclouie@sbcglobal.net>; Shelley Giles <shelley.giles@yahoo.com>; Margaret Metcalfe <pudden671@gmail.com>

Subject: Thank you for coming to the meeting to-day 5/23!

Hello Ru and all,

Thank you for organizing the meeting to-day for us residents to air the concerns we have regarding the hotel proposal at S De Anza Blvd/Via Vico. However, we were quite disappointed that the developer Jerry Kwok and the architect Jim Rato did not come to answer any of the questions we presented to them last week.

I'm listing the following for the record, and also to be sure that it is correct. We were informed that the proposal will be on the City Council agenda June 19 for voting to the first step of issuing developer's entitlement to proceed. This includes all the mitigating measures e.g. hazardous materials testing including soil, pesticide, asbestos, and lead based paint and tree protection. The second step will be granting other permits which include the building permit, grading permit, foundation permit, and clarification from the Santa Clara County of Environmental Health. The final step is to issue the certificate of occupancy when all the above are completed. The possibility of installing a signal light at S DE Anza Blvd/Via Vico in collaboration with the City of Cupertino was suggested to alleviate traffic congestion/safety. There will also be separate use permits listing all the conditions e.g. no parking access to hotel guests/employees and construction trucks on Via Vico, minimize use of exit onto Via Vico with deliveries to be made on the driveway from S De Anza Blvd, garbage pick ups from the hotel only, and TDM for parking with valet, shuttle, & ride sharing coupons.

We all have tried to put in our time and effort with your professional expertise. It was definitely a learning process for me, and I hope for the best outcome for our neighborhood.

With great appreciation,

S DeAnza Neighborhood Community

Catherine Wong

Appendix G

Preliminary Traffic Analysis



Civil and Transportation Engineering

**PRELIMINARY TRAFFIC ANALYSIS
90 ROOM HOTEL
1090 S. DE ANZA BOULEVARD
SAN JOSE, CALIFORNIA**

October 14, 2016

Prepared for -

Cupertino De Anza Hospitality LLC

**PRELIMINARY TRAFFIC ANALYSIS
90 ROOM HOTEL
1090 S. DE ANZA BOULEVARD
SAN JOSE, CALIFORNIA**

PROJECT DESCRIPTION

The 90-room hotel is to be located on the site of a presently operating service station and car wash facility on the northeast corner of the intersection of S. De Anza Boulevard and Via Vico in the city of San Jose. See Location Map, Figure 1, page 2.

VEHICLE TRIP GENERATION

The estimated vehicle trip generation for the project is shown in Table A below. Because the site is presently occupied by an active facility, the net change in vehicle trip generation from the present use to the proposed use has to be considered. A detailed trip generation table is provided in the Appendix.

Table A: Project Vehicle Trip Generation									
Land Use	Size	LU Code	Units	AM Street Peak Hour			PM Street Peak Hour		
				In	Out	Total	In	Out	Total
Hotel	90	310	RM	23	17	40	31	32	63
Less Service Station Primary Trip Ends	-8	946	VFP	-18	-18	-36	-25	-24	-49
Net Change in Peak Hour Traffic:				5	-1	4	6	8	14

Source: ITE Trip Generation 9th Edition ©2012

The proposed 90-room hotel will generate a few primary vehicle trip ends more during the peak traffic hours of the day than does the current use. The project will have negligible impact on traffic on the surrounding street system.

PEAK HOUR SIGNAL WARRANTS

A traffic count of the intersection of S. DeAnza Boulevard & Via vico/Rollindell Drive was made on Tuesday, October 11, 2016, for the time period of 4:00 to 6:00 p.m. The peak hour was found to be from 5:00 to 6:00 p.m. Using the criteria in the 2014 California Manual on Uniform Traffic Control Devices, Chapter 4C, a peak hour signal warrant analysis was conducted. The

warrant analysis determined that the intersection does not meet the peak hour criteria for signalization. The warrant analysis worksheets are provided in the Appendix.

PEDESTRIAN AND BIKE FACILITIES

The site is situated on S. De Anza Boulevard. That street, and all the surrounding streets, have sidewalks. Figure 2, Bike Facilities Map, page 4, shows the streets in the area surrounding the site that have Class II bike lanes. The impact the project may have on the bike lanes will be negligible. It is estimated that the hotel will employ approximately 19 people, 11 of which would likely work the day shift, five work the swing shift, and three work the night shift. If 10% of the employees rode a bike to work, that would mean one, possible two persons, might be riding during the peak traffic hours of the day. That number of bikers would certainly not tax the capacity of the bike lanes on S. De Anza Boulevard.

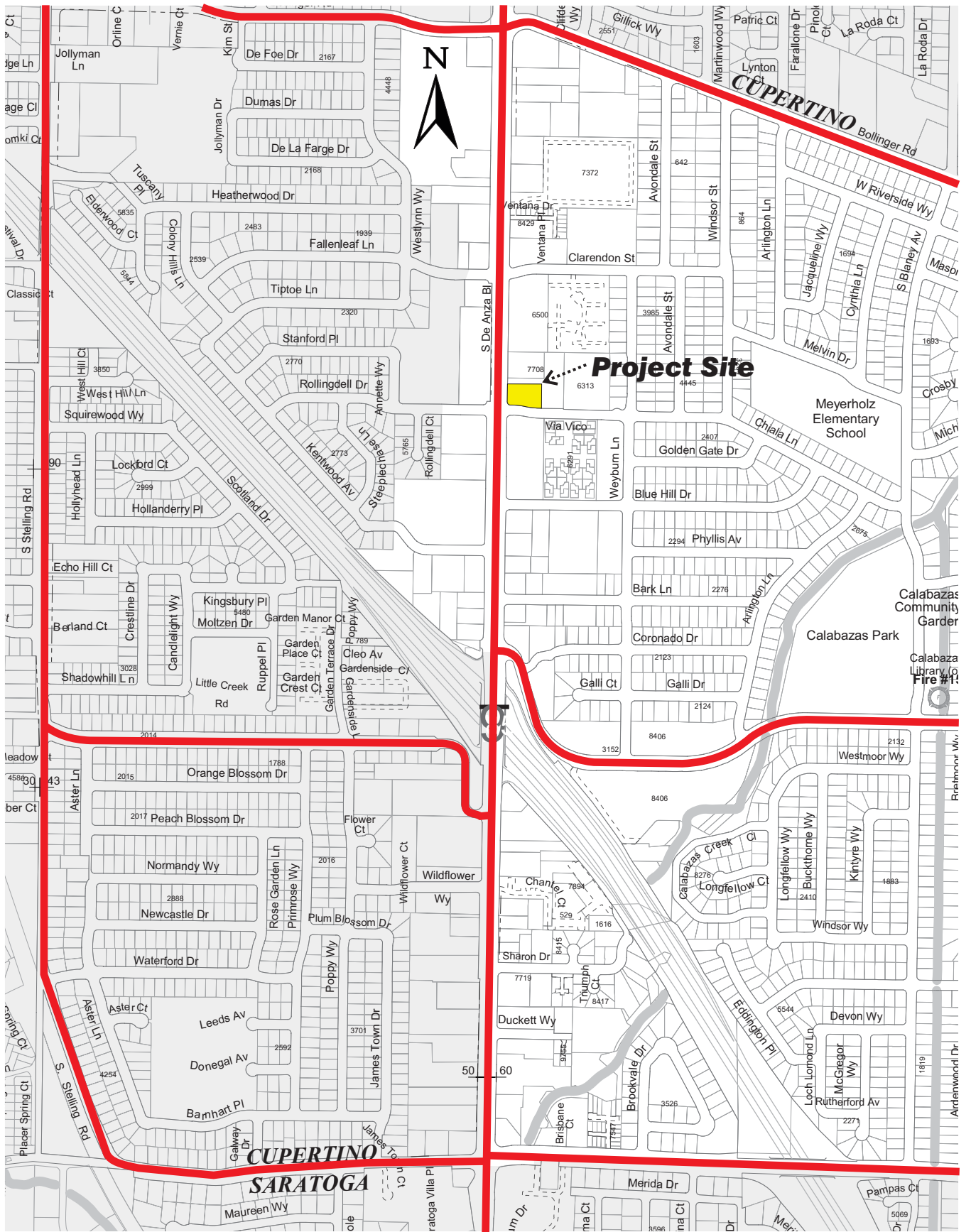
TRANSIT FACILITIES

Valley Transportation Authority, VTA, operates local bus service on S. De Anza Boulevard. Route 53 operates between West Valley College and the Sunnyvale Transit Center weekdays. Route 25 operates daily on Bollinger Road connecting De Anza College with the Alum Rock Transit Center. Express Bus Route 102 operates on Route 85 freeway between South San Jose and Palo Alto weekdays during the morning and afternoon peak traffic hours. The bus routes are shown on Figure 3, Transit Facilities, page 5. As with the bike facilities, if 10% of the employees use transit to get to and from work, that would be four transit trips daily generated by the project. The project will have a negligible impact on local bus service. It is assumed that hotel guests would use their own personal vehicles or use taxi services to go to and from the hotel.

ON-SITE CIRCULATION AND ACCESS

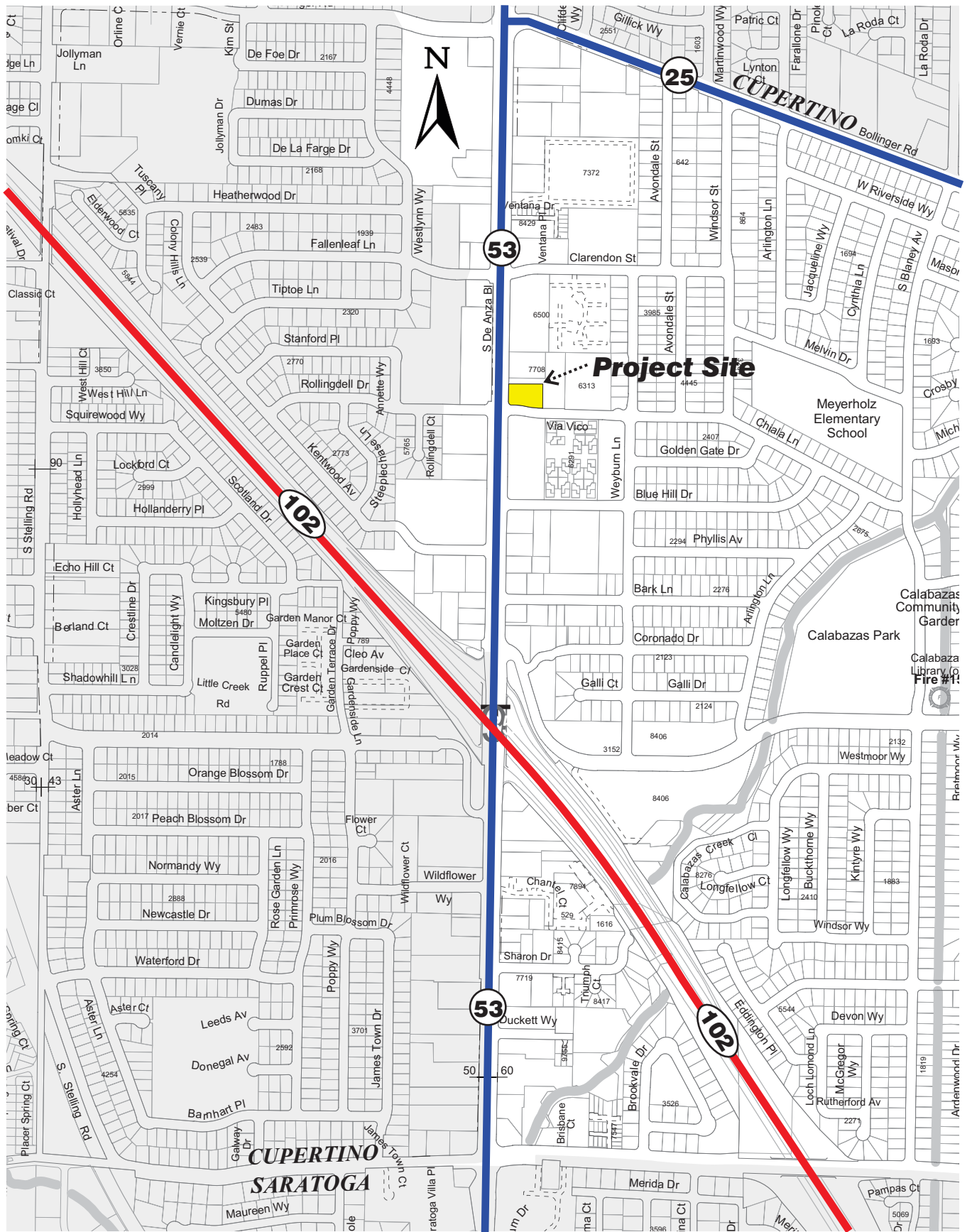
Presently the service station/car wash has two driveways on S. De Anza Blvd. and two on Via Vico. The proposed hotel will have only one driveway on S. De Anza Boulevard and only one driveway on Via Vico. See Site Plan, Figure 4, page 6. The driveway on S. De Anza Boulevard will be right-turn in only as the street is median divided. Vehicles coming from the north on S. De Anza Boulevard will have to make a u-turn at Via Vico. With three lanes in each direction plus the bike lanes there is adequate width for vehicles making the u-turn.

The driveway on Via Vico will be exit only, allowing vehicles to exit the site, turn right onto Via Vico and then be able to turn left, right or go straight through the intersection on S. De Anza Boulevard. There will need to be signage on-site indicating ENTER ONLY at the S. De Anza Boulevard driveway and EXIT ONLY on the Via Vico driveway. Internally there should be a ONE WAY →, RIGHT TURN ONLY, or EXIT → sign facing the ramp from the underground parking directing vehicles to turn right to exit the site.



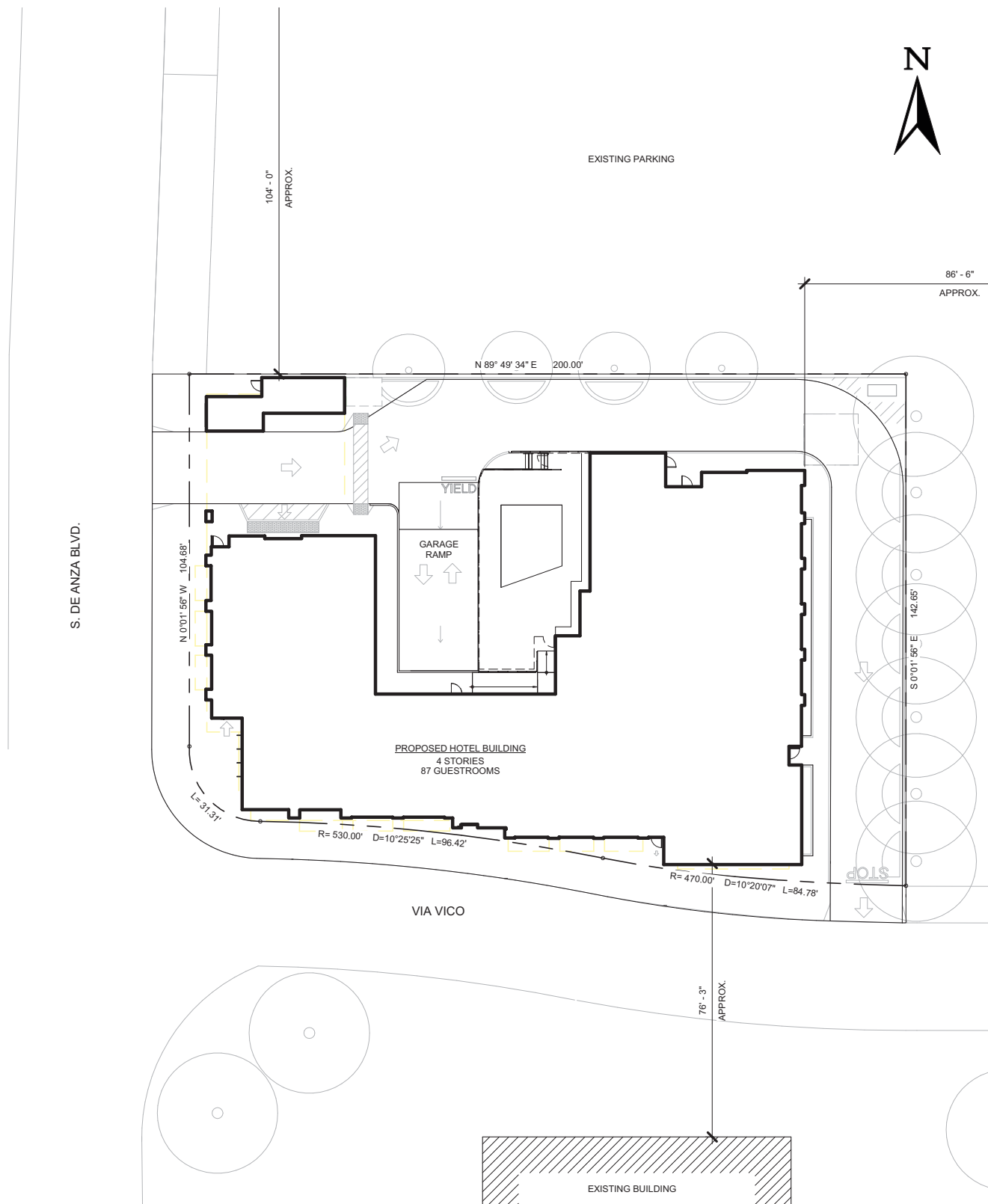
— Street with Bike Lanes

**EXISTING BIKE FACILITIES
FIGURE 2**

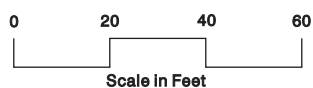


— Local Bus Service
— Express Bus Service

**TRANSIT FACILITIES MAP
FIGURE 3**



AREA PLAN



**SITE PLAN
FIGURE 4**

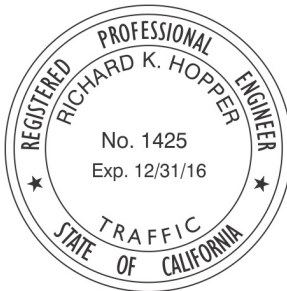
ON-SITE PARKING

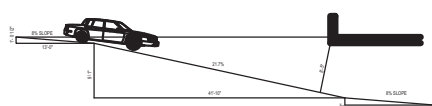
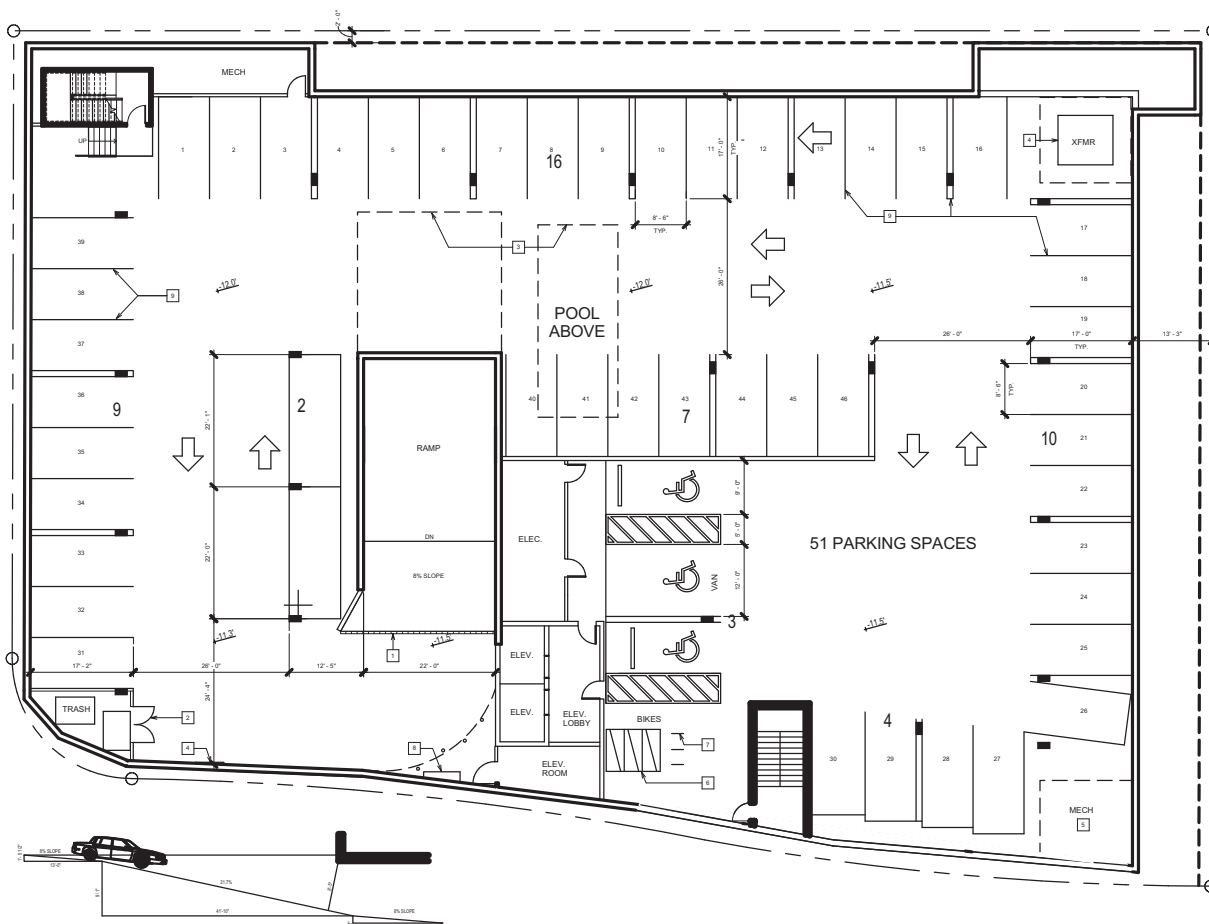
The hotel is providing 51 parking spaces of which three are handicap parking spaces. All of the parking will be in an underground parking structure beneath the hotel. Section 20.90.060 SJMC requires one parking space per room or suite plus one space per employee. The Municipal Code (§20.90.220) does allow for a reduction in the number of required parking spaces with the inclusion of a TDM (Transportation Demand Management) plan. The developer proposes to provide a TDM Plan. According to the ITE publication *Parking Generation*, 4th Edition, the peak parking demand on a weekday in a suburban location for a 90 room hotel is 40 spaces.

The parking garage will be accessed by a single 2-way ramp from the ground floor. See Parking Plan, Figure 5, page 8. The garage will have a 2-way aisle and all spaces are perpendicular spaces with the exception of one space which will be slightly angled. The parking spaces are typically 17' deep by 8'-6" wide and the aisles are 26' wide, meeting the City's design requirements for off-street parking spaces. The three handicap spaces will be located immediately adjacent to the elevators. There will also be lockers for six bicycles and racks for three additional bicycles.

Richard K. Hopper

Richard K. Hopper, P.E.
Principal





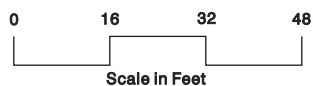
RAMP SLOPE DIAGRAM

GARAGE PLAN



CUPERTINO DE ANZA HOSPITALITY LLC SAN JOSE, CALIFORNIA

PLANNING SL



PARKING PLAN
FIGURE 5

APPENDIX

1090 S. De Anza Boulevard, San Jose, California
 Vehicle Trip Generation
 October 4, 2016

LAND USE	LU CODE	SIZE	UNITS	TRIP GENERATION RATE						TRIP GENERATION VOLUME					
				A.M. STREET PEAK HOUR			P.M. STREET PEAK HOUR			A.M. STREET PEAK HOUR			P.M. STREET PEAK HOUR		
				IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL	IN	OUT	TOTAL
Hotel	310	90	RM	0.26	0.19	0.45	0.34	0.36	0.70	23	17	40	31	32	63
Service Station w/ Convenience Mart and Car Wash	946	-8	VFP	6.04	5.80	11.84	7.07	6.79	13.86	-48	-46	-95	-57	-54	-111
Less Pass-by Trip Ends 62% AM/56% PM										-30	-29	-59	-32	-30	-62
Primary Trip Ends										-18	-18	-36	-25	-24	-49
Net Change in Traffic Generation:										5	-1	4	6	8	14

Source: ITE Trip Generation, 9th Edition ©2012
 RKH 10/04/2016

Figure 4C-101 (CA). Traffic Signal Warrants Worksheet (Sheet 2 of 5)

WARRANT 2 - Four Hour Vehicular Volume

SATISFIED* YES ☐ NO ☐

Record hourly vehicular volumes for any four hours of an average day.

APPROACH LANES	One	2 or More	Hour
Both Approaches - Major Street			
Higher Approach - Minor Street			

*All plotted points fall above the applicable curve in Figure 4C-1. (URBAN AREAS)

Yes ☐ No ☐

OR, All plotted points fall above the applicable curve in Figure 4C-2. (RURAL AREAS)

Yes ☐ No ☐

**WARRANT 3 - Peak Hour
(Part A or Part B must be satisfied)**

SATISFIED YES ☐ NO ☐

PART A

SATISFIED YES ☐ NO ☐

(All parts 1, 2, and 3 below must be satisfied for the same one hour, for any four consecutive 15-minute periods)

1. The total delay experienced by traffic on one minor street approach (one direction only) controlled by a STOP sign equals or exceeds four vehicle-hours for a one-lane approach, or five vehicle-hours for a two-lane approach; <u>AND</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
2. The volume on the same minor street approach (one direction only) equals or exceeds 100 vph for one moving lane of traffic or 150 vph for two moving lanes; <u>AND</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
3. The total entering volume serviced during the hour equals or exceeds 800 vph for intersections with four or more approaches or 650 vph for intersections with three approaches.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

PART B

SATISFIED YES ☐ NO ☒

APPROACH LANES	One	2 or More	Hour
Both Approaches - Major Street		3376	
Higher Approach - Minor Street	30		

The plotted point falls above the applicable curve in Figure 4C-3. (URBAN AREAS)

Yes ☐ No ☒

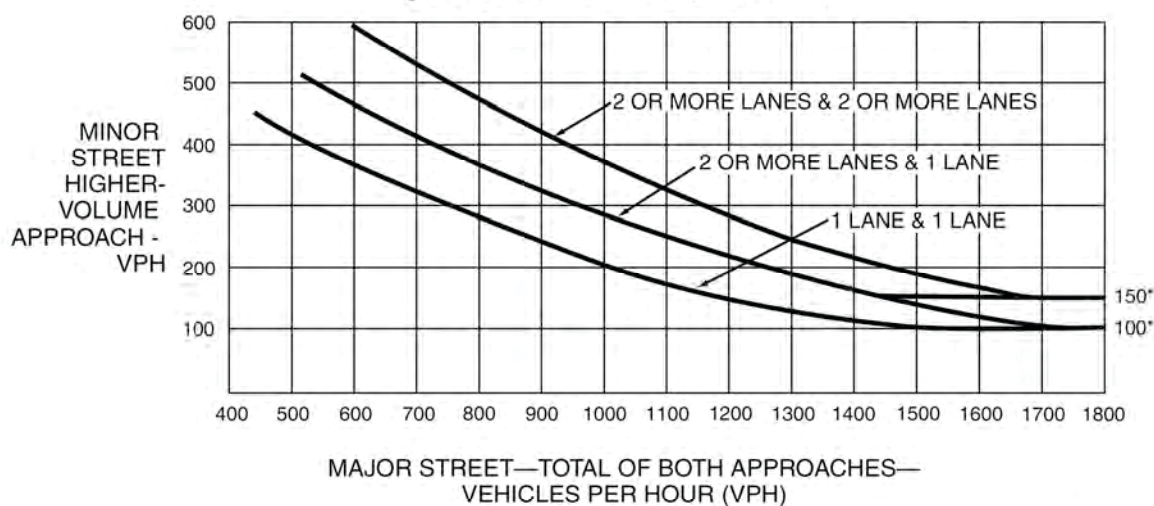
OR, The plotted point falls above the applicable curve in Figure 4C-4. (RURAL AREAS)

Yes ☐ No ☐

The satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal.

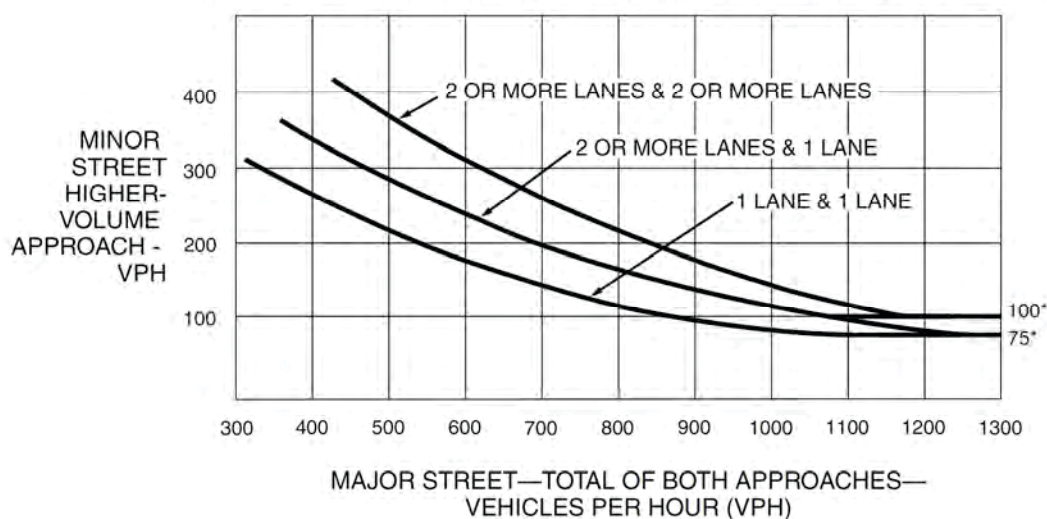
S. DeAnza Blvd. & Via Vico/Rollingdell Dr.
City of San Jose, California
October 14, 2016

Figure 4C-3. Warrant 3, Peak Hour



*Note: 150 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 100 vph applies as the lower threshold volume for a minor-street approach with one lane.

Figure 4C-4. Warrant 3, Peak Hour (70% Factor)
(COMMUNITY LESS THAN 10,000 POPULATION OR ABOVE 40 MPH ON MAJOR STREET)



*Note: 100 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 75 vph applies as the lower threshold volume for a minor-street approach with one lane.

Minor street higher volume approach 30 vph
Major street total of both approaches 3376 vph
Intersection does not meet peak hour warrant.

Figure 4C-102 (CA). Traffic Count Worksheet

S. DeAnza Blvd.

Number of Lanes 4

Pedestrians

Total* Peak

Insert North Point

Not to Scale

Rollingdell Dr.

Number of Lanes 1

Pedestrians

Total* Peak

AM Peak PM Peak Total*

2 0 28

() (30) ()

*Entire Count Period

S. DeAnza Blvd.

Number of Lanes 4

Pedestrians

Total* Peak

AM Peak PM Peak Total*

69 2153 124

() (2346) ()

Via Vico

Number of Lanes 1

Pedestrians

Total* Peak

AM Peak PM Peak Total*

29 0 0

() (29) ()

DIRECTIONAL TRAFFIC COUNT

Dist _____ Co _____ Rte _____ PM _____

S. DeAnza Blvd. & Via Vico

Intersection Give Name

San Jose

City

Tuesday Oct. 11, 2016

Day Date

5:00 - 6:00 p.m.

Hour to Hour

3435

Total Volume

AM Peak _____

Hour Volume

PM Peak _____

Hour Volume

Parking Management Plan

September 15, 2017

Hampton Inn at 1090 South De Anza Blvd

H16-032

This proposed 90-room hotel is located in an Urban Village zone of South De Anza Boulevard, and as such, will be allowed 20% less cars than what is usually required for a hotel project. The current design has 51 parking spaces which includes 1 accessible van space and 2 accessible car spaces. It is reasonable to expect that about 10% to 15% of hotel guests will be arriving via shuttle, taxi or ride-sharing services.

Determination of required parking spaces

Hotel projects are required to provide one parking space to one guestroom for customers and 1 car for every employee. At 90 guestrooms, there would be 90 cars for the hotel guests. Employee parking will vary depending on time of day. The following list the potential staff parking requirements.

Daytime shift: 1 manager, 1 sales, 1 engineer, 5 room attendants, 2 valets = 10 total

Evening shift: 1 manager, 1 engineer/attendant, 3 room attendants, 2 valets = 7 total

Midnight shift: 1 manager, 1 front desk, 1 attendant/valet, 1 valet = 4 total

Therefore, total basic parking space required in any one shift is:

90 guests + 10 employees = 100 parking spaces

Being in an Urban Village zone allows 20% less parking spaces:

$98 - (.20 \times 90) = 80$ spaces.

