PC AGENDA: 7-25-18 ITEM: 5 a



SILICON VALLEY

#### PLANNING COMMISSION STAFF REPORT

File No.	PDC14-051 and PD16-019
Applicant	Salvatore Caruso
Location	East side of Dove Hill Road, approximately 500
	feet north of Hassler Parkway (4200 Dove Hill
	Road)
<b>Existing Zoning</b>	A Agricultural
Proposed Zoning	PQP(PD) Planned Development
<b>Council District</b>	8
Historic Resource	No
Annexation Date	January 22, 2003 (Evergreen No. 184)
CEQA	<b>Dove Hill Medical Care Facility Project</b>
	Mitigated Negative Declaration

#### **APPLICATION SUMMARY:**

- 1. **File No. PDC16-041:** Planned Development Rezoning from the A Agricultural Zoning District to the PQP(PD) Planned Development Zoning District of an approximately 21-gross acre site to allow for a Medical Care Facility with up to 248 beds on an approximately 3.0 acre site and the remaining 18.0 acres to be open space.
- 2. **File No. PD16-027:** Planned Development Permit to allow the demolition of approximately 25 buildings/structures, the construction of a Medical Care Facility with up to 248 beds, and the removal of seven ordinance-size trees on an approximately three-acre portion of a 21-gross acre site.

#### **RECOMMENDATION:**

Planning staff recommends that the Planning Commission recommend to the City Council the following actions:

- 1. Adopt a resolution adopting the Dove Hill Medical Care Facility 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; and
- 2. Adopt an Ordinance of the City of San José rezoning certain real property located at the East side of Dove Hill Road, approximately 500 feet north of Hassler Parkway (4200 Dove Hill Road), from the A Agricultural Zoning District to the PQP(PD) Planned Development Zoning District of on an approximately 21-gross acre site to allow for a Medical Care Facility with up to 248 beds on an approximately 3.0 acre site and the remaining 18.0 acre to be open space.
- 3. Adopt a resolution approving, subject to conditions, a Planned Development Permit to allow the demolition of approximately 25 buildings/structures, the construction of a Medical Care Facility with up to 248 beds, and the removal of seven ordinance-size trees on an approximately three-acre portion of a 21-gross acre site.

#### PROJECT DATA

GENERAL PLAN CONSISTENCY			
General Plan Designation	Public/Quasi-Public and Open Space, Parkland,		
	and Habitat		
	<b>◯</b> Consistent <b>□</b> Inconsistent		
<b>Consistent Policies</b>	LU-17.2 LU-17.6, IN-1.3, FS-4.1, and IP-8.5		

SURRO	SURROUNDING USES						
	<b>General Plan Land Use</b>	Zoning	<b>Existing Use</b>				
North	Rural Residential	A Agricultural	Pasture				
South	Open Space, Parklands and Habitat	A Agricultural	Vacant Hillside				
East	Residential Neighborhood and Open Space, Parklands and Habitat	A(PD) Planned Development (File No. PDC03-003) and A Agricultural	Single-Family Residences and Vacant Hillside				
West	Highway	Unincorporated	U.S. Highway 101				

#### PROJECT DESCRIPTION AND HISTORY

The applicant, Salvatore Caruso, on behalf of the owner, Kuehne Stanislau & Eleanore/Donna Maiochi, submitted for a Planned Development Rezoning application on September 5, 2014, to rezone the subject 21-acre site from the A Agricultural Zoning District to the PQP(PD) Planned Development Zoning District. On July 1, 2016, the applicant submitted a Planned Development Permit application to allow a Medical Care Facility with up to 248 beds including medical care facility and memory care uses. The project consists of two four-story buildings with a total building area of 141,359-gross square feet. The two four-story buildings would be connected by a pedestrian bridge. The project would be limited to a 3-acre area of the site with less than a 15% slope (15% grade build-to line) and the remaining 18-acre portion of the 21-gross acre site would be zoned Open Hillside for private open space (see Figure 1).

The project includes construction of a new water main in Dove Road and installation of new onsite private water lines and sanitary sewer lines. Existing water lines to serve the project are located within Hassler Parkway. A sewer line would be constructed within an existing utility easement and includes a 3,000 feet connection with an elevation change at approximately 220 feet, connecting to an existing sewer connection in Yerba Buena Avenue. A sewer pump station connecting to the sewer line would be installed at the southwestern corner of Building A. The project would not connect to the City's stormwater drainage system. The project proposes storm drainage infrastructure including flow-through planters, bio-swales, storm drain lines, and a bioretention basin on the site. Two emergency back-up diesel generators would be located on the site, one in each building, to provide electrical power in the event of an emergency power outage.

The proposed project spans a 10-year period that started with the submittal of a General Plan Amendment application in 2008 to change the three acres of the lower portion of the subject site General Plan land use designation from Non-Urban Hillside to General Commercial for a residential care facility. Given the site's hillside location and limited infrastructure, in June of 2010, the City Council approved a General Plan Amendment to change the land use from Non-Urban Hillside (NUH) to Public/Quasi-Public (PQP) instead to limit the types of uses and intensity of development that could occur on the subject site.

As part of the approval, the Council stipulated that if no development application was submitted by the applicant within two years, staff would initiate a General Plan Amendment to revert the site back to Non-Urban Hillside (Lower Hillside). After four years with no project submittal, staff initiated a General Plan Amendment in 2012 to change the General Plan land use back to Lower Hillside. At the City Council hearing for the General Plan Amendment in 2014, the Council granted the applicant more time to submit a full development application for the project, including both the Planned Development Rezoning and Planned Development Permit. In September of 2014, the applicant submitted a Planned Development Rezoning for a 290-unit Residential Care Facility with up to 340 beds. To be consistent with Council direction, staff instructed the applicant to also submit a Planned Development Permit to ensure a comprehensive review of the project including architecture, geo-hazard clearance, pubic improvements and services (sewer and sanitary connections), and traffic capacity in the Evergreen/East Hill Development Plan Area.

Additionally, as Council had amended the General Plan land use designation to Public/Quasi-Public (PQP) instead of General Commercial, the proposal for a residential care facility would be inconsistent with the land use, as residential and commercial uses are not permitted in this designation. A medical use, such as a convalescent hospital could be found to be consistent with the PQP land use. The applicant did not provide sufficient information on how the site would be used as a medical facility consistent with the PQP General Plan land use designation or adequately serviced by a non-public sanitary system. Therefore, staff recommended the City Council to deny the project in October of 2016 because the project was fundamentally inconsistent with the General Plan Policies and land use designation. In the weeks prior to the City Council hearing, the applicant informed staff that they would pursue a convalescent hospital use and further explore a private sanitary connection solution. Therefore, in November of 2016, the City Council directed staff to continue processing the application and to work with the applicant to develop a project that would be consistent with the General Plan and provide a private sanitary connection solution, and return to the City Council for consideration.

The project has been significantly revised to incorporate site designs to minimize visual impact to the hillside development, provides a feasible sanitary route and private maintenance, and an operation plan and a land use that is consistent with the Public/Quasi-Public land use with the incorporation of medical services provided on site.

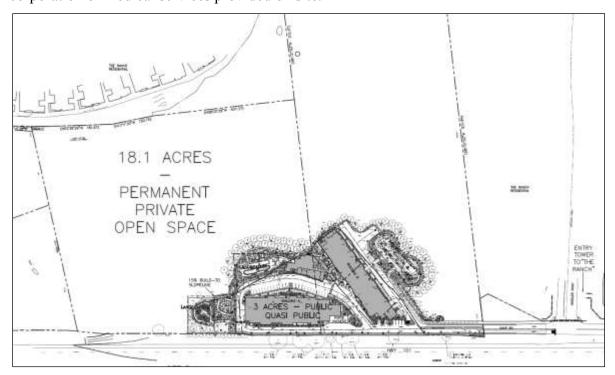


Figure 1: Site Plan (larger plan set attached to Staff Report)



Figure 2: Aerial of Subject Site

#### Site Location and Surrounding uses:

The subject site encompasses four parcels and is located on the east side of Dove Hill Road, approximately 500 feet north of Hassler Parkway (see Figure 2). The overall site is currently developed with two single-family houses and a commercial landscaping business with an associated plant nursery, sheds and storage yards. The subject rezoning would rezone the entire 21 gross acre site; however, the majority of the site has a slope of greater than 15% and is therefore undevelopable and is currently primarily used as a grazing pasture. The developable area would be limited to approximately three-gross acres at the southwest downhill portion of the property that is located with the area designated in the Envision San José General Plan as Public/Quasi-Public (see Figure 3).

To the west of the site is U.S. Highway 101, and the site is approximately 700 feet downhill from the residential development (Ranch on Silver Creek) to the east. To the north and south of the site are low density single-family and agricultural development. Access to the proposed project would be taken from of Dove Hill Road. This area is within the Evergreen-East Hill Development Policy boundary, which was adopted in 2008 to provide a development framework for transportation and traffic improvement for sites within the policy boundary.

#### **ANALYSIS**

This proposed Planned Development Rezoning and Planned Development Permit were analyzed with respect to conformance with the Envision San José 2040 General Plan, the Evergreen-East Hill Development Policy, and the Zoning Ordinance.

#### Envision San José 2040 General Plan Conformance

The project has an Envision San José 2040 General Plan Land Use/Transportation Diagram designations of Public/Quasi-Public (PQP) and Open Space, Parkland, and Habitat (OSPH). The location of the medical service facility would be located at the 3-acre lower portion of the subject

site, that is designated PQP. The PQP designation is used to designate public land uses, including schools, colleges, libraries and fires stations and also allows some private entities such as private schools, daycare centers, hospitals, and public utilities. The remaining 18.0 acre site is designated OSPH. The OSPH designation is for land devoted to open space, parks, recreation areas, trails, habitat buffers, nature preserves and other permanent open space areas. The subject project is a medical care facility with significant medical services provided on site, including: skilled nursing services, rehabilitation services, wound care, occupation therapy, physical therapy, speech therapy, and memory care. For the portion of the site located in the OSPH General Plan land use designation, the Planned Development Zoning District's land use diagram limits the use for only open hillside and private open space.

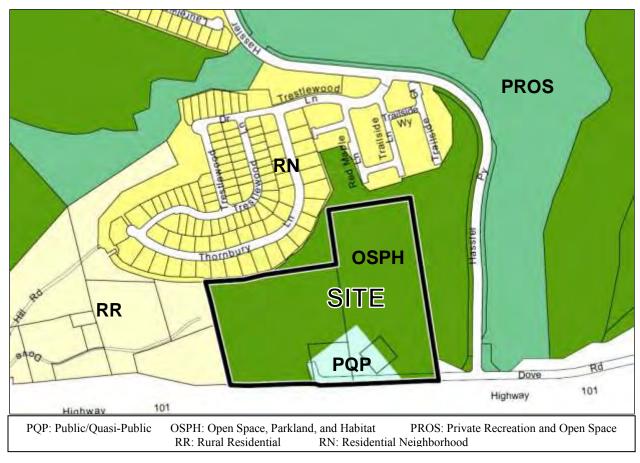


Figure 3: General Plan Map of Project Site and Surroundings

In addition to conforming to the General Plan Land Use/Transportation Diagram, the project conforms to the following General Plan policies as discussed below:

1. <u>Land Use Policy LU-17.2:</u> Apply strong architectural, site, and grading design controls through a discretionary development review process to all types of hillside and rural residential development that require significant grading activities in order to protect the hillsides and to minimize potential adverse visual and environmental impacts.

Analysis: The project includes building heights at 58 feet with certain portions of the building and projection elements as high as 68 feet to provide visual interest and breaks to the proposed buildings. The design of the buildings are inspired by the surrounding Italian hillside village architectural style with a natural color palette (green, rock, tan) to blend into the surrounding developments and natural hillside color tones. The project would be largely shielded from US Highway101 by existing and newly planted trees, and would allow

- the overall undeveloped visual character of the hill slopes behind and above the project to be maintained.
- 2. <u>Land Use Policy LU-17.6:</u> Avoid any new development along ridges and other major hillside areas (typically all properties that exceed 30% slope) that surround the valley floor to minimize visibility of development on these aesthetic resources.
  - Analysis: The project would be limited to the area of the site with less than a 15% slope (15% grade build-to line) covering approximately three-acres of the subject site and the remaining portion of the 21-gross acre site would be designated as Open Hillside for private open space in the land use plan of the Planned Development Zoning.
- 3. <u>Infrastructure Policy IN-1.3:</u> Provide sustainable utility services and infrastructure in a cost-efficient manner consistent with Envision General Plan goals and policies related to Fiscal Sustainability.
  - Analysis: The project would install a system of private pumps and sewer lines on the east side of the property to the top of the ridgeline, utilizing an established utility easement dedicated across multiple properties, onto a public right-of-way on Dove Hill Road with a privately maintained sewer line until it connect onto existing lines located in the public right-of-way. A new private sanitary sewer line will extend from Deans Place Way and Yerba Buena Road to the terminus of Dove Hill Road, near Yerba Buena Road. This extension will be reviewed and approved by Public Works, and all sewer improvements beyond Dove Hill Road will be considered private sewer main. The new private sanitary sewer line will require approvals from Caltrans and the Santa Clara Water Valley Water District. Permittee shall be required to obtain any third party approvals, subject to review and approval, prior to issuance of any building permit. The City would only be required to maintain the existing public infrastructure.
- 4. <u>Fiscally Beneficial Land Use Policy FS-4.1:</u> Preserve and enhance employment land acreage and building floor area capacity for various employment activities because they provide revenue, near-term jobs, contribute to our City's long-term achievement of economic development and job growth goals, and provide opportunities for the development of retail to serve individual neighborhoods, larger community areas, and the Bay Area.
  - Analysis: The project includes both ambulatory and non-ambulatory clients for a range of assisted medical care and memory care beds that require significant medical and personal assistance services on-site. The proposed project is estimated to provide approximately 120 jobs with the development of the medical care facility. This includes both medical staff (doctors, nurses, and medical aides) and various support staff such as cooks, facility maintenance, and clerical. The development would be helping the City's plans for increased job growth.
- 5. <u>Implementation Policy IP-8.5</u>: Use the Planned Development zoning process to tailor such regulations as allowed uses, site intensities and development standards to a particular site for which, because of unique circumstances, a Planned Development zoning process will better conform to Envision General Plan goals and policies than may be practical through implementation of a conventional Zoning District. These development standards and other site design issues implement the design standards set forth in the Envision General Plan and design guidelines adopted by the City Council. The second phase of this process, the Planned Development Permit, is a combined site/architectural permit and Conditional Use Permit which implement the approved Planned Development zoning on the property.
  - Analysis: The site is currently in the Agricultural Zoning District, which does not allow for more than one single-family dwelling and agricultural uses to be developed on the site. The

subject site is approximately 21-gross acres, with the majority of the site with more than 15% slope grade. The Planned Development Zoning District would allow the proposed use on the portion of the site with the least required amount of grading and would preserve the majority of the site for private open space. A conventional zoning district would not have been able to include the development standards that would limit the site layout, design, and uses that the Planned Development Zoning District would allow.

#### **Evergreen-East Hills Development Policy**

The Evergreen-East Hills Development Policy (EEHDP) was an update to the original Evergreen Development Policy (EDP) that was adopted in 1976 to address flood protection and traffic capacity in the EDP area. The EEHDP was adopted by City Council on December 16, 2008 to replace the original EDP and to allow a limited increase in development in the Evergreen-East Hill Area, which encompasses the area south of Story Road and east of U.S. Highway 101. When the Planned Development Zoning was submitted in 2014, there was limited development capacity to allow development consideration of the subject project. There is currently only 62,907 square feet of commercial and 47,374 square feet of office development capacity remaining in the EEHDP.

In the event that a proposed use is not a clearly defined residential, office, or commercial use, the Evergreen-East Hills Development Policy allows the use of a project trip equivalency conversion to the use category that would most closely reflect the project. Of the capacity categories, the project is more consistent with a commercial use. The project would result in a trip conversion commercial square footage of 14,825 square feet, which is within the current available capacity of 62,907 square feet. The project would be conditioned to pay into the Evergreen-East Hill Traffic Impact Fee (TIF) program.

#### **Zoning Code Conformance**

The site is currently in the A Agricultural Zoning District with a Public/Quasi-Public and Open Space, Parkland, and Habitat General Plan land use designation. The site is not designated as Prime Farmlands and is not subject of a Williamson Act Contract. The PQP(PD) Planned Development Zoning District would facilitate the development of up to three acres for PQP uses consistent with the Development Standards for the Planned Development Zoning District, while preserving the remaining 18 acres where the project is not proposing development, for open space uses. The Planned Development Zoning District Development Standards would limit structures to the portion so the site with less a 15% slope. The associated Planned Development Permit plan conforms to the require setbacks, height, parking, landscaping and architecture of the proposed Planned Development Zoning Development Standards.

The Development Standards requires a 10-foot front setback and requirements for screening with landscaping to minimize the visual impact of the project and further integrate into the hillside. The maximum allowed height on the site is 70 feet and the average height of the building are approximately 58 feet with certain portions of the buildings projecting to 68 feet to provide visual interest. The Development Standards requires the project to complement the existing Italian Hillside Village architectural style.

The project is providing parking at one parking space per four beds and one per employee. The project is required to provide 62 spaces for the beds and 55 spaces for the proposed employees on-site, for a total of 117 required parking spaces. The project is providing a total of 124 parking spaces that is all located within the 15% grade build-to-line.

#### **Planned Development Permit Findings**

<u>Chapter 20.100.910</u> of the San José Municipal Code establishes evaluation criteria for the issuance of a Planned Development Permit. These criteria are applied to the project based on the above-stated findings related to General Plan, Zoning and CEQA conformance and for the reasons stated below, and subject to the conditions set forth in the proposed permit. In order to make the Planned Development Permit findings pursuant to <u>Section 20.100.940</u> of the San José Municipal Code and recommend approval to the City Council, Planning Commission must determine that:

1. The Planned Development Permit, as issued, is consistent with and furthers the policies of the General Plan;

Analysis: As described in the General Plan conformance analysis, the project is consistent with the General Plan land use designation of Public/Quasi-Public and Open Space, Parkland, and Habitat land use. The project would generate new employment with the proposed medical care facility. With the proposal to include a private sanitary pump system, the project would not increase the fiscal impact to the infrastructure improvements. The site design, material, and use of landscaping helps minimize the visibility of the project on the hillside.

2. The Planned Development Permit, as issued, conforms in all respects to the Planned Development Zoning of the property;

Analysis: As described above, the Planned Development Permit conforms in all respects to the development standards of the proposed PQP(PD) Planned Development Zoning of the property. The proposed medical care facility in the Planned Development Permit is a permitted use in the Development Standards of Planned Development Zoning District. The project buildings are required to have a 10-foot setback from Dove Hill Road and are proposed to be setback approximately 30 feet. The proposed maximum building height of 68 feet is below the maximum 70-foot height. The project is required to provide 117 parking space and the project would be providing 124 parking spaces.

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

Analysis: The project site is not subject to a specific City Council Policy or specific plan. The project was analyzed for conformance with the Evergreen-East Hills Development Policy, and based on the proposed use the and new vehicle trips generated by the new use would be allowed as discussed in the Evergreen-East Hills Development Policy analysis, above.

4. The interrelationship between the orientation, location, mass and scale of building volumes, and elevations of proposed buildings, structures and other uses on-site are appropriate, compatible and aesthetically harmonious;

Analysis: As described above, the project site contains approximately 21 acres, and the majority of the site would remain as open space and with approximately 3 acres used for the proposed project. The project buildings would be located at the foot of the hillside by Dove Hill Road and adjacent to U.S. Highway 101. The average height of the building are approximately 58 feet with certain portions of the buildings projecting to 68 feet to provide visual interest. The buildings are consistent with the architectural style of the surrounding area and the natural color palette (green, rock, tan) proposed for the project blend into the surrounding developments and natural hillside color tones.

5. The environmental impacts of the project, including, but not limited to aesthetics, air quality, noise, and transportation/traffic, even if insignificant for purposes of the California Environmental Quality Act (CEQA), will not have an unacceptable negative effect on adjacent property or properties.

Analysis: An Initial Study and Mitigated Negative Declaration (IS/MND) was prepared for the project in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. Based on the environmental analysis of the project in the IS/MND, as discussed above, the project was determined to not have unacceptable negative effects on adjacent properties. The project is adjacent to a freeway off-ramp on the west side of the site and approximately 18 acres of open space to the east. The project and the 18 acres of open space provide a buffer from other nearby uses and minimizes the impact to the nearest residents at the top of the hill. In addition, the project will be required to adhere to conditions and mitigation measures to ensure the development of this project would not encroach or affect the adjacent 18 acres of open space.

#### **Demolition Permit Evaluation Criteria**

Under the provisions of <u>Chapter 20.80.460</u> 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;
- b. The failure to approve the permit would jeopardize public health, safety or welfare;
- c. The approval of the permit should facilitate a project which is compatible with the surrounding neighborhood;
- d. The approval of the permit should maintain the supply of existing housing stock in the City of San José;
- e. Both inventoried and non-inventoried buildings, sites and districts of historical significance should be preserved to the maximum extent feasible;
- f. Rehabilitation or reuse of the existing building would not be feasible; and
- g. The demolition, removal or relocation of the building without an approved replacement building should not have an adverse impact on the surrounding neighborhood.

Analysis: The proposed project would allow the demolition of two houses and a landscaping business with its associated nursery, sheds, and storage yard. The existing two-story primary residential structure on the site was developed between 1939 and 1961. According to evaluation of the structure in the Historical Resources Evaluation (Archaeological Resource Management, August 15, 2008), this primary residence is not associated with significant eras, persons, or events. The vernacular style in which the house was built is not architecturally significant. The structure does not yield information important in prehistory or history. The removal of the existing structures would facilitate the development of the medical care facility that would generate additional employment opportunities for city residents, and utilize the developable three-acre portion of the site while preserving the existing open space.

#### **Municipal Code Tree Removal Findings**

<u>Chapter 13.32.100</u> of the San José Municipal Code establishes at least one of the following required findings must be made for issuance of a Tree Removal Permit for ordinance-size trees measuring 56 inches or more in circumference. Findings are made for the project based on the above-stated findings related to General Plan, Zoning Ordinance and CEQA conformance and for the reasons stated below, and subject to the conditions set forth in this Permit.

- 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 Chapter 13.32 of the San José Municipal Code as set forth in Section 13.32.010;
- 2. That the location of the tree with respect to a proposed improvement unreasonably restricts the economic development of the parcel in question;
- 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;

Analysis: The project includes the removal of seven ordinance-size trees and 13 non-ordinance-size trees for a total of 20 trees. This includes 17 trees that would fall within the building footprints and three trees would be impacted by needed road improvements. 15 existing tress would be preserved on-site, and an additional 153 trees and landscaping would be planted in association with development of the project.

#### CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

An Initial Study (IS) and Mitigated Negative Declaration (MND) was approved with intent to adopt on April 4, 2018, by the Director of the Department of Planning, Building and Code Enforcement for the subject Planned Development Rezoning and Planned Development Permit. The environmental review evaluated a rezoning of 3 acres ("development footprint") of the 21-acre site from Agriculture to A(PD) Planned Development for the demolition of all existing buildings, structures, trees and landscaping, and associated improvements, and to construct a medical care facility with two buildings containing a total of 155 patient rooms and up to 248 beds, all within the development footprint of the 3 acres. The remaining 18 acres would remain zoned as Agriculture and would be maintained as undeveloped, permanent private open space.

The proposed project would allow the demolition of two houses and a landscaping business with its associated nursery, sheds, and storage yard. The existing two-story primary residential structure on the site was developed between 1939 and 1961. According to evaluation of the structure in the Historical Resource Evaluation (Archaeological Resource Management, August 15, 2008), this primary residence is not associated with significant eras, persons, or events. The vernacular style in which the house was built does not appear to be architecturally significant. The structure does not appear to be likely to yield information important in prehistory or history.

The documents were circulated for public comments from April 9, 2018 to April 30, 2018. During the circulation period, the City of San José received comment letters and email messages from 1) the representative from Amah Mutsun Tribal Band, 2) the Santa Clara Valley Transportation Authority (VTA), 3) Lozeau Drury LLP, and 4) local resident, Deepesh Chouhan. Concerns highlighted in the comment letters include: traffic and pedestrian safety, air quality analysis, greenhouse gas analysis, impact to biological resources, and "fair argument" that the project may have unmitigated adverse environmental impacts.

Environmental comments have been addressed in a formal Responses to Comments document. The primary environmental issues that required mitigation measures are biological

resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and transportation. The IS/MND includes mitigation measures that would reduce any potentially significant project impacts to a less-than-significant level. In addition to the mitigation measures, other permit conditions in regards to lighting requirements, nuisance, and maintenance of the site are included in the Planned Development Permit as conditions of approval to ensure all potential impacts have been addressed.

The entire IS/MND, Reponses to Comments, and other related environmental documents are available on the Planning web site at: <a href="http://sanjoseca.gov/index.aspx?NID=6068">http://sanjoseca.gov/index.aspx?NID=6068</a>.

#### **PUBLIC OUTREACH**

Staff informed the public of the proposed project in accordance with Council Policy 6-30. 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 was also posted on the City's website prior to the hearing. Staff has been available to respond to questions from the public.

**Project Manager:** 

Tong (John) Tu

Approved by:

SAILU'A DO

Acting Planning Official for Rosalynn Hughey,

Planning Director

Date:

7/16/18

#### **Attachments:**

- A. Draft CEQA Resolution with signed MMRP
- B. Draft Planned Development Rezoning Ordinance
- C. Draft Development Standards
- D. Draft Planned Development Resolution
- E. Plan Sets
- F. Project Narrative
- G. Prior Related Staff Reports, Hearing Memorandums, Public Correspondence

Owner:	Applicant:
Kuehne Stanislau & Eleanore/Donna Maiochi	Sal Caruso Design Company
1235 Camino Ramon	980 El Camino Real Suite 200
San José, CA 95125	Santa Clara, CA 95050

RESOLUTION NO.	
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A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE ADOPTING THE DOVE HILL MEDICAL CARE FACILITY PROJECT MITIGATED NEGATIVE DECLARATION, FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, AND ADOPTING A RELATED MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, prior to the adoption of this Resolution, the Planning Director of the City of San José prepared an Initial Study and approved for circulation a Mitigated Negative Declaration for the Dove Hill Medical Care Facility Project under Planning File Nos. PDC14-051 and PD16-019 (the "Initial Study/Mitigated Negative Declaration"), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with state and local guidelines implementing said Act, all as amended to date (collectively "CEQA"); and

WHEREAS, the Dove Hill Medical Care Facility Project (the "Project") analyzed under the Initial Study/Mitigated Negative Declaration consists of a rezoning 21-acre project site from Agriculture Zoning District to the PQP(PD) Planned Development Zoning District to allow the demolition of all existing buildings, structures, trees and landscaping, and associated improvements; allow the construction of a medical care facility with two buildings containing a total of 155 patient rooms and up to 248 beds, all within the only three acres ("development footprint") of the 21-acres; and allow the remaining 18 acres to be maintained as undeveloped, permanent private open space. The project site is located at 4200 Dove Hill Road in south San José, adjacent to the east side of United States Highway 101 (US 101), in the City of San José (Assessor's Parcel Number 679-08-003 and 679-09-001, 679-08-002 and 679-09-002), San José, California; and

1

RD:JVP:JMD 7/6/2018

WHEREAS, the Initial Study/Mitigated Negative Declaration concluded that

implementation of the Project could result in certain significant effects on the

environment and identified mitigation measures that would reduce each of those

significant effects to a less-than-significant level; and

WHEREAS, in connection with the approval of a project involving the preparation of an

initial study/mitigated negative declaration that identifies one or more significant

environmental effects, CEQA requires the decision-making body of the lead agency to

incorporate feasible mitigation measures that would reduce those significant

environmental effects to a less-than-significant level; and

**WHEREAS**, whenever a lead agency approves a project requiring the implementation

of measures to mitigate or avoid significant effects on the environment, CEQA also

requires a lead agency to adopt a mitigation monitoring and reporting program to ensure

compliance with the mitigation measures during project implementation, and such a

mitigation monitoring and reporting program has been prepared for the Project for

consideration by the decision-maker of the City of San José as lead agency for the

Project (the "Mitigation Monitoring and Reporting Program"); and

**WHEREAS**, the City of San José is the lead agency on the Project, and the City Council

is the decision-making body for the proposed approval to undertake the Project; and

WHEREAS, the City Council has reviewed and considered the Initial Study/Mitigated

Negative Declaration and related Mitigation Monitoring and Reporting Program for the

Project and intends to take actions on the Project in compliance with CEQA and state

and local guidelines implementing CEQA; and

2

RD:JVP:JMD 7/6/2018

WHEREAS, the Initial Study/Mitigated Negative Declaration and related Mitigation

Monitoring and Reporting Program for the Project are on file in the Office of the Director

of Planning, located at 200 East Santa Clara Street, 3rd Floor Tower, San José,

California, 95113, are available for inspection by any interested person at that location

and are, by this reference, incorporated into this Resolution as if fully set forth herein;

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

JOSE:

THAT THE CITY COUNCIL does hereby make the following findings: (1) it has

independently reviewed and analyzed the Initial Study/Mitigated Negative Declaration

and other information in the record and has considered the information contained

therein, prior to acting upon or approving the Project, (2) the Initial Study/Mitigated

Negative Declaration prepared for the Project has been completed in compliance with

CEQA and is consistent with state and local guidelines implementing CEQA, and (3) the

Initial Study/ Mitigated Negative Declaration represents the independent judgment and

analysis of the City of San José, as lead agency for the Project. The City Council

designates the Director of Planning at the Director's Office at 200 East Santa Clara

Street, 3rd Floor Tower, San José, California, 95113, as the custodian of documents

and records of proceedings on which this decision is based.

THAT THE CITY COUNCIL does hereby find that based upon the entire record of

proceedings before it and all information received that there is no substantial evidence

that the Project will have a significant effect on the environment and does hereby adopt

the Mitigated Negative Declaration and related Mitigation Monitoring and Reporting

Program prepared for the Project (Planning File Nos. PDC14-051 and PD16-019). The

Mitigation Monitoring and Reporting Program for the Project is attached hereto as

Exhibit "A" and fully incorporated herein. The Initial Study/Mitigated Negative

Declaration and Mitigation Monitoring and Reporting Program are: (1) on file in the

RD:JVP:JMD 7/6/2018

Office of the Director of Planning, located at 200 East Santa Clara Street, 3rd Floor Tower, San José, California, 95113 and (2) available for inspection by any interested person.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_\_\_, 2018, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO Mayor

ATTEST:

TONI J. TABER, CMC City Clerk

### MITIGATION MONITORING AND REPORTING PROGRAM

### **Dove Hill Medical Care Facility Project**

File Nos. PDC14-051, PD16-019

CITY OF SAN JOSE June 2018



### PREFACE

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 Dove Hill Medical Care Facility 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, 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 pale long in la lange the ways



### Dove Hill Medical Care Facility Project File Nos. PDC14-051, PD16-019

	MONITORING AND REPORTING PROGRAM				
	Documentation of (	-	Documentation of Compliance		
MITIGATION	[Project Applicant/Propon	ent Responsibility]	[Lead ]	Agency Responsibilit	y]
	Method of Compliance or Mitigation Action	Timing of Compliance	Oversight Responsibility	Actions/Reports	Monitoring Timing or Schedule
BIOLOGICAL RESOURCES					
<b>Impact BIO-1:</b> Project construction and landscaping ass or weedy species to the surrounding open space areas, where the surrounding open space areas, which is the surrounding open space areas, and the		_		_	
<ul> <li>MM BIO-1.1: A qualified biologist, under contract to the project applicant, shall prepare and implement a Monitoring and Management Plan to preserve the serpentine habitat and special-status plant species present in the open space area above the project development footprint. The plan shall be developed in consultation with the Santa Clara Valley Habitat Agency. The Monitoring and Management Plan shall include, but is not limited to, the following components:</li> <li>Unauthorized human access to the open space area shall be prohibited and facility management staff shall be required to monitor for unauthorized use of the open space;</li> <li>Fencing shall be installed to separate the medical care facility from the open space to prevent unauthorized human access to the open space are during any demolition, grading, and construction phases;</li> <li>Periodic monitoring of the site (e.g., every two years or as determined by the biologist) by a</li> </ul>	Prepare Monitoring and Management Plan in consultation with the Santa Clara Valley Habitat Agency. Implement Monitoring and Management Plan that includes the following:  • Require facility staff to monitor and prevent unauthorized human access to the open space area.  • Monitoring of the site every two years (or as determined by the biologist) by a biologist to assess potential disturbance, invasive species, and other stressors on the	Prior to issuance of any grading or demolition permit for the proposed project.	Supervising Environmental Planner of the San José Department of Planning, Building, and Code Enforcement	Review and approve the Monitoring and Management Plan and in consultation with the Santa Clara Valley Habitat Agency.	Prior to issuance of any grading or demolition permit for the proposed project.  Confirm monitoring of the site every two years (or as determined by the biologist)



MONITORING AND REPORTING PROGRAM

### Dove Hill Medical Care Facility Project File Nos. PDC14-051, PD16-019

MITIGATION		-		entation of Complian Agency Responsibilit	
	Method of Compliance or Mitigation Action	Timing of Compliance	Oversight Responsibility	Actions/Reports	Monitoring Timing or Schedule
<ul> <li>biologist to determine whether unauthorized entry and disturbance, overgrowth by non-native plants, or other stressors are degrading the suitability of the open space for serpentine plants;</li> <li>Management activities to address unauthorized human use (e.g., fence repair);</li> <li>Management activities to prevent infestations of non-native plants (e.g., periodic grazing); and</li> <li>Best management practices for preventing the introduction of non-native species during construction or maintenance of landscaping.</li> <li>The Monitoring and Management shall be reviewed and approved by the San José Department of Planning, Building, and Code Enforcement prior to issuance of any grading or demolition permit for the proposed project.</li> </ul>	serpentine plants of the open space area.  • Use of Best Management Practices to prevent introduction of non-native species to the open space area.				
Impact BIO-2: Construction activities associated with the	ne project could result in the loss	s of fertile eggs of nesti	ng raptors or other migrate	ory birds, or nest aban-	donment.
MM BIO-2.1: The project applicant shall schedule demolition and construction activities to avoid the nesting season. The nesting season for most birds, including most raptors in the San Francisco Bay area extends from February 1st through August 31st (inclusive). If demolition and construction activities	Avoidance of construction activities during nesting seasons.  If construction activities	Prior to issuance of any tree removal, grading, demolition, and/or building permits or activities.	Supervising Environmental Planner of the San José Department of Planning, Building, and Code Enforcement	Confirm that demolition and construction activities are scheduled outside of the nesting	Prior to issuance of any tree removal, grading, demolition, and/or building
cannot be scheduled to avoid the nesting season, pre-	cannot be avoided during nesting seasons, a pre-		and code Emoreoment	season.	and, or building

Page | 3 File No.: PDC14-051, PD16-019



### Dove Hill Medical Care Facility Project File Nos. PDC14-051, PD16-019

	MONITORING AND REPORTING PROGRAM					
MITIGATION	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	
construction surveys for nesting raptors and other migratory nesting birds shall be conducted by a qualified ornithologist to identify active nests that may be disturbed during project implementation on-site and within 250 feet of the site. Projects that commence demolition and/or construction activities between February 1st and April 30th (inclusive) shall conduct a pre-construction survey for nesting birds no more than 14 days prior to initiation of construction, demolition activities, or tree removal. Between May 1st and August 31st (inclusive), the pre-construction survey shall be conducted no more than 30 days prior to initiation of construction, demolition, or tree removal activities.	construction nesting bird survey shall be conducted by a qualified ornithologist and construction-free buffer zones shall be designated around any discovered nest.  Following completion of the preconstruction survey, the project applicant shall submit a report prepared by a qualified ornithologist to document the results of the survey and any designated construction-free buffer zones.		CDFW, if an active nest is found.	Review the pre- construction survey report indicating the results of the survey and any designated buffer- zones.	permits or activities.	
project area, a qualified ornithologist, in consultation with the California Department of Fish and Wildlife (CDFW) shall determine the extent of a construction-free buffer zone (typically 250 feet for raptors and 100 feet for other birds) around the nest, to ensure that raptor or migratory bird nests would not be disturbed during ground disturbing activities. The construction-free buffer zones shall be maintained until after the nesting season has ended and/or the ornithologist has determined that the nest is no longer active.						

Page | 4 File No.: PDC14-051, PD16-019



### Dove Hill Medical Care Facility Project File Nos. PDC14-051, PD16-019

	MONITORING AND REPORTING PROGRAM					
MITIGATION	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	
The ornithologist shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the Supervising Environmental Planner of the City of San José Department of Planning, Building and Code Enforcement prior to issuance of any tree removal, grading, demolition, and/or building permits or activities (whichever occur the earliest).						
<b>Impact BIO-3:</b> Demolition of buildings on the site could	d result in injury and/or mortality	y of roosting bats.				
MM BIO-3.1: Bat Surveys. Prior to removal of trees, demolition, grading, or building activities (whichever occurs the earliest), a survey of existing buildings shall be completed by a qualified bat biologist to determine whether the site supports a maternity roost of any bat species. The survey shall be conducted during the breeding season (March 1st to August 31st, inclusive). If the survey must be conducted during the non-breeding season (i.e., September 1st to February 28th, inclusive), and if no evidence of bat roosts is found, it can be concluded that no maternity roost is present. However, if the survey is conducted during the non-breeding season and evidence of a bat day roost is observed, then prior to building demolition, a follow-up survey shall be completed during the breeding	A pre-construction survey of maternity bat roosts shall be conducted by a qualified bat biologist.  Following completion of the preconstruction survey, a report prepared by a qualified bat biologist shall be submitted summarizing method of detection and recommendation of removal (if roosts are found).	Prior to tree removal, grading, demolition, and/or building permit or activities.	Supervising Environmental Planner of the San José Department of Planning, Building, and Code Enforcement	Review the pre- construction survey report indicating the results of the survey, as well as any recommendations for removal.	Prior to issuance of any tree removal, grading, demolition, and/or building permits or activities.	



### Dove Hill Medical Care Facility Project File Nos. PDC14-051, PD16-019

	MONITORING AND REPORTING PROGRAM					
MITIGATION	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	
season (March 1st to August 31st, inclusive) to determine whether a maternity roost is present. If suitable roost sites are found but a visual survey is not adequate to determine presence or absence of bats (which would be particularly likely in the case of potential roost trees), acoustical equipment shall be used to determine occupancy. A preliminary report shall be submitted to the Supervising Environmental Planner of the City of San José Department of Planning, Building and Code Enforcement by the qualified bat biologist summarizing method of detection and recommendation of removal.						
MM BIO-3.2: Bat Eviction. If a maternity roost would be impacted, and the roost supports either a special-status species or a regionally important proportion of the population of a non-special-status species (e.g., two percent or more, in the opinion of a qualified bat biologist), an alternative bat roost structure shall be provided. The design and placement of this structure shall be determined by the bat biologist based on the species of bat to be displaced, the location of the original roost, and the habitat conditions in the vicinity. This bat structure shall be established at least one month prior to removal of the original roost structure. This structure shall be checked during the breeding season for up to three years	If maternity roosts would be impacted, an alternative bat roost structure shall be provided.  Eviction of bats from structures or trees under the guidance and supervision of a qualified bat biologist.  Additional surveys for roosting bats to determine whether bats have	Prior to issuance of any tree removal, grading, demolition, and/or building permits or activities.	Supervising Environmental Planner of the San José Department of Planning, Building, and Code Enforcement	Review bat roost structure, eviction methods, and survey 15 days prior to beginning of demolition activities.	Prior to issuance of any tree removal, grading, demolition, and/or building permits or activities.	



### Dove Hill Medical Care Facility Project File Nos. PDC14-051, PD16-019

	MONITORING AND REPORTING PROGRAM					
	Documentation of C	ompliance	Documentation of Compliance			
MITIGATION	[Project Applicant/Proponent Responsibility]		[Lead Agency Responsibility]			
	Method of Compliance or Mitigation Action	Timing of Compliance	Oversight Responsibility	Actions/Reports	Monitoring Timing or Schedule	
following completion of the project, or until it is found to be occupied by bats. This data shall be included in finding report prepared by the bat biologist to provide information for future projects regarding the effectiveness of such structures in minimizing impacts to bats. The report shall be submitted to the Supervising Environmental Planner of the City of San José Department of Planning, Building and Code Enforcement at the end of the three year following the completion of the project, or when bats are detected in the structure (whichever occurs first).	abandoned previously identified roosts.					
A pre-demolition survey for roosting bats, following the methods described in MM BIO-3.1, shall be completed within 15 days prior to the commencement of demolition activities in a given area to determine whether bats have occupied a roost in or near the project's impact areas, or whether they have abandoned a roost identified during the surveys described above. If a maternity roost of any bat species is present, the bat biologist shall determine the extent of a construction-free buffer around the active roost that will be maintained from March 1st until the young are flying, typically after August 31st.						



### Dove Hill Medical Care Facility Project File Nos. PDC14-051, PD16-019

	MONITORING AND REPORTING PROGRAM					
	Documentation of Compliance		Documentation of Compliance			
MITIGATION	[Project Applicant/Propone	ent Responsibility]	[Lead Agency Responsibility]			
	Method of Compliance or Mitigation Action	Timing of Compliance	Oversight Responsibility	Actions/Reports	Monitoring Timing or Schedule	
If a day roost is found in a building that is to be						
removed, individual bats shall be safely evicted under						
the direction of a qualified bat biologist. Eviction of						
bats shall occur at night, so that bats will have less						
potential for predation compared to daytime roost						
abandonment. Eviction shall occur between September						
1st and March 31st (inclusive), outside the maternity						
season, but will not occur during long periods of						
inclement or cold weather (as determined by the						
qualified bat biologist) when prey are not available or						
bats are in torpor. If a day roost is found within a						
building, eviction shall occur as directed by the bat						
biologist such as by opening the roosting area to allow						
air flow through the cavity. Demolition shall then						
follow no sooner than the following day (i.e., there						
shall be no less than one night between initial						
disturbance for air flow and the demolition) to						
minimize predation during daylight. If determined						
infeasible by the bat biologist due to structural or						
safety concerns, one-way doors shall be used to evict						
bats from tree roosts. If use of a one-way door is not						
feasible, as determined by the bat biologist, or the						
exact location of the roost entrance in a tree is not						
known, the trees with roosts that need to be removed						
shall first be disturbed by removal of some of the trees'						
limbs not containing the bats. Such disturbance shall						

Page | 8 File No.: PDC14-051, PD16-019



### Dove Hill Medical Care Facility Project File Nos. PDC14-051, PD16-019

	MONITORING AND REPORTING PROGRAM					
MITIGATION	Documentation of ( [Project Applicant/Propon	-	Documentation of Compliance [Lead Agency Responsibility]			
	Method of Compliance or Mitigation Action	Timing of Compliance	Oversight Responsibility	Actions/Reports	Monitoring Timing or Schedule	
occur at dusk to allow bats to escape during the dark hours. These trees shall then be removed the following day. All activities shall be performed under the supervision of a qualified bat biologist.						
MM BIO-3.3: Reporting. All survey results, recommendations, and actions taken shall be written into a final report and submitted by the project applicant to the satisfaction of the Supervising Environmental Planner of the City of San José Department of Planning, Building and Code Enforcement prior to issuance of any tree removal, grading, demolition, and/or building permits (whichever occur the earliest).	Survey results, recommendations, and actions written in a final report.	Prior to issuance of any tree removal, grading, demolition, and/or building permits or activities.	Supervising Environmental Planner of the San José Department of Planning, Building, and Code Enforcement ??	Review and approve survey results, recommendations, and actions related to roosting bats.	Prior to issuance of any tree removal, grading, demolition, and/or building permit or activities.	
CULTURAL RESOURCES						
<b>Impact CUL-1:</b> Construction activities in the southern a aged residential structures.	rea of the project development f	Cootprint could disturb s	ubsurface historic resourc	es associated with the	on-site historic-	
<ul> <li>MM CUL-1.1: The following shall be included in the project to reduce impacts to anticipated subsurface historic resources in the southern area of the project site, in the vicinity of the existing residential structures:</li> <li>A qualified archaeologist shall monitor all subsurface construction activities and demolition</li> </ul>	Monitoring by an archaeologist of subsurface construction and demolition in the southern area of the project site, with the authority to:	During construction activities.  Prior to removal of any potential finds. Prior to issuance of building permits	Supervising Environmental Planner and Historic Preservation Officer of the City of San José Department of Planning, Building and Code Enforcement	Review treatment plan for recovery methodology of the finds.  Review a final report of findings	During construction activities.  Prior to removal of any potential finds.	

<ul> <li>in the southern area of the site developed with the residential structures.</li> <li>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 Supervising Environmental Planner and Historic Preservation Officer of the City of San José Department of Planning, Building and Code Enforcement shall be notified, and a qualified archaeologist will examine the find. Project personnel shall not collect or move any cultural material.</li> <li>The archaeologist shall 1) evaluate the find(s) to determine if they meet the definition of a historical or archaeological resource; and (2) make appropriate recommendations regarding the disposition of such finds prior to issuance of any occupancy permits. If the finds do not meet the definition of a historical or archaeological resources, no further study or protection is necessary prior to project implementation. If the find(s) does meet the definition of a historical or archaeological resource, then the find shall be avoided by project activities. Project personnel shall not collect or move any cultural material. Fill soils that may be used for construction purposes shall not contain archaeological materials.</li> </ul>	<ul> <li>Stop work within a 50-foot radius of an archaeological find;</li> <li>Evaluate the find for historical or archaeological significance;</li> <li>Submit a treatment plan to the Supervising Environmental Planner and Historic Preservation Officer of the City of San Jose Department of Planning Building and Code Enforcement prior to commencement of recovery activities.</li> <li>Prepare a final summary report of findings and mitigation measures.</li> </ul>	Northwest Information Center	documenting any data recovery	Prior to issuance of building permits
• If project construction activities cannot avoid impacting the find, adverse effects to such resources shall be mitigated in accordance with the recommendations of the archaeologist and as approved by the City. Recommendations shall include, but are not limited to, collection, recordation, and analysis of any significant cultural materials. Data recovery methods may include, but are not limited to, backhoe trenching, shovel test units, hand augering, and hand-excavation.				

Page | 10 File No.: PDC14-051, PD16-019

Data recovery shall include excavation and exposure of features, field documentation, and recordation. A treatment plan including, but



### Dove Hill Medical Care Facility Project File Nos. PDC14-051, PD16-019

	MONITORING AND REPORTING PROGRAM						
MITIGATION	Documentation of C [Project Applicant/Propone	-	Documentation of Compliance [Lead Agency Responsibility]				
	Method of Compliance or Mitigation Action	Timing of Compliance	Oversight Responsibility	Actions/Reports	Monitoring Timing or Schedule		
is not limited to, methodology of data recovery, recommendations of measures and conditions to minimize impacts to the finds shall be submitted and approved by Supervising Environmental Planner and Historic Preservation Officer of the City of San José Department of Planning, Building and Code Enforcement prior to commencement of recovery activities.							
A final report of findings documenting any data recovery shall be submitted to the Supervising Environmental Planner and Historic Preservation Officer of the City of San José Department of Planning, Building and Code Enforcement and to the Northwest Information Center prior to issuance of building permits.							

#### **GEOLOGY AND SOILS**

**Impact GEO-1:** Grading and excavation activities at the project site could alter existing slope configurations resulting in landslide activation, exposing people and structures to damage and/or safety hazards.

Page | 11 File No.: PDC14-051, PD16-019



### Dove Hill Medical Care Facility Project File Nos. PDC14-051, PD16-019

	MONITORING AND REPORTING PROGRAM				
	Documentation of ( [Project Applicant/Propon	•	Documentation of Compliance [Lead Agency Responsibility]		
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	Method of Compliance or Mitigation Action	Timing of Compliance	Oversight Responsibility	Actions/Reports	Timing or Schedule
MM GEO-1.1: The project applicant shall install retaining walls to provide support at the toe of slopes, where cuts are made into the slope, as shown on the project grading plan. Retaining walls shall be designed to withstand the applicable earth pressures, dependent on the slope inclination and backfill material, as determined by a qualified Geologist. Retaining wall engineering plans and a report by a qualified geologist shall be submitted to the Supervising Planner, Department of Planning, Building and Code Enforcement prior to the issuance of any grading or building permit.	Installation of retaining walls to withstand earth pressures as determined by a qualified geologist.  A report by a qualified geologist shall be submitted demonstrate the impact has been mitigated.	Prior to issuance of any grading or building permit.	City of San José Department of Planning, Building and Code Enforcement.	Review and approve retaining wall engineering plans and geologist report.	Prior to issuance of any grading or building permit.
HAZARDS AND HAZARDOUS MATERIALS					

**Impact HAZ-1:** The project site contains elevated levels of naturally occurring asbestos (NOA) in the soil. Airborne NOA during construction activities could be hazardous to construction workers and existing sensitive receptors in the project area. Future residents of the site could also be exposed to elevated levels of NOA.

MM HAZ-1.1: Under regulatory oversight from Bay Area Air Quality Management District (BAAQMD), the project shall prepare a site-specific Asbestos Dust Mitigation Plan (ADMP) for review and approval by the applicable regulatory agency prior to the issuance of any grading permit. The ADMP shall be implemented during construction activities to reduce the potential for asbestos emissions during ground-disturbing activities. The ADMP and application shall be submitted to BAAQMD for review and approval	Submit an ADMP documenting implementation of dust and erosions control measures.	Prior to issuance of any grading permits.	BAAQMD  The Supervising Environmental Planner of the City of San José Department of Planning, Building and Code Enforcement	Receive copies of the ADMP submittal and any correspondence between BAAQMD and the project applicant.	Receive copy of the BAAQMD approved ADMP prior to issuance of any grading permits.
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### Dove Hill Medical Care Facility Project File Nos. PDC14-051, PD16-019

	MONITORING AND REPORTING PROGRAM						
MITIGATION	Documentation of Compliance [Project Applicant/Proponent Responsibility]		Documentation of Compliance [Lead Agency Responsibility]				
	Method of Compliance or Mitigation Action	Timing of Compliance	Oversight Responsibility	Documentation of Compliant [Lead Agency Responsibility Actions/Reports	Monitoring Timing or Schedule		
prior to issuance of any grading permits, consistent with the BAAQMD Naturally Occurring Asbestos Program. The Supervising Environmental Planner of the City of San José Department of Planning, Building and Code Enforcement shall be copied on the ADMP submittal and any correspondence between BAAQMD and the contractor/developer regarding asbestos. The ADMP shall include dust and erosion control measures to eliminate or minimize the generation of dust and erosion associated with excavation activities, truck and vehicle traffic onto and off the site, and the effects of ambient wind traversing exposed soil, as detailed, but is not limited to, below:							
<ul> <li>Each area proposed for work that may contain asbestos shall be sufficiently moisture conditioned before beginning work to minimize dust emissions during excavation and grading. If dust is observed, additional water must be applied.</li> </ul>							
Water applied for dust control purposes can be treated with a small amount of a biodegradable wetting agent to increase dust suppression.							
<ul> <li>All working surfaces (including haul roads and other roads subject to traffic) on material potentially containing asbestos shall be kept</li> </ul>							

Page | 13 File No.: PDC14-051, PD16-019



### Dove Hill Medical Care Facility Project File Nos. PDC14-051, PD16-019

	MONITORING AND REPORTING PROGRAM					
	Documentation of C	-	Documentation of Compliance			
MITIGATION	[Project Applicant/Propone	ent Responsibility]	Lead	Agency Responsibility	<u>'</u> ]	
	Method of Compliance or Mitigation Action	Timing of Compliance	Oversight Responsibility	Actions/Reports	Monitoring Timing or Schedule	
sufficiently moist so that visible dust is not emitted during grading or driving.						
Travel speeds of grading equipment and vehicles traveling in the grading area on-site must be limited.						
The exposed surface of loads transported on-site by scraper or truck must be kept sufficiently moist to minimize potential dust/asbestos emissions.						
<ul> <li>Equipment operators must avoid excessive disturbance of asbestos-containing material such as overfilling of scrapers or pushing material over the sides of stockpiles.</li> </ul>						
If significant downwind asbestos emissions are expected, given the location of the work and the wind directions, at least one of the following options must be implemented: limit the duration of the work as long as wind conditions are adverse, work at another location upwind from the area of concern, or erect a mist curtain downwind of the work area.						
The ADMP shall also include protocols for air monitoring of contaminants of concern documenting worker exposures and off-site migration of dust, if any, during soil disturbing activities.						

Page | 14 File No.: PDC14-051, PD16-019



### Dove Hill Medical Care Facility Project File Nos. PDC14-051, PD16-019

	MONITORING AND REPORTING PROGRAM					
MITICATION	Documentation of [Project Applicant/Propon	-	Documentation of Compliance [Lead Agency Responsibility]			
MITIGATION	Method of Compliance or Mitigation Action	Timing of Compliance	Oversight Responsibility	Actions/Reports	Monitoring Timing or Schedule	
<b>Impact HAZ-2:</b> Site construction workers and future parties in the vicinity of the project.	tients may be exposed to elevate	ed levels of the pesticide	es chlordane and dieldrin t	that were detected in se	oil samples at the	
MM HAZ-2.1: Prior to issuance of any grading permits, the project applicant shall conduct additional soil sampling near the project to establish the vertical and lateral extent of soil contamination. The Santa Clara County Department of Environmental Health and/or another regulatory agency shall be consulted to evaluate requirements for regulatory oversight. Remedial measures shall be established with oversight from the regulatory agency to reduce health risks to future users of the site from exposure to the impacted soil. Remedial measures may include: 1) excavation and off-site disposal of the impacted soil at a permitted facility; 2) the use of engineering and administrative controls, such as consolidation and capping of the soil on-site and land use covenants restricting certain activities/uses; and 3) a combination of the above.  The project applicant shall submit a copy of the soil sampling report and proposed remedial measures to the Supervising Environmental Planner of the Department of Planning, Building, and Code Enforcement, and the Environmental Services Department prior to the issuance of any grading permits.	Soil sampling to determine lateral and vertical extent of contamination and establish remedial measures.	Prior to issuance of grading permits	Santa Clara County Department of Environmental Health or equivalent agency Supervising Environmental Planner of the Department of Planning, Building, and Code Enforcement, and the Environmental Services Department	Review soil sampling and establish remedial measures.  Receive a copy of the soil sampling reports and proposed remedial measures.	Prior to issuance of any grading permits.	



### Dove Hill Medical Care Facility Project File Nos. PDC14-051, PD16-019

	MONITORING AND REPORTING PROGRAM						
		Documentation of Compliance  Documentation of Compliance  Diect Applicant/Proponent Responsibility]  [Lead Agency Responsibility]					
MITIGATION	[Project Applicant/Propon	ent Kesponsibility]	Lead	Agency Responsibilit	<b>y</b> ]		
	Method of Compliance or Mitigation Action	Timing of Compliance	Oversight Responsibility	mentation of Compliant discrete Agency Responsibility  Actions/Reports  Review and approve of the SMP	Monitoring Timing or Schedule		
<ul> <li>MM HAZ-2.2: Under regulatory oversight from the Santa Clara County Department of Environmental Health using their Voluntary Cleanup Program, or equivalent regulatory agency, the project applicant shall prepare a Site Management Plan (SMP) presenting the established remedial measures. The SMP shall be prepared by a qualified hazardous materials consultant to establish management practices for handling contaminated soil or other materials encountered during construction activities. The SMP shall include, but is not limited to, the following:         <ul> <li>A detailed discussion of the site background;</li> <li>Proper mitigation as needed for demolition of existing structures;</li> <li>Management of stockpiles, including sampling, disposal, and dust and runoff control including implementation of a stormwater pollution prevention program;</li> </ul> </li> </ul>	Preparation and implementation of the SMP	Prior to issuance of any grading permit (SMP) and during construction	Santa Clara County Department of Environmental Health or equivalent agency  Supervising Environmental Planner of the Department of Planning, Building, and Code Enforcement, Environmental Services Department	approve of the	Prior to issuance of any grading permits		
Procedures to follow if evidence of an unknown historic release of hazardous materials (e.g., underground storage tanks, polychlorinated biphenyls, asbestos-containing materials, lead-							

Page | 16 File No.: PDC14-051, PD16-019

based paint, etc.) is discovered during excavation or demolition;					
A section about regulatory agencies and protocol if underground storage tanks (USTs) are encountered during construction activities; and					
A section about regulatory agencies and protocol if complete removal of USTs is needed;					
<ul> <li>Procedures for impacted soil excavation, soil stockpiling, off-haul, field observation by an environmental professional, confirmation sampling, and reporting requirements;</li> </ul>					
Procedure for proper disposal of potentially contaminated soil or other materials, if applicable (as stated in MM HAZ 3.1);					
• A Health and Safety Plan (HSP) shall be prepared to provide general health and safety guidance so that field activities can be completed in a manner that minimizes exposure to soils. Contractors shall also determine the requirements for worker training, based on the level of expected contact to soil associated with the contractor's activities and locations. The HSP shall contain provisions for limiting and monitoring chemical exposure to construction workers, chemical and non-chemical hazards, emergency procedures, and standard safety protocols.					
The project applicant shall submit the SMP to the Santa Clara County Department of Environmental Health (or equivalent agency) for review and approval, and provide a copy of the approved SMP to the Supervising Environmental Planner of the City of San José Department of Planning, Building, and Code Enforcement and Municipal Compliance Officer of the City of San José Environmental Services Department prior to the issuance of any grading permits.					
Impact HAZ-3: If excavated soil generated during site d disposed of improperly.	evelopment requires off-haul, th	ne soil may be considere	ed hazardous waste, and co	ould contribute to cont	aminated runoff if
MM HAZ-3.1: The project applicant shall ensure that any soil off-haul from the site (including native soils or	Additional testing on off- haul soil from the site,	Prior to issuance of any grading	Supervising Environmental Planner	Confirm this measure is printed	Prior to issuance of any grading



Planning, Building, and Code Enforcement prior to

issuance of any grading permits.

## Planning, Building and Code Enforcement ROSALYNN HUGHEY, DIRECTOR

### Dove Hill Medical Care Facility Project File Nos. PDC14-051, PD16-019

	MONITORING AND REPORTING PROGRAM					
MITIGATION	Documentation of Compliance [Project Applicant/Proponent Responsibility]		Documentation of Compliance [Lead Agency Responsibility]			
MIIOMIO	Method of Compliance or Mitigation Action	Timing of Compliance	Oversight Responsibility	ad Agency Responsibil  Actions/Reports  on appropriate documents and included in the SMP.  Review documentation of proper well abandonment.	Monitoring Timing or Schedule	
undocumented fill) is characterized and profiled prior to off-haul, including additional soil sampling and/or laboratory testing, as required, to further evaluate hazardous materials concentrations in the soil. The analytical results shall be forwarded to the receiving facility for comparison to their acceptance criteria. Soils shall be disposed of at a Class I hazardous landfill, if appropriate. Disposal procedures shall be included in the Soil Management Plan (SMP) as stated in MM HAZ-2.2. This measure shall be printed on all construction plans, documents, and contracts prior to the issuance of any grading permits.	disposal at Class I hazardous landfill, if appropriate.	permits, during grading and demolition.	of the Department of Planning, Building, and Code Enforcement, Environmental Services Department	documents and included in the	permits, during grading and demolition.	
HYDROLOGY AND WATER QUALITY						
Impact HYD-1: If on-site wells are improperly abandon	ed, they could contribute to poll	utants in the groundwa	ter.			
MM HYD-1.1: The project applicant shall ensure that on-site wells are properly removed in accordance with Santa Clara Valley Water District requirements prior to issuance of grading permits for the site. The project applicant shall obtain written confirmation from the Santa Clara Valley Water District documenting the proper abandonment of the wells and provide the documentation to the Supervising Environmental Planner of the City of San José Department of	Proper removal of on-site wells pursuant to Santa Clara Valley Water District requirements.	Prior to issuance of any grading permits.	Santa Clara Valley Water District Supervising Environmental Planner of the Department of Planning, Building, and Code Enforcement, Environmental	documentation of proper well	Prior to issuance of any grading permits.	

Page | 18 File No.: PDC14-051, PD16-019

Services Department



### Dove Hill Medical Care Facility Project File Nos. PDC14-051, PD16-019

	MONITORING AND REPORTING PROGRAM				
MITIGATION	Documentation of ( [Project Applicant/Propon	-	Documentation of Compliance [Lead Agency Responsibility]		
	Method of Compliance or Mitigation Action	Timing of Compliance	Oversight Responsibility	Actions/Reports	Monitoring Timing or Schedule
Impact HYD-2: Abandoned on-site septic tanks that we	re used for discharges of hazard	ous materials could con	tribute to pollutants in gro	oundwater during demo	olition.
MM HYD-2.1: The project applicant shall ensure that on-site septic systems are properly abandoned in accordance with applicable Santa Clara County Department of Environmental Health and other applicable regulations. A letter from the County Department of Environmental Health documenting proper septic tank abandonment shall be provided by the project applicant to the Supervising Environmental Planner of the City of San José Department of Planning, Building, and Code Enforcement prior to issuance of any grading permits.	Abandonment of on-site septic systems pursuant to Santa Clara County Department of Environmental Health requirements.	Prior to issuance of any grading permits.	Santa Clara Valley Water District Supervising Environmental Planner of the Department of Planning, Building, and Code Enforcement, Environmental Services Department	Review documentation of proper septic system abandonment.	Prior to issuance of any grading permits.
TRANSPORTATION AND TRAFFIC					
<b>Impact TRAN-1:</b> The connection from the project acces pedestrians, bicyclists and other cars.	ss roadway onto Dove Hill Road	would not provide a 90	O-degree connection, whic	h could limit the abilit	y of drivers to see
MM TRAN-1.1: The project applicant shall ensure that the area from the project access roadway onto Dove Hill Road remain free and clear of obstructions to allow exiting vehicles to see pedestrians on the sidewalk and vehicles traveling on Dove Hill Road. A reduced speed limit of 15 miles per hour shall be implemented along the on-site private roadway. Prior to the issuance of a grading permit, all measures shall be printed on contracts and plans and a implementation	The project access roadway onto Dove Hill Road shall be free and clear of obstructions and have a reduced speed limit.	Prior to issuance of building permits	Department of Planning, Building, and Code Enforcement, Environmental Services Department and Department of Public Works.	Review and approve traffic circulation plan for project access roadway.	Prior to issuance of building permits.