The applicant also proposes to apply TDM measures for employees such as:

- 1) providing standard and permanent bicycle parking spaces with associated showering facility
- 2) pre-tax transit checks for local & regional transit systems
- 3) discounted Uber or Lyft rides for guest & employees
- 4) hotel shuttle vans to airport, downtown or commercial centers

Assuming 33% reduction of employee parking: $.33 \times 10 = 3.3$ or 4 employee parking (revised)

Applied to original equation: $90 + (10 - 4) = 96$

$96 - (.20 \times 96) = 76.8$ or 77 spaces

Total parking required: 77 spaces

Total parking proposed using valet system: 79 spaces

Parking Management Plan

The applicant proposes to use a paid valet parking system which will yield at least 79 parking spaces. The fee applies to both guests and employees of the hotel. Two valet attendants are expected to be employed (hotel staff) through all hours during the entire week. The proposed parking spaces for valet is indicated in the following illustration shown in Figure 1.

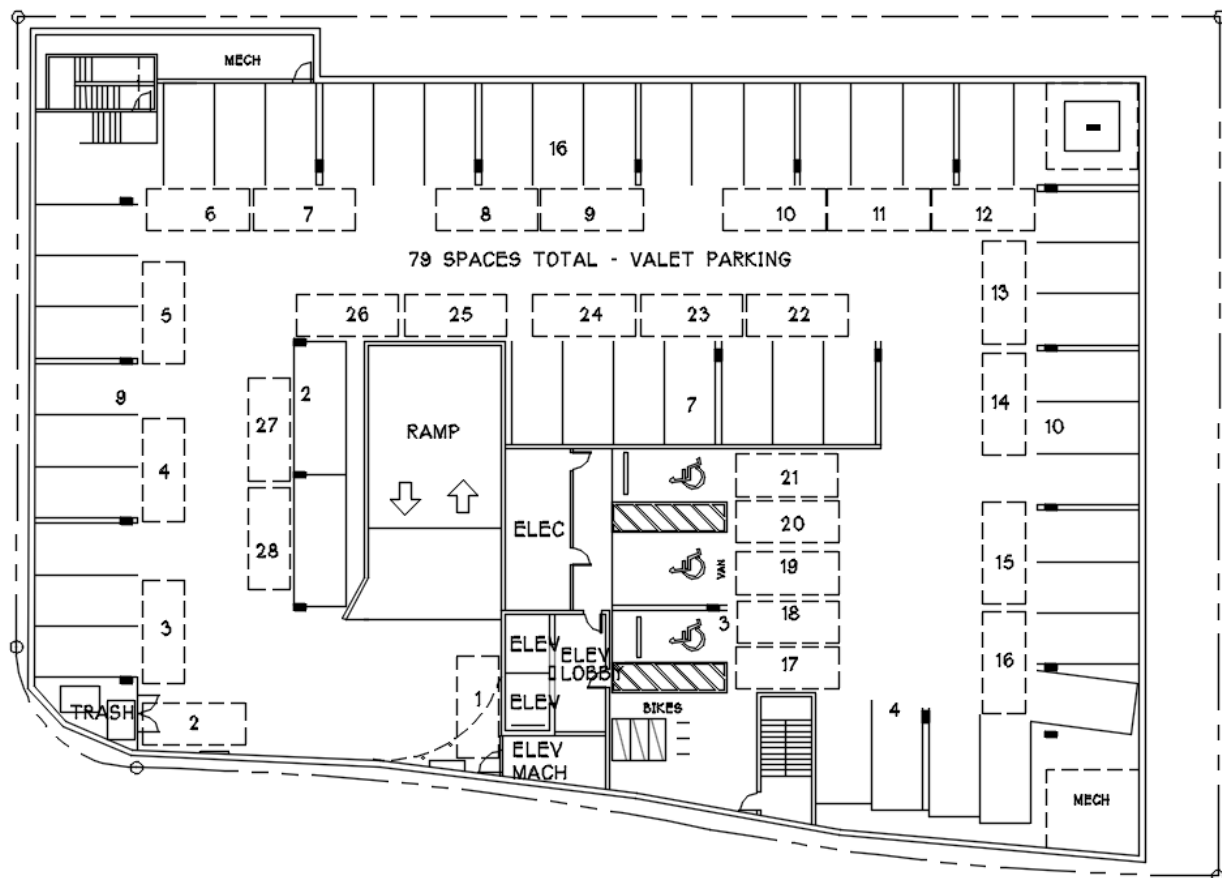


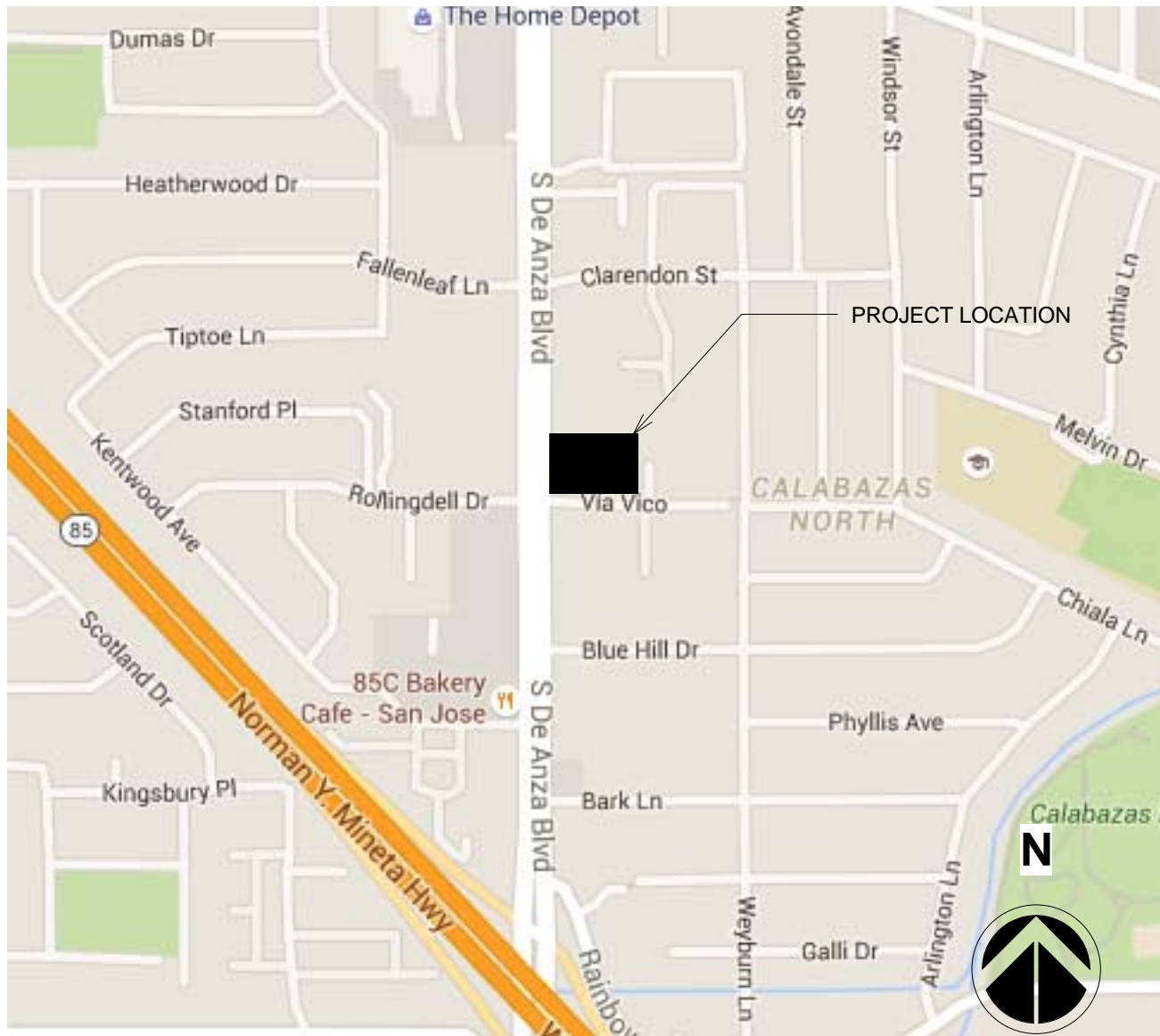
Figure 1 Valet Parking Plan

To further alleviate shortage of parking, the applicant will implement the following Transportation Demand Management measures:

1. Permanent & temporary bicycle parking spaces. Employee shower room is available in the staff break room.
2. Transit information center (or kiosk) located in the lobby including computer, printer & self-help touch screen. Hotel will have a TDM administrator on-staff during daytime shift. For guest use,

this amenity will be published in hotel website, in guestroom entertainment center and other marketing medium.

3. Pre-tax transit checks for use in local & regional public transportation
4. Use of hotel van shuttle available to guests & employees:
 - a. A hotel owned airport shuttle to Mineta International Airport, running every 2 hours starting from 5 a.m. to 8 p.m. Airport shuttle is free to hotel guests and employees.
 - b. A second shuttle will transport guests to at least 2 pre-selected destinations around San Jose. For example, Apple campus area, downtown, Santa Row or other urban villages, downtown San Jose or special event venues. The goal is to have a round trip travel time of about two hours. Service would start at 7 a.m. to 8 p.m.
5. Use of ride-sharing coupons during high occupancy days for non-driving guests or employees. This amenity for guests will be advertised in the hotel's website or other marketing medium to encourage guests to arrive without driving.
 - a. Companies such as Uber or Lyft offers gift cards for purchase to be used by customers as needed. Upon verification by hotel staff that a non-driving guest is eligible for the gift card, one card will be issued per room to that customer. A set amount will be issued depending on how many days the guest is staying. The intent is not to cover all the possible trips a guest may take but to cover a set portion of miles per day (say, 20 miles credit per day). To minimize "gaming" of the system, gift cards are only valid during the time of hotel stay.
 - b. Employees will be eligible to receive the gift card on a rotation basis (such as Tues & Wed, busiest days), such that gift cards will be assigned to 50% of the staff at a time.
6. Employees using the local public transportation will be reimbursed for fares to and from work on two of the busiest days of the week.
7. Applicant will try to hire from the local area within 5 miles of the hotel.
8. Applicant will try to acquire shared parking agreement with neighboring commercial properties whose parking lot is generally unused during night time hours.
9. Bike rental for local travel



VICINITY MAP



HAMPTON INN

By Hilton

PROJECT DIRECTORY

OWNER	JERRY KWOK CUPERTINO DE ANZA HOSPITALITY LLC P O BOX 466 CUPERTINO, CA 95015 (408) 507-3291
ARCHITECT	ROBERT SAUVAGEAU RYS ARCHITECTS, INC. 10 MONTEREY BLVD. SAN FRANCISCO, CA 94131 (415) 841 - 9090
CIVIL	GARRETT READLER KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS 2850 COLLIER CANYON ROAD LIVERMORE, CA 94551 (925) 245 - 8788
LANDSCAPE	TOM HOLLOWAY KLA LANDSCAPE ARCHITECTURE 151 N. NORLIN STREET SONORA, CA 95370 (209) 532 - 2856
CEQA CONSULTANT	ABE LEIDER RINCON CONSULTANTS, INC. 449 15TH STREET, SUITE 303 OAKLAND, CA 94612 (510) 834-4455

PROJECT DATA

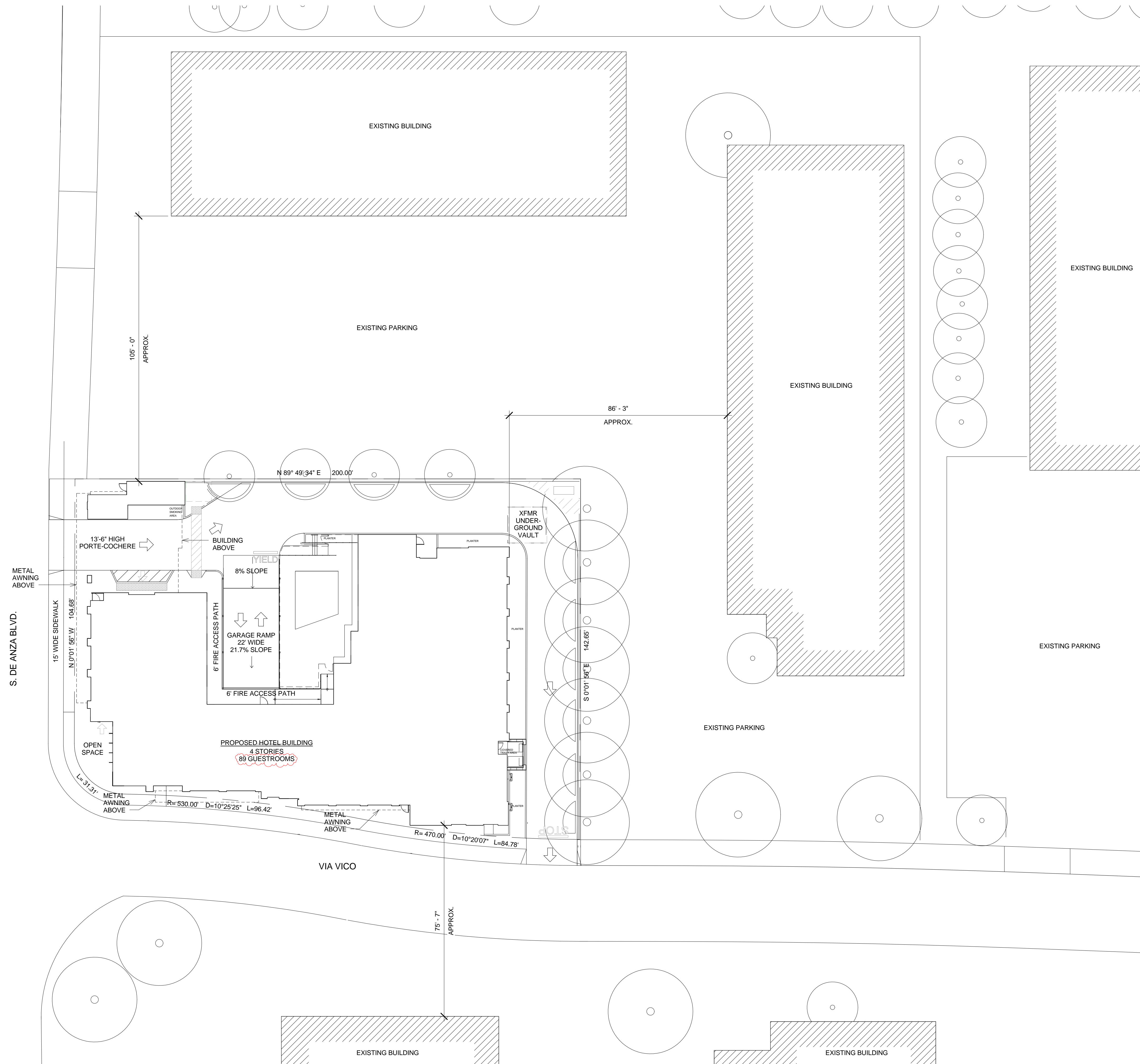
APN:	37225015
ADDRESS:	1090 SOUTH DE ANZA BOULEVARD SAN JOSE, CALIFORNIA, 95129-3529
PROJECT DESCRIPTION:	PROPOSED 4 STORY, 90 GUESTROOM HOTEL.
TYPES OF OCCUPANCY:	R-1 / A-2 / A-3 / B
NO. OF STORIES:	HOTEL: 4 LEVELS ABOVE GRADE 1 LEVEL UNDERGROUND GARAGE
SITE AREA:	26,502 SF
TOTAL BLDG AREA:	1ST FLOOR = 12,297 SF 2ND FLOOR = 12,936 SF 3RD FLOOR = 13,023 SF 4TH FLOOR = 13,023 SF = 51,279 SF
PROPOSED F.A.R.:	1.93 (MAX. ALLOWED 2.0)
BLDG. FOOTPRINT:	12,297 SF 46%
# ROOMS:	89
MAX BLDG. HT':	55'-3" PARAPET ON DE ANZA AND VIA VICO 61' AT TOWER

GUEST ROOM COUNT BREAKDOWN					
GUEST UNIT TYPE	GROUND FL.	SECOND FL.	THIRD FL.	FOURTH FL.	TOTAL
KING	2	7	7	7	26
ACC KING	-	1	1	1	3
DOUBLE QUEEN	9	17	17	17	63
ACC DOUBLE QUEEN	-	1	1	1	3
TOTAL	11	26	26	26	89

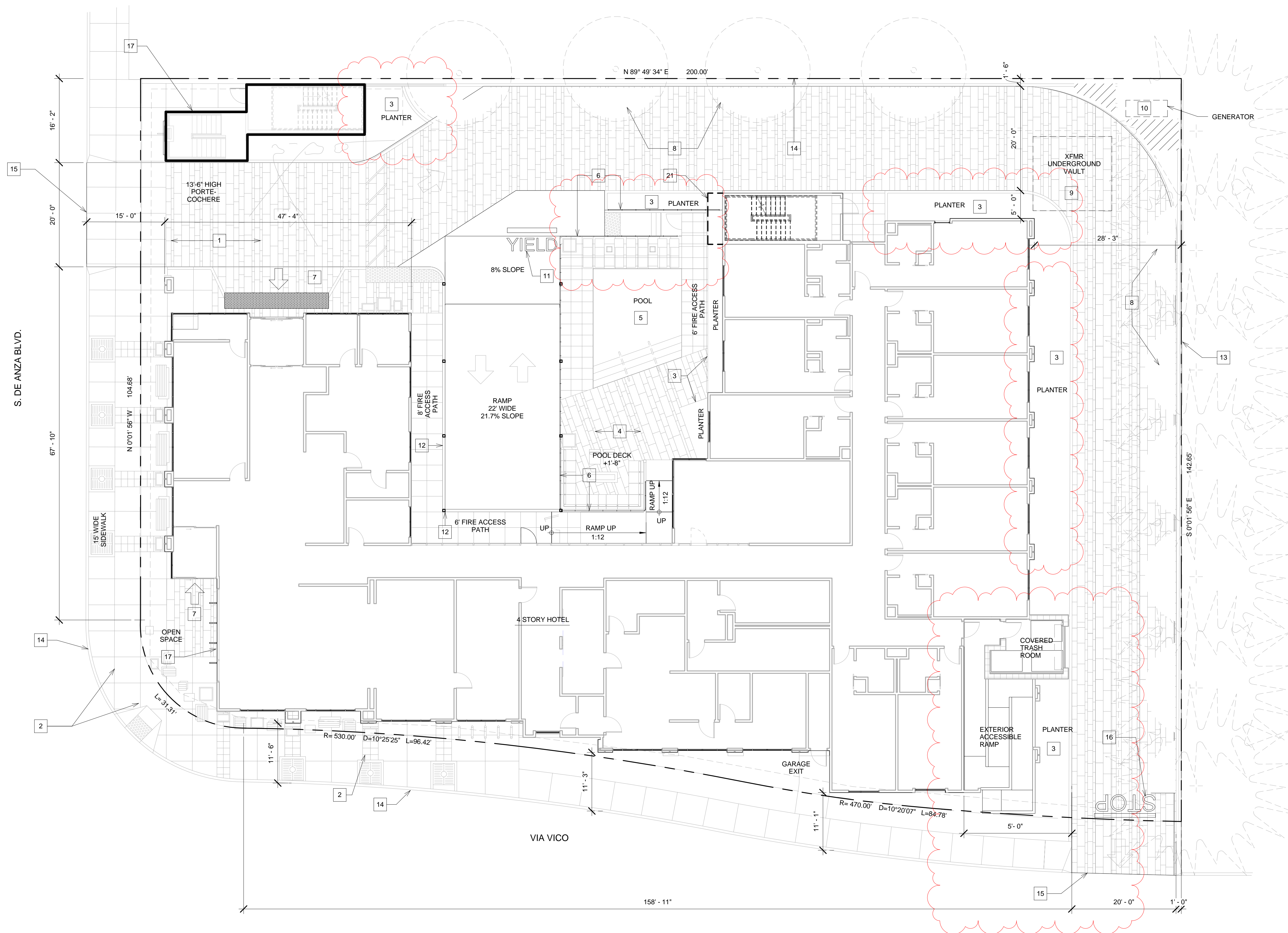
DRAWING INDEX

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A1	AREA PLAN	A15	MASSING STUDIES	C5	DETAILS AND SECTIONS
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A2	SITE PLAN	A17	FIRE ACCESS SITE PLAN	E2	LIGHT FIXTURES SPECIFICATION SHEETS
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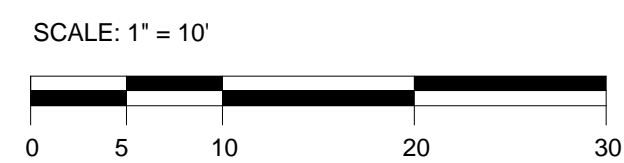


AREA PLAN



- KEY NOTES**
- ENTRANCE PARKING SEE LANDSCAPE DWGS.
 - SIDEWALK & PLAZA PAVING SEE LANDSCAPE DWGS.
 - RAISED BIO-RETENTION PLANTER - SEE CIVIL DWGS & LANDSCAPE DWGS
 - POOL DECK + 1'-8"
 - SWIMMING POOL 4'-0" DEEP MAX.
 - 5' HIGH POOL FENCE & GATE
 - BUILDING ENTRANCE
 - TREE GRATE SEE LANDSPACE DWGS, CIVIL DWGS & SECTION SHT A12
 - UNDERGROUND TRANSFORMER SEE CIVIL DWGS
 - EMERGENCY DIESEL GENERATOR WITH ACOUSTICAL ENCLOSURE
 - YIELD SIGN PAINTED ON PAVEMENT
 - 5' HIGH FENCE SEE LANDSCAPE DWGS.
 - PROPERTY LINE FENCE SEE LANDSCAPE DWGS.
 - EXISTING CONCRETE CURB TO BE RE-BUILT SEE CIVIL DWGS.
 - NEW CURB CUT SEE CIVIL DWGS.
 - PAINTED SIGN ON PAVEMENT
 - HOTEL BRAND MONUMENT SIGN. ALL BLDG SIGNAGE UNDER SEPERATE PERMIT.
 - SMOKING SHELTER
 - PAINTED STEEL TUBE TRELLIS & COLUMNS
 - SITE FURNITURE BENCH & URN
 - POOL EQUIPMENT ENCLOSURE
 - 3/4" THICK TRANSLUCENT GLASS SLOPE TO DRAIN AT 2%
 - STAINLESS SLEEL STANCHION

SITE PLAN



A2

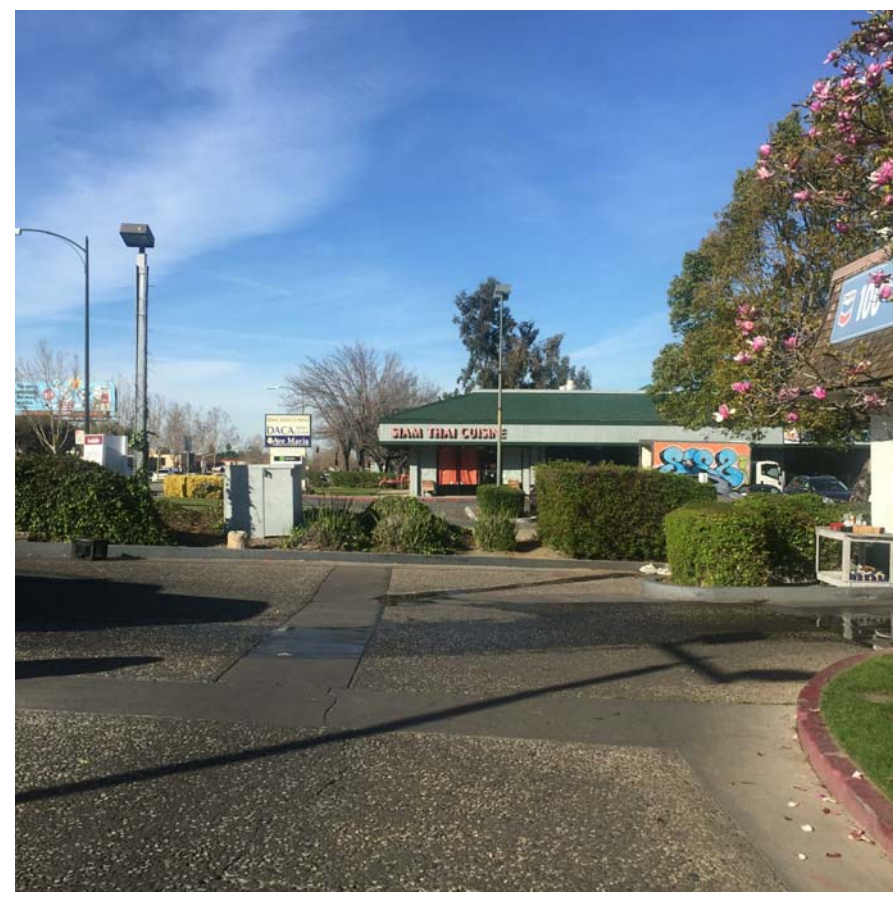




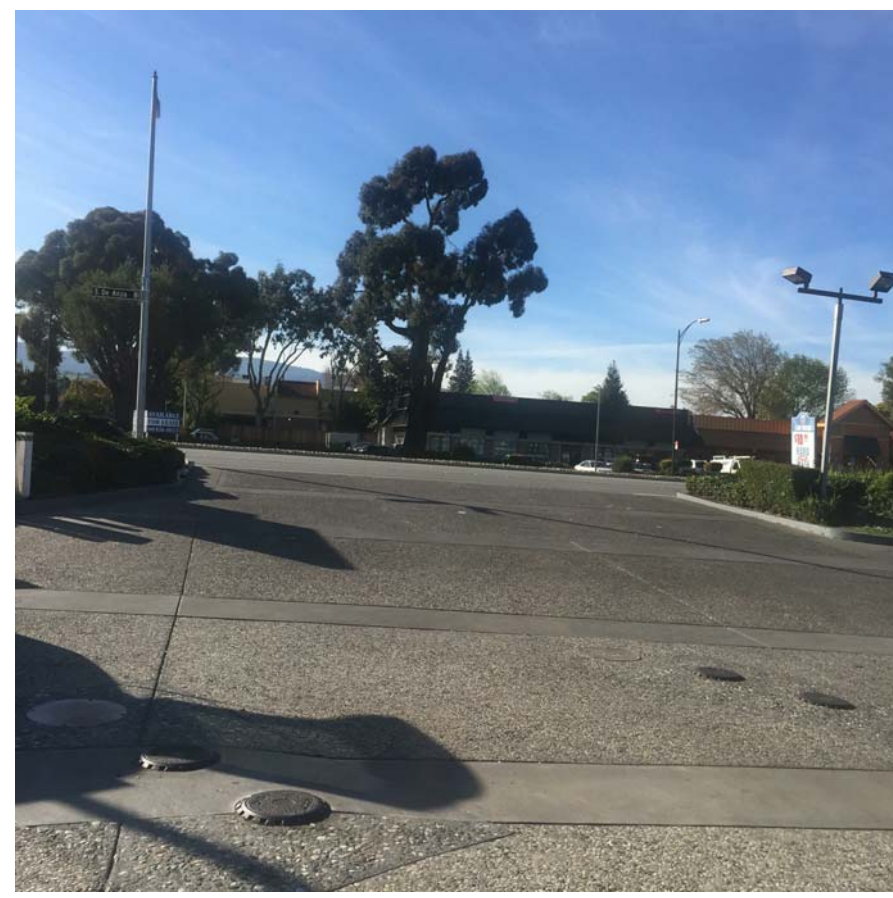
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5



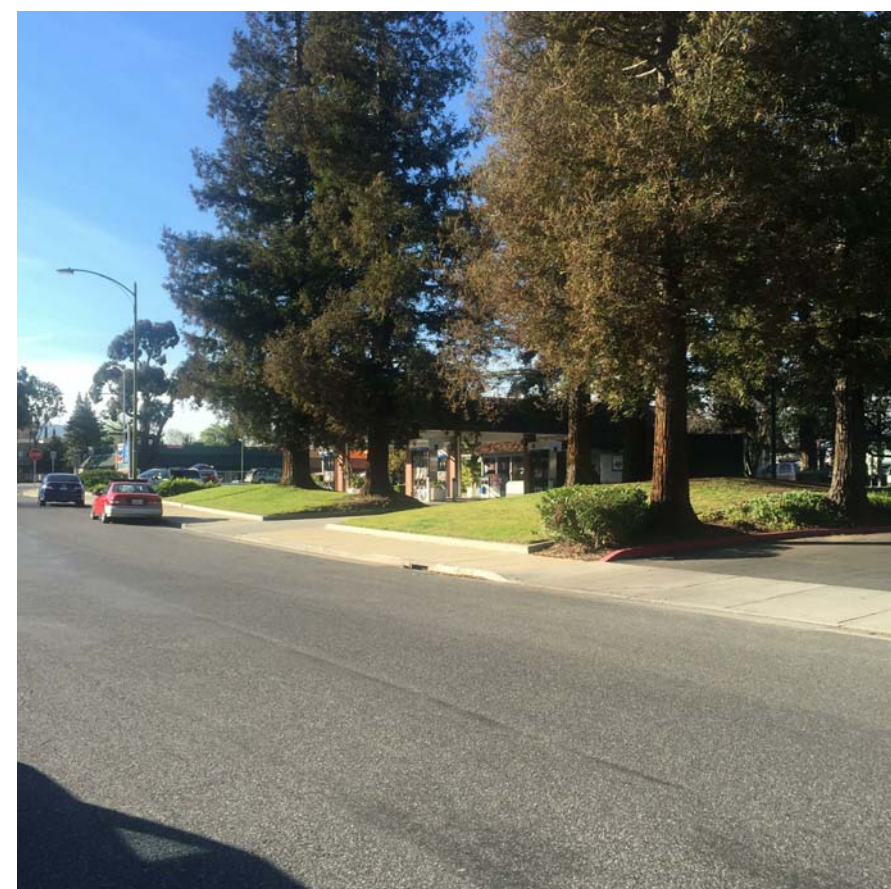
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3



8



2



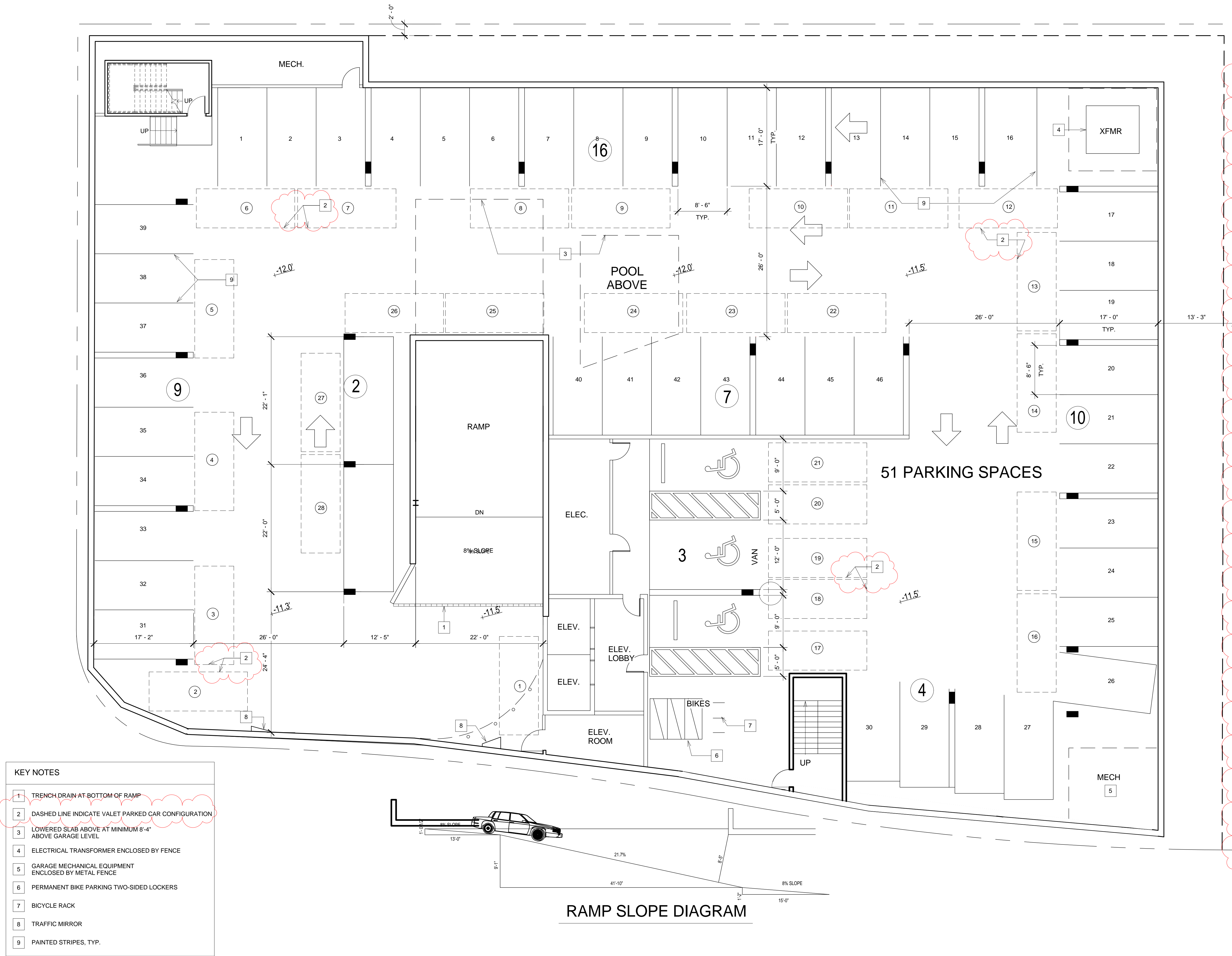
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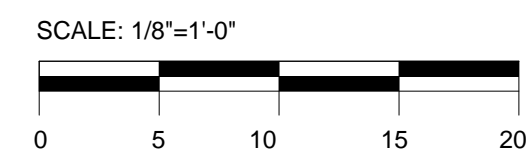
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1



GARAGE PLAN



A4



Parking Management Plan

This proposed 89-room hotel is located in an Urban Village zone of South De Anza Boulevard, and as such, will be allowed 20% less cars than what is usually required for a hotel project. The current design has 51 parking spaces which includes 1 accessible van space and 2 accessible car spaces. It is reasonable to expect that about 10% to 15% of hotel guests will be arriving via shuttle, taxi or ride-sharing services.

Determination of required parking spaces

Hotel projects are required to provide one parking space to one guestroom for customers and 1 car for every employee. At 89 guestrooms, there would be 89 cars for the hotel guests. Employee parking will vary depending on time of day. The following list the potential staff parking requirements.

Daytime shift: 1 manager, 1 sales, 1 engineer, 5 room attendants, 2 valets = 10 total
Evening shift: 1 manager, 1 engineer/attendant, 3 room attendants, 2 valets = 7 total
Midnight shift: 1 manager, 1 front desk, 1 attendant/valet, 1 valet = 4 total

Therefore, total basic parking space required in any one shift is:

89 guests + 10 employees = 99 parking spaces

Being in an Urban Village zone allows 20% less parking spaces:

99 - (.20 x 89) = 81 spaces.

The applicant also proposes to apply TDM measures for employees such as:

- 1) providing standard and permanent bicycle parking spaces with associated showering facility
- 2) pre-tax transit checks for local & regional transit systems
- 3) discounted Uber or Lyft rides for guest & employees
- 4) hotel shuttle vans to airport, downtown or commercial centers

Assuming 33% reduction of employee parking: .33 X 10 = 3.3 or 4 employee parking (revised)

Applied to original equation: 89 + (10-4) = 95
95 - (.20 x 95) = 76 spaces

Total parking required: 76 spaces

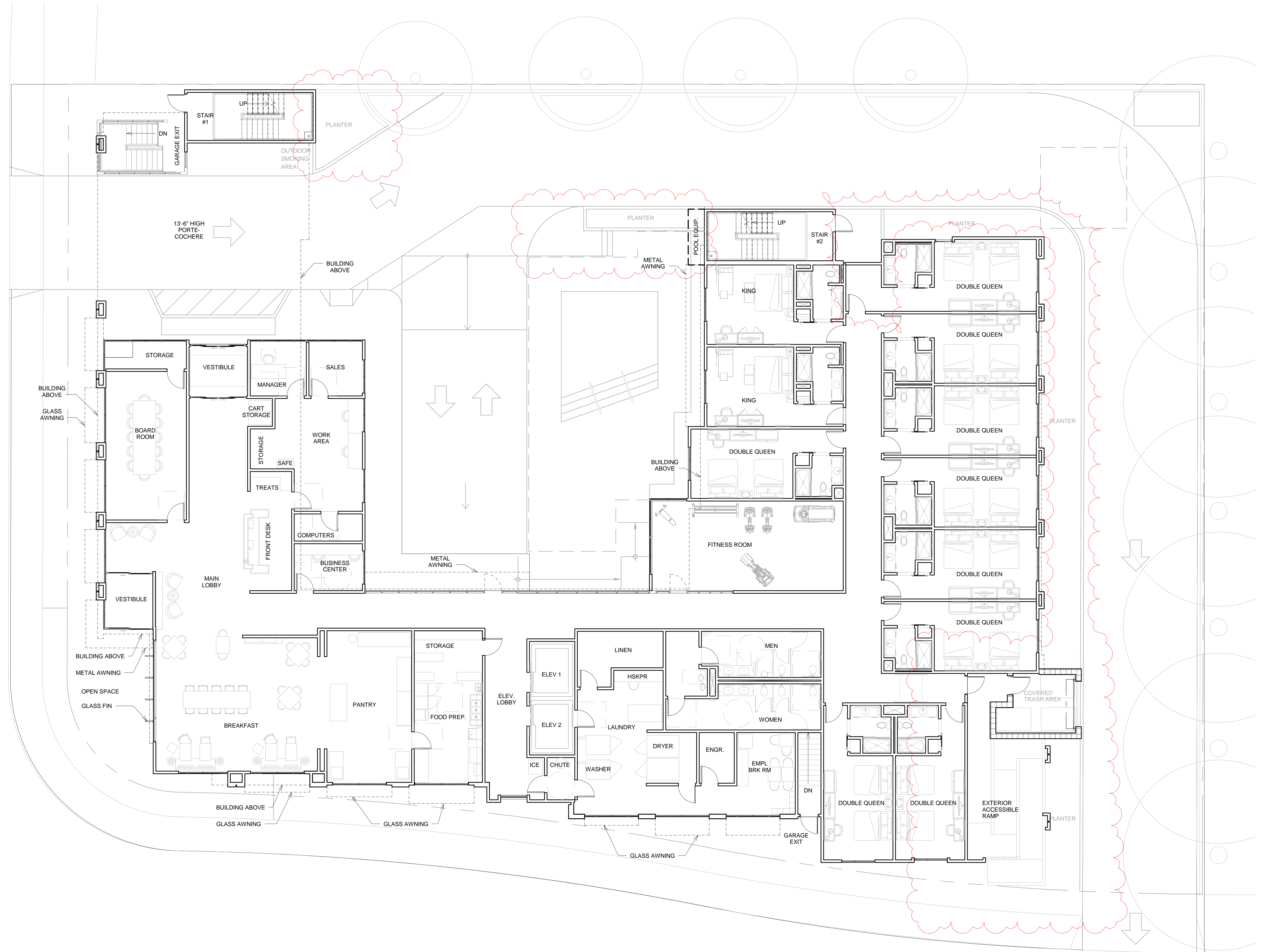
Total parking proposed using valet system: 79 spaces

Parking Management Plan

The applicant proposes to use a paid valet parking system which will yield at least 79 parking spaces. [The fee applies to both guests and employees of the hotel. Two valet attendants are expected to be employed (hotel staff) through all hours during the entire week. The proposed parking spaces for valet are shown in the Garage Plan indicated as dashed line boxes with encircled numbers (1 to 28).

To further alleviate shortage of parking, the applicant will implement the following Transportation Demand Management measures:

1. Permanent & temporary bicycle parking spaces. Employee shower room is available in the staff break room.
2. Transit information center (or kiosk) located in the lobby including computer, printer & self-help touch screen. Hotel will have a TDM administrator on-staff during daytime shift. For guest use, this amenity will be published in hotel website, in guestroom entertainment center and other marketing medium.
3. Pre-tax transit checks for use in local & regional public transportation
4. Use of hotel van shuttle available to guests & employees:
 - a. A hotel owned airport shuttle to Mineta International Airport, running every 2 hours starting from 5 a.m. to 8 p.m. Airport shuttle is free to hotel guests and employees.
 - b. A second shuttle will transport guests to at least 2 pre-selected destinations around San Jose. For example, Apple campus area, downtown, Santa Row or other urban villages, downtown San Jose or special event venues. The goal is to have a round trip travel time of about two hours. Service would start at 7 a.m. to 8 p.m.
5. Use of ride-sharing coupons during high occupancy days for non-driving guests or employees. This amenity for guests will be advertised in the hotel's website or other marketing medium to encourage guests to arrive without driving.
 - a. Companies such as Uber or Lyft offers gift cards for purchase to be used by customers as needed. Upon verification by hotel staff that a non-driving guest is eligible for the gift card, one card will be issued per room to that customer. A set amount will be issued depending on how many days the guest is staying. The intent is not to cover all the possible trips a guest may take but to cover a set portion of miles per day (say, 20 miles credit per day). To minimize "gaming" of the system, gift cards are only valid during the time of hotel stay.
 - b. Employees will be eligible to receive the gift card on a rotation basis (such as Tues & Wed, busiest days), such that gift cards will be assigned to 50% of the staff at a time.
6. Employees using the local public transportation will be reimbursed for fares to and from work on two of the busiest days of the week.
7. Applicant will try to hire from the local area within 5 miles of the hotel.
8. Applicant will try to acquire shared parking agreement with neighboring commercial properties whose parking lot is generally unused during night time hours.
9. Bike rental for local travel

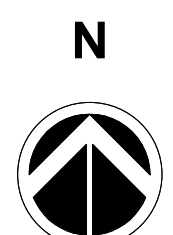
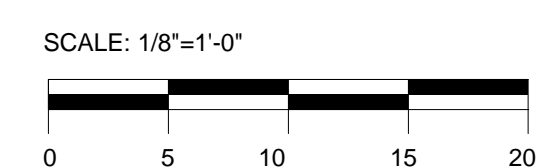


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A12



GROUND FLOOR PLAN

CUPERTINO DE ANZA HOSPITALITY LLC SAN JOSE, CALIFORNIA



A5



PLANNING RESUBMITTAL 09/21/2017
REVISED 03/02/2018
PROJECT NO. 15112

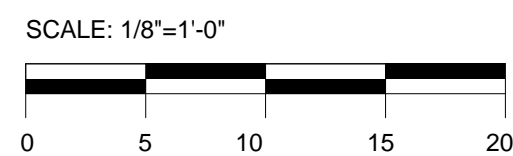


SECOND FLOOR PLAN



THIRD & FOURTH FLOOR PLAN

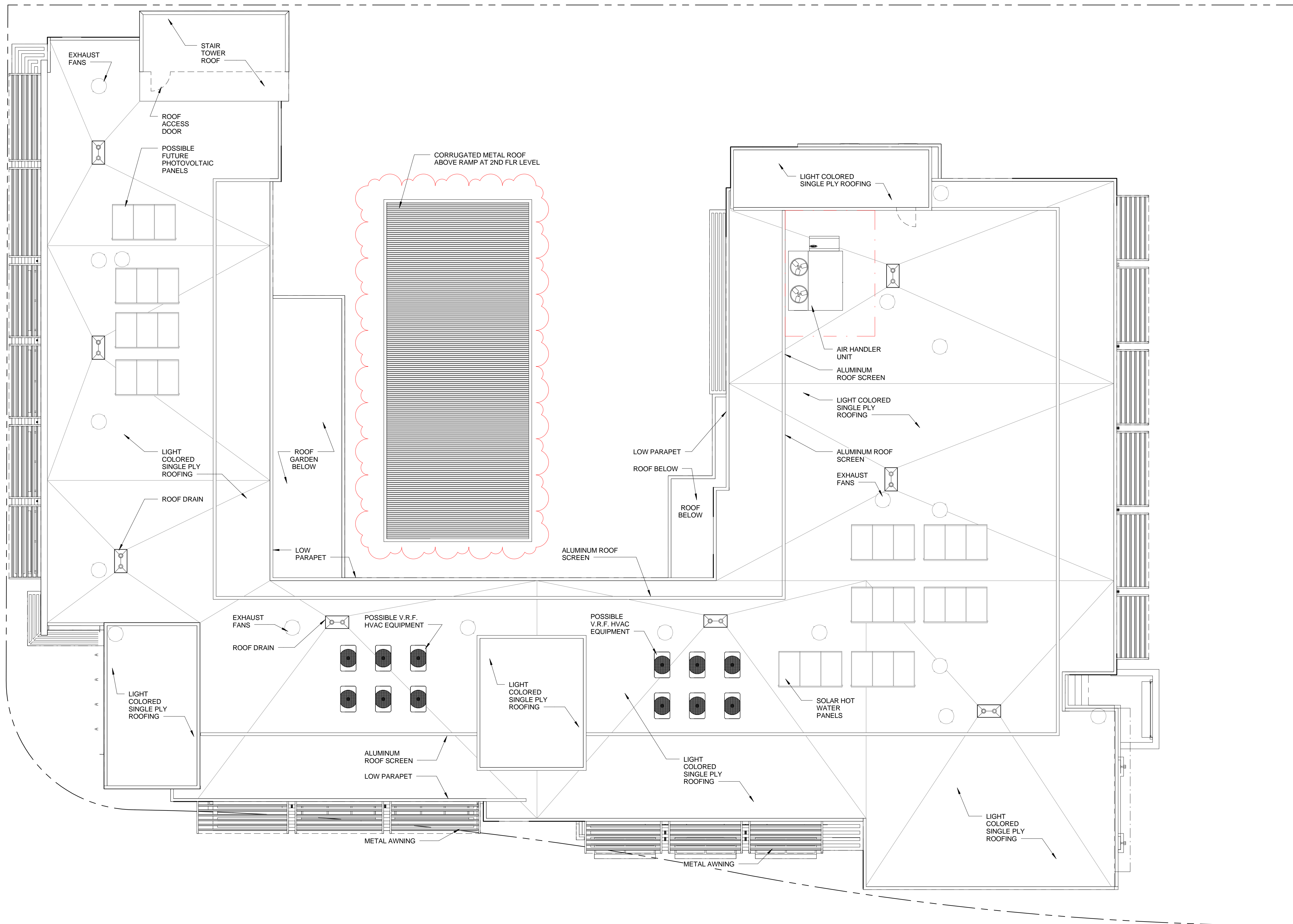
CUPERTINO DE ANZA HOSPITALITY LLC SAN JOSE, CALIFORNIA



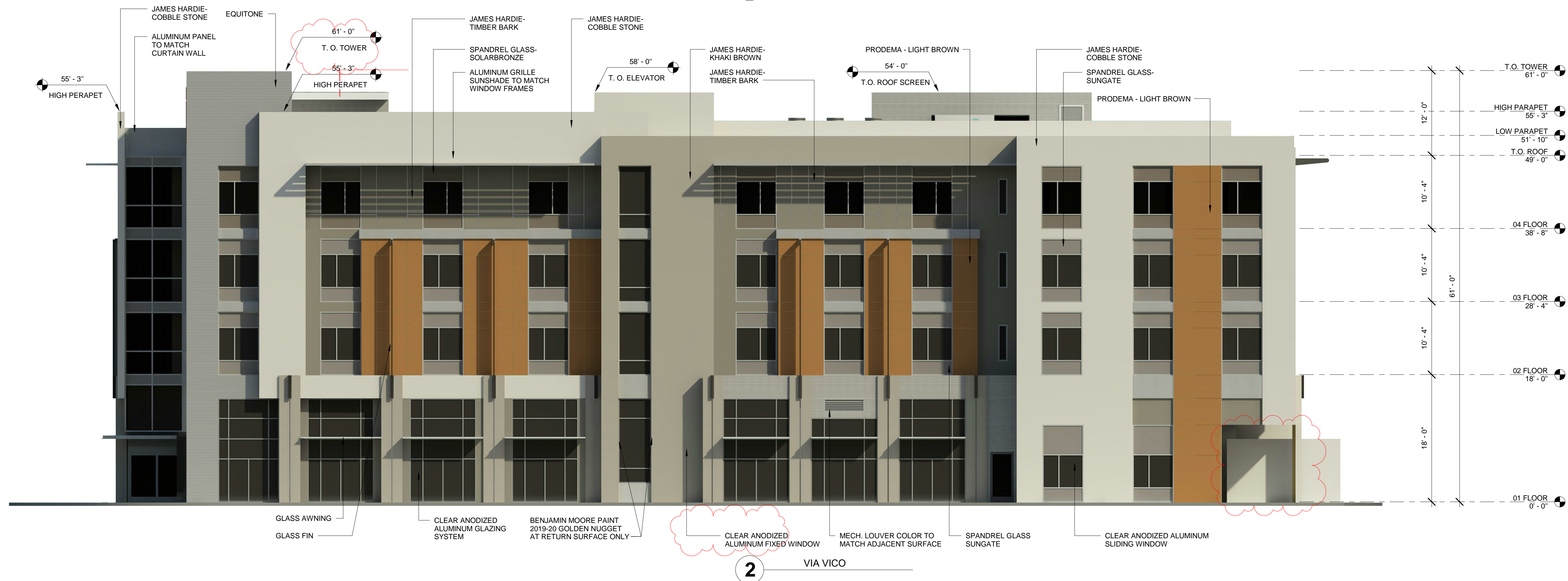
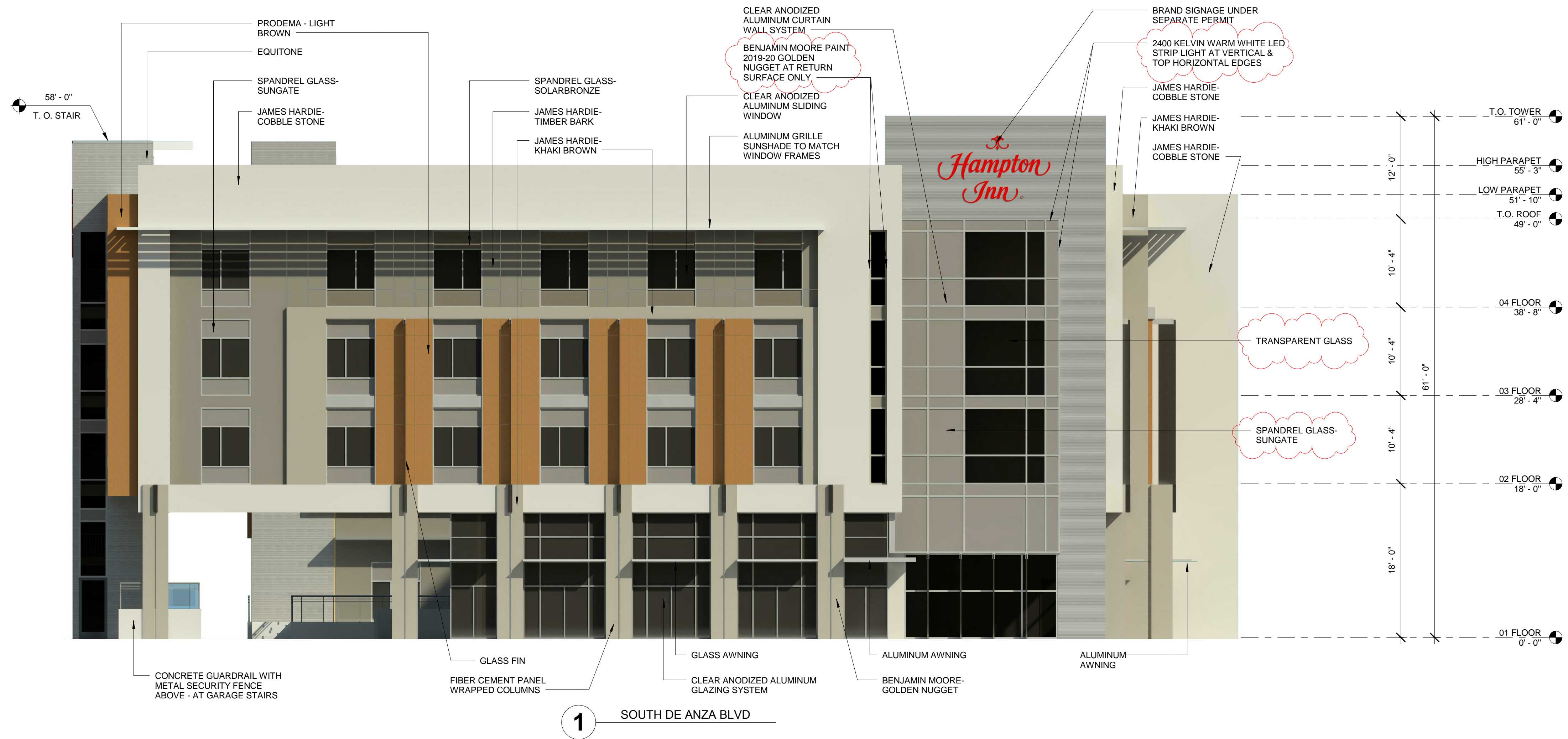
A7

PLANNING RESUBMITTAL 09/21/2017
PROJECT NO. 15112





ROOF PLAN



EXTERIOR ELEVATIONS

CUPERTINO DE ANZA HOSPITALITY LLC SAN JOSE, CALIFORNIA

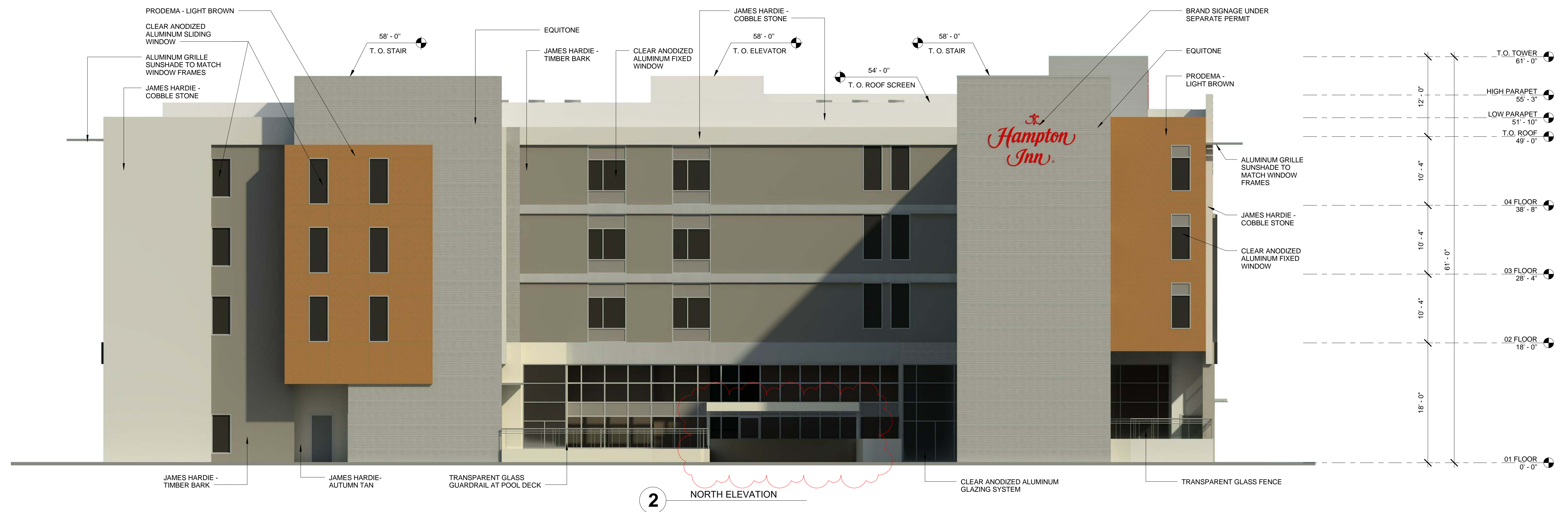
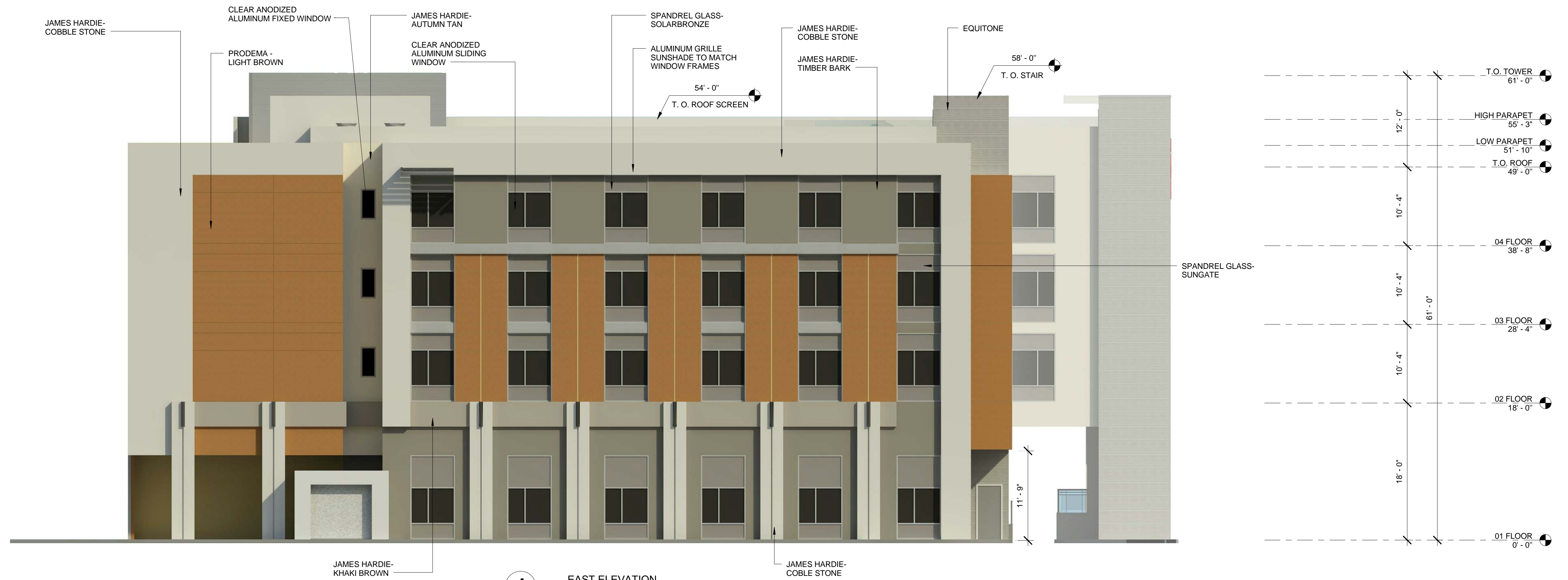


SCALE: 1/8"=1'-0"

PLANNING RESUBMITTAL 09/21/2017
REVISED 03/02/2018
PROJECT NO. 15112

A9





EXTERIOR ELEVATIONS

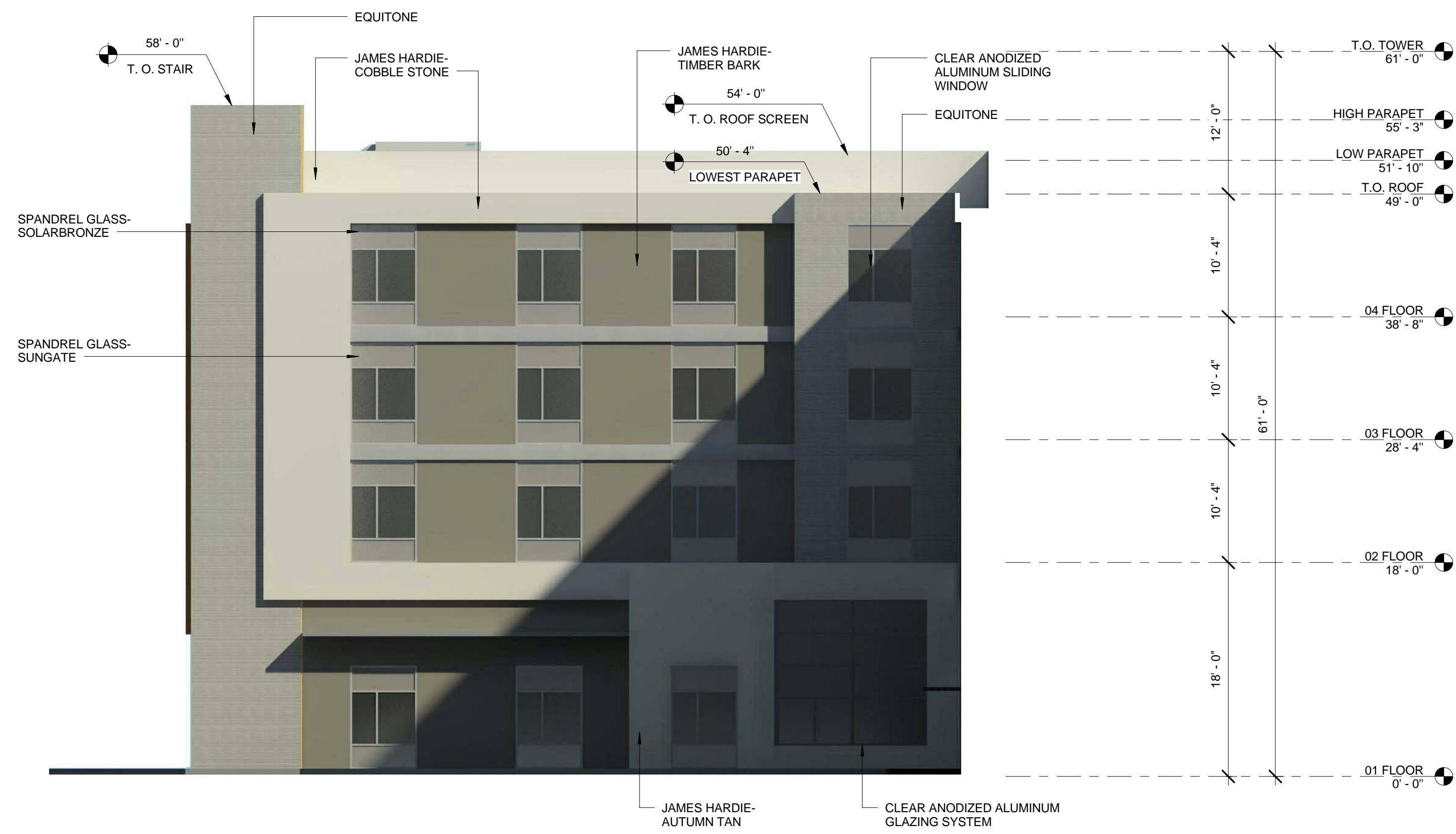
CUPERTINO DE ANZA HOSPITALITY LLC SAN JOSE, CALIFORNIA

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

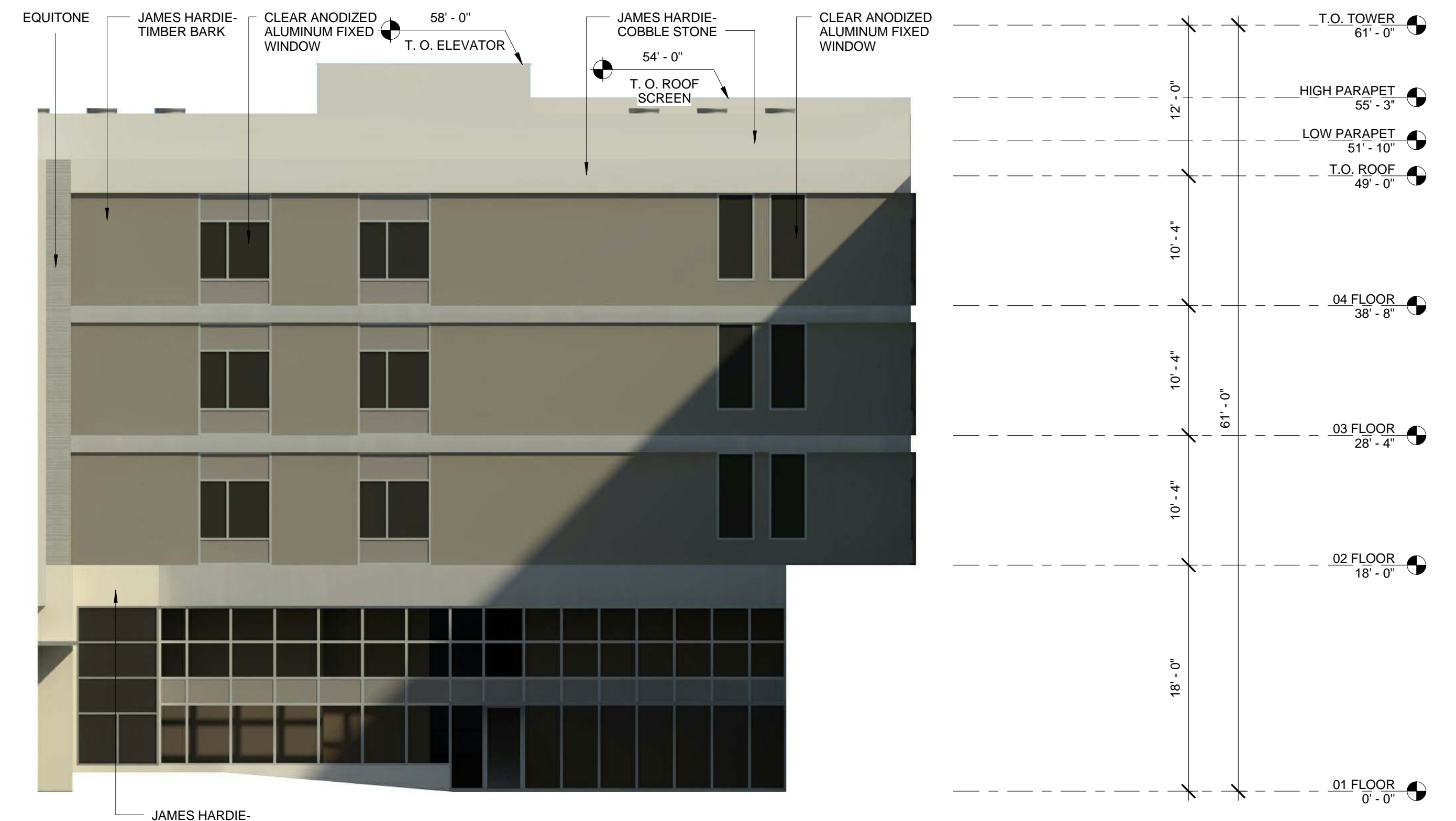
PLANNING RESUBMITTAL 09/21/2017
REVISED 04/20/2018
PROJECT NO. 15112