Page | 19 File No.: PDC14-051, PD16-019



### Dove Hill Medical Care Facility Project File Nos. PDC14-051, PD16-019

MITIGATION	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
plan shall be submitted to the Environmental Project Manager to identify, at a minimum:					
<ul> <li>The methodologies proposed to meet the 15 miles per hour (e.g. speed bumps, signage, etc.)</li> <li>The methodologies proposed to clear any obstruction from the view of exiting vehicles onto Dove Hill Road.</li> </ul>					
Proof of compliance to this implementation plan shall be submitted to the Supervising Environmental Planner prior to the issuance of Occupancy permit to ensure installation of appropriate structures and conformance to this measure has been met.					

Source: City of San José. Initial Study. Dove Hill Medical Care Facility Project. March 2018.

Page | 20 File No.: PDC14-051, PD16-019

RD:JVP:JMD 7/2/2018 File No. PDC14-051

DRAFT

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 21-GROSS ACRES SITUATED ON THE EAST SIDE OF DOVE HILL ROAD, APPROXIMATELY 500 FEET NORTH OF HASSLER PARKWAY (4200 DOVE HILL ROAD) FROM THE A AGRICULTURAL ZONING DISTRICT TO THE PQP(PD) PLANNED DEVELOPMENT 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 **PQP(PD)** Planned Development Zoning District under File No. PDC14-051 (the "MND"); and

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

**WHEREAS**, at said hearing, the Planning Commission made a recommendation to the City Council respecting said matter based on the evidence and testimony; and

**WHEREAS**, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to the PQP(PD) Planned Development Zoning District; and

**WHEREAS**, this Council of the City of San José has considered, approved and adopted said MND and related Mitigation Monitoring and Reporting Program under separate Council

RD:JVP:JMD File No. PDC14-051 7/2/2018

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 PQP(PD) Planned Development Zoning District. The base district zoning of the subject property shall be PQP Public/Quasi-Public Zoning District. The Planned Development zoning of the subject property shall be that

development plan for the subject property entitled, "PQP(PD) Planned Development

Zoning Dove Hill Medical Care Facility" last revised on July 16, 2018.

Said General Development Plan is on file in the office of the Director of Planning and is

available for inspection by anyone interested therein, and said General Development Plan

is by this reference adopted and incorporated herein the same as if it were fully set forth

herein.

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" 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. PDC14-

051 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.

PASSED FOR PUBLICATION of titl vote:	e this day of, 2018 by the following
AYES:	
NOES:	
ABSENT:	
DISQUALIFIED:	
ATTEST:	SAM LICCARDO Mayor
TONI J. TABER, CMC City Clerk	

# FILE NO. PDC14-051 PQP(PD) PLANNED DEVELOPMENT ZONING DOVE HILL MEDICAL CARE FACILITY REVISED JULY 16, 2018

\*In any cases where the graphic plans and text may differ, this text takes precedence.\*

#### **ALLOWED USES**

- Medical Care Facility with up to 248 medical care beds (no more than 50 beds for memory care). Including both ambulatory and/or non-ambulatory client who needs assistance for temporary or prolonged period because of age, mental disability or other medical reasons.
- Permitted, Special, and Conditional uses of the PQP Public/Quasi-Public Zoning District of Title 20 of the San José Municipal Code, and as may be as amended in the future. Special and Conditional uses as identified in the PQP Public/Quasi-Public of Title 20 of the San José Municipal Code shall be subject to approval of a Planned Development Permit or Amendment.
- All uses with the exception of open space, landscape, and stormwater treatment areas, would be located within the "15% build-to-slopeline" as shown on the landuse plan.

#### **DEVELOPMENT STANDARDS**

#### **BUILD-TO LINE**

Any land outside the 15% slope line, as shown on the Planned Development Land Use Plan Sheet, shall not have any buildings and/or structures. Landscaping and stormwater treatment area are permitted directly adjacent to the build-to line as shown on the land use plan and the remaining portion of the site shall be maintained as open hillside and private open space.

#### **BUILDING HEIGHT**

The maximum height of any buildings shall be 70 feet. Rooftop elements, such as, stairs, elevators or towers, may extend an additional 10 feet beyond the maximum building height. Such rooftop elements shall be architecturally integrated into the design of the building.

#### **S**ETBACKS

The front setback is measured from the back of the public right-of-way (where private property meets public right-of-way).

Setbacks	
Front setback (Dove Hill Road)	10 feet minimum
All other setbacks (measured from build-to line)	0 feet minimum

#### OFF STREET VEHICLE AND BICYCLE PARKING REQUIREMENTS:

- Medical care facility use shall have vehicle parking at one space per four beds and one space per employee.
- For all other uses, per the San José Municipal Code, Title 20, as may be amended in the future.

#### **ARCHITECTURAL & SITE DESIGN**

- Project shall be consistent with the Commercial Guidelines, as may be amended.
- Minimize visual impact on the hillside and utilize sufficient screening with landscaping and trees.
- All utilities and trash enclosures along street the frontage shall be screened with architectural structures and/or landscaping.
- Maintain the surrounding Italian Hillside Village architectural style, elements, materials and color palette.

#### SANITARY AND SEWER

 Prior to any building permit issuance, permittee shall obtain all required easements from Caltrans, Santa Clara Water District, or any other third party for the construction of the new sanitary and storm sewer system for the project. All easements are subject to prior City review and approval.

#### **PERFORMANCE STANDARDS**

 Public/Quasi-Public: In accordance with Chapter 20.40 of the City of San José Municipal Code (Title 20 - Zoning Ordinance), as may be amended in the future.

## PERMIT EXPIRATION AND RENEWAL

 No permit extensions shall be allowed with a Permit Adjustment. Any extension shall require a new Planned Development Permit and/or Planned Development Permit Amendment.

#### ENVIRONMENTAL MITIGATION

Implement the mitigation measures identified in the Initial Study (IS) and Mitigated Negative Declaration (MND) for the Dove Hill Medical Care Project and related Mitigation Monitoring and Reporting Program, as may be amended.

RESOLUTION NO.	
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A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING, SUBJECT TO CONDITIONS, A PLANNED DEVELOPMENT PERMIT TO ALLOW THE DEMOLITION OF APPROXIMATELY 25 BUILDINGS AND STRUCTURES, THE CONSTRUCTION OF A MEDICAL CARE FACILITY WITH UP TO 248 BEDS, AND THE REMOVAL OF SEVEN ORDINANCE-SIZE TREES ON AN APPROXIMATELY 3.0-ACRE PORTION OF A 21.0-GROSS ACRE SITE, LOCATED AT THE EAST SIDE OF DOVE HILL ROAD, APPROXIMATELY 500 FEET NORTH OF HASSLER PARKWAY (4200 DOVE HILL ROAD)

## FILE NO. PD16-019

WHEREAS, pursuant to the provisions of Chapter 20.100 of Title 20 of the San José Municipal Code, on July 1, 2016, an application (File No. PD16-019) was filed by the applicant, Salvatore Caruso, on behalf of the owner, Kuehne Stanislau & Eleanore/Donna Maiochi, with the City of San José for a Planned Development Permit to allow the demolition of approximately 25 buildings and structures, the construction of a Medical Care Facility with up to 248 beds, and the removal of seven ordinance-size trees on an approximately 3.0-acre portion of a 21.0-gross acre site, on that certain real property situated in the PQP(PD) Planned Development Zoning District and located at the east side of Dove Hill Road, approximately 500 feet north of Hassler Parkway (4200 Dove Hill Road, 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," which is attached hereto and made a part hereof by this reference as if fully set forth herein; and

RD:JVP:JMD 7/11/2018

WHEREAS, pursuant to and in accordance with Chapter 20.100 of Title 20 of the San

José Municipal Code, the Planning Commission conducted a hearing on said application

on July 25, 2018, notice of which was duly given; and

WHEREAS, at said hearing, the Planning Commission gave all persons full opportunity

to be heard and to present evidence and testimony respecting said matter; and

WHEREAS, at said hearing, the Planning Commission made a recommendation to the

City Council respecting said matter based on the evidence and testimony; 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 application, notice of

which was duly given; and

WHEREAS, at said hearing, this City Council gave all persons full opportunity to be heard

testimony respecting and to present evidence and said matter; and

WHEREAS, at said hearing this City Council received and considered the reports and

recommendations of the City's Planning Commission and City's Director of Planning,

Building and Code Enforcement; and

WHEREAS, at said hearing, this City Council received in evidence a development plan

for the subject property entitled, "Dove Hill Medical Care Facility," dated revised on May

9, 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 plan is incorporated

herein by this reference, the same as if it were fully set forth herein; and

RD:JVP:JMD 7/11/2018

**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; and

**WHEREAS**, this City Council has heard and considered the testimony presented to it at the public hearing, and has further considered written materials submitted on behalf of the project applicant, City staff, and other interested parties;

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 subject site encompasses four parcels and is located on the east side of Dove Hill Road, approximately 500 feet north of Hassler Parkway). The overall site is currently developed with two single-family houses and a commercial landscaping business with an associated plant nursery, sheds and storage yards. The subject rezoning would rezone the entire 21 gross acre site; however, the majority of the site has a slope of greater than 15% and is therefore undevelopable and is currently primarily used as a grazing pasture. The developable area would be limited to approximately three-gross acres at the southwest downhill portion of the property that is located with the area designated in the Envision San José General Plan as Public/Quasi-Public.

To the west of the site is U.S. Highway 101, and the site is approximately 700 feet downhill from the residential development (Ranch on Silver Creek) to the east. To the north and south of the site are low density single-family and agricultural development. Access to the proposed project would be taken from of Dove Hill Road. This area is within the Evergreen-East Hill Development Policy boundary, which was adopted in 2008 to provide a development framework for transportation and traffic improvement for sites within the policy boundary.

2. Project Description. The project consists of two four-story buildings with a total building area of 141,359-gross square feet. The two four-story buildings would be connected by a pedestrian bridge. The project would be limited to a 3-acre the area of the site with less than a 15% slope (15% grade build-to line), which is approximately 3-acres of the subject site and the remaining portion of the 21-gross acre site would be zoned Open Hillside for private open space.

The approximately 3-acre portion of the site would remove all existing buildings, structures, trees and landscaping, and associated improvements within the development footprint, and would construct a medical care facility with two buildings containing a total of 155 patient rooms and up to 248 beds. The project would also include a dining hall, multipurpose room and other ancillary uses, surface parking areas with 124 spaces, new landscaping, walkways, and landscaped common outdoor open space. Vehicle access to the site would be from the northern extension of Dove Hill Road. The design of the project and parking areas is required to comply with the City's standards for emergency vehicle access, which include requirements to provide adequate points of access, vertical clearance, and turning radius.

The project is a convalescent hospital/medical care facility providing significant medical services on-site, including skilled nursing services, rehabilitation services, wound care, occupation therapy, physical therapy, speech therapy, and memory care. The facility would operate 24 hours per day, seven days per week and would be staffed at all times with medical, administrative, maintenance, and kitchen personnel. A maximum of 55 staff would be on site during the daytime and up to 25 staff at night. Based on data from similar facility operations, it is assumed that approximately 10 percent of the convalescent hospital facility's 248 occupants (maximum) would have visitors, which equates to approximately 25 visitors over a two-day weekend period (the period most frequented by visitors). The number of visitors during the week is typically less.

The project includes construction of a new water main in Dove Road and installation of new on-site water lines and sanitary sewer lines. Existing water lines to serve the project are located within Hassler Parkway. A sewer line would be constructed within an existing utility easement and includes a 3,000 feet connection with an elevation change at approximately 220 feet, connecting to an existing sewer connection in Yerba Buena Avenue. A sewer pump station connecting to the sewer line would be installed at the southwestern corner of Building A. The project would not connect to the City's stormwater drainage system. The project proposes storm drainage infrastructure including flow-through planters, bio-swales, storm drain lines, and a bioretention basin on the site. Two emergency back-up diesel generators would be located on the site, one in each building, to provide electrical power in the event of an emergency power outage.

3. General Plan Conformance. The project has an Envision San José 2040 General Plan Land Use/Transportation Diagram designations of Public/Quasi-Public (PQP) and Open Space, Parkland, and Habitat (OSPH). The location of the medical service facility would be located at the 3-acre lower portion of the subject site, that is designated PQP. The PQP designation is used to designate public land uses, including schools, colleges, libraries and fires stations and also allows some private entities such as private schools, daycare centers, hospitals, and public utilities. The remaining 18.0 acre site is designated OSPH. The OSPH designation is for land devoted to open space, parks, recreation areas, trails, habitat buffers, nature

preserves and other permanent open space areas. The subject project is a medical care facility with significant medical services provided on site, including: skilled nursing services, rehabilitation services, wound care, occupation therapy, physical therapy, speech therapy, and memory care. For the portion of the site located in the OSPH General Plan land use designation, the Planned Development Zoning District's land use diagram limits the use for only open hillside and private open space.

- Land Use Policy LU-17.2: Apply strong architectural, site, and grading design controls through a discretionary development review process to all types of hillside and rural residential development that require significant grading activities in order to protect the hillsides and to minimize potential adverse visual and environmental impacts.
  - Analysis: The project includes building heights at 58 feet with certain portions of the building and projection elements as high as 68 feet to provide visual interest and breaks to the proposed buildings. The design of the buildings are inspired by the surrounding Italian hillside village architectural style with a natural color palette (green, rock, tan) to blend into the surrounding developments and natural hillside color tones. The project would be largely shielded from US Highway 101 by existing and newly planted trees, and would allow the overall undeveloped visual character of the hill slopes behind and above the project to be maintained.
- 2. <u>Land Use Policy LU-17.6:</u> Avoid any new development along ridges and other major hillside areas (typically all properties that exceed 30% slope) that surround the valley floor to minimize visibility of development on these aesthetic resources.
  - Analysis: The project would be limited to the area of the site with less than a 15% slope (15% grade build-to line) covering approximately three-acres of the subject site and the remaining portion of the 21-gross acre site, is in the Open Hillside Zoning District for private open space in the land use plan of the Planned Development Zoning.
- 3. <u>Infrastructure Policy In-1.3:</u> Provide sustainable utility services and infrastructure in a cost-efficient manner consistent with Envision General Plan goals and policies related to Fiscal Sustainability.
  - Analysis: The project would install a system of private pumps and sewer lines on the east side of the property to the top of the ridgeline, utilizing an established utility easement dedicated across multiple properties, onto a public right-of-way on Dove Hill Road with a privately maintained sewer line until it connect onto existing lines located in the public right-of-way. A new private sanitary sewer line will extend from Deans Place Way and Yerba Buena Road to the terminus of Dove Hill Road, near Yerba Buena Road. This extension will be reviewed and approved by Public Works, and all sewer improvements beyond Dove Hill Road will be considered private sewer main. The new private sanitary sewer line will require approvals from Caltrans and the Santa Clara Water Valley Water District. Permittee shall be required to obtain

any third party approvals, subject to review and approval, prior to issuance of any building permit. The City would only be required to maintain the existing public infrastructure.

4. <u>Fiscally Beneficial Land Use Policy FS-4.1</u>: Preserve and enhance employment land acreage and building floor area capacity for various employment activities because they provide revenue, near-term jobs, contribute to our City's long-term achievement of economic development and job growth goals, and provide opportunities for the development of retail to serve individual neighborhoods, larger community areas, and the Bay Area.

Analysis: The project includes both ambulatory and non-ambulatory clients for a range of assisted medical care and memory care beds that require significant medical and personal assistance services on-site. The proposed project is estimated to provide approximately 120 jobs with the development of the medical care facility. This includes both medical staff (doctors, nurses, and medical aides) and various support staff such as cooks, facility maintenance, and clerical. The development would be helping the City's plans for increased job growth.

5. Implementation Policy IP-8.5: Use the Planned Development zoning process to tailor such regulations as allowed uses, site intensities and development standards to a particular site for which, because of unique circumstances, a Planned Development zoning process will better conform to Envision General Plan goals and policies than may be practical through implementation of a conventional Zoning District. These development standards and other site design issues implement the design standards set forth in the Envision General Plan and design guidelines adopted by the City Council. The second phase of this process, the Planned Development Permit, is a combined site/architectural permit and Conditional Use Permit which implement the approved Planned Development zoning on the property

Analysis: The site is currently in the Agricultural Zoning District, which does not allow for more than one single-family dwelling and agricultural uses to be developed on the site. The subject site is approximately 21-gross acres, with the majority of the site with more than 15% slope grade. The Planned Development Zoning District would allow the proposed use on the portion of the site with the least required amount of grading and would preserve the majority of the site for private open space. A conventional zoning district would not have been able to include the development standards that would limit the site layout, design, and uses that the Planned Development Zoning District would allow.

## 4. Evergreen-East Hills Development Policy

The Evergreen-East Hills Development Policy (EEHDP) was an update to the original Evergreen Development Policy (EDP) that was adopted in 1976 to address flood protection and traffic capacity in the EDP area. The EEHDP was adopted by City Council on December 16, 2008 to replace the original EDP and to allow a

limited increase in development in the Evergreen-East Hill Area, which encompasses the area south of Story Road and east of U.S. Highway 101. When the Planned Development Zoning was submitted in 2014, there was limited development capacity to allow development consideration of the subject project. There is currently only 62,907 square feet of commercial and 47,374 square feet of office development capacity remaining in the EEHDP.

In the event that a proposed use is not a clearly defined residential, office, or commercial use, the Evergreen-East Hills Development Policy allows the use of a project trip equivalency conversion to the use category that would most closely reflect the project. Of the capacity categories, the project is more consistent with a commercial use. The project would result in a trip conversion commercial square footage of 14,825 square feet, which is within the current available capacity of 62,907 square feet. The project is required to pay into the Evergreen-East Hills Traffic Impact Fee (TIF) program.

5. Zoning and Planned Development Zoning Conformance. The PQP(PD) Planned Development Zoning District would facilitate the development of up to 3 acres for PQP uses consistent with the Development Standards for the Planned Development Zoning District, while preserving the remaining 18 acres, in the Open Hillside Zoning District, where the project is not proposing development, for open space uses. The Development Standards require the project to complement the existing Italian Hillside Village architectural style.

Setbacks, Height and Parking. The Planned Development Zoning District Development Standards would limit structures to the portion so the site with less a 15% slope (3.0 acres). The Development Standards require a 10-foot front setback and requirements for screening with landscaping to minimize the visual impact of the project and further integrate into the hillside. The project has a 30-foot front setback. The maximum allowed height on the site is 70 feet and the average height of the building are approximately 58 feet with certain portions of the buildings projecting to 68 feet to provide visual interest.

The project is providing one parking space per four beds and one parking space per employee for medical care facilities. Thus, the project is required to provide 62 spaces for each bed (248 beds) and 55 spaces for each employee (55 employees) on-site for a total of 117 required parking spaces. The project is providing a total of 124 parking spaces that is all located within the 15% grade build-to-line.

Therefore, the project conforms to the required setbacks, height, parking, landscaping and architecture of the Planned Development Zoning Development Standards.

6. Environmental Review. An Initial Study (IS) and Mitigated Negative Declaration (MND) was approved with intent to adopt on April 4, 2018, by the Director of the Department of Planning, Building and Code Enforcement for the subject Planned

Development Rezoning and Planned Development Permit. The environmental review evaluated a rezoning of 3 acres ("development footprint") of the 21-acre site from Agriculture to A(PD) Planned Development to a Planned Development (PD) Zoning District for the demolition of all existing buildings, structures, trees and landscaping, and associated improvements, and to construct a medical care facility with two buildings containing a total of 155 patient rooms and up to 248 beds, all within the development footprint of the 3 acres. The remaining 18 acres would remain Open Hillside and would be maintained as undeveloped, permanent private open space.

The proposed project would allow the demolition of two houses and a landscaping business with its associated nursery, sheds, and storage yard. The existing two-story primary residential structure on the site was developed between 1939 and 1961. According to the evaluation of the structure in the Historical Resource Evaluation Report (Archaeological Resource Management, August 15, 2008), this primary residence is not associated with significant eras, persons, or events. The vernacular style in which the house was built does not appear to be architecturally significant. The structure does not appear to be likely to yield information important in prehistory or history.

The documents were circulated for public comments from April 9, 2018 to April 30, 2018. During the circulation period, the City of San José received comment letters and email messages from 1) the representative from Amah Mutsun Tribal Band, 2) the Santa Clara Valley Transportation Authority (VTA), 3) Lozeau Drury LLP, and 4) local resident, Deepesh Chouhan. Concerns highlighted in the comment letters include: traffic and pedestrian safety, air quality analysis, greenhouse gas analysis, impact to biological resources, and "fair argument" that the project may have unmitigated adverse environmental impacts.

Environmental comments have been addressed in a formal Responses to Comments document. The primary environmental issues that required mitigation measures are biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and transportation. The IS/MND includes mitigation measures that would reduce any potentially significant project impacts to a less-than-significant level. In addition to the mitigation measures, other permit conditions in regards to lighting requirements, nuisance, and maintenance of the site are included in the Planned Development Permit as conditions of approval to ensure all potential impacts have been addressed.

Prior to adopting this Resolution, the City Council adopted a separate resolution adopting the IS/MND and related Mitigation Monitoring and Reporting Program for this project. The project is required to fully comply with the City Council approved IS/MND and related Mitigation Monitoring and Report Program.

7. Planned Development Permit Findings: Chapter 20.100 of the San José

T-31014/1539632.doc Council Agenda: \_\_\_\_\_ Item No.: Municipal Code establishes evaluation criteria for the issuance of a Planned Development Permit. These criteria are applied to the project based on the above-stated findings related to General Plan, Zoning and CEQA conformance and for the reasons stated below, and subject to the conditions set forth in the proposed permit. Pursuant to Section 20.100.720 of the San José Municipal Code, the City Council finds that:

1. The Planned Development Permit, as issued, is consistent with and furthers the policies of the General Plan;

Analysis: As described in the General Plan conformance analysis above, the project is consistent with the General Plan land use designation of Public/Quasi-Public and Open Space, Parkland, and Habitat land use. The project would generate new employment with the proposed medical care facility. With the proposal to include a private sanitary pump system, the project would not increase the fiscal impact to the infrastructure improvements. The site design, material, and use of landscaping helps minimize the visibility of the project on the hillside.

2. The Planned Development Permit, as issued, conforms in all respects to the Planned Development Zoning of the property;

Analysis: As described above, the Planned Development Permit conforms in all respects to the development standards of the proposed PQP(PD) Planned Development Zoning of the property. The proposed medical care facility in the Planned Development Permit is a permitted use in the Development Standards of Planned Development Zoning District. The project buildings are required to have a 10-foot setback from Dove Hill Road and are proposed to be setback approximately 30 feet. The proposed maximum building height of 68 feet is below the maximum 70-foot height. The project is required to provide 117 parking space and the project would be providing 124 parking spaces.

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

Analysis: The project site is not subject to a specific City Council Policy or specific plan. The project was analyzed for conformance with the Evergreen-East Hills Development Policy, and based on the proposed use the and new vehicle trips generated by the new use would be allowed as discussed in the Evergreen-East Hills Development Policy analysis above.

4. The interrelationship between the orientation, location, mass and scale of building volumes, and elevations of proposed buildings, structures and other uses on-site are appropriate, compatible and aesthetically harmonious;

Analysis: As described above, the project site contains approximately 21 acres,

and the majority of the site would remain as open space and with approximately 3 acres used for the project. The project buildings would be located at the foot of the hillside by Dove Hill Road and adjacent to U.S. Highway 101. The average height of the buildings are approximately 58 feet with certain portions of the buildings projecting to 68 feet to provide visual interest. The buildings are consistent with the architectural style of the surrounding area and the natural color palette (green, rock, tan) proposed for the project blend into the surrounding developments and natural hillside color tones.

- 5. The environmental impacts of the project, including, but not limited to aesthetics, air quality, noise, and transportation/traffic, even if insignificant for purposes of the California Environmental Quality Act (CEQA), will not have an unacceptable negative effect on adjacent property or properties.
  - Analysis: An Initial Study and Mitigated Negative Declaration (IS/MND) was prepared for the project in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. Based on the environmental analysis of the project in the IS/MND, as discussed above, the project was determined to not have unacceptable negative effects on adjacent properties. The project is adjacent to a freeway off-ramp on the west side of the site and approximately 18 acres of open space to the east, both of which provide a buffer from other nearby uses and minimizes the impact to the nearest residents at the top of the hill. In addition, the project will be required to adhere to conditions and mitigation measures to ensure the development of this project would not encroach or affect the adjacent 18 acres of open space.
- **8. Demolition Findings:** Pursuant to Section 20.80.460 of the San José Municipal Code the following criteria have been considered by the Director of Planning to determine whether the benefits of permitting the demolition of the existing building outweighs the impacts of demolition:
  - a. The failure to approve the permit would result in the creation or continued existence of a nuisance, blight or dangerous condition;
  - The failure to approve the permit would jeopardize public health, safety or welfare;
  - c. The approval of the permit should facilitate a project which is compatible with the surrounding neighborhood.
  - d. The approval of the permit should maintain the supply of existing housing stock in the City of San José;
  - e. Both inventoried and non-inventoried buildings, sites and districts of historical significance should be preserved to the maximum extent feasible;
  - f. Rehabilitation or reuse of the existing building would not be feasible; and

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

Analysis: The proposed project would allow the demolition of two houses and a landscaping business with its associated nursery, sheds, and storage yard. The existing two-story primary residential structure on the site was constructed between 1939 and 1961. According to the evaluation of the structure in the Historical Resources Evaluation Report (Archaeological Resource Management, August 15, 2008), this primary residence is not associated with significant eras, persons, or events. The vernacular style in which the house was built is not architecturally significant. The structure does not yield information important in prehistory or history. The removal of the existing structures would facilitate the development of the medical care facility that would generate additional employment opportunities for city residents, and utilize the developable three-acre portion of the site while preserving the existing open space.

- 9. Tree Removal Findings: Pursuant to Section 13.32.100 of the San José Municipal Code establishes at least one of the following required findings must be made for issuance of a Tree Removal Permit for ordinance-size trees measuring 56 inches or more in circumference. Findings are made for the project based on the above-stated findings related to General Plan, Zoning Ordinance and CEQA conformance and for the reasons stated below, and subject to the conditions set forth in this Permit.
  - a. 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 Chapter 13.32 of the San José Municipal Code as set forth in Section 13.32.010;
  - b. That the location of the tree with respect to a proposed improvement unreasonably restricts the economic development of the parcel in question;
  - c. 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;

Analysis: The project includes the removal of seven ordinance-size trees and 13 non-ordinance-size trees for a total of 20 trees. This includes 17 trees that would fall within the building footprints and three trees would be impacted by needed road improvements. 15 existing tress would be preserved on-site, and an additional 153 trees and landscaping would be planted in association with development of the project.

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

#### **CONDITIONS**

- 1. **Acceptance of Permit.** Per Section 20.100.290(B) of Title 20 of the San José Municipal Code, should the permittee fail to file a timely and valid appeal of this Planned 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 Planned Development Permit; 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. The Planned 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. No permit extension shall be granted with a Permit Adjustment, any permit extension would require a new Planned Development Permit or Planned Development Permit Amendment.
- 3. Building Permit/Certificate of Occupancy. Procurement of a Building Permit and/or Certificate of Occupancy from the Building Official for the structures described or contemplated under this Planned Development 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.
- 4. Sewage Treatment Demand. Chapter 15.12 of Title 15 of the San José Municipal Code requires that all land development approvals and applications for such approvals in the City of San José shall provide notice to the applicant for, or recipient of, such approval that no vested right to a Building Permit shall accrue as the result of the granting of such approval when and if the City Manager makes a determination that the cumulative sewage treatment demand of the San José-Santa Clara 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.

- 5. Conformance to Plans. The development of the site shall conform to the approved Planned Development Permit plans entitled, "Dovehill Medical Care Facility," dated revised on May 9, 2018, on file with the Department of Planning, Building and Code Enforcement, as may be amended subject to City's approval, and to the San José Building Code (San José Municipal Code, Title 24), as amended. The plans are referred to herein as the "Approved Plan Set".
- 6. **Planned Development District Effectuated.** Once this Planned Development Permit is accepted, the use of land covered by the Permit shall only be land uses consistent with the Planned Development Zoning District and only upon issuance of a Planned Development Permit for those uses.
- 7. Scope and Use Authorization of the Planned Development Permit. This Planned Development Permit allows the demolition of approximately 25 buildings and structures, the construction of a Medical Care Facility with up to 248 beds for both ambulatory and non-ambulatory clients for a range of assisted medical care and with up to 50 beds for memory care clients, and the removal of seven ordinance-size trees on an approximately 3-acre portion of a 21-gross acre site, in accordance with the approved development plans and uses consistent with the General Development Standards of the Planned Development Zoning District. Additionally, this Planned Development Permit effectuates the remaining portion of the site to be used for open hillside for private open space.
- 8. Compliance with Local and State Laws. The subject use shall be conducted in full compliance with all local and state laws. 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, as conditioned.
- 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 Title 20 of the San José Municipal Code.
- 10. Nuisance. This use shall be operated in a manner that does not create a public or private nuisance or that adversely affects 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.

- 11. Anti-Litter. The site and surrounding area shall be maintained free of litter, refuse, and debris. Cleaning shall include keeping all publicly used areas free of litter, trash, cigarette butts and garbage.
- 12. Anti-Graffiti. During construction, the permittee shall remove all graffiti from buildings, walls and other surfaces within 48 hours of defacement. Upon project completion and/or transfer of ownership, the property owner and/or Maintenance District shall remove all graffiti from buildings and wall surfaces within 48 hours of defacement.
- 13. **Loitering.** Loitering shall not be allowed in the public right-of-way adjacent to the subject site.
- 14. **Refuse.** All trash areas shall be effectively screened from view and covered and maintained in an orderly state to prevent water from entering the garbage container. Trash areas shall be maintained in a manner to discourage illegal dumping.
- 15. **Outdoor Storage**. No outdoor storage is allowed or permitted unless designated on the approved plan set.
- 16. **Sign Approval.** No signs are approved at this time. All proposed signs shall be subject to review and approval by the Director of Planning through a subsequent Permit Adjustment.
- 17. **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.
- 18. Colors and Materials. All building colors and materials are to be those specified on the Approved Plan Set. Any change in building colors and materials shall require a Permit Adjustment.
- 19. **Lot Merger.** Prior to the issuance of a building permit, the project shall merge the lots via a final map or lot line adjustment in area of proposed buildings and structures.
- 20. **Covenant of Easement.** Prior to construction authorized with a building permits, all sewer and all other necessary easements that cross property lines shall be obtained and recorded by the property owner.
- 21. **Building Division 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. The permit file number, PD16-019 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), including paths of travel connecting all buildings on the site.
- c. Emergency Address Card. The permittee shall file an Emergency Address Card, Form 200-14, with the City of San José Police Department.
- d. Street Number Visibility. Street numbers of the buildings shall be easily visible at all times, day and night.
- e. Construction Plan Conformance. A project construction plan 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 any building permit issuance, building permit plans shall conform to the approved Planning development permits and applicable conditions.
- 22. Construction and Demolition Hours. Construction, demolition, and grading activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday. This includes the staging of equipment and construction personnel. The construction hours shall be printed on all plans for the project used to construct the project. Interior construction activities that do not generate any audible noise impacts at residential properties are allowed on Saturdays between 9:00 a.m. and 5:00 p.m.
- 23. **Demolition of Structures.** Subsequent to permit approval, no demolition permits may be issued prior to the submittal of foundation or structural building permits for the medical care facility.
- 24. Green Building. The project shall receive a minimum green building certification of LEED Silver Certified. The permittee shall pay a Green Building Refundable Deposit prior to building permit issuance. The request for refund of the Green Building Deposit together with green building certification evidence demonstrating the achievement of the green building standards indicated above shall be submitted within a year after the building permit expires or becomes final, unless a request for an extension is submitted to the Director of Planning, Building, and Code Enforcement in accordance with Section 17.84.305D of the Municipal Code.
- 25. Interior Noise: Prior to issuance of any building permit, an acoustical analysis shall be required to demonstrate to the City's Chief Building Official and/or the Environmental Supervising Planner in the Planning Division, that interior noise standards is in compliance with the General Plan and ensure land use compatibility and General Plan consistency over the life of this plan to ensure. A design-level acoustical analysis shall be completed at the building permit stage, 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.
- 26. Landscaping. Planting and irrigation are to be provided as indicated on the approved plans. Landscaped areas shall be maintained and watered and all dead plant material is to be removed and replaced. Permanent irrigation is to be installed in accordance

- with Part 4 of Chapter 15.10 of Title 15 of the San José Municipal Code, Water Efficient Landscape Standards for New and Rehabilitated Landscaping and the City of San José Landscape and Irrigation Guidelines.
- 27. Landscaping Maintenance. The permittee shall maintain on-site landscaping areas and landscaping areas along the public right-of-way areas/streets to the satisfaction of the Director of Public Works.
- 28. Irrigation Standards. The permittee shall install an adequately sized irrigation distribution system with automatic controllers in all areas to be landscaped that conforms to the Zonal Irrigation Plan in the Approved Plan Set and is consistent with the City of San José Landscape and Irrigation Guidelines. The design of the system shall be approved and stamped by a California Registered Landscape Architect prior to Certificate of Occupancy.
- 29. **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.
- 30. **Street Cleaning and Dust Control.** During construction, permittee shall damp sweep the public and private streets within and adjoining the project site each working day sufficient to remove all visible debris and soil. On-site areas visible to the public from the public right-of-way shall be cleaned of debris, rubbish, and trash at least once a week. While the project is under construction, permittee shall implement effective dust control measures to prevent dust and other airborne matter from leaving the site.
- 31. **Recycling.** Scrap construction and demolition material should be recycled. Integrated Waste Management staff can provide assistance on how to recycle construction and demolition debris from the project, including information on available haulers and processors.
- 32. **Lighting.** All exterior lighting shall be as shown on the approved plans. On-site, exterior, unroofed lighting shall conform to the Outdoor Lighting Policy. Lighting shall be designed, controlled and maintained so that no light source is visible from outside of the property.
- 33. **Fencing.** Fence height and materials shall be as shown on the approved plans. Changes to the approved fencing shall require review by the Director of Planning, Building, and Code Enforcement.
- 34. **Mechanical Equipment.** The location of mechanical equipment (AC Units) shall be located as shown on the approved plans and shall be screened from view.
- 35. **Utilities.** All new on-site telephone, electrical, and other overhead service facilities shall be placed underground.

- 36. **Encroachments**. Prior to any building permit issuance, permittee shall obtain all required easements from Caltrans, Santa Clara Water District, or any other third party for the construction of the new sanitary and storm sewer system for the project. All easements are subject to prior City review and approval.
- 37. 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 shall 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:** This project is located in the Evergreen-East Hills Development Policy area and is required to pay a Traffic Impact Fee (TIF). The proposed project will construct 248 nursing home beds which would be equivalent to approximately 14,825 square feet. The 2018 TIF fee for Commercial/Office use is \$13,941 per 1,000 square feet. This fee is subject to an annual escalation on January 1st per the Engineering News-Record Construction Cost Index for San Francisco.

## c. Grading/Geology:

- i. A grading permit is required prior to the issuance of a Public Works Clearance.
- 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 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 2010 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. If the project proposes to haul more than 10,000 cubic yards of cut/fill to or from the project site, a haul route permit is required. Prior to issuance of a grading permit, contact the Department of Transportation at (408) 535-3850 for more information concerning the requirements for obtaining this permit.

- iv. Because this project involves a land disturbance of one or more acres, the applicant is required to submit a Notice of Intent to the State Water Resources Control Board and to prepare a Storm Water Pollution Prevention Plan (SWPPP) for controlling storm water discharges associated with construction activity. Copies of these documents must be submitted to the City Project Engineer prior to issuance of a grading permit.
- v. The project site is within the City of San José Geologic Hazard Zone.
  - A Certificate of Geologic Hazard Clearance was issued on April 15, 2016 for the site structures as shown on the plans. The project must adhere to the conditions and requirements set forth in the certificate.
  - A Certificate of Geologic Hazard Clearance was issued on May 8, 2018 for the sanitary sewer alignment shown on the plans. The project must adhere to the conditions and requirements set forth in the certificate.
- d. Stormwater Runoff Pollution Control Measures: This project must comply with the City's Post-Construction Urban Runoff Management Policy (Policy 6-29) which requires implementation of Best Management Practices (BMPs) 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.
- e. **Flood Zone D:** The project site is not within a designated Federal Emergency Management Agency (FEMA) 100-year floodplain. Flood Zone D is an unstudied area where flood hazards are undetermined, but flooding is possible. There are no City floodplain requirements for Zone D.
- f. Stormwater Peak Flow Control Measures: The project is located in a Hydromodification Management (HM) area and will create and/or replace one acre or more of impervious surface. The project must comply with the City's Post-Construction Hydromodification Management Policy (Council Policy 8-14) which requires HM projects to demonstrate that post-project runoff does not exceed estimated pre-project runoff rates and durations.
  - i. The project's HM plan and sizing calculations have been reviewed and this project will be in conformance with City Policy 8-14.
  - ii. Final inspection and maintenance information for the HM controls must be included on the final HM plans.

- g. **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.
- h. **Municipal Water:** In accordance with City Ordinance #23975, Major Water Facilities Fee is due and payable prior to Public Works clearance. Contact Public Works at (408) 794-6769 for further information.

## i. Street Improvements:

- i. Construct curb, gutter and 8-foot wide sidewalk on Dove Hill Road from the curb return at Hassler Parkway to the project site. These street surface improvements made from the intersection of Hassler Parkway and Dove Hill Road to the project site will be subject to reimbursement by the City.
- ii. Reconstruct handicap ramp at the northeast corner of Hassler Parkway and Dove Hill Road to City and ADA standard.
- iii. Construct driveway entrance at the property line on Dove Hill Road.
- iv. Proposed driveway width to be 26 feet.
- v. Dedication and improvement of the public streets to the satisfaction of the Director of Public Works.
- j. Sanitary: Construct a sanitary sewer line extension from Deans Place Way and Yerba Buena Road to the terminus of Dove Hill Road, near Yerba Buena Road. This extension shall be reviewed and approved by Public Works. All sewer improvements beyond Dove Hill Road shall be considered private sewer main, will be reviewed by the Building Department, and shall be privately maintained. The private sanitary sewer line must conform to the recommendations within the Geohazard Clearance.
- k. **Electrical:** Existing electroliers along the project frontage will be evaluated at the public improvement stage and any street lighting requirements will be included on the public improvement plans.
- 38. Conformance to Mitigation Monitoring and Reporting Program. 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.
- 39. **Environmental Conditions.** This project shall conform to all applicable environmental conditions.
  - a. <u>Air Filtration:</u> The project shall include the following safeguards to minimize exposure of site residents to long-term TAC and annual PM2.5 emissions:
    - Air filtration devices shall be installed as part of the heating, ventilation, and air conditioning (HVAC) system. Air filtration devices shall be rated MERV13 or

- higher. Alternately, at the approval of the City of San Jose, equivalent control technology may be used if it is shown by a qualified air quality consultant HVAC engineer that it would reduce risk below significance thresholds.
- ii. An ongoing maintenance plan for the buildings' HVAC air filtration system shall be prepared and submitted to the Director of the Department of Planning, Building and Code Enforcement for review and approval. The maintenance plan shall (1) specify provisions for the cleaning, maintenance, and monitoring of affected buildings for air flow leaks; (2) include assurance that owners/tenants are provided information on the ventilation system; and (3) include provisions that fees associated with occupancy of the building include funds for cleaning, maintenance, monitoring, and replacements of the filters.
- iii. Conditions of approval shall be printed on all approved construction contracts, plans, and similar documents.
- b. Consistent with the City's standard measures for dust emission impacts during construction, and in conformance with standard BAAQMD dust control measures, the following dust control measures would be implemented during all phases of construction on the project site to reduce dust emissions.
  - All active construction areas shall be watered twice daily or more often if necessary. Increased watering frequency shall be required whenever wind speeds exceed 15 miles-per-hour.
  - ii. Pave, apply water three times daily, or apply non-toxic soil stabilizers on all unpaved access roads and parking and staging areas at construction sites.
  - iii. Cover stockpiles of debris, soil, sand, and any other materials that can be windblown. Trucks transporting these materials shall be covered.
  - iv. 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.
  - v. Subsequent to clearing, grading, or excavating, exposed portions of the site shall be watered, landscaped, treated with soil stabilizers, or covered as soon as possible. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas and previously graded areas inactive for 10 days or more.
  - vi. Installation of sandbags or other erosion control measures to prevent silt runoff to public roadways.
  - vii. Replanting of vegetation in disturbed areas as soon as possible after completion of construction.
  - viii. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes. Clear signage shall be

- provided for construction workers at all access points.
- ix. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- x. Post a publicly visible sign with the telephone number and person to contact at the City of San José regarding dust complaints. This person shall respond and take corrective action within 48 hours. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

#### c. BIOLOGICAL RESOURCES

i. <u>Tree Replacement.</u> The removed trees would be replaced according to tree replacement ratios required by the City, as provided below.

Table 0-1: Tree Replacement Ratios				
Circumference of Tree to	Type of Tree to be Removed <sup>2</sup>			Minimum Size of Each
be Removed <sup>1</sup>	moved¹ Native		Orchard	Replacement Tree
38 inches or more <sup>3</sup>	5:1	4:1	3:1	15-gallon
19 to 38 inches	3:1	2:1	None	15-gallon
Less than 19 inches	1:1	1:1	None	15-gallon

<sup>&</sup>lt;sup>1</sup> As measured 4.5 feet above ground level

Notes: Trees greater than or equal to 38 inches in circumference shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees. For multi-family residential, commercial, and industrial properties, a Tree Removal Permit is required for removal of trees of any size.

A 38-inch tree equals 12.1 inches in diameter.

One 24-inch box tree= two 15-gallon trees

- ii. If the project cannot replace according to the Table above, one or more of the following measures will be implemented, to the satisfaction of the City's Environmental Principal Planner, at the development permit stage:
  - Replacement tree plantings may be accommodated at an alternative site(s).
     An alternative site may include local parks or schools, or an adjacent property where such plantings may be utilized for screening purposes. However, any alternatively proposed site would be pursuant to agreement with the Director of the Department of Planning, Building and Code Enforcement.

<sup>&</sup>lt;sup>2</sup> X:X = tree replacement to tree loss ratio

<sup>3</sup> Ordinance-sized tree

- 2) A donation may be made to Our City Forest or similar organization for inlieu tree planting in the community. Such donation will be equal to the cost of the required replacement trees, including associated installation costs, for off-site tree planting in the local community. A receipt for any such donation will be provided to the City of San José Planning Project Manager prior to issuance of a grading permit.
- iii. <u>Habitat Plan.</u> The project is subject to applicable Habitat Plan conditions and fees (including the nitrogen deposition fee) prior to issuance of any grading permits. The project applicant shall submit a 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.

#### d. CULTURAL RESOURCES

i. <u>Human Remains.</u> If any human remains are found during any field investigations, grading, or other construction activities, all provisions of California Health and Safety Code Sections 7054 and 7050.5 and Public Resources Code Sections 5097.9 through 5097.99, as amended per Assembly Bill 2641, shall be followed. In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The project applicant shall immediately notify the Supervising Environmental Planner of the City of San José Department of Planning, Building, and Code Enforcement and the qualified archaeologist, who will then notify the Santa Clara County Coroner. The Coroner will make a determination as to whether the remains are Native American.

If the remains are believed to be Native American, the Coroner will contact the NAHC within 24 hours. The NAHC will then designate a Most Likely Descendant (MLD). The MLD will inspect the remains and make a recommendation on the treatment of the remains and associated artifacts.

If one of the following conditions occurs, the landowner or his authorized representative shall work with the Coroner to reinter the Native American human remains and associated grave goods with appropriate dignity in a location not subject to further subsurface disturbance:

- 1) The NAHC is unable to identify a MLD or the MLD failed to make a recommendation within 24 hours after being notified by the NAHC.
- 2) The MLD identified fails to make a recommendation; or
- 3) The landowner or his authorized representative rejects the recommendation of the MLD, and the mediation by the NAHC fails to provide measures acceptable to the landowner.

ii. Paleontological Resources. If vertebrate fossils are discovered during construction, all work on the site shall stop immediately until a qualified professional paleontologist 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 applicant shall be responsible for ensuring that the recommendations of the paleontological monitor regarding treatment and reporting are implemented.

## e. **GEOLOGY AND SOILS**

- i. To avoid or minimize potential damage from seismic shaking, the project would be built using standard engineering and seismic safety design techniques. Building design and construction at the site will be completed in conformance with the recommendations of a design-level geotechnical investigation. The structural designs for the proposed development will account for repeatable horizontal ground accelerations. The report shall be reviewed and approved of by the City of San José's Building Division as part of the building permit review and issuance process. The buildings shall meet the requirements of applicable Building and Fire Codes, including the 2016 California Building Code (CBC) Chapter 16, Section 1613, as adopted or updated by the City. The project shall be designed to withstand soil hazards identified on the site and the project shall be designed to reduce the risk to life or property on site and off site to the extent feasible and in compliance with the Building Code.
- ii. The project shall be constructed in accordance with the standard engineering practices in the California Building Code, as adopted by the City of San José. In addition, the City of San José Department of Public Works requires a grading permit to be obtained prior to the issuance of a Public Works Clearance. These standard practices, including the measures outlined below, would ensure that future buildings on the site are designed properly to account for soils-related hazards on the site and to prevent soil erosion.
  - 1) The project shall conform to the recommendations of a project-specific geotechnical report, including design considerations for proposed foundations.
  - 2) The project shall prepare and implement an Erosion Control Plan in conformance with the requirements of the Department of Public Works.
- iii. The slope behind proposed Building B shall be graded to an inclination of 3:1 or flatter. During construction, the Engineer on Record shall observe cut slopes to verify the inclinations are appropriate for the conditions encountered. Alternatively, a retaining structure, supported by the underlying bedrock, shall be installed to prevent rockfall and soil creep. The retaining wall shall be

designed to withstand the applicable earth pressures, dependent on the slope inclination and backfill material, as determined by a qualified Geologist. This condition shall be printed on all approved construction plans and documents prior to the issuance of any grading and building permits.

#### f. HAZARDS AND HAZAROUS MATERIALS

- Based on BAAQMD and Cal/OSHA rules and regulations, the following conditions are required to limit impacts to construction workers and others from ACMs.
  - In conformance with State and local laws, a visual inspection/pre-demolition survey, and possible sampling, shall be conducted prior to the demolition of on-site building to determine the presence of asbestos-containing materials.
  - 2) All potentially friable ACMs shall be removed in accordance with NESHAP guidelines prior to building demolition or renovation that may disturb the materials. All demolition activities will be undertaken in accordance with Cal/OSHA standards contained in Title 8 of CCR, Section 1529, to protect workers from asbestos exposure.
  - 3) A registered asbestos abatement contractor shall be retained to remove and dispose of ACMs identified in the asbestos survey performed for the site in accordance with the standards stated above.
- ii. 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 and notifications.

## g. Lead Based Paint:

- i. To identify and quantify building materials containing lead-based paint, a building survey, including sampling and testing, shall be completed prior to the commencement of demolition activities.
- ii. During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, CCR 1532.1, including employee training, employee air monitoring and dust control.
- iii. 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.

#### h. HYDROLOGY AND WATER QUALITY

i. The following project-specific measures, based on RWQCB BMPs, have been included in the project to reduce construction and development-related water quality impacts. BMPs would be implemented prior to and during earthmoving activities on-site and would continue until the construction is complete, and during the post-construction period, as appropriate.

- 1) Burlap bags filled with drain rock shall be installed around storm drains to route sediment and other debris away from the drains.
- 2) Earthmoving or other dust-producing activities shall be suspended during periods of high winds.
- 3) All exposed or disturbed soil surfaces shall be watered at least twice daily to control dust as necessary.
- 4) Stockpiles of soil or other materials that can be blown by the wind shall be watered or covered.
- 5) All trucks hauling soil, sand, and other loose materials shall be required to cover all trucks or maintain at least two feet of freeboard.
- 6) All paved access roads, parking areas, staging areas and residential streets adjacent to the construction sites shall be swept daily (with water sweepers).
- 7) Vegetation in disturbed areas shall be replanted as quickly as possible.
- 8) All unpaved entrances to the site shall be filled with rock to knock mud from truck tires prior to entering City streets. A tire wash system may also be employed at the request of the City.
- 9) The project applicant shall comply with the City of San José Grading Ordinance, including implementing erosion and dust control during site preparation and with the City of San José Zoning Ordinance requirements for keeping adjacent streets free of dirt and mud during construction.
- 10) A Storm Water Permit will be administered by the State Water Resources Control Board (SWRCB). Prior to construction grading for the proposed land uses, the project proponent will file an NOI to comply with the General Permit and prepare a SWPPP which addresses measures that would be included in the project to minimize and control construction and post-construction runoff. Measures will include, but are not limited to, the aforementioned RWQCB Best Management Practices.
- 11) The certified SWPPP will be posted at the project site and will be updated to reflect current site conditions.
- 12) When construction is complete, a Notice of Termination (NOT) for the General Permit for Construction will be filed with the SWRCB. The NOT will document that all elements of the SWPPP have been executed, construction materials and waste have been properly disposed of, and a post-construction stormwater management plan is in place as described in

the SWPPP for the site.

#### i. NOISE

- i. Minimize Construction Noise:
  - 1) Utilize 'quiet' models of air compressors and other stationary noise sources where technology exists.
  - 2) Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
  - Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent land uses.
  - 4) Locate staging areas and construction material areas as far away as possible from adjacent land uses.
  - 5) Prohibit all unnecessary idling of internal combustion engines.
  - 6) If impact pile driving is proposed, multiple-pile drivers shall be considered to expedite construction. Although noise levels generated by a single pile driver, the total duration of pile driving activities would be reduced.
  - 7) If impact pile driving is proposed, temporary noise control blanket barriers shall shroud pile drivers or be erected in a manner to shield the adjacent land uses. Such noise control blanket barriers can be rented and quickly erected.
  - 8) If impact pile driving is proposed, foundation pile holes shall be pre-drilled to minimize the number of impacts required to seat the pile. Pre-drilling foundation pile holes is a standard construction noise control technique. Pre-drilling reduces the number of blows required to seat the pile. Notify all adjacent land uses of the construction schedule in writing.
  - 9) Designate a "disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the case of the noise complaint (e.g. starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented. The telephone number for the disturbance coordinator at the construction site will be posted and included in the notice sent to neighbors regarding the construction schedule.
- 40. **Revocation, Suspension, Modification.** This Planned Development Permit may be revoked, suspended or modified by the Planning Commission, or by the City Council, as applicable, 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 of Chapter 20.100 of Title 20 of the San José Municipal Code it finds:

- a. A violation of any conditions of the Planned 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**

Planned Developm publication on	nent Rezoning Oro _, 2018 (the "Plant	No. PD16-019) shall be the effective date of the dinance for File No. PDC14-051 approved for ned Development Rezoning Ordinance") and shall said Planned Development Rezoning Ordinance.
ADOPTED this	day of	, 2018, by the following vote:
AYES:		
NOES:		
ABSENT:		
DISQUALIFIED:		SAM LICCARDO
ATTEST:		Mayor
TONI J. TABER, CN City Clerk	MC	
T-31014/1539632 doc		27

## **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.



## DOVEHILL MEDICAL CARE FACILITY

# 4200 DOVEHILL RD SAN JOSE, CA

OWNER: STAHN KUHNE C/O DOLLY MARINDA 31553 HUGH WAY HAYWARD, CA 94544 PHONE: (510) 459-8821 DEVELOPER:

DESIGN PROFESSIONALS:

SALVATORE CARUSO DESIGN CORPORATION 980 EL CAMINO REAL, SUITE 200 SANTA CLARA, CA 95050 PHONE: (408) 998-4087 FAX: (408) 998-4088

CIVIL ENGINEER PAMELA SALAS LANGAN TREADWELL ROLLO 4030 MOORPARK AVE, SUITE 210 SAN JOSE, CA 95117 PHONE: (415) 955-5234 GEOTECHNICAL JOHN GOUCHON LANGAN TREADWELL ROLLO 4030 MOORPARK AVE, SUITE 210 SAN JOSE, CA 95117 PHONE: (415) 955-5237 LANDSCAPE ARCHITECT:

GREGORY LEWIS 736 PARK WAY SANTA CRUZ, CA 95065 PHONE: (831) 425-4747

#### PROJECT DESCRIPTION:

THE SITE IS APPROXIMATELY 21 ACRES, WITH APPROXIMATELY 3 ACRES THAT ARE CURRENTLY DEVELOPED AND WOULD BE REDEVELOPED TO ACCOMMODATE 248 MEDICAL CARE BEDS. THE CURRENTLY BUIGHTED SITE WOULD BE TRANSFORMED INTO A NOBLE, AR WE ARE REQUESTING A PD ZONING AND A PD PERMIT.

#### PRIOR DEVELOPMENT PERMITS:

DIRECTOR INITIATED PREZONING GENERAL PLAN AMENDMENT FROM HILLSIDE TO PUBLIC / QUASI PUBLIC

VICINITY MAP





PROJEC	T DATA
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TOTAL LOT AREA	21 ACRE (913,413 SF)
TOTAL PROJECT AREA	3 ACRE (130,680 SF)
EXISTING GENERAL PLAN	PUBLIC/QUASI PUBLIC
EXISTING USE	MINOR RESIDENTIAL AND MINOR COMMERCIAL
PROPOSED USE	MEDICAL CARE FACILITY
NO. OF BEDS	248 BEDS
NO. OF STORY	4 STORY
OCCUPANCY GROUP	I-2
TYPE OF CONSTRUCTION	TYPE I-A
AUTOMATIC FIRE SPRINKLER	YES

BED MATRIX			
BUILDING	MEMORY CARE BEDS	BEDS	TOTAL BEDS
A .	0	98	98
В	50	100	150
TOTAL	50	198	248

GROSS BUILDING AREA				
BUILDING	NO. OF STORY	PARKING AREA + DRIVEWAY	TOTAL BUILDING AREA WITHOUT BALCONIES	TOTAL AREA
A	PODIUM + 3			74,198 SF
	1ST FLOOR	13,952 SF	4,620 SF	18,572 SF
	2ND FLOOR		18,542 SF	18,542 SF
	3RD & 4TH FLOOR		18,542 SF	37,084 SF
В	PODIUM + 3			99,951 SF
	1ST FLOOR	18,838 SF	6,752 SF	25,590 SF
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TOTAL AREA		32,790 SF	141,359 SF	174,149 SF

#### SHEET INDEX

#### ARCHITECTURAL

A0.1 COVER SHEET

A0.2 DEVELOPMENT STANDARDS

CONCEPTUAL EXISTING AND DEMOLITION SITE PLAN

CONCEPTUAL SITE PLAN

A1.3 CONCEPTUAL ENLARGED SITE PLAN

PARKING ANALYSIS		
TOTAL NUMBER OF BEDS - 248 BEDS PROPOSED (340 BEDS PREVIOUSLY PROPOSED) PARKING PROVIDED FOR 248 BEDS		
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1 SPACE PER 4 BEDS	248/4 = 62 SPACES	
1 SPACE FOR PEAK NO. OF EMPLOYEES AT ANY TIME	55 SPACES	
TOTAL NO. OF PARKING REQUIRED	117 SPACES	
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DOVE HILL MEDICAL CARE FACILITY WILL INCLUDE 248 AMBULATORY AND/OR NON-AMBULATORY CLIENTS WHO NEEDS ASSISTANCE FOR TEMPORARY OR PROLONGED PERIOD BECAUSE OF AGE, MENTAL DISABILITY OR OTHER MEDICAL REASONS.