A10





1 COURTYARD WEST ELEVATION

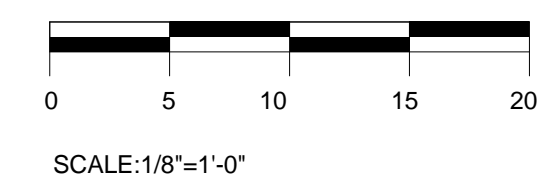
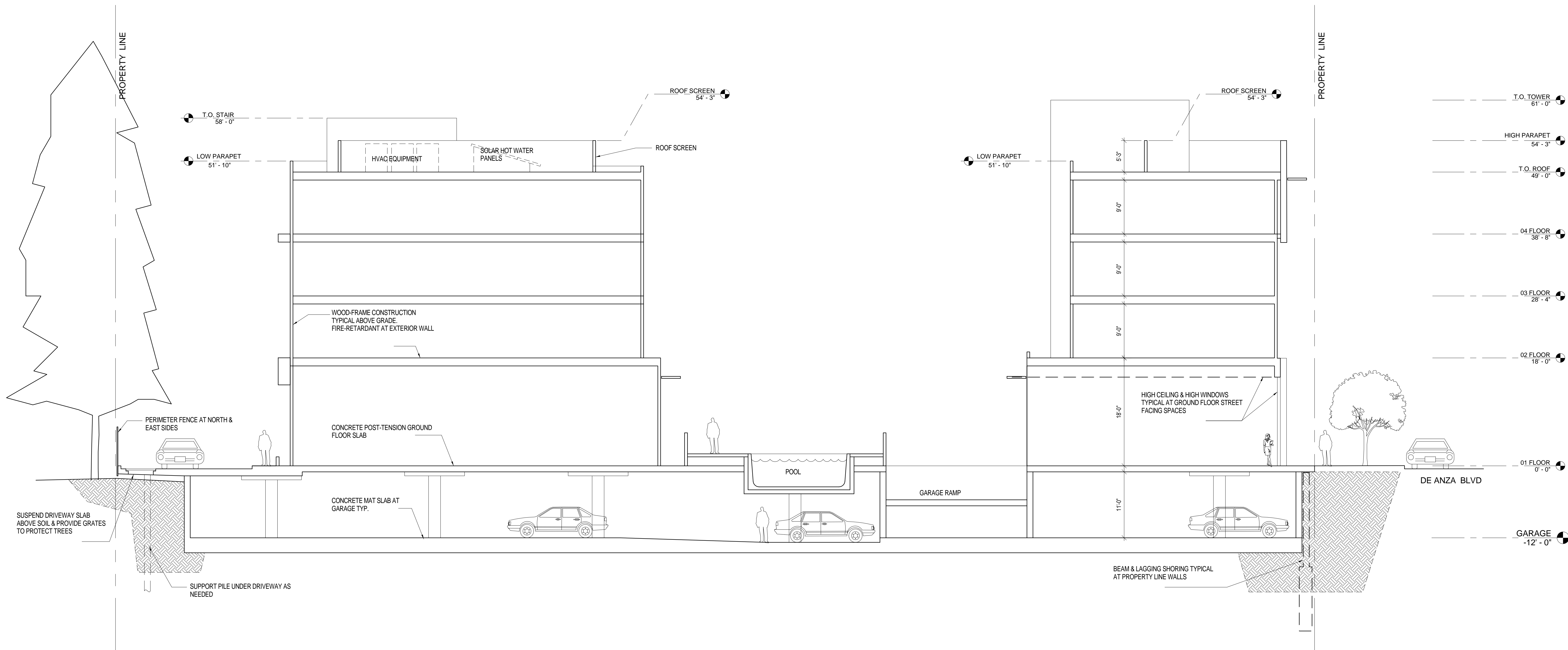


2 COURTYARD SOUTH ELEVATION



3 COURTYARD EAST ELEVATION

EXTERIOR ELEVATIONS



BUILDING SECTION

CUPERTINO DE ANZA HOSPITALITY LLC SAN JOSE, CALIFORNIA

PLANNING RESUBMITTAL 09/21/2017
PROJECT NO. 15112

A12





WEST ELEVATION



SOUTH ELEVATION

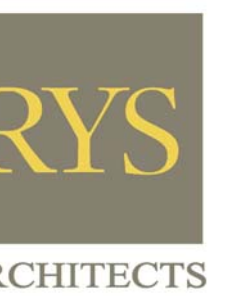
RENDERED COLOR ELEVATIONS

CUPERTINO DE ANZA HOSPITALITY LLC SAN JOSE, CALIFORNIA

PLANNING RESUBMITTAL 09/21/2017
PROJECT NO. 15112



A13





EAST ELEVATION



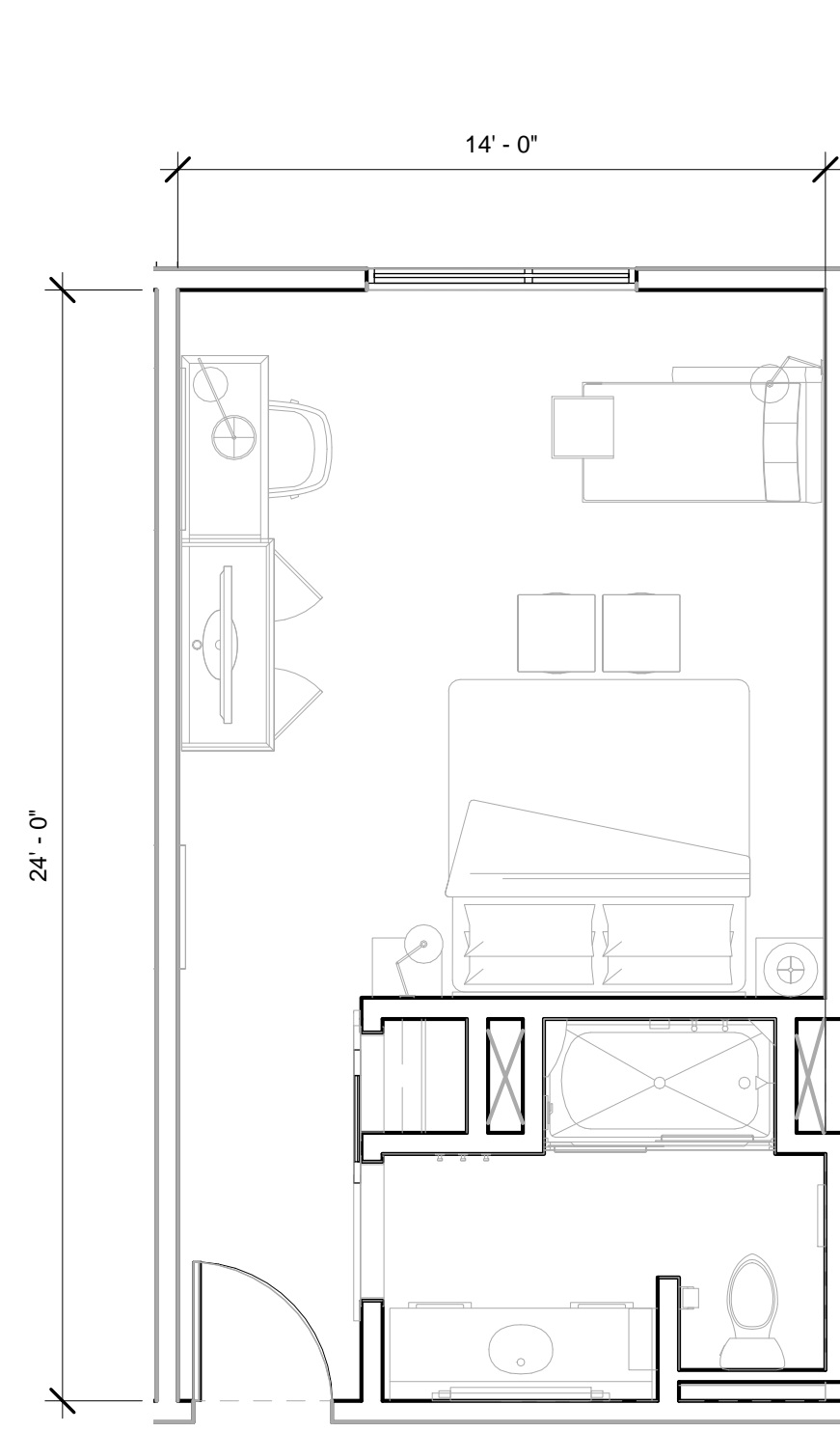
NORTH ELEVATION

RENDERED COLOR ELEVATIONS

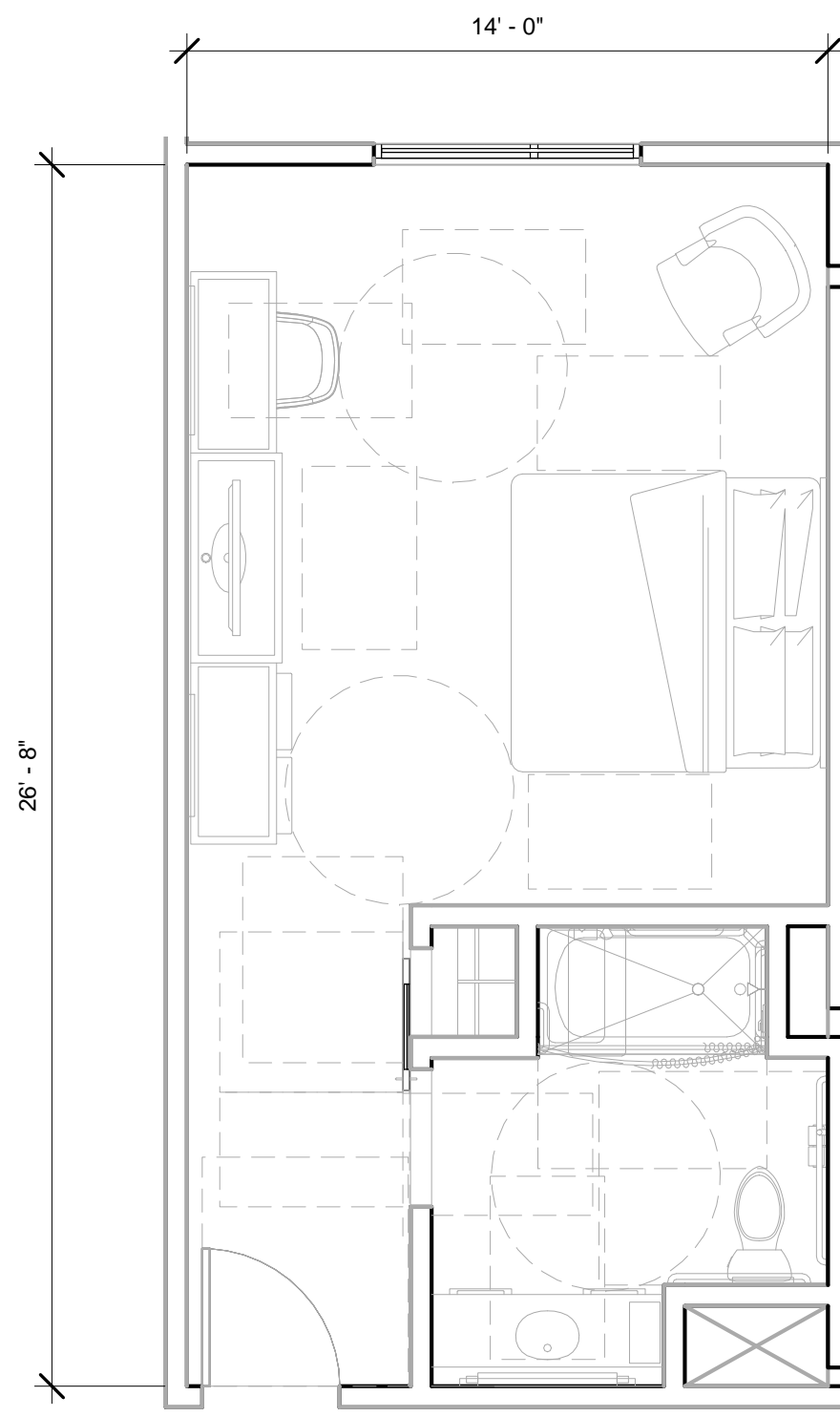
CUPERTINO DE ANZA HOSPITALITY LLC SAN JOSE, CALIFORNIA

PLANNING RESUBMITTAL 09/21/2017
REVISED 04/23/2018
PROJECT NO. 15112

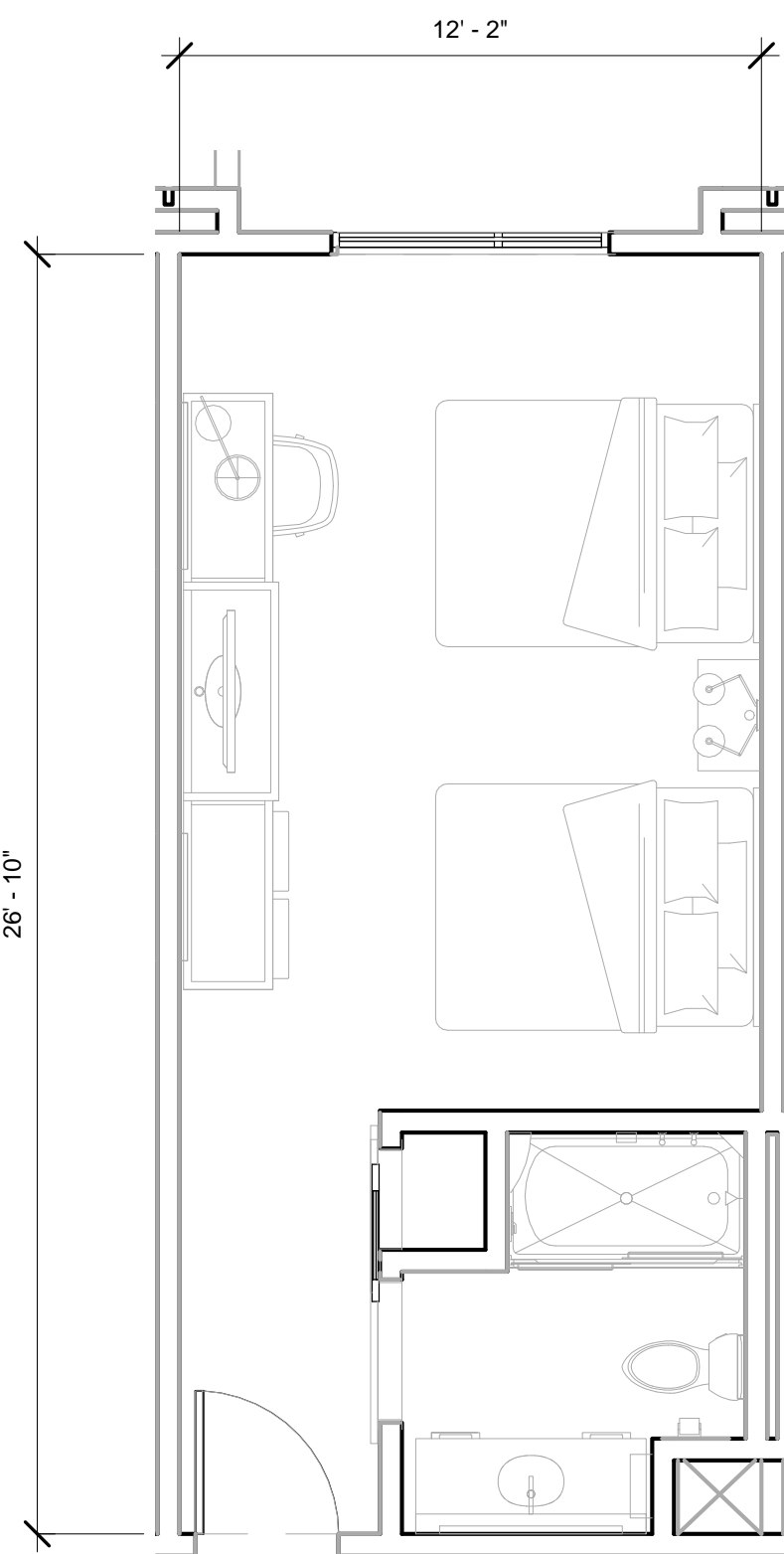




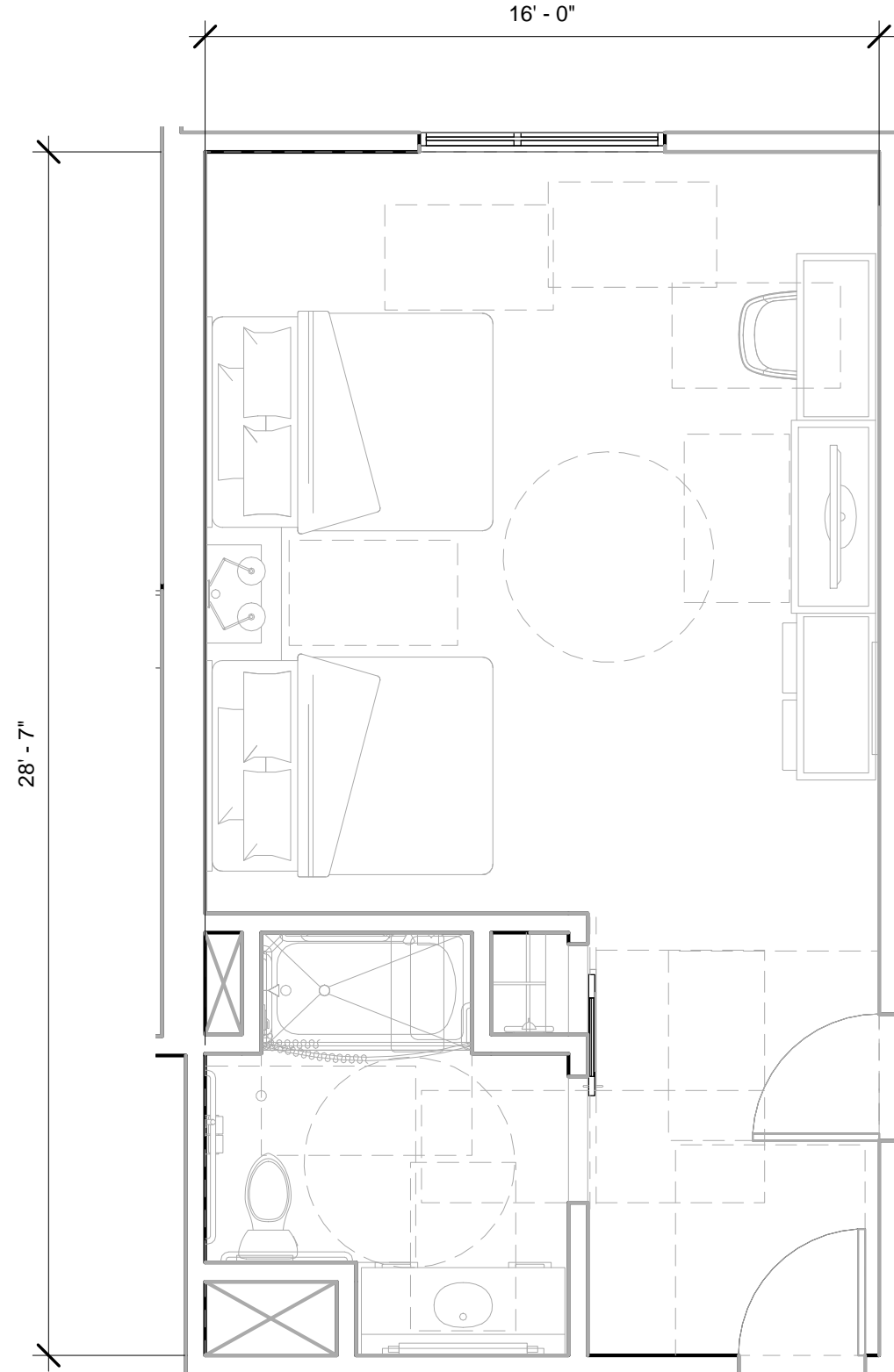
1 MODEL ROOMS- KING



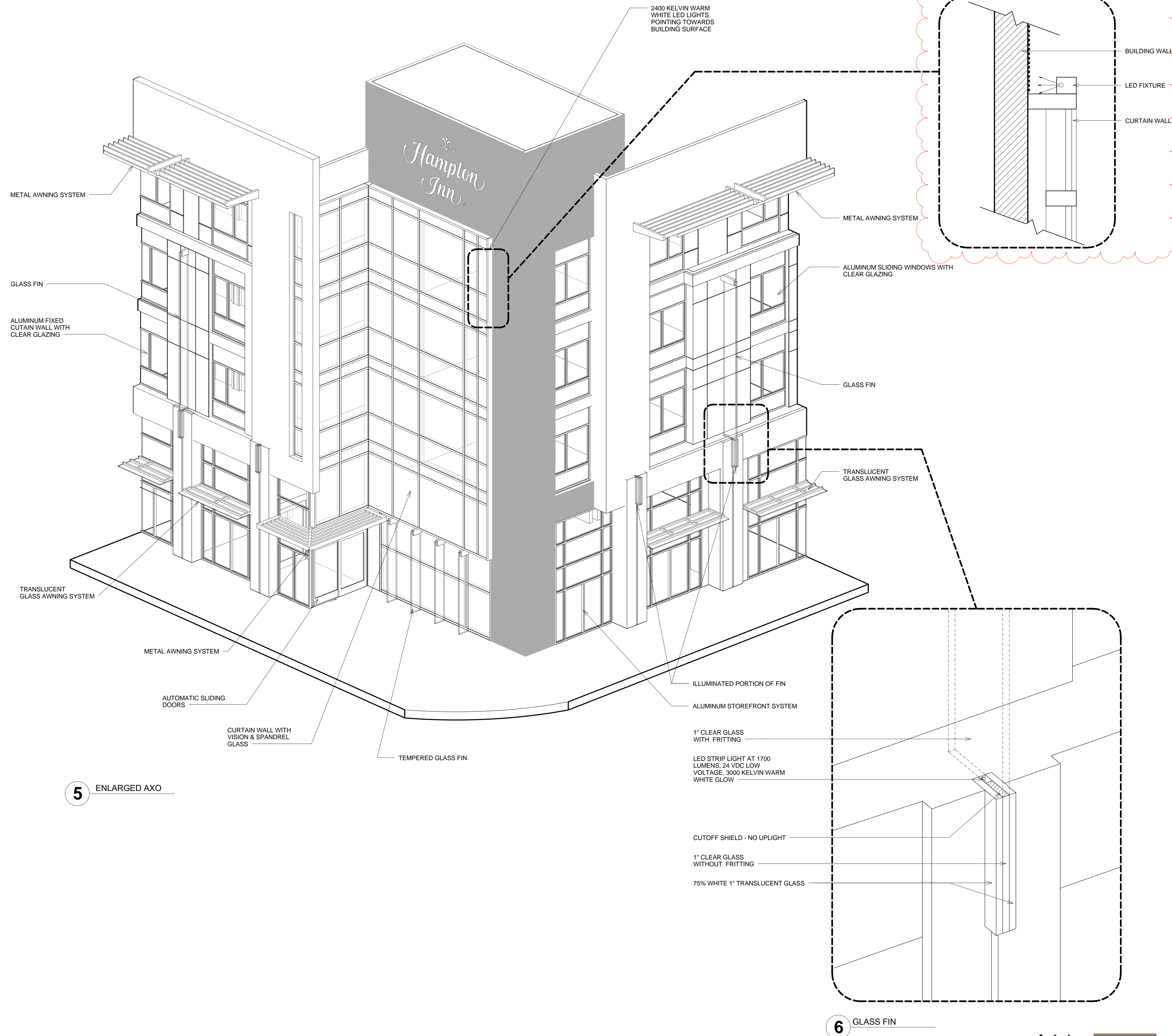
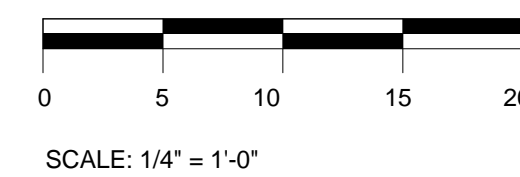
2 MODEL ROOMS- ACCESSIBLE KING



3 MODEL ROOMS- DOUBLE QUEEN



4 MODEL ROOMS- ACCESSIBLE DOUBLE QUEEN



5 ENLARGED AXO

6 GLASS FIN

GUESTROOM ENLARGED FLOOR PLANS & ENLARGED AXO

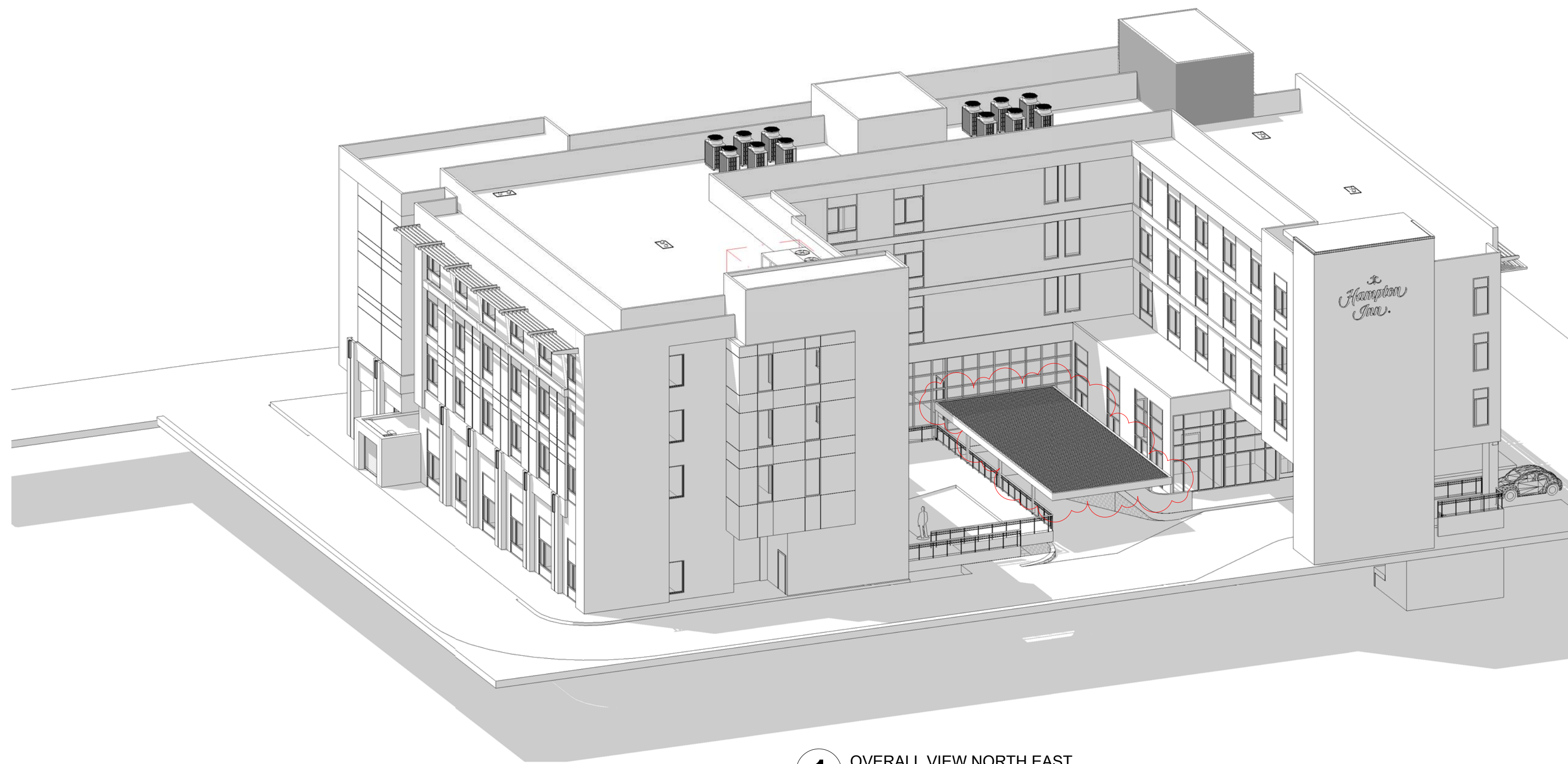
CUPERTINO DE ANZA HOSPITALITY LLC SAN JOSE, CALIFORNIA

PLANNING RESUBMITTAL 09/21/2017
PROJECT NO. 15112



A14





1 OVERALL VIEW NORTH EAST



2 OVERALL VIEW SOUTH WEST



3 NORTH EAST



4 NORTH WEST

MASSING STUDIES

MASSING VIEWS



SMOOTH VERTICAL
FIBER CEMENT PANEL

PRODUCT NAME: JAMES HARDIE
MODEL NUMBER: HARDIE REVEAL PANEL SYSTEM
COLOR TO MATCH BENJAMIN MOORE, SEE SHEET
A9/A10/A11 FOR COLOR