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	ECTURE R DESIGN E CARUSO
	RPORATION 10, SANTA CLARA, CA 95050 FAX. No. (408) 998-4088

CONSULTANT :

PROJECT :

DOVEHILL MEDICAL CARE **FACILITY** 

SAN JOSE,CA

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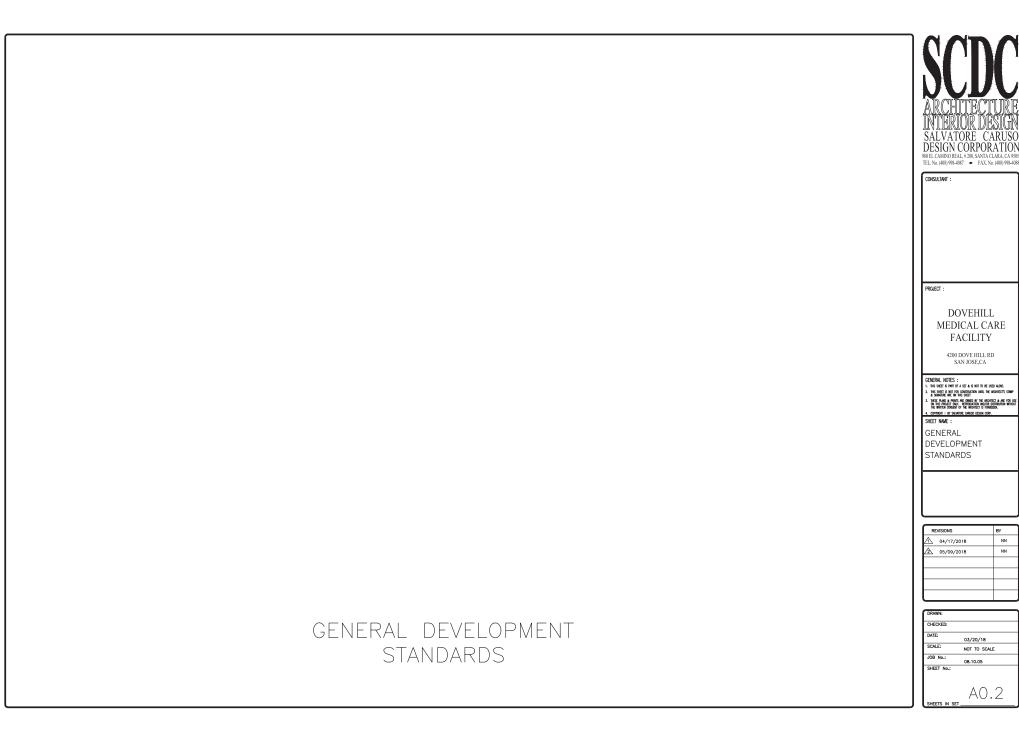
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DOVEHILL MEDICAL CARE FACILITY

SAN JOSE,CA

DEVELOPMENT

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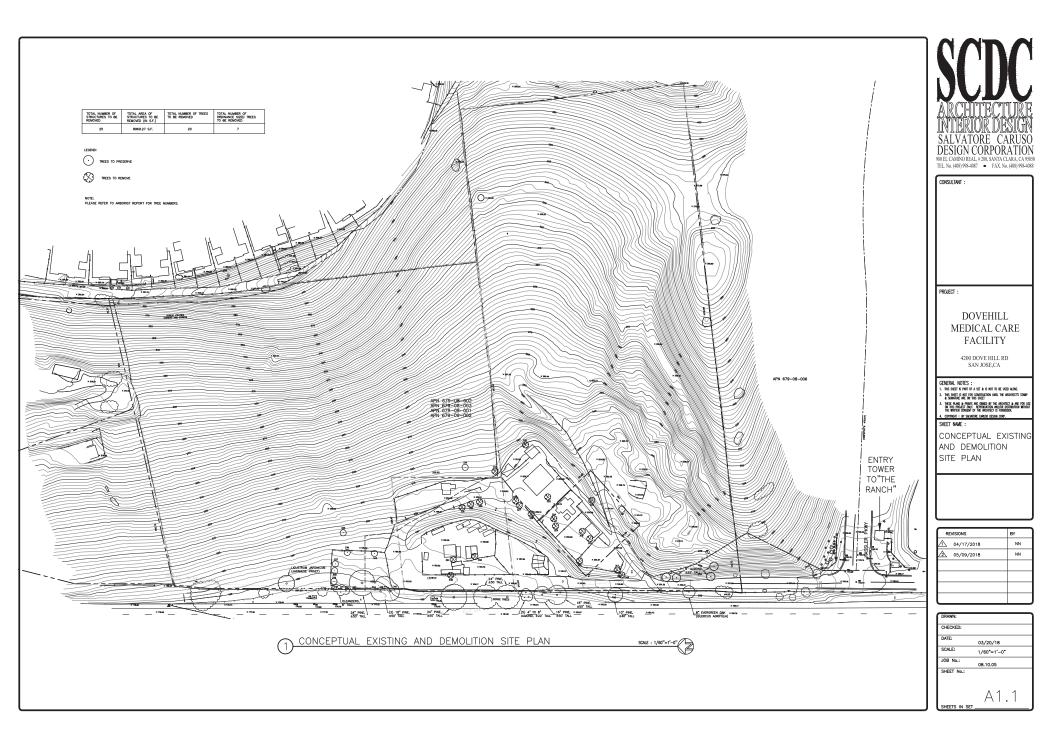
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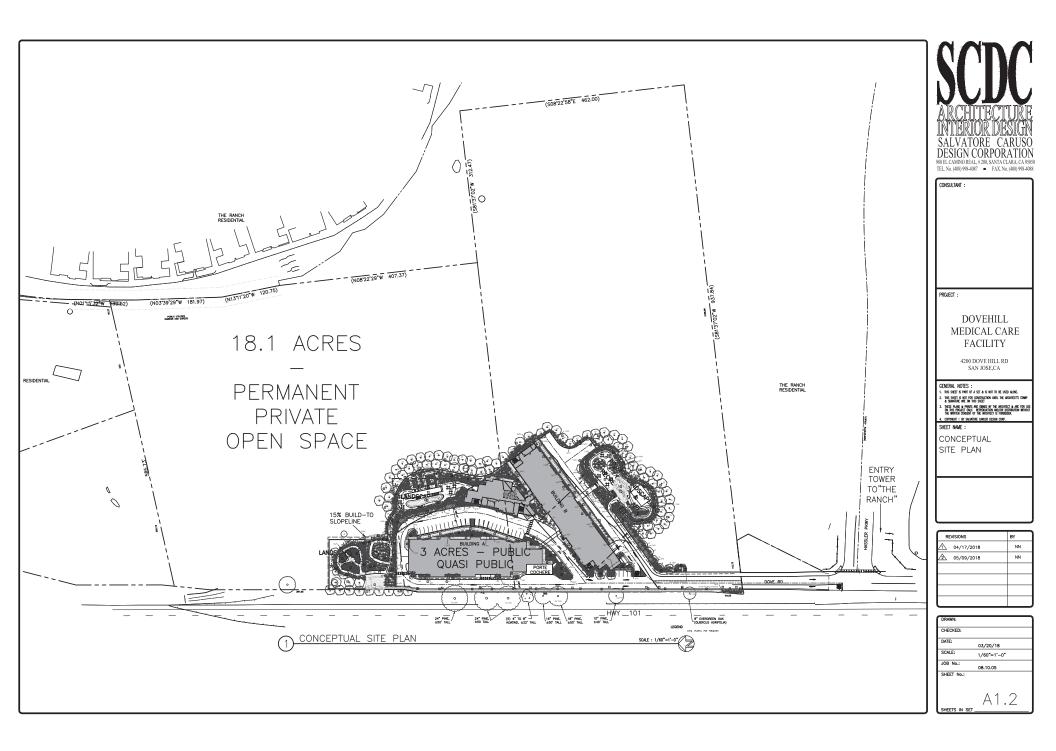
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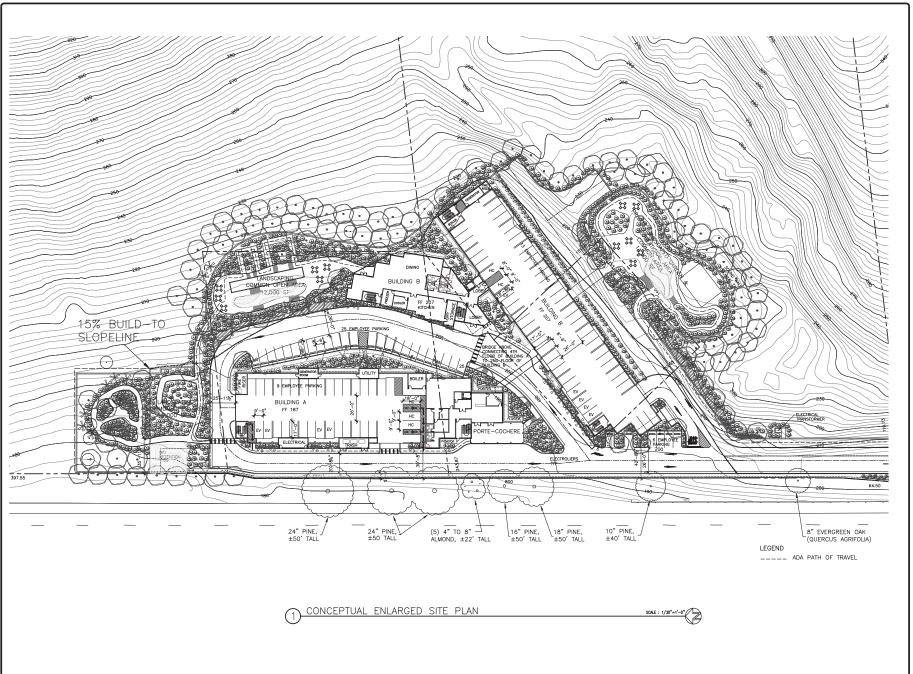


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PROJECT :

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4200 DOVE HILL RD SAN JOSE,CA

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CONCEPTUAL ENLARGED SITE PLAN

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LANDSCAPE ARCHITECT:

CIVIL ENGINEER

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### SHEET INDEX

## ARCHITECTURAL A0.1 COVER SHEET

10A PLANTING PLAN AO 2 DEVELOPMENT STANDARDS IRRIGATION CONCEPT A1.1 EXISTING AND DEMOLITION SITE PLAN CIVIL A1.2 SITE PLAN C1.01 TITLE SHEET A1.3 ENLARGED SITE PLAN C2.01 OVERALL SITE PLAN A2 1 RIIII DING A GARAGE + 2ND FLOOR PLANS C3.01 CONCEPTUAL SITE PLAN A2.2 BUILDING A 3RD & 4TH FLOOR PLANS C3.02 CONCEPTUAL SITE PLAN A2.3 BUILDING B GARAGE C4.01 GRADING PLAN BUILDING B 2ND FLOOR PLAN C4.02 GRADING PLAN BUILDING B 3RD & 4TH FLOOR PLANS A2.5 C5.01 UTILITY PLAN ROOF PLAN A2.6

C5.02 LITHITY PLAN PHOTO SIMILI ATIONS C6.01 STORMWATER MANAGEMENT PLAN

A3.2 BUILDING A NORTH & SOUTH ELEVATIONS C6.02 STORMWATER MANAGEMENT PLAN & DETAILS BUILDING B NORTHWEST & SOUTHEAST ELEVATIONS

LANDSCAPE

C7.01 FIRE ACCESS EXHIBIT BUILDING B SOUTHWEST & NORTHEAST ELEVATIONS A3.4

43.5 RIJII DING B WING FLEVATIONS BRIDGE BETWEEN BUILDING A AND B ELEVATION

A3.7 SECTIONS

A9.1 DETAILS

A3.1

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# SALVATORE CARUSC DESIGN CORPORATION TFI, No. (408) 998-4087 - FAX No. (408) 998-4088

CONSULTANT :

PROJECT :

DOVEHILL MEDICAL CARE FACILITY

SAN JOSE,CA

## GENERAL NOTES :

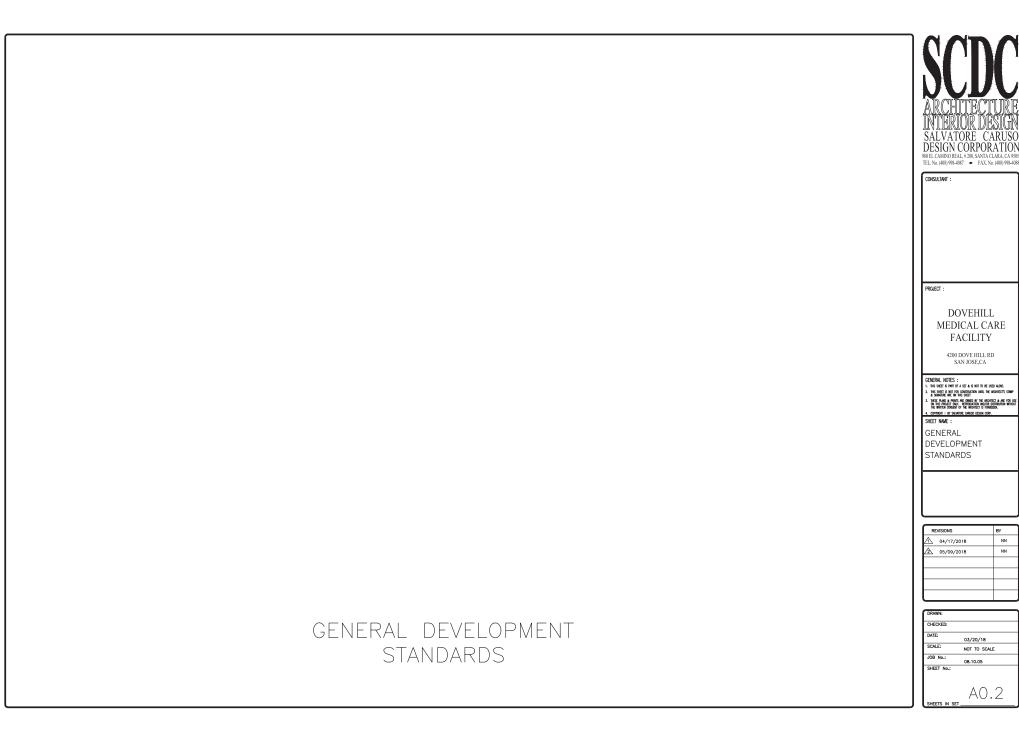
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DOVEHILL MEDICAL CARE FACILITY

SAN JOSE,CA

DEVELOPMENT

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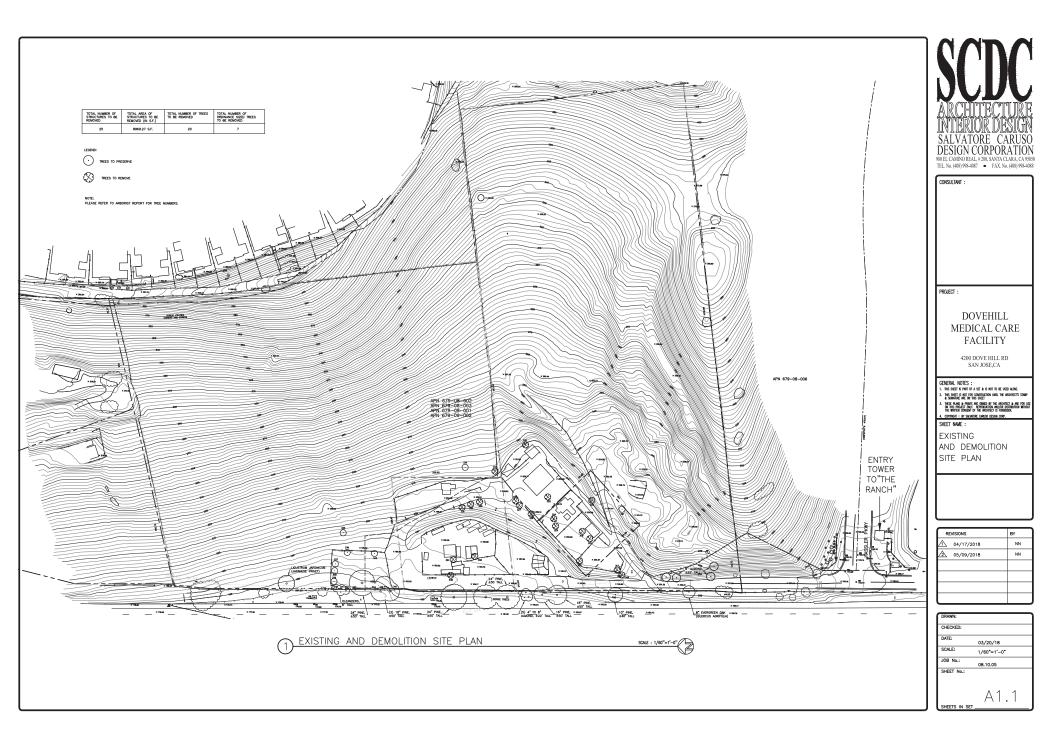
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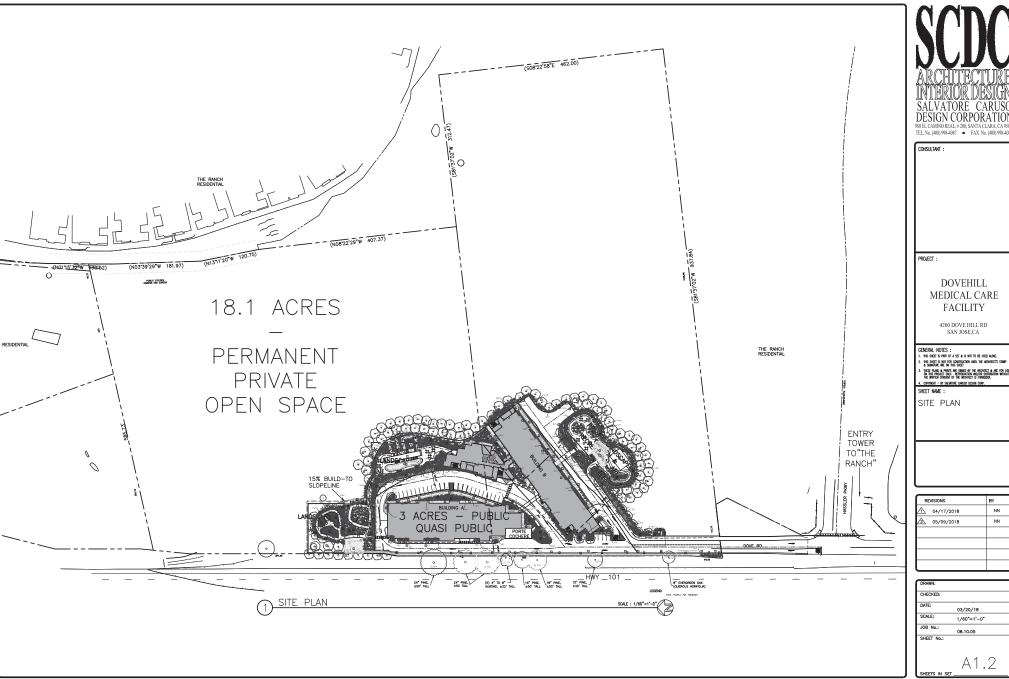
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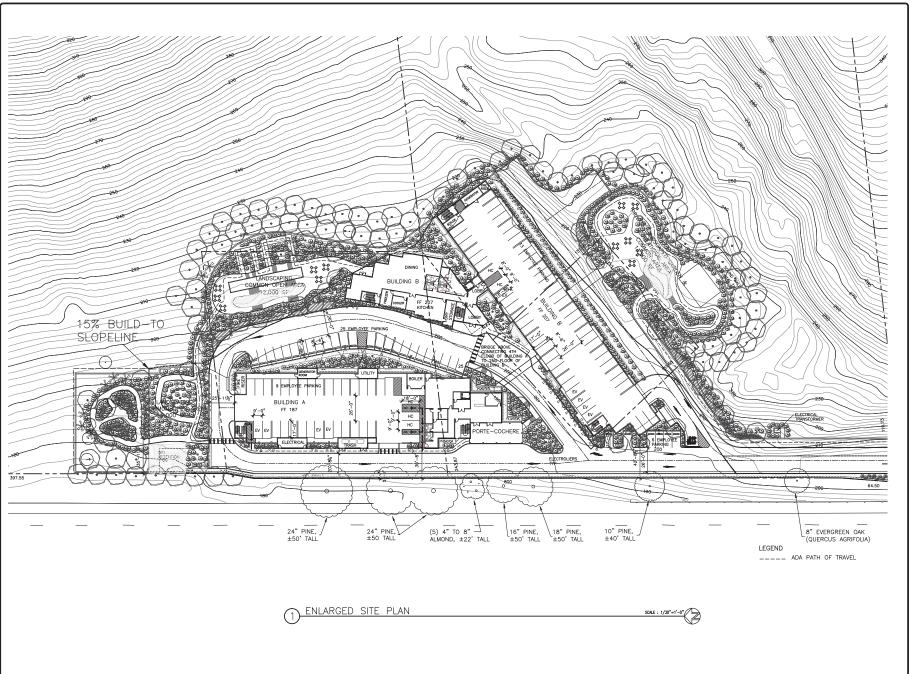




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GENERAL NOTES:

1. HICK SHEET IS HANT OF A SET A IS NOT TO BE USED ALONE.

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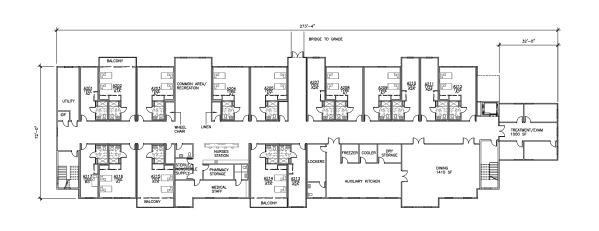
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ENLARGED SITE PLAN

REVISIONS	BY
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	DATE:	03/20/18
	SCALE:	1/30"=1"-0"
	JOB No.:	08.10.05
	SHEET No.:	



273'-4" OFFICE

GARAGE LEVEL - ADMINISTRATION
BUILDING A

SECOND FLOOR - 26 BEDS BUILDING A

SCALE : 1/16"=1"-0"

SCALE : 1/16"=1"-0"





CONSULTANT :

PROJECT :

DOVEHILL MEDICAL CARE FACILITY

4200 DOVE HILL RD SAN JOSE,CA

GENERAL NOTES:

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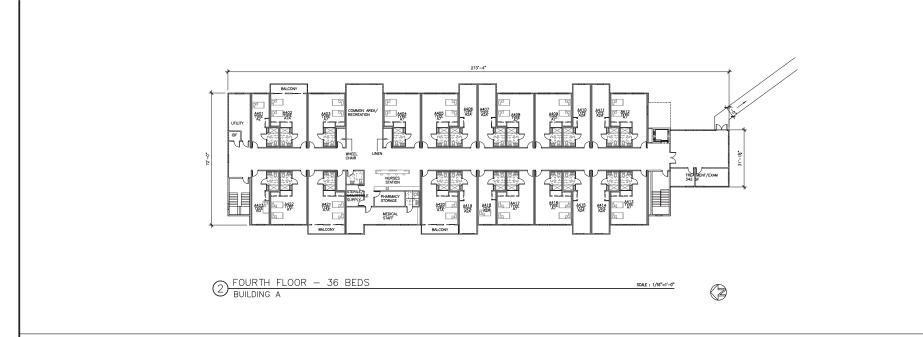
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BUILDING A GARAGE + 2ND FLOOR PLANS

-	
REVISIONS	BY

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DATE:	03/20/18
SCALE:	1/16"=1"-0"
JOB No.:	08.10.05
SHEET No.:	





THIRD FLOOR - 36 BEDS
BUILDING A

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





CONSULTANT :

PROJECT :

DOVEHILL MEDICAL CARE FACILITY

> 4200 DOVE HILL RD SAN JOSE,CA

GENERAL NOTES :

1. THIS SHEET IS PIRIT OF A SET & IS NOT TO BE USED ALONE.

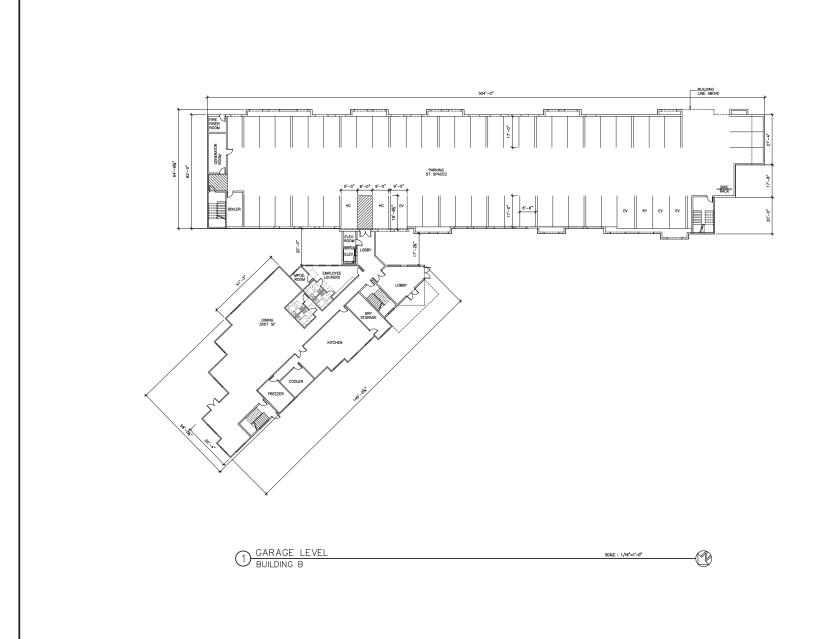
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BUILDING A THIRD + FOURTH FLOOR PLANS

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SHEET No.:	





CONSULTANT :

PROJECT :

DOVEHILL MEDICAL CARE FACILITY

4200 DOVE HILL RD SAN JOSE,CA

GENERAL NOTES:

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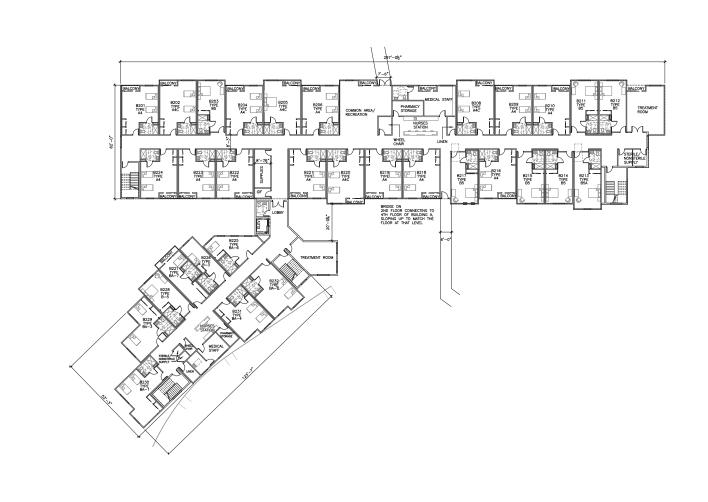
FLOOR PLANS BUILDING B GARAGE LEVEL

SHEET NAME :

REVISIONS	BY

DRAWN:	
CHECKED:	
DATE:	03/20/18
SCALE:	1/16"=1"-0"
JOB No.:	08.10.05

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SCALE : 1/16"=1"-0"

SECOND FLOOR - 50 BEDS BUILDING B

SALVATORE CARUSO DESIGN CORPORATION 980 EL CAMINO REAL, # 200, SANTA CLARA, CA 95050 TEL. No. (408) 998-4087 FAX. No. (408) 998-4088

CONSULTANT :

PROJECT :

## DOVEHILL MEDICAL CARE FACILITY

4200 DOVE HILL RD SAN JOSE,CA

GENERAL NOTES:

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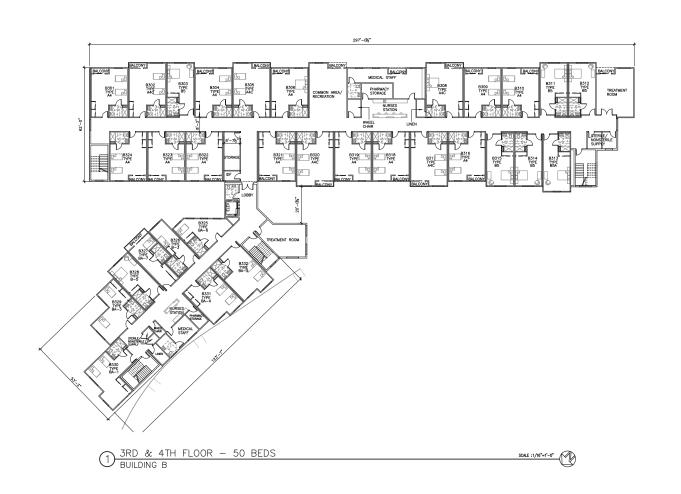
FLOOR PLANS BUILDING B SECOND FLOOR

SHEET NAME :

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CONSULTANT :

PROJECT :

DOVEHILL MEDICAL CARE FACILITY

4200 DOVE HILL RD SAN JOSE,CA

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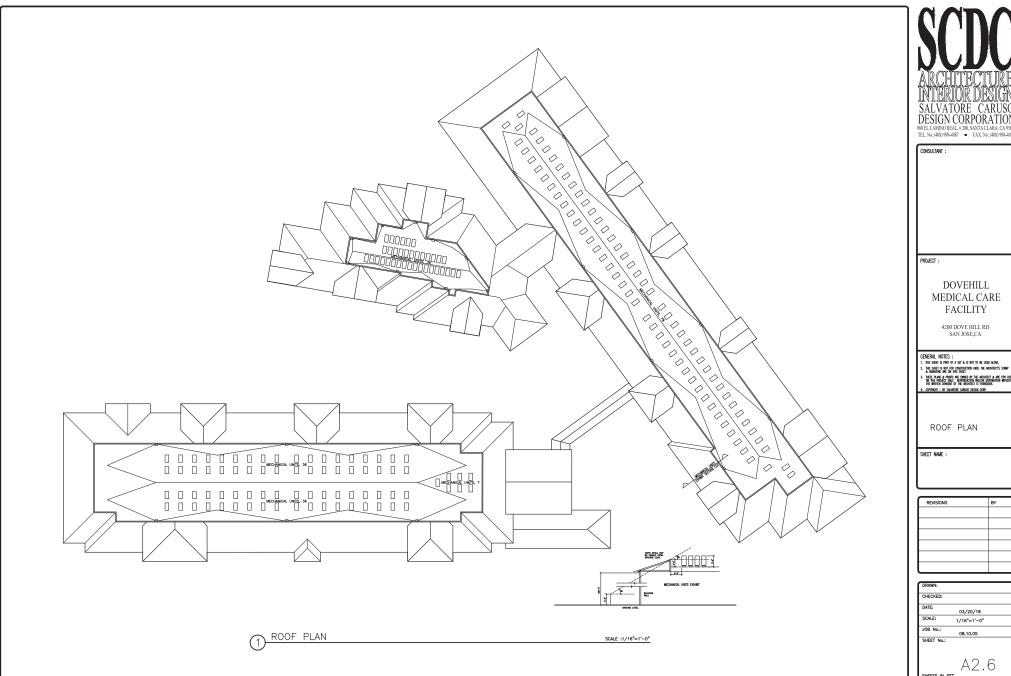
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FLOOR PLANS BUILDING B 3RD & 4TH FLOOR

REVISIONS	BY

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JOB No.:	08.10.05	
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DOVEHILL MEDICAL CARE FACILITY

> 4200 DOVE HILL RD SAN JOSE,CA

ROOF PLAN

REVISIONS	BY

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A2.6









PHOTO SIMULATIONS

SALVATORE CARUSO
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CONSULTANT :

PROJECT :

## DOVEHILL MEDICAL CARE FACILITY

4200 DOVE HILL RD SAN JOSE,CA

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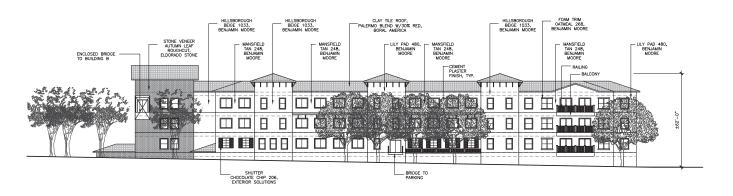
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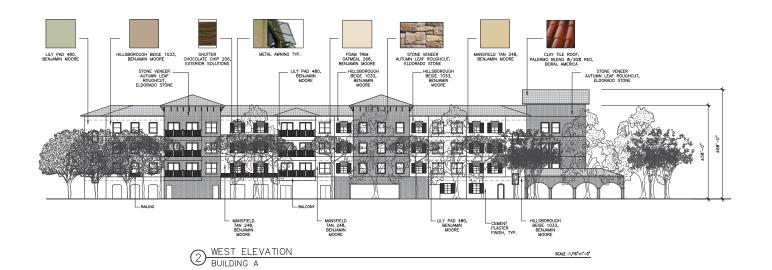
REVISIONS	BY
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JOB No.:	08.10.05
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EAST ELEVATION BUILDING A

SCALE :1/16"=1"-0"



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CONSULTANT :

PROJECT :

DOVEHILL MEDICAL CARE FACILITY

> 4200 DOVE HILL RD SAN JOSE,CA

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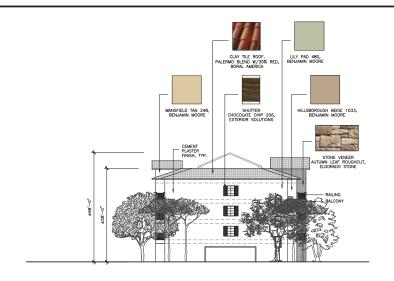
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BUILDING A EAST & WEST ELEVATIONS

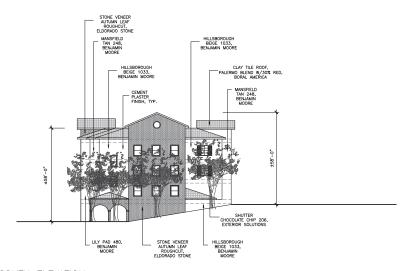
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NORTH ELEVATION BUILDING A

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



SOUTH ELEVATION
BUILDING A

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

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CONSULTANT :

PROJECT :

DOVEHILL MEDICAL CARE FACILITY

4200 DOVE HILL RD SAN JOSE,CA

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BUILDING A NORTH & SOUTH ELEVATIONS

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DOVEHILL MEDICAL CARE FACILITY

> 4200 DOVE HILL RD SAN JOSE,CA

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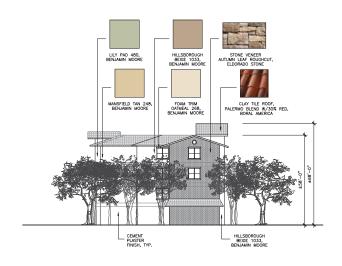
BUILDING B ELEVATION NORTH WEST & SOUTH EAST

SHEET NAME :

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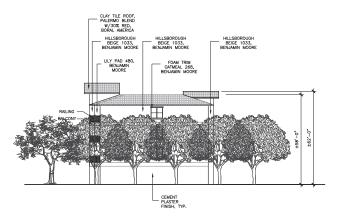
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SOUTH WEST ELEVATION
BUILDING B

SCALE :1/16"=1"-0"



NORTH EAST ELEVATION BUILDING B

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

SALVATORE CARUSO DESIGN CORPORATION
980 EL CAMINO REAL, # 200, SANTA CLARA, CA 95050
TEL. No. (408) 998-4087 • FAX. No. (408) 998-4088

CONSULTANT :

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DOVEHILL MEDICAL CARE FACILITY

4200 DOVE HILL RD SAN JOSE,CA

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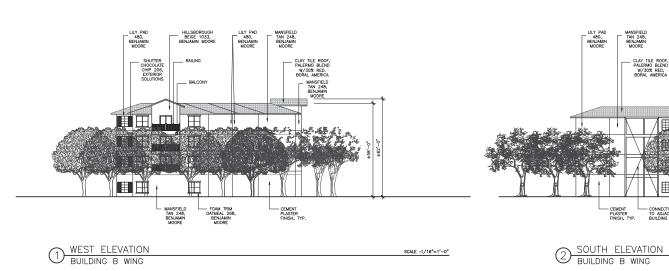
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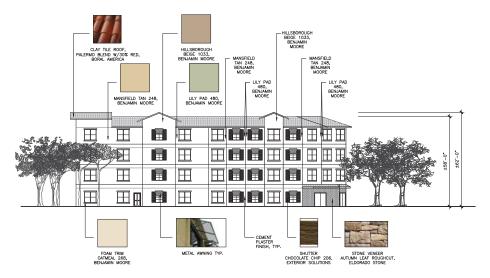
BUILDING B ELEVATION SOUTH WEST & NORTH EAST

REVISIONS	BY

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DATE:	03/20/18
SCALE:	1/16"=1"-0"
JOB No.:	08.10.05
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CLAY TILE ROOF, PALERMO BLEND W/30% RED, BORAL AMERICA MANSFIELD TAN 248, BENJAMIN MOORE



EAST ELEVATION BUILDING B WING SCALE :1/16"=1"-0" 4 NORTH ELEVATION BUILDING B WING

SCALE :1/16\*=1"-0"

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

SALVATORE CARUSO DESIGN CORPORATION 

CONSULTANT :

PROJECT :

DOVEHILL MEDICAL CARE FACILITY

> 4200 DOVE HILL RD SAN JOSE,CA

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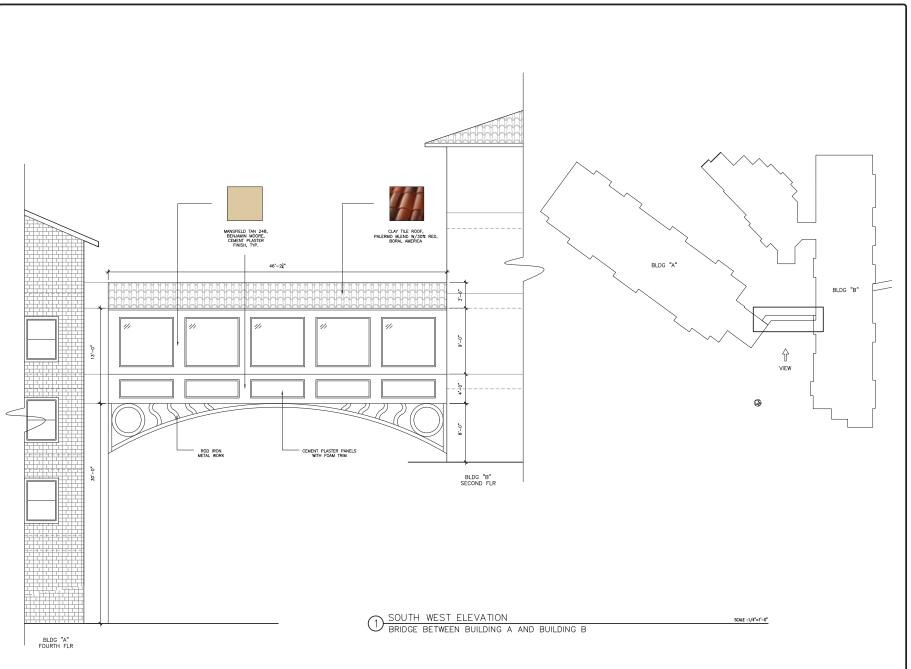
BUILDING B WING ELEVATIONS

SHEET NAME :

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SCALE:	1/16"=1"-0"
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A3.5



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CONSULTANT :

PROJECT :

DOVEHILL MEDICAL CARE FACILITY

4200 DOVE HILL RD SAN JOSE,CA

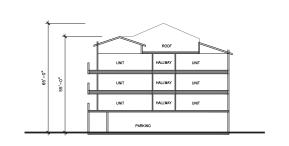
BRIDGE BETWEEN BUILDING A AND B ELEVATION

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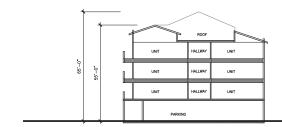
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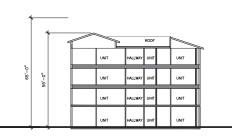
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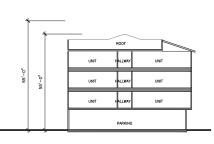


SECTION THROUGH BUILDING A BUILDING A

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







SECTION THROUGH BUILDING B
BUILDING B

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

SALVATORE CARUSO
DESIGN CORPORATION
900 EL CAMINO REAL, # 200, SANTA CLARA, CA 9:050
TEL. No. (408) 998-4087 FAX. No. (408) 998-4088

CONSULTANT :

PROJECT :

DOVEHILL MEDICAL CARE FACILITY

4200 DOVE HILL RD SAN JOSE,CA

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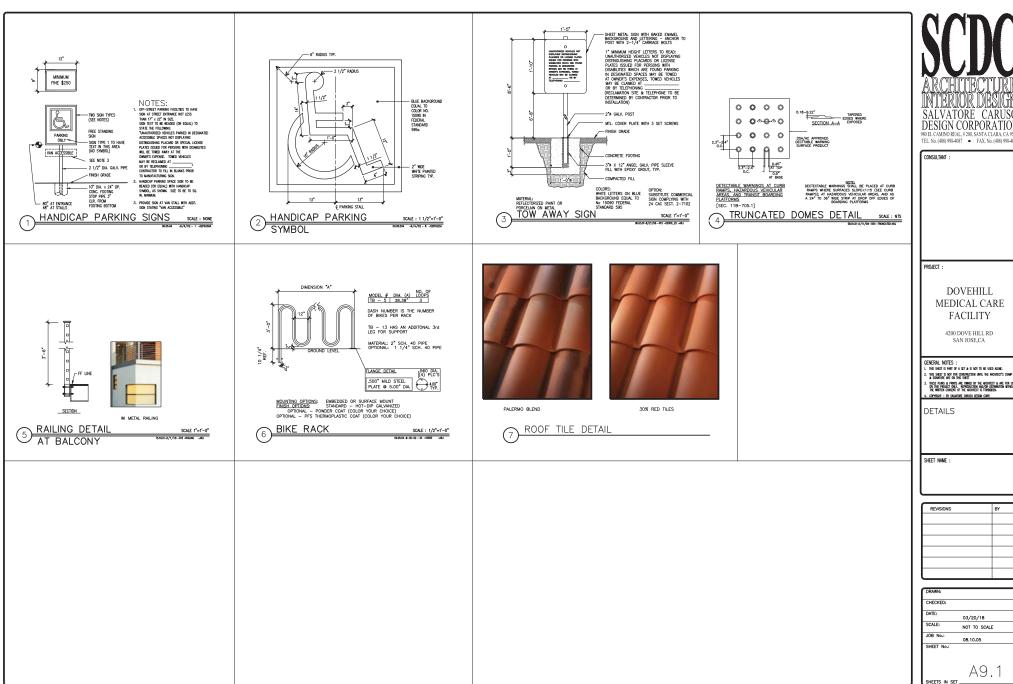
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SECTIONS

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JOB No.:	08.10.05



SALVATORE CARUSO DESIGN CORPORATION 

## DOVEHILL MEDICAL CARE FACILITY

4200 DOVE HILL RD SAN JOSE,CA

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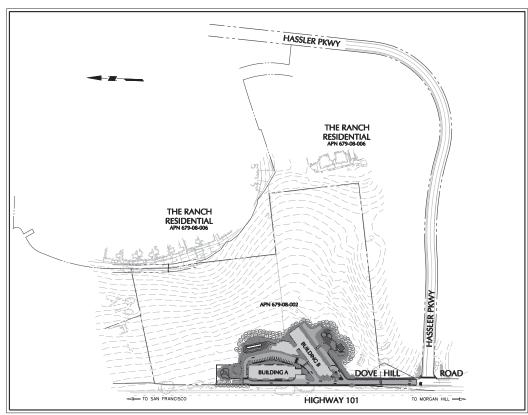
## **DOVE HILL** MEDICAL CARE FACILITY 4200 DOVE HILL ROAD

CITY OF SAN JOSE, SANTA CLARA COUNTY, CALIFORNIA

## **ABBREVIATIONS**

ASPHALTIC CONCRETE
AREA DRAIN
ASSESSOR'S PARCEL NO.
BACK FLOW PREVENTER
BOTTOM OF WALL
CONCRETE
CATCH BASIN
CLEAN DUTON. PIPE
DORANIAGE MANAGEMENT AREA
DOMESTIC WATER
EXISTING

DRAINAGE MANAGEMENT AREA
DOMESTIC WATER
EAST MANAGEMENT AREA
DOMESTIC WATER
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MARPHOSED
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PAINT MARK
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FEET LORGEMENT
FORCE



PROJECT SITE MAP



PROJECT LOCATION MAP

## **COMBINED PLANNING COMMISSION SET**

## MEDICAL CARE FACILITY SHEET INDEX:

TITLE SHEET
OVERALL SITE PLAN
CONCEPTUAL SITE PLAN
GRADING PLAN
UTILITY PLAN
STORMWATER MANAGEMENT PLAN
STORMWATER MANAGEMENT PLAN & DETAILS
FIRE ACCESS EXHIBIT C1.01 C2.01 C3.01-C3.02 C4.01-C4.02 C5.01-C5.03 C6.01 C6.02 C7.01

## YERBA BUENA/ DOVE HILL/ SEWER EXTENSION (FOR REFERENCE ONLY) SHEET INDEX:

COVER SHEET NOTES OVERALL SHEET INDEX PLAN & PROFILE CIVIL DETAILS

PRELIMINARY DRAFT, NOT FOR CONSTRUCTION

Date	Description	No.	SIGNATURE DATE SIGNED
	REVISIONS		PROFESSIONAL CIVIL ENGINEER STATE LIC. No. C78817



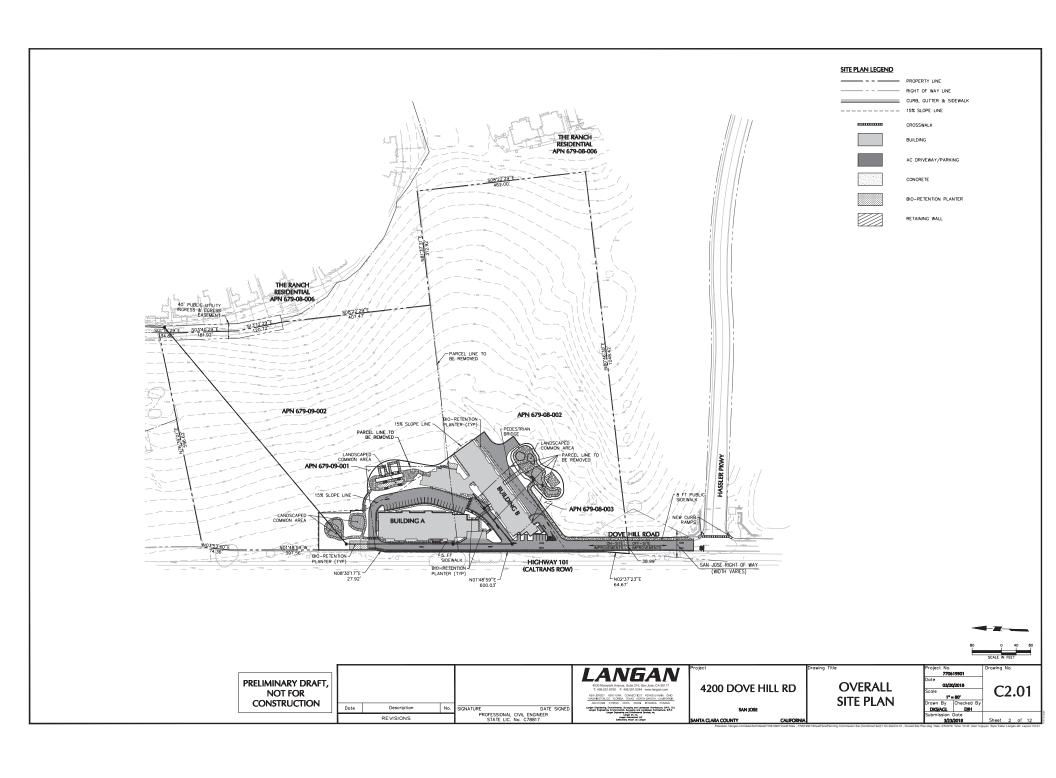
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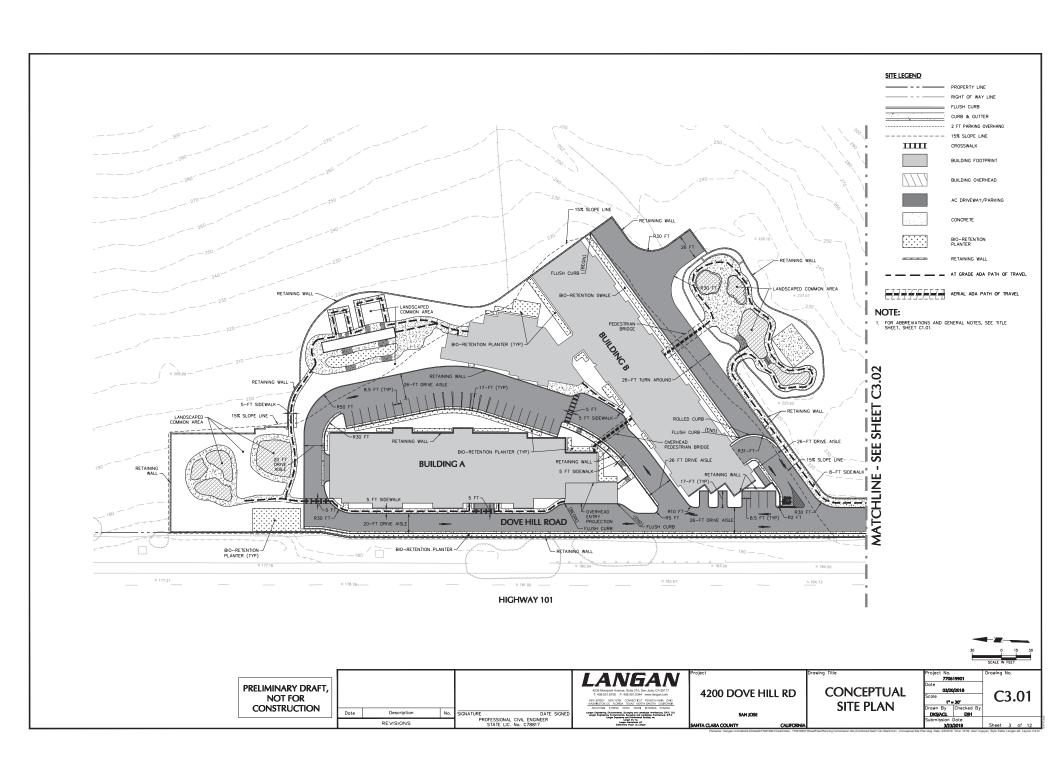
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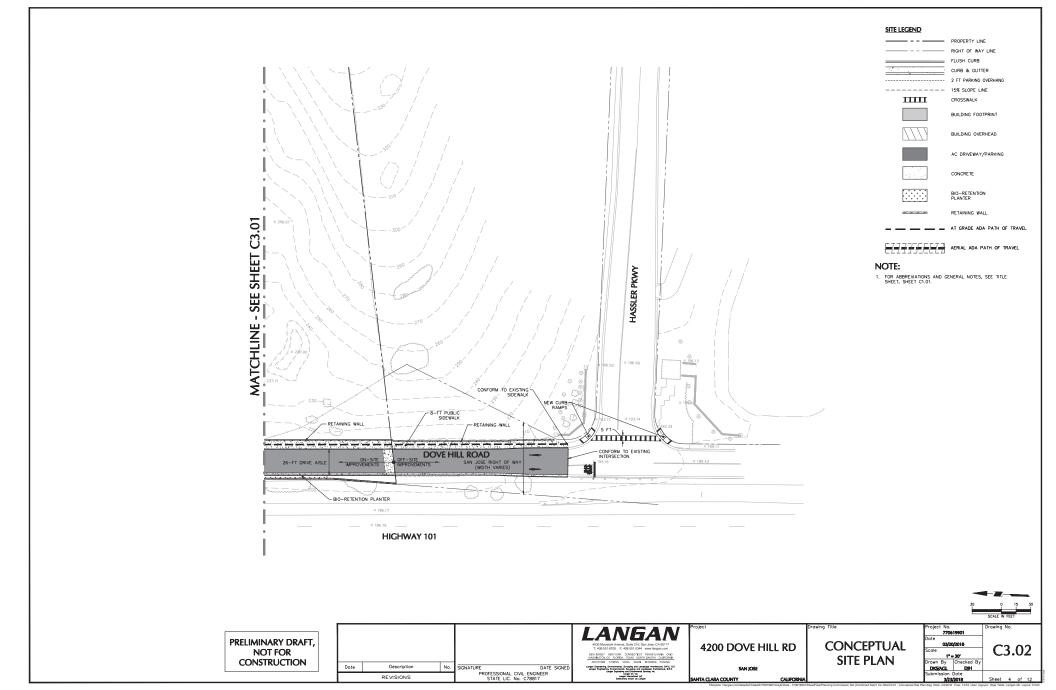
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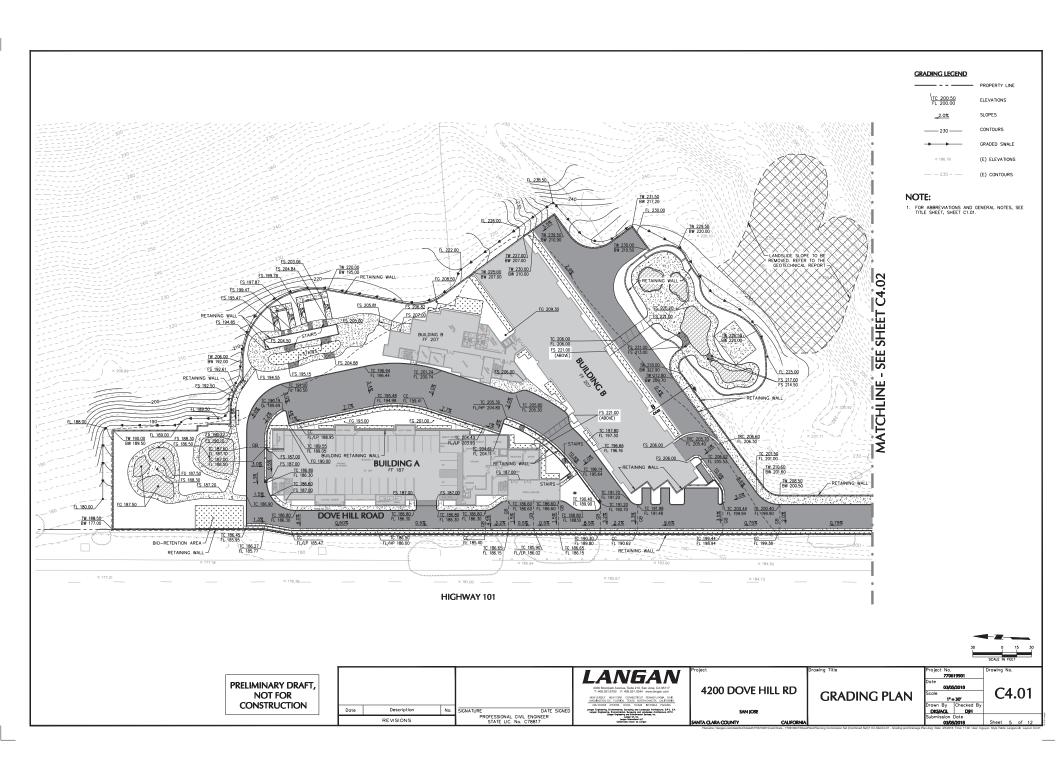
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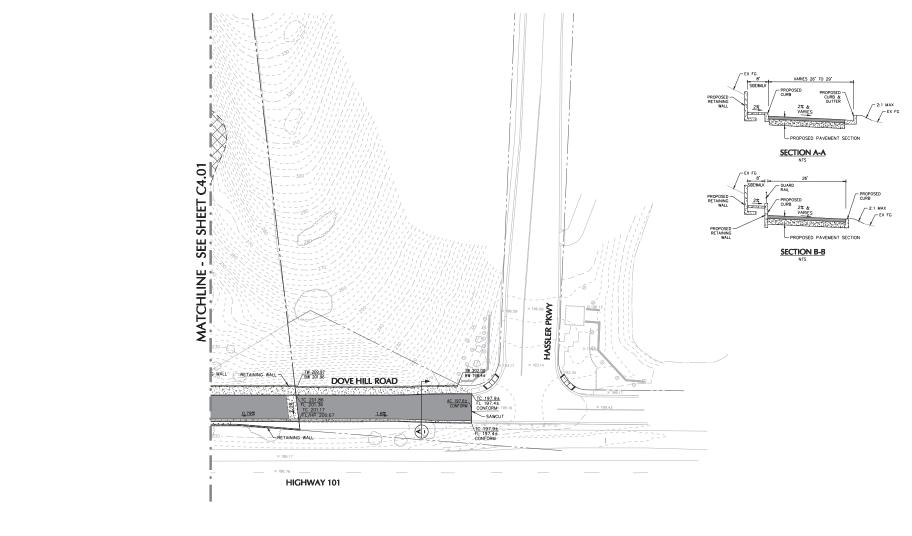
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NOTE:

 FOR LEGEND, SEE SHEET C4.01. FOR ABBREVIATIONS AND GENERAL NOTES, SEE TITLE SHEET, SHEET C1.01. PRELIMINARY DRAFT, NOT FOR CONSTRUCTION

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Date	Description	No.	SIGNATURE DATE SIGNED
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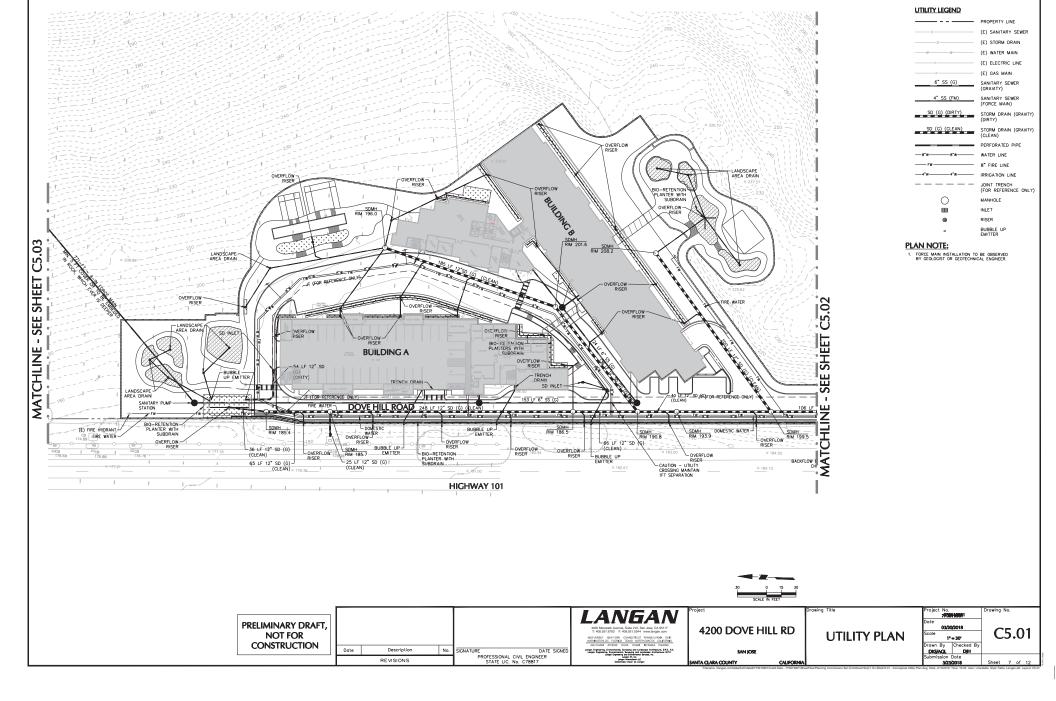
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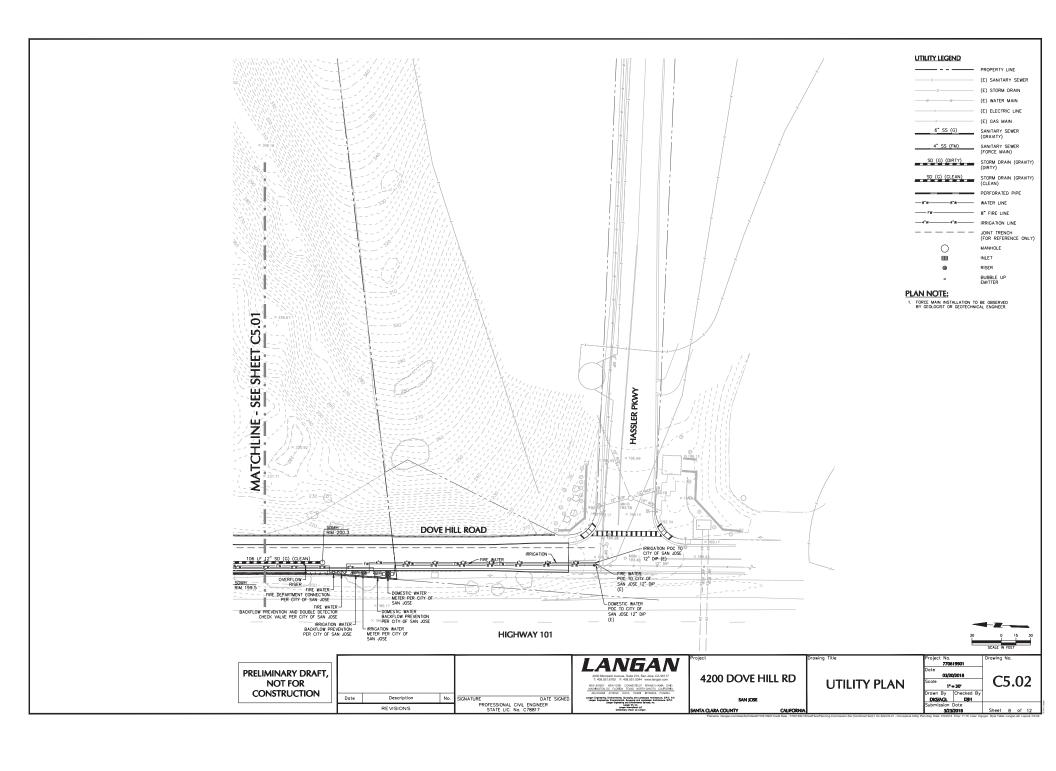
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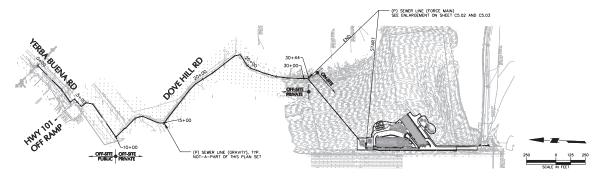
SAN JOSE
SANTA GLARA COUNTY
CALFOR

GRADING PLAN

Project No.			Drawing No.
770619901			
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	5/2018		0400
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1"	= 30"		CT.02
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DKS/AGL	DJH		
Submission	Date		







## (P) SEWER ALIGNMENT OVERVIEW

## UTILITY LEGEND

- 11011 T BE BE 10	
	PROPERTY LINE
s	(E) SANITARY SEWER
	(E) STORM DRAIN
	(E) WATER MAIN
£	(E) ELECTRIC LINE
	(E) GAS MAIN
6" SS (G)	SANITARY SEWER (GRAVITY)
4" SS (FM)	SANITARY SEWER (FORCE MAIN)
SD (G) (DIRTY)	STORM DRAIN (GRAVITY) (DIRTY)
SD (G) (CLEAN)	STORM DRAIN (GRAVITY) (CLEAN)
	PERFORATED PIPE
—8"w———8"w——	WATER LINE
FW	8" FIRE LINE
4*W4*W	IRRIGATION LINE
	JOINT TRENCH (FOR REFERENCE ONLY)
0	MANHOLE

MANHOLE

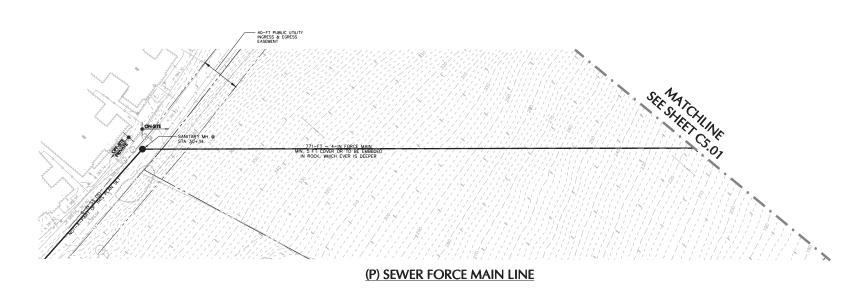
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## PLAN NOTE:

 FORCE MAIN INSTALLATION TO BE OBSERVED BY GEOLOGIST OR GEOTECHNICAL ENGINEER.