NATURAL WOOD
FINISH

PRODUCT NAME: PRODEMA
MODEL NUMBER: PRODEX
COLOR: LIGHT BROWN



1" TRANSPARENT GLASS



ALUMINUM SLIDING WINDOWS
WITH CLEAR GLAZING

PRODUCT NAME: CLR US ALUMINUM
MODEL NUMBER: 8200 HORIZONTAL SLIDING WINDOW
COLOR: N/A



TRANSPARENT GLASS

PRODUCT NAME: PPG
MODEL NUMBER: SUNGATE AT FLRS. 1-3 / SOLARBRONZE AT FLR. 4
COLOR: CLEAR



FIBER CEMENT BOARD

PRODUCT NAME: EQUITONE
MODEL NUMBER: LT20
COLOR: N/A



SPANDREL

PRODUCT NAME: PPG
MODEL NUMBER: SUNGATE AT FLRS. 1-3 / SOLARBRONZE AT FLR. 4
COLOR: OPAQUE



CURTAIN WALL

PRODUCT NAME: CRL US ALUMINUM
MODEL NUMBER: SERIES 2200 CURTAIN WALL SYSTEM
COLOR: STONE GREY



ALUMINUM
STOREFRONT WITH
CLEAR GLAZING

PRODUCT NAME: CLR US ALUMINUM
MODEL NUMBER: SERIES 375-T
COLOR: STONE GREY



SOUTH DE ANZA BLVD



GLASS AWNING SYSTEM

PRODUCT NAME: CLR ARC
MODEL NUMBER: 10 7313 CRL
COLOR: N/A

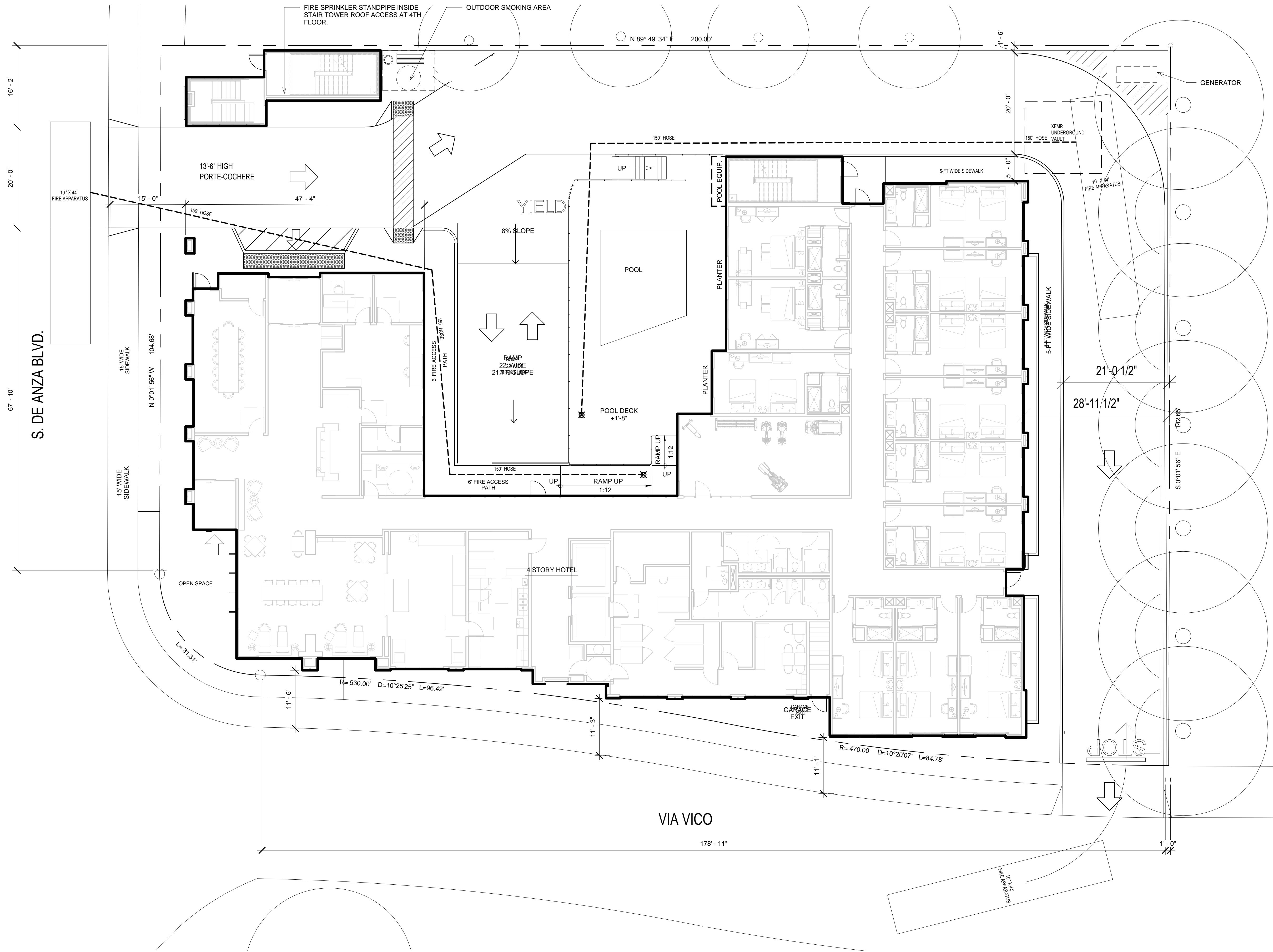


ALUMINUM FIXED
WINDOW

PRODUCT NAME: CRL US ALUMINUM
MODEL NUMBER: 8100 FIXED WINDOW
COLOR: N/A

COLORS & MATERIAL BOARD





1 FIRE ACCESS SITE PLAN
1" = 10'-0"



BENJAMIN MOORE PAINT
973 ICE FORMATIONS

BENJAMIN MOORE PAINT
AC-29 SAN ANTONIO GRAY

BENJAMIN MOORE PAINT
AC-27 GALVESTON GRAY

BENJAMIN MOORE PAINT
1112 SANDY VALLEY

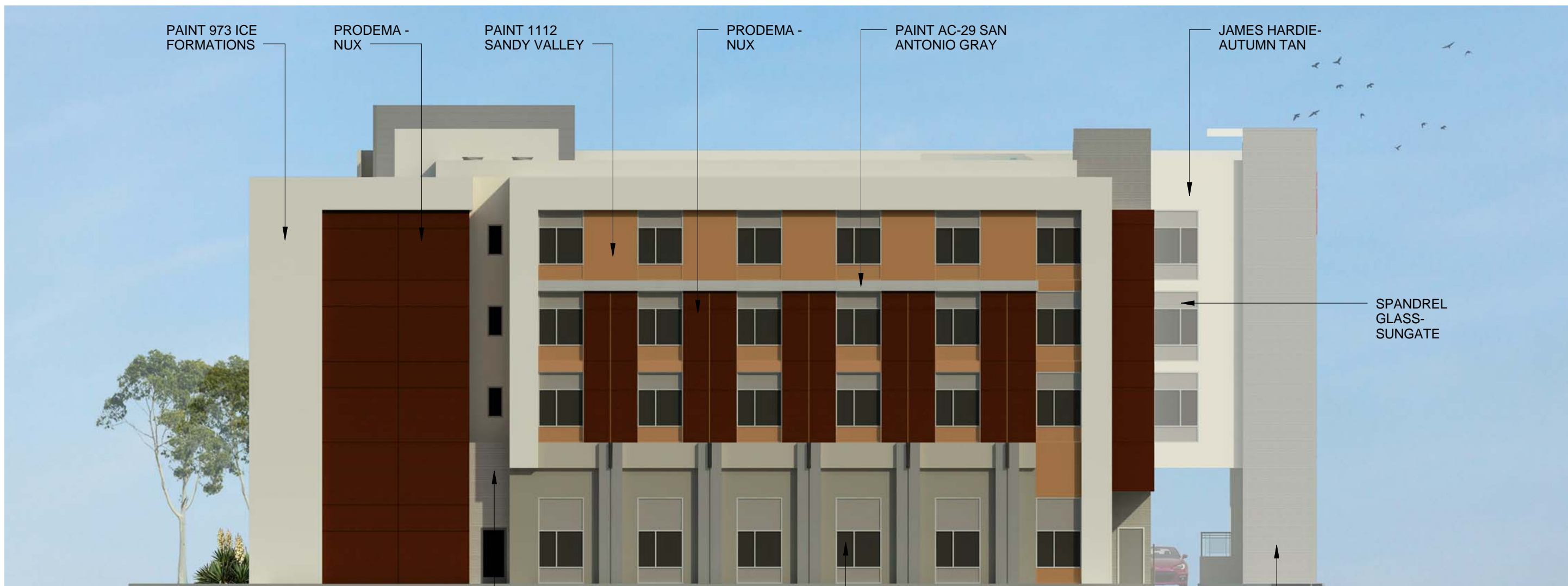
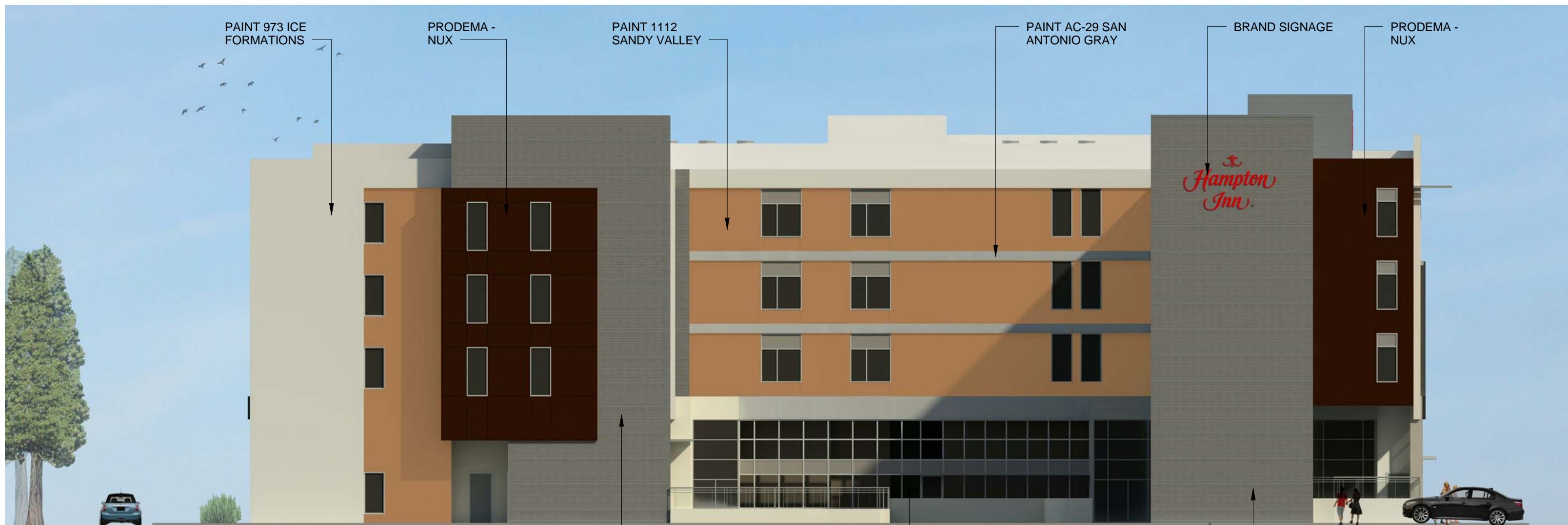


RENDERED PERSPECTIVE



RENDERED SOUTH ELEVATION

RENDERED WEST ELEVATION



RENDERED NORTH ELEVATION

RENDERED EAST ELEVATION

ALTERNATE COLOR SCHEME 1





BENJAMIN MOORE PAINT
973 ICE FORMATIONS

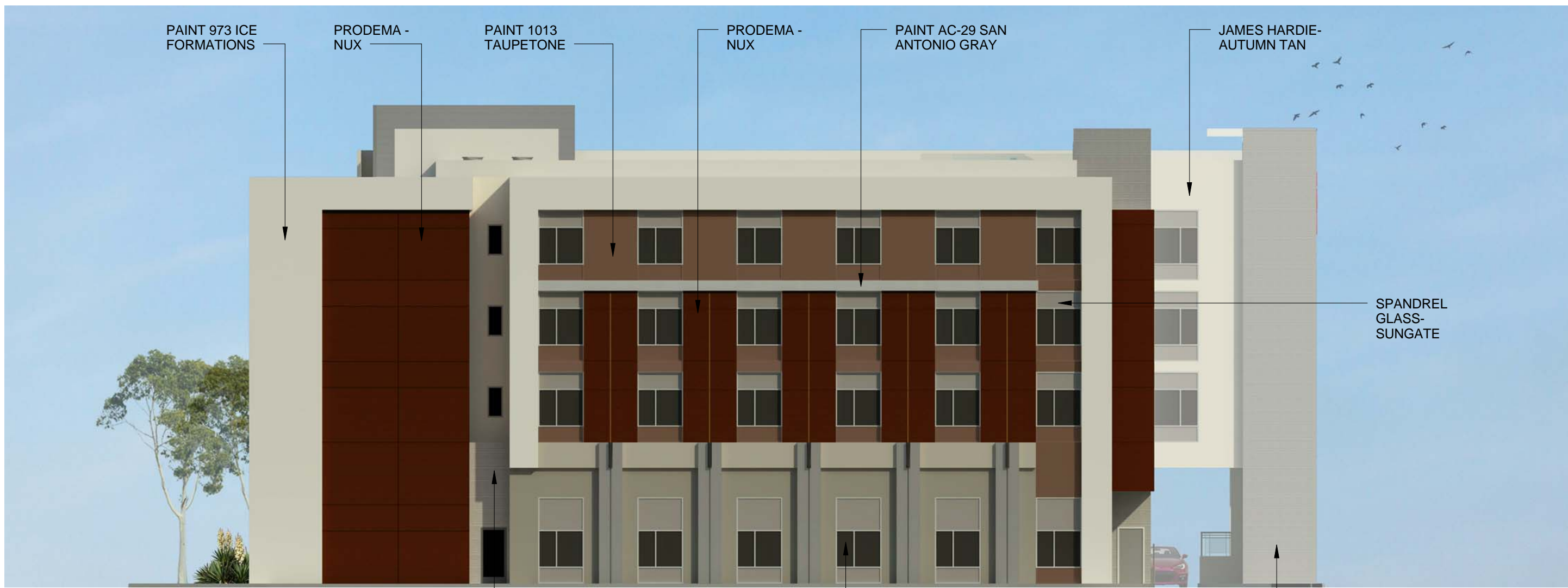
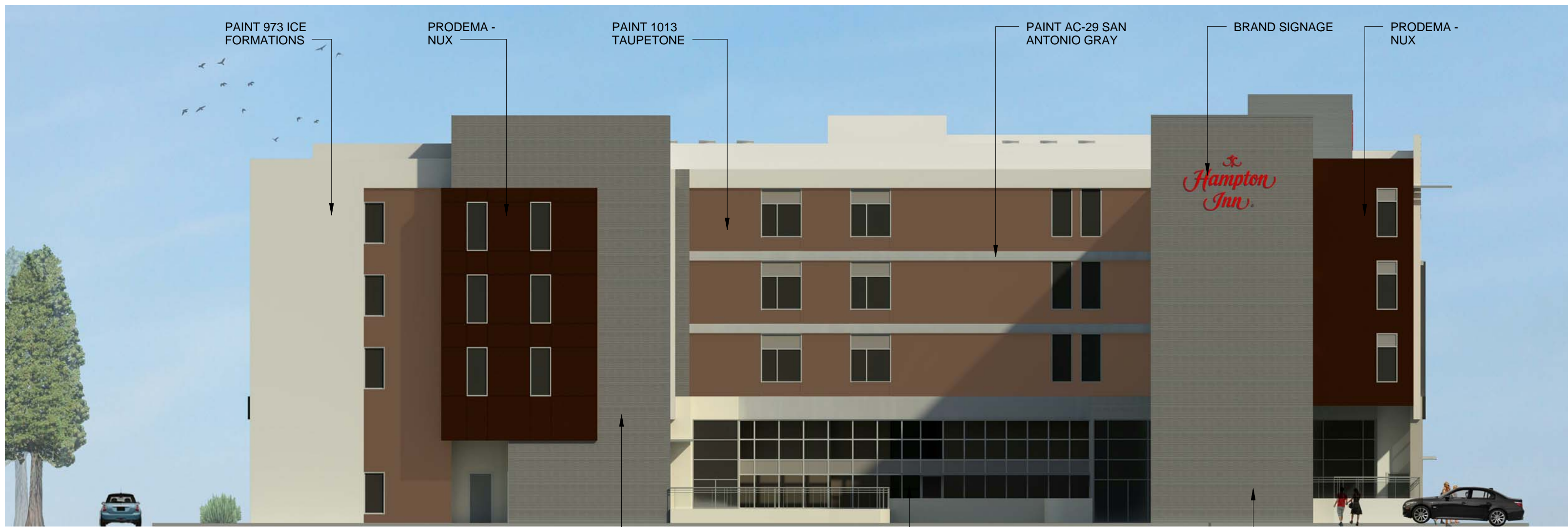
BENJAMIN MOORE PAINT
AC-29 SAN ANTONIO GRAY

BENJAMIN MOORE PAINT
AC-27 GALVESTON GRAY

BENJAMIN MOORE PAINT
1013 TAUPETONE



RENDERED PERSPECTIVE



RENDERED SOUTH ELEVATION

RENDERED WEST ELEVATION

RENDERED NORTH ELEVATION

RENDERED EAST ELEVATION

ALTERNATE COLOR SCHEME 2

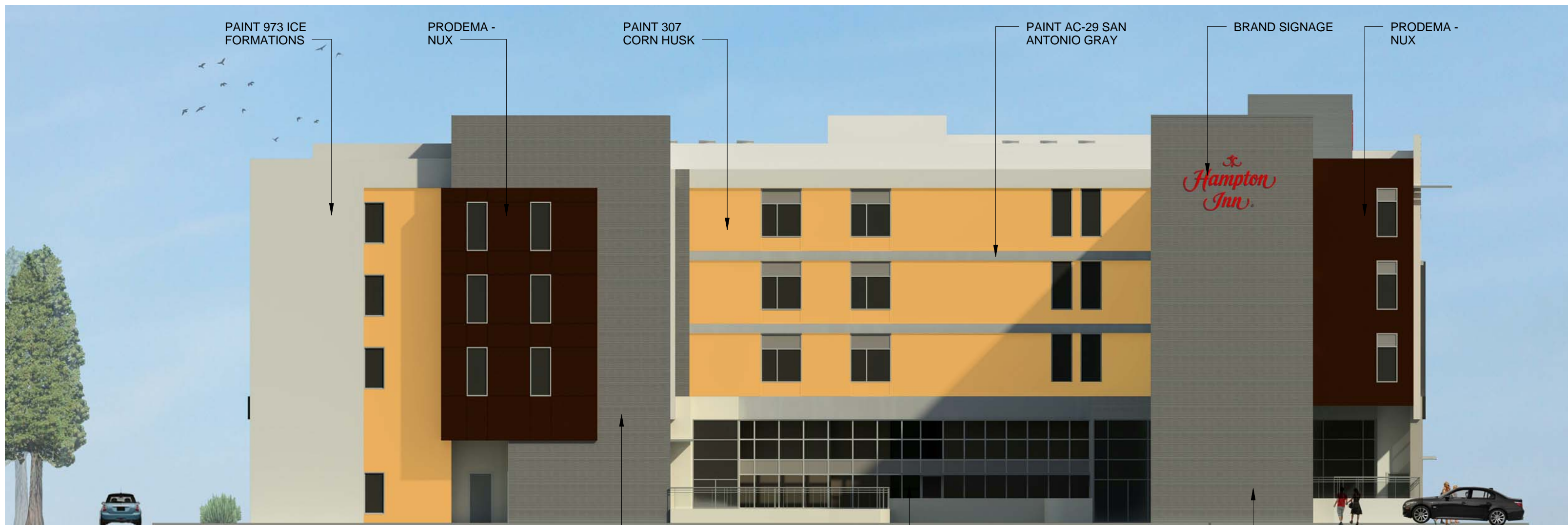
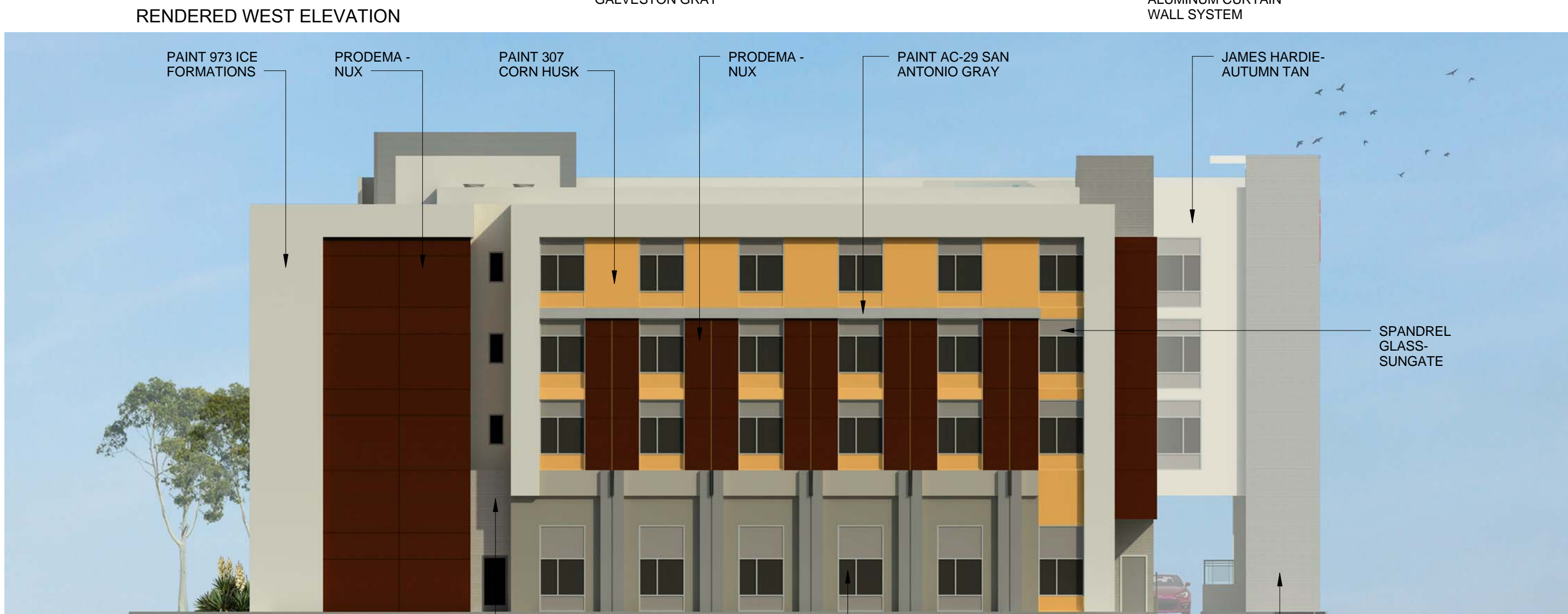




BENJAMIN MOORE PAINT 973 ICE FORMATIONS BENJAMIN MOORE PAINT AC-29 SAN ANTONIO GRAY BENJAMIN MOORE PAINT AC-27 GALVESTON GRAY BENJAMIN MOORE PAINT 307 CORN HUSK



RENDERED PERSPECTIVE



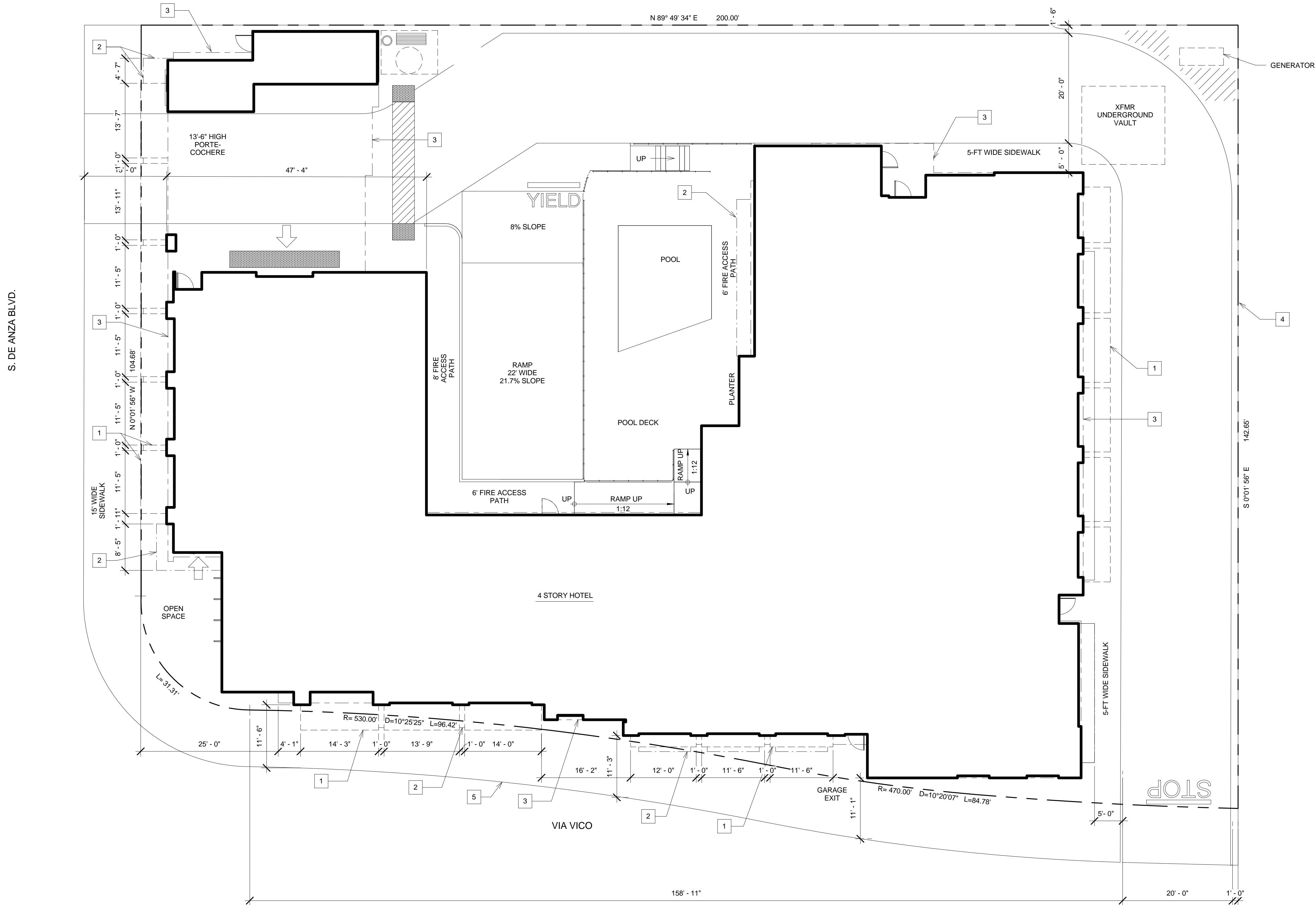
RENDERED EAST ELEVATION

RENDERED NORTH ELEVATION

ALTERNATE COLOR SCHEME 3



KEY NOTES	
1	UPPER SUNSHADE PROFILE
2	LOWER AWNING PROFILE
3	UPPER BUILDING PROFILE
4	PROPERTY LINE
5	EXISTING CONCRETE CURB TO BE RE-BUILT

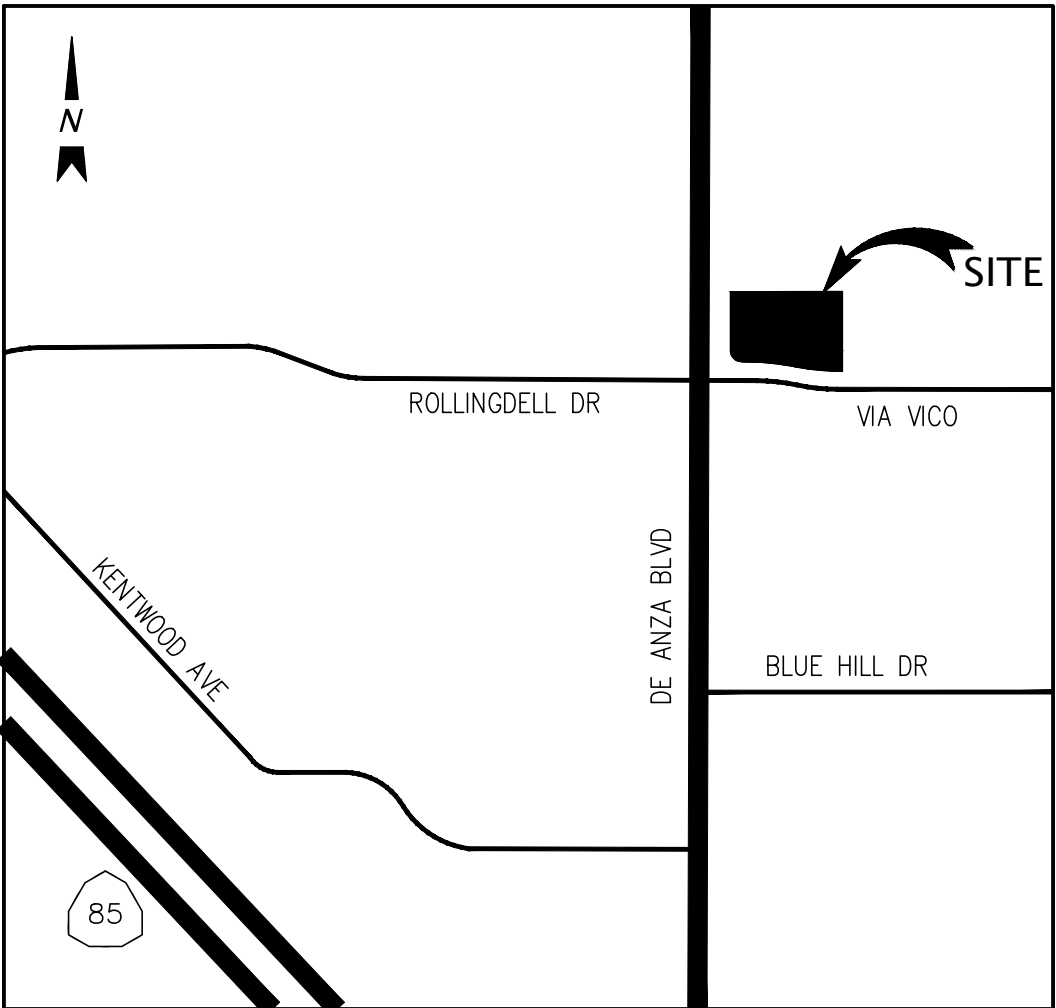
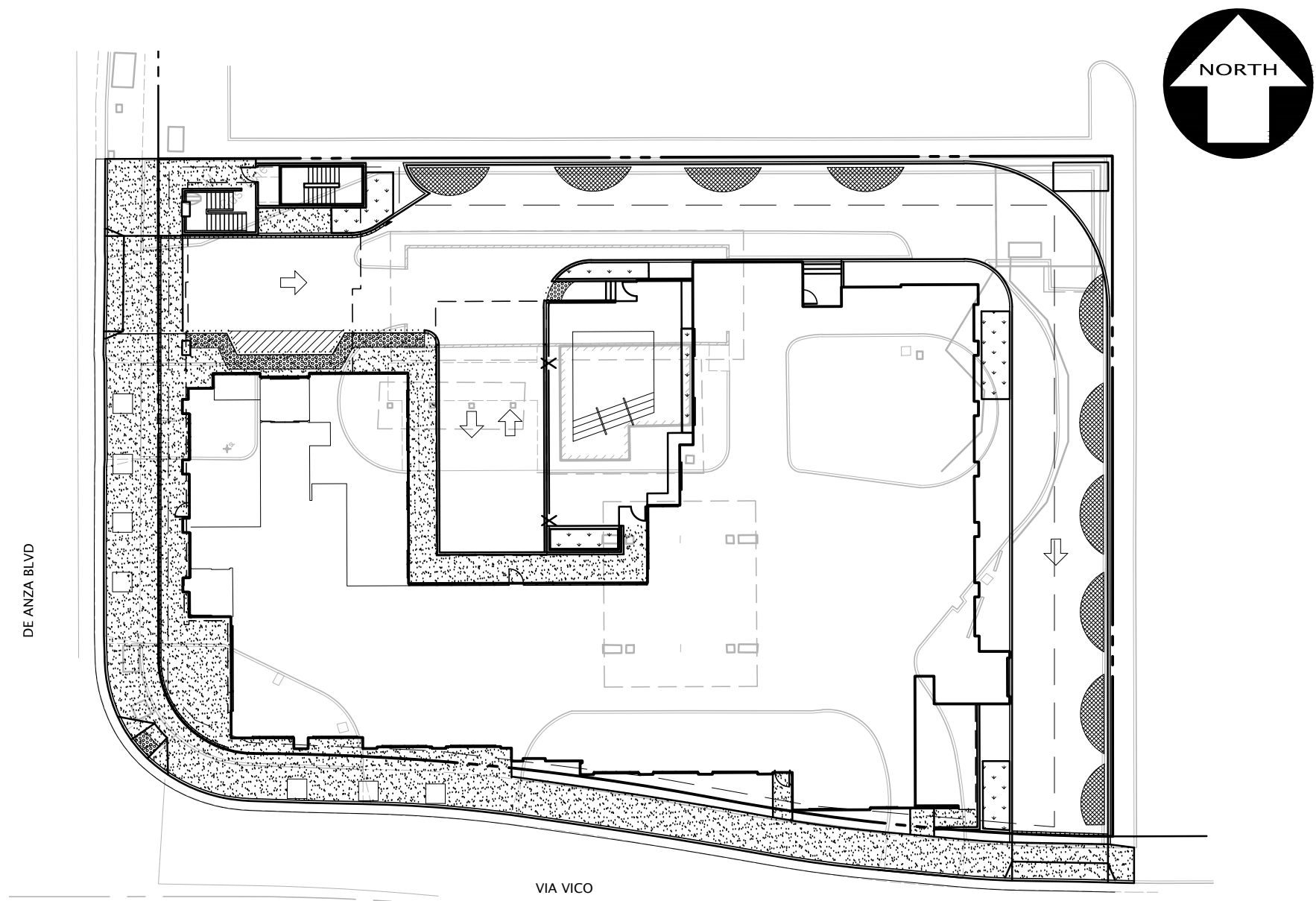