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LANGAN

400 Morgani, Anneas, Sala 211, San, Jans, CA 521,77

400 Morgani, Anneas, Sala 211, San, Jans, CA 521,77

160 ABBEY, ABS 1000, COMMERCIAL PROMITIVAN, CAPD

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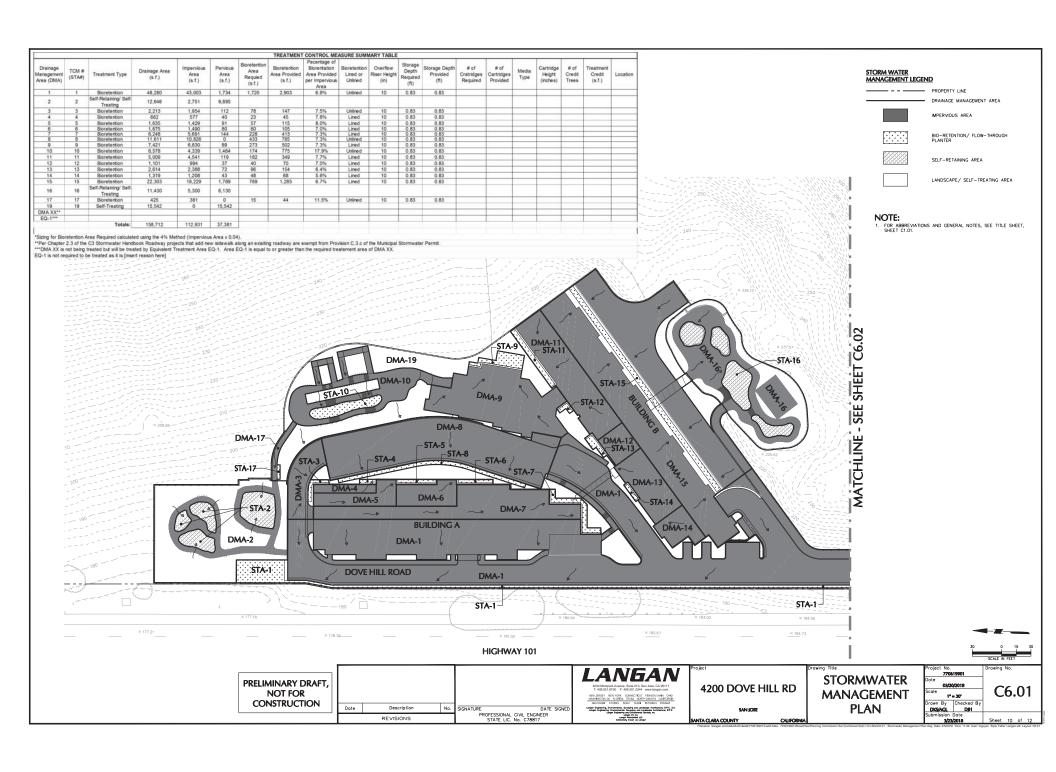
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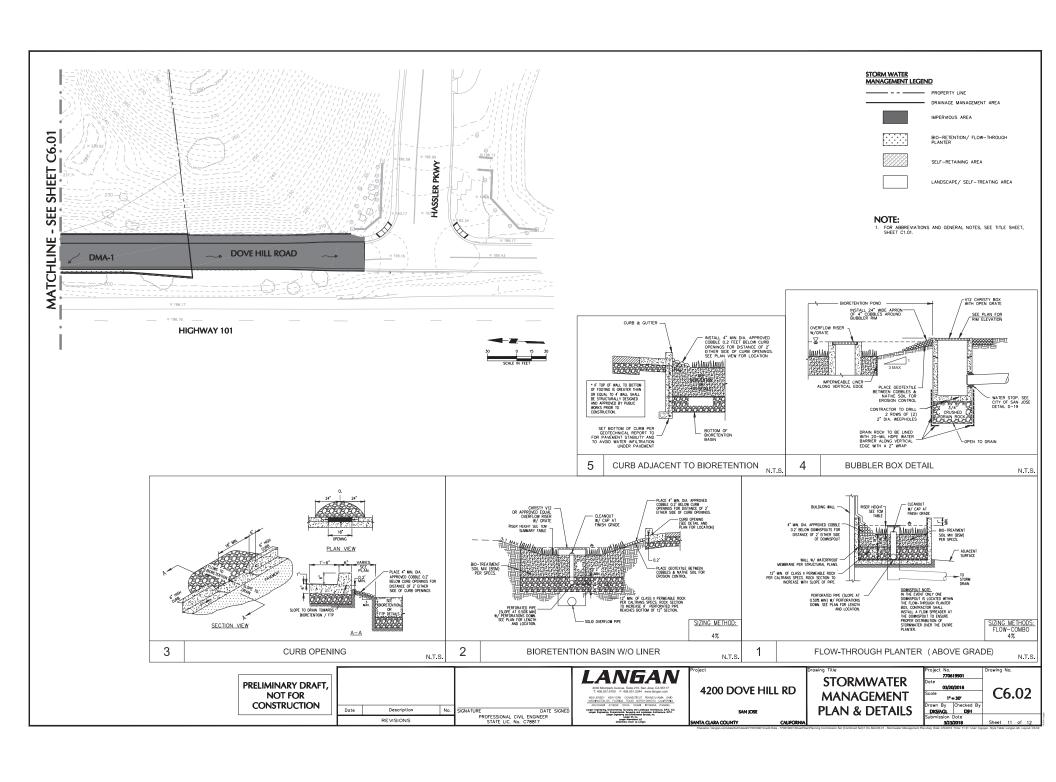
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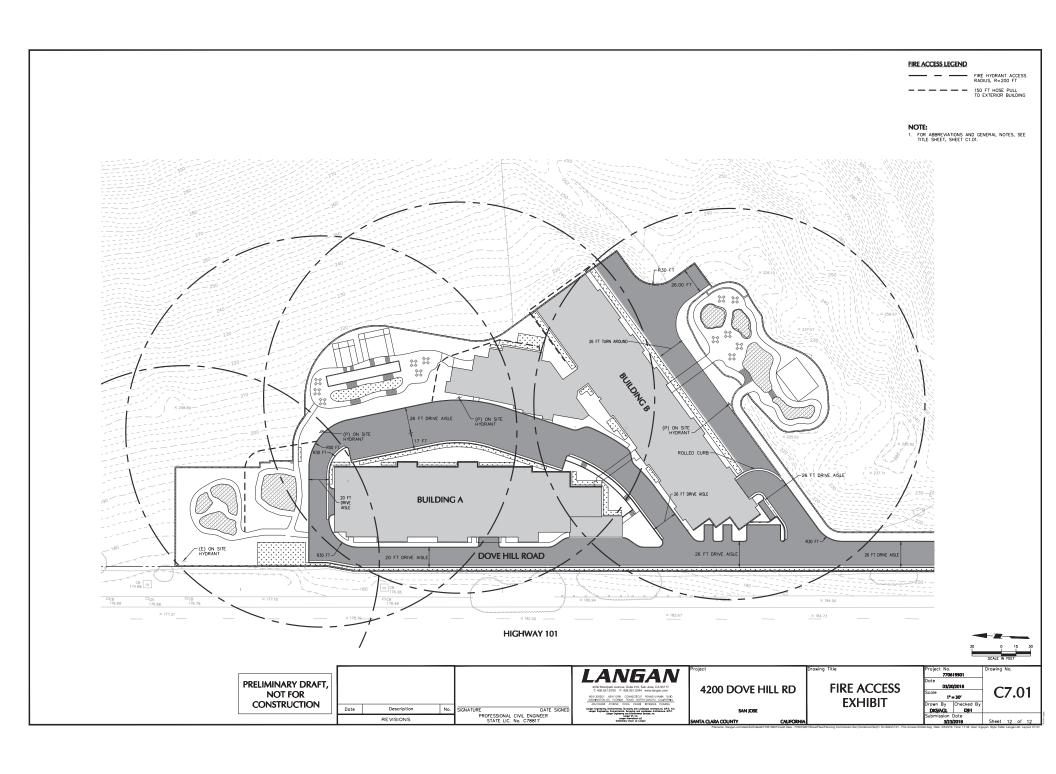
L RD UTILITY PLAN

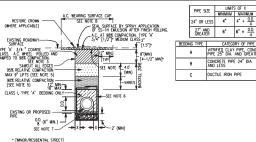
PLAN

| Project No. 770619901 | Drowing No. 770619901









LEGEND: DESCRIPTION TO BE CONST. RIGHT OF WAY PROPERTY LINE EASEMEN1 CURB AND GUTTER SIDEWALK PULL BOX P G & E SERVICE POINT SANITARY SEWER LINE STORM DRAIN LINE WATER LINE GAS LINE ELECTRICAL LINE ELECTRICAL LINE SANITARY MANHOLI (S) STORM MANHOLF CLEANOUT WATER VALVE FIRE HYDRANT 000 MONUMENT BENCHMARK DRIVEWAY HANDICAP RAME

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DETAIL NUMBER -

SHEET NUMBER — 1

CATEGORY OF PIPE VITRIFIED CLAY PIPE, CONCRETI PIPE 25" DIA. AND GREATER CONCRETE PIPE 24" DIA. AND LESS DUCTILE IRON PIPE

#### EXISTING STREET TRENCH RESTORATION

#### TRENCH NOTES:

- CLEAN AND TACK COAT ON BOTH SIDES OF EXCAVATED TRENCH & BETWEEN AC COURSES WITH SPRAY APPLICATION OF SS-1H BINDER BEFORE PLACING A.C. SURFACE.
- 2) PLACE A TOTAL OF 10° OR EMSTRIC +3°
  A.C. BASE TO FINSH GRADE, WHICHLYER
  HICKNESS OR FATER. AC BASE SHALL BE
  PLACED IN A MINIMUM OF 2 LUTS. GRADO
  EMITER WEARNING SUFFACE ARE WORTH
  INCLUDING A.C. BASE & EMSTRIC SURFACE TO
  DEPTH OF 2° 15°; "BELOID WISHING RADIE JUST
  PRIOR TO PLACING A.C. SURFACE."
- 3) 2" [1.5"] SURFACE CAP SHALL BE PLACED THE SAME DAY AS THE PAVEMENT GRNDING, OR CONFERD WITH NON-SKO STEEL PLATES COUNTERSING FLUSH WITH THE ADJACENT GRADES UNTIL THE A.C. SURFACE CAN BE PLACED.
- 5) THE CONTRACTOR SHALL USE CLASS III
  AGGREGATE BASE, 3/4" MAXMUM GRADATION
  AS BACKFILL MATERIAL AND SHALL
  CONFORM TO SECTION 26 OF THE STANDARD
  SPECIFICATIONS.
- 6) GEOTEXTILE TO BE PLACED BETWEEN CLASS III A.B. AND BEDDING IF THE NATIVE SOIL SURROUDINGT THE THEORY IS FOUND TO BE HEAVY CLAY. FOR ALL OTHER NATIVE SOIL CONDITIONS THE GEOTEXTHE SHALL BE WRAPPED AROUND THE ENTIRE TRENCH AS
- GEOTEXTILE AND CLASS I, BEDDING STABILIZATION MATERIAL SHALL BE USED FOR UNSUITABLE SOIL CONDITIONS ONLY OR AS DIRECTED BY CITY ENGINEER/INSPECTOR.

SHEET INDEX

COVER SHEET GENERAL NOTES OVERALL SHEET INDEX PLAN AND PROFILES CIVIL DETAILS

#### **CITY STANDARD NOTES**

NOTE: THIS DRAWING IS APPROVED SUBJECT TO

- ALL CONTRACTORS WILL BE RESPONSIBLE FOR THE VERFICATION OF LOCATIONS OF ALL EXISTING UTILITIES IN THE FELD. ALL CONTRACTORS SHALL CALL U.S.A. (CA. 1-800-227-2800) 48 HOURS BEFORE DIGGING, AND OBTAIN AN IDENTIFICATION NUMBER (SECTION
- COMPACT SUBGRADE FOR SIDEMALK AND SIMILAR STRUCTURES TO 90% MINIMUM RELATIVE DENSITY IN LIEU OF THE 95% REQUIRED IN SECTION 21-1.05 OF THE STANDARD SPECIFICATIONS. COMPACT SUBGRADE FOR CURB, GUTTER AND DRIVEWAYS TO 95%. RELATIVE COMPACTION AND MOISTURE CONTENT OF ALL NATIVE MATERIALS SHALL BE DETERMINED BY ASTM D2922 / D3017 AND D1557
- ALL ASPHALT CONCRETE MX SHALL BE TIPE "X" 3/4" COMME FOR BASE, 3/4" MEDIAN FOR SURFACE AND 1/2" MEDIAN FOR CONFORMS. AC COMPACTION SHALL BE DETERMED BY ASTM 02950 OR BY TESTING CORES SELECTED FOR ASTM 0399 / 0.0865 AND TESTING DOES AND ASSMORT AND ARE YOUR CONCRET AND ARE YOUR CONCRETATION OF A STAN 0390 AND CONCRETA FOR ASTM 0390 AND ASSMORT AND CONCRETA FOR ASSMORT AND CONCRETATION OF A STAN 0390 AND CONCRETA FOR ASSMORT ASSMORT AND CONCRETATION OF A STAN 0390 AND CONCR

- S. A MATE CONSERVATION MEASURE, USE OF FIRE IMPORANT MATER OR ANY DIMER SOURCE OF POTABLE WATER FOR CONSTRUCTION PROPOSES IS PROHEBITED. RECYCLED WATER IS AVMA.BILE AT MALTIPLE LOCATIONS ACROSS THE CITY. CERTIFICATION IS REQUIRE YS SOUTH BAY WATER RECYCLED PROVIDED TO RECYCLED WATER VIEW, OF TOWN OF METON MADDIN, PLEASE CALL LIFE REPORTANT AT COMP. 379-48-805.
- HAZARDOUS MATERIALS: UPON DISCOVERY OF HAZARDOUS MATERIAL THE CONTRACTOR SHALL PROMPTLY NOTIFY THE CITY IN WRITING OF ANY

- C UNNOWN PHYSICAL CONDITIONS AT THE STE OF ANY UNUSUAL NATURE, DIFFERIT MATERALLY FROM THOSE DIFFERING PROCEDURED AND CONTRACT. THE CONTRACT AS REMEMBER IN MORE OF THE COMMACTIC PROVIDED FOR IN THE CONTRACT. THE STATE PROVIDED FOR IN THE CONTRACT AND CONTRACT AS REMEMBER OF THE PROVIDED FOR INTERPRETATION OF REQUIRED, A REMEMBER PLAN MALE OF SHAPE AND CONTRACT AS REMEMBER OF THE PROVIDED FOR INTERPRETATION OF THE CONTRACT AS REMEMBER OF THE PROVIDED FOR INTERPRETATION OF THE CONTRACT AS REMEMBER OF TH
- SECTION 5097.94 OF THE PUBLIC RESOURCES CODE OF THE STATE OF CAUFORNIA, NOTIFY THE SANTA CLARA COUNTY CORONER IMMEDIATELY.

- OR CONSTRUCTION SUPPLEAS. THE USE OF COMMANY PART FOR STORM DRAW MARKENS IS NOT ALLOHED. THE STRICKLE MAY BE GREAMED, AT NO CHARGE, THROUGH THE EDVIRONMENTAL SERVICE DEPARTMENT. CONTACT AMBER SOLAT OF PATRICH HANSEN AT 409-495-3500.
- 16. INSTALLATION OR REMOVAL OF STREET TREES REQUIRES A PERMIT FROM THE DEPARTMENT OF TRANSPORTATION. THE CITY ARBORST WILL SPECIFY SPECIES. CONTACT THE CITY ARBORST AT (408) 794-1901 FOR A TREE PERMIT.
- 17. SANITARY AND STORM PIPES:
- A ALL VOR PIER APPLICATIONS IN IN DIAMETER AND GERALES SHALL REQUIRE RESIDENT COMPRESSION, JOHNS (BELL & SPICOT) AS PER SECTION 1302-4-2.2 OF THE CITY STANDAMO SPECIFICATIONS. COMPRESSION COUPLAGS (BAND SEALS) ARE ALLOWED FOR VCP PER APPLICATIONS OF THE DIRECTION OF THE DIRECTI

- CONTRACTOR'S SOLE EMPONES, BE REPONSIBLE FOR ITS RE-ESTABLISHMENT AND THE FILING OF A CORRER RECORD WITH THE COLARY'S SURVEYOR'S OFFICE. A RECORD OF SURVEY SHALL BET RELED FOR ALL NEW OFFT WOMENING SET IN CONJUNCTION WITH THIS IMPROVEMENT PLAN, LINKESS A FINAL OR PARCEL MAP RECOURING SEAD MONUMENTS IS RECORDED AS PART OF THIS PROCESS.
- 20. PAVEMENT MARKING AND STRIPING LAYOUT AND TRAFFIC SIGNAL LOOP LAYOUT SERVICES SHALL BE PROVIDED BY THE DEVELOPER'S ENGINEER, SURVEYOR, OR OTHER QUALIFIED
- 22. PLAN REFERENCES (I.E. PLANNING PERMIT NUMBER, RECORD DRAWINGS, ETC.)

FOR REFERENCE ONLY

PLAN FOR THE IMPROVEMENT OF YERBA BUENA/DOVE HILL SEWER MAIN EXTENSION

LANGAN

DEPARTMENT OF PUBLIC WORKS PERMIT #

PROJECT NAME HERE VOICE WAL: PROJECT # PROJECT ENGINEER SAN JOSE APPROVED BY BARRY NG DIRECTOR OF PUBLIC WORKS DATE DATE

PRELIMINARY DRAFT, NOT FOR CONSTRUCTION

STREET TREES

ANGP ARV ASB BBO WG CCRPWSE EPRGH

DETAIL REFERENCE

OF CONSTRUCTION OF THIS PROJECT INCLUDE WORKING HOURS, AND THAT THE CONTRACTOR IN CONNECTION WITH THE PERFORMANCE OF W

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CONTRACTOR AGREES THAT HE SAFETY OF ALL PERSONS AND THAT HE DAY OF THE PROJECT, EXCEPTING

#### **GENERAL NOTES**

I. OVERALL

- THESE PLANS REPRESENT THE OVERALL STEWORK IMPROVEMENTS REQUIRED FOR PROJECT CONSTRUCTION, THE CONTRACTOR SHALL FINNISH, INSTALL TEST MOD COMPARED AND OWNER IN ACCORDANCE WITH THE PLANS DO NOT COMPARED AND OWNER IN ACCORDANCE WITH THE PLANS DO NOT COMPARE THE VIEW PLANS DO NOT COMPARED THE CONTRACTOR IS RESPONSIBLE TO CONSTRUCTION. ALL SPROCING THE CONTRACTOR IS RESPONSIBLE TO CONSTRUCTION. ALL SPROCING THE CONTRACTOR THE VIEW OF THE VIEW PLANS DO NOT THE VIEW PL
- DESIGN AND CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS, DITY OF SAN JOSE
  STRANGHOS, CALIFARNIS STRANDARD FLARS AND THESE NOTES. THERE ARE ADDITIONAL NOTES. SEPECIFICATIONS AND EXCORDANCES AND
  CONTAINED THROUGHOUT THE PLAN SET AS WELL AS REFERENCES TO SPECIFICATIONS FROM APPLICABLE CONSERING AUTHORITIES AND
  INDUSTRY STRANGHOSE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO GETAIN, REVEW AND ADJECTE TO ALL THESE DOCUMENTS.
- 3. CONSTRUCTION STAKING SHALL BE DONE BY A CIVIL ENGINEER OR LAND SURVEYOR REGISTERED IN THE STATE OF CALIFORNIA.
- REVISIONS TO THESE PLANS MUST BE REVIEWED AND APPROVED IN WRITING BY THE CIVIL DESIGN ENGINEER PRIOR TO CONSTRUCTION
  OF AFFECTED ITEMS, REVISIONS SHALL BE ACCURATELY SHOWN ON REVISED PLANS.
- 5. STANDARD CONSTRUCTION ACTIVITIES SHALL BE LIMITED TO THE DAYS AND HOURS REGULATED BY THE CITY OF SAN JOSE AND THE
- PERMANENT MONUMENTS DISTURBED DURING THE PROCESS OF CONSTRUCTION SHALL BE RESET BY A LICENSED LAND SURVEYOR AT THE CONTRACTOR'S EXPENSE BEFORE ACCEPTANCE OF THE IMPROVEMENTS BY THE OWNER.
- THE CONTRACTOR SHALL RESTORE TO THEIR PREVIOUS CONDITION OR REPLACE STRUCTURES TO REMAIN INCLUDING BUT NOT LIMITED
  TO WALLS, FENCES, SERVICES, UTILITIES, PAVEMENT, & CURB MARKINGS IMPROVEMENTS OR FEATURES OF WHATEVER NATURE WHICH
  ARE DAMAGED DUE TO THE CONTRACTOR'S WORK.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR AND SHALL PREPARE A VEHICULAR ACCESS ROUTE PLAN AND TRAFFIC CONTROL PLAN AND OBTAIN APPROVAL FROM THE CITY OF SAN JOSE AND THE OWNER BEFORE COMMENCING WORK.
- 9. EXISTING PUBLIC PEDESTRIAN WALKWAYS, BIKE PATHS & HANDICAP ACCESS PATHWAYS SHALL BE MAINTAINED DURING CONSTRUCTION.
- TRENCHES SHALL NOT BE LEFT OPEN OVERNIGHT. CONTRACTOR SHALL BACKFILL TRENCHES, OR PLACE STEEL PLATING OR HOT-MIX ASPHALT AS REQUIRED TO PROTECT OPEN TRENCHES AT THE END OF EVERY WORK DAY.
- PRIOR TO FINAL PREPARATION OF THE SUBGRADE AND PLACEMENT OF BASE MATERIALS FOR PAYED AREAS, UNDERGROUND UTILITY MANS SHALL BE INSTALLED AND SERVICE CONNECTIONS STUBBED OUT. STUB-OUTS SHALL BE INSTALLED IN A MANNER WHICH WILL NOT DISTURB THE PAYEMENT, CURB AND GUTTER, AND WALKS WHEN SERVICE CONNECTIONS ARE MADE.
- 12. THE CONTRICTOR SHALL ABBIE BY THE RULES AND REQULATIONS OF THE STATE OF CALIFORNIA CONSTRUCTION SHEET YEAR PERFORMANCE OF EXCHANGING SHALL BOY BOOK DEADWARDS PROBLED SO THAT THE EARTH WILL HOT SLIDE ON SETTLE AND SO THAT PERSTING IMPROVEMENTS WILL BE FULLY PROTECTED FROM DAMAGE DAMAGE RESULTION FROM A LACK OF REQUIRED SHORNING AND SHEET AND SHALL BE RESURRIGHTED. OF THE CONTRACTOR AND SHORNING AND BEACHER ON CONTRACTOR SHALL CONSTRUCTION SAFETY OF BEEST OF THE DIVISION OF INDUSTRIAL SAFETY OF THE STATE OF CALIFORNIA. THE CONTRACTOR SHALL CONSTRUCTION SAFETY OF BEST STATE OF THE DIVISION OF INDUSTRIAL SAFETY OF THE STATE OF CALIFORNIA. THE CONTRACTOR SHALL COMPANY WITH GOAR REQUIREMENTS.
- 13. THE CONTRACTOR SHALL PROVIDE DUST CONTROL FOR THE ENTIRE PROJECT SITE AND REMAIN COMPLIANT WITH RWOCB REGULATIONS. THE SITE SHALL BE SPRINKLED AS NECESSARY TO PREVENT DUST NUISANCE.
- 14. WHEN SPECIFICATIONS OR STANDARDS FROM DIFFERENT AUTHORITIES DIFFER FOR THE SAME SUBJECT MATTER, NOTIFY OWNER AND REQUEST CLARIFICATION.
- 15. UPON SATISFACTORY COMPLETION OF THE WORK, THE WORK SITE SHALL BE CLEANED UP AND LEFT WITH A SMOOTH AND NEATLY GRADED SUBFACE FREE OF CONSTRUCTION WASTE AND RUBBISH OF ANY NATURE BY THE CONTRACTOR TO THE SATISFACTION OF THE OWNER AND WITHIN COMPLIANCE OF THE RINCOB.
- 16. CHAPTER 14 OF THE IFC SHALL BE FOLLOWED FOR AREAS UNDER CONSTRUCTION. CONTACT THE CITY FIRE DEPARTMENT FOR SPECIFIC REQUIREMENTS FOR BUILDINGS UNDER CONSTRUCTION.
- 17. THE CONTRACTOR SHALL COORDINATE HIS WORK WITH THE INSTALLATION OF ANY DRY AND WET UTILITIES INCLUDING BUT NOT LIMITED TO COMCAST, PG&E, AT&T, SBC, SCYWD, SJWCO, CABLE TV FACILITIES & THE CITY OF SAN JOSE.
- 18. THE CONTRACTOR SHALL BE AWARE THAT DEWATERING ACTIVITIES SHALL COMPLY WITH THE CONDITIONS OF THE BAY AREA REGIONAL WATER QUALITY CONTROL BOARD GENERAL PERMIT FOR CONSTRUCTION SITES.

- 19. THE CONTRACTOR SHALL NOTBY UNDERGROUND SERVICE ALERT AT (800) 642–2444 AT LEAST TWO (2) WORKING DAYS PROPR TO THE START OF WORK TO VERFEY THE LOCATION OF EXTING LUDGERGOROUN DUTLIES. THE UNITIES SHOWN ON THE PLANS ARE BASED UPON RECORD INFORMATION. HOWEVER, THE CIVIL DESIGN ENGINEER ASSUMES NO RESPONSIBILITY FOR THEIR SIZE, ACCURACY OR ACTUAL LOCATIONS.
- 20. THE CONTRACTOR SHALL ADJUST TO FINAL GRADE EXISTING AND/OR NEW MANHOLES, CURB INLETS, CATCH BASINS, VALVES, MONUMENT COVERS, AND OTHER CASTINGS WITHIN THE WORK AREA TO FINAL GRADE IN PAVEMENT AND LANDSCAPE AREAS, UNLESS NOTED OTHERWISE.
- 21. THE CONTRACTOR SHALL MEET AND FOLLOW NPDES REQUIREMENTS IN EFFECT AT THE TIME OF CONSTRUCTION INCLUDING PROVIDING A SMPPP BY A QUALIFIED QSD SHOULD THE PROJECT LIMITS EXCEED ONE ACRE.
- 22. IF ARCHECOGICAL MATERIAS ARE UNCONSEED DURING DEBUTION WORK, WORK WITHIN 100 FEET OF THESE MATERIAS SHALL BE STOPPED UNITE. A PROFESSIONAL ARCHAECOLOSY WON IS CERTIFIED BY THE SOURTY OF CAUPRINAL ARCHAECOLOY (SAC) ANO/OR THE SOURTY OF PROFESSIONAL ARCHAECOLOY (SOA) HAS HAD AN OPPORTUNITY TO EVALUATE THE SOMPICANCE OF THE FIND AND SUICEST APPORTUNE MINICATION MEASURES, IF THEY ARE DEEMED NECESSARY.
- 23. THE CONTRACTOR SHALL POST ON SITE EMERGENCY TELEPHONE NUMBERS FOR CITY ENGINEER, AMBULANCE, POLICE, FIRE DEPARTMENTS, AND THOSE AGENCIES RESPONSIBLE FOR MAINTENANCE OF UTILITIES IN THE VICINITY OF THE JOB SITE.

- EXCENS TEPOGRAPIAC AND UTILITY INFORMATION SHOWN ON THEE FLANE IS DAKED ON TEPOGRAPIAC MAPPING PROVIDED BY CALVADA SURVEYING, INC., DATE 9 97/2077. HERNES SHIRKY IS REQUIRED TO KERNY THE ACTUAL LOCATIONS GAMES ENCOUNTERED ON-SHE MAY VARY FROM THOSE SHOWN, CONTRACTOR SHALL REVEW THE PLANS AND SPECIFICATIONS AND CONDUCT FEEL INVESTIGATIONS TO VERIFY DESTING CONDUCTOR AT THE PROJECT SHOWN.
- 2. THE CONTRICTION SHALL ACCEST THE SITE AS B. THE CONTRICTION SHALL ASSESS CONDITIONS, AND THE KIND, CALLIFTY TO BE CONTRICTED ON THE CONTRICTION OF THE CONTRICTION
- THE CONTRACTOR SHALL, WHEN HE/SHE DEEM NECESSARY, PROVIDE A WRITTEN REQUEST FOR INFORMATION (RFI) TO THE OWNER AND/OR OWNER'S DESIGNATED REPRESENTATIVE, AND ENGINEER PRICE TO THE CONSTRUCTION OF ANY SECOND STRUMEN (TEM. 140) SHALL BE AN FORM ACCEPTUALE TO MORE AND/OR OWNER'S DESIGNATION ERPORTATIVE, AND ENGINEER AND SHALL ALLOW CONTRACTOR SHALL BE SHALL VICTOR OF AN SHALL ALLOW CONTRACTOR SHALL BE SHALLY RESPONSIBLE FOR STEWORK ITEMS CONSTRUCTED DYFFRENTY. THAN INTERIOR OR AS DEPOTED ON THE PLANS.
- 4. INFORMATION RELATED TO ELEVATIONS AND PROPOSED UTILITIES (SUCH AS ROADWAY GRADES, INVERT ELEVATIONS, RM ELEVATIONS, RMTE ELEVATIONS, BUILDING PINSHED FLOOR ELEVATIONS, EDITO, MAY BE FOUND IN MORE THAN ONE LOCATION IN THE CONTRACT DOCUMENTS. THE CONTRACTOR SULL SUFFICIENTLY REVIEW ALL PLANS, PROFILES AND MAY TOTHER INFORMATION IN THE CONTRACTOR OF ADMINISTRATION OF THE CONTRACTOR OF
- 5. ELEVATIONS AND LOCATIONS OF ALL EXISTING UTILITIES SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO START OF CONSTRUCTION.

#### III. UTILITIES

- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THE PLANS IS MACED ON RECORDS OF THE VANDOUS UTILITY COMPANIES AND, WHERE PROSSEEL, MEASUREMENTS TANGEN IN THE FELD COMPANY AT LEAST 72 HOURS BEFORE ANY EXCANATION OR REQUEST EXAMPLE FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS IN A MAINSE WHICH WILL ON MICROATRIC AFFECT MAY EXISTING USERS OF THESE UTILITIES.

THE CONTRACTOR SHALL FIELD VERIFY ALL SISTING UTILITIES (WATER, SEVER, GAS, ELECTRIC, TELEPHONE AND CARLE) LOCATIONS.
INVERTS AND CONDITIONS PROR TO CONSTRUCTION, ANY CONDITIONS FOUND TO BEFER FROM THOSE SHOWN ON THE DRAWNESS AND
CONSTRUCTION, DEFERRING UTILITY CONDITIONS THAT ARE EXCOLURATED BY THE CONTRACTOR. THAT REQUIRE MODIFICATION OF STEE
DESIGN AND THAT ARE NOT BROUGHT TO THE ATTENTION OF THE ENGINEET BY THE CONTRACTOR. THAT REQUIRE MODIFICATION OF STEE
DESIGN AND THAT ARE NOT BROUGHT TO THE ATTENTION OF THE ENGINEET PRIOR TO CONSTRUCTION SHALL BE THE RESPONSIBILITY
OF THE CONTRACTOR TO CORRECT AT HIS SIZE COST.

#### IV. RECORD DRAWINGS

CONTRACTOR SHALL KEEP ACCURATE AS-BUILT DRAWINGS WHICH SHOW THE FINAL LOCATION, ELEVATION, AND DESCRIPTION OF WORK.
CONTRACTOR SHALL ALSO NOTE THE LOCATION AND ELEVATION OF EXISTING IMPROVEMENTS ENCOUNTERED.

- CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WHIT OSCIENALLY ACCORDING CONTRUCTION PRACTICES. CONSTRUCTION CONTRACTORS AND ACCORDANCE OF METAL REQUIRED TO ASSUME COLD. AND CONETTE REPORDMENT FOR DOSS ITS CONCENTION OF THE PROPERTY IN ACCORDANCE OF THE PROPERTY HAS REQUIRED. TO AND THE CHARGE OF A PROPERTY HAS REQUIRED. SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL MONTHING FOURS, AND CONSTRUCTION CONTROL PROPERTY AND AND ACCORDANCE OF THE PROPERTY AND ACCO
- CONTRACTOR SHALL COMPLY WITH STATE, COUNTY AND CITY LAWS AND ORDINANCES; AND REGULATIONS OF THE DEPARTMENT OF INDUSTRIAL RELATIONS, OSHA AND INDUSTRIAL ACCIDENT COMMISSION RELATING TO SAFETY AND CHARACTER OF WORK, EQUIPMENT AND LABOR PERSONNEL.

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PLAN FOR THE IMPROVEMENT OF YERBA BUENA/DOVE HILL SEWER EXTENSION NOTES

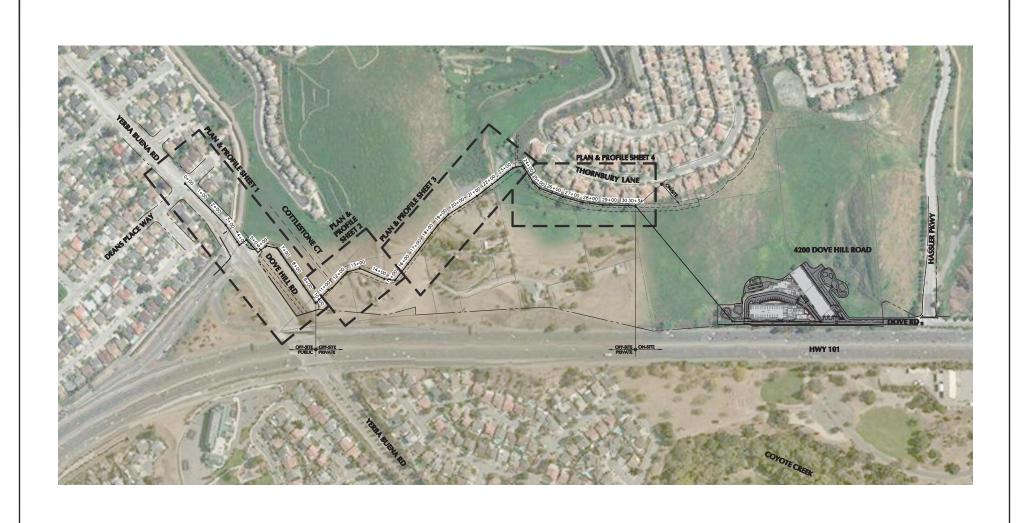
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SAN JOSE

DEPARTMENT OF PUBLIC WORKS CALIFORNIA APPROVED BY BARRY NG DIRECTOR OF PUBLIC WORKS

SHEET 2 OF 10

FOR REFERENCE ONLY



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Longon Engineering, Environmental, Surveying and Landscape Architecture, D.P.C. S.A.
Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C.
Longon Engineering and Environmental Services, Inc.
Longon CT, Inc.

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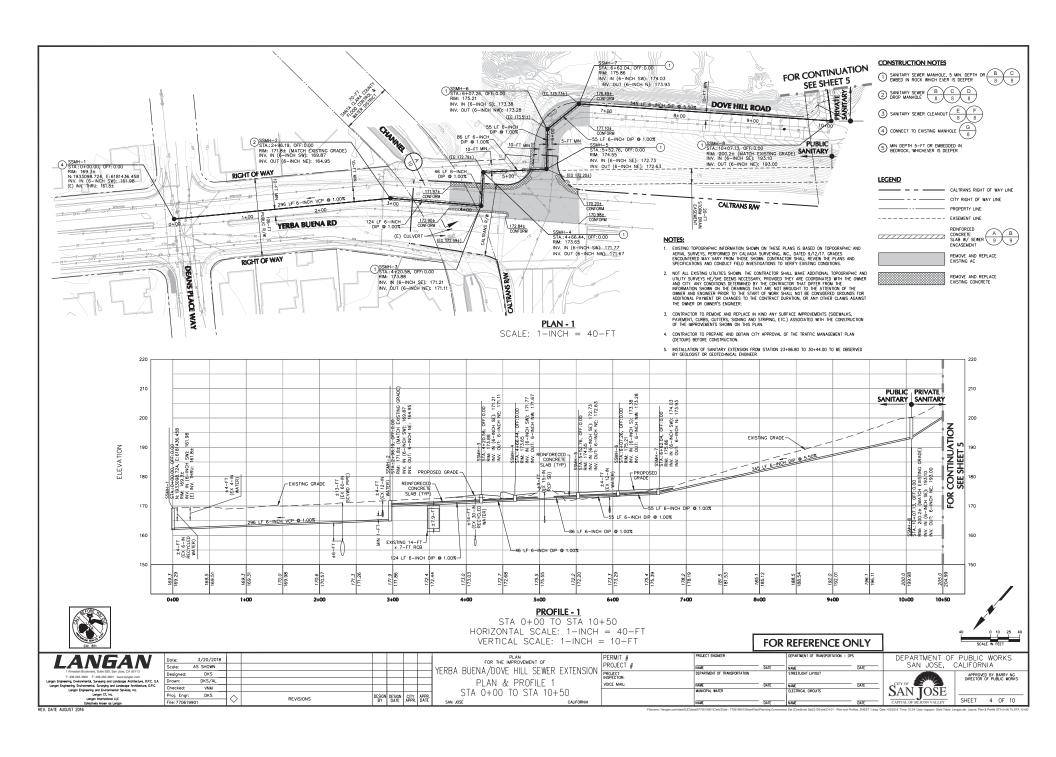
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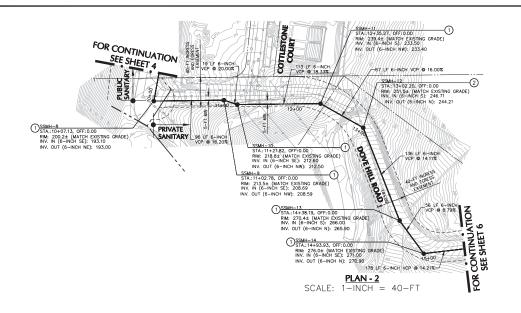
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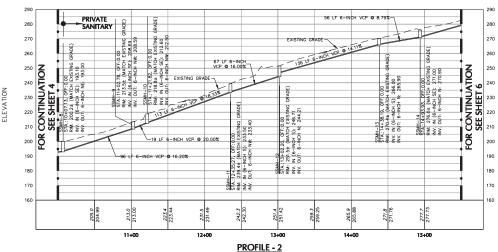
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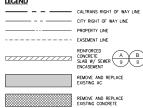


#### CONSTRUCTION NOTES

(4) CONNECT TO EXISTING MANHOLE

5 MIN DEPTH 5-FT OR EMBEDDED IN BEDROCK, WHICHEVER IS DEEPER

#### LEGEND



#### NOTES:

- EXISTING TOPOGRAPHIC INFORMATION SHOWN ON THESE PLANS IS BASED ON TOPOGRAPHIC AND AERIAL SURVEYS, PERFORMED BY CALVADA SURVEYING, INC. DATED 9/12/17, GRADES ENCOUNTERED MAY VARY FROM THOSE SHOWN, CONTRACTOR SHALL REVIEW THE PLANS AND SPECIFICATIONS AND CONDUCT FIELD INVESTIGATIONS TO VERRY EXISTING CONDITIONS.
- 2. NOT ALL ENSING UILLINES SHOWN THE CONTRACTOR SHALL MAKE ADDITIONAL TOPOGRAPHIC AND UILLI'S SHOW'S HE', SHE DEEMS NECESSARY, PROVIDED THEY ARE CODEINANT OF THE OWNER AND OTH, ANY COORDINGS DETERMINED BY THE CONTRACTOR THAT DETER FROM THE INFORMATION SHOWN ON THE DRAWNIGS THAT ARE NOT BROUGHT TO THE ATTENTION OF THE OWNER AND DWARKET FROM TO THE SHART OF WORK SHALL NOT BE CONSIDERED ROCKURS FOR ADDITIONAL PARKETS OF CHARGES TO THE CONTRACT DURATION, OF ANY OTHER CLAWS AGAINST THE OWNER OF GOMESTS DIKNOTED.
- CONTRACTOR TO REMOVE AND REPLACE IN KIND ANY SUBFACE IMPROVEMENTS (SIDEWALKS, PAYEMENT, CURBS, GUTTERS, SIGNING AND STRIPPING, ETC.) ASSOCIATED WITH THE CONSTRUCTION OF THE AMPROVEMENTS SHOWN ON THIS PLAN.
- CONTRACTOR TO PREPARE AND OBTAIN CITY APPROVAL OF THE TRAFFIC MANAGEMENT PLAN (DETOUR) BEFORE CONSTRUCTION.
- INSTALLATION OF SANITARY EXTENSION FROM STATION 23+86.80 TO 30+44.00 TO BE OBSERVED BY GEOLOGIST OR GEOTECHNICAL ENGINEER

STA 10+00 TO STA 15+50 HORIZONTAL SCALE: 1-INCH = 40-FT VERTICAL SCALE: 1-INCH = 20-FT

PLAN FOR THE IMPROVEMENT OF

#### FOR REFERENCE ONLY

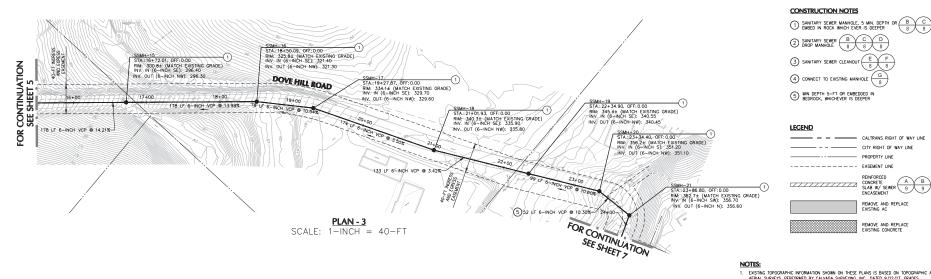
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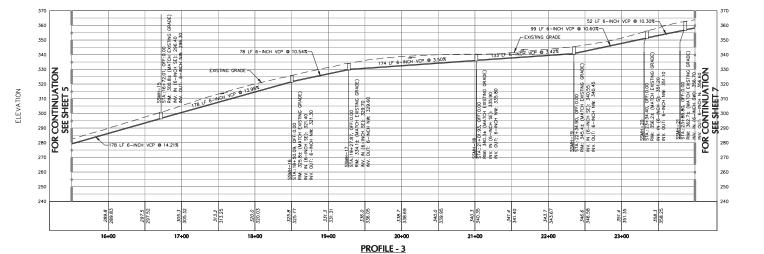
	LANGAN 1 Almaden Bodevard, Skips 500, San Jone, CA 95113
	T: 408.283.3800 F: 408.283.3801 www.langan.com
Longo	Proincering, Environmental, Surveying and Landscape Architecture, D.P.C. S.A.
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YERBA BUENA/DOVE HILL SEWER EXTENSION PROJECT INSPECTOR: PLAN & PROFILE 2 VOICE MAIL: STA 10+00 TO STA 15+50

PROJECT # NAME STREETLIGHT LAYOUT DEPARTMENT OF TRANSPORTATION





- 1. EXISTING TOPOGRAPHIC INFORMATION SHOWN ON THESE PLANS IS BASED ON TOPOGRAPHIC AND AERIL SURVEYS, ERSFORMED BY CALVIDAS SURVEYNC, INC., DATED 9/12/17, GRADES EDCOUNTERED MAY MARY FROM THOSE SHOWN, CONTRACTOR SHALL REVIEW THE PLANS AND SPECIFICATIONS AND CONDUCT FIELD INVESTIGATIONS TO VERTY EXISTING CONDITIONS.
- 2. NOT ALL EXSTING UTUTES SHOWN. THE CONTRACTOR SHALL MAKE ADDITIONAL TOPOGRAPHIC AND UTUTY SURVEYS HE SHE DEBUS NECESSARY, PROVIDED THEY ARE CODOMARTED WITH THE OWNER AND CITY. ANY COMBINGS TESTANDED BY THE CONTRACTOR THAT DETER FROM THE HISTORIATION SHOWN ON THE DRAWNIGS THAT TARE NOT BROUGHT TO THE ATTENTION OF THE OWNER AND DEMOKET PROVED TO IT IS SHALL OF MICE CONSERVED GROUNDS FOR ADDITIONAL PARKET FOR CHANGES TO THE CONTRACT DURATION, OR ANY OTHER CLAMIS AGAINST THE OWNER OF OWNERS'S CHANGES.
- CONTRACTOR TO REMOVE AND REPLACE IN KIND ANY SURFACE IMPROVEMENTS (SDEWALKS, PAVEMENT, CURBS, GUTTERS, SIGNING AND STREINING, ETC.) ASSOCIATED WITH THE CONSTRUCTION OF THE IMPROVINCIN'S SHOWN ON THIS PLAN.
- CONTRACTOR TO PREPARE AND OBTAIN CITY APPROVAL OF THE TRAFFIC MANAGEMENT PLAN (DETOUR) BEFORE CONSTRUCTION.
- INSTALLATION OF SANITARY EXTENSION FROM STATION 23+86.80 TO 30+44.00 TO BE OBSERVED BY GEOLOGIST OR GEOTECHNICAL ENGINEER

STA 15+50 TO STA 24+00 HORIZONTAL SCALE: 1-INCH = 40-FT VERTICAL SCALE: 1-INCH = 20-FT



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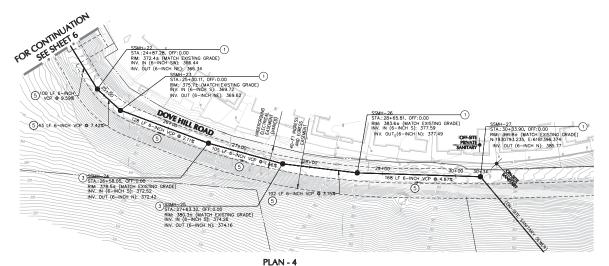
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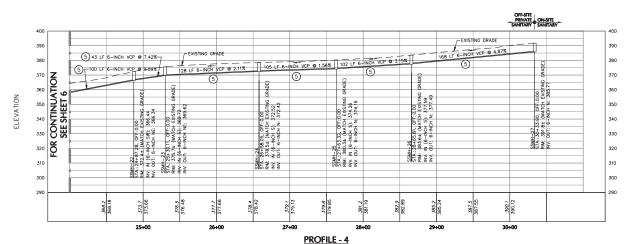
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FOR REFERENCE ONLY

CAPITAL OF SILICON VALLEY SHEET 6 OF 10





SCALE: 1-INCH = 40-FT

STA 24+00 TO STA 31+00 HORIZONTAL SCALE: 1-INCH = 40-FT VERTICAL SCALE: 1-INCH = 20-FT

#### CONSTRUCTION NOTES

SANITARY SEWER MANHOLE, 5 MIN. DEPTH OR B C 8 8 8

3 SANITARY SEWER CLEANOUT

4) CONNECT TO EXISTING MANHOLE 5 MIN DEPTH 5-FT OR EMBEDDED IN BEDROCK, WHICHEVER IS DEEPER

#### LEGEND



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- 2. NOT ALL EXISTING UTILITIES SHOWN. THE CONTRACTOR SHALL MAKE ADDITIONAL TOPOGRAPHIC AND NOT ALL SENSING UTILISES SOMM. HE CONTRACTOR SHALL MARE ADDITIONAL CONTRACTOR WITH UTILITY SHAPES SERVICE EXECUTIONS SOME PROVIDED HE ARE COORDINATED WITH THE CONTRACTOR HIS HE CONTRACTOR HIS HE CONTRACTOR SHAPES AND ADDITIONAL CONTRACTOR SHAPES FOR THE FORE ADDITIONAL PARKET PROPER TO THE START OF WORK SHALL NOT BE CONSERED GROUDES FOR ADDITIONAL PARKET OF CHANGES TO THE CONTRACT DURATION, OR ANY OTHER CLAMS AGAINST THE OWNER OR OWNER'S ENCRETE.
- CONTRACTOR TO REMOVE AND REPLACE IN KIND ANY SURFACE IMPROVEMENTS (SIDEWALKS, PAYEMENT, CURBS, GUTTERS, SIGNING AND STREPING, ETC.) ASSOCIATED WITH THE CONSTRUCTION OF THE WIRPOVEMENTS FORMON OI THIS PLAN.
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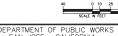
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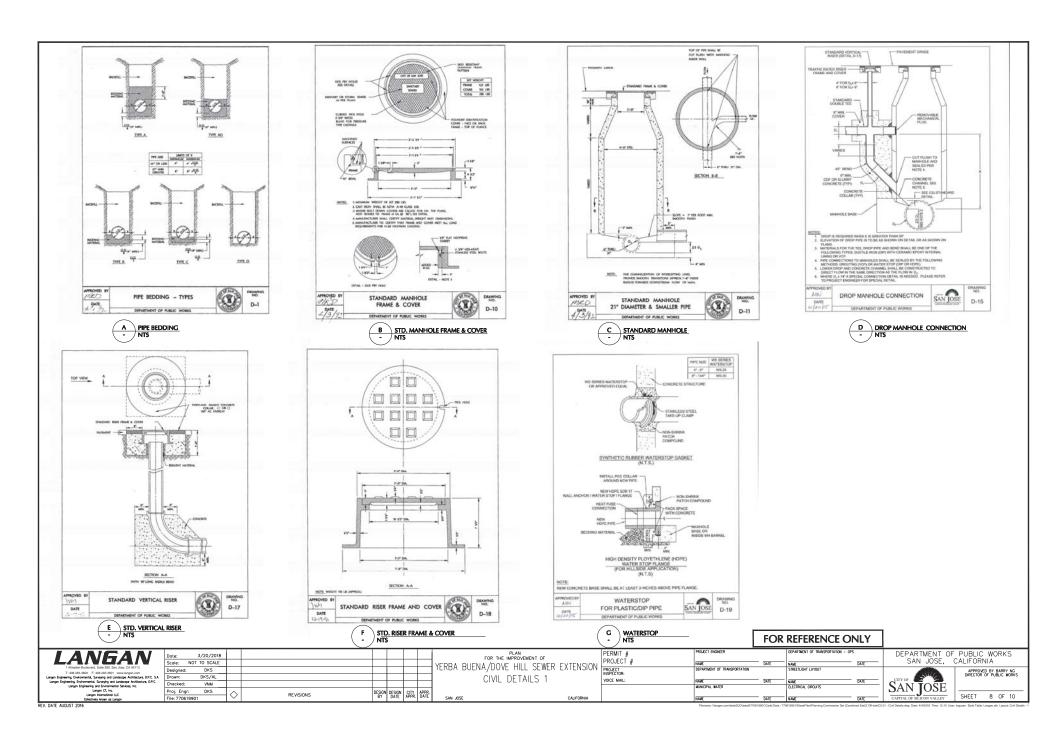
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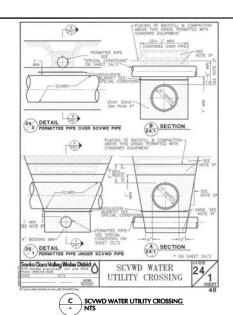
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SHEET 7 OF 10





#### SPECIAL CONDITIONS FOR PIPE CROSSINGS OF DISTRICT UNDERGROUND FACILITIES

- WITHIN\_\_\_\_FEET OF CONTER LINE OF SCHOOL PRESENTITE IS TO ROTALL ROOS STEEL. CAST SON, OR REMOVEDED PLASTIC MOSTAME PHE WITH MELDEN, PRANCES, OR MICHANICAL MOST AND DEVIACUAL LOCATION, CLICITIES, CHAPMANES, OR MICHANICAL MOST AND DEVIACION CLICITIES, SEE NOTE 8 ON SECULIAL MOST AND SECULIAL MOST AND
- SHEET 24/2.
  WHEN THE PREMITTE PPE CROSSING OVER A SCWO THEATED WATER PPELINE IS A SERVICE PPE OR UNDER WITH A SERVICE FORCE MAN, THE SERVICE PPE WHET BE EPICLOSED IN A CONTINUOUS SERVEY FOR A DESTANCE OF 10, WEASHED HORSZONFALLY AND PROPENDICULAR FROM SCYNO'S THEATED WATER PPELINE (BOTH SOC). THE SERVEY SHALL BE STEEL WITH A MANNAN WALL THICKNESS OF 1/4'.
- CORROSION CONTROL CATHODIC PROTECTION:
  - PERMITTEE HERBIT WANTS ALL CLAMS FOR DAMACES TO FACULTIES BEING INSTALLED LINDER THIS PERMIT, FROM ELECTRICAL INTERPEDIACE OR SMALL ACTION, RESUltable FROM OR CONNECTED WITH THE SCAND OFFERATION OF ANY ENSTAINS OF FUTURE CATHODIC PROTECTION SYSTEM ON OR IN VICINITY OF EXCENSIVE OWNER BY THE DISTRICT.
- PERMITTE HEREN ADRES TO REMOVE BY ELECTRICAL DARMACE ON OTHER METHOD APPROVED BY SOWN, AT NO COST TO THE DISTRICT, CARNODIC METHOD RESIDENCE COLORS ON THE CONTROL TO THE DISTRICT, CARNODIC AND A RESIDENCE OF THE PROPERTY O
- WHEN THE CLEARANCE SEPARATING METALLIC PRPELINES IS 24° OR LESS, AN INSULATING BLANKET IS TO BE INSTALLED. THE BLANKET SHALL BE SQUARE AND 2' LANGER HINN THE GUNNEET SHALL BE 1/4" HICK AND SHALL BE REVERBER, BUTHL RIBBER, INC. OR MICHAEL RESIDERATION.
- 5. BLANKET SHALL BE INSTALLED ON SOIL BACK FILL AND CONTERED BETWEEN PIPES.



SCVWD WATER UTILITY CROSSING





#### THESE NOTES ARE TO APPEAR ON PLANS

- THE CONTRACTOR SHALL COMPLY WITH THE RULES AND REGULATIONS OF "CAL OSHA" CALIFORNIA LABOR CODE SECTION 6300 AND FOLLOWING.
- CALFORNA JABOR COCK SECTION SOO AND TOLORIBOD.

  CONSTRUCTOR LOOPINGT SHALL BE CHIEFE VIRIATION COMPACTORS OR PACILIANTS CONTROLL STORY AND THE CONTROLL STORY AND TOLORISM AND THE CONTROLL STORY AND THE CONTR
- PIPE TRENCH EXCAVATION AND BACKFILL SHALL CONFORM TO THE PROVISIONS OF SECTION 19 OF THE STATE STANDARD SPECIFICATIONS EXCEPT AS HERCIN MODIFIED.

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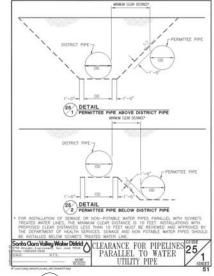
THE MATERIAL SHALL BE FREE FROM DELETERIOUS COATINGS, CLAY BALLS, ROOTS, STICKS, RACS AND OTHER EXTRAHEOUS MATERIAL. SAND BADYFAL SHALL BE COME BY APPROVED METHODS TO A DENSITY OF AT LEAST 90 PERCENT OF MAXIMUM DRYDENSITY.

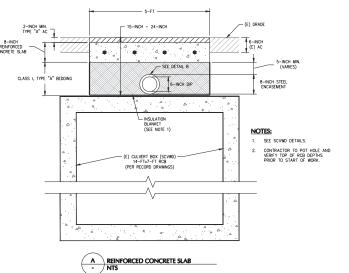
- BACKFILL AND COMPACTION REQUIREMENTS ABOVE THE NOTED LIMITS SHALL BE TO THE SPECIFICATIONS OF ACCION HAVING JURISDICTION.
- ALL EXCAVATION WITHIN 12 INCHES OF DISTRICT'S PAPE IS TO BE BY HAND METHODS. CONTACT SANTA CLARA VALLEY WATER DISTRICT TWO WORKING DAYS PRIOR OF ANY WORK WITHOUT CONSTRUCTION ADMINISTRATION LINE.
- FOR UNDERCROSSING, SAVIA CLAPA VALLEY WATER DISTRICT PIPE SHALL BE SUPPORTED DURING TRENCHING OFERANDHS IF DICTAD INCCESSARY BY THE DISTRICT RESPECTOR. ANY TIPE OF PIPE COULD BE USED IF CLAPANCE TO DESTRICT PIPE BOTTOM IS AT LEAST 2 FEET, BACKPAL AND COMPACTION OF PERMITTEES PIPE TO BE COMPACTED BEFORE BACKPALL AND COMPACTION OF PERMITTEES PIPE.
- SLOPES SHOWN ARE NOT TO SCALE AND ARE INTENDED TO INDICATE NATURAL ANGLE OF REPOSE OF BACKFRL MATERIAL.

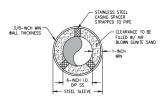
SCVWD WATER UTILITY 24/2 CROSSING



# D SCVWD WATER UTILITY CROSSING









FOR REFERENCE ONLY

# F SCVWD CLEARANCE TO WATER UTILITY PIPE - NTS

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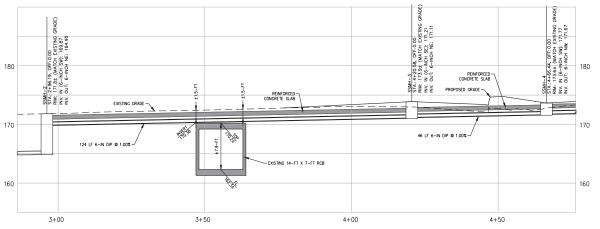
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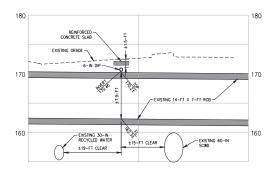
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DEPARTMENT OF PUBLIC WORKS SAN JOSE, CALIFORNIA APPROVED BY BARRY NG DIRECTOR OF PUBLIC WORKS SAN JOSE SHFFT 9 OF 10



#### DETAIL PROFILE FROM STA 2+86.19 TO 4+76.44

HORIZONTAL SCALE: 1-INCH = 10-FT VERTICAL SCALE: 1-INCH = 2-FT



SECTION A - A

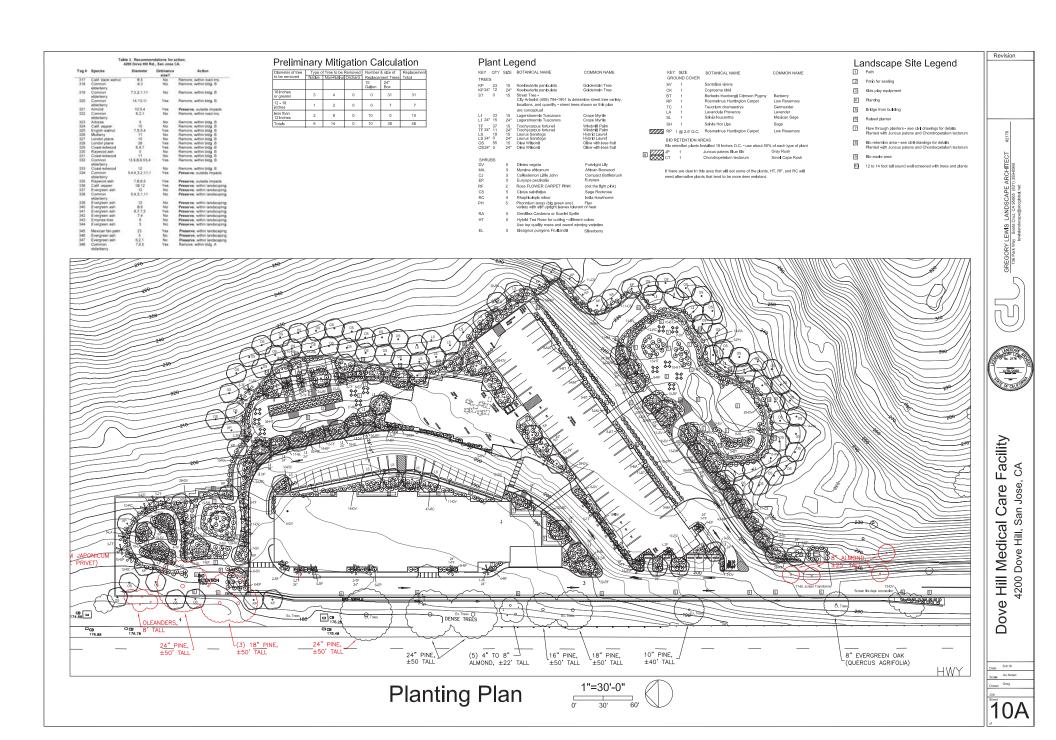
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	Longon CT, Inc.
	Longon International LLC
	Callectively known as Langon
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CAPITAL OF SILICON VALLEY	SHEET 10 OF 10





# SALVATORE CARUSO

## **DESIGN CORPORATION**

# **Dove Hill Medical Care Facility**

Dove Hill Medical Care Facility will include 248 ambulatory and/or nonambulatory clients who needs assistance for temporary or prolonged period because of age, mental disability or other medical reasons.

General patient needs includes but are not limited to:

- Medical or mental health
- Assistance in dressing, grooming, bathing and other personal hygiene
- Assistance with taking medication
- Assistance with medical care and dental care
- Monitoring of food intake and special diets
- Transportation to specialists outside of the facility when needed.

Dove Hill Medical Care Facility provides personal care services as well as care for health conditions such as oxygen administration, diabetes, bowel incontinence, injections, dermal ulcers and wounds.

Additional services include meal monitoring, social activities, laundry, housekeeping services, assistance in taking medication, assistance in dressing/bathing and transportation assistance to doctor/dentist appointments.

Dove Hill Medical Care Facility will also include 50 beds for dementia special care units (SCUs) also called memory care units designed to meet the specific needs of individuals with Alzheimer's disease and other forms of dementia.

Direct medical care will be provided on site.

# **Medical Services include the following:**

- Diabetic management
- Restorative nursing program
- · Post-acute surgical care
- Wound care/wound vac
- IV services Central & PICC Care with 24-hour PICC line insertion
- Specializing in IV Antibiotics
- Total Parenteral nutrition (TPN)/PPN
- Enteral Therapy
- Ostomy care (stable and new)
- Ophthalmology services
- Designated Short-term and Long-term areas
- Diabetic Management
- Bowel & Bladder Management Programs
- · Pre-surgery registration
- 24-hour lab, X-ray and pharmacy services
- · Custom care plans to fit individual needs
- Individualized meal plans including gluten free and kosher menus
- · Podiatry, Dental, Vision and Auditory care
- Hospice/respite

## **Wound Care**

Dove Hills progressive treatment programs provide care for:

- Surgical incisions
- · Pressure ulcers, stasis ulcers
- Diabetic wounds
- Comprehensive Integrated Healing Program

# **Occupational Therapy**

Dove Hill provides an Occupational Therapy treatment plan that will help increase resident's self-sufficiency and improve outcomes. Services include:

- Activities of Daily Living (ADL) including self-care, bathing, home management and community re-entry.
- Improved upper body function, including overall strength, range of motion, coordination and fine motor skills
- Development of a home exercise program
- · Low vision management
- Improved continence
- · Wheelchair / scooter seating, assessment and training
- Pain and edema management

# **Physical Therapy**

Dove Hill's physical therapists will help residents regain strength, endurance, coordination, flexibility and balance, and will work with them to provide great mobility and independence in the facility's state-of-the art exercise rooms (gyms).

- Balance and vestibular training
- Strength and endurance development
- Diagnostics and treatment for soft tissue problems
- Gait analysis and training
- Prosthetics training
- · Improvement of body mechanics and posture
- Pain and edema management
- Fall risk assessment
- Development of a home exercise program
- · Lymphedema treatment

# **Speech Therapy**

Dove Hill's speech therapists offer residents techniques to improve their ability to communicate and develop memory, problem-solving and judgment skills. Therapists assess and treat swallowing disorders and recommend appropriate and safe diet regimens.

- Language comprehension
- Stroke Recovery
- Word-finding and verbal expression
- Articulation
- Voice conservation and rehabilitation
- Swallowing disorders
- · Vital stimulation for oral motor treatment
- Reading and writing
- Cognitive deficits

## **II.C. Additional Services**

- 24-hour admissions services
- Interdisciplinary Walking Rounds
- Transportation Services
- Activities

# EXHIBIT A DOVE HILL MEDICAL CARE FACILITY - SNF & REHABILITATION CENTER STAFFING LEVELS AND HOURS

**TOTAL BEDS: 248** 

		FULL TIME			RT-TIME (Week	<u> </u>		OTAL
POSITION/TITLE	Headcount	Hours/week	Total # of Hours/Week	Headcount	Hours/week	Total # of Hours/Week	HEADCOUNT	GRAND TOTAL # OF HOURS/WEEK
Administrator	1	40	40				1	40
Director of Nursing	1	40	40				1	40
Director of Rehabilitation	1	40						
Services								
Director of Admissions	1	40	40				1	40
Director of Activities	1	40	40				1	40
Director of Business	1	40	40				1	
Development/Marketing								40
Outreach Manager	2	40	80				2	80
Admissions Coordinators	2	40	80	2	16		4	80
Director of Social Services	1	40	40				1	40
Discharge Planners	4	40	160	4	16		8	160
Business Office Manager	1	40	40				1	40
MDS Coordinator	2	40	80				2	80
Registered Nurses	6	40	240	6	16		12	240
Nursing Aide - AM	50	40	2000	50	16	800	100	2800
Nursing Aide - PM	31	40	1240	31	16	496	62	1736
Nursing Aide- NOC	19	40	760	19	16	304	38	1064
Medication Technicians -	12	40	480	12	16	192	24	
LVN								672
Medication Technicians- LVN	12	40	480	12	16	192	24	
								672
Medication Technicians- LVN	8	40	320	8	16	128	16	448
Physical Therapists	8	40	320	8	16	128	16	448
Occupational Therapists	8	40	320	8	16	128	16	448
Speech Therapists	8	40	320	8	16	128	16	448
Activities Coordinators	15	40	600	15	16	240	30	840
Front Desk / Concierge - AM	2	40	80	2	16	32	4	112
Front Desk / Concierge - PM	2	40	80	2	16	32	4	112
Front Desk / Concierge - NOC	2	40	80	2	16	32	4	112
Plant Operations Director	1	40	40				1	40
Maintenance Manager	1	40	40	<u> </u>			1	40
Maintenance Manager	1	40	40	0	0	0	1	40
Housekeeping Manager	1	40	40	0	0	0	1	40
Housekeepers	8	40	320	8	16	128	16	448
Janitors	3	40	120	3	16	48	6	168
						-		
Maintenance Assistant	2	40	80	2	16	32	4	112
Director of Staff	1	40	40				1	
Development & Training								40
Training Manager	1	40	40				1	40
Executive Chef	1	40	40				1	40
Sous Chef	1	40	40				1	40
Lead Cooks	2	40	80	2	16		4	80
Cooks	6	40	240	6	16	96	12	336
Prep Cooks	6	40	240	6	16	96	12	336
Dishwashers	6	40	240	6	16	96	12	336
Servers - AM	12	40	480	12	16	192	24	672
Servers - PM	12	40	480	12	16	192	24	672
Drivers	4	40	160	4	16	64	8	224
Chaplain	1	40	40	1	16	16	2	56
TOTAL HOURS / WEEK	271	1800	10800	251	432	3792	522	14592

COUNCIL AGENDA: 11/15/16 ITEM: 11.5



# Memorandum

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** Planning Commission

SUBJECT: SEE BELOW

**DATE:** November 3, 2016

**COUNCIL DISTRICT: 8** 

SUBJECT: FILE NOS. PDC14-051 & PD16-019. PLANNED DEVELOPMENT

REZONING FROM THE A AGRICULTURAL TO A(PD) PLANNED DEVELOPMENT ZONING DISTRICT TO ALLOW UP TO 290 UNITS

OF ASSISTED SENIOR HOUSING DEVELOPMENT, AND A

PLANNED DEVELOPMENT PERMIT TO ALLOW THE

CONSTRUCTION OF AN ASSISTED SENIOR HOUSING DEVELOPMENT WITH APPROXIMATELY 290 UNITS ON A 3.2

GROSS ACRE PORTION OF A 23 GROSS ACRE SITE LOCATED AT

THE EAST SIDE OF DOVE HILL ROAD, APPROXIMATELY 500 FEET NORTH OF HASSLER PARKWAY (4200 DOVE HILL ROAD).

#### RECOMMENDATION

The Planning Commission voted 3-2-2 (Commissioners Ballard and Vora opposed, and Commissioners Allen and Yesney absent) to recommend that the City Council adopt a resolution denying the Planned Development Rezoning and Planned Development Permit to allow up to 290 units of assisted senior housing development on a 3.2 gross acre portion of a 23 gross acre site located at the eastside of Dove Hill Road, approximately 500 feet north of Hassler Parkway (4200 Dove Hill Road).

## **OUTCOME**

Should the City Council adopt the resolution denying the Planned Development Rezoning and Planned Development Permit, the project would be denied and there would be no further City review of the project. If the City Council directs staff to continue to review the applications, staff would continue to work with the applicant on redefining the project to be consistent with the General Plan, Zoning Ordinance, Evergreen Area Development Policy and complete appropriate environmental review for future consideration by the Planning Commission and City Council.

November 3, 2016

Subject: File Nos. PDC14-051 & PD16-019

Page 2

As directed by the City Council on June 10, 2014, staff has agendized for November 2016, a City-Initiated General Plan Amendment (File No. GP14-008) to change the Envision San José General Plan Land Use/Transportation Designation of the approximately 3.2 gross acre site of the proposed project site from Public/Quasi-Public (PQP) to Lower Hillside (LH). In order to follow Council direction, this zoning must be denied prior to the General Plan hearing. A complete discussion of the issue is included in the attached report to the Planning Commission.

## **BACKGROUND**

On October 26, 2016, the Planning Commission held a public hearing and considered the early denial or continued processing of the proposed Planned Development Rezoning and Planned Development Permit.

Prior to the start of the hearing, staff provided three attachments to the Planning Commissioners (attached to this transmittal):

- 1) A Supplemental Memorandum revising the Evergreen-East Hills Development Policy analysis for the proposed project in which staff determined, based on limited information provided by the applicant to date, that the currently proposed project may have sufficient traffic capacity based on a trip equivalency conversion;
- An email from the applicant requesting deferral of the project based on a newly proposed sewer connection and due to the recently received information on the development capacity; and
- 3) An email and petition by members of the public requesting the denial of the project, based on the argument that the applicant has had sufficient opportunity and time to submit a feasible project.

Prior to the start of the public hearing portion of the agenda, the applicant requested deferral of the project due to staff's Supplemental Memorandum regarding traffic capacity and new information submitted to the Public Works Department for a potential sewer connection. Staff stated that although the project may have traffic development capacity, sewer connection issues were not sufficiently addressed and staff remained unable to find General Plan conformance with the requested PQP designation. Additionally, the applicant had over two years since the submittal of the Planned Development Rezoning application to develop a feasible project that is consistent with General Plan and was unable to do so. Therefore, staff did not recommend deferral of the project.

Vice Chair Pham motioned to defer the project to the November 2, 2016 Planning Commission hearing. The motion failed 2-3-2 (Commissioners Abelite, Ballard, and Vora opposed, and Commissioners Allen and Yesney absent). Therefore, the item remained on the Public Hearing portion of the agenda.

November 3, 2016

Subject: File Nos. PDC14-051 & PD16-019

Page 3

## Staff Presentation

Staff provided an overview of the history of the site and how it has arrived to the point of an early consideration for denial of the project. The applicant has had six years since the approval of the General Plan Amendment to propose a feasible project and has not shown a project that is consistent with the PQP designation or provided an acceptable project operation plan that demonstrates how the project would be considered an acceptable commercial/ medical use that is allowed in the PQP designation. The proposed project operates like a residential use, which is not allowed in the PQP designation. Additionally, the applicant has been aware of a lack of sewer connectivity to the site since the previous General Plan Amendment application back in 2008 and has failed to provide an adequate engineering and private sewer connection solution.

Staff has reviewed the Planned Development Rezoning and Planned Development Permit and concludes that the proposed project is still inconsistent with the Envision San José 2040 General Plan. Staff recommended that the Planning Commission recommend to the City Council to deny the Planned Development Rezoning and Planned Development Permit.

## Applicant Presentation

The applicant requested a continuation of the item due to the determination that there is sufficient traffic capacity in the Evergreen-East Hill Development Policy. Additionally, the applicant stated that he had been working recently with the Public Works Department to resolve the sewer connectivity issue by utilizing a utility easement that would enable the project to route a sewer line to a public sewer connection on Yerba Buena Road. A privately owned and operated pump would be placed on site to pump wastewater up to the easement and from that point would gravity-flow downhill to the Yerba Buena Road connection. The applicant requested additional time to explore the feasibility of this option.

## Public Hearing

Five members of the public spoke in favor of denying the project with the following summary of comments:

- Concern for the well being of the senior citizen residents pertaining to air quality and noise, as the site is adjacent to a freeway.
- The applicant had provided assurances and promises to City Council and the community that the project would immediately create jobs and commercial investment on the site, and this was not done.
- The applicant had been provided multiple extensions and is using them as delay tactics. Therefore, the Planning Commission should provide closure on the project.

November 3, 2016

Subject: File Nos. PDC14-051 & PD16-019

Page 4

• Concern about the traffic and emergency access at the site in regards to fire hazard. One member stated there have been multiple grass fires.

## Applicant Response to Comments

The applicant stated that his client was not able to secure funding for the project until 2014 and that that they were only informed in July 2016 that sewer connection by the way of Hassler Parkway was not feasible. It was then that they started to explore private easements for a sewer connection. The applicant stated that all the reports in regards to sound, safety, natural habitat, and safety concerns were submitted to the City and confirmed to not be an issue for the proposed project. The applicant asserted that the only reason the project is being brought forward for early consideration was based on a lack of traffic capacity in the Evergreen-East Hill Development Policy and lack of a sewer connection. He disagreed that the project was inconsistent with the PQP designation, and stated that he was only following what staff had directed him to do. Finally, the applicant stated that he would like the project to be fully heard with all the issues considered and, therefore, requested continuance review of the project.

Chair Abelite asked the applicant to clarify how the project is consistent with the PQP designation. The applicant responded that staff requested a use similar to a medical facility and in response, they stated that they would conform to the state's definition of assisted senior living facility, which they believe is consistent with the PQP designation.

Commissioner Bit-Badal asked the applicant to clarify when he determined there was a potential private sewer connection route. The applicant shared that he did not discover the easement until a few days prior to the Planning Commission hearing. In a meeting with Public Works staff, one day prior to the Planning Commission hearing, he informed Public Works staff of a conceptual route. Public Works staff asked the applicant to provide documentation of the easement. The applicant concluded that he would like the opportunity to confirm the feasibility of using that easement for a sewer connection with his engineers and the City staff.

## Planning Commission Discussion and Staff Response

Staff clarified that adhering to the State's definition of assisted senior care facility is not sufficient information to show conformance with the PQP designation. Staff previously requested, but did not receive an explanation from the applicant on how the project would primarily be a commercial and/or medical use rather than a residential use. Staff reiterated this position again in the 30-day comment letter of the Planned Development Permit, prior to the July 27, 2016, letter that the applicant referenced as their earliest indication that staff had issues with General Plan designation conformance.

November 3, 2016

Subject: File Nos. PDC14-051 & PD16-019

Page 5

Planning staff clarified that Planning and Public Works staff had informed the applicant early in the process of the need to explore a private sewer connection. Yet, the applicant repeatedly responded that a private route was not feasible. The proposed route and documentation that the applicant presented before the Planning Commission was not provided to staff until the afternoon of the Planning Commission hearing. These documents did not provide any engineering feasibility of the route and only provided a conceptual route and excerpts of the property easements without full details of how the use of the easements would be obtained. Public Works staff further stated that the design must be a full gravity system within a public utility easement; otherwise, it would present significant maintenance challenges and liability for the City. This would require that the applicant negotiate a separate private sewer easement from the property owner(s).

Vice Chair Pham asked staff to explain the allowed uses of the PQP designation and to clarify the difference between daycare/hospital uses compared to an assisted senior care facility. Additionally, the Vice Chair asked if sewer connectivity would remain an issue if another use was proposed besides an assisted senior care facility. Staff stated the differences between a daycare use and assisted senior care facility use comes down to the commercial and non-residential aspect of the use and that the applicant failed to demonstrate how the proposed project would not function primarily as a residential use, rather than a commercial/medical use. In response to the question about sewer connectivity, staff shared that any development would face similar issues to ensure sewer connectivity to the site.

Chair Abelite asked staff to confirm if the proposed project and plan sets conform to a typical assisted senior care facility in a PQP designation. Staff stated that the living quarters, medical treatment areas, group areas, and building layout are reviewed in addition to an operation plan describing the activities proposed on site. Staff stated that the project does not conform to the PQP designation based on the plan sets and lack of information from the operation plan.

Commissioner Ballard questioned if the biggest issue is that the applicant thinks he has provided sufficient information to show conformance with the PQP designation, while staff does not believe they have addressed the concerns. Staff stated that they have been very clear regarding the requirements needed to establish General Plan conformance and that the State's definition of assisted senior care facility was insufficient. Additionally, the proposed site plan and floor plan does not provide assurances that residential use is not the predominate use.

Commissioner Bit-Badal made a motion to recommend to the City Council denial of the project because the application lacks clarity on how the project is consistent with the PQP General Plan designation. She added that providing a potential sewer solution just hours prior to the public hearing is not an efficient use of staff and Planning Commission time, especially with a lack of engineering details about the feasibility of the route. Vice Chair Pham seconded the motion. Chair Abelite stated he was not convinced that the project would act and operate as a use that is consistent with the PQP designation and that the applicant had plenty of opportunities to address these issues and has not done so.

November 3, 2016

Subject: File Nos. PDC14-051 & PD16-019

Page 6

The Planning Commission voted 3-2-2 (Commissioners Ballard and Vora opposed, and Commissioners Allen and Yesney absent) to recommend to the City Council the denial of the Planned Development Rezoning and Planned Development Permit.

#### **ANALYSIS**

Analysis of the issues for the proposed Planned Development Rezoning and Planned Development Permit and conformance with the General Plan designation and policies are contained in the attached staff report.

## **EVALUATION AND FOLLOW UP**

Should the City Council deny the Planned Development Rezoning and Planned Development Permit, the proposed project site would be denied and no further review on the project would be required. Additionally, as directed by City Council, staff would bring forth a City-Initiated General Plan Amendment to change the designation from Public/Quasi-Public to Lower Hillside. If the City Council decides to direct staff to continue the review of the Planned Development Rezoning and Planned Development Permit, the General Plan Amendment hearing would not be heard during the 2016 General Plan hearing cycle.

## **PUBLIC OUTREACH**

Staff followed Council Policy 6-30: Public Outreach Policy to inform the public about the project. A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City website. Notification of the application proposals was also published in a local newspaper, the Post Record. The Staff Report was posted on the City's website. Staff has been available to respond to questions from the public.

## **COORDINATION**

Preparation of this memorandum has been coordinated with the City Attorney's Office.

## **CEQA**

Under the provisions of Section 15270 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) as stated below, the staff recommendation for this project is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as

November 3, 2016

Subject: File Nos. PDC14-051 & PD16-019

Page 7

amended. Section 15270 states that CEQA does not apply to projects which a public agency rejects or disapproves. This section also allows for an initial screening of projects on the merits for quick disapprovals prior to the initiation of the CEQA process where the agency can determine that the project cannot be approved. This section shall not relieve an applicant from paying the costs for an EIR or Negative Declaration prepared for this project prior to the Lead Agency's disapproval of the project after normal evaluation and processing.

If City Council directs staff to continue the review of the project, additional environmental review based on how the project is proposed or modified would be required prior to a final consideration on the project.

/s/ HARRY FREITAS, SECRETARY Planning Commission

For questions please contact Steve McHarris, Planning Official, at 408-535-7819.

Attachments: Planning Commission Staff Report

Planning Supplemental Memo

Email from applicant requesting deferral and sewer connection route exhibits Email from the public, printout of the petition and signature to deny the project Updated printout of the petition and signature up to November 6, 2016, link to petition <a href="http://www.thepetitionsite.com/463/982/429/revert-the-rezoned-non-urban-hillside-to-public-quasi-public/">http://www.thepetitionsite.com/463/982/429/revert-the-rezoned-non-urban-hillside-to-public-quasi-public/</a>)

**PC AGENDA:** 10-26-16 **ITEM:** 4.a.



CON VALLEY

# PLANNING COMMISSION STAFF REPORT

File Nos.	PDC14-051 and PD16-019
Applicant	Salvatore Caruso Design Corporation
Location	East side of Dove Hill Road, approximately 500
	feet north of Hassler Parkway (4200 Dove Hill
	Road)
<b>General Plan Land Use</b>	Public/Quasi-Public
<b>Existing Zoning</b>	A Agricultural
Proposed Zoning	A(PD) Planned Development
<b>Council District</b>	8
Historic Resource	No
<b>Annexation Date</b>	<b>January 22, 2003 (Evergreen No. 184)</b>
CEQA	<b>Statutory Exemption (Guideline Section 15270)</b>

#### **APPLICATION SUMMARY:**

## Planned Development Rezoning File No. PDC14-051.

Planned Development Rezoning from the A Agricultural to the A(PD) Planned Development Zoning District, to allow up to 290 units of assisted senior housing development on a 3.2 gross acre portion of a 23 gross acre site.

## Planned Development Permit File No. PD16-019.

Planned Development Permit to allow the construction of an assisted senior housing development with approximately 290 units (approximately 244,000 square feet) on a 3.2 gross acre portion of a 23 gross acre site.

#### **RECOMMENDATION:**

Planning staff recommends that the Planning Commission make a recommendation to the City Council to **deny** the Planned Development Rezoning and Planned Development Permit.

#### PROJECT DATA

GENERAL PLAN CONSISTENCY	
General Plan Designation	Public/Quasi-Public
	☐ Consistent ⊠ Inconsistent
<b>Inconsistent Policies</b>	Major Strategy #8, IN-1.3, FS-5.11, and CD-5.7.

SURROUNDING USES			
	General Plan Land Use	Zoning	<b>Existing Use</b>
North	Rural Residential	A Agricultural	Pasture
South	Open Space, Parklands and	A Agricultural	Vacant Hillside
	Habitat		

East	Residential Neighborhood and Open Space, Parklands and Habitat	A(PD) Planned Development (File No. 03-003) and A Agricultural	Single-Family Residences and Vacant Hillside
West	Highway	Unincorporated	U.S. Highway 101

RELATEI	RELATED APPROVALS		
Date	Action		
4/16/02	Director Initiated Prezoning of certain properties located along Dove Hill Road easterly		
	of U.S. Highway 101, from unincorporated county to A Agricultural to allow agricultural		
	uses on a 39.62 gross acre. (File No. C02-019 Prezoning approved prior to the approval		
	of annexation Evergreen No. 184)		
3/1/10	General Plan Amendment to change the Land Use/Transportation Diagram (Horizon		
	2020 General Plan) land use designation from Non-Urban Hillside to Public/Quasi-		
	Public on a 3 acre portion of a 21 acre site.		

#### PROJECT DESCRIPTION

The applicant, Salvatore Caruso applied for a Planned Development Rezoning on September 5, 2014, to rezone the subject project from the A Agricultural to the A(PD) Planned Development Zoning District and on July 1, 2016 submitted a Planned Development Permit application to construct two five-story buildings totaling approximately 244,000 square feet for an assisted senior living facility development with 290 units and approximately 340 beds. Staff is bringing forth these applications for early consideration for denial as the proposed project is inconsistent with the General Plan Land Use designation and policies, would not be able to provide sufficient sanitary service to the site that would create potential cost and liability to the City, and would significantly exceed the limited development capacity in the Evergreen-East Hill Development Policy and require amendments to that policy.

#### **Site Location**

The subject site encompasses four parcels and is located on the east side of Dove Hill Road, approximately 500 feet north of Hassler Parkway. The overall site is currently undeveloped with the exception of one single-family residence. The subject rezoning would rezone the entire 23 gross acre site, however the majority of the site has a slope of greater than 15% and is therefore undevelopable and is currently primarily used as a grazing pasture. The developable area is a 3.2 gross acre area at the southwest downhill portion of the property.

To the west of the site is U.S. Highway 101 and the site is approximately 700 feet downhill from the residential development to the east. To the north and south of the site are low density single-family and agricultural development. Access to the proposed project would be taken off of Dove Hill Road, which is currently unpaved and without sidewalk access.

This area is within the Evergreen-East Hill Development Policy boundary, which was adopted in 2008 to provide a development framework for transportation and traffic improvement for sites within the policy boundary.



Figure 1: Aerial of Subject Site

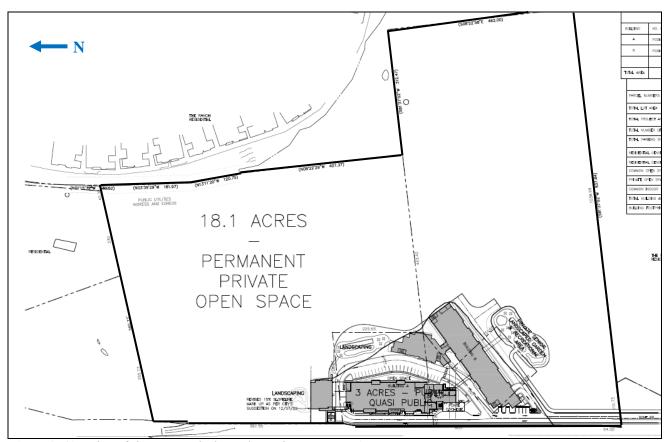


Figure 2: Site Plan of the proposed Planned Development Permit

## **Background**

In April of 2010, a General Plan Amendment (File No. GP08-08-03) was approved to modify the General Plan Land Use designation for 3.2 of the 23 gross acre site located closest to U.S. Highway 101 from Non-Urban Hillside to Public/Quasi-Public (PQP) under the previous San José 2020 General Plan. The Amendment was approved with the understanding that the applicant would immediately pursue further entitlements to allow a medical service facility with a senior living facility in conformance with the Public/Quasi-Public designation. In June of 2014, there was a City Council Public Hearing to discuss a City Initiated General Plan Amendment to revert the site back from its current General Plan land use designation of Public/Quasi-Public to Non-Urban Hillside since the applicant failed to submit any entitlement application as was expected when the City Council approved the General Plan Amendment back in 2010. However, after the public hearing, the City Council directed staff to not proceed with the Amendment to revert the subject site back to Non-Urban Hillside but to allow the applicant additional time to submit a proposed project for review and consideration.

After four years of inactivity since the approved General Plan Amendment, the applicant submitted a Planned Development Rezoning application in September of 2014. During the course of the two-year review of the proposed project, City Planning staff consistently requested additional information regarding the feasibility of the proposed project (specifically, of the ability to provide sanitary sewer facilities to the site) as a project considered under a Planned Development Rezoning must be reasonably feasible. After eight months of limited updates and analysis on the plan sets, staff requested that additional information be provided with the submittal of a Planned Development Permit to solidify the architectural and site design of the site to determine the feasibility of the project and consistency with the General Plan and City Policies. Several months after the request in June of 2016, the applicant submitted a Planned Development Permit.

Review of the Planned Development Permit application information did not alleviate existing issues as sanitary sewer service remained a significant issue and a lack of conformance with the Public Quasi/Public General Plan designation. As the site is currently developed with only a single family residence, there is no existing sanitary infrastructure on the site and the nearest connection to existing public sanitary facilities is uphill approximately 3,000 feet away from the development area. The distance and elevation difference between the proposed project and the existing facilities make connecting to public facilities very difficult if not impractical. The applicant has not provided details of an engineering solution and therefore the application was determined to be inadequate by Public Works staff. City staff requested that the applicant explore alternatives such as negotiating a utility easement with the private property owners to the east, or connecting to the public facilities across U.S. Highway 101. Connecting to facilities across U.S. Highway 101 presents similar engineering difficulties as it would require connecting under an existing state highway and obtaining easement rights over a park. To date the applicant has not confirmed an agreement for a utility easement with the adjacent property owner nor provided evidence of any satisfactory alternatives.

The applicant requested that the City consider a Community Facility District (CFD) to maintain infrastructure through an area-based tax. This alternative was deemed infeasible by the City since the only property that will pay into to the CFD is the subject property and, if for any reason, payment is not made there would be insufficient funds to operate and maintain the costly utility infrastructure resulting in significant liability and potential cost to the City.

Furthermore, the applicant has not demonstrated how the proposed project meets the Public/Quasi Public General Plan land use designation under the General Plan. As residential uses are not allowed in this designation, but hospital facilities are, the proposed use must meet the definition of 'convalescent hospital use' in the Municipal Code: "an establishment where for a minimum of forty hours per week, inpatient nursing care including bed care is provided and where other medical care may be provided for persons who are ill, injured, or infirm (physically or mentally), but excluding /persons with

communicable disease. No outpatient care shall be provided" or provide sufficient documentation of an equivalent use. Requests for an operations plan demonstrating a non-residential use which could be incorporated into the project description, thus ensuring that the Planned Development Permit was consistent with the General Plan Designation, such information has not been provided to date.

## **ANALYSIS**

The proposed Planned Development Rezoning and Planned Development Permit was analyzed with respect to conformance with the Envision San José 2040 General Plan, the Evergreen-East Hill Development Policy, and the Zoning Ordinance.

#### Envision San José 2040 General Plan Land Use Conformance

The Envision San José 2040 General Plan Land Use/Transportation Diagram land use designation for the subject site is Public/Quasi-Public (PQP). This designation is used to designate public land uses, including schools, colleges, libraries and fires stations and also allows some private entities such as private schools, daycare centers, hospitals, and public utilities. The proposed Rezoning and Planned Development Permit could only conform as a hospital use. However, the applicant has not provided sufficient detail on how the proposed project would be a hospital use rather than a residential use and in particular conform to the City's definition of a "convalescent hospital". Staff has requested and not have received a detail summary of the medical needs of the residents and the type of medical care that would be provided at the facility. Staff has only received a general narrative that the facility would operate to help persons with memory lost. Without details plans and operations of the facility, this narrative does not meet the criteria to qualify the use as a convalescent hospital. Additionally, as currently proposed the plan sets show a majority of the units contain kitchens and amenities that would allow it to function more as residential use rather than hospital care facility use.



Figure 3: General Plan Land Use Map

Based on the information provided and the proposed plan set, the proposed project is not consistent with a hospital use and therefore is not consistent with the Public/Quasi-Public General Plan Land use designation.

In addition to not conforming to the Envision San José 2040 General Plan Land Use/Transportation Diagram land use, the proposed rezoning and Planned Development Permit is not consistent with the following General Plan Major Strategies and Policies:

- 1. <u>Major Strategy #8 Fiscally Strong City:</u> Establish a land use planning framework that promotes the right fiscal balance of revenue and costs to allow the City to deliver high-quality municipal services, consistent with community expectation.
- 2. <u>Infrastructure IN-1.3</u>: Provide sustainable utility services and infrastructure in a cost-efficient manner consistent with Envision General Plan goals and policies related to Fiscal Sustainability.
  - Analysis: The applicant has stated their desire for an approximately 3,000 feet pump and pipe system in the public right-of-way to provide sanitary connection to the site with a Community Facility District. This proposal would incur additional cost or risk to the City to provide such services and has been rejected by Public Works. The applicant has not provide evidence of alterative analysis and agreements to secure a private sanitary easement with the private development to the east and or connect to the existing sanitary system on the other side of U.S. Highway 101 Further, the site is located on a hill with limited existing public infrastructure and has not been designated as a growth area in the Envision San José 2040 General Plan and thus major public infrastructural projects are not anticipated in this area.
- 2. <u>Fiscal Sustainability FS-5.11:</u> Identify the most efficient use of available resources to maintain the City's infrastructure and to minimize the need to replace this infrastructure.
  - Analysis: The 3.2 developable acres is currently developed with an existing single-family residence without existing paved road access or sanitary sewer utilities. Given the constraints of development on the site, it would not be an efficient use of limited resources to direct public infrastructure or growth to this site.
- 3. <u>Community Design CD-5.7:</u> Consider the long-term maintenance needs in the design of streets and other infrastructure improvements, and consider whether such improvements are more appropriate as public or private facilities.
  - Analysis: As stated above, the proposed project does not have a sewer system along the Project frontage. The project proposes a private pump station force main within Hassler Parkway to connect to the nearest public sewer near Hassler/Trestlewood which is approximately 3,000 feet away from the Project site. Staff cannot support a private pump system to push sanitary uphill within the public right-of-way as it would incur additional maintenance cost to the City without a feasible private financing agreement and incur additional liability to the City. The applicant has openly stated they would not be able to secure sanitary sewer easements in the private property and therefore both the public and private options are infeasible.

## **Evergreen-East Hills Development Policy**

The Evergreen-East Hills Development Policy (EEHDP) was an update to the original Evergreen Development Policy (EDP) that was adopted in 1976 to address flood protection and traffic capacity in the EDP area. The EEHDP was adopted by City Council December 16, 2008 to replace the original EDP and to allow a limited increase in development in the Evergreen-East Hill Area, which encompasses the area south of Story Road and east of U.S. Highway 101. When the Planned Development Zoning was submitted in 2014, there was limited development capacity to allow development consideration of the subject project. Since this time period, several projects have been

approved by City Council. At the time of the submittal of the rezoning, there was approximately 403,231 square feet of commercial development capacity and 55,520 square feet of office development capacity. As of today, there is currently only 38,858 square feet of commercial and 23,552 square feet of office development capacity. The project proposal approximately 240,000 square feet development would exceed the allowed amount of development capacity based on traffic trip calculations.

In order to exceed the amount of development capacity for this policy area, it would require an update to the General Plan to analyze the impact of the increase in the planned growth for the area and its impact on the traffic circulation of the entire city and region. In addition, it would require the adoption of a new Area Development Policy, as the existing developments has exhausted all new traffic mitigation for the existing policy. In addition, with the adoption of a new Area Development Policy, it would require a new Environmental Impact Report to analysis new impacts from the proposed expansion in development capacity.

## **Zoning Ordinance Conformance**

The site is currently in the A Agricultural Zoning District, which would not permit the proposed development. With the current Public/Quasi-Public general plan land use, it would be most appropriate for a conforming rezoning to the Public/Quasi-Public Zoning District and as discussed above, the proposed project would be inconsistent with the Public/Quasi-Public Zoning District approved land use.

## **Planned Development Finding Conformance**

The City Council may approve a Planned Development Permit only if it has adopted a Planned Development Zoning, with the following findings:

- 1. The Planned Development Permit, as issued, furthers the policies of the General Plan.
- 2. The Planned Development Permit, as issued, conforms in all respects to the Planned Development Zoning of the property;
- 3. The interrelationship between the orientation, location, mass and scale of building volumes and elevations of the proposed buildings, structures and other uses on-site are appropriate, compatible and aesthetically harmonious.
- 4. 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 effect on adjacent property or properties.

Analysis: The administrative record does not support the required findings to approve a Planned Development Permit. As discussed in detail above, the proposed project is inconsistent with the Envision San José 2040 General Plan and exceeds the development capacity of the approved Evergreen-East Hill Development Policy. Without a finalized Planned Development Zoning, there are no Development Standards for staff to determine if the Planned Development Permit is consistent. Staff has not completed the analysis of the environmental impact without a complete project to consider. The project is not complete as:

- a. The project does not conform to the General Plan.
- b. Sanitary sewer connections are not feasible as proposed.
- c. The Evergreen Development Policy does not have sufficient capacity for the proposed project.

If directed to continue review of the project, upon finalization of the project will likely result in significant unavoidable impacts.

## **Early Consideration**

The project brought before the Planning Commission for early consideration of denial has been in the review process for over two years and staff cannot find the project to be consistent with the Envision San José 2040 General Plan land use designation and policies. Furthermore, staff has determined that the provision of requisite sanitary services to the site is infeasible and the project would exceed the allowed development capacity of the Evergreen-East Hill Development Policy. Based on the project's scope and project description, Staff has determined that the project could not be found to be consistent with the General Plan's land use and policies and therefore bring before an early denial. The Planning Commission options are to recommend early consideration of denial or recommend to the City Council to direct staff to continue the project and environmental review.

## CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Under the provisions of Section 15270 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) as stated below, the staff recommendation for this project is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended. Section 15270 states that CEQA does not apply to projects which a public agency rejects or disapproves. This section also allows for an initial screening of projects on the merits for quick disapprovals prior to the initiation of the CEQA process where the agency can determine that the project cannot be approved. This section shall not relieve an applicant from paying the costs for an EIR or Negative Declaration prepared for this project prior to the Lead Agency's disapproval of the project after normal evaluation and processing.

If City Council directs staff to continue the review of the project, additional environmental review based on how the project is proposed or modified will be required prior to a final consideration on the project.

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

Although this item does not meet any of the criteria above, 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.

Project Manager: John Tu

Approved by:

, Planning Official for Harry Freitas, Planning Director

Date: 191916

Attachments:	
A) Draft Resolution for Denial	
B) Draft Planned Development Rezoning/Permit Plan set	

Owner:	Applicant:
Kuehne Stanislaus and Eleanora Trustee & ET	Salvatore Caruso Design Corporation
1235 Camino Ramon	980 El Camino Real #200
San Jose, CA 95125	San Jose, CA 95050

RESOLUTION NO.	
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A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE DENYING A PLANNED DEVELOPMENT REZONING FROM THE A AGRICULTURAL ZONING DISTRICT TO THE A(PD) PLANNED DEVELOPMENT ZONING DISTRICT AND A PLANNED DEVELOPMENT PERMIT TO ALLOW UP TO 290 UNITS OF ASSISTED LIVING SENIOR HOUSING ON A 3.2 GROSS ACRE PORTION OF A 23 GROSS ACRE SITE, LOCATED ON THE EAST SIDE OF DOVE HILL ROAD, APPROXIMATELY 500 FEET NORTH OF HASSLER PARKWAY (4200 DOVE HILL ROAD)

#### FILE NOS. PDC14-051 and PD16-019

WHEREAS, pursuant to the provisions of Chapter 20.100 of Title 20 of the San José Municipal Code, on September 5, 2014, a rezoning application (File No. PDC14-051) and on July 1, 2016, a Planned Development Permit application (File No. PD16-019) was filed by Salvatore Caruso Design Corporation, the applicant, with the City of San José for a Planned Development Rezoning and Planned Development Permit to allow the construction of up to 290 units of assisted living senior housing on an approximately 3.2 gross acre portion of an approximately 23 gross acre site, on that certain real property situated in the A Agricultural Zoning District and located at the east side of Dove Hill Road, approximately 500 feet north of Hassler Parkway (4200 Dove Hill Road, San José, California, 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 <u>Exhibit "A,"</u> entitled "Legal Description," 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, the Planning Commission conducted a hearing on said application

1

RD:JVP:JMD 10/13/2016

on October 26, 2016, notice of which was duly given; and

WHEREAS, at said hearing, the Planning Commission gave all persons full opportunity

to be heard and to present evidence and testimony respecting said matter; and

WHEREAS, at said hearing, this Planning Commission made a recommendation to the

City Council respecting said matter based on evidence and testimony; 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 application, 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 Planning Commission and the City's Director of Planning,

Building, and Code Enforcement; and

WHEREAS, at said hearing, this City Council received in evidence a development/site

plan for the subject property entitled, "Dove Hill Assisted Living Community," last dated

June 1, 2016, 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 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; and

2

RD:JVP:JMD 10/13/2016

**WHEREAS**, this City Council has heard and considered the testimony presented to it at the public hearing, and has further considered written materials submitted on behalf of the Project applicant, City staff, and other interested parties;

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 and findings regarding this proposed Project:

- 1. Site Description and Surrounding Uses. The approximately 23 gross acre subject property is currently developed with a single-family residence and remaining portion of the site is undeveloped hillside. The site is located on the east side of Dove Hill Road, approximately 500 feet north of Hassler Parkway, in the Evergreen-East Hills area. The site is surrounded by open hillside to the north and south, a development with approximately 100 single-family detached residences to the east and U.S. Highway 101 to the west. There are no existing sanitary connection to the site and the project is adjacent to an existing unpaved road to the west, from which the site will take access from.
- 2. **Project Description**. This is a Planned Development Rezoning and Planned Development Permit to allow the construction of two 5-story buildings with up to 290 units of assisted living senior housing development with above and below grade parking ("Project").
- 3. General Plan Conformance. The General Plan Land Use/Transportation Diagram designation for the Project site is Public/Quasi-Public. This designation is used to designate public land uses, including schools, colleges, libraries and fires stations and also allows some private entities such as private schools, daycare centers, hospitals and public utilities. To be consistent with the General Plan lane use designation, the proposed rezoning and Planned Development Permit should propose a Project that conforms as a hospital use. The applicant has not been able to provide sufficient detail on how the proposed Project would conform as a hospital use and in particular conform to what the City has defined as a "convalescent hospital". As residential uses are not allowed in this designation, but hospital facilities are, the proposed use must meet the definition of 'convalescent hospital use' in the Municipal Code: "an establishment where for a minimum of forty hours per week, inpatient nursing care including bed care is provided and where other medical care may be provided for persons who are ill, injured, or infirm (physically or mentally), but excluding /persons with communicable disease. No outpatient care shall be

provided" or provide sufficient documentation of an equivalent use. As explained in the administrative record and herein, the proposed Project is a residential use and not a medical hospital and therefore, is inconsistent with the General Plan, In addition, the proposed Project is also not consistent with the following General Plan land use policy:

i. <u>Major Strategy #8 – Fiscally Strong City:</u> Establish a land use planning framework that promotes the right fiscal balance of revenue and costs to allow the City to deliver high-quality municipal services, consistent with community expectation. <u>Infrastructure IN-1.3:</u> Provide sustainable utility services and infrastructure in a cost-efficient manner consistent with Envision General Plan goals and policies related to Fiscal Sustainability.

Analysis: The applicant has stated their desire for an approximately 3,000 feet pump and pipe system in the public right-of-way to provide sanitary connection to the site with a Community Facility District. This proposal would incur additional cost or risk to the City to provide such services and has been rejected by Public Works. The applicant has not provide evidence of alterative analysis and agreements to secure a private sanitary easement with the private development to the east and or connect to the existing sanitary system on the other side of U.S. Highway 101 Further, the site is located on a hill with limited existing public infrastructure and has not been designated as a growth area in the Envision San José 2040 General Plan and thus major public infrastructural projects are not anticipated in this area.

ii. <u>Fiscal Sustainability FS-5.11:</u> Identify the most efficient use of available resources to maintain the City's infrastructure and to minimize the need to replace this infrastructure.

Analysis: Only 3.2 acres of the approximate 23 acres are developable because of slope over 15%. The 3.2 developable acres is currently developed with an existing single-family residence without existing paved road access or sanitary sewer utilities. Given the constraints of development on the site, it would not be an efficient use of limited resources to direct public infrastructure or growth to this site.

iii. Community Design CD-5.7: Consider the long-term maintenance needs in the design of streets and other infrastructure improvements, and consider whether such improvements are more appropriate as public or private facilities.

Analysis: As stated above, the proposed project does not have a sewer system along the Project frontage. The project proposes a private pump

station force main within Hassler Parkway to connect to the nearest public sewer near Hassler/Trestlewood which is approximately 3,000 feet away from the Project site. Staff cannot support a private pump system to push sanitary uphill within the public right-of-way as it would incur additional maintenance cost to the City without a feasible private financing agreement and incur additional liability to the City. The applicant has openly stated they would not be able to secure sanitary sewer easements in the private property and therefore both the public and private options are infeasible.

4. Zoning Ordinance Compliance. The site is currently in the A Agricultural Zoning District, which would not permit the proposed development. With the current Public/Quasi-Public general plan land use, it would be most appropriate for a conforming rezoning to the Public/Quasi-Public Zoning District and as discussed above, the proposed project would be inconsistent with the Public/Quasi-Public Zoning District approved land use.

#### 5. Planned Development Permit Findings.

The City Council may approved a Planned Development Permit only if it has adopted a Planned Development Zoning and then making all the following findings:

- I. The Planned Development Permit, as issued, furthers the policies of the General Plan.
- II. The Planned Development Permit, as issued, conforms in all respects to the Planned Development Zoning of the property;
- III. The interrelationship between the orientation, location, mass and scale of building volumes and elevations of the proposed buildings, structures and other uses on-site are appropriate, compatible and aesthetically harmonious.
- IV. 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 effect on adjacent property or properties.

Analysis: The administrative record does not support the required findings to approve a Planned Development Permit. As discussed in detail above, the proposed project is inconsistent with the Envision San José 2040 General Plan and exceeds the development capacity of the approved Evergreen-East Hill Development Policy. Without a finalized Planned Development Zoning, there are no Development Standards for staff to determine if the Planned Development Permit is consistent. Staff has not completed the analysis of the environmental impact without a complete project to consider. The project is not complete as:

- a. The project does not conform to the General Plan.
- b. Sanitary sewer connections are not feasible as proposed.
- c. The Evergreen Development Policy does not have sufficient capacity for the proposed project.

If directed to continue review of the project, upon finalization of the project will likely result in significant unavoidable impacts

Evergreen-East Hills Development Policy. The Evergreen-East Hills Development Policy (EEHDP) was an update to the original Evergreen Development Policy (EDP) that was adopted in 1976 to address flood protection and traffic capacity in the EDP area. The EEHDP was adopted by City Council December 16, 2008 to replace the original EDP and to allow a limited increase in development in the Evergreen-East Hill Area, which encompasses the area south of Story Road and east of U.S. Highway 101. When the Planned Development Zoning was submitted in 2014, there was limited development capacity to allow development consideration of the subject project. Since this time period, several projects have been approved by City Council. At the time of the submittal of the rezoning, there was approximately 403,231 square feet of commercial development capacity and 55,520 square feet of office development capacity. As of today, there is currently only 38,858 square feet of commercial and 23,552 square feet of office development capacity. The project proposal approximately 240,000 square feet development would exceed the allowed amount of development capacity based on traffic trip calculations. In order to exceed the amount of development capacity for this policy area, it would require an update to the General Plan to analyze the impact of the increase in the planned growth for the area and its impact on the traffic circulation of the entire city and region. In addition, it would require the adoption of a new Area Development Policy, as the existing developments has exhausted all new traffic mitigation for the existing policy. In addition, with the adoption of a new Area Development Policy, it would require a new Environmental Impact Report to analysis new impacts from the proposed expansion in development capacity.

Environmental Review. The Project is statutorily exempt under the provisions of the California Environmental Quality Act (CEQA) Guidelines Section 15270 for Projects which are disapproved, as discussed in File No. PP16-104. Under the provisions of Section 15270 of the CEQA Guidelines, this Project is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended. Section 15270 states that CEQA does not apply to projects which a public agency rejects or disapproves. This section also allows for an initial screening of projects on the merits for quick disapprovals prior to the initiation of the CEQA process where the agency can determine that the project cannot be approved. This section shall not relieve an applicant from paying the costs for an EIR or Negative Declaration prepared for this project prior to the Lead

Agency's disapproval of the Project after normal evaluation and processing. If City Council directs staff to continue the review of the Project, additional environmental review based on how the Project is proposed or modified will be required prior to a final discussion on the Project.

	and findings for this Planned Development Rezoning and e proposed Planned Development Rezoning and Planned denied.
DENIED thisday of	, 2016, by the following vote:
AYES:	
NOES:	
ABSENT:	
DISQUALIFIED:	
	SAM LICCARDO
ATTEST:	Mayor
	_
TONY J. TABER, CMC City Clerk	

# 4200 DOVE HILL ROAD SAN JOSE, CA

PROJECT DATA

PARCEL NUMBERS

TOTAL LOT AREA

EXISTING USE

PROPOSED USE

NO. OF UNITS

NO. OF STORY

OCCUPANCY GROUP

TYPE OF CONSTRUCTION

AUTOMATIC FIRE SPRINKLER

TOTAL PROJECT AREA

EXISTING GENERAL PLAN

679-08-002, 679-08-003

679-09-001, 679-09-002

21 ACRE (913,413 SF)

3 ACRE (130,680 SF)

PUBLIC/QUASI PUBLIC

MINOR RESIDENTIAL AND

ASSISTED LIVING FACILITY

TYPE I A AND TYPE I-B

MINOR COMMERCIAL

PODIUM + 4 STORY

290 UNITS

YES

**OWNER:** 

STAHN KUHNE C/O DOLLY MARINDA 31553 HUGH WAY HAYWARD, CA 94544 PHONE: (510) 459–8821 DEVELOPER:

WHL28, LLC JOHN WYNN DESIGN PROFESSIONALS:

ARCHITECT

SALVATORE CARUSO DESIGN CORPORATION 980 EL CAMINO REAL, SUITE 200 SANTA CLARA, CA 95050 PHONE: (408) 998-4087 FAX: (408) 998-4088

CIVIL ENGINEER

PAMELA SALAS LANGAN TREADWELL ROLLO 4030 MOORPARK AVE, SUITE 210 SAN JOSE, CA 95117 PHONE: (415) 955-5234 <u>GEOTECHNICAL</u>

JOHN GOUCHON LANGAN TREADWELL ROLLO 4030 MOORPARK AVE, SUITE 210 SAN JOSE, CA 95117 PHONE: (415) 955-5237 LANDSCAPE ARCHITECT:

GREGORY LEWIS
736 PARK WAY
SANTA CRUZ, CA 95065
PHONE: (831) 425-4747

#### PROJECT DESCRIPTION:

THE SITE IS APPROXIMATE 21 ACRES, BUT ONLY AROUND 3 ACRES THAT ARE CURRENTLY DEVELOPED WOULD BE REDEVELOPED TO ACCOMMODATE 290 ASSISTED LIVING UNITS WITH A TOTAL OF 340 BEDS, SOME UNITS BEING 2 BED UNITS. THE CURRENTLY BLIGHTED SITE WOULD BE TRANSFORMED INTO A NOBLE, ARCHITECTURALLY PLEASING GATEWAY PROJECT BY CLOSELY WORKING WITH OUR CITY'S PLANNING STAFF AND COUNCIL.

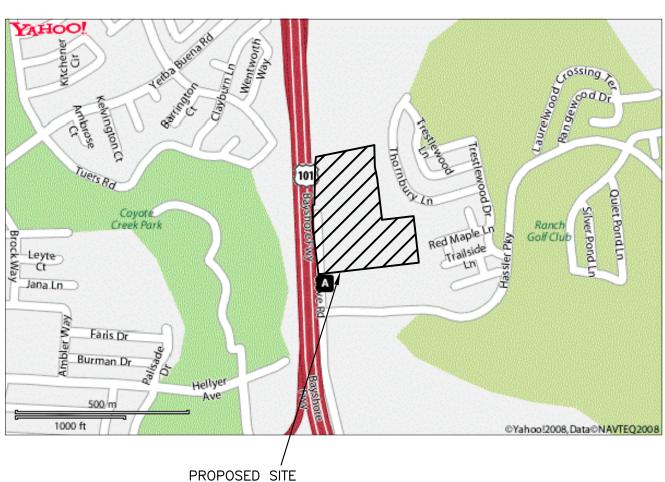
WE ARE REQUESTING FOR A PD ZONING.

#### PRIOR DEVELOPMENT PERMITS:

C02-019 DIRECTOR INITIATED PREZONING
GP08-08-03 GENERAL PLAN AMENDMENT FROM
HILLSIDE TO PUBLIC / QUASI PUBLIC

VICINITY MAP

	UNIT MATRIX					
BUILDING	STUDIO	1-BEDROOM	TOTAL UNITS			
Α	66	72	138			
В	45	107	152			
TOTAL	111	179	290			





GROSS BUILDING AREA					
BUILDING	NO. OF STORY	PARKING AREA + DRIVEWAY	TOTAL BUILDING AREA WITHOUT BALCONIES	TOTAL AREA	
Α	PODIUM + 4	16,094 SF		119,198 SF	
	1ST FLOOR UNITS + ADMIN		8,193 SF	24,287 SF	
	2ND FLOOR		21,936 SF	21,936 SF	
	3RD, 4TH & 5TH FLOOR		24,325 SF	72,975 SF	
В	PODIUM + 4	18,839 SF		124,734 SF	
	1ST FLOOR UNITS		6,748 SF	25,586 SF	
	2ND, 3RD, 4TH & 5TH FLOOR		24,787 SF	99,148 SF	
TOTAL AREA				243,932 SF	

PARKING ANALYS	SIS		
TOTAL NUMBER OF BEDS — 340 BEDS  OUT OF THESE 50 BEDS ARE FOR MEMORY UNITS — FOR WHICH PARKING IS NOT PROVIDED FOR THE RESIDENCES			
PARKING PROVIDED FOR 290 BEDS			
PARKING REQUIRED			
1 SPACE PER 4 BEDS	290/4 = 72.50 SPACES		
1 SPACE FOR PEAK NO. OF EMPLOYEES AT ANY TIME	55 SPACES		
TOTAL NO. OF PARKING REQUIRED	128 SPACES		
NO. OF PARKING SPACES IN BUILDING A	36 SPACES		
NO. OF PARKING SPACES IN BUILDING B	57 SPACES		
OUTSIDE PARKING	36 SPACES		
TOTAL PARKING PROVIDED	129 SPACES		
ACCESSIBLE SPACES PROVIDED	6 SPACES		
TOTAL NO. OF UNITS	290 UNITS		
BIKE PARKING REQUIRED			
1 SPACE PER 10 FULL-TIME EMPLOYEES	55/10 = 5.5 SPACES		
BIKE PARKING PROVIDED	6 SPACES		

#### SHEET INDEX

#### ARCHITECTURAL

COVER SHEET

EXISTING SITE PLAN

3A LANDUSE PLAN
4 ENLARGED SITE PLAN

5 BUILDING A GARAGE + 2ND FLOOR PLANS
6 BUILDING A 3RD, 4TH & 5TH FLOOR PLANS

BUILDING B 1ST FLOOR PLANBUILDING B 2ND FLOOR PLAN

BUILDING B 3RD, 4TH & 5TH FLOOR PLANS

2 ENLARGED UNIT PLANS 1 ENLARGED UNIT PLANS

ENLARGED UNIT PLANS

13 ENLARGED UNIT PLANS

14 ENLARGED UNIT PLANS15 ENLARGED UNIT PLANS

16 BUILDING A ELEVATIONS17 BUILDING B ELEVATIONS

#### DOVE HILL ASSISTED LIVING COMMUNITY

4200 DOVE HILL ROAD SAN JOSE, CA

## SALVATORE CARUSO DESIGN CORPORATION

980 EL CAMINO REAL, SUITE 200, SANTA CLARA, CA 95050 TEL. No. (408) 998-4087 • FAX. No. (408) 998-4088

BUILDING B ELEVATIONS

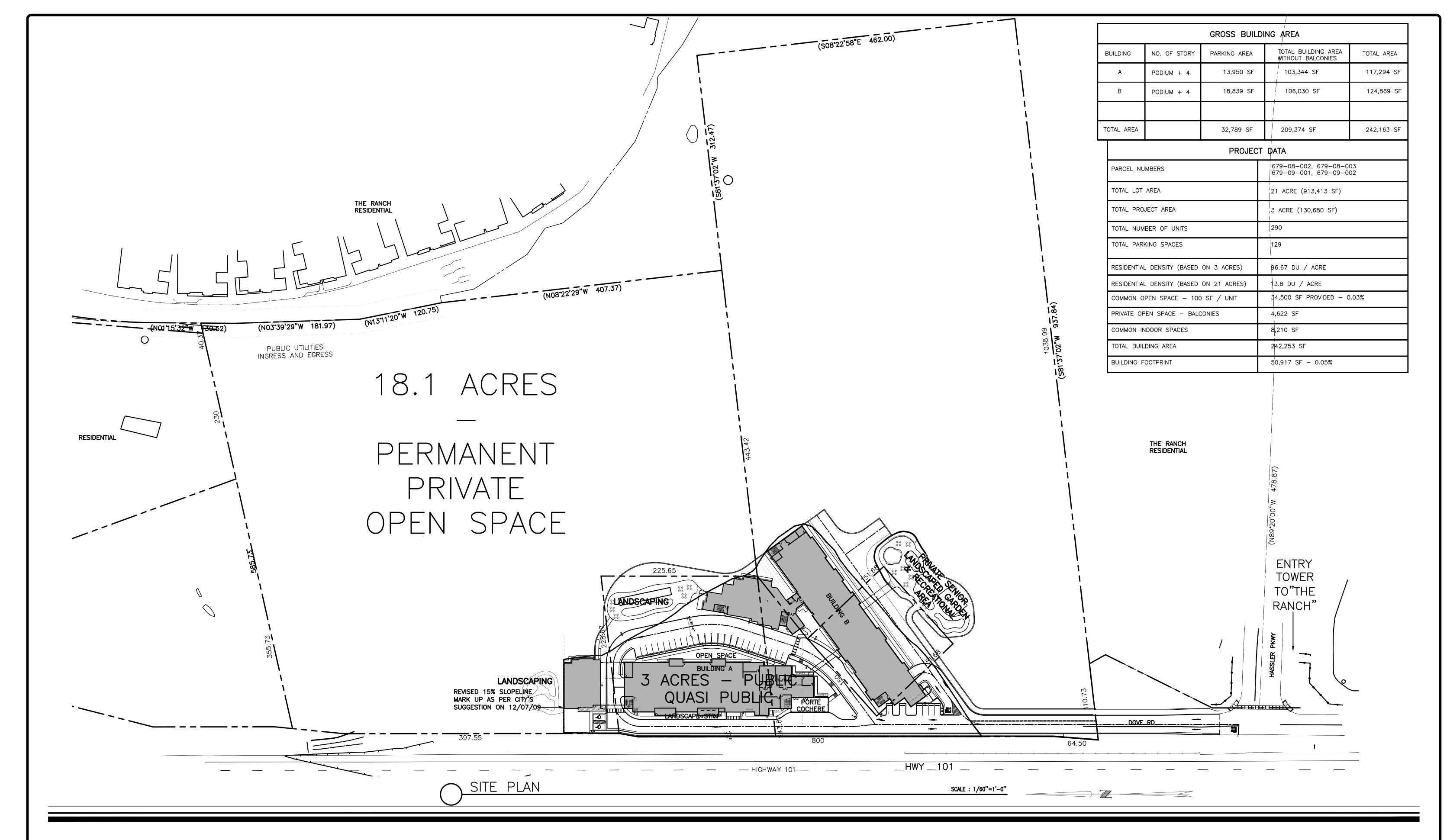
SECTIONS

DETAILS



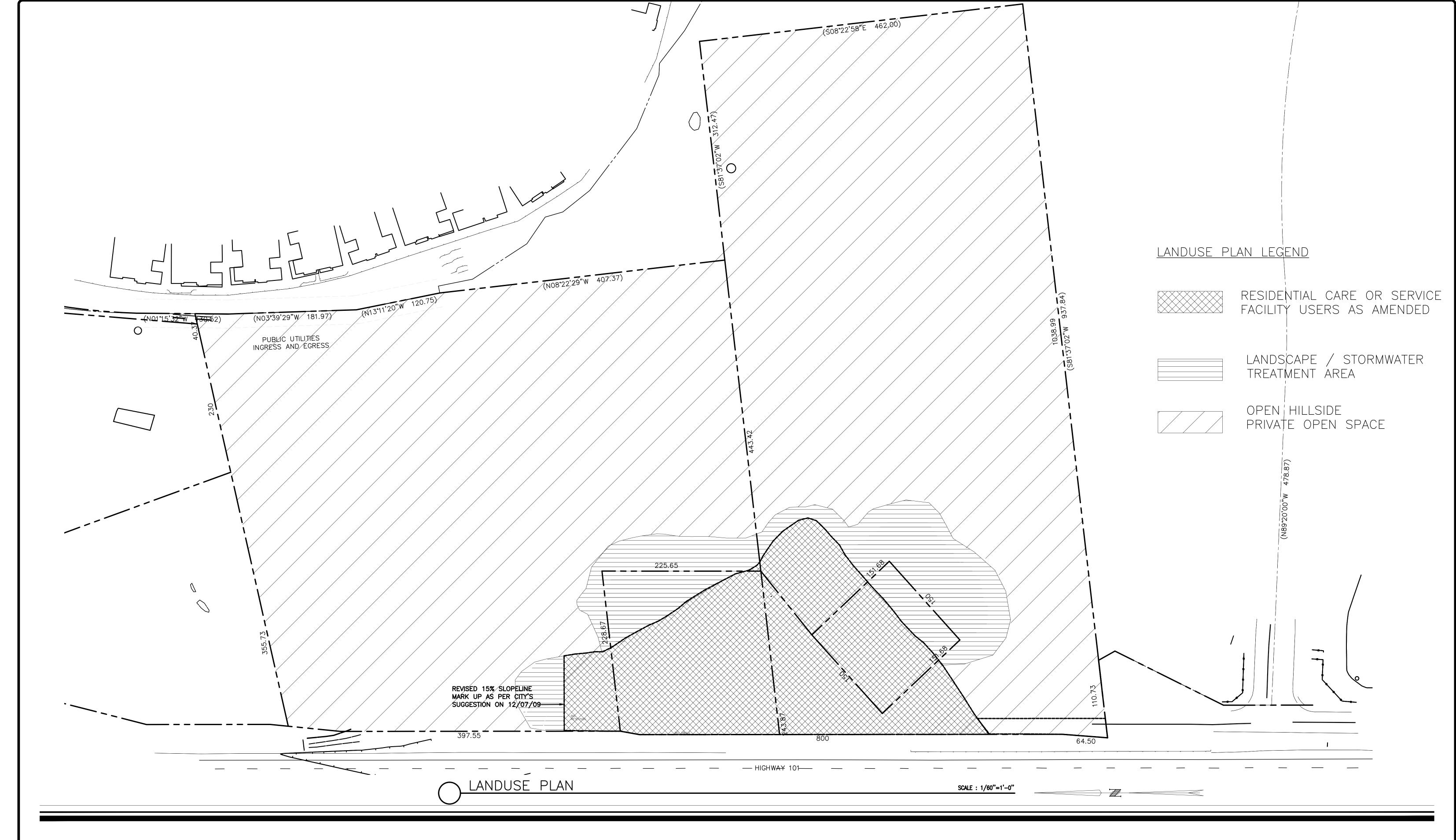
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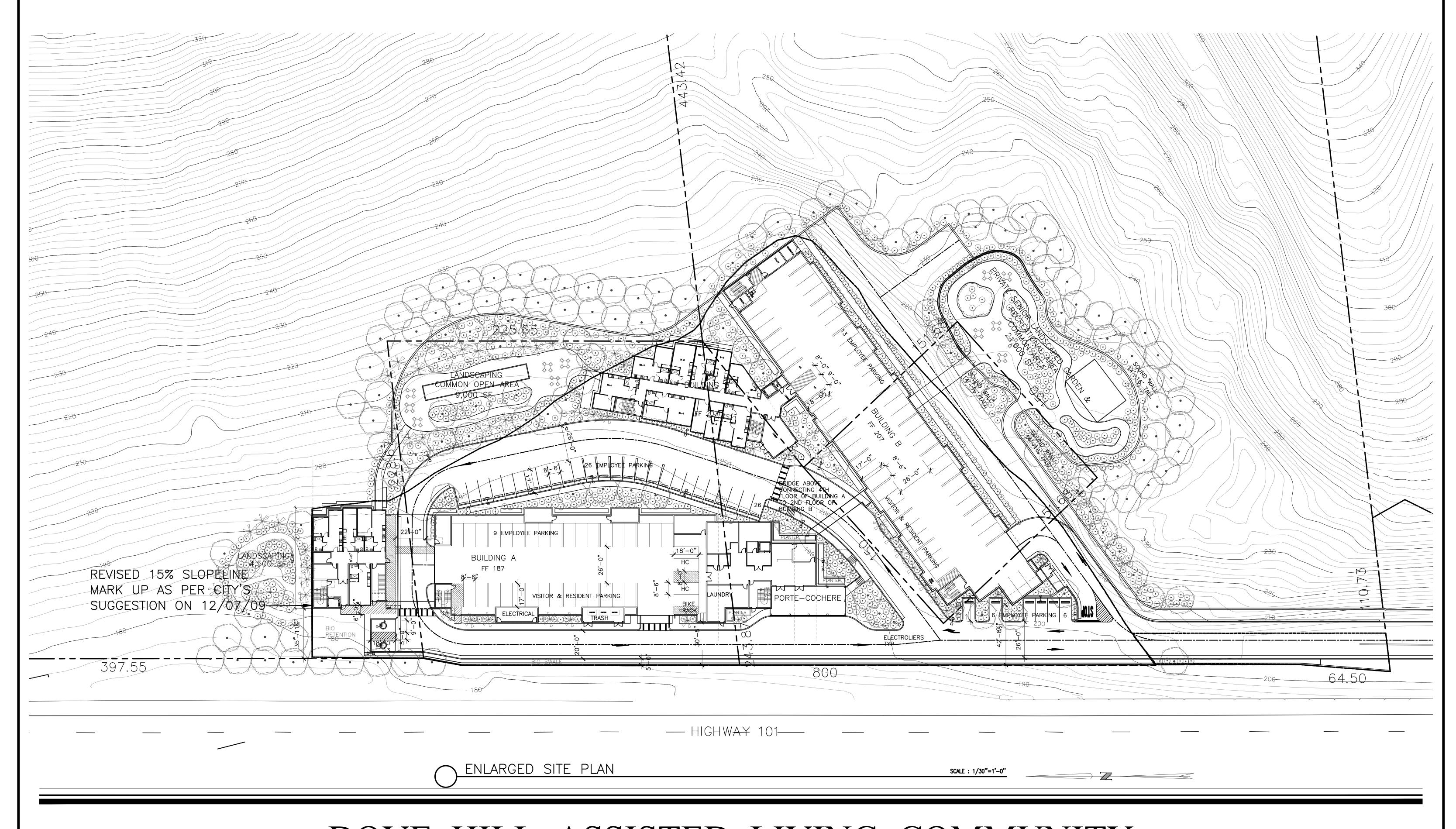
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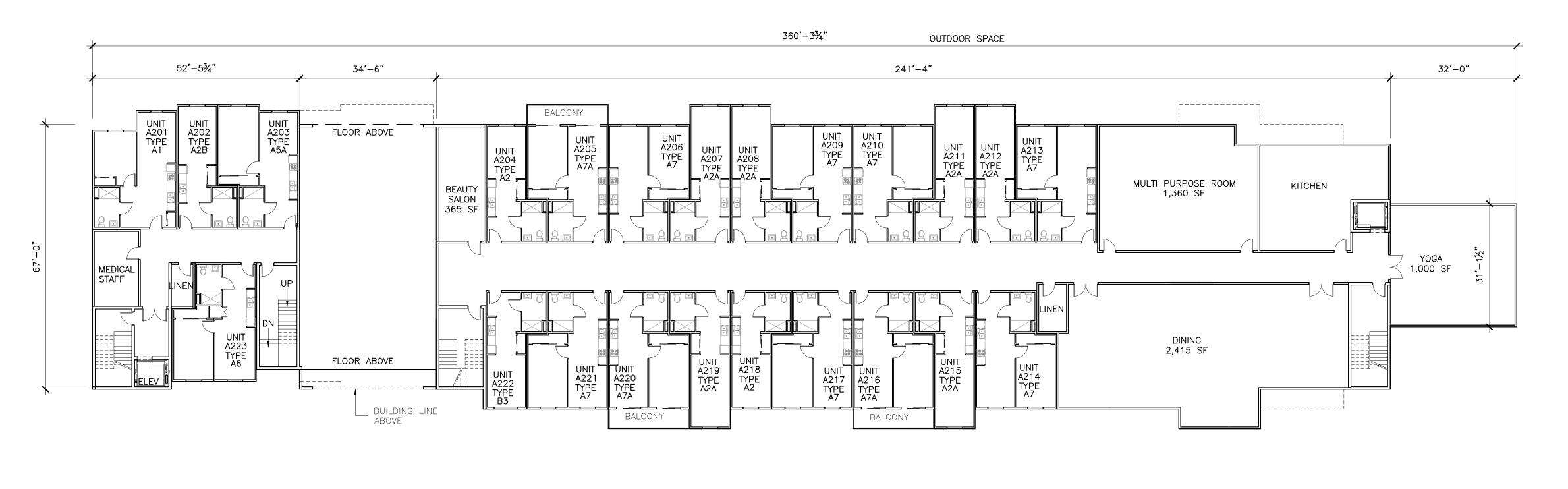
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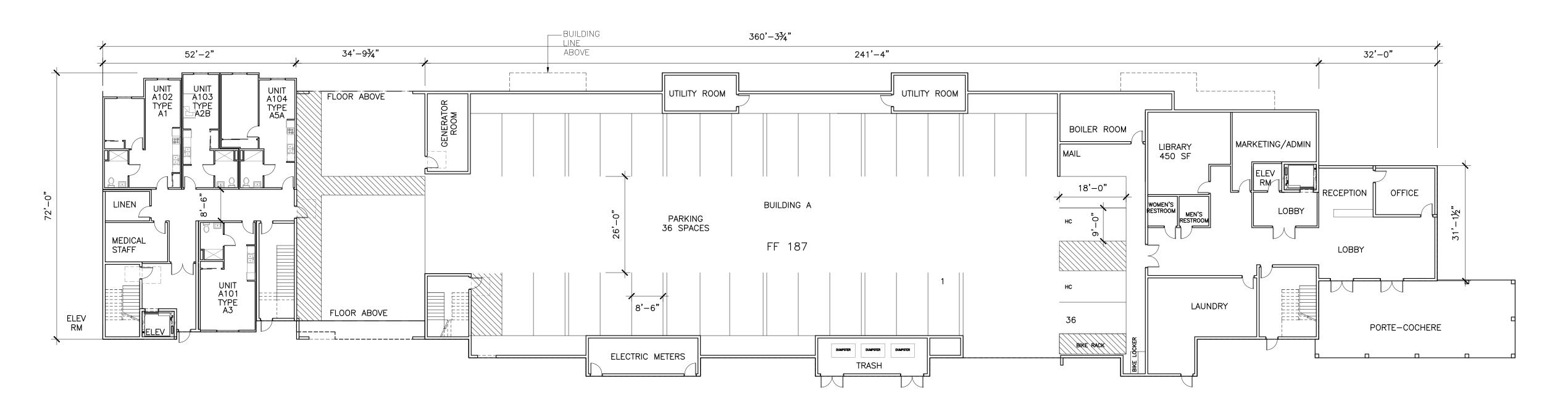