BUILDING PROJECTION EXHIBIT

CUPERTINO DE ANZA HOSPITALITY LLC SAN JOSE, CALIFORNIA



PRELIMINARY SITE IMPROVEMENT PLANS
OF
1090 S. DE ANZA BLVD
FOR
CUPERTINO DE ANZA HOSPITALITY
SAN JOSE, CALIFORNIA



VICINITY MAP
NOT TO SCALE

SHEET	DESCRIPTION
CIVIL	
CV	COVER SHEET
C1	TOPOGRAPHIC SURVEY
C2	PRELIMINARY GRADING & DRAINAGE PLAN
C3	PRELIMINARY UTILITY PLAN
C4	STORM WATER QUALITY CONTROL PLAN
C5	DETAILS AND SECTIONS

DEVELOPER
CUPERTINO DE ANZA HOSPITALITY, LLC.
ATTN: JERRY KWOK
P.O. BOX 466
CUPERTINO, CA 95015
408-507-3291

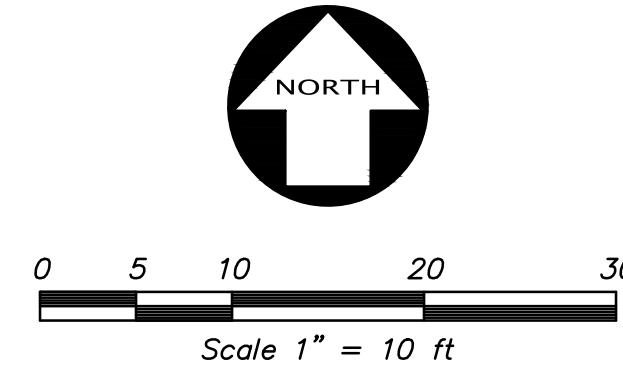
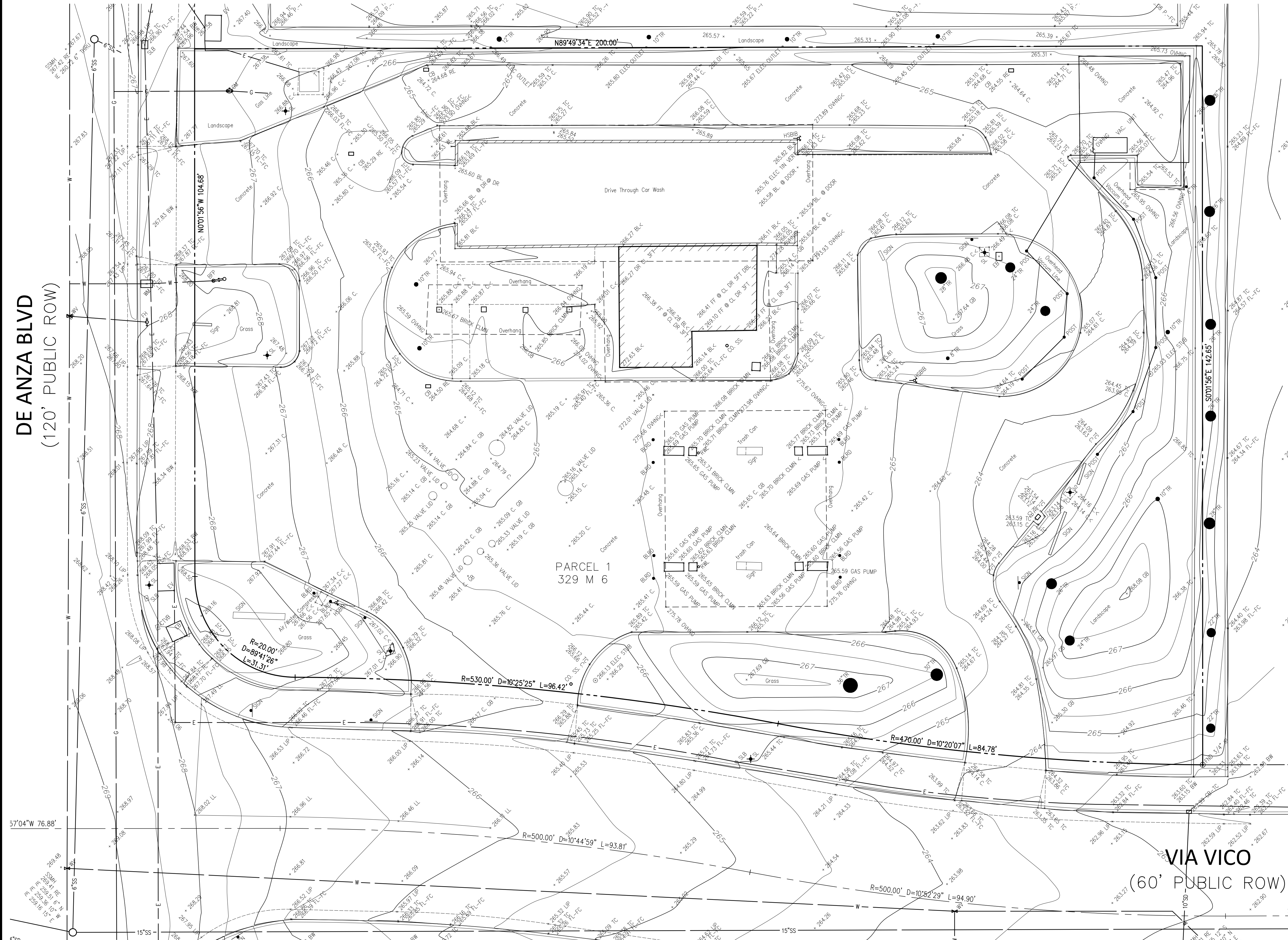
CIVIL ENGINEER
KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC.
ATTN: RANDY CHAPMAN, P.E.
3639 HARBOR BLVD, SUITE 202
VENTURA, CA 93001
805-620-0645

ARCHITECT
KLA, LLC.
ATTN: TOM HOLLOWAY
151 NORTH NORLIN STREET
SONOMA, CA 95370
209-532-2856



COVER SHEET		OF		1090 S. DE ANZA BLVD		FOR		CUPERTINO DE ANZA HOSPITALITY		SAN JOSE, CALIFORNIA	
DATE		APRIL, 2018		SCALE		AS SHOWN		DESIGNER		KR	
JOB NO.		A15714		SHEET		CV		OF		6 SHEETS	
REVISION		NO.		BY		NO.		REVISION		BY	
CITY SUBMITTAL - 03.02.2018		CITY RESUBMITTAL - 04.19.2018									
REGISTERED PROFESSIONAL ENGINEER		No. 76867		CIVIL		STATE OF CALIFORNIA					
KIER & WRIGHT		CIVIL ENGINEERS & SURVEYORS, INC.		3639 Harbor Blvd, Suite 202		Ventura, California 93001		Phone (805) 620-0645			

DE ANZA BLVD
(120' PUBLIC ROW)



LEGEND

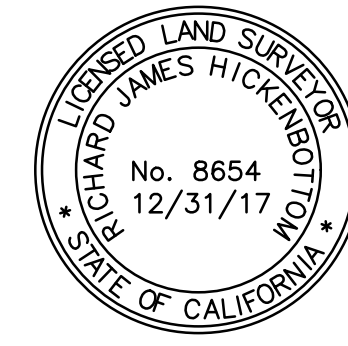
- BUILDING LINE
- CONCRETE/BLOCK/RETAINING WALL
- CONCRETE CURB & GUTTER
- CONTOUR LINE
- OBSCURED CONTOUR LINE
- DRIVEWAY
- ELECTRIC LINE
- FENCE LINE
- GAS LINE-VALVE & METER
- LOT LINE
- MONUMENT/MONUMENT LINE
- PROPERTY LINE
- SANITARY SEWER-MANHOLE & CLEANOUT
- SIDEWALK
- SPOT ELEVATION
- STORM DRAIN-MANHOLE & CATCH BASIN
- WATER LINE & VALVE
- BACKFLOW PREVENTION DEVICE
- ELECTROFLUOR
- FIRE DEPARTMENT CONNECTION
- FIRE HYDRANT
- GAS METER
- TRAFFIC SIGNAL POLE
- TRAFFIC SIGN
- TREE
- UTILITY BOX
- WATER VALVE
- ANGLE POINT
- BACK FLOW PREVENTER
- BOLLARD
- BOLLARD
- BACK OF WALK
- CONCRETE
- CATCH BASIN
- ELECTRIC BOX
- ELECTRICAL VAULT
- FIRE HYDRANT
- FENCE
- GRADE BREAK
- GAS MARKER/METER
- GROUND
- INVERT ELEVATION
- LANE LINE
- OVERHANG
- RIM ELEVATION
- STORM DRAIN MANHOLE
- STREET LIGHT
- STREET LIGHT BOX
- SANITARY SEWER MANHOLE
- TOP OF CURB
- WATER METER
- WATER VALVE

NOTES

- THIS IS NOT A BOUNDARY SURVEY. NO LIABILITY IS ASSUMED, BY KIER & WRIGHT, FOR THE EXISTENCE OF ANY EASEMENTS, ENCUMBRANCES, DISCREPANCIES IN BOUNDARY, OR TITLE DEFECTS NOT MENTIONED IN SAID DOCUMENTS AND THEREFORE NOT SHOWN ON THIS DRAWING. PROPERTY LINE PLOT ONLY (NO EASEMENTS SHOWN)
- ALL DISTANCES AND ELEVATIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
- THE TYPES, LOCATIONS, SIZES AND/OR DEPTHS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS TOPOGRAPHIC SURVEY WERE OBTAINED FROM SOURCES OF VARYING RELIABILITY. THE CONTRACTOR IS CAUTIONED THAT ONLY ACTUAL EXCAVATION WILL REVEAL THE TYPES, EXTENT, SIZES, LOCATIONS AND DEPTHS OF SUCH UNDERGROUND UTILITIES. (A REASONABLE EFFORT HAS BEEN MADE TO LOCATE AND DELINEATE ALL KNOWN UNDERGROUND UTILITIES). HOWEVER, THE ENGINEER CAN ASSUME NO RESPONSIBILITY FOR THE COMPLETENESS OR ACCURACY OF ITS DELINEATION OF SUCH UNDERGROUND UTILITIES WHICH MAY BE ENCOUNTERED, BUT WHICH ARE NOT SHOWN ON THESE DRAWINGS.
- BENCHMARK: CITY OF SAN JOSE BENCHMARK #112-B, CHISELED TRIANGLE AT THE BASE OF ELECTROFLUOR 140196 AT THE NORTHEAST CENTER OF RETURN OF WEYBURN LANE AND CHALA LANE. F.B. 1041. ELEVATION= 255.86' (NGVD 1929).

PREPARED BY OR UNDER THE SUPERVISION OF
RICHARD JAMES HICKENBOTTOM, P.L.S. 8654
LICENSE EXPIRES: 12-31-17

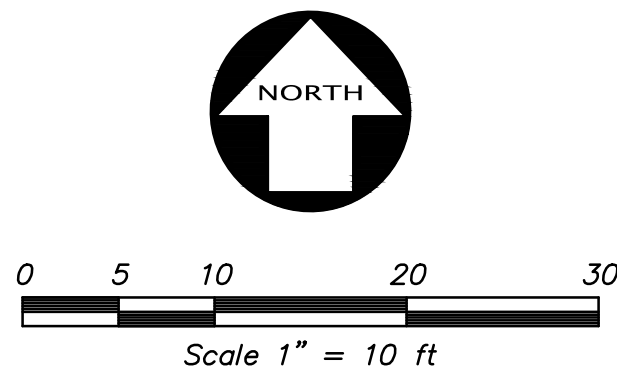
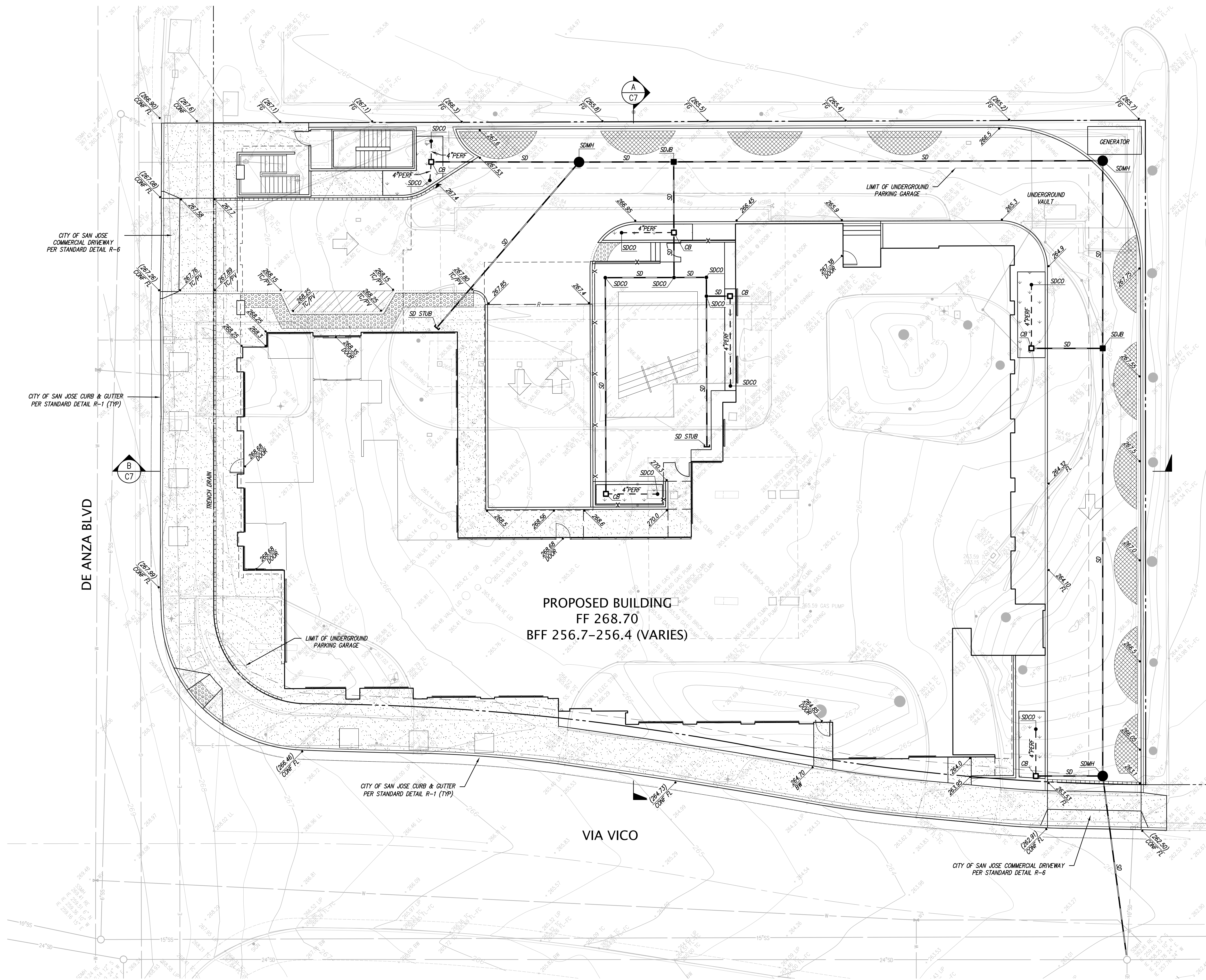
1/19/2016
DATE



TOPOGRAPHIC SURVEY		OF		FOR	
1090 S. DE ANZA BLVD				CUPERTINO DE ANZA HOSPITALITY	
SAN JOSE, CALIFORNIA					
DATE	APRIL, 2018	BY		REVISION	
SCALE	1" = 10'	NO.			
DESIGNER	KR	BY			
JOB NO.	A15714	NO.			
SHEET	C1	NO.			
OF	6	NO.			
SHEETS		NO.			

TOPOGRAPHIC SURVEY		OF		FOR	
1090 S. DE ANZA BLVD				CUPERTINO DE ANZA HOSPITALITY	
SAN JOSE, CALIFORNIA					
DATE	APRIL, 2018	BY		REVISION	
SCALE	1" = 10'	NO.			
DESIGNER	KR	BY			
JOB NO.	A15714	NO.			
SHEET	C1	NO.			
OF	6	NO.			
SHEETS		NO.			

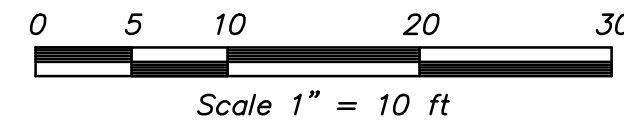
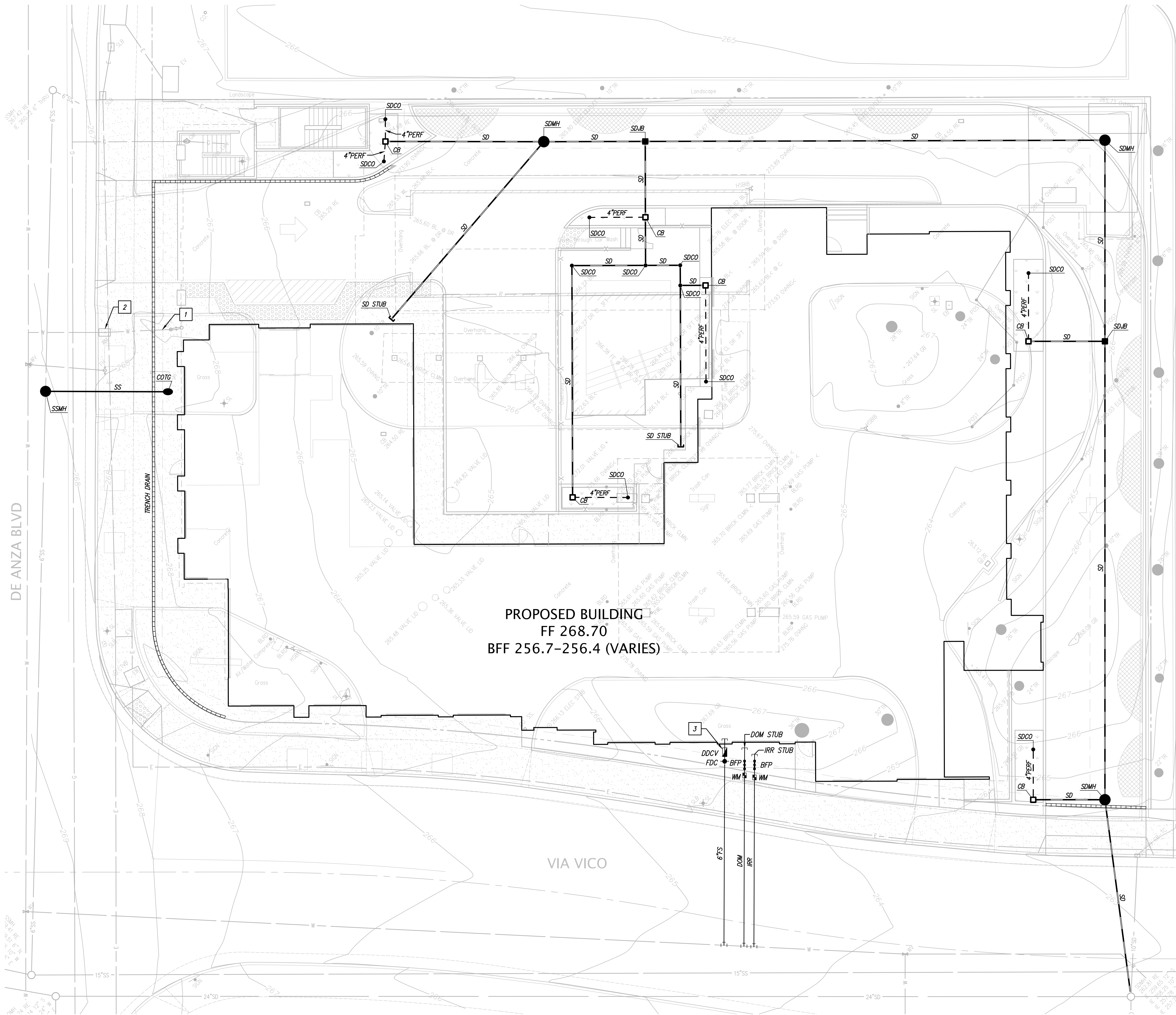
KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
3639 Harbor Blvd, Suite 202
Ventura, California 93001
Phone (805) 620-0645



LEGEND

- ▲ AREA DRAIN
- ▣ STORM DRAIN CATCH BASIN
- ▣ STORM DRAIN JUNCTION BOX
- STORM DRAIN MANHOLE
- FL
- FF
- PV
- RE
- 23.8
- X"SD
- FF
- BFF
- TC
-
-
-
- CONCRETE PAVEMENT

PRELIMINARY GRADING & DRAINAGE PLAN			KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC. 3639 Harbor Blvd, Suite 202 Ventura, California 93001 Phone (805) 620-0645			REGISTERED PROFESSIONAL ENGINEER No. 76867 CIVIL STATE OF CALIFORNIA			NO. <input type="checkbox"/> BY <input type="checkbox"/> REVISION <input type="checkbox"/>		
DATE APRIL, 2018						CITY SUBMITTAL - 03.02.2018			BY <input type="checkbox"/> REVISION <input type="checkbox"/>		
SCALE 1" = 10'						CITY RESUBMITTAL - 04.19.2018			BY <input type="checkbox"/> REVISION <input type="checkbox"/>		
DESIGNER KR									BY <input type="checkbox"/> REVISION <input type="checkbox"/>		
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OF 6 SHEETS									BY <input type="checkbox"/> REVISION <input type="checkbox"/>		
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LEGEND

RE	RIM ELEVATION
DOM	DOMESTIC WATER
COTG	CLEANOUT TO GRADE
FS	FIRE SERVICE
SS	SANITARY SEWER
SD	STORM DRAIN LINE
CB	AREA DRAIN
SDCB	STORM DRAIN CATCH BASIN
SDJB	STORM DRAIN JUNCTION BOX (SDJB)
SDMH	STORM DRAIN MANHOLE (SDMH)
SSMH	SANITARY SEWER MANHOLE (SSMH)
BFP	BACK FLOW PREVENTION DEVICE
FDC	FIRE DEPARTMENT CONNECTION
WM	FIRE HYDRANT & VALVE
PIV	POST INDICATOR VALVE (PIV)
DDCV	DOUBLE DETECTOR CHECK VALVE
WM	WATER METER

KEYNOTES

- EXISTING WATER SERVICE LATERAL AND BACKFLOW PREVENTER TO BE REMOVED BY SAN JOSE WATER COMPANY AND PAID FOR BY DEVELOPER
- EXISTING WATER METER AND BOX TO BE REMOVED BY SAN JOSE WATER COMPANY AND PAID FOR BY DEVELOPER
- NEW DOUBLE DETECTOR CHECK VALVE TO BE INSTALLED BY SAN JOSE WATER COMPANY AND PAID BY DEVELOPER

PRELIMINARY UTILITY PLAN

OF
1090 S. DE ANZA BLVD
FOR

CUPERTINO DE ANZA HOSPITALITY

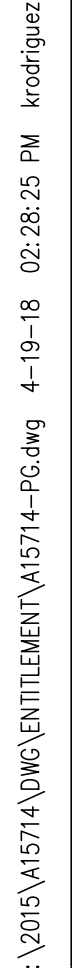
SAN JOSE, CALIFORNIA

DATE	APRIL, 2018
SCALE	1" = 10'
DESIGNER	KR
JOB NO.	A15714
SHEET	C3
OF	6 SHEETS

KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
3639 Harbor Blvd, Suite 202
Ventura, California 93001
Phone (805) 620-0645



NO.	REVISION	BY	NO.	REVISION	BY
1	CITY SUBMITTAL - 03.02.2018		1		
2	CITY RESUBMITTAL - 04.19.2018		2		
3			3		
4			4		





KIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
3639 Harbor Blvd, Suite 202 Phone (805) 620-0645
Ventura, California 93001

GENERAL NOTES

1. THE INFORMATION PRESENTED IN THESE DRAWINGS CONSISTS OF THE DESIGN OF THE TEMPORARY SHORING SYSTEMS. THE TEMPORARY SHORING SYSTEMS ARE INTENDED TO BE A CONSTRUCTION BULKHEAD TO ALLOW EXCAVATION FOR THE PROPOSED BUILDING WHILE RETAINING THE SURROUNDING EARTH, ADJACENT STREETS AND BUILDINGS)

2. HOHBACH-LEWIN, INC. IS RESPONSIBLE FOR THE DESIGN OF THE TEMPORARY SHORING SYSTEMS ONLY. IT IS ASSUMED THAT THE TEMPORARY EARTH RETENTION SYSTEM WILL BE IN SERVICE FOR APPROXIMATELY ONE YEAR OR LESS.

3. THESE DRAWINGS AND THEIR CONTENTS ARE AND SHALL REMAIN THE PROPERTY OF HOHBACH-LEWIN, INC. THE INFORMATION CONTAINED IN THESE DRAWINGS IS NOT TO BE TRANSMITTED TO ANY OTHER ORGANIZATION UNLESS SPECIFICALLY AUTHORIZED BY HOHBACH-LEWIN, INC. ANY USE BY ANY THIRD PARTY ENTITY (CONTRACTOR, ETC.) WITHOUT THE EXPRESSED WRITTEN CONSENT AND COMPENSATION OF HOHBACH-LEWIN, INC., IS PROHIBITED.

4. THE TERM "CONTRACTOR" USED IN THESE NOTES AND DRAWINGS IS THE SHORING CONTRACTOR. THE TERM "GENERAL CONTRACTOR" REFERS TO THE PROJECT GENERAL CONTRACTOR. THE TERM "ENGINEER" REFERS TO HOHBACH-LEWIN.

5. ALL DRILLED SOLDIER PILES, AND LAGGING ARE TO BE INSTALLED BY THE SHORING CONTRACTOR. THE DESIGN OF THE TEMPORARY SHORING SYSTEM(S) ARE BASED UPON THE FOLLOWING AVAILABLE INFORMATION:

A. GEOTECHNICAL INVESTIGATION REPORT, PREPARED BY ROMING ENGINEERS, REPORT NO.: 4011-1, DATED APRIL 18, 2017.

B. SITE TOPOGRAPHIC SURVEY PREPARED BY KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC., PROJECT NUMBER A15114, DATED AUGUST, 2016.

6. THE ENGINEER HAS MADE ASSUMPTIONS CONCERNING THE SOUNDNESS OF THE BUILDINGS ON THE PROPERTIES ADJACENT TO AND ON THE SITE. THESE ASSUMPTIONS ARE THAT THESE BUILDINGS AND STRUCTURES WERE DESIGNED IN CONFORMITY WITH GOOD DESIGN PRACTICES. THE CONTRACTOR SHOULD TAKE EXTRAORDINARY PRECAUTIONS CONCERNING THE PRESERVATION OF THE ADJACENT PROPERTIES. THE STABILITY OF ALL THE ELEMENTS OF THE BUILDING SHOULD BE CAREFULLY CHECKED BEFORE DOING ANY WORK ON EXISTING STRUCTURES. ALL PORTIONS OF STRUCTURE THAT MAY BE WEAKENED BY REMOVAL OF EXISTING CONSTRUCTION SHOULD BE BRACED OR STRENGTHENED UNTIL NEW CONSTRUCTION IS IN PLACE.

7. IT IS DIFFICULT TO ACCURATELY PREDICT THE AMOUNT OF DEFLECTION OF A SHORED EMBANKMENT. IT SHOULD BE REALIZED, HOWEVER, THAT SOME DEFLECTION WILL OCCUR. WE WOULD ESTIMATE THAT THIS DEFLECTION COULD BE ON THE ORDER OF 1 INCH AT THE TOP OF THE SHORED EMBANKMENT. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE AND LIABLE FOR MINOR CRACKING OR SETTLEMENT OF THE EXISTING STREET SIDEWALK, CURBS, GUTTER, UTILITIES, PAVEMENT, BUILDING, OR ANY OTHER STRUCTURES THAT MAY OCCUR DURING INSTALLATION OF THE WORK, OR THAT ARE CAUSED BY VIBRATION OF MACHINERY OR EQUIPMENT.

8. IF ANY HORIZONTAL OR VERTICAL MOVEMENT OF THE SOLDIER PILES REACHES 1 INCH, THE ENGINEER AND THE SOILS ENGINEER SHALL EVALUATE SUCH MOVEMENT AND RECOMMEND CORRECTIVE MEASURES, IF NECESSARY, BEFORE EXCAVATION IS CONTINUED.

9. ALL CONSTRUCTION, MATERIAL, AND WORKMANSHIP SHALL COMPLY WITH ALL APPLICABLE REQUIREMENTS OF CALIFORNIA CONSTRUCTION AND GENERAL INDUSTRY SAFETY ORDERS, THE OCCUPATIONAL SAFETY AND HEALTH ACT, THE CONSTRUCTION SAFETY ACT AND LATEST EDITION OF THE FOLLOWING CODES:

A. INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, CALIFORNIA BUILDING CODE.

B. AMERICAN INSTITUTE OF STEEL CONSTRUCTION SPECIFICATIONS FOR THE DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS.

C. AMERICAN WELDING SOCIETY; STRUCTURAL WELDING CODE AWS D1.1.

D. AMERICAN CONCRETE INSTITUTE SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS ACI 301.

AMERICAN SOCIETY FOR TESTING AND MATERIALS.

10. THE CONTRACTOR WILL COORDINATE THE USE OF DRILL RIG AND OTHER EQUIPMENT USED TO INSTALL DRILLED/VIBRATED SOLDIER PILES. DAMAGE INDUCED AS A RESULT OF VIBRATIONS CAUSED BY THESE EQUIPMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

11. THE CONTRACTOR SHALL TAKE EXTRAORDINARY PRECAUTIONS CONCERNING THE PRESERVATION OF THE ADJACENT PROPERTIES.

12. THE GENERAL CONTRACTOR SHALL COORDINATE THESE DRAWINGS WITH DRAWINGS AND SPECIFICATIONS PREPARED BY THE STRUCTURAL ENGINEER REGARDING THE NEW AND EXISTING CONSTRUCTION AND CONDITIONS. THE GENERAL CONTRACTOR SHOULD RESOLVE ANY CONFLICTS ON THE DRAWINGS WITH THE STRUCTURAL ENGINEER BEFORE PROCEEDING WITH CONSTRUCTION.

13. THE GENERAL CONTRACTOR SHALL LIMIT HEAVY VEHICULAR TRAFFIC AND STORAGE OF MATERIAL WITHIN 10 FEET OF THE SHORING BULKHEAD OR THE TOP OF SLOPED EMBANKMENTS. THE MAXIMUM ALLOWABLE CONSTRUCTION LOAD IS LIMITED TO 200 POUNDS PER SQUARE FOOT.

14. THE GENERAL CONTRACTOR SHALL PROVIDE MEANS TO PREVENT SURFACE WATER FROM ENTERING THE EXCAVATION OVER THE TOP OF SHORINGS AND CUT SLOPES.

15. THE GENERAL CONTRACTOR SHALL COORDINATE THE MASS EXCAVATION WITH THE WORK TO PREVENT UNSAFE OVER EXCAVATION. EXCAVATION SHALL BE CONDUCTED IN SUCH A MANNER AS TO PREVENT CAVING OF BANKS AND LOSS OF GROUND. EXCAVATION SHALL BE DONE IN STEPS, BEING COORDINATED WITH THE INSTALLATION OF THE BULKHEAD AS OUTLINED UNDER PROCEDURES.