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SECOND FLOOR— 13— 1 BEDROOM UNITS + 10— STUDIOS SCALE: 1/16"=1'-0" BUILDING A



GARAGE LEVEL - 2 -1 BEDROOM UNITS + 2 - STUDIOS

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

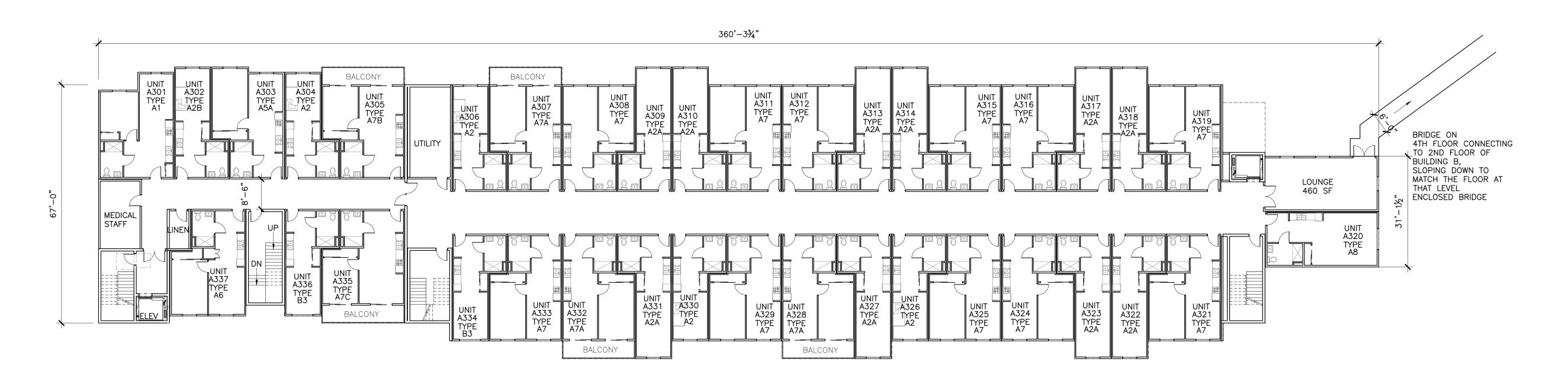
BUILDING A

## DOVE HILL ASSISTED LIVING COMMUNITY

4200 DOVE HILL ROAD SAN JOSE, CA

# SALVATORE CARUSO DESIGN CORPORATION

UNIT TYPE	ONE BED / STUDIO	UNIT AREA	BALCONY AREA	NUMBER OF EACH TYPE UNIT
A1	ONE BED	584 SF		5
A2	STUDIO	366 SF		14
A2A	STUDIO	418 SF		36
A2B	STUDIO	382 SF		5
A3	STUDIO	469 SF		1
A5A	ONE BED	582 SF		5
A6	ONE BED	575 SF		4
A7	ONE BED	561 SF		40
A7A	ONE BED	560 SF	102 SF	12
A7B	ONE BED	565 SF	116 SF	3
A7C	ONE BED	577 SF	116 SF	3
A8	STUDIO	495 SF		3
B3	STUDIO	366 SF		7



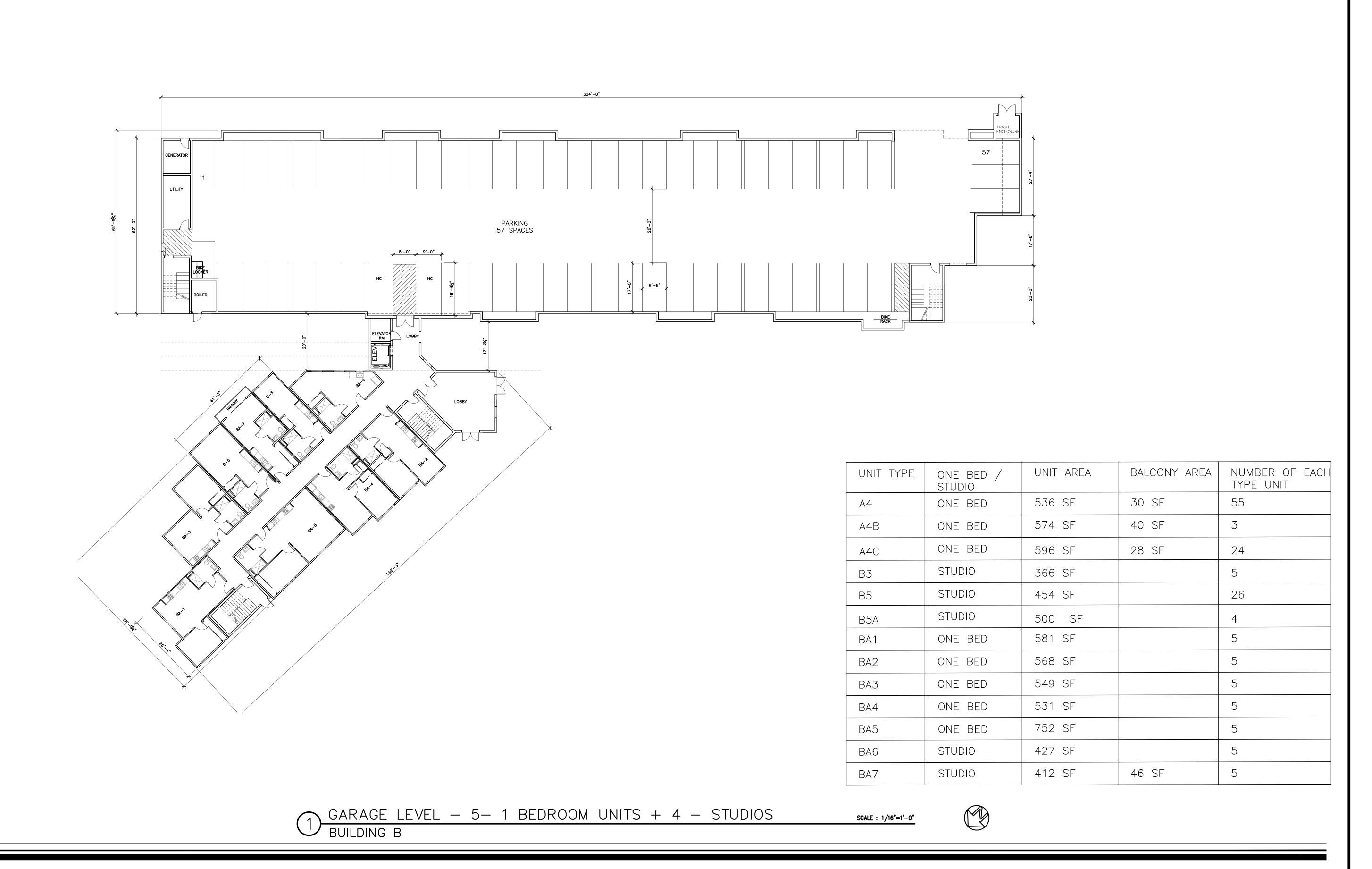
THIRD, FOURTH AND FIFTH FLOOR-19- 1 BEDROOM UNITS + 18-STHID! Questions a



#### DOVE HILL ASSISTED LIVING COMMUNITY

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SECOND FLOOR-24 - 1 BEDROOM UNITS + 11 - STUDIOS
BUILDING B

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



## DOVE HILL ASSISTED LIVING COMMUNITY

4200 DOVE HILL ROAD SAN JOSE, CA

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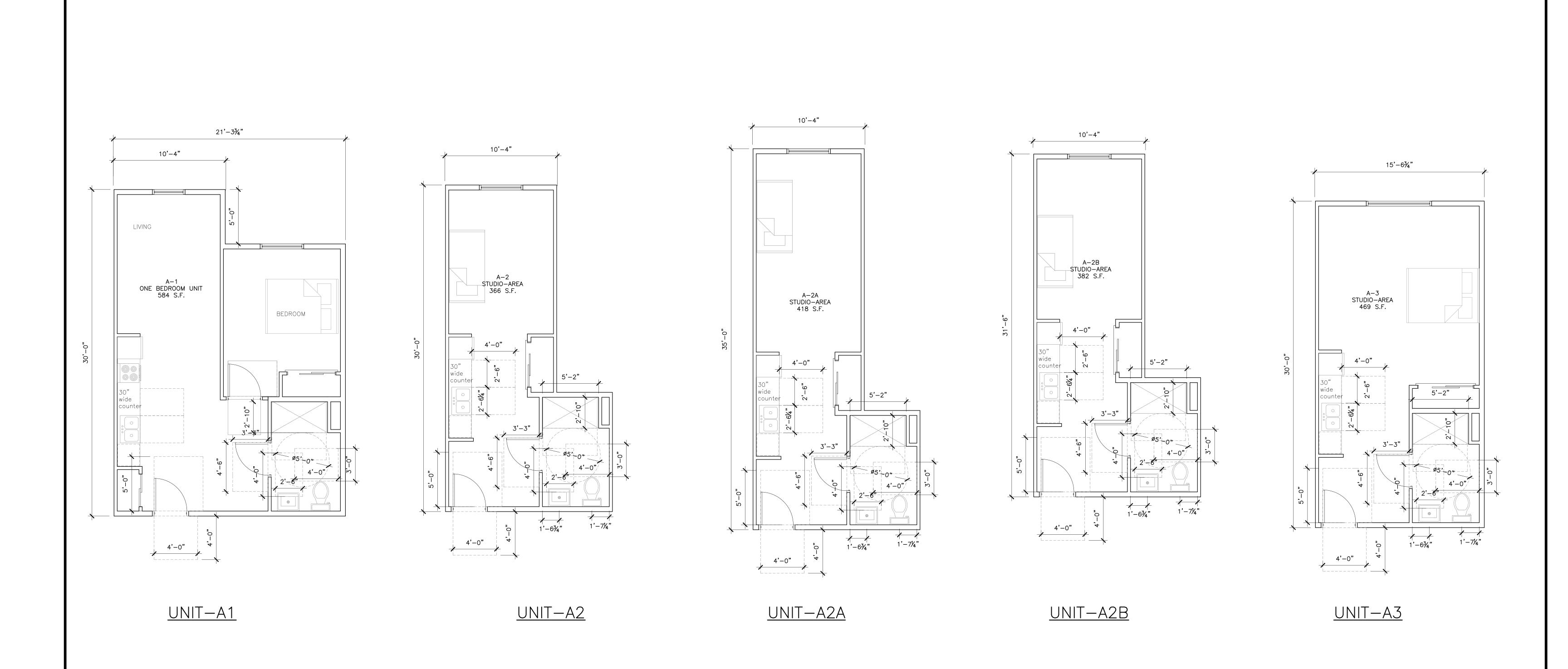
3RD, 4TH & 5TH FLOOR— 26— 1 BEDROOM UNITS + 10— STUDIOS SCALE :1/16"=1'-0" BUILDING B



### DOVE HILL ASSISTED LIVING COMMUNITY

4200 DOVE HILL ROAD SAN JOSE, CA

# SALVATORE CARUSO DESIGN CORPORATION



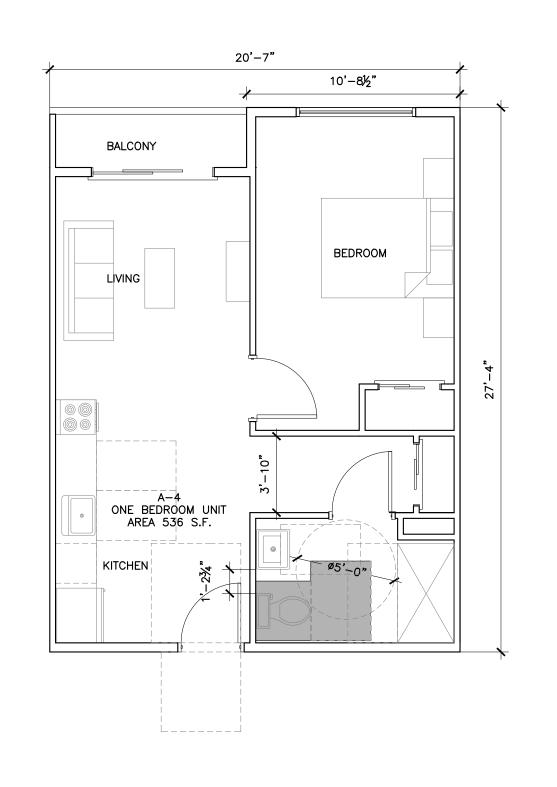
UNIT PLANS

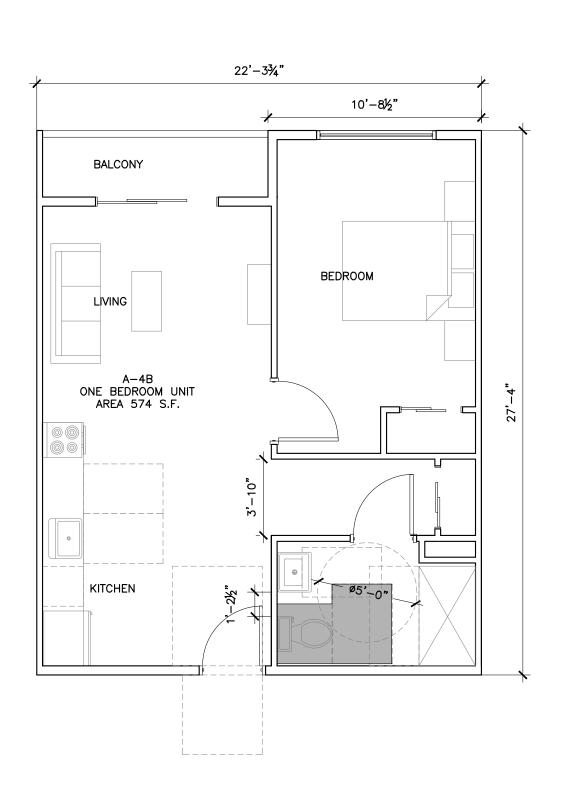
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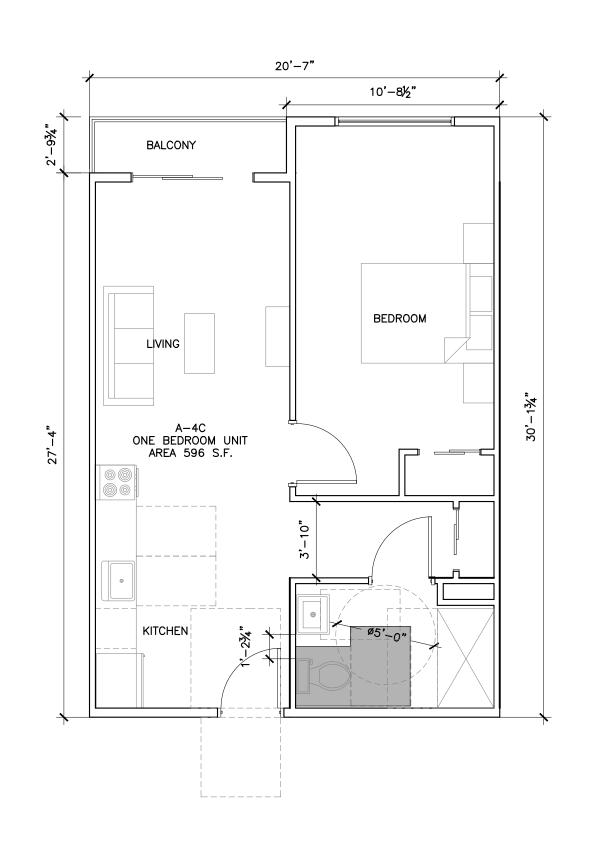
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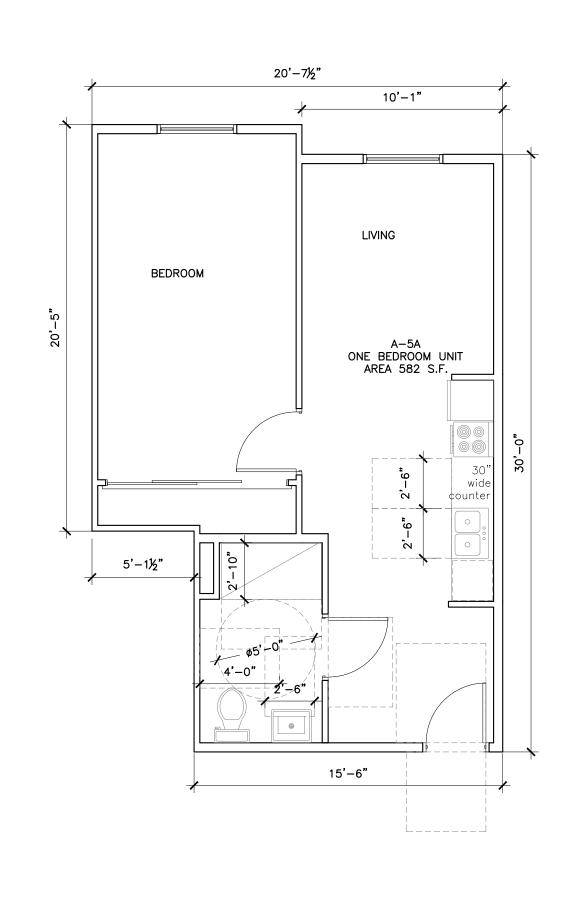
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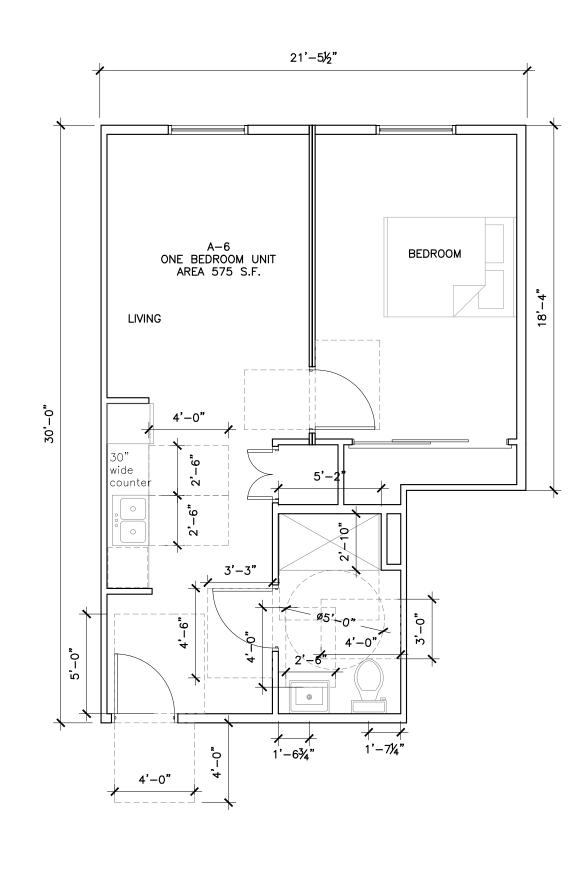
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<u>UNIT-A4B</u> <u>UNIT-A4B</u> <u>UNIT-A4B</u> <u>UNIT-A4B</u>

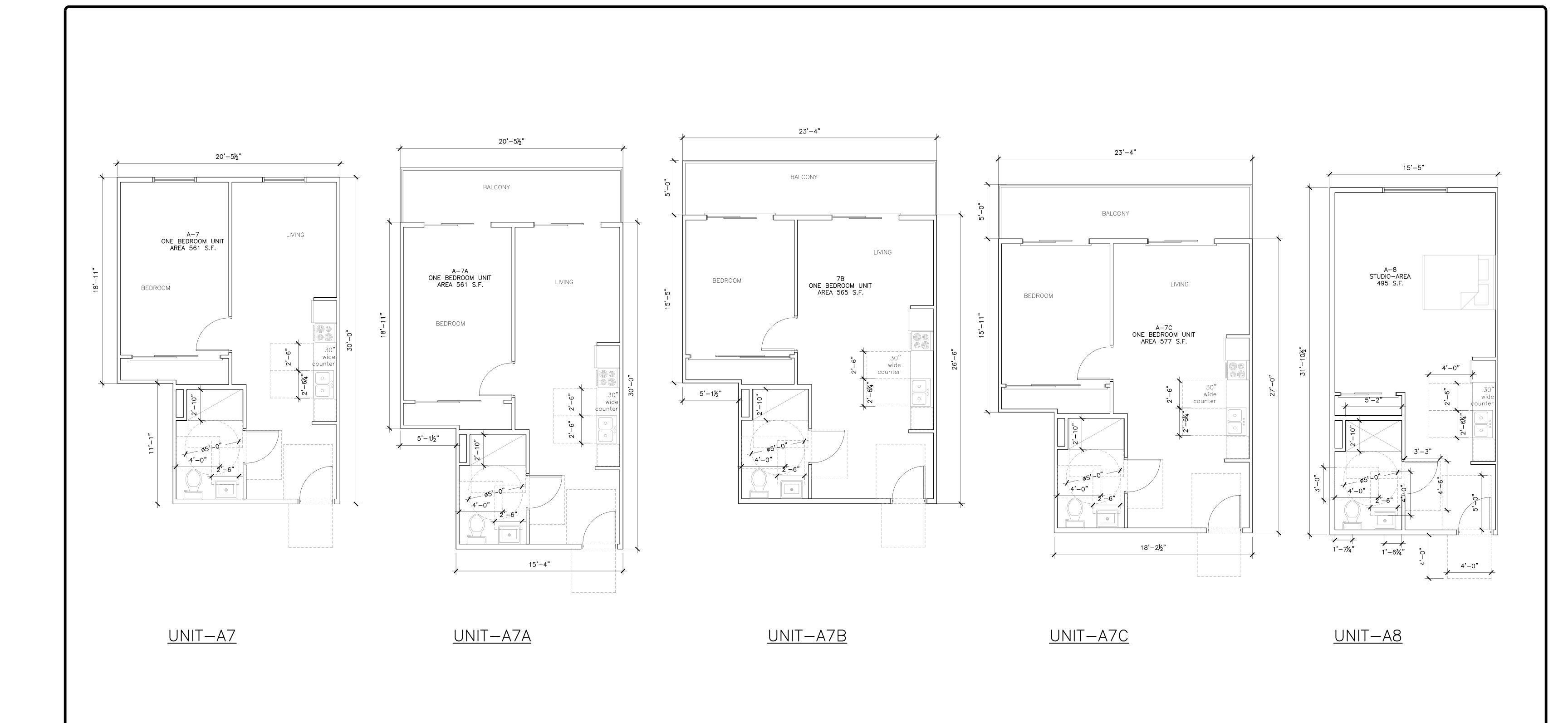
UNIT PLANS

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

### DOVE HILL ASSISTED LIVING COMMUNITY

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SALVATORE CARUSO DESIGN CORPORATION



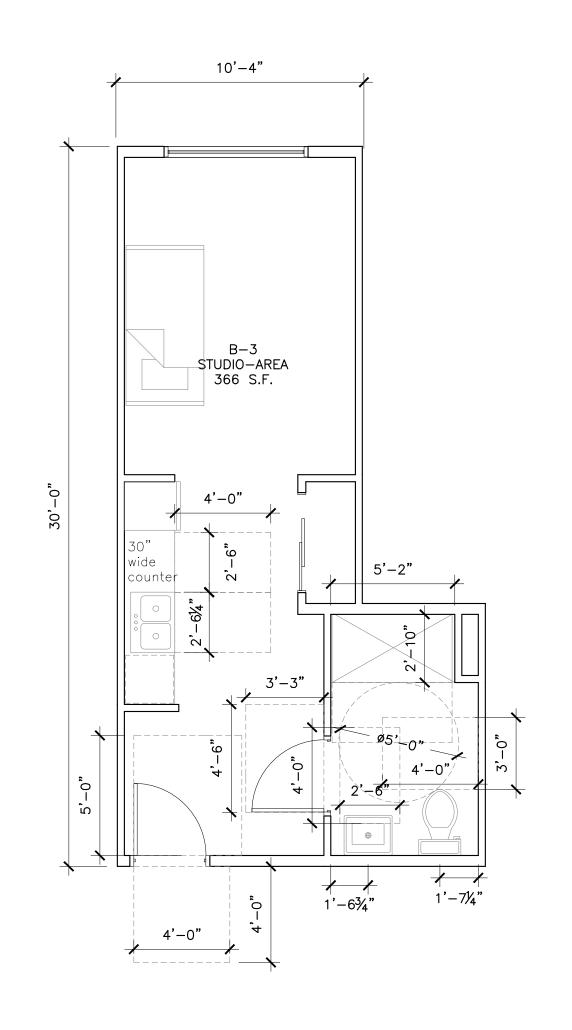
UNIT PLANS

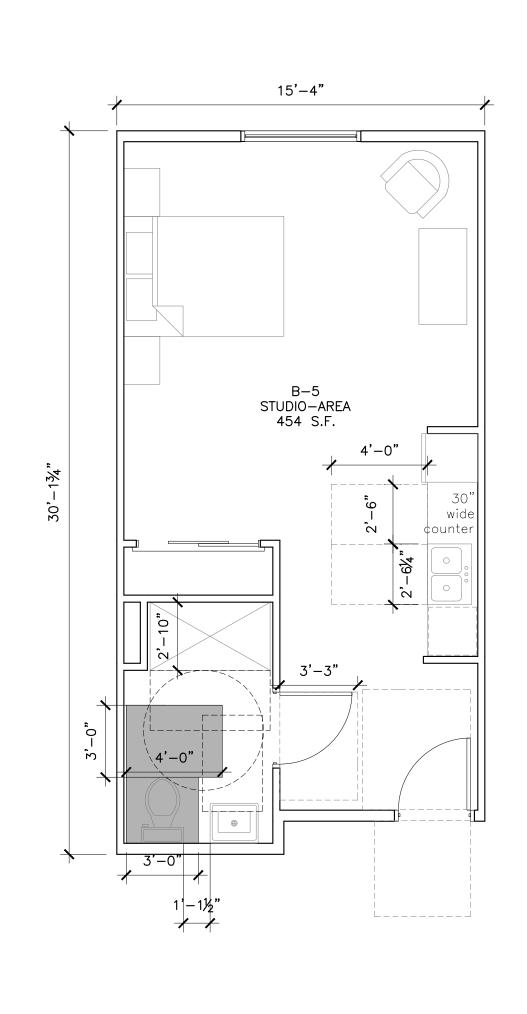
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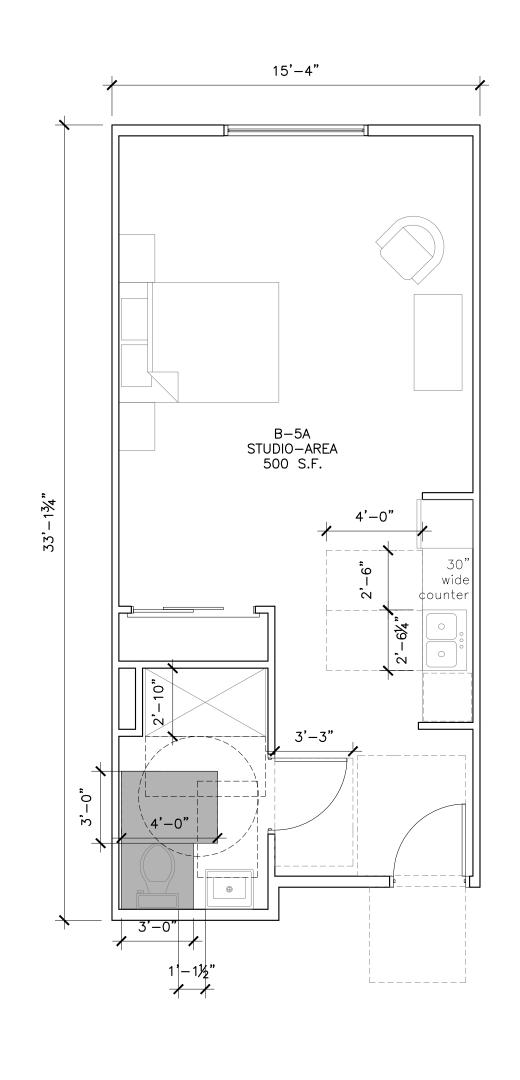
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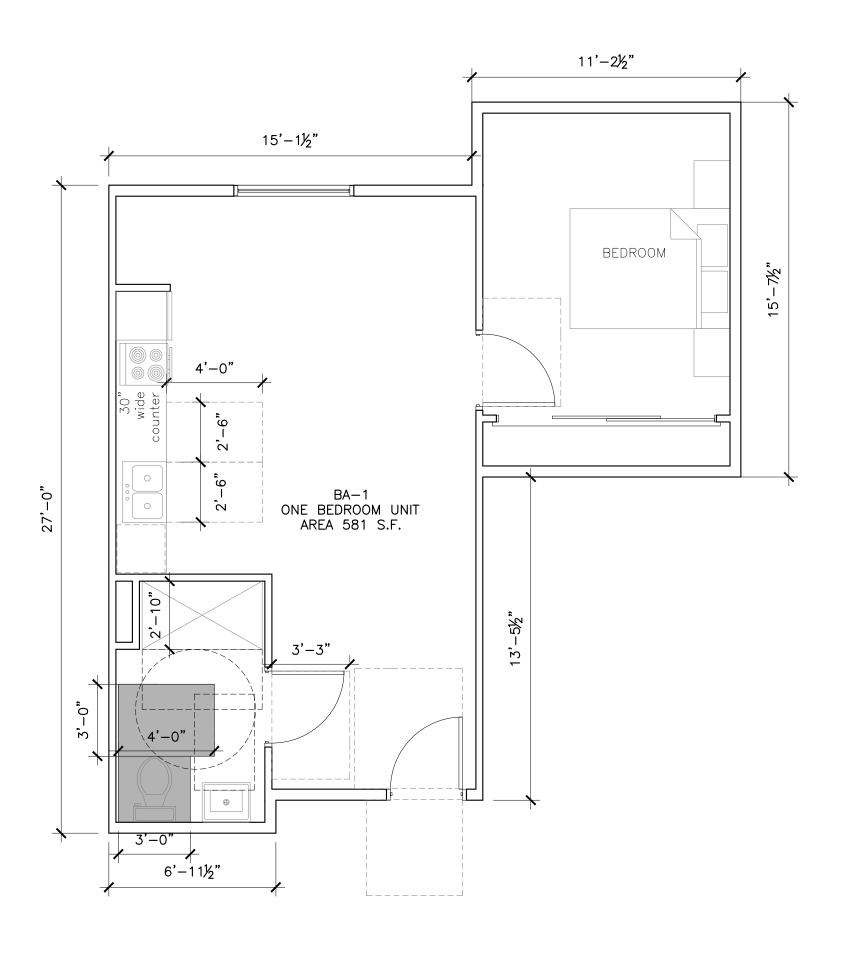
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<u>UNIT-B3</u> <u>UNIT-B5</u> <u>UNIT-B41</u>

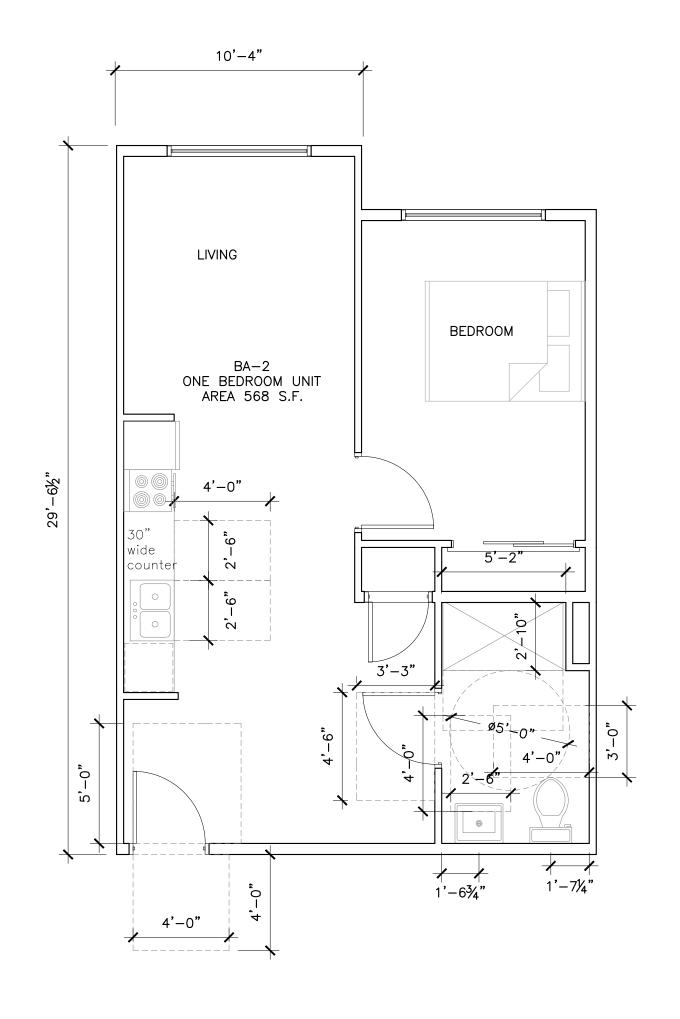
UNIT PLANS

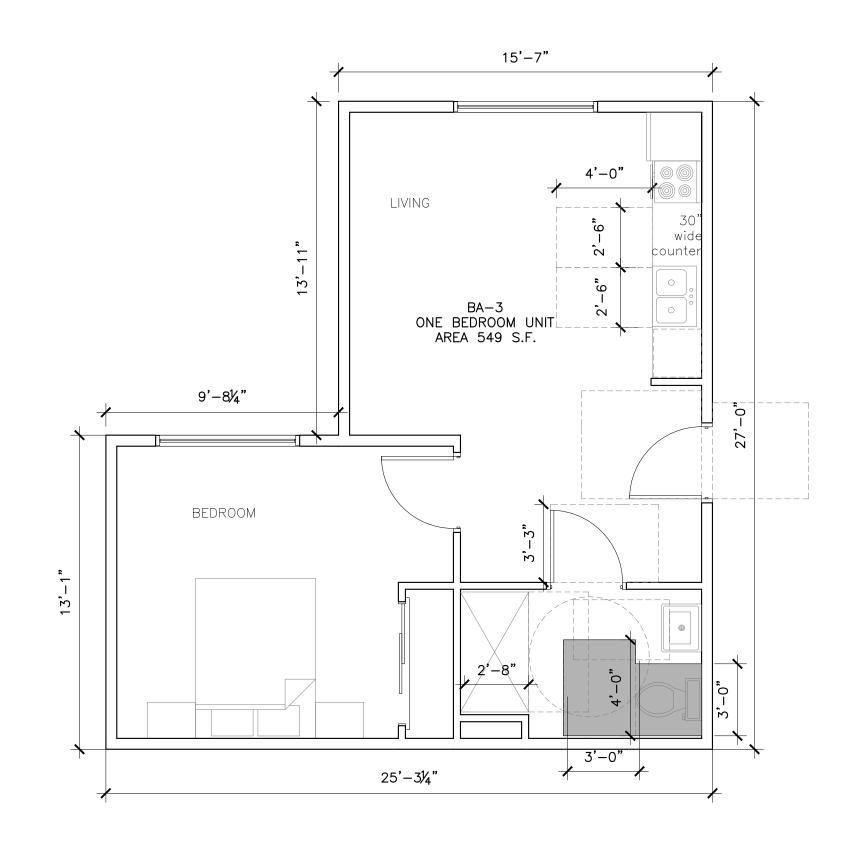
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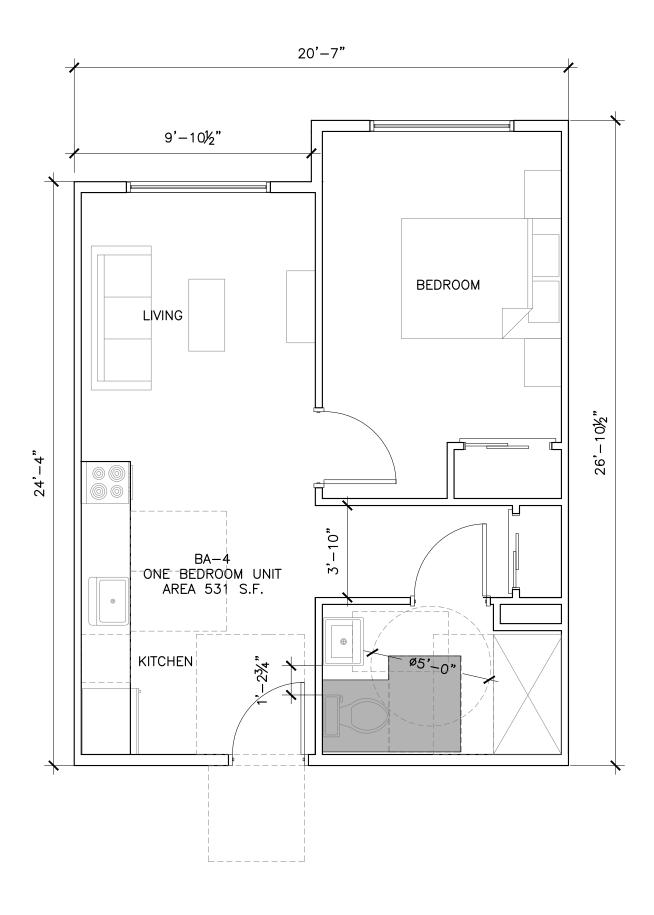
### DOVE HILL ASSISTED LIVING COMMUNITY

4200 DOVE HILL ROAD SAN JOSE, CA

SALVATORE CARUSO DESIGN CORPORATION







<u>UNIT-BA3</u>
<u>UNIT-BA3</u>

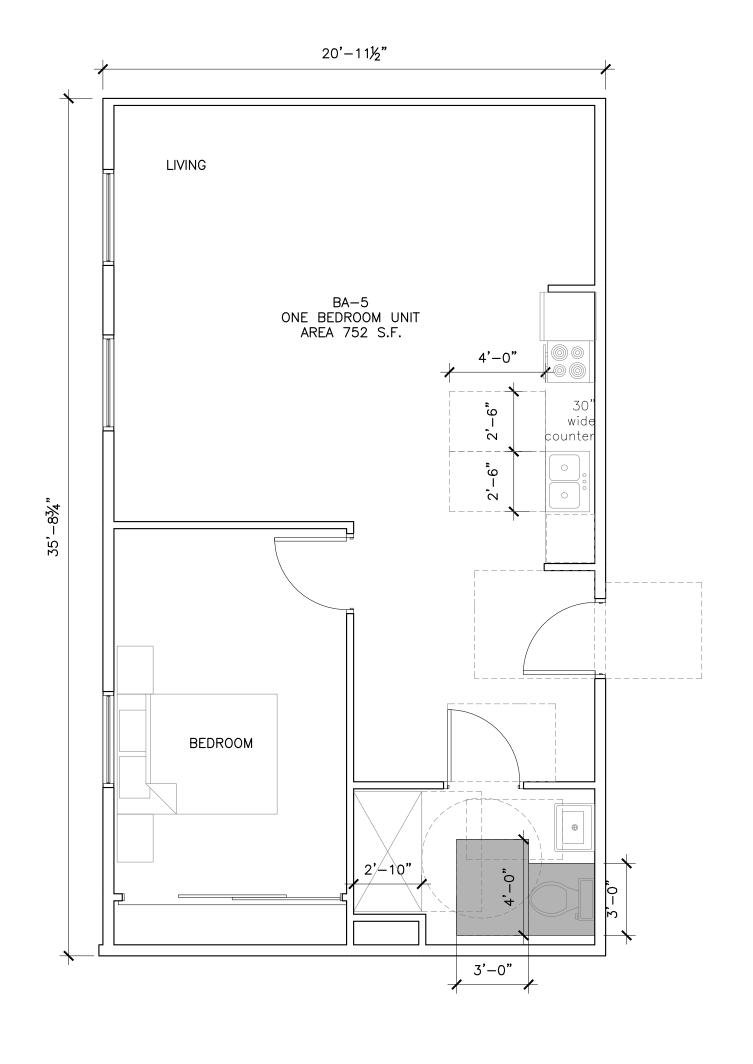
UNIT PLANS

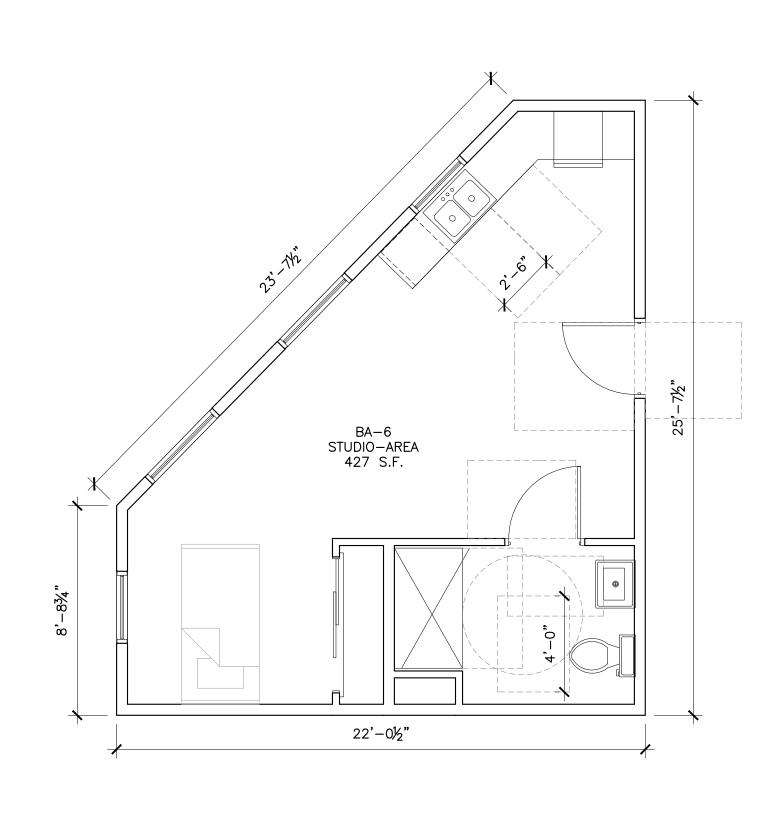
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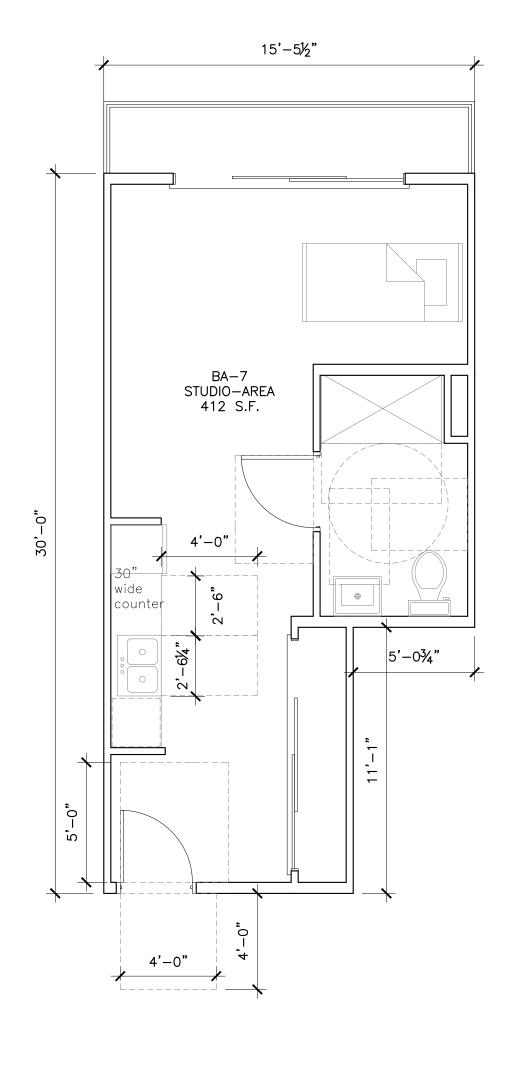
#### DOVE HILL ASSISTED LIVING COMMUNITY

4200 DOVE HILL ROAD SAN JOSE, CA

# SALVATORE CARUSO DESIGN CORPORATION







<u>UNIT-BA5</u> <u>UNIT-BA6</u>

UNIT PLANS

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

#### DOVE HILL ASSISTED LIVING COMMUNITY

4200 DOVE HILL ROAD SAN JOSE, CA

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EAST ELEVATION

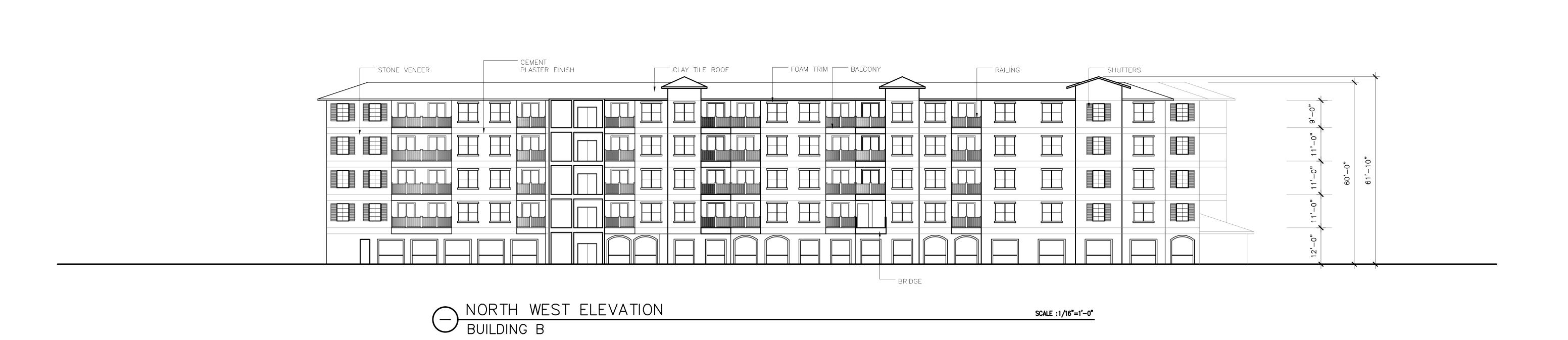
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#### DOVE HILL ASSISTED LIVING COMMUNITY

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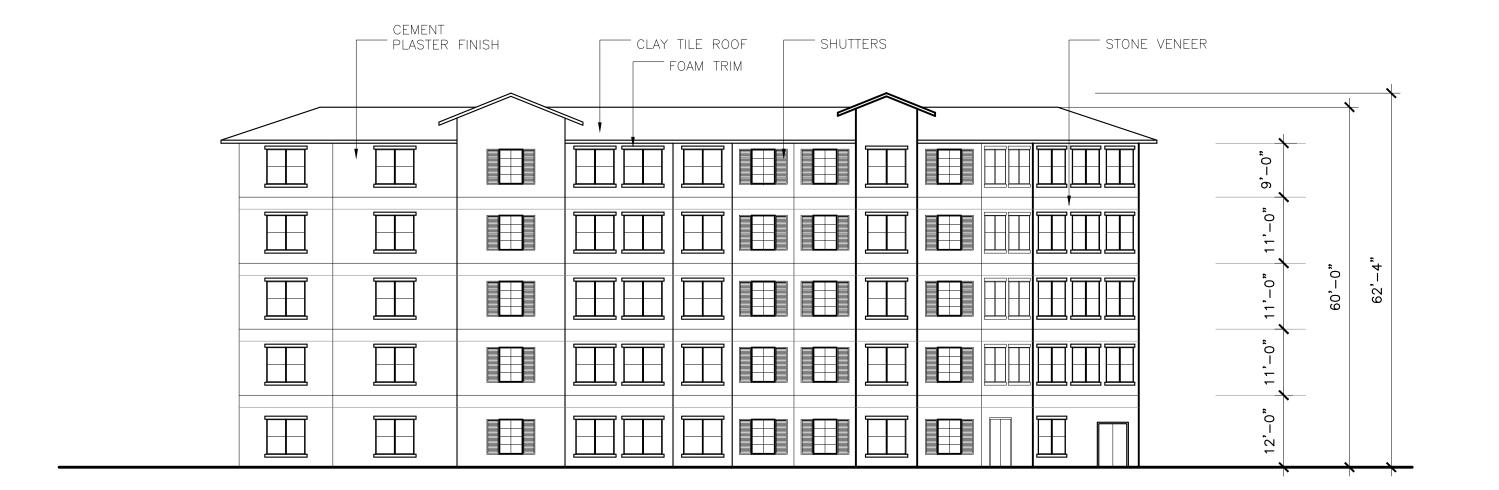
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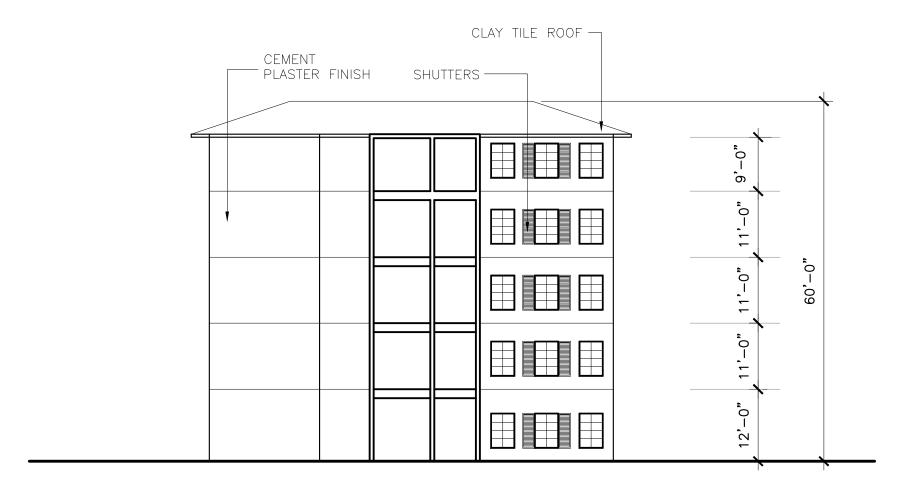


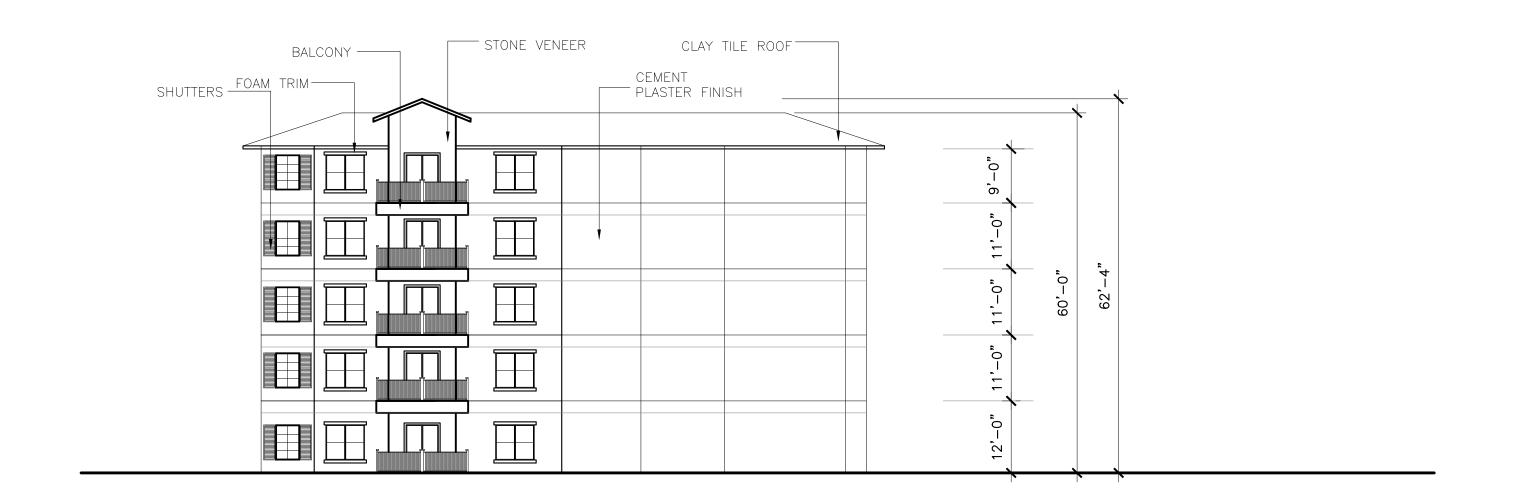


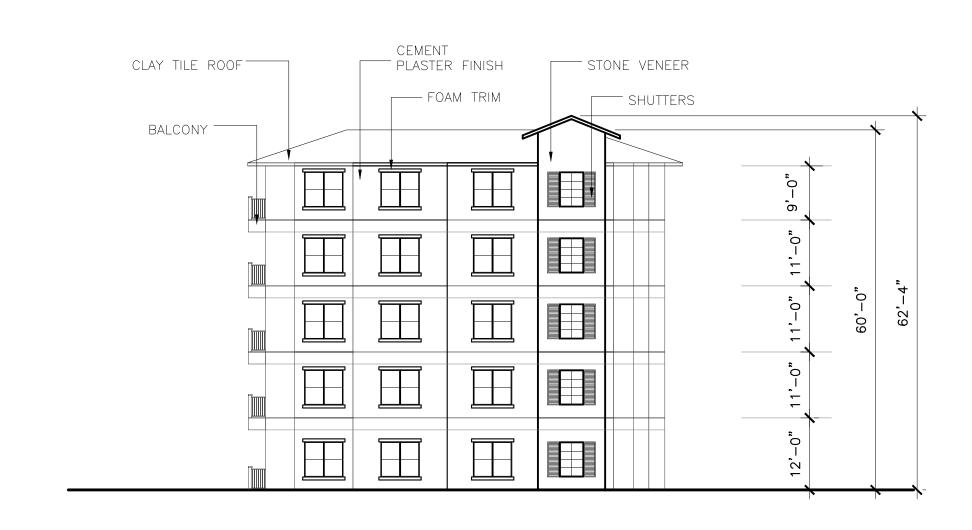
4200 DOVE HILL ROAD SAN JOSE, CA

SALVATORE CARUSO DESIGN CORPORATION









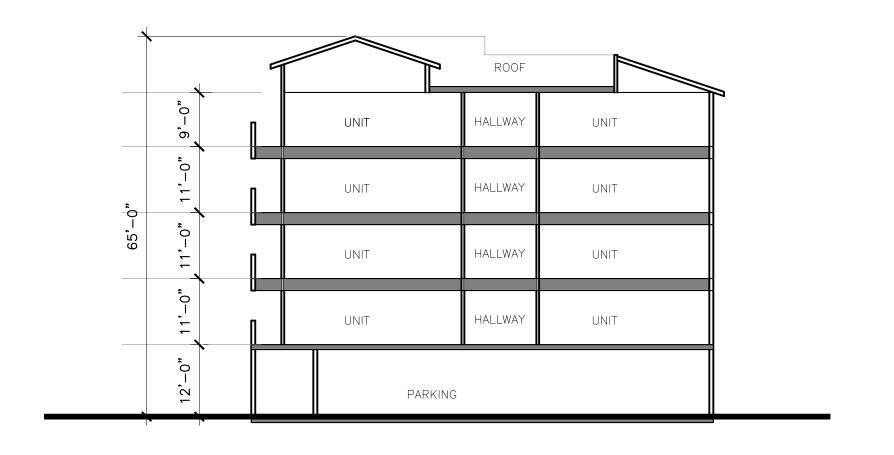
ELEVATIONS
BUILDING R

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

#### DOVE HILL ASSISTED LIVING COMMUNITY

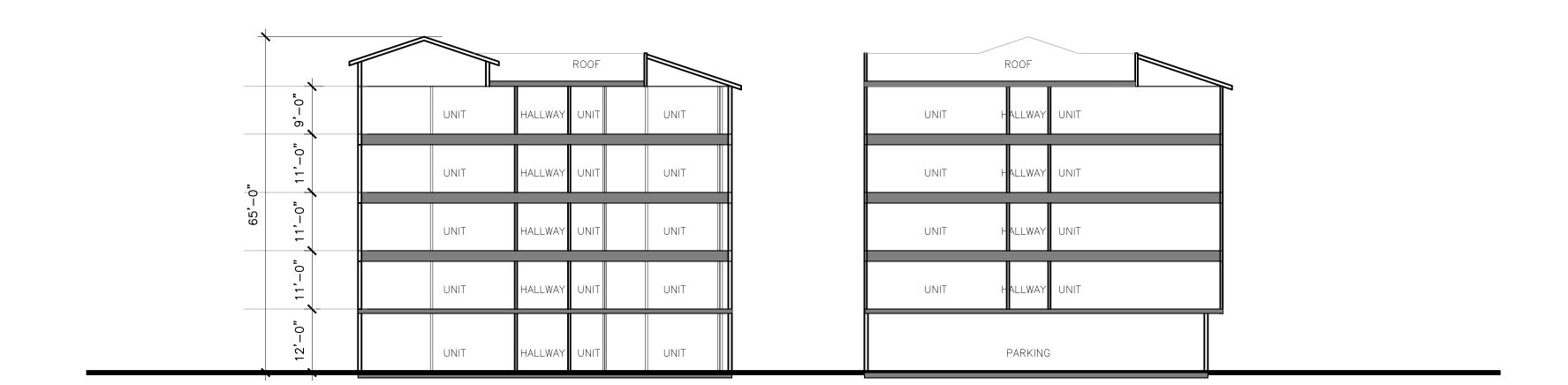
4200 DOVE HILL ROAD SAN JOSE, CA

SALVATORE CARUSO DESIGN CORPORATION



SECTION THROUGH BUILDING A

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



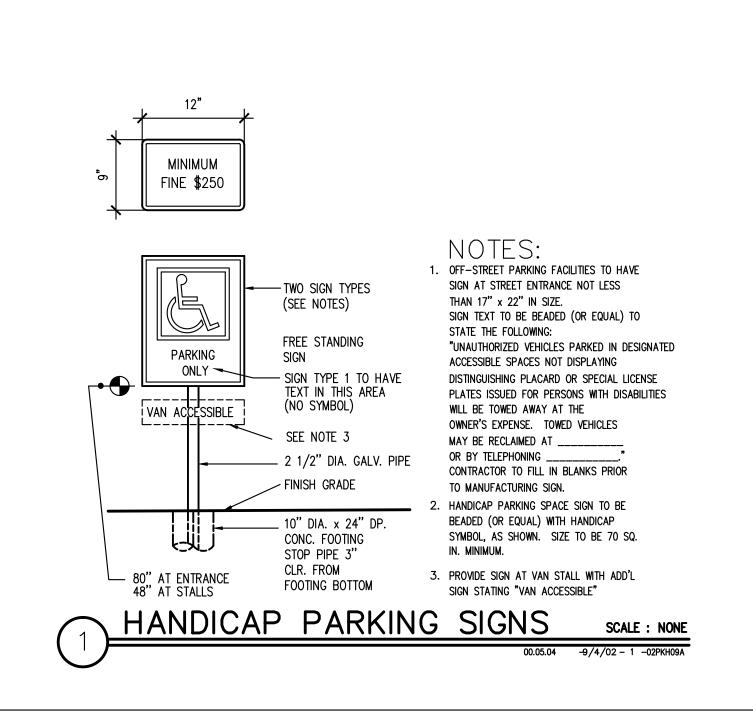
SECTION THROUGH BUILDING B
BUILDING B

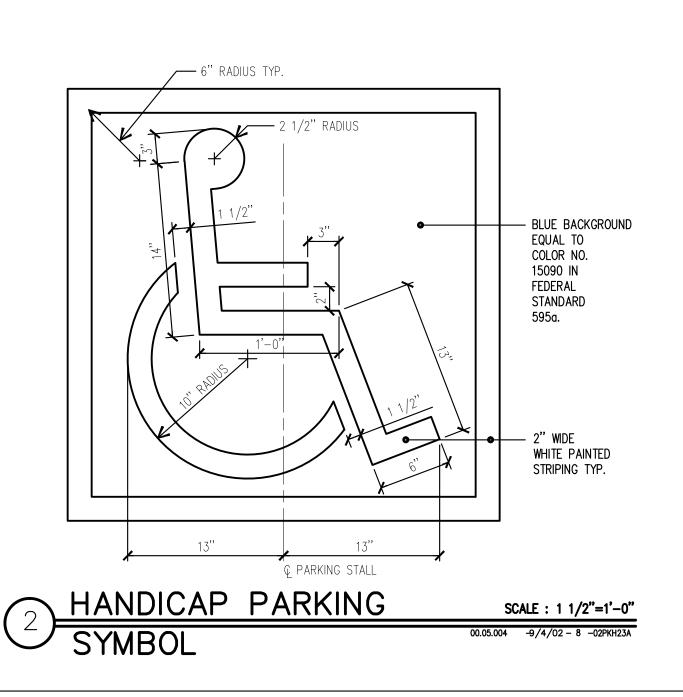
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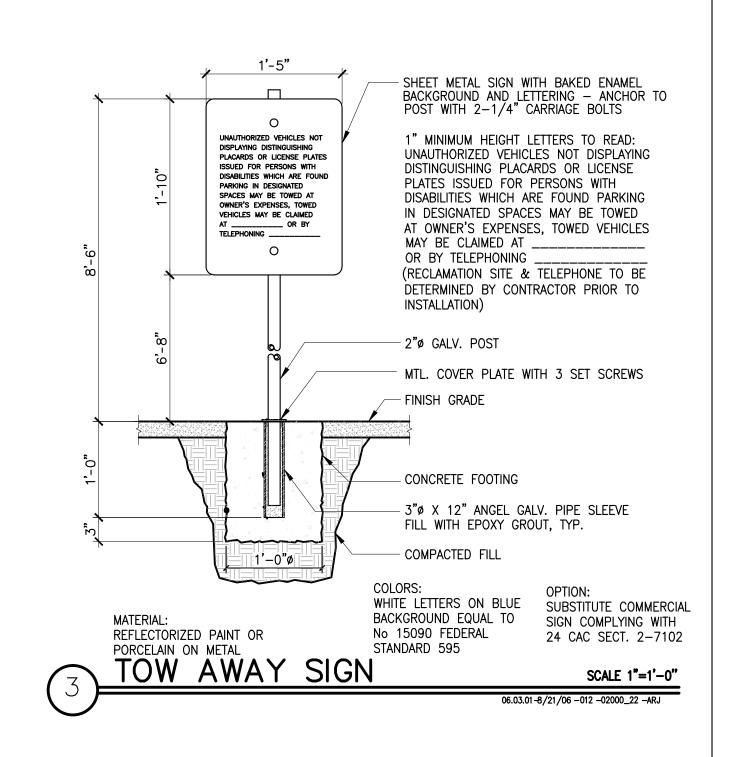
### DOVE HILL ASSISTED LIVING COMMUNITY

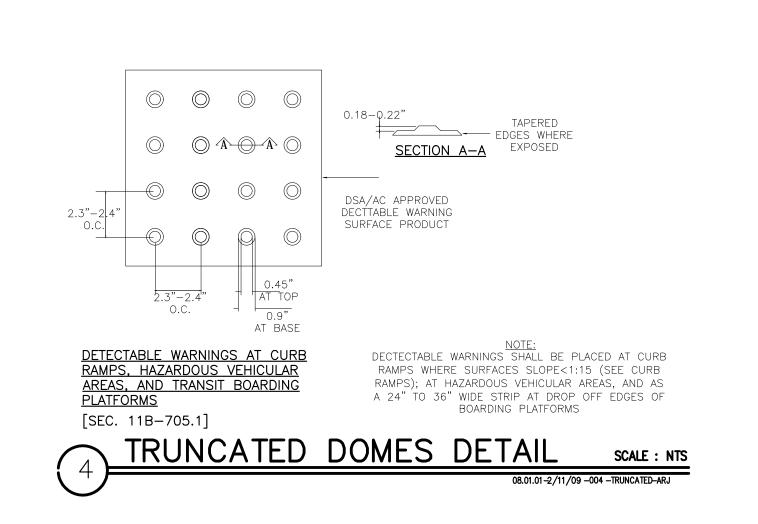
4200 DOVE HILL ROAD SAN JOSE, CA

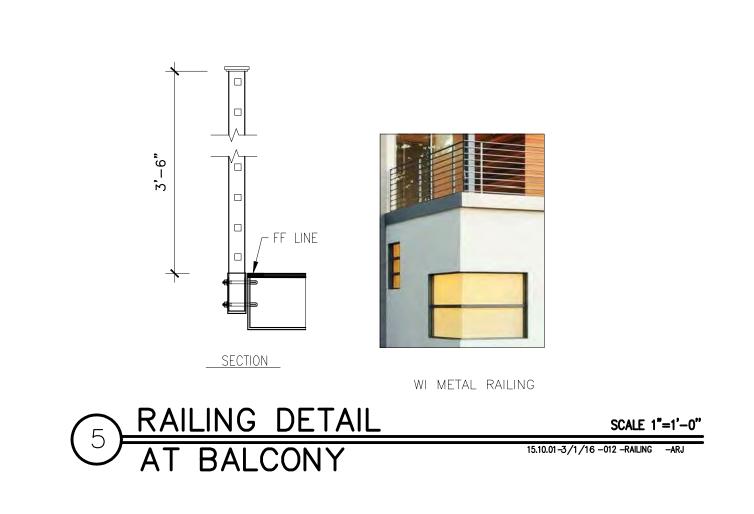
# SALVATORE CARUSO DESIGN CORPORATION

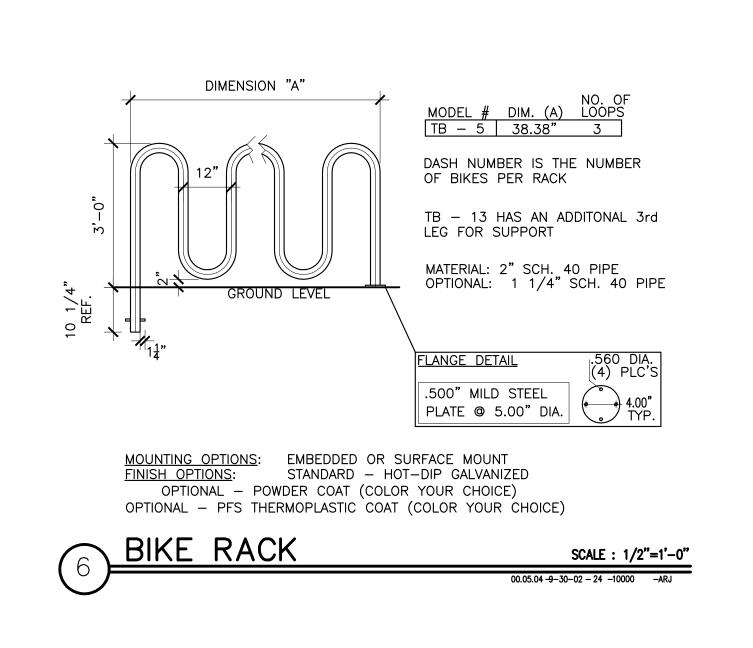














7 ROOF FILL DETAIL

DETAIL

#### DOVE HILL ASSISTED LIVING COMMUNITY

4200 DOVE HILL ROAD SAN JOSE, CA

SALVATORE CARUSO DESIGN CORPORATION

# PLANNED DEVELOPMENT PERMIT FOR

# DOVE HILL ASSISTED LIVING COMMUNITY 4200 DOVE HILL ROAD

CITY OF SAN JOSE, SANTA CLARA COUNTY, CALIFORNIA

## AC ASPHALTIC CONCRETE AD AREA DRAIN

APN ASSESSOR'S PARCEL NO.
BFP BACK FLOW PREVENTER
BW BOTTOM OF WALL
C CONCRETE
CB CATCH BASIN
CC CURB CUT

CO CLEAN OUT
DIP DUCTILE IRON PIPE
DMA DRAINAGE MANAGEMENT AREA

DW DOMESTIC WATER

(E) EXISTING

FDC FIRE DEPARTMENT CONNECTION

FF FINISH FLOOR
FH FIRE HYDRANT
FL FLOWLINE
FM FORCE MAIN

GB GRADE BREAK
GV GAS VALVE
HDPE HIGH DENSITY POLYETHYLENE

HYD HYDRANT
IN INCH
INV JOINT UTILITY POLE

LIP LIP OF GUTTER
MH MANHOLE
N.T.S. NOT TO SCALE
OG ORIGINAL GROUND

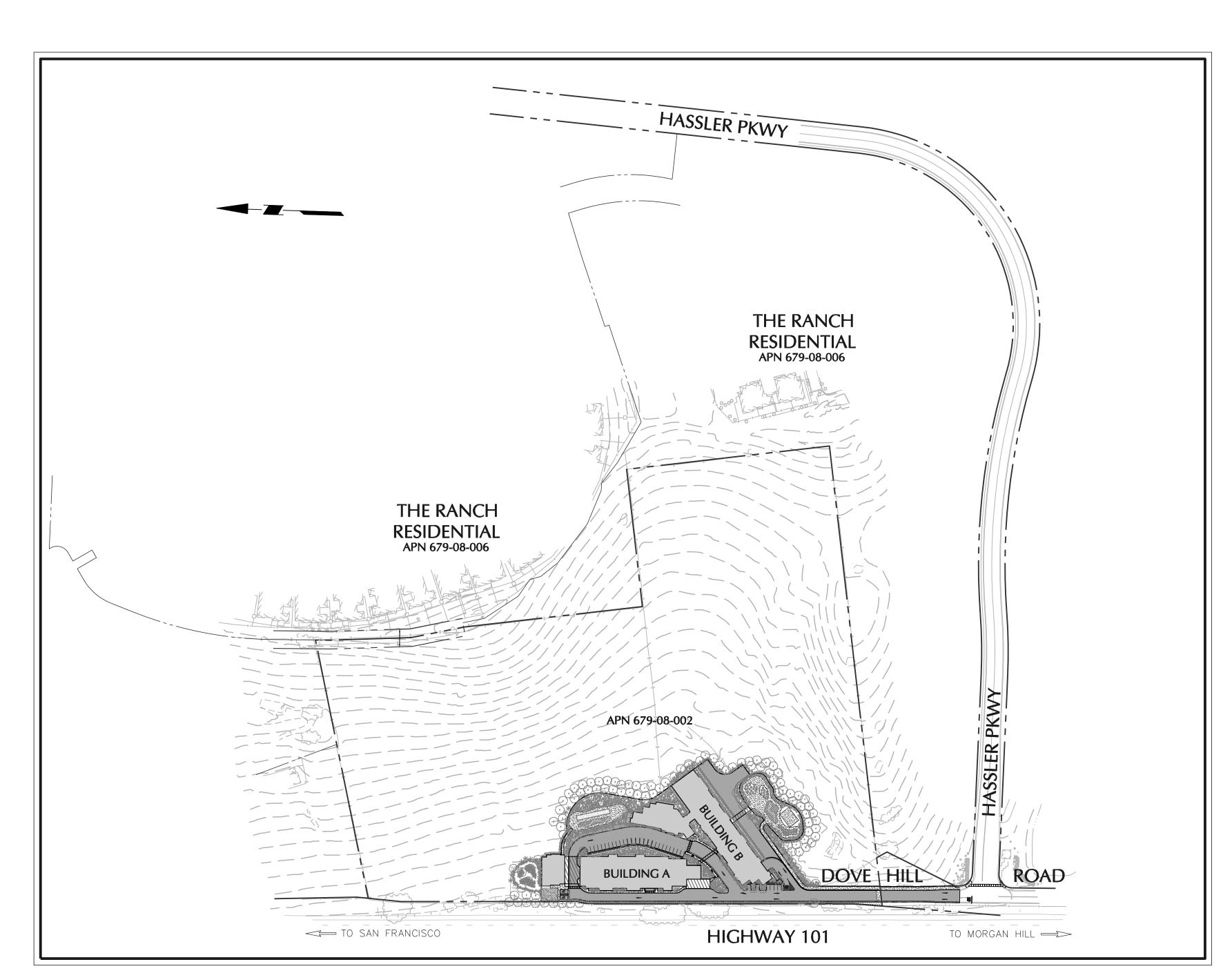
PCC PORTLAND CEMENT CONCRETE
POC POINT OF CONNECTION
PM PAINT MARK

POLYVINYL CHLORIDE PIPE
CP REINFORCED CONCRETE PIPI
MW RECYCLED WATER METER
COW RIGHT OF WAY

SS SANITARY SEWER
STA STORM WATER TREATMENT AREA
TC TOP OF CURB AT FACE

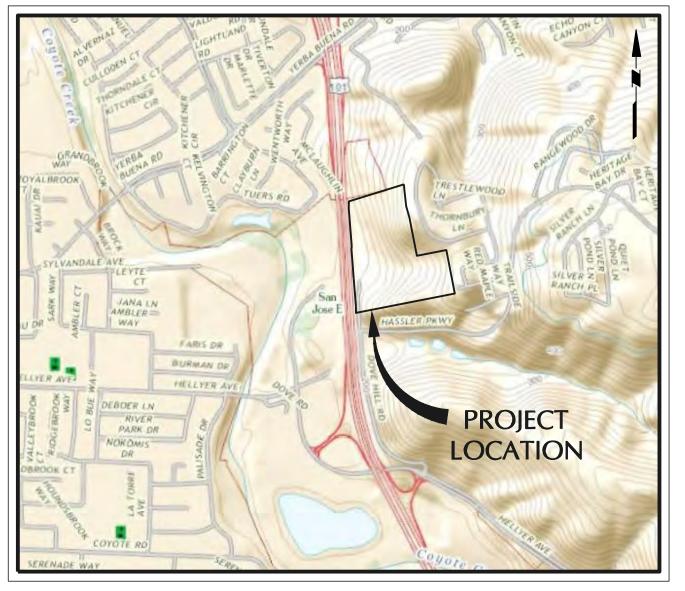
TRC TOP OF ROLLED CURB TW TOP OF WALL TYP TYPICAL

TYP TYPICAL
VCP VITRIFIED CLAY PIPE
WM WATER METER
WV WATER VALVE



PROJECT SITE MAP

SCALE: 1" = 150'

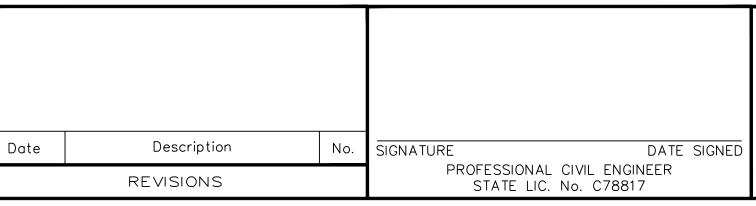


PROJECT LOCATION MAP

#### **SHEET INDEX:**

C1.01 TITLE SHEET
C2.01 OVERALL SITE PLAN
C3.01-C3.02 SITE PLAN
C4.01-C4.02 GRADING AND DRAINAGE PLAN
C5.01-C5.03 UTILITY PLAN
C6.01-C6.02 STORMWATER CONTROL PLAN
C7.01 FIRE ACCESS EXHIBIT
C8.01 CONSTRUCTION DETAILS

PRELIMINARY DRAFT, NOT FOR CONSTRUCTION



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ABU DHABI ATHENS DOHA DUBAI ISTANBUL PANAMA

Longon Engineering, Environmental, Surveying and Landscape Architecture, D.P.C. S.A.
Longon Engineering, Environmental, Surveying and Landscape Architecture, D.P.C.

PLANNED DEVELOPMENT PERMIT
4200 DOVE HILL RD

SANTA CLARA COUNTY

TITLE SHEET

**CALIFORNIA** 

Project No.
770619901

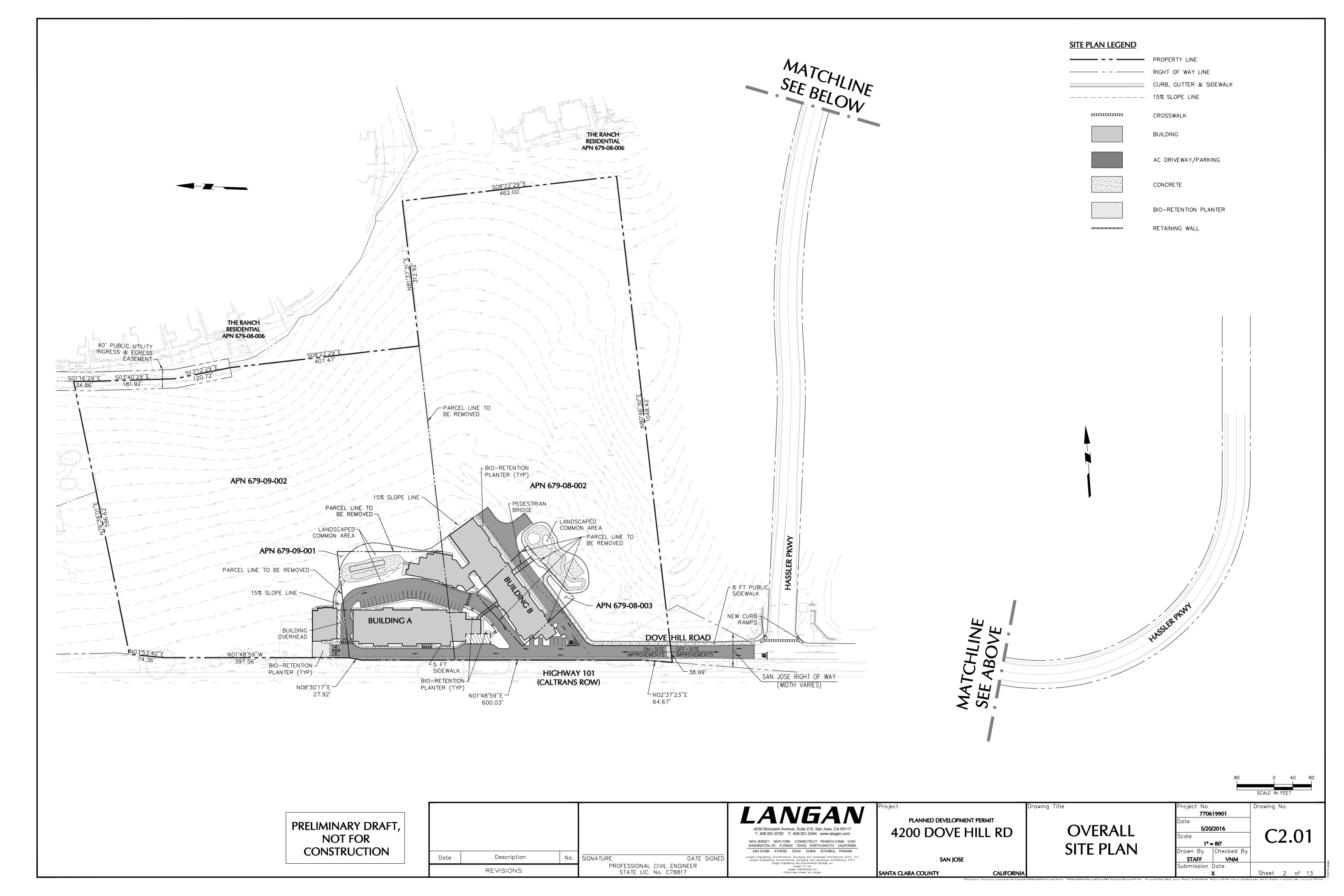
Date
5/20/2016

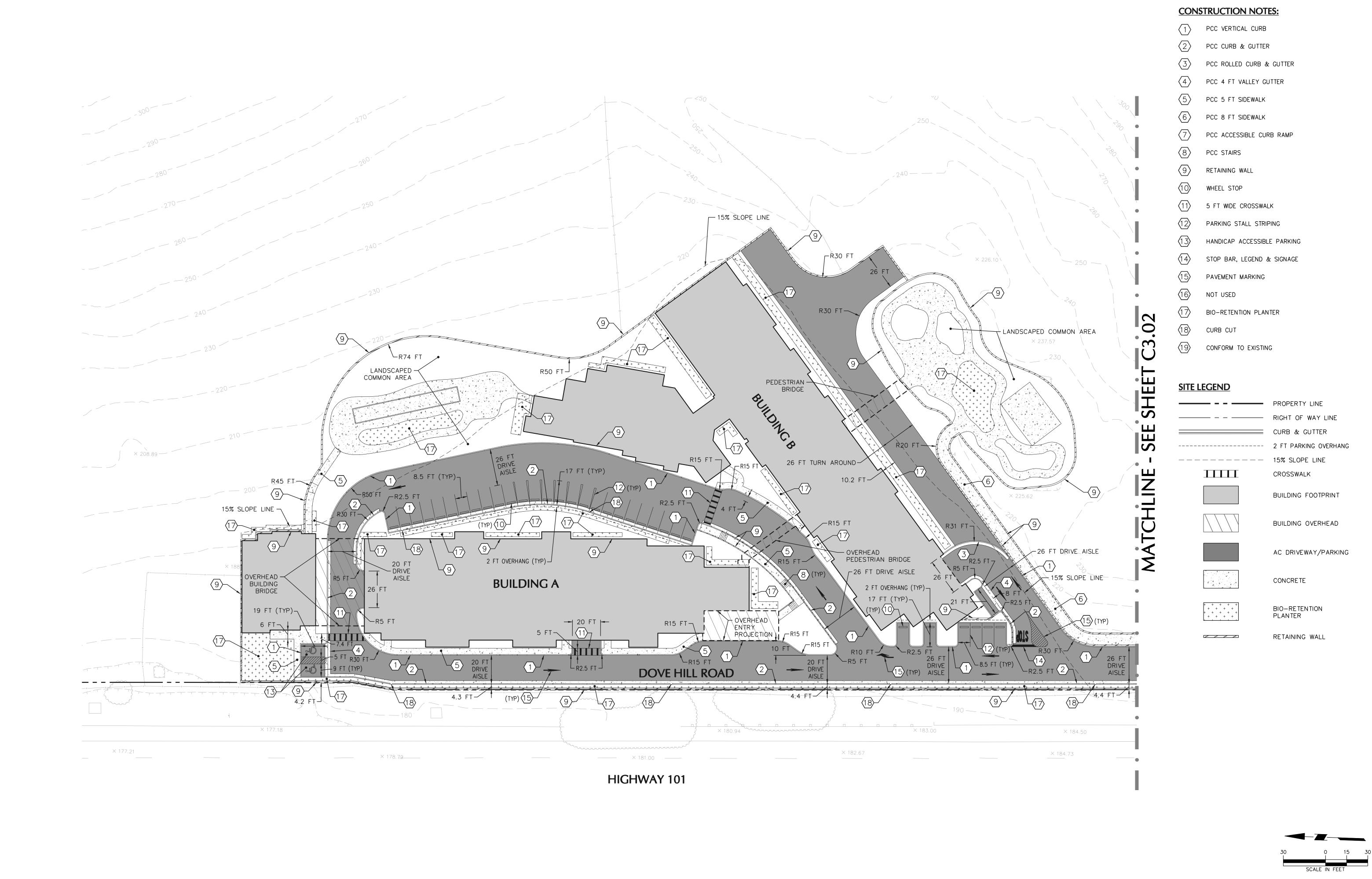
Scale

AS SHOWN

Drawn By Checked By
STAFF VNM

Submission Date





#### **NOTES:**

1. FOR ABBREVIATIONS, SEE TITLE SHEET, SHEET C101.

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PRELIMINARY DRAFT, NOT FOR CONSTRUCTION

# Date Description No. REVISIONS SIGNATURE DATE SIGNED PROFESSIONAL CIVIL ENGINEER STATE LIC. No. C78817

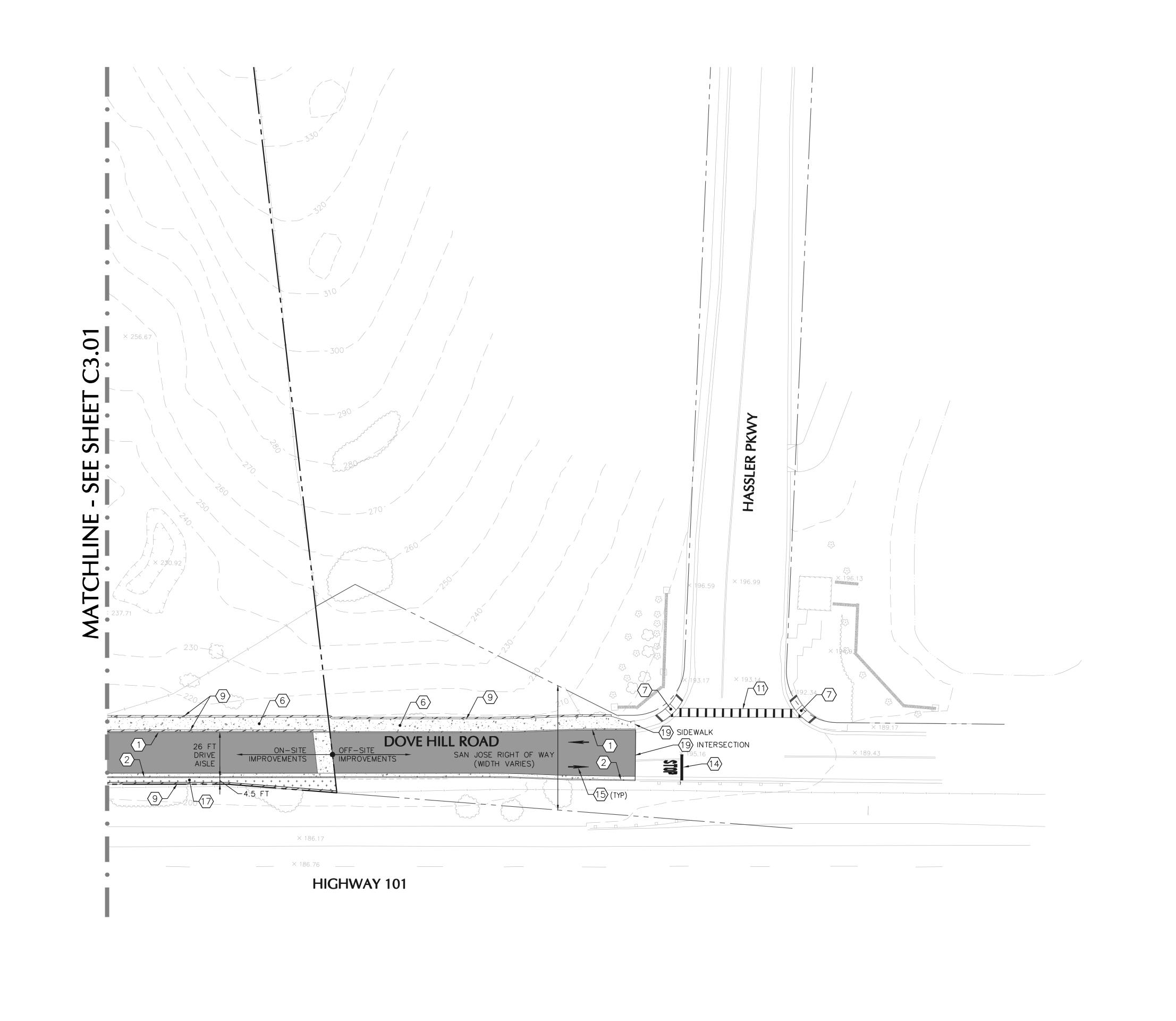
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## PLANNED DEVELOPMENT PERMIT 4200 DOVE HILL RD

SAN JOSE
SANTA CLARA COUNTY CALIFORNIA

COMPREHENSIVE
SITE PLAN

			SCALE IN FEET
Project No.			Drawing No.
<i>77</i> 06	19901		
Date			
5/20/2016			$C_{2}$
Scale			( <del>    (                              </del>
1" =	: 30 <b>′</b>		<b>C3.0</b> I
Drawn By	Checked	Ву	
STAFF	VNM		
Submission I	Date		



#### **NOTES:**

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	REVISIONS		PROFESSIONAL CIVIL ENGINEER STATE LIC. No. C78817

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PLANNED DEVELOPMENT PERMIT 4200 DOVE HILL RD SAN JOSE

SANTA CLARA COUNTY

**CALIFORNIA** 

Drawing Title COMPREHENSIVE SITE PLAN

-		SOALL IN TELT
Project No.		Drawing No.
7706	19901	
Date		
5/20/	<b>/</b> 2016	
Scale		[ ( 3.() <i>7</i>
1" =	<b>: 30′</b>	
Drawn By	Checked By	
STAFF	VNM	
Submission	Date	

**CONSTRUCTION NOTES:** 

PCC CURB & GUTTER

PCC ROLLED CURB & GUTTER

PCC 4 FT VALLEY GUTTER

PCC ACCESSIBLE CURB RAMP

PCC 5 FT SIDEWALK

PCC 8 FT SIDEWALK

PCC STAIRS

WHEEL STOP

RETAINING WALL

5 FT WIDE CROSSWALK

PAVEMENT MARKING

BIO-RETENTION PLANTER

CONFORM TO EXISTING

PROPERTY LINE

----- RIGHT OF WAY LINE

----- 2 FT PARKING OVERHANG

---- 15% SLOPE LINE

CURB & GUTTER

CROSSWALK

CONCRETE

PLANTER

BIO-RETENTION

RETAINING WALL

BUILDING FOOTPRINT

BUILDING OVERHEAD

AC DRIVEWAY/PARKING

NOT USED

CURB CUT

 $\Pi\Pi\Pi$ 

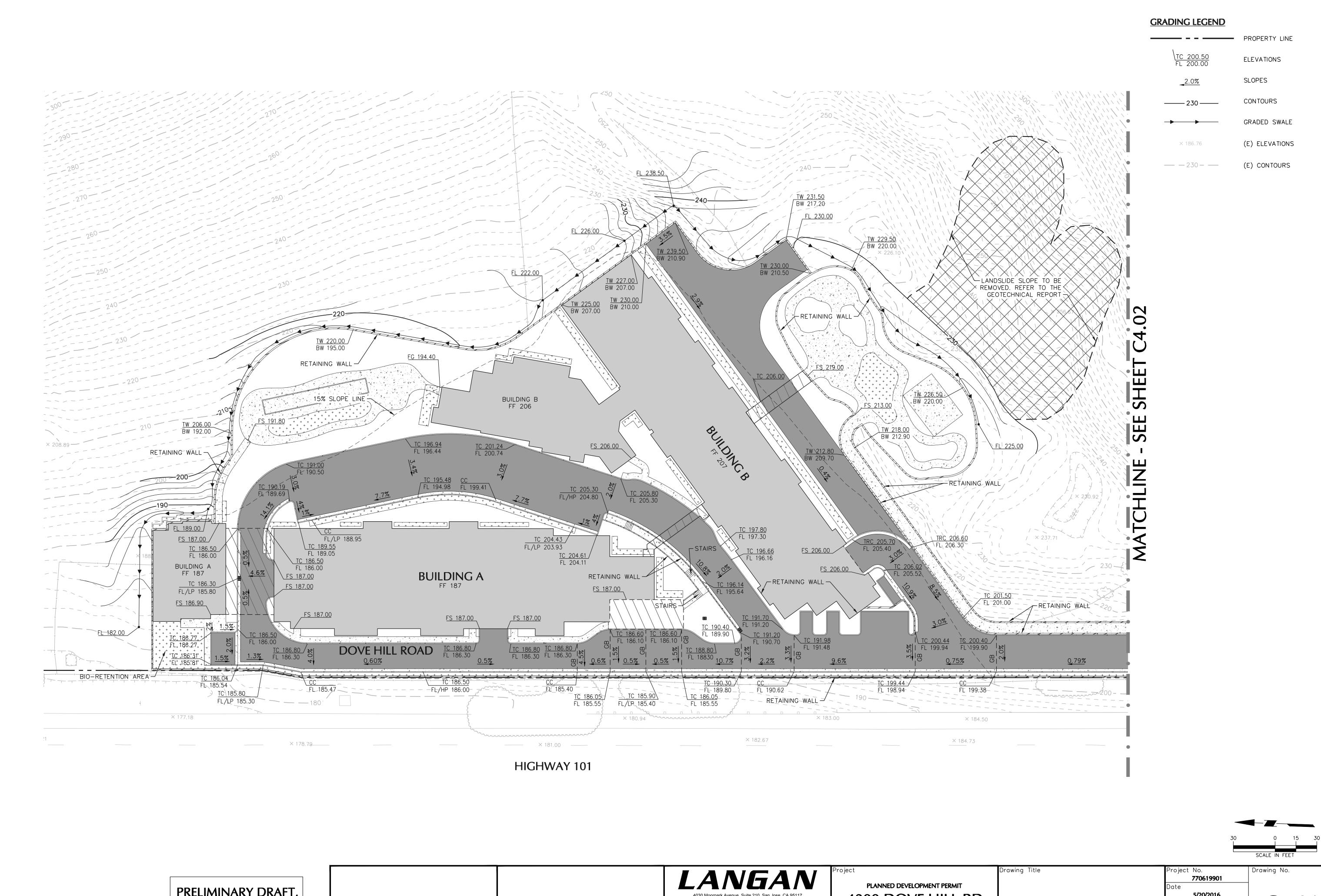
**SITE LEGEND** 

PARKING STALL STRIPING

HANDICAP ACCESSIBLE PARKING

STOP BAR, LEGEND & SIGNAGE

1 PCC VERTICAL CURB



NOTE:

1. FOR ABBREVIATIONS, SEE TITLE SHEET, SHEET C1.01.

PRELIMINARY DRAFT, NOT FOR CONSTRUCTION

				1
Date	Description	No.	SIGNATURE DATE SIGNED	
	REVISIONS		PROFESSIONAL CIVIL ENGINEER STATE LIC. No. C78817	

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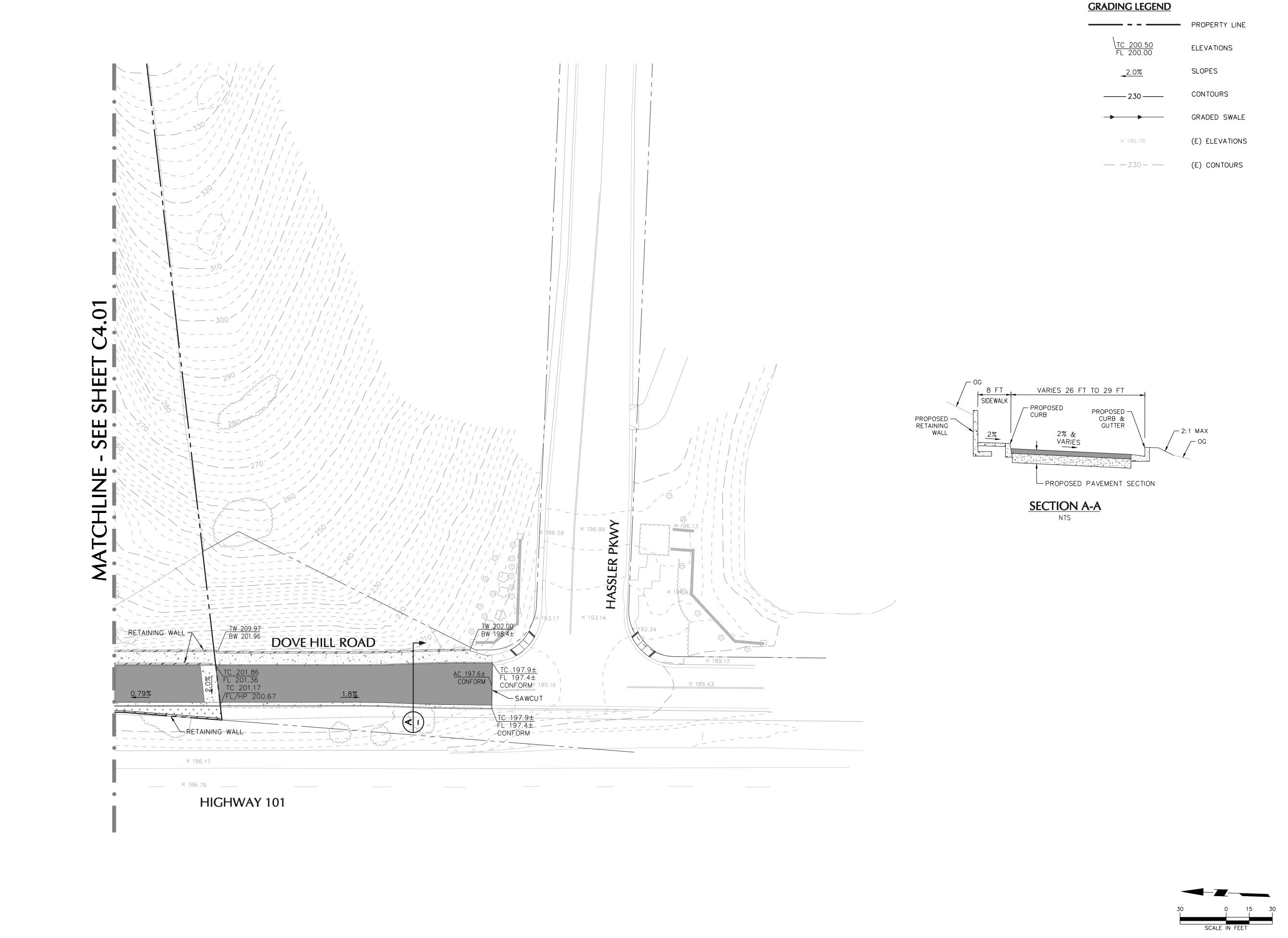
PLANNED DEVELOPMENT PERMIT
4200 DOVE HILL RD

**CALIFORNIA** 

SAN JOSE

SANTA CLARA COUNTY

GRADING PLAN



NOTE:

NOTE:

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	REVISIONS	•	PROFESSIONAL CIVIL ENGINEER STATE LIC. No. C78817

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PLANNED DEVELOPMENT PERMIT
4200 DOVE HILL RD

SANTA CLARA COUNTY

SAN JOSE

**CALIFORNIA** 

Project No.
770619901

Date
5/20/2016

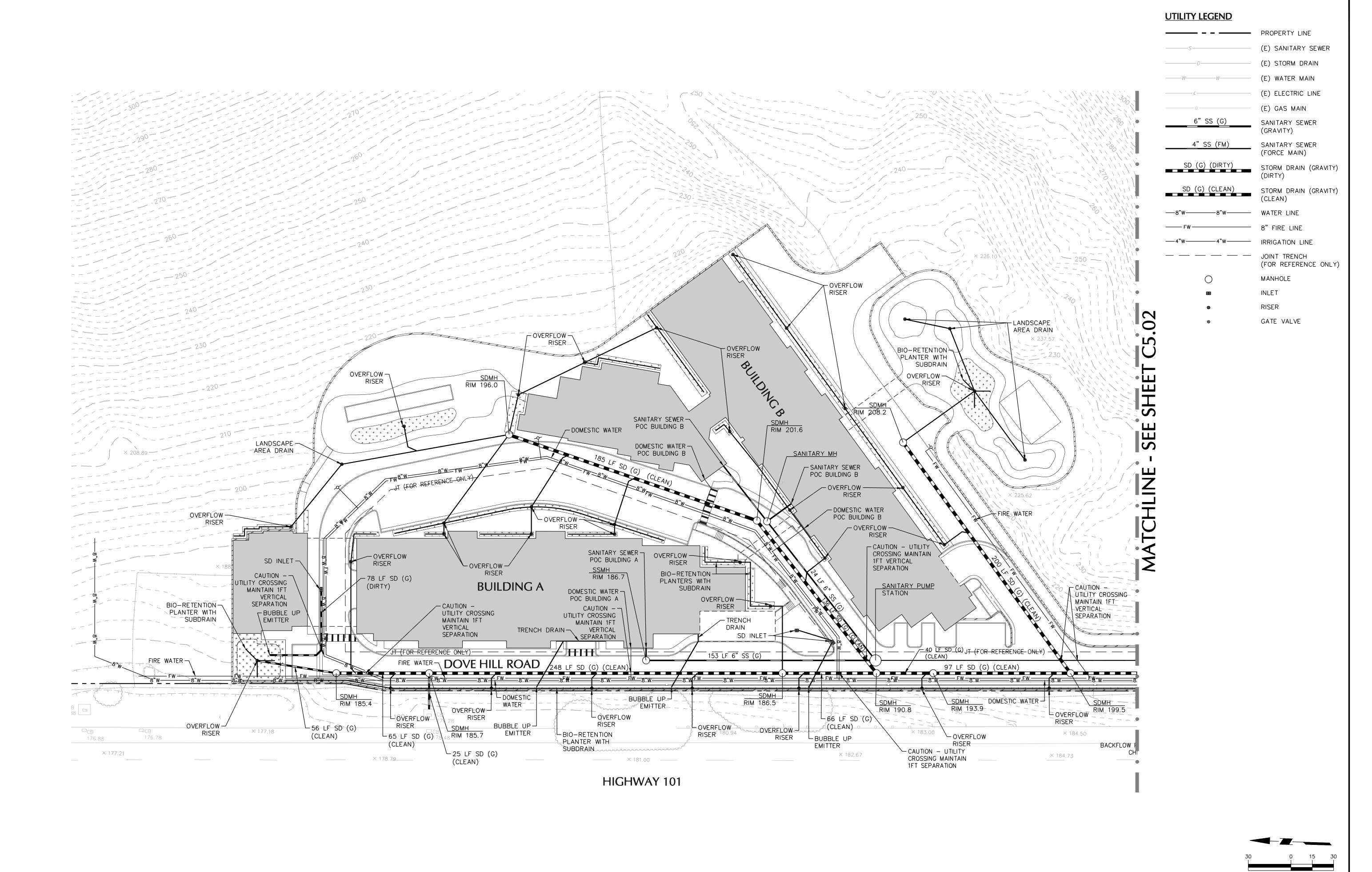
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1" = 30'

Drawn By Checked B

STAFF VNM

Project No.		Drawing No.
<i>77</i> 06	19901	
Date		
5/20/	2016	
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1" =	· 30′	C 1.02
Drawn By	Checked By	
STAFF	VNM	
Submission I	Date	
		Cl1 C -f 47



#### **NOTES:**

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4200 DOVE HILL RD

SAN JOSE

SANTA CLARA COUNTY

UTILITY PLAN

Drawing Title

**CALIFORNIA** 

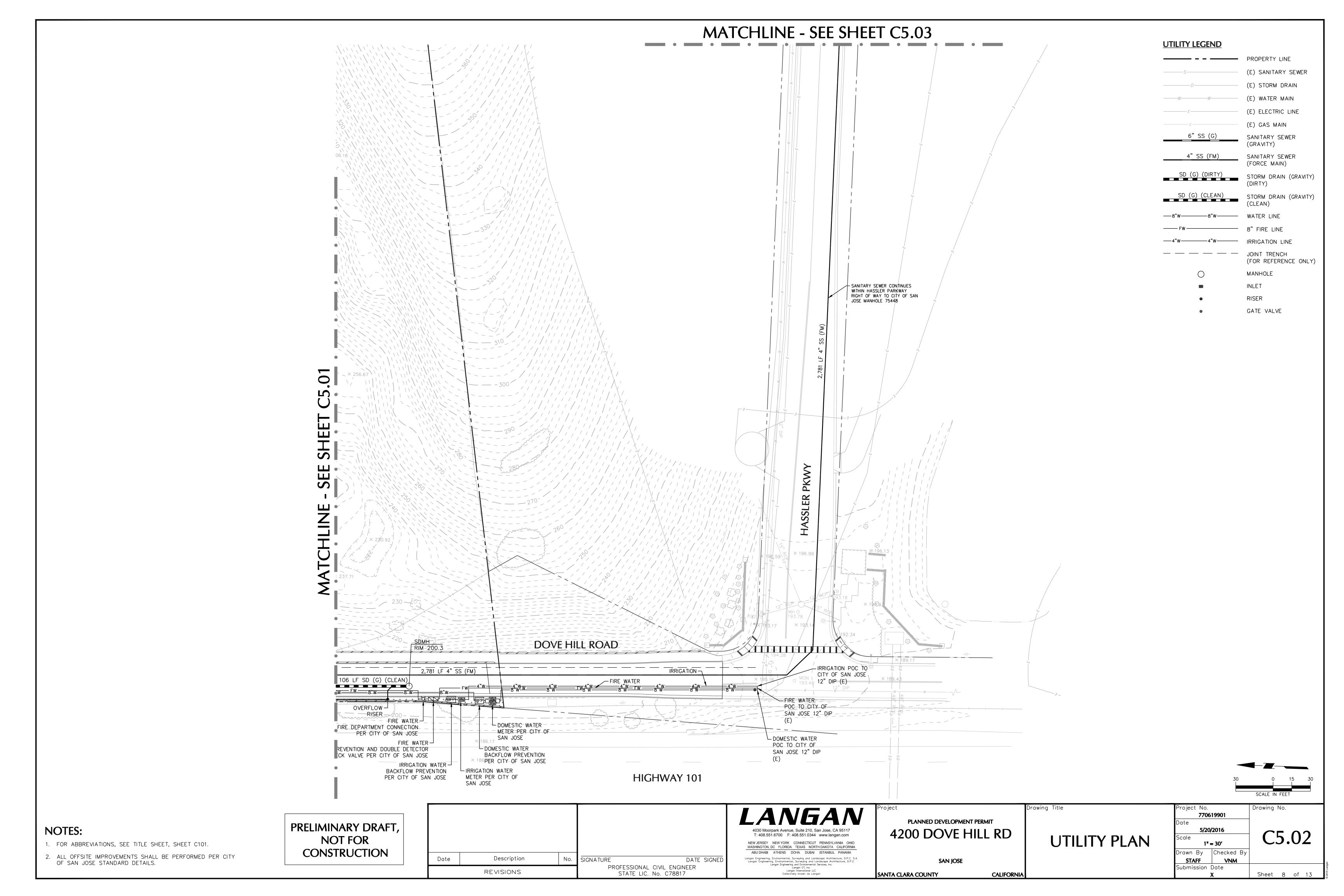
Project No. 770619901

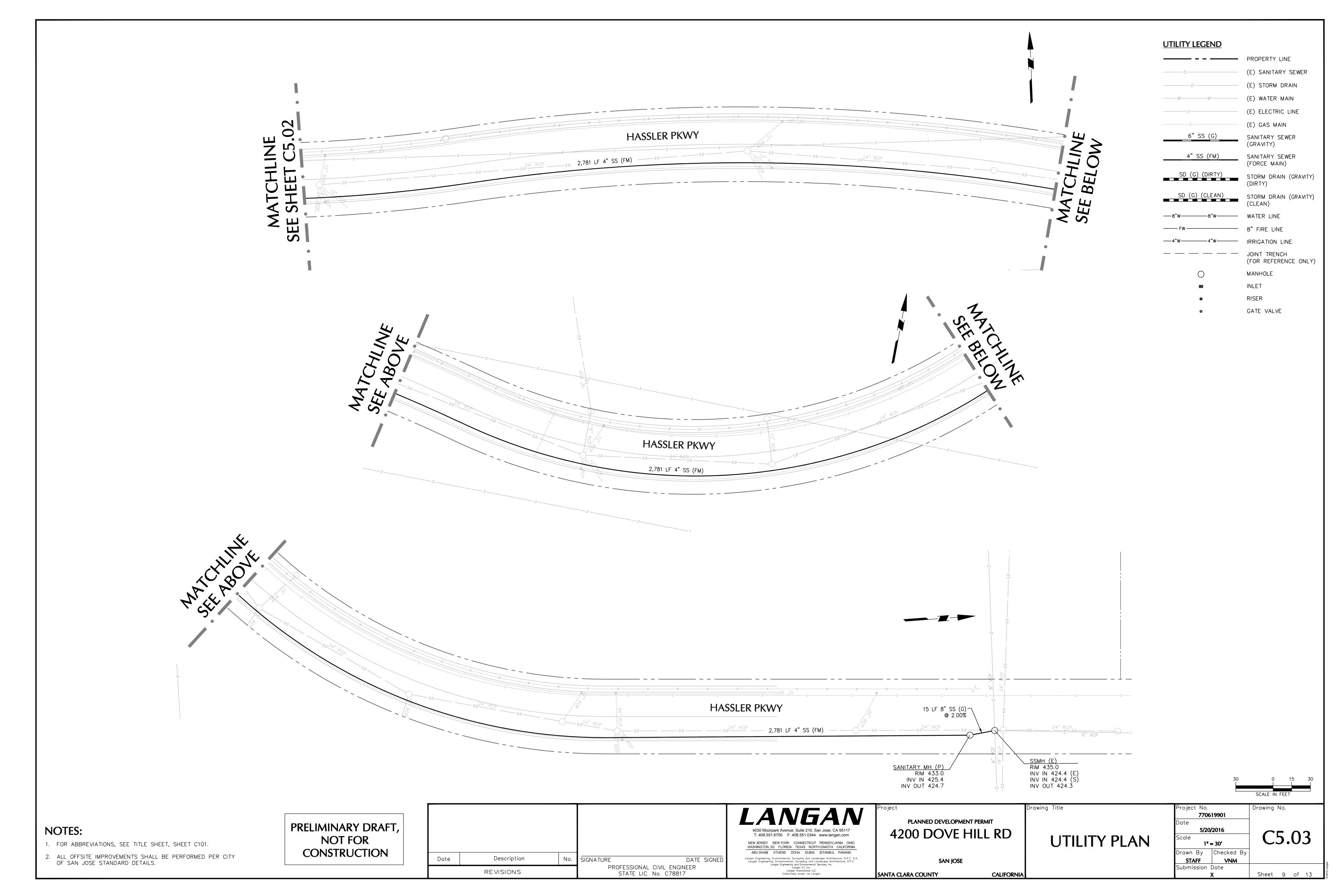
Date 5/20/2016

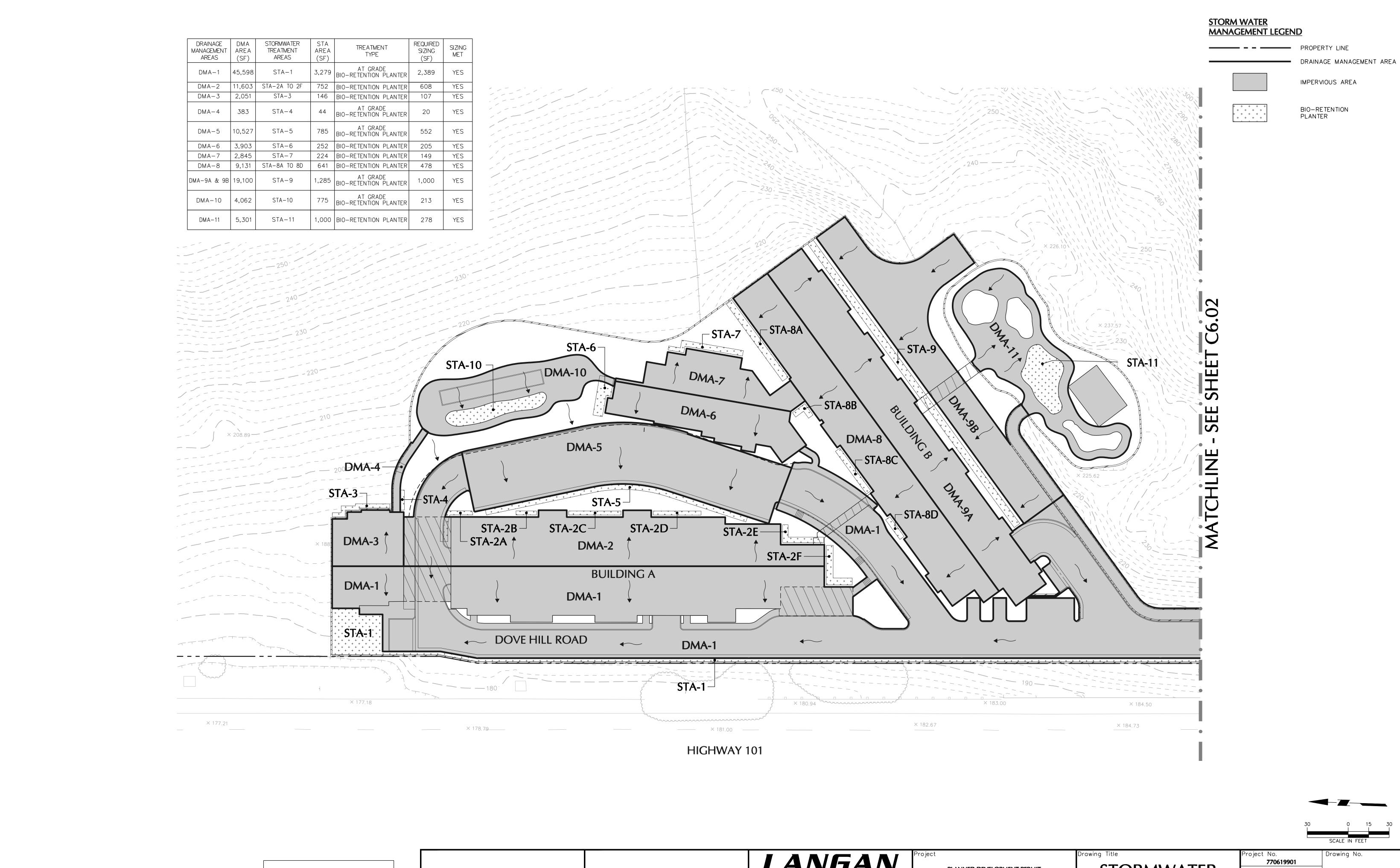
Scale 1" = 30'

Drawn By Checked By STAFF VNM

Submission Date X Sheet 7 of 13







NOTE:

1. FOR ABBREVIATIONS, SEE TITLE SHEET, SHEET C1.01.

PRELIMINARY DRAFT, **NOT FOR** CONSTRUCTION

Date	Description	No.	SIGNATURE DATE SIGNED	
	REVISIONS		PROFESSIONAL CIVIL ENGINEER STATE LIC. No. C78817	

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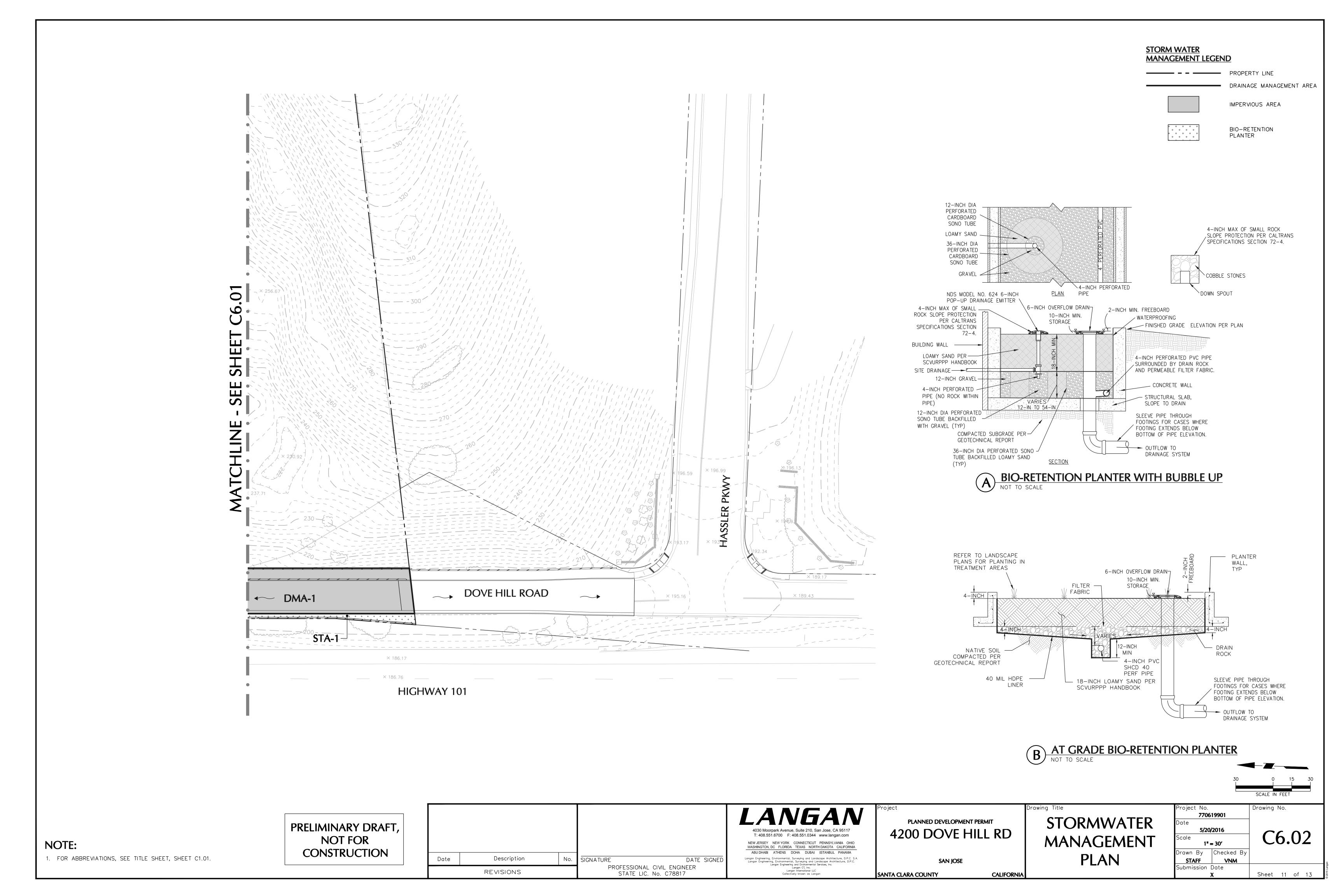
SANTA CLARA COUNTY

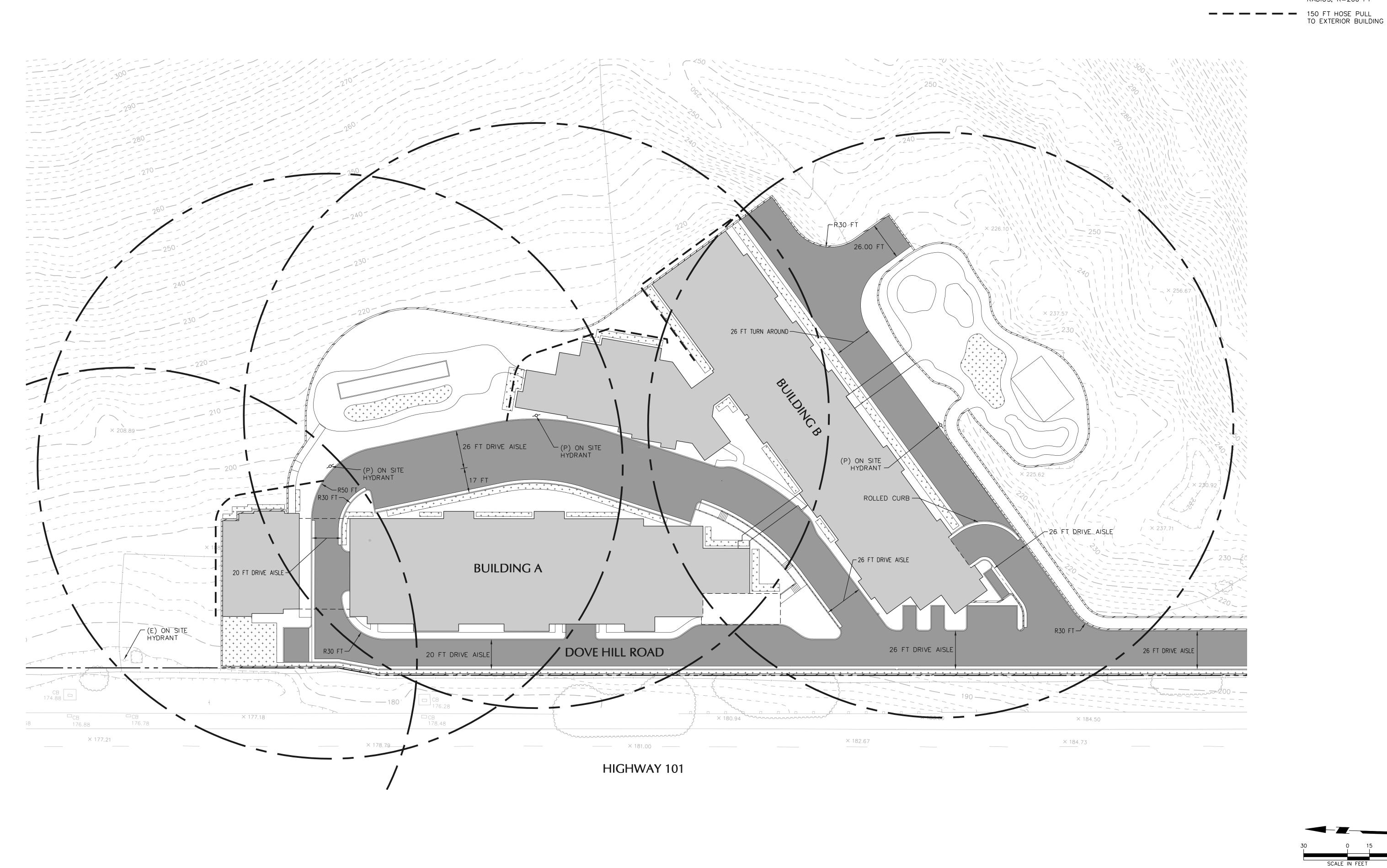
SAN JOSE

CALIFORNIA

STORMWATER **MANAGEMENT PLAN** 

5/20/2016 C6.01 Scale 1" = 30' Drawn By Checked By **STAFF** V Submission Date VNM Sheet 10 of 13





NOTE:

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	REVISIONS	·	PROFESSIONAL CIVIL ENGINEER STATE LIC. No. C78817

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PLANNED DEVELOPMENT PERMIT

4200 DOVE HILL RD

SAN JOSE

CALIFORNIA

SANTA CLARA COUNTY

FIRE ACCESS EXHIBIT Project No. 770619901

Date 5/20/2016

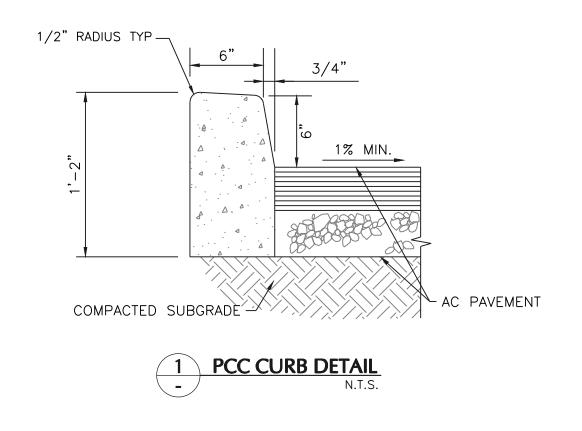
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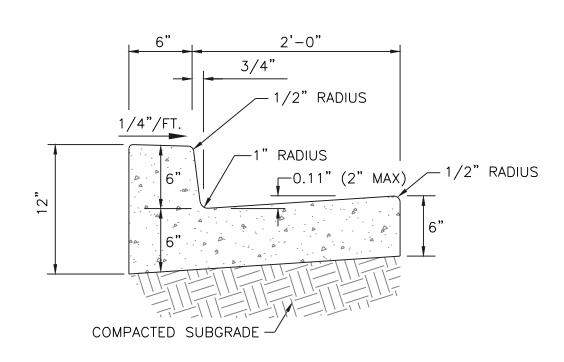
Drawn By Checked By STAFF VNM

Submission Date X Sheet 12 of 13

FIRE ACCESS LEGEND

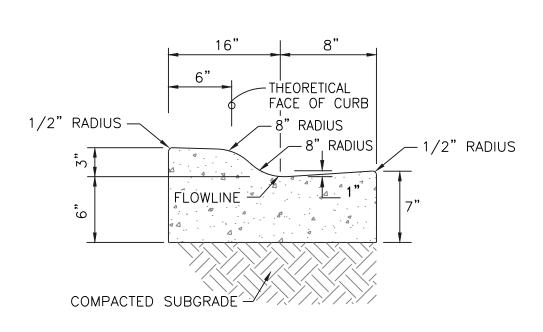
FIRE HYDRANT ACCESS RADIUS, R=200 FT



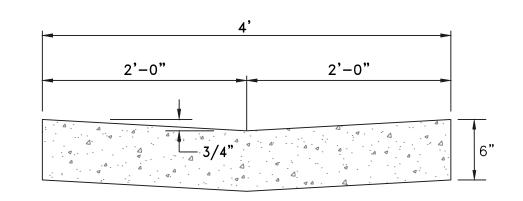


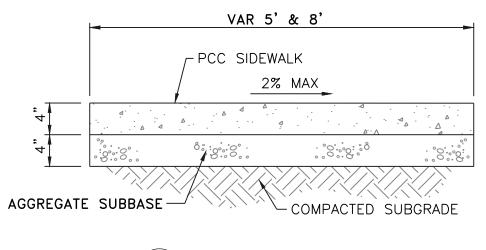
PCC CURB & GUTTER DETAIL

N.T.S.