16. THE GENERAL CONTRACTOR SHALL COORDINATE THE USE OF HEAVY OR EARTH MOVING EQUIPMENT AND COMPACTION EQUIPMENT. DAMAGE INDUCED AS A RESULT OF VIBRATIONS CAUSED BY THESE EQUIPMENT IS THE RESPONSIBILITY OF OTHERS.

17. THE GENERAL CONTRACTOR WILL BE RESPONSIBLE FOR THE REMOVAL OF WATER WITHIN THE SITE TO ALLOW THE EXCAVATION AND CONSTRUCTION TO PROCEED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTROL OF WATER RELATED TO DRILLING/ VIBRATING AND SOLDIER PILE INSTALLATION. PROCEDURES FOR THIS WORK ARE SUBJECT TO REVIEW BY THE GEOTECHNICAL ENGINEER.

18. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING APPROPRIATE METHODS TO DEWATER THE SITE AND THE REMOVAL OF WATER WITHIN THE SITE TO ALLOW THE EXCAVATION AND CONSTRUCTION TO PROCEED. PROCEDURES FOR THIS WORK ARE SUBJECT TO REVIEW BY THE GEOTECHNICAL ENGINEER.
19. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING APPROPRIATE METHODS TO DEWATER THE SITE AND THE REMOVAL OF WATER WITHIN THE SITE TO ALLOW THE EXCAVATION AND CONSTRUCTION TO PROCEED. PROCEDURES FOR THIS WORK ARE SUBJECT TO REVIEW BY THE GEOTECHNICAL ENGINEER.

20. THE GENERAL CONTRACTOR AND THE SHORING CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WITH DRILLING OR DRIVING OPERATIONS. THE GENERAL CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES THAT MIGHT BE OCCASIONED BY ITS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. THE ENGINEER SHALL BE CONSULTED IF UTILITY LINES OR PIPING IS ENCOUNTERED DURING DRILLING OPERATION. CARE SHALL BE USED IN DRILLING SO THAT THE FOLLOWING INDICATIONS OF UTILITIES IN THE PATH OF DRILLING ARE RECOGNIZED:

A. ABNORMAL RESISTANCE TO DRILLING.

B. FOREIGN MATERIALS PULLED FROM THE HOLE.

21. SHORING BEAMS AND LAGGING OR PORTIONS OF THEM ARE TO BE REMOVED BY THE GENERAL CONTRACTOR AS REQUIRED BY THE CITY OF MOUNTAIN VIEW AFTER THE PERMANENT STRUCTURES AND BACKFILL ARE IN PLACE.

22. THE GENERAL CONTRACTOR SHALL PROVIDE BARRICADES TO PROTECT PEDESTRIANS AND VEHICLES FROM HARM. SAFETY RAILING AT THE TOP OF SHORING SHALL BE CONSTRUCTED AND MAINTAINED BY OTHERS.
- LOADING CRITERIA

● ACTIVE PRESSURE (EAP) = 40 PCF

● ALLOWABLE PASSIVE PRESSURE (EPPP) = 375 PCF

● SURCHARGE (SUR) = 20 PSF

● HEAVY SURCHARGE (HSUR) = 125 PSF

● SURCHARGE DEPTH (DS) = TOP 10'-0" ONLY

● MAXIMUM ARCHING FACTOR = 2.0
- EXISTING GRADE

APPROXIMATE SOIL PRESSURE 40 PSF/FT

DS

HSUR

EXCAVATION GRADE

PASSIVE RESISTANCE 375 PSF/FT

LOADING PER GEOTECHNICAL REPORT

TI

2/3 H

1/3 H

2/3 H+1

DS

HSUR

WALL HEIGHT

TI

FILE EMBANKMENT

DS

EFFP

EFAP
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STRUCTURAL SHEET INDEX

- SH1

GENERAL SHORING NOTES
- SH2

SHORING DETAILS
- SH3

SHORING PLAN

SYMBOLS

- LEGEND

B.O.E.

B.O.S

E.G.

E.L.

(E)

(N)

P.L.

T.O.S.

V.I.F.

U.O.N.

B.O.P.

B.O.F.

BOTTOM OF EXCAVATION

BOTTOM OF SLOPE

EXISTING GRADE EXCAVATION

ELEVATION

EXISTING

NEW

PROPERTY LINE

TOP OF STEEL ELEVATION

VERIFY IN FIELD

UNLESS OTHERWISE NOTED

BOTTOM OF PIER

BOTTOM OF (E) FOOTING
- SYMBOL

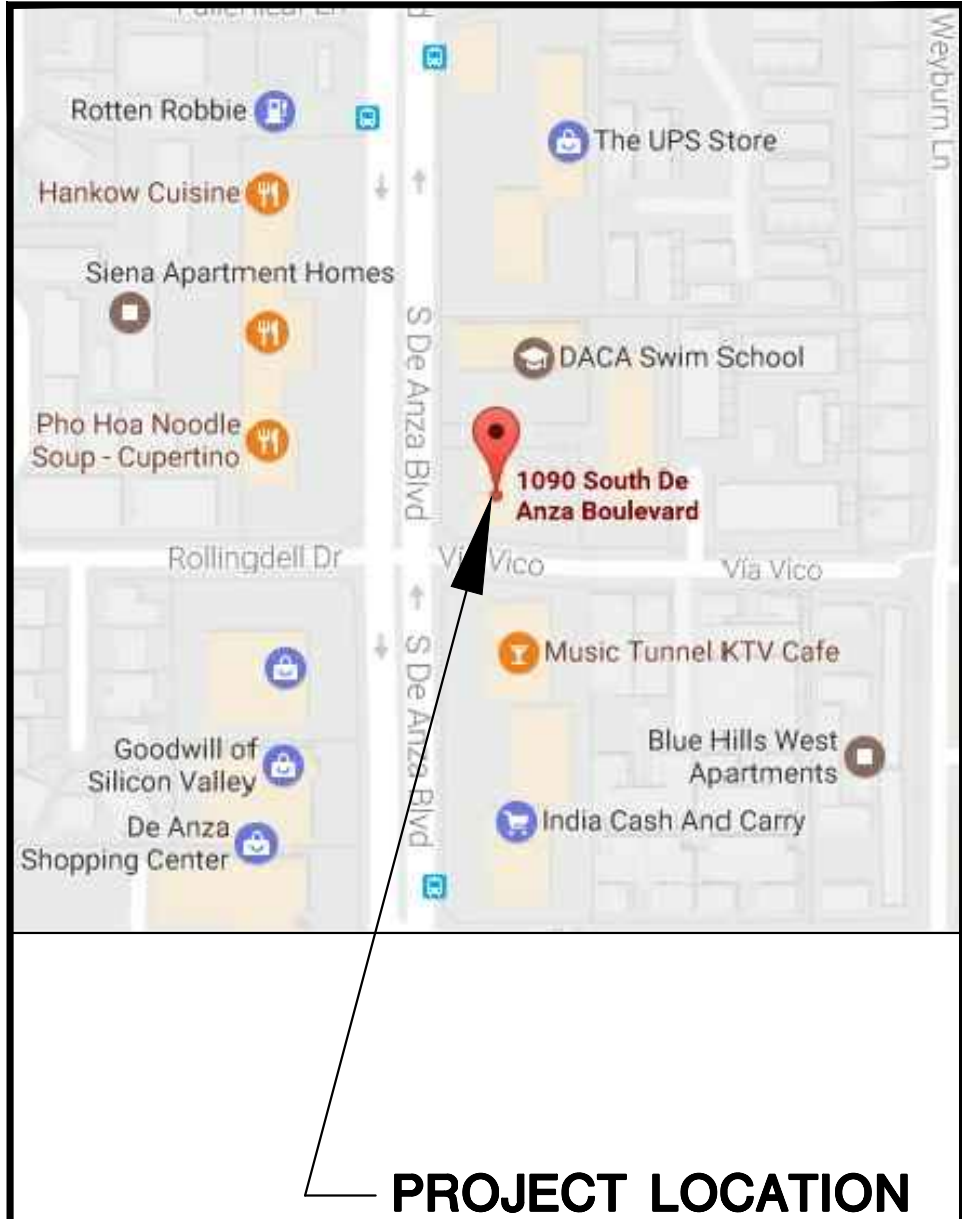
I

BEAM NUMBER

BUILDING GRID LINE

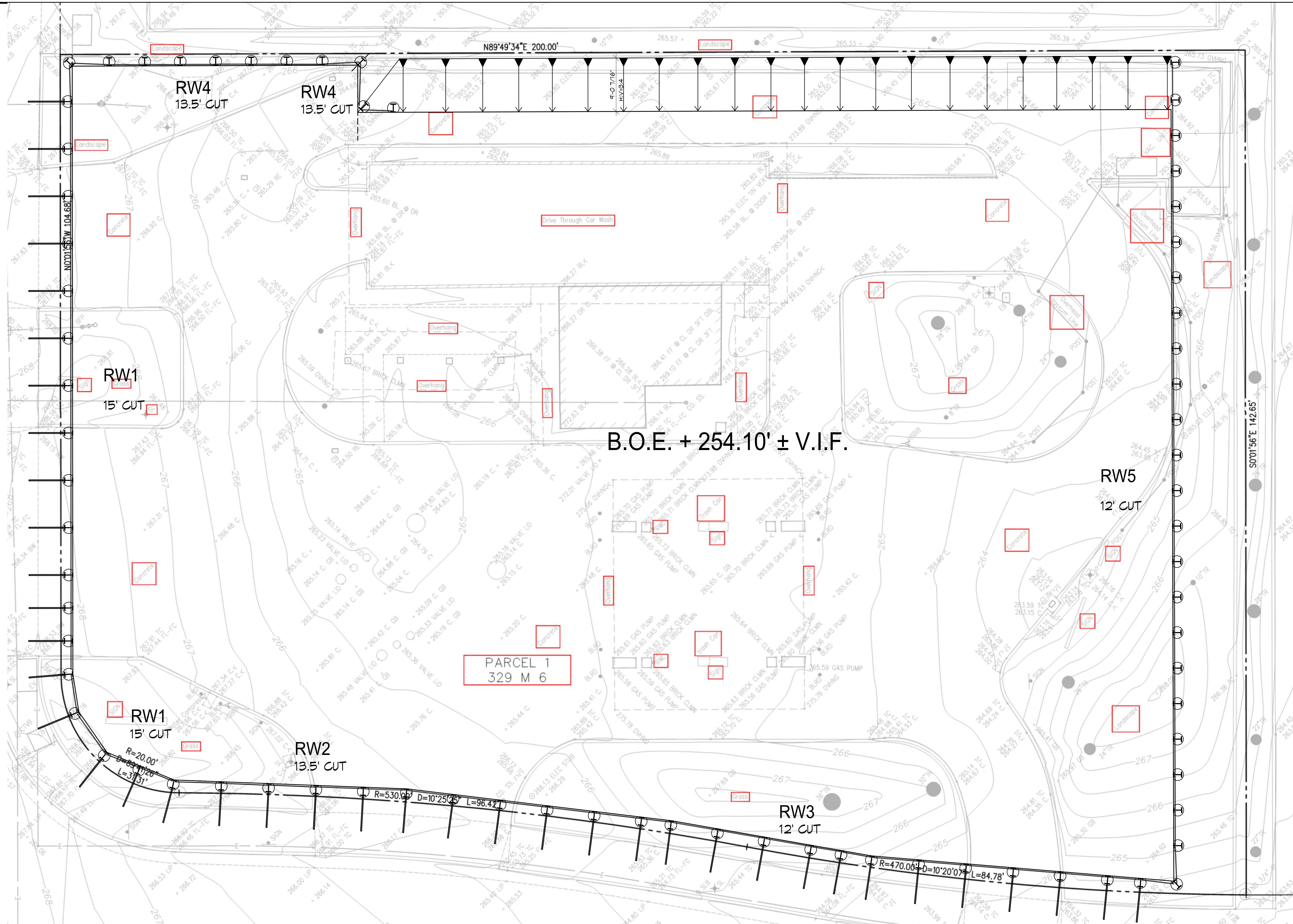
SOLDIER PILE

VICINITY MAP



REVISIONS	BY
<div><div>HOHBACH-LEWIN, INC.</div><div>STRUCTURAL & CIVIL ENGINEERS</div><div>200 Sheridan Avenue, Suite 150</div><div>Palo Alto, CA 94306</div><div>(650) 617-5950 Fax (650) 617-5952</div></div> <div><div>DATE SIGNED: 5/17/2017</div><div>GENERAL SHORING</div><div>NOTES - PRELIMINARY</div></div> <div><div>CUPERTINO DE ANZA HOSPITALITY</div><div>1090 S. DE ANZA BLVD</div><div>SAN JOSE CALIFORNIA 95129</div></div> <div><div>Date</div><div>05-23-17</div></div> <div><div>Scale</div><div>AS NOTED</div></div> <div><div>Drawn</div><div>XH/GMR/BH</div></div> <div><div>Job</div><div>11913-61</div></div> <div><div>Sheet</div><div>SH1</div><div>Of Sheets</div></div>	HOHBACH-LEWIN # 11913-61

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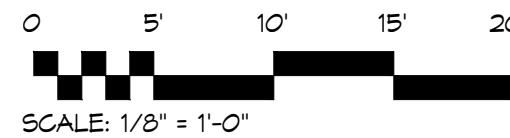
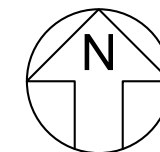


SOLDIER PILE SCHEDULE - PRELIMINARY									
SOLDIER PILE NUMBER	TYPE (T=TIE BACK PILE, C=CANTILEVER PILE)	MAX. CUT HEIGHT "H"	DRILLED SOLDIER PILE						SOLDIER PILE COUNT
			MIN. TOE DEPTH "D"	MINIMUM PILE SECTION (GR. 50)	DRILLED SHAFT DIAMETER	DRILLED SOLDIER TIEBACK LOAD (KIPS)	PILE SPACING	"H1"	
RW1	T	15'-0"	9'-6"	N14x22	2'-0"	61	8'-0"	T-0"	18
RW2	T	13'-6"	8'-0"	N14x22	2'-0"	50	8'-0"	6'-0"	13
RW3	T	12'-0"	7'-0"	N14x22	2'-0"	44	8'-0"	6'-0"	9
RW4	C	13'-6"	15'-6"	N18x46	2'-0"	-	6'-0"	-	11
RW5	C	12'-0"	16'-0"	N18x50	2'-0"	-	6'-0"	-	24

NOTE:
THE MAXIMUM ALLOWED VERTICAL SURCHARGE WITHIN 7' FROM RW1, RW2, RW3 AND RW5 IS 250 PSF

SHORING PLAN

1/8"=1'-0"



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

REVISIONS BY



DATE SIGNED: 5/17/2017

SHORING PLAN
PRELIMINARY

CUPERTINO DE ANZA HOSPITALITY
1090 S. DE ANZA BLVD
SAN JOSE CALIFORNIA 95129

Date 05-23-17
Scale AS NOTED
Drawn XH/GMR/BH
Job 11913-61
Sheet

SH3
Of Sheets

HOBBACH-LEWIN #11913-61

ELECTRICAL SYMBOLS LIST

LIGHTING

- TYPE
A 180 INPUT
VOLT AMP
FIXTURE DESIGNATION SHOWING TYPE & INPUT VA
- OUTDOOR SITE LIGHT, POLE MOUNTED LUMINAIRE AND CONCRETE BASE
- RECESSED DOWN LIGHT FIXTURE

MISCELLANEOUS

- 1
E1.1 DETAIL
NUMBER
SHEET
NUMBER
DETAIL TAG: DETAIL #1, SHEET E1.1

FIXTURE TYPE	DESCRIPTION	MANUFACTURER - MODEL	QUANTITY / LAMP TYPE	LUMENS	COLOR TEMPERATURE	INPUT WATTAGE	VOLTAGE	MOUNTING	COMMENTS
EXTERIOR LIGHTING									
ENA	17' POLE MOUNTED LUMINAIRE	CREE LIGHTING ARE-EDG-4MB-DA-08-E-UL-R2-350-40K	90 WATT LED	8454	4000	90	UNV	POLE BASE	CREE POLE#PSSR15C-1-BZ
ERA	6" RECESSED DOWNLIGHT	INDY LIGHTING LS-40-40-U-G3 IL800H C.L-WH	45 WATT LED	4000	4000	45	UNV	CEILING RECESSED	

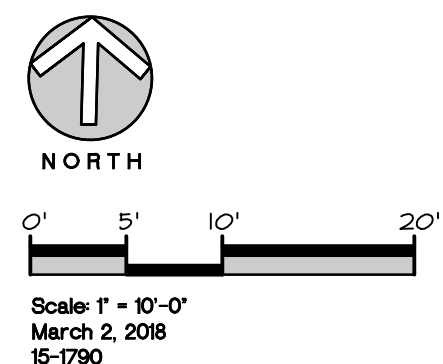
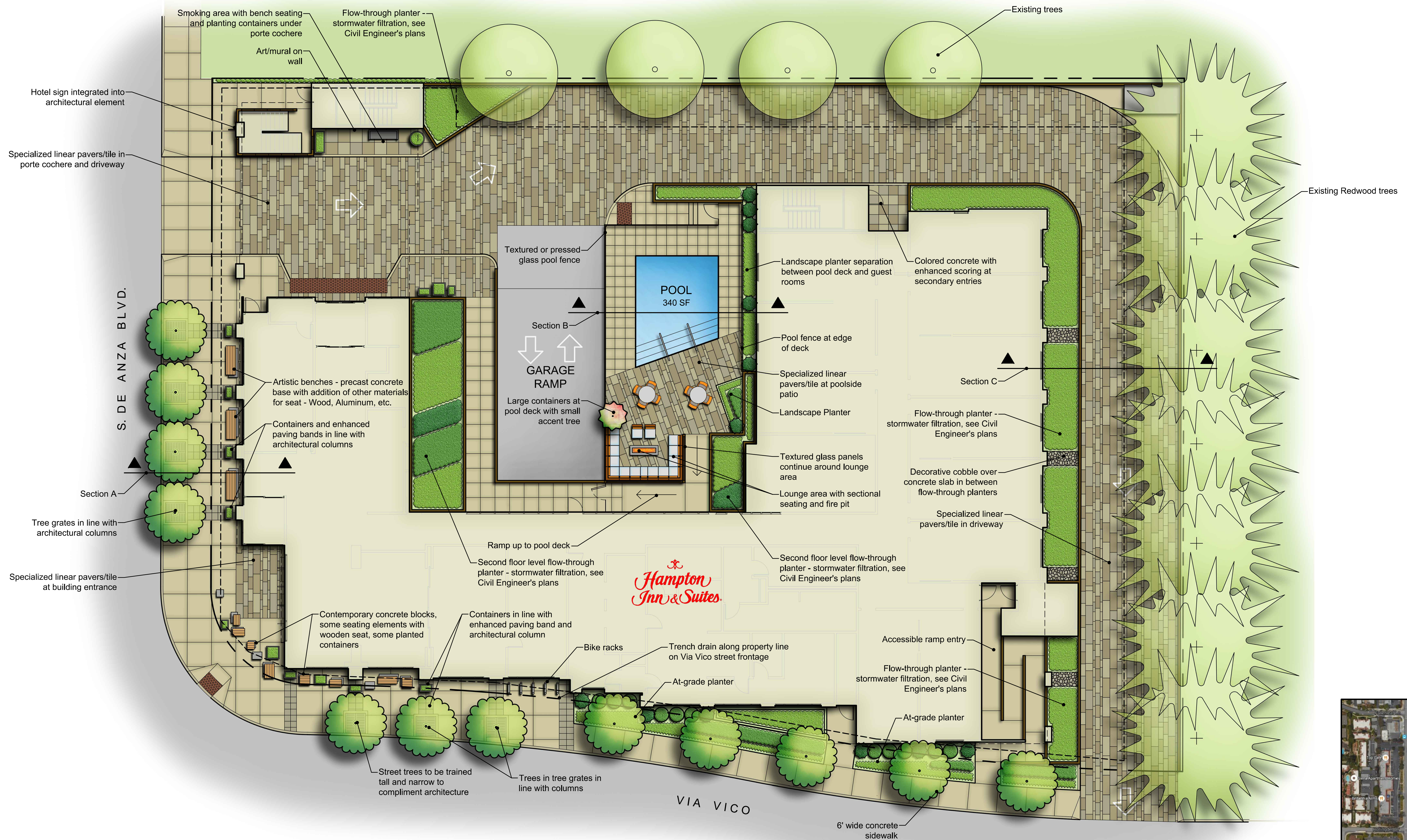
2 LIGHT FIXTURE SCHEDULE
N.T.S.

STATISTICS						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Driveway	+	2.4 fc	4.5 fc	0.2 fc	22.5:1	12.0:1
Porte Cochere	+	12.3 fc	17.6 fc	3.3 fc	5.3:1	3.7:1

3 STATISTICS
N.T.S.

1 PHOTOMETRIC SITE PLAN
1"=10'-0"

PHOTOMETRIC SITE PLAN



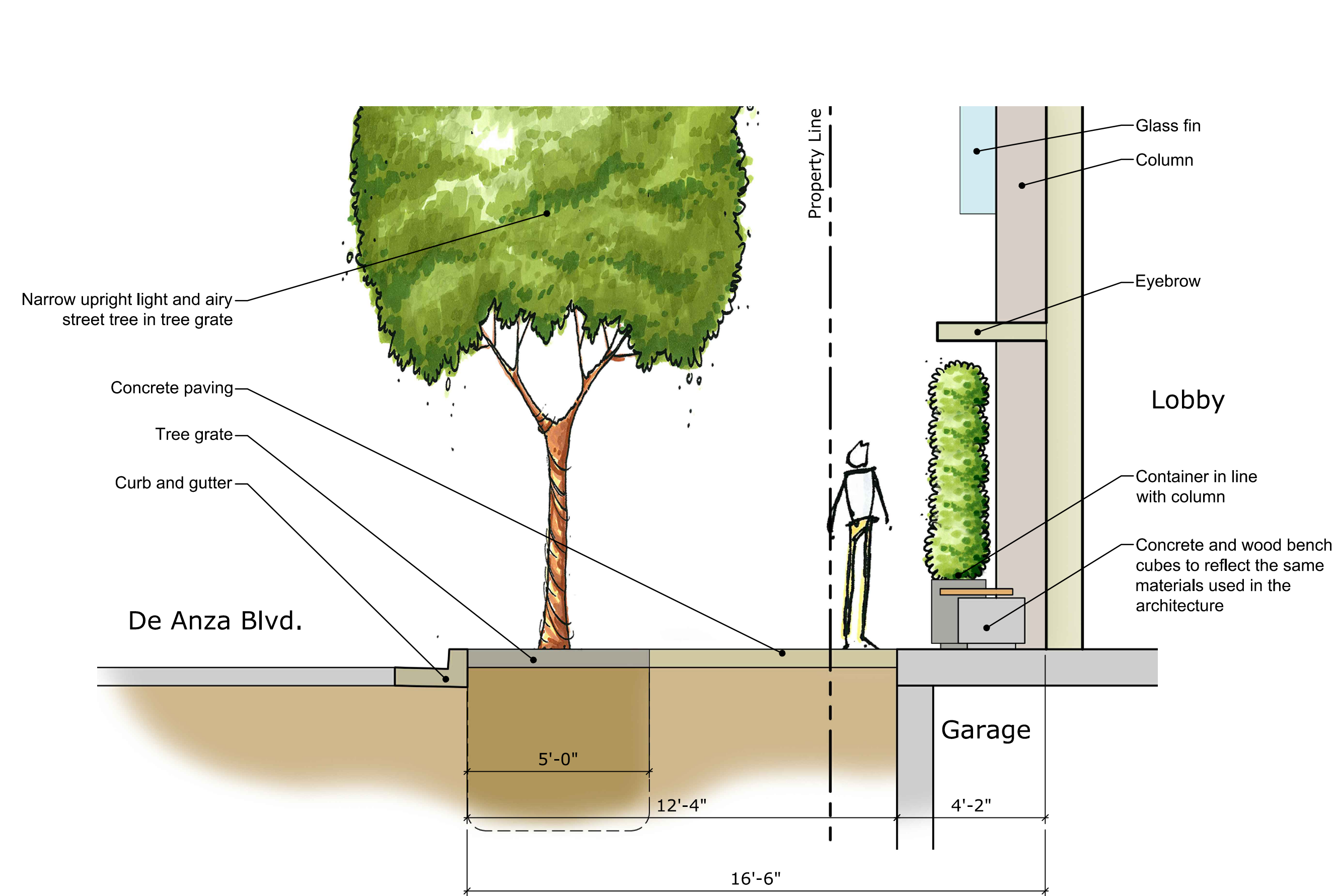
PRELIMINARY LANDSCAPE PLAN

HAMPTON INN AND SUITES

1090 S. De Anza Blvd.
SAN JOSE, CALIFORNIA

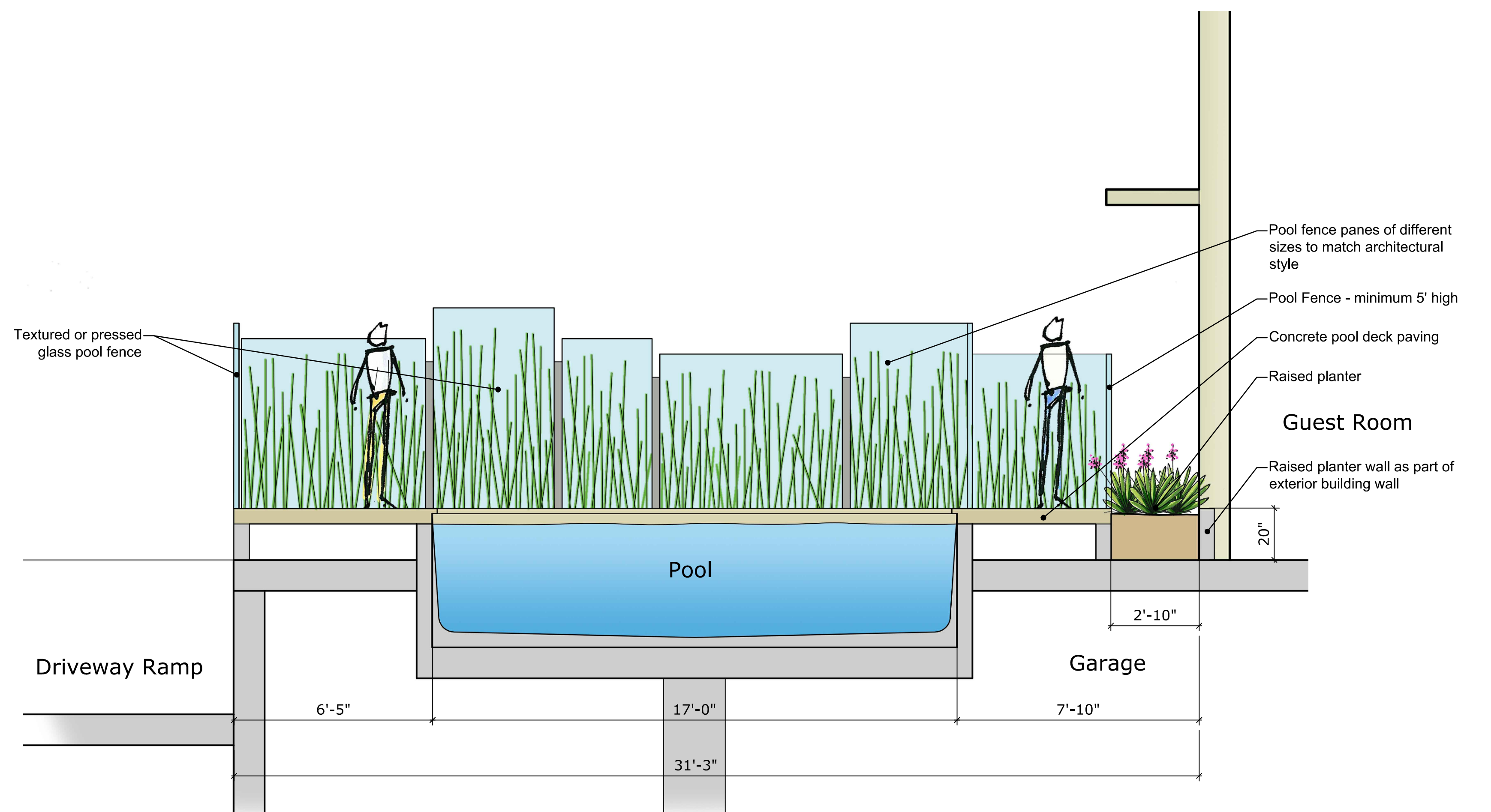
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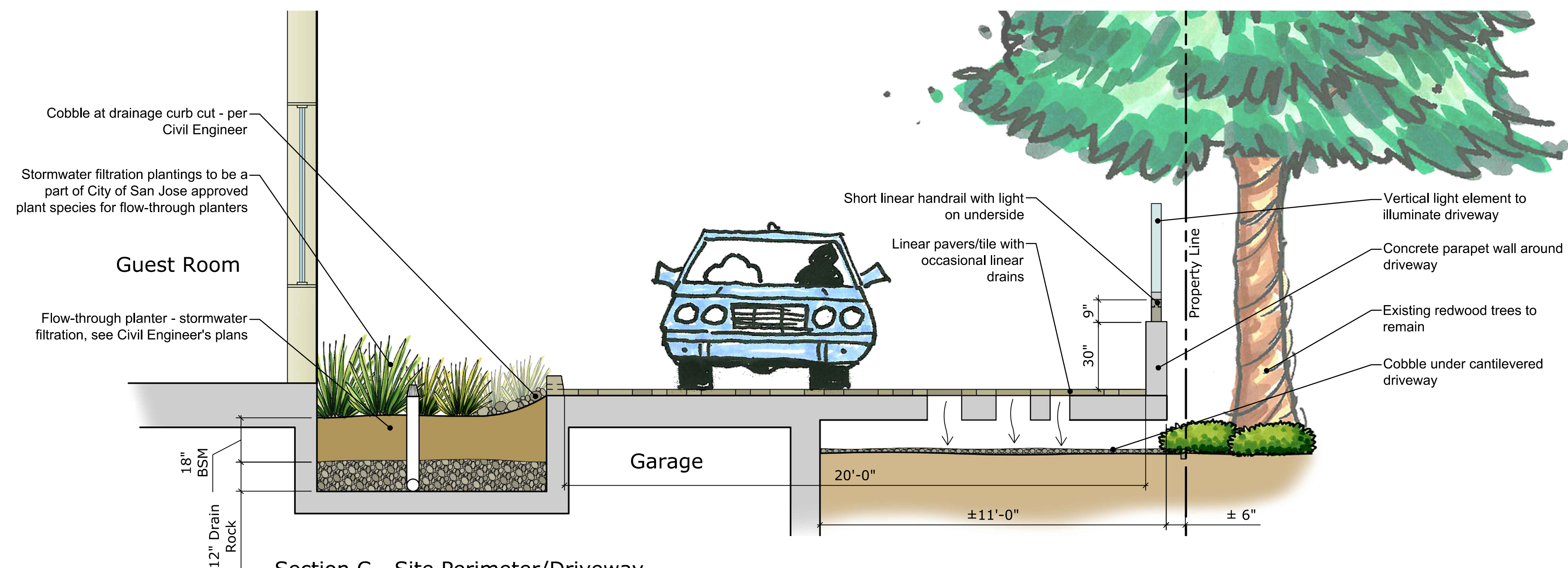
Section A - Street Frontage

Scale: 3/8" = 1'-0"



Section B - Pool Area

Scale: 3/8" = 1'-0"



Section C - Site Perimeter/Driveway

Scale: 3/8" = 1'-0"

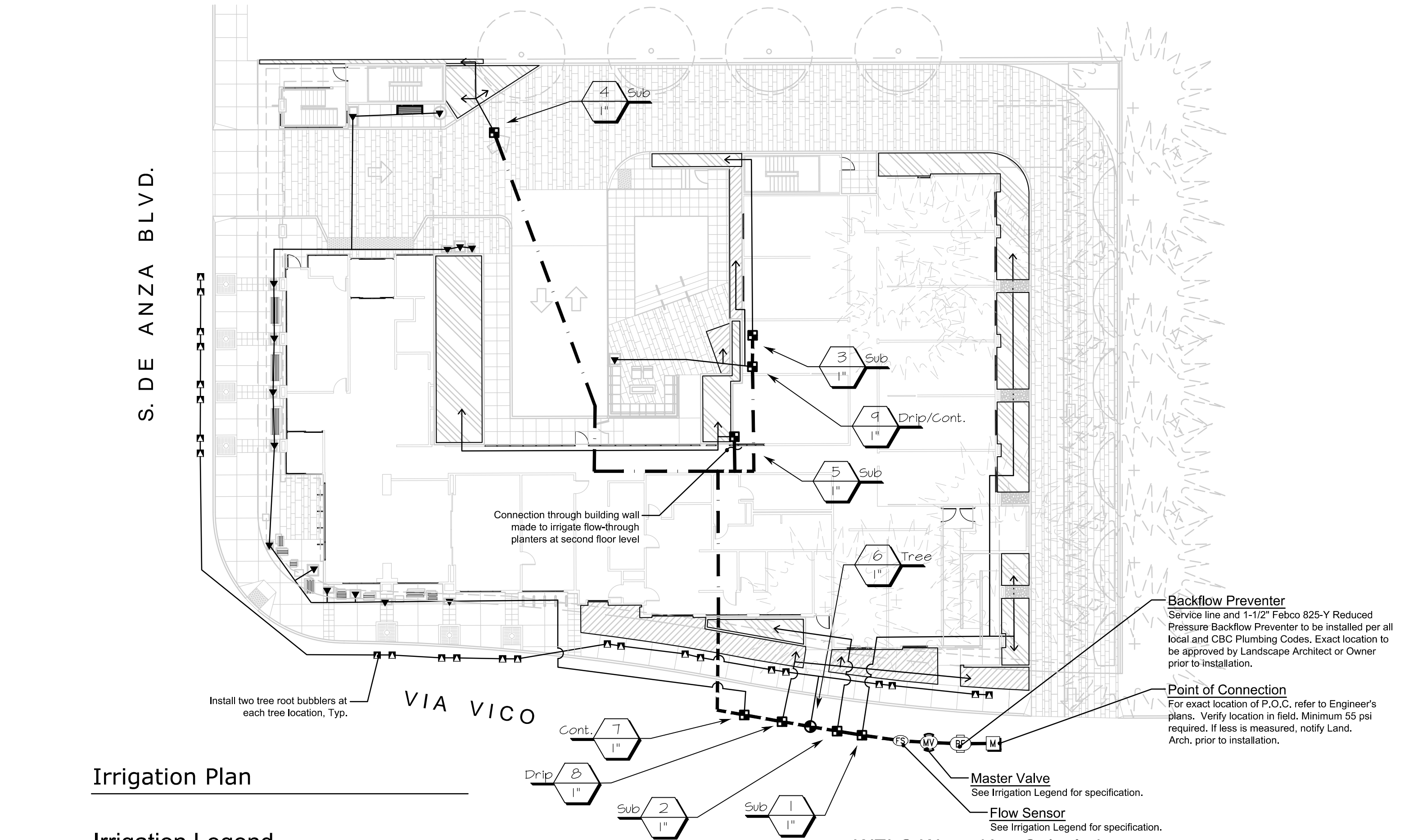
Scale: 3/8" = 1'-0"
March 2, 2018
15-1790

SITE LANDSCAPE CROSS-SECTIONS

HAMPTON INN AND SUITES

1090 S. De Anza Blvd.
SAN JOSE, CALIFORNIA

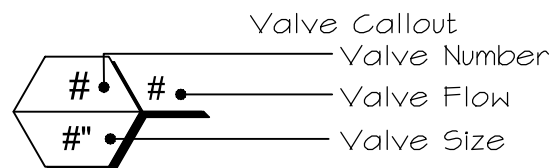
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Irrigation Plan

Irrigation Legend

Symbol	Manufacturer	Description / Model No.	Nozzle	PSI	GPM
	Hunter	RZWS-18-50 Root watering, Tree Bubbler - Two per each tree location		25	1.00 (per tree)
	Approved	Drip tubing connection at container			
	Approved	1/2" or 5/8" Black Poly Tubing with Flush Cap. Each plant shall receive the following emitter or combination of emitters. Contractor shall monitor the water during the maintenance period and make modifications to emitters (GPH) at each plant to ensure that all plants are getting adequate water based on specific microclimate conditions. 1 Gallon shrubs 2 - 2 GPH Emitters, Hunter HE-20-B (red) or equal 2 and 5 Gallon shrubs 6 - 2 GPH Emitters, Hunter HE-20-B (red) or equal 24" Box Trees			
	Toro	DL2000-RGP-412 5/8" diameter tubing with 1 GPH emitters placed at 12" O.C. with tubing spaced in parallel lines at 12" on center.			
	Approved	1" Point of Connection - See the civil engineer's plan and verify in field the location and size of the water meter and service. POC shall meet all governmental code requirements.			
	Febco	LF825Y Reduced Pressure Backflow Preventer (lead free) - see plan for size.			
	Hunter	ICV Series Master Valve			
	Hunter	FCT-100 Flow Sensor. Install per Manufacturer's specifications.			
	Hunter	ICV Series Automatic Remote-Control Valve: See Plan for size.			
	Hunter	ICZ-101 for 1" drip valve kit			
	Nibco	T-113 Gate Valve: Line size.			
	Hunter	I-Core 12 Station Exterior Wall-Mount Controller; ICC-600-SS with quantity ICM-600 module as needed to meet quantity of stations as specified. Include WSS module for Solar-Sync.			
	Hunter	Solar-Sync - model WSS-SEN; Install on building parapet away from drip line of trees. Install per manufacturer's specifications. Controller and Solar-Sync to be installed with modules and receivers as needed for operation.			
	Approved	Schedule 40 PVC Pressurized Mainline: See Plan for size.			
	Approved	Schedule 40 PVC Pressurized Mainline in garage with connections through the podium to provide irrigation to the planters over the garage structure. This irrigation mainline will be coordinated with the mechanical engineer's plumbing plans.			
	Approved	Schedule 40 PVC Lateral Line: See Plan for size.			



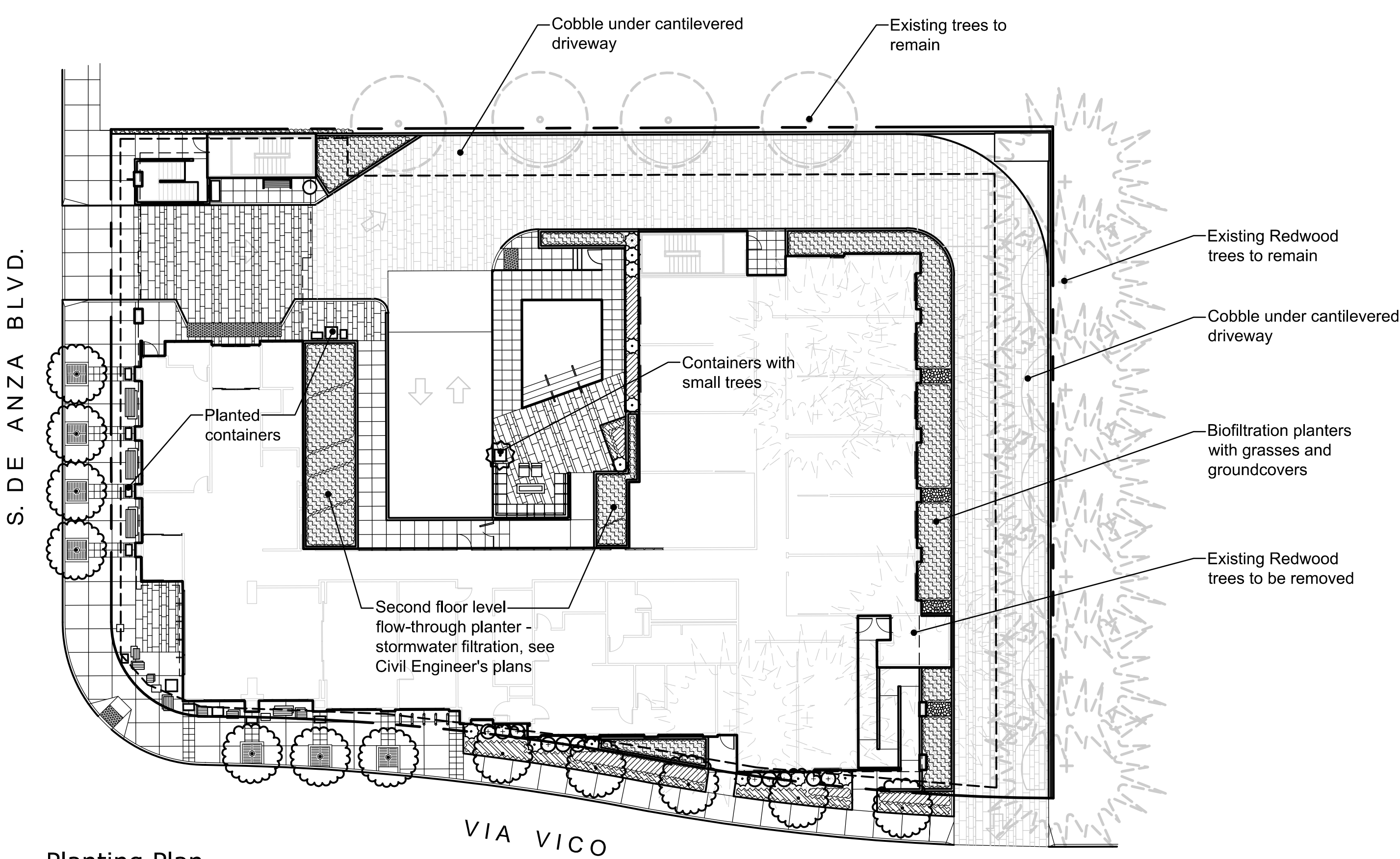
WELO Water Use Calculations

The following calculations represent the intended hydrozones and water usage as designed with this Preliminary Landscape Plan. As we move through the design process we anticipate minor adjustments/revisions of these calculations. However, compliance with WELO code requirements will always remain.

Station	Plant Name	Water Use	Plant Factor	Hydrozone Area	%	Type of Irrigation	Irrigation Efficiency	ETOL
1	Biofiltration grasses	Low	0.4	1,709	29.8%	Subsurface Drip	.81	23,703.2
2	Shrubs	Low	0.5	586	10.2%	Drip Emitters	.81	10,159.5
3	Trees	Low	0.4	300	5.2%	Root Bubbler	.81	4,160.9
4	Cobble	None	0	3,136	54.7%	None	1	0
TOTAL				5,731 sf				38,023.6 Gallons
Maximum Applied Water Allowance (MAWA)				72,432.4 gallon/year				
Estimated Total Water Usage (ETWU)				38,023.6 gallon/year				
Average Irrigation Efficiency				.91				
ETWU is less than MAWA, therefore water usage as designed exceeds code requirements								

General Irrigation Notes

- The contractor shall examine the conditions of the site prior to commencement of work. Any conditions that differ from what is shown on the plans that will affect the installation process shall be brought to the attention of the Landscape Architect and/or owner prior to work. Commencement of work implies acceptance of the conditions of the site.
- Piping layout is diagrammatic. All irrigation items shown within paved areas are for design clarification only and are to be installed in planting areas where possible. All valves are to be placed in shrub or groundcover areas.
- All mainline piping and control wires under paving shall be installed in separate schedule 40 PVC sleeves.
- All lateral line piping under paving (that is not in a sleeve) shall be Schedule 40 PVC and shall be installed prior to paving.
- All Backflow Prevention Devices and piping between the point of connection and Backflow Preventer shall be installed per local codes. The final location of the Backflow Preventer and the Automatic Controller shall be approved by the Owner's Representative. The contractor is to verify the codes and requirements of all governing agencies. Any discrepancy between requirements and the plans are to be brought to the attention of the Land. Arch. immediately.
- 120 VAC electrical power source at the controller location shall be provided by electrical contractor. Verify location of controller prior to installation.
- Prior to turnover of project, the irrigation contractor shall flush and adjust all irrigation heads and valves for optimum coverage with minimal over spray onto hardscape elements. Drip emitters to be adjusted to provide optimal water to each plant based on specific site conditions and water needs of each plant.
- The irrigation system design is based on a minimum operating pressure of 55 PSI and a maximum flow demand of 20 GPM. The irrigation contractor shall verify water pressures prior to installation.
- Weather sensor/automatic rain shutoff shall be installed on an exposed wall or soffit adjacent to the controller location per manufacturer's specifications. It must be placed to receive unimpeded rain and free from vandalism.
- An irrigation audit may be needed by the governing jurisdiction before an occupancy permit can be issued. It is the responsibility of the contractor to schedule and pay for the audit. The audit shall be conducted by a certified auditor. The contractor shall be responsible for making revisions to the irrigation in order to pass the audit. If pop-up spray heads are specified for shrub areas, we recommend that the auditor audit the shrub spray prior to planting.



Planting Plan

Preliminary Plant Palette

Trees	
	Street Tree - trained to be tall and thin - 24" box Street trees represented on this plan are conceptual only. Final location and species are to be approved by City Arborist at the Street Improvement Stage per the "Guidelines for Planning, Design, and Construction of Streetscape Projects"
	Lophostemon Confertus
	Brisbane Box
	Hedge Shrubs - 5 gallon Low to medium height shrubs planted as hedges along building.
	Upright Shrubs - 5 gallon Narrow upright evergreen shrubs to compliment architecture.

Groundcovers	
	Grasses - 1 and 5 gallon Plants approved by San Jose for use in stormwater management flow-through planters.
	Flowering and accent plants - 5 gallon Planted in front of hedges for visual interest and layering in larger planters.
	Low flowering accent plants - 1, 2 and 5 gallon Provide year round visual interest and area planted in high use areas and as foreground in larger planters.

Landscape Concept

The landscape design concept for the Hampton Inn and Suites is to provide an enjoyable and aesthetic space for the guests and employees that fits within the landscape character of the existing surrounding area. Plant material has been selected that performs well in the special conditions of San Jose (Sunset Zone #15).

Low and medium water use hardy trees, shrubs and groundcover are proposed for the plant palette. The landscape (and associated irrigation) has been designed to be compliant with City of San Jose Water Efficient Landscape Ordinance. (Current at time of submittal)

Special considerations have been provided in selection of plant material that respects the needs of the employees and guests as well as the adjacent existing developments. Clear and secure view corridors have been provided to ensure safety of those entering the building as well as moving around the site.

Irrigation

The entire site will be irrigated using a fully automatic system and designed to meet the City's Water Efficient Landscape Ordinance (WELO). The irrigation system will be low-volume design using bubblers or drip emitters. The system will include in-line valves, quick couplers, and gate valves. New irrigation controller will be Hunter, Rainbird, Irritrol, or equal and will meet the WELO requirements of a 'Smart' controller. A complete irrigation design with these parameters will be provided with the improvement plans.

City of San Jose Specific Landscape Notes

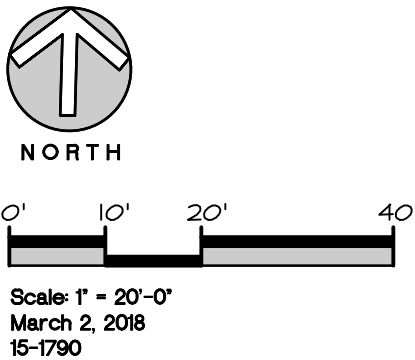
- The contractor performing the landscape and irrigation installation for this site will need to obtain a copy of the "Landscape and Irrigation Guidelines" available at the City of San Jose Planning Department website. The contractor will need to review the complete and entire document prior to start of construction. The Landscape Architect shall be contacted immediately should there be any items of inconsistency or conflicts with the plans and the City Guidelines.
- Turf as a landscape element is not proposed for any part of this project. Shrubs and groundcovers will be grouped according to their appropriate hydro-zones and will be low or medium water use in their nature.
- The irrigation system will be designed to meet or exceed the 0.625 efficiency factor as stated in the design standards.
- All landscape areas shall be irrigated with a drip method.
- The irrigation system will be an extension of the existing water point of connection. No new meter will be installed.
- Irrigation controller will utilize multiple programming capabilities and will support a water budgeting feature and will also support a rain shutoff device.
- Construction documents will show a hypothetical irrigation schedule based on a MAWA less than 22.5 gallons of applied water per square foot per year. Schedule will show run times and cycles on monthly basis adjusted for evapotranspiration rates in San Jose, California.
- Maintenance schedule will be included as part of the construction document package.

Landscape Area Calculations

Total Landscape Area:		
Turf:	0 sf	0%
Biofiltration Planter:	1,709 sf	29.8%
Low water use:	866 sf	15.5%
Non-irrigated:	3,136 sf	54.7%
Total Landscape Area: 5,731 sf. 100%		

Bay Friendly Landscape

The landscape and irrigation has been designed to comply with the Bay Friendly Landscape Design Guidelines, CalGreen code requirements, and Water Efficient Landscape Ordinance (WELO) requirements.



PRELIMINARY PLANTING AND IRRIGATION PLAN

HAMPTON INN AND SUITES

1090 S. De Anza Blvd.
SAN JOSE, CALIFORNIA

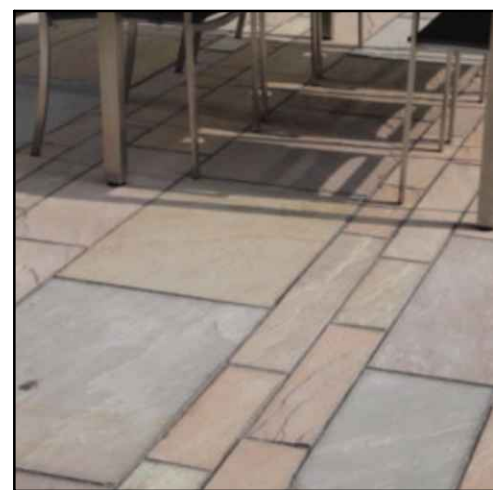
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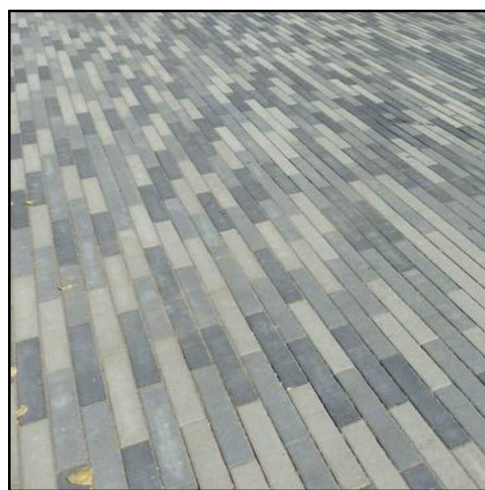
Site Paving



Pavers or tile in varying pattern



Paving pattern with different sizes and shapes

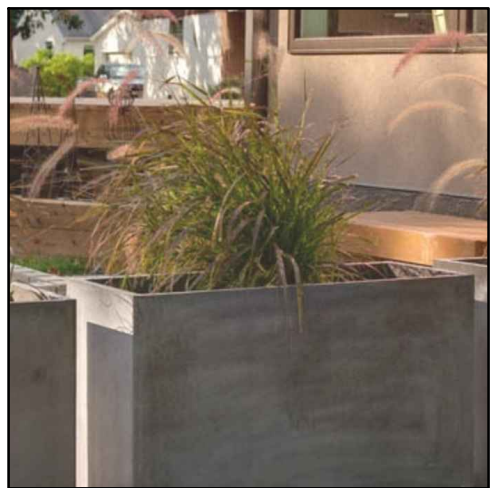


Linear Concrete Pavers

Streetscape



Smooth concrete cube or rectangular planter



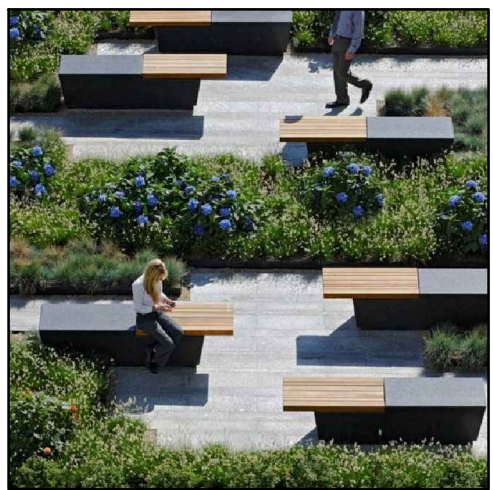
Smooth concrete cube or rectangular planter



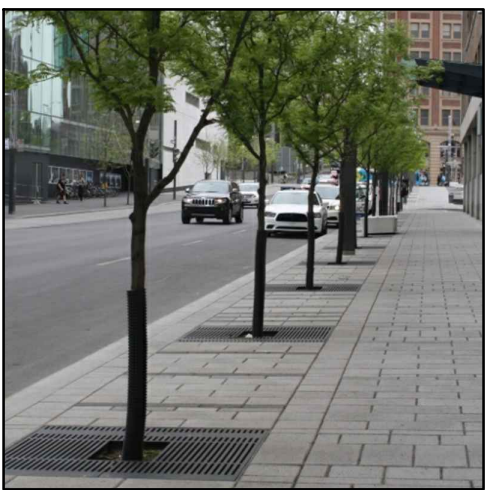
Concrete cube seating elements



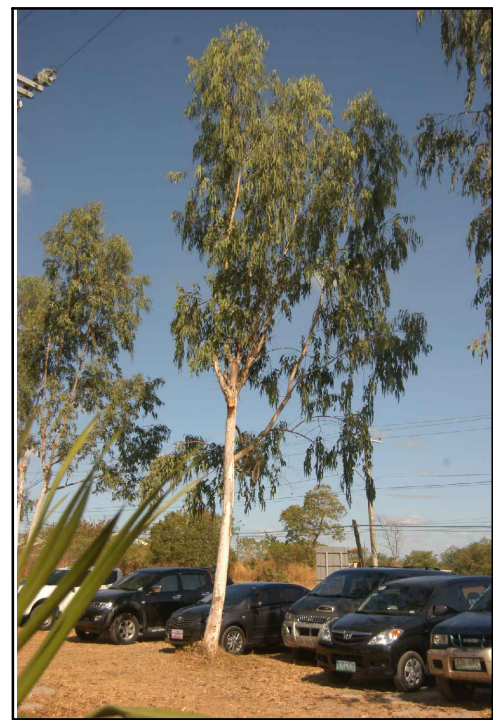
Concrete bench with wooden seat offset



Floating benches made of concrete and wood



Urban streetscape tree grates

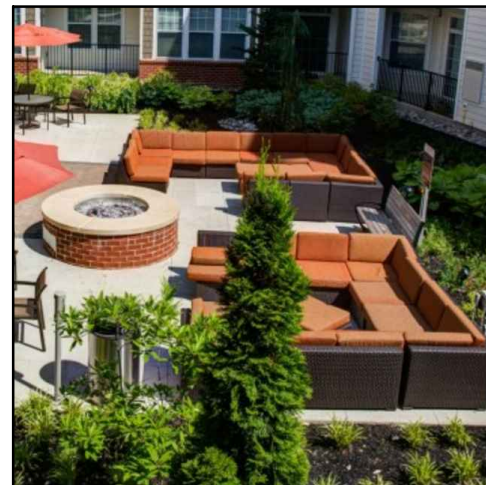


Eucalyptus trees trained tall and thin for street application

S. DE ANZA BLVD.

VIA VICO

Pool Area



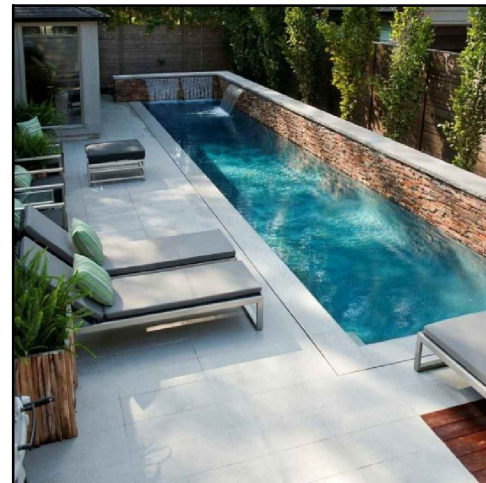
Large sectional seating



Large sectional seating



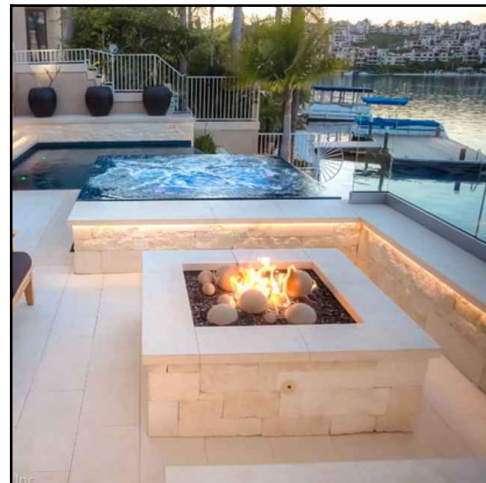
Modern Sectional Seating



Poolside Lounge chairs with simple lines



Cast in place fire pit



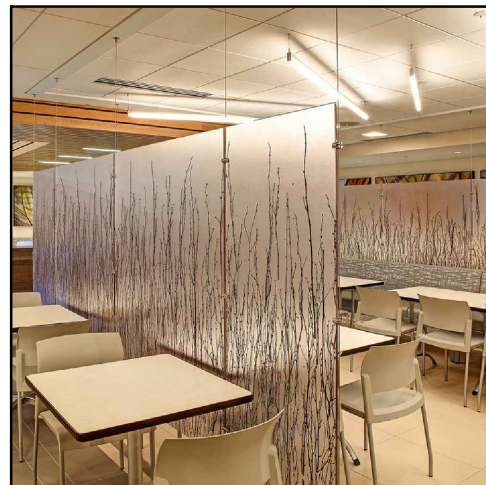
Fire pit matching surrounding materials



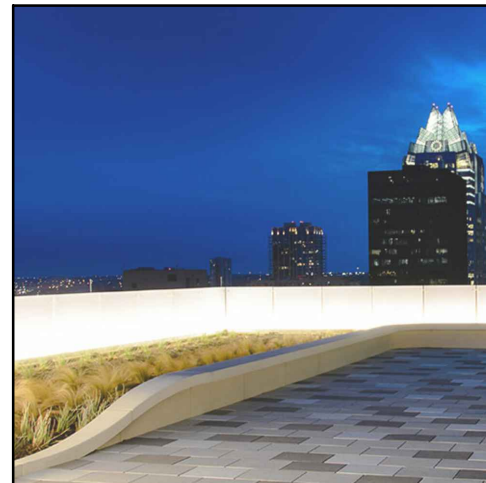
Clean line rectangular planters



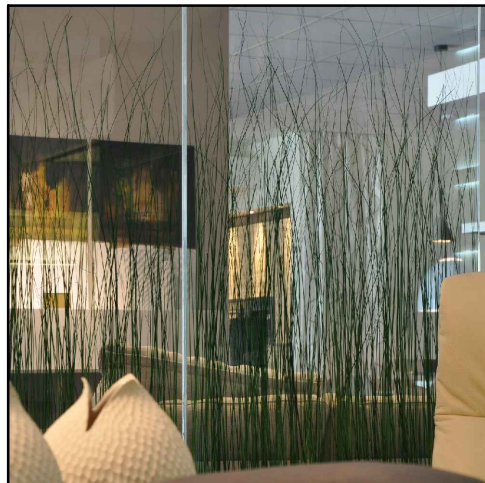
Rectangular planter in bright color



Pressed glass panels



Glass panels create lighting element



Living glass panel pattern



Living glass panel pattern

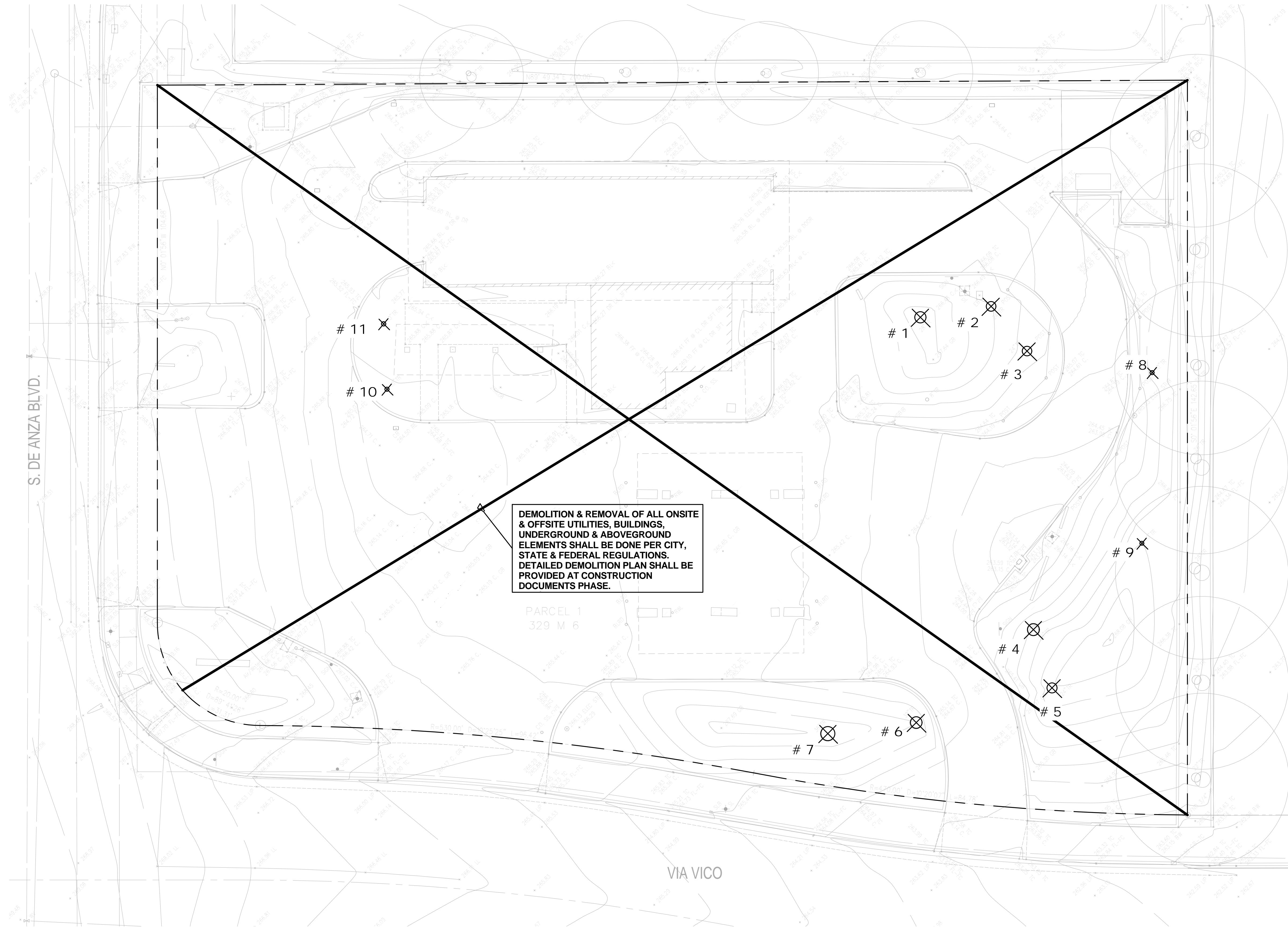
LANDSCAPE CONCEPT IMAGES


SHEET NO. **L0.4**

HAMPTON INN AND SUITES

1090 S. De Anza Blvd.
SAN JOSE, CALIFORNIA





LEGEND		
 EXISTING TREE TO BE REMOVED		
EXISTING TREES TO BE REMOVED		
MARK	SPECIES	TRUNK SIZE Diameter in inches
1	Coast Redwood <i>Sequoia sempervirens</i>	28
2	Coast Redwood <i>Sequoia sempervirens</i>	24
3	Coast Redwood <i>Sequoia sempervirens</i>	24
4	Coast Redwood <i>Sequoia sempervirens</i>	26
5	Coast Redwood <i>Sequoia sempervirens</i>	24
6	Coast Redwood <i>Sequoia sempervirens</i>	30
7	Coast Redwood <i>Sequoia sempervirens</i>	36
8	Silver Dollar Gum <i>Eucalyptus polyanthemos</i>	10
9	Apple tree <i>Malus domestica</i>	10
10	Bronze Loquat <i>Eriobotrya</i>	10
11	Flowering Plum <i>Prunus cerasifera</i>	10

PRELIMINARY DEMOLITION PLAN