3 PCC ROLLED CURB & GUTTER DETAIL
N.T.S.





5 PCC SIDEWALK DETAIL
N.T.S.

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Date No. Description SIGNATURE DATE SIGNED PROFESSIONAL CIVIL ENGINEER STATE LIC. No. C78817 REVISIONS

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PLANNED DEVELOPMENT PERMIT 4200 DOVE HILL RD

SAN JOSE

SANTA CLARA COUNTY

CONSTRUCTION **DETAILS** 

Drawing Title

**CALIFORNIA** 

Drawing No. *77*0619901 5/20/2016 C8.01 Scale **AS SHOWN** Drawn By Checked By STAFF VN Submission Date

NOTE:

FOR ABBREVIATIONS, SEE TITLE SHEET, SHEET C1.01.

Landscape Site Legend

1 Path

Patio for seating

Kids play equipment

Bocci Ball or Horseshoes

Bridge from building

Flow through planters - see civil drawings for details Planted with Juncus patens and Chondropetalum tectorum

Bio retention area - see civil drawings for details
Planted with Juncus patens and Chondorpetalum tectorum

Bio swale area

12 to 14 foot tall sound wall screened with trees and plants

Windmill Palm Trachycarpus fortunei LS Laurus Saratoga Hybrid Laurel OS 15 Olea Wilsonii Olive with less fruit SHRUBS DV 5 Fortnight Lily Myrsine africanum African Boxwood Compact Bottlebrush Callestemon Little John Euryops Euryops pectinatis Rosa FLOWER CARPET PINK (not the light pink) CS 5 Cistus salvifolius Sage Rockrose India Hawthorne Rhaphiolepis minor Phormium tenax (big green one) Flax variety with stiff upright leaves tolerant of heat Grevillea Canberra or Scarlet Sprite Hybrid Tea Rose for cutting - different colors

Use top quality roses and award winning varieties

Plant Legend

TREES

KP 15

BOTANICAL NAME

are conceptual

Koelreuteria paniculata

Lagerstroemia Tuscarora

COMMON NAME

Goldenrain Tree

Crape Myrtle

City Arborist (408) 794-1901 to determine street tree variety,

locations, and quantity - street trees shown on this plan

□ CB 176.28

KEY SIZE

**GROUND COVER** 

BIO RETENTION AREAS

**BOTANICAL NAME** 

Teucrium chamaedrys

Juncus patens Blue Elk

Chondropetelum tectorum

Lavandula Provence

Salvia leucantha

Salvia Hot Lips

RP 1 @ 2.5' O.C. Rosmarinus Huntington Carpet

Berberis thunbergii Crimson Pygmy

Bio retention plants installed 18 inches O.C. - use about 50% of each type of plant

Rosmarinus Huntington Carpet

Santolina virens

Coprosma kirki

COMMON NAME

Germander

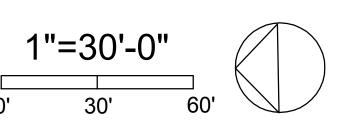
Mexican Sage

Low Rosemary

Small Cape Rush

Gray Rush

Planting Plan



Revision



Date 5/20/16

Date 5/20/16

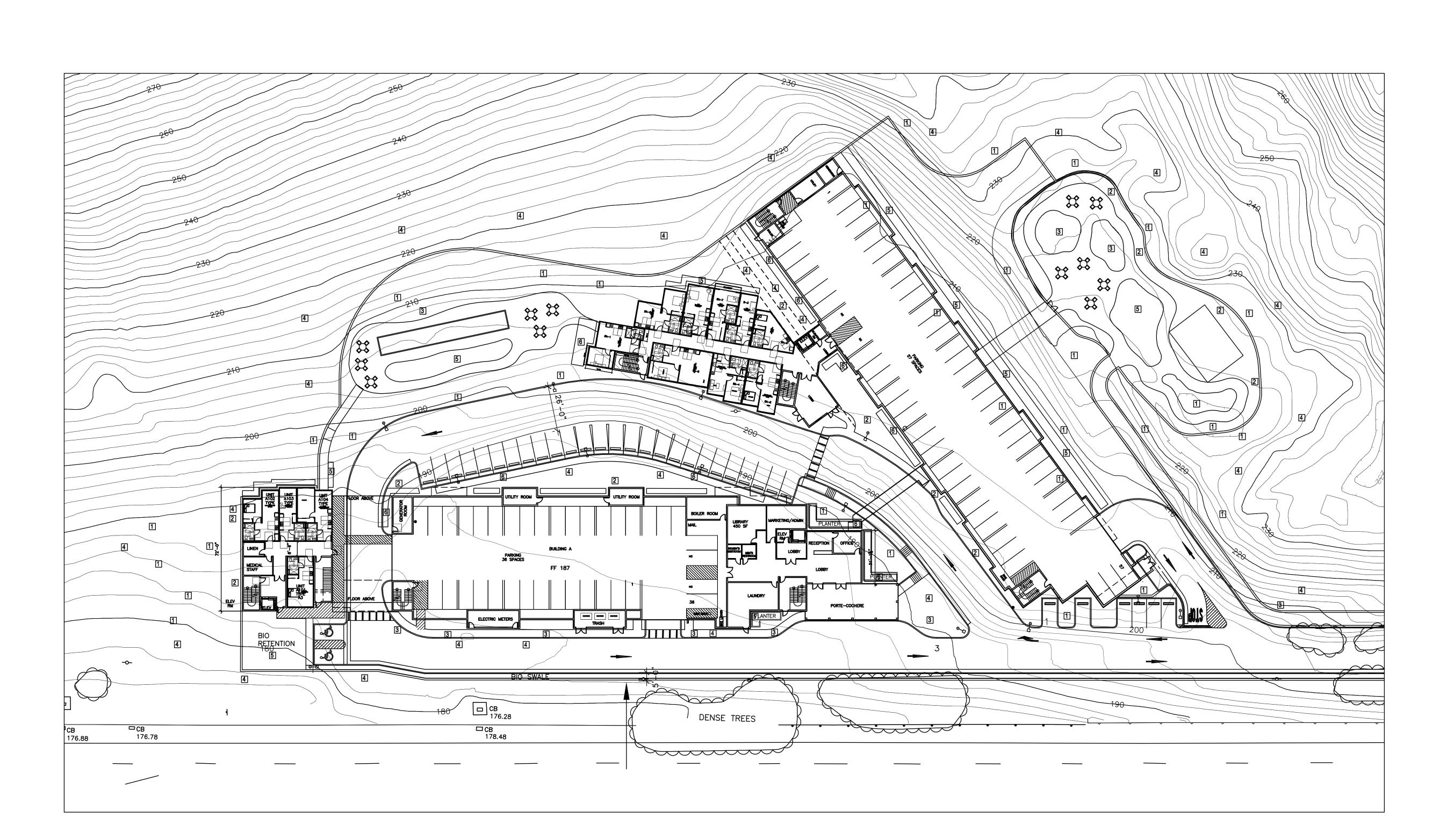
Scale As Noted

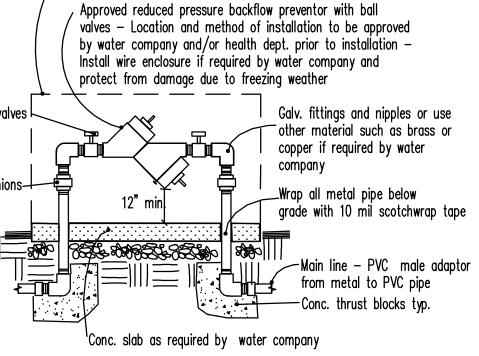
Drawn Greg

Job Sheet 10E



- Drip, low water use, sun shrubsDrip, low water use, shade, shrubs
- 3 Drip, med. water use, sun, shrubs
- Drip, med. water use, sun, trees
- Grid drip, med, water use, sun, bio retention
- Grid drip, med. water use, shade, bio retention





When necessary, due to high water pressure, install pressure regulator downstream from backflow prevent unless noted for

**Drip Irrigation Notes** 

There are 2 types of drip irrigation on this project. These notes are for the drip irrigation on the shrubs and trees that are not in the bio retention areas

1) Secure larger 3/4" drip tubing 1" below grade with 7" or 11" U-shaped stakes 3 feet on center or closer so that the tubing can be found easily but does not show if the mulch gets brushed away. Cover tubing with soil and mulch and install manual flush valves at ends of tubing and mark them so they can be found

2) Run large tubing close to plants to minimize length of smaller 1/4" tubing. Secure emitters on 3/4" tubing at plant root balls. When necessary run short lengths of 1/4" tubing from emitters to plant root balls. Install stakes on 1/4" tubing at 12" on center and cover tubing with 1" of soil plus mulch. 3) As the plant and plant rootball increase in size, the locations of the emitters may need to be adjusted so they are evenly spaced over the rootball.

4) Install pressure compensating emitters (with minimal difference in flow between 10 PSI and 40 PSI) at each plant on root ball (not right at stem). Use Agrifim PC Plus (pressure compensating emitters). Use the ones that 1/4 tubing can be connected to. Other emitters may have a higher discharge rate at startup requiring larger pipe sizes.

- FINISH GRADE

- PVC SCH 40 ELL

WIRE, COILED

PVC SCH 80 NIPPLE (LENGTH

AS REQUIRED, 1 OF 2)

30-INCH LINEAR LENGTH OF

VALVE BOX WITH BOLT ON COVER:

WATERPROOF CONNECTION

ADAPTER TO DRIP LINE

OR PVC LATERAL LINE

-BRICK (1 OF 4)

REGULATOR

Plastic valve box that is large

enough to allow easy operation

of valve and connection of hose

Bricks under valve box corners

SCH 80 riser with rebar and

10" dia. minimum with bolt on cover

-Quick coupling valve

stainless steel clamps

THERE HAS TO BE ENOUGH ROOM IN THE

VALVE BOX TO CLEAN FILTER AND SERVICE

DRIP LINE OR LATERAL LINE

3-INCH MINIMUM DEPTH OF

3/4-INCH WASHED GRAVEL

Two 1 GPH emitters at small shrubs (eventual size) CH.CY.AH Three 1 GPH emitters at medium shrubs DV,RC Four 1 GPH emitters at large shrubs and vines XC,EL,AU,CF,RU Six to Eight 1 GPH emitters at large tree root balls Add additional 1 GPH emitters (12) on 2 foot x 2 foot grid in planting area under future tree canopy Oak trees to have only six 1 GPH emitters total to get them started With shrubs and trees that have multiple emitters, put some over root ball (not right on stem) and some out under future canopy. Space emitters evenly in root zone area.

When plants are on a slope install the drip tubing up hill from the plants and locate most of the emitters uphill from the plant and directly on the uphill side of the rootball.

PVC SCH 80 NIPPLE

PVC MAINLINE

Remote Control Globe Valve.

Filter and Pressure Regulator

(2-INCH LENGTH, HIDDEN)

Use this detail for spray sprinklers but don't install the filter and regulator

ÀND PVC SCH 40 ELL

PVC SCH 40 TEE OR ELL

Install as per local code and manuf. instructions — Secure controller to wall with suitable anchors as approved by inspector Controller — see legend on irrig. plan - Weather proof 120 V junction box —Electrical conduit and wire from source of power —Electrical conduit for 24 volt conductors Paint exterior conduit to match building wall.

> UF direct burial wires This controller will be installed inside

Minimize appearance of conduit visible on wall.

Install 2" sleeve and sweep ell to outside planter Wall Mount Controller -Mark lid with "Drip Flush Valve" PE drip tubing buried 2" deep

See drip irrig. notes Space emitters evenly around plant on top of and at edge of root ball Use as little 1/4" tubing as possible

Drip Emitter and Flush Valve

Include freeze blanket Ball valves

other location on plans

Reduced Pressure

**Backflow Preventor** No Scale

Irrigation Notes

1) See sheet L12 and L13 for irrigation details and specifications. 2) This system is designed to operate with minimum 18 GPM at minimum 70 p.s.i. dynamic p.s.i..at the point of connection just downstream from the reduced pressure backflow preventer. If this condition is not met contact the Landscape Architect for possible redesign. If static pressure exceeds 80 psi downstream from the backflow preventor a pressure regulator will be necessary. There is supposed to be 80 static psi water pressure available at the site.

3) Detector tape should be installed with any pressure lines not buried in the same trench with control wires and with any lines of any kind under paving not in a trench with control wires. 4) Electric controllers should be set to water between 6:00 p.m. and 10:00 a.m. to avoid watering during

times of higher wind or temperature and programmed with repeat cycles to avoid runoff. Irrigation schedule should reflect time of year and plant maturity. 5) No changes should be made to what is shown on the plans without the written approval of the

6) Run 2 extra control wires from the controller to the far end of each leg and to the furthest quick coupler, coming up at each valve with some extra wire along the way so valves could be added if necessary in the

7) The controller has a weather station and will shutoff during times of rain. The controller will also change it's program based on current weather conditions. 8) The routing of sprinkler lines is schematic on the plan. Do not put valves too close to trees. Stay 8' to

10' away if possible. Do not put pressure lines under trees. Install line in planting areas instead of under paving whenever possible. Locate all trees with flags prior to installing any lines, valves, or sprinklers. 9) Do not dig trenches right next to structures such that the bearing soil under the foundation of the structure will fail. Check with the structural engineer if you are not sure how close or how deep you can dig

10) The contractor is to include in his bid the cost of any irrigation audit (if required) conducted by a certified landscape irrigation auditor and the cost of doing anything required to the irrigation system so that it passes the audit The irrigation audit is to include but not limited to inspection, system tune-up, system test with distribution uniformity, reporting overspray or run off that causes overland flow, and preparation of a base irrigation schedule. Also include programing of the irrigation controller.

11) The contractor is to include in his bid the creation and submittal of a landscape regular maintenance schedule that will be submitted to the owners.

The regular maintenance schedule shall include, but not be limited to, routine inspection, adjustment and repair of the irrigation system, fertilizing, pruning, and weeding. Repair of the irrigation system is to be done with originally installed components or their equivalents. The project owner and maintenance company is encouraged to implement sustainable, environmentally-friendly practices for overall landscape

13) A number of manual isolation valves have been placed in the system to aid in isolating parts of the system to find leaks and do maintenance.

14) Drip tubing is to be secured to the soil with drip tubing staples 4 feet apart in loam soil to keep the tubing spacing consistent. Double stake the fittings diagonally.

15) Follow the installation recommendations of the drip tubing manuf. and representative 16) Review all project utility plans to make sure you don't damage them during landscape installation

−Mark lid with "Irrig. Gate Valve" ∕Gate valve — same size as pressure line -PVC Male Adapter Mlpt x Slip Sch 40 PVC pressure line box corners 2" clearance

Manual Gate Valve No Scale

\_ Lateral — nonpressure line 12" cover Main – pressure line – 18" cover UF direct burial wire 24 V - tape and bundle wire every 10 feet Use 6" deep sand bedding and 6" deep sand backfill in rocky soils Snake lines in all trenches All lines to have min. 24" cover under vehicle paving with 6" compacted sand bedding and compacted sand backfill Provide minimum 3" clearance between lines

Trenches/Lines No Scale

Irrigation Legend

MANUF.#

MP2000

MP3000

PGP-00-1.5

CS-530

33DLRC

PCZ-101-25

PCZ-101-25

Drip control zone

Use 3/4" PE headers for +4 to 8 GPM and 1" PE header for +8 to 12 GPM

ability to resist root intrusion when installed below grass.

Tree Irrigation - Install a loop of

MANUF.

17 20

25 30

36) 4.0

Rainbird

Rainbird

M L12

(C) L12

J L12

**DESCRIPTION** 

Shrub adapter or short popup Hunter Institutional body

with MP Rotator nozzle - adjustable radius and arc

GPM output reduces as radius and arc are reduced

on 12" high riser in bio retention areas

all nozzles have matched precip. rates

Gear Driven Roter Shrub Head on Riser

Gear Driven Roter Shrub Head on Riser

Install strip heads that are closest to paving 3 feet from edge of paving

All spray heads to be installed at least 2 feet from edges of paying

based on current weather conditions. Mount weather station in sunny location where it will get rain.

Install a freeze blanket.

Two controllers with a total of at least 6 programs are required for the 6 hydrozones

One controller will be for bio retention areas, the second controller for shrubs and trees

Shrub adapter on 12" riser with end strip noz.

Shrub adapter on 12" riser with center strip noz.

wall mount exterior with wireless Solar Sync ET On-Site Weather Station and module. Controller will change it's program

Manual shutoff valve in valve box same size as pressure line

1" globe valve with 1" drip filter and 40 psi pressure

This kit is good for up to .5 to 15 GPM flow.

regulator below grade in valve box large enough to service the filter

Manual flush valve in valve box - for regular system flushing maintenance

Don't use automatic flush valves with drip emitters that have check valves.

1" globe valve below grade in valve box for spray sprinklers

Install at a low point at the end of the circuit opposite the valve

Rainbird XF-SDI Subsurface Dripline with Copper Shield Technology - (Drippers don't have check valves)

3/4" quick coupler with locking cover and 2 piece body -

provide one valve key and one hose swivel

Air relief valves are required with Rainbird XF-SDI drip tubing installed below ground.

In bioretention planters use 12" drip emitter spacing with

the drip lines 12" to 14" apart and .9 gph emitters

Air relief valves are required because this drip line does not have check valves. It is being used because it has the

Use the regular layout with supply and exhaust headers. Blank 1/2" Rainbird tubing is OK for flows less than 4 GPM.

Rainbird XF-SDI Dripline with Copper Shield Technology -. 6 gph emitters at 12 inches O.C.

loop to be 5 inches from trunk for 15 gal. size plants and 9 inches from trunk for 24 inch box size trees

size - 12" cover - pipes less than 2" to be Sch 40 PVC

Pressure line - Sch 40 PVC

Pressure line - CL 315 PVC

— Use 2" gray elec. conduit for wires - two 2" sleeves may be required at some locations.

2" gray elec. conduit is supposed to hold up to 40-#14 gauge wire

All lines under pavement to be sleeved using a CL 315 PVC sleeve 2 sizes larger than the pipe inside

Most of Pressure line - CL 315 PVC

Tree irrigation is on separate valve. As per Drip Irrigation Notes add some emitters under future canopy

Oak trees to have only six - 1 GPH emitters to get them started - other trees to have twenty - 1 GPH emitters

Nonpressure line - CL 200 PVC 3/4" unless noted for larger

- 18" of cover (24" of cover under A.C. paving)

Lines under paving - CL 315 PVC - 24" of cover

Soil is sandy - in bio retention planters

Keep consistent spacing between the rows of tubing and don't exceed max. lateral length in manuf. catalog

Two Controllers, one with 42 stations and one with 42 stations

1"" Reduced pressure backflow preventer installed just downstream from the water meter

These are added throughout the system to use for maintenance and finding leaks in pressure line

40 psi pressure regulated

PGP-00-4.0 Gear Driven Roter Shrub Head on Riser

Q,H,F

.16,.32,.64

.33,.66,1.27

.69,1.44,2.88

at 22'

1.4

2.1

3.5

1.2

at 12'

8' to 14'

15' to 20'

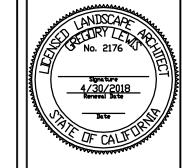
19' to 30'

5'x30'

Quick Coupling Valve **Below Grade** No Scale

3" deep gravel

Irrigation Legend, Notes, Details 10C



nity

 $\Box$ Κİ S 200

Drawn Greg

PC AGENDA: 10-26-16 ITEM: 4.a.



# Memorandum

**TO:** PLANNING COMMISSION

FROM: Harry Freitas

SUBJECT: Item 4.a PDC14-051

**DATE:** October 26, 2016

COUNCIL DISTRICT: 8

#### **SUPPLEMENTAL**

SUBJECT: Revision of the Evergreen-East Hills Development Policy analysis for the Planned Development Rezoning (File No. PDC14-051) from the A Agricultural to the A(PD) Planned Development Zoning District, and Planned Development Permit (File No. PD16-019) to allow up to 290 units of assisted senior housing development on a 3.2 gross acre portion of a 23 gross acre site.

#### **REASON FOR SUPPLEMENTAL**

The Staff Report provided for this Planned Development Rezoning and Planned Development Permit erroneously analyzed the project under the Evergreen-East Hills Development Policy. In the event that a proposed use is not a clearly defined residential, office, or commercial use, the Evergreen-East Hills Development Policy allows for a project trip equivalency conversion to the use category that the project would most closely reflect. Of the capacity categories, the proposed project is considered a commercial use. The Staff Report states that project would exceed the remaining development capacity of the Evergreen-East Hills Development. However, after further investigation, the project would result in a trip conversion commercial square footage that is within the current available capacity.

#### **CONCLUSION**

Although the project is under the allowed existing development capacity of the Evergreen-East Hills Development Policy, staff continues to recommend early consideration and denial of the project due to its inconsistency with the General Plan Policies for the Public/Quasi-Public land use designation and lack of conformance with infrastructure improvement policies in regards to the infeasibility of the sewer connectivity of the subject site.

HARRY FREITAS, DIRECTOR

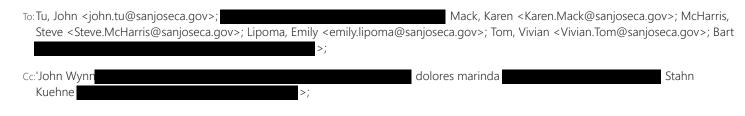
Salyon Aufe /FOR

Planning, Building and Code Enforcement

# FW: 0616013981 - 4200 Dove Hill Road, San Jose

# Salvatore Caruso <scaruso@caruso-designs.com>

Wed 10/26/2016 3:45 PM



10 attachments (3 MB)

doc03044120161025103840.pdf; doc03044220161025103852.pdf; doc03044320161025103858.pdf; doc03044420161025103911.pdf; doc03044520161025103925.pdf; doc03044620161025103938.pdf; doc03044720161025103955.pdf; doc03044820161025104004.pdf; doc03044920161025104013.pdf; overall site plan.jpg;

#### Request for defferal of item number 4.a. Planning Commission agenda 10-26-2016

#### File # PDC14-051 and PD16-019

Dear John and Vivian and Members of the Plannning Commission,

- 1) Attached is the document which shows the utility easement from the Dove Hill site to Dove Hill Road at Yerba Buena as discussed yesterday at our meeting with Public Works. The first document attached on the first page and paragraph indicates the easement. With this easemnt in place we have a route to the public sewer using a privately owned and operated pump on the subject site pumping upfill to the Dove Hill easement. From that point on, the sewer will gravity flow down hill to Yerba Buena, therefore not having a forced main on the public road which was Public Work's concern. The last attachment above is of the overall site showing the route of the sewer from our site out to Yerba Buena Road.
  - Public Works stated yesterday that they would like to review the easements attached . Both we and Public works need time to complete this process and therefore I am asking for a defferal of the Planning Commission hearing tonight.
- 2) The second reason that we are asking for a deferral is that we have stated that we will design within the available capacity which today we discovered has decreased to approximately 62,410 sf down from the previous number of 71,787 sf. Given to us on July 27,2016

The issues that staff has raised are primarily addressed both for the sewer hookup and the available capacity since we agree to work within its limits, but we need more time for staff to complete their review. We were not informed that approx..18 months ago the capacity was mostly used up by the Arcadia project.

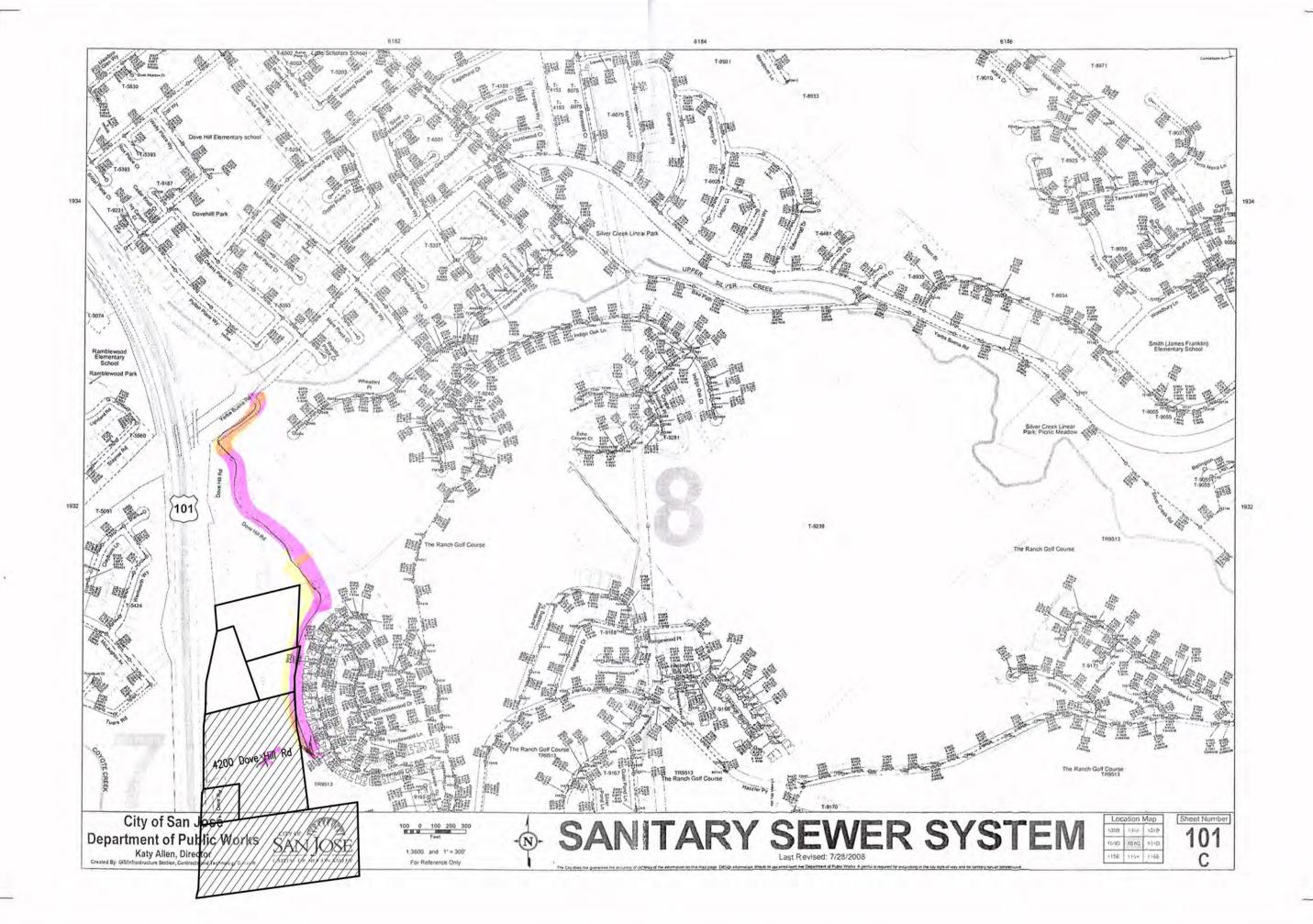
In light of the \$1.5M spent just in the past 18 months, that has been invested in reliance on the previously granted GP amendment and staff we request the deferral to have time to resolve this matter.

We are in the process of obtaining legal representation and ask that the planning commission continue this item so we may have representation.

Thank you, Sal

Salvatore Caruso A.I.A. Salvatore Caruso Design Corporation 980 El Camino Real, Suite 200 Santa Clara, CA 95050

<u>Tel:</u> (408) 998-4087 Fax: (408) 998-4088 Cell: (408) 640-1001



# OLD REPUBLIC TITLE COMPANY ORDER NO. 0616011318-SL FOURTH AMENDED REPORT

#### PARCEL FIVE:

A non-exclusive easement appurtenant to Parcel Four above described for the purposes of ingress and egress and for the installation and maintenance of public utilities over a strip of land 40 feet wide, the center line of which is described as follows:

Beginning at an iron pipe at the point of intersection of the Northeasterly line of the Bayshore Highway being the Easterly line of that certain 9.128 acre tract of land described as Parçel No. 1 in the Deed from Margaret M. Weaver, et al, to the Santa Clara, dated April 16, 1945, and recorded July 7, 1945, in Book 1274 of Official Records, Page 241, Santa Clara County Records with the Northeasterly line of that certain 76.05 acre tract of land described in the Deed from Margaret M. Weaver to Margaret M. Weaver, et al, dated December 10, 1942, and recorded December 10, 1942, in Book 1120 of Official Records, Page 317, Santa Clara County Records; running thence Southeasterly along the said Northeasterly line of the Bayshore Highway on a curve to the right with a radius of 3120.00 feet from a tangent which bears South 12° 56′ 13" East, through an angle of 1° 39' 37", for a distance of 90.41 feet to the true point of beginning of the 40.00 foot easement described; thence leaving the said Easterly line of the Bayshore Highway and running Southeasterly on a curve to the right with a radius of 247.20 feet from a tangent bearing of South 79° 49′ 10" East, through an angle of 30° 38' 19", for a distance of 132.18 feet; running thence South 49° 11' East, and parallel with the Northeasterly line of the said 76.05 acre Tract and distant 20.00 feet; Southwesterly, measured at right angles therefrom, for a distance of 218.98 feet; thence on a curve to the right with a radius of 110.00 feet; through an angle of 69° 17', for a distance of 133.02 feet; thence South 20° 06' West, 109.28 feet; thence on a curve to the left with a radius of 65.00 feet, through an angle of 75° 18', for a distance of 85.43 feet, and South 55° 12' East, 152.88 feet to a point on the Southwesterly line of that certain 5.7377 acre tract of land conveyed by John Tripoli, et ux, to Julia Hughins Lorentz by Deed dated February 23, 1951, and recorded March 2, 1951, in Book 2163 of Official Records, Page 271; said point being distant along said Southwesterly line, South 12° 11' East, 363.78 feet from an iron pipe at the Northernmost corner of said 5.7377 acre parcel of land; running thence South 55° 12' East, 183.11 feet; thence on a curve to the right with a radius of 250.00 feet through an angle of 19° 31', for a distance of 85.38 feet and South 35° 38' East, 269.20 feet to an iron pipe on the Southeasterly line of the said 5.737 acre tract of land distant thereon North 75° 03' East, 278.94 feet from an iron pipe set at the Southernmost corner thereof; thence South 40° 25' East, 123.73 feet; thence along the Northwesterly and Westerly line of that certain 24.938 acre parcel of land conveyed by John Tripoli, et ux, to Y. Archibald by Deed dated October 8, 1951, and recorded on May 12, 1952, in Book 2417 of Official Records, Page 645, on a curve to the right with radius of 28.75 feet through a central angle of 97° 29' 30", for an arc distance of 48.92 feet to an iron pipe; thence South 57° 04' 30" West, 70.04 feet to an iron pipe; thence on a curve to the left with a radius of 125.00 feet, through a central angle of 38° 22' 30", for an arc distance of 33.72 feet to an iron pipe; thence South 18° 42' West, 53.81 feet to an iron pipe; thence a curve to the left with a radius of 382.00 feet, through a central angle of 21° 08', for an arc distance of 30" West, 70.04 feet to an iron pipe; thence on a curve to the left a radius of 125.00 feet, through a central angle of 38° 22' 30", for an arc distance of 83.72 feet to an iron pipe; thence South 18° 24' West, 53.81 feet to an iron pipe; thence a curve to the left with a radius of 882.00 feet, through a central angle of 21° 08′, for an arc distance of 325.32 feet to an iron pipe; thence South 2° 26' East, 130.37 feet to an iron pipe; thence South 4° 50' East, 181.92 feet to an iron pipe; and thence South 14° 22' East, 120.72 feet to an iron pipe, being a certain 40 foot roadway as delineated upon that certain Record of Survey Map filed for record in the Office of the Recorder of the County of Santa Clara, or January 5, 1951, in Book 29 of Maps, Page 32, that certain Record of Survey Map filed for record in the Office of the County Recorder of the County of Santa Clara, State of California, on May 23, 1951, in Book 32 of Maps, Page 21, and that certain Record of Survey Map filed for record in the Office of the County Recorder of the County of Santa Clara, on June 19, 1952, in Book 37 of Maps, Page 27. &

# OLD REPUBLIC TITLE COMPANY ORDER NO. 0616011318-SL FOURTH AMENDED REPORT

EXCEPTING THEREFROM that portion thereof quitclaimed to the State of California by Instrument dated November 26, 1962, and recorded January 14, 1963, in Book 5863 of Official Records, Page 167, as follows:

Commencing at the most Southerly corner of the parcel of land conveyed to the State of California by Deed recorded June 8, 1944, in Book 1206, at Page 77, Official Records of Santa Clara County; thence along the line common to the lands, now or formerly of John Tripoli and Warren G. Epstein, et al, South 48° 01′ 29″ East, 72.48 feet; thence South 13° 44′ 43″ East, 33.32 feet; thence from a tangent bears North 69° 35′ West along a curve to the left with a radius of 267.20 feet; through an angle of 9° 04′ 04″, an arc length of 42.29 feet; thence North 78° 39′ 39″ West, 8.03 feet to the Easterly line of the existing State Freeway in Santa Clara County Road IV-SC1-68-C; thence along last said line from a tangent that bears North 10° 28′ 09″ West, along a curve to the left with a radius of 3,120.00 feet, through an angle of 1° 15′ 55″, an arc length of 68.90 feet to the point of commencement.

#### PARCEL SIX:

A portion of that certain 10.152 acre parcel of land described in Deed to State of California recorded February 23, 1946, in Volume 1337, at Page 9, Official Records of Santa Clara County, said portion being more particularly described as follows:

Commencing at the Westerly terminus of the course described as "North 81° 38′ 00" East, 110.73 feet" in Parcel 2 of the Relinquishment No. 31401 to Santa Clara County, recorded August 29, 1966, in Book 7489, at Page 111, Official Records of Santa Clara County; thence North 2° 36′ 22″ East, 64.60 feet; thence North 1° 50′ 00″ West, 297.63 feet to the Easterly line of said 10.152 acre Parcel; thence along last mentioned line South 7° 13′ 24″ East, 359.18 feet to aforesaid course; thence along said course South 81° 38′ 00″ West, 38.99 feet to the point of commencement.

APN: 679-08-002 (portion)

At the date hereof exceptions to coverage in addition to the Exceptions and Exclusions in said policy form would be as follows:

- 1. Taxes and assessments, general and special, for the fiscal year 2016 2017, a lien, but not yet due or payable.
- 2. Taxes and assessments, general and special, for the fiscal year 2015 2016, as follows:

Assessor's Parcel No : 679-08-002 Code No. : 017-028

1st Installment : \$600.85 Marked Paid 2nd Installment : \$600.85 NOT Marked Paid

Land Value : \$53,803.00 Imp. Value : \$29,770.00

FILING NO 351600 Filed for record at the request of Galifornia Pacific Title Insurance Co. Jul 7 1945 at 50 min past 10 o'clock A. M.

CHAS. A. PAYNE RECORDER

Fee D.H. 12f

E.B.O'Brien Deputy Recorder

Compared doc 11 Manual Compared book on Basinife

DEED No. 100

District County Route Section

IV SCl

GRANT DRED (INDIVIDUAL)

We, Margaret M. deaver and Adele Meaver Maynard, grant to the State of California, all that real property in the County of Santa Clara, State of California, described as:

A portion of that certain 3.598 acre tract of land and of that certain 76.05 acre tract of land acquired by Margaret M. seaver by deed from #.M. Stevens, et ux, dated January 15, 1942 and recorded January 20, 1942 in Volume 1074, at page 568, Official Records of Santa Clara County, described as follows:

Commencing at a point on the northeasterly line of said 76.05 agre tract, distant thereon S. 49° 11° 30" E., 469.00 feet from a 2"x 4" stake and nail at the most northerly corner of said 76.05 sore treet; thence along said northeasterly line S. 49° 11° 30° E., 169.72 feet to Engineer's Station 248+58.21 on the center line of the Department of Public works' survey between Santa Clara Street in San Jose and Ford Road, Road IV-SC1-2-SJs, E; thence continuing along said northeasterly line S. 49° 11' 30" E,, 209.06 feet to a curve concentric with end 120.00 feet easterly, measured radially, from said center line; thence from a tangent that beers S. 12° 34° 33" E. along said curve to the right, with a radius of 3120 feet, through an angle of 1° 17' 08", a distance of 70.00 feet; thence continuing along said curve to the right, through an angle of 0° 33' 03", a distance of 30.00 feet; thence continuing along said curve to the right, through an angle of 1° 05' 51", a distance of 59.76 feet; thence S. 9° 38' 31" E., 4)7.19 feet; themee S. 6° 14° 35" E., 801.56 feet; to a point distant N. 87° 20' E., 200.00 feet from Engineer's Station 264+00.00 on said center line; thence S. 11º 41º J., 3.40 feet to the northwesterly line of that 6.00 acre tract of land conveyed by Margaret M. Waswer et al to Martin Morales by deed dated November 2, 1943 and recorded November 9, 1943 in Volume 1161, page 465, Official Records of Santa Clara County; thence along said northwesterly line S. 75° 47' 15" W., 203.28 feet to Engineer's Station E2 264+43.98 of said survey; thence continuing along said northwesterly line S. 75° 47' 15" W., 140.29 feet; thence N. 17° 35° 55" 2., 126.32 feet; thence N. 12° 15° 55" b., 310.48 feet to a point distant S. 87° 20' s., 90.00 feet from Engineer's Station 260\*50.00 on said center line; thence parallel with said center line N. 2° 40' 4., 505.06 feet and along a curve to the left, with a radius of 2910 feet; through an angle of 8° 13° 38.5", a distance of £17.86 feet, thence continuing along said curve to the left, through an angle of 0° 35° 26.5", a distance of 30.00 feet; thence continuing along said curve to the left through an angle of 7° 05' 17", a distance of 360.00 feet to the point of commencement. Containing 9.128 scres, more or less.

Parcel 2 A portion of that certain 3.598 acre tract described in the deed from w.M.Stevens et ux, to Margaret M.Weaver, dated Jenuary 15, 1942 and recorded January 20, 1942 in Volume 1074, page 568, Official Records of Santa Clara Sounty; said portion being described as:

Commencing at the southerly corner of that certain 6.00 acre tract of land conveyed by Margaret M. Weaver et al to Martin Morales by dead dated Hovember 2, 1943 and recorded November 9, 1943 in Volume 1161, page 465, Official Records of Sente Clara County: thence from said point of commencement along the southeasterly line of said 6.00 acre tract N. 75 \* 47 15" E., 11.54 feet to Engineer's Station E2 269+49.06 on the center line of the Department of Public Works' Survey between Sante Clara Street in San Jose and Ford Road, Road IV-SC1-2-SJs, E; thence continuing slong said southeasterly line M. 75° 47' 15° E., 91.86 feet to a line parallel with and 90.00 feet northeasterly, at right angles, from the center line of said survey; thence along said parallel line S. 2° 40° B., 252.72 feat to the southwesterly line of said 3.598 ecre tract; theme along the last mentioned line N. 26° 15° 15° 253.18 feet to the point of commencement. Containing 0.294 of an acre, more or less.

This conveyance in fee is made to enable the grantee to construct and maintain a public highest as a freeway, and the grantor hereby releases and relinquishes to the grantee any and all rights or essements appurtenent to grantor's remaining property by reason of the location thereof with reference to said highway, including, without limiting the foregoing, all rights of ingress to or egrees from grantor's remaining property contiguous to the lands hereby convayed to or from said highway.

It is covenanted and agreed that openings thirty feet in width will be provided over and across the following described lines so as to permit pessage for farming operations from grantor's property on one side of the freeway to that on the other, said lines being described above as,

"thence continuing along said curve to the right, through an angle of 0\*33' 03", a distance of 30.00 feet" and, "thence continuing along said curve to the left, through an angle of 0° 35° 26.5°, a distance of 30.00 feet".

1 - " 1274

This covenant shall run with the land and be binding on the heirs, successors and assigns of the parties hereto.

. It is specifically understood and agreed that the openings so provided shall be used for access for conducting farming operations and for no other purposa. The term "farming operations" as used herein does not isolude roadside sale of farm products. In the event that the spanings provided under this commant are ever used by the grantor, his heirs, successore or assigns for any purpose other than farming operations, then and in that event this covenant shall be of no further force and effect, and all rights of the grantor hereunder shall cease and determine, and the grantee may immediately close such openings.

Dated this 16th day of April 1945.

Margaret M. desver Adele Weaver Maynard

Signed and delivered in the presence of Warren V.Taylor ACKNOWLEDGMENT OF GRANTOR

STATE OF CALIFORNIA

COUNTY OF SANTA CLARA )SS On this 30th day of April in the year one thousand nine hundred and forty-five before me, C.B.Kilgore a Notary Public in and for said County end State, residing thereim, duly commissioned and sworn, personally appeared Margaret M. weaver and Adele Weaver Maynard known to me to be the persons described in and whose mases are subscribed to the within instrument and they acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(NOTARIAL SEAL)

C.B. Kilgore Notary Public in and for the County of Santa Clara, State of California.

My commission expires January 7, 1948

ACKNOVLEDGMENT OF SUBSCRIBING WITHESS

STATE OF CALIFORNIA, CITY

AND COUNTY OF SAN FRANCISCO 188 On this 30th day of April in the year one thousand nine hundred and forty-five before me, Robert B. Rusch a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Warren V.Taylor known to me to be the person whose name is subscribed to the within instrument as a subscribing witness thereto, who, being by me duly sworn, deposed and said: that he resides in the City & County of San Francisco, State of California; that he was present and saw Margaret M. Weaver and Adele Weaver Maynard personally known to him to be the persons described in, and who executed the said within instrument as parties thereto, sign and execute the same; that he, the affiant, them: and there, at the request of said persons, subscribed his name as a witness thereto.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this cartificate first above written.

(NOTARIAL SEAL)

Robert H. Busch Notary Public in and for the City and County of San Francisco, State of California.

My commission expires May 25, 1946

(CERTIFICATE OF ACCEPTANCE, CIVIL CODE, SEC. 1158)

THIS IS TO CERTIFY That the State of California, grantee herein, acting by and through the Department of Public Works, Division of Highways, hereby accepts for public purposes the real property, or interest therein, conveyed by the within deed and consents to the recordation thereof.

IN WITNESS WHEREOF I have hereunto set my hand this 17th day of May 1945.

C.H.Purcell, Director of Public Works By Jno. H.Skeggs, District Engineer and Attorney in Fact.

FILING NO 351601 Filed for record at the request of Californie Pacific Title Insurance Co. Jul 7 1945 at 50 min past 10 o'clock A. M.

CHAS. A. PAYNE RECORDER

Fee no charge

E.B.O'Brien Deputy Recorder

Compared doo 14 2000 and to compared book and the first service of the f

No Revenue Stamps Required

IV-S01-2-E Deed No. 100-A

Ws. Margaret M. Yeaver, a widow, and Adele Weaver Maynard, an unmarried person, do hereby grant unto Martin Morales a perpetual easement for road purposes over, upon and across certain parcels of land in the County of Santa Clara, State of California, described as:

Two strips of land 14 feet in eidth lying 7 feet on each side of the following described lines:

First Commencing at a point in the existing roadway running across the lands of M.M.Weaver, said point being distant S. 78° 50° 10° M., 200 feet from Engineer's Station 251+00 of the Department of Public Forks' survey between . mants Clara Street in San Joss and Ford Word, Road 17-SG1-2-SJs.-E.; thense B. 78\* 50' 10" E., 110 feet

315

2

proceeds of such sale, at which cortgagor and cortgages may be purchasers, as herein provided, retain all costs and charges expended in taking and disposing of said personal property, including any reasonable attorney's fees incurred; also all sums due on said promissory note, and under the terms hereof, and any surplus of such proceeds remaining shall be disposed of in the canner provided for by law.

Eighth: If suit be brought to foreclose this mortgage or to enforce any of the terms or conditions hereof, the mortgagee shall be entitled, without notice, to the appointment of a receiver by a court of competent jurisdiction, to assist it in performing any of the acts hereinabove set forth, or for the purpose of taking possession of said chattels; and in such action there shall be due from mortgagor to plaintiff therein, immediately on the commencement thereof, such attorney's and receiver's fees as in the discretion of the court may be deemed reasonable, which sums are hereby secured.

Minth: Should said chattels be sold through a court action to foreclose this mortgage, or as a pledge as hereinabove provided, the mortgagor, as well as the mortgagee, may become a purchaser at such sale, and in the event said chattels are sold as a pledge the mortgagee in conducting said sale may, at its discretion, act through the agency of its officers, employees, attorneys or an auctioneer.

Tenth: In this mortgage whenever the context so requires, the masculine gender includes the feminine, a corporation or copartnership, and the singular number includes the plural.

Eleventh: The rights and remedies hereby granted shall not exclude any other rights or remedies granted by law, and all rights and remedies granted hereunder or permitted by law shall be concurrent and cumulative.

Twelfth: Time is of the essence of all of the obligations on the part of the mortgagor to be done and performed.

Thirteenth: Mortgagor hereby waives the right to plead any statute of limitations which may now exist or may be hereafter enacted in any action brought hereunder, or in any action brought on the promissory note, or any other indebtedness hereby accured, to which mortgagor shall be a party.

Fourteenth: This mortgage applies to, innres to the benefit of, and binds all parties hereto, their heirs, legatees, devisees, administrators, executors, successors and assigns.

Fifteenth: The term "mortgagee" shall include not only the original mortgagee hereunder, but also any future owner and holder, including pledgees, of the promissory note and indebtedness secured hereby.

In witness whereof said mortgator has executed these presents the day and year first horeinabove written.

M.I. Piers (Seal)
Doing business P+W+ Bayview Dairy (Seal)

STATE OF CALIFORNIA (

COUNTY OF SANTA CLARA(SS On this 9th day of December in the year one thousand nine hundred and forty two before me, Delight L.Brown, a Notary Public in and for the County of Santa Clara, State of California, personally appeared M.I.Piers, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

In witness whereof I have hereunto set my hand and affixed my Official Scal at my office in the County of Santa Glara, the day and year in this certificate first above written.

(MOTARIAL SEAL)

Delight L.Brown, Notary Public in and for the County of Santa Clara, State of California (Notary Public in and for the County of Santa Clara, State of California)
My commission expires Sept.14, 1943.

FILING NO. 264286 Filed for record at the request of San Jose Branch The Anglo California National Bank Dec. 11 1942 at 48 min past 2 o'clock P.N.

CHAS.A.PAYNE RECORDER

M.W.Emlen

Deputy Recorder

fee 2.90 24f

compared doc. Afficial compared book ( CONTINUE STATES TO STATES T

#### JOINT THUANCY DEED

Margaret M. Weaver, a widow the first party does hereby grant to Margaret M. Weaver, a widow, and Adele Weaver Maynard, an unmarried woman, the second parties in joint tenancy all that real property situated in the County of Santa Clara, State of California, and bounded and described as follows:

Parcel No.1 Commencing at a point in the center of Coyote Creek, said point

being the most southerly corner of that 20 acre tract of land deeded by Joseph Awbrey, et ux. to Thomas Awbrey, by deed dated March 7, 1899 and recorded March 7, 1899 in Book 218 of Deeds, page 148, records of Santa Clara County, California, from which point a 2" x 4" stake marked ".P.A.2 bears ".47° 53' E. 1.27 chs. running thence from said point along the southeasterly line of Thomas Awbrey's land N. 47° 53' E. 37.24 chs. to a 2" x 4" stake; thence S.52° 31' E. 4.42 chs. to a stake marked K.1; thence S. 63° 37' E. 3.32 chs. to a stake marked K.1.A.1; thence S. 48° 30' ". 41.02 chs. to a point in the center of Coyote Greek, from which point a stake marked K.A. bears N. 48 1/2° E. 2.05 chs. and an alder tree 12 inches in diameter marked B.J.K.A. bears N. 69° 30' E. 1.05 chs. thence along the center of Coyote Creek N 27° 37' W. 7.28 chs. to the point of commencement, and containing 28.21 acres of land, more or less, and being a portion of the Rancho Yorba Buena y Socayre.

Parcel No.2: Commencing at a point in the center line of the Coyote Creek, from which point the most southerly corner of that 20 acre tract deeded by Joseph Awbrey, et ux to Thomas Awbrey, by deed dated March 7, 1899 and recorded March 7,1899 in Book 218 of Deeds, page 148, records of Santa Clara Jounty, California bears N. 27° 37' W. 7.28 chs. and a stake marked "K.A" bears N. 48° 30' E. 2.05 chs. and an alder tree 12 inches in diameter marked "B.T.K.A." bears N. 69° 30' E.1.05 chs. running thence from said point N. 48° 30' E. 41.02 chs. to a stake marked "K.1.1.1." thence S. 63° 37' E. 0.49 chs. to a stake marked "A.1.4.1" standing in a fonce line; thence along said fence line S. 38° 48' E. 4.29 chs. to a fence picket marked "A.4." and S. 16° 38' E. 1.11 chs. to a stake marked "A.3" standing at the most northerly corner of land now or formerly of Mrs. Susan Awbrey; thence along the northwesterly line of said land now or formerly of Mrs. Awbrey, S.48° 37' W. 40.88 4/5 chs. to a point in the center line of Coyote Creek, from which point a fence picket marked "7.P.A.24" bears N. 48° 37' E. 2.53 1/3 chs. thence along the center of Coyote Creek, N. 38° 53' W. 5.7h chs. to the point of commencement, and containing 23.66 acros, more or less, and being a portion of the Rancho Yerba Buena y Socayre.

Parcel No.3: Beginning at an Iron pipe set in the northwesterly line of that certain 17.53 acre tract conveyed to J.P. Shambeau by John A. Machado by deed dated February 3, 1919 and recorded in Book 482 of Deeds, page 559 records of Santa Clara County, California, at the most westerly corner of that certain 3.12 acre tract deeded to Margaret M. Weaver and Walter M. Stevens by Bank of America National Trust and Savings Association, a corporation by deed dated April 8,1936 and recorded in Book 77% of Official Records, page 151, records of said County of Santa Clara; and running thence along the northwesterly line of said 17.53 gore tract S. 48° 37' W. 146 feet to an iron pipe; and running thence parallel with the southwesterly line of said 3.12 acre tract, S. 42° 31' E. 898.96 feet to an iron pipe set in the southwesterly line of that certain 3.598 acre tract deeded to Margaret K. Weaver and Walter M. Stevens by Bank of America National Trust and Savings Association, a National Banking Association by deed dated April 8, 1936, and recorded in Vol. 774 of Official Records, page 151, records of said County of Santa Clara, and running thence along the southwesterly line of said 3.598 acre tract and along the northeasterly line of lots 1 and 2 as said lots 1 and 2 are shown on a Map accompanying the final report of the referees in the case of Eli Wright vs. J.C.Shambeau Suit No. 20532 and recorded in the office of the County Clerk of Santa Clara. County, California, N. 25° 30' W. 498.88 feet to an iron pipe set at the most southerly corner of the aforementioned 3.12 acre tract and running thence along the southwesterly line of said 3.12 acre tract N. 42° 31' W. 419.02 feet to the point of beginning and containing 2.21 acres of land, more or less, and being a part of the aforementioned 17.53 acre tract and part of the aforementioned lots 1 and 2 of the aforementioned partition in the Rancho Yerba Buena y Socayre.

Parcel No.4: Beginning at a stake set at the most northerly corner of that certain 17.53 acre tract conveyed to J.P.Shambaau by John A. Machado, by deed dated February 3, 1919 and recorded in Book 482 of Deeds,page 559, records of Santa Clara County, California; and running thence along the northeasterly and southeasterly lines of said 17.53 acre tract, S. 9° 37° E. 116.82 feet, S.1° 15′ W. 218.79 feet, and S. 48° 28′ W. 342.54 feet to a 2″ x 3″ stake marked A-7, being a corner of said 17.53 acre tract; thence following the northeasterly line of said 17.53 acre tract and the northeasterly line of Lot 1 as said Lot 1 is shown on a Map accompanying the final report of the referees in the case of Eli Wright Vs. J.P. Shambaau, Suit No.20532 and recorded in the office of the County Clerk of Santa Clara County, California, S. 25° 30° E. 163.98 feet, and running thence N.42° 31° W. 419.02 feet to a point in the northwesterly line of said 17.53 acre tract; thence following the northwesterly line of said 17.53 acre tract, N. 48° 37° E. 605.24 feet to the point of beginning, and containing 3.12 acres, more or less, and being part of the aforementioned 17.53 acre tract and part of the aforementioned Lot 1 of the aforementioned partition, in the Rancho Yerba Buena y Soceyro.

Parcel No.5: Beginning at a 2" x 3" stake set at the most easterly corner of lot 2 as said lot 2 is shown on a Map accompanying the final report of the referee in the case of Mil Wright vs. J.P. Shambeau, Suit No.20532, and recorded in the office of the County Clerk of the County of Santa Clara, State of California, and running thence along the northeasterly and northwesterly lines of said lot 2, N. 13° W. 986.70 feet, N. 39° 30° W. 56.43 feet and S. 53° W. 253.44 feet to an iron pipe; thence S. 25° 30° E. 948.95 feet to an iron pipe set in the southeasterly line of said lot 2; thence following the southeasterly line of

said lot 2, N. 85° 31° E. 51.88 feet to the point of beginning, and containing 3.598 acres, more or less, and being part of the aforementioned lot 2 in the Rancho Yerba Buena y Socayre.

Parcel No. 6 Deginning at a 2" x 3" stake standing at the most northerly corner of that certain 28.21 acre tract deeded to Lizzie Korff by deed dated September 28, 1903 and recorded October 10, 1903 in Book 270 of Deeds, page 242, Santa Clara County Records, said stake being on the southeasterly line of that 20 acre tract of land deeded to Thomas Awbrey by deed dated March 7,1899 and recorded in Book 218 of Deeds, page 148, in the office of the County Recorder of Santa Clara County, California, running thence along the northeasterly line of said 28.21 acre tract, S. 52° 31' E. 4.42 chs. to a stake marked K.1. and S. 63° 37' E. 3.32 chs. to a stake marked K.1.A.1. standing at the most easterly corner of said 28.21 acre tract, said stake K.1.A.1. being also at the most northerly corner of that 23.66 acre tract deeded to Frank K.Awbrey by deed dated September 28, 1905 and recorded October 10, 1903 in Book 270 of Deeds, page 236, Santa Clara County Records; thence along the northeasterly line of said 23.66 acre traot, S. 63° 37' E.O.49 chs. to a stake marked A. 1. A.1. S. 38° 48' E. 4.29 chs. to a fence picket marked A-A and S. 16° 38' E.1.11 chs. to a stake marked A-3, standing at the most easterly corner of said 23.66 acre tract, said stake A-3 being also at the most northerly corner of that 95.48 acre tract of land deeded to Susan Awbrey by deed dated August 20, 1903 and recorded in Book 263 of Deeds, page 498, in the office of the County Recorder of the County of Santa Clara, State of California, running thence along the northeasterly line of said 95.48 acre tract 5. 10° 38' E. 3.67 chs. to a stake marked A.4. S. 9° E. 3.00 chs. to a stake marked A-5, S. 1°45' W. 3.00 chs. to a stake marked A-6, S. 49°15' W.5.00 chs. and S.40° 20' W. 0.19 3/4 chs. to a corner fence; thence continuing along the northeasterly line of said 95.48 acre tract S. 25° 30° E. 9.65 chs. to a stake A-9, N. 53° E. 3.84 chs. to a picket marked A-10 S. 39° 30' E. 0.85 1/2 chs. to a picket marked A-11, and S. 13° E. 15.62 1/2 chs. to a stake marked M-4, standing at the northwesterly corner of that 76.05 acre tract deeded to Emma C. Morrison by deed dated August 14, 1905 and recorded in Book 296 of Deeds, page 280, in the office of the County Recorder of Santa Clara County, State of California; thence along the northerly line of said 76.05 acre tract, N. 81° 19' E. 26.27 chs. to a stake marked M-3, standing at the most northerly corner of said 76.05 acre tract, said stake N-3 being on the northeasterly line of that 150 acre tract deeded to Joseph Ambrey by deed dated June 12, 1878 and recorded in Book 49 of Deeds, page 325 in the office of the County Recorder of Santa Clara County, State of California; thence along the northeasterly line of said 150 acre tract, N. 34° 14' ". 23.88 chs. to the most northerly corner of said 150 acre tract, being the most easterly corner of that 143.40 acre tract deeded to Joseph Awbrey by deed dated December 26, 1860 and recorded in Book "O" of Deeds, page 111, in the office of the County Recorder of the County of Santa Clara, State of California; thence along the northeasterly line of said 143.40 acre tract, N. 48° 39' W. 35.38 chs. to a stake marked A-1 standing at the most easterly corner of the aforementioned 20 acre tract, deeded to Thomas Awbrey; thence along the southeasterly line of said 20 acre tract, S. 47° 53' W. 5.41 chs. to the place of beginning, containing 76.05 acres and being in the Rancho Yerba Buena y Socnyre Santa Clara County, California. Together with a right of way 15 feet wide, as granted by Frank P.Alvernaz, et al. to Thomas Awbrey by deed recorded on November 7,1912 in Book 395 of Deeds, page 24, Santa Clara County Records.

In witness whereof the said first party has executed this conveyance this 10th day of December 1942.

#### Margaret M. Weaver

#### STATE OF CALIFORNIA

COUNTY OF SANTA CLARA(S) On this 10th day of December in the year of our Lord one thousand nine hundred and forty two before me, D.C.Kirby, a Notary Fublic in and for said County of Santa Clara, State of California, residing therein, duly commissioned and sworn, personally appeared Fargaret E.Weaver, known to me to be the person described in and whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

In witness whereof I have hereunto set my hand and affixed my official seal at my office in said County of Santa Clara the day and year in this certificate first above written.

(NOTARIAL SEAL)

D. C.Kirby, Notary Public in and for said County of Santa Clara, State of California

FILING NO. 264279 Filed for record at the request of Grattan, Kirby & Pasquinelli Dec. 11 1942 at 34 min past 1 o'clock P.F.

CHAS. A. PAYNE RECORDER M.W.Emlen Deputy Recorder

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Grant Beed

JOHN TRIPOLI and MARY A. TRIPOLI, his wife

Grunt to

JULIA HUGHINS LORENTZ

the real property situated in the

County

of

Santa Clara

... State of California, described as follows:

BEGINNING at an iron pipe set on the Northeasterly line of that certain 76.05 acre tract of land described in the Deed from Margaret M. Weaver to Margaret M. Weaver et al, dated December 10, 1942, recorded December 10, 1942 in Book 1120 Official Records, page 317, Santa Clara County Records; distant thereon South 49° 11' East 487.75 feet from an iron pipe set at the intersection thereof with the Northeasterly line of the Bayshore Highway, as said line was established by that certain 9.128 acre tract of land described as Parcel 1 in the Deed from Margaret M. Weaver et al, to State of California, dated April 16, 1945, recorded July 7, 1945 in Book 1274 Official Records, page 241, Santa Clara County Records; running thence South 49° 11' East along the Northeasterly line of the said 76.05 acre tract, for a distance of 1001.75 feet to a 1° iron pipe; thence leaving said last named line and running South 75° 03' West 603.57 feet to a 1° iron pipe; running thence North 12° 11' West 829.16 feet to the point of beginning.

CONTAINING approximately 5.7377 acres and being a portion of the lands shown upon that certain Map entitled, "Record of Survey of a Portion of the Rancho Yerba Buena y Socayre, Santa Clara County, Calif., for John Tripoli", which Map was filed for record in the office of the Recorder of the County of Santa Clara, State of California, in Book 29 of Maps, at page 32.

TOGETHER WITH and as appurtenant to and for the benefit of the above described 5.7377 acre tract a non-exclusive easement for the purpose of ingress and egress and for the installation and maintenance of public utilities over a strip of land 40.00 feet in width, the center line of which is more particularly described as follows:

EEGINNING at an iron pipe at the point of intersection of the Northeasterly line of the Bayshore Highway, as said line was established by that certain 9.123 acre tract of land described as Parcel 1 in the Deed from Margaret M. Weaver et al, to State of California, dated April 16, 1945, recorded July 7, 1945—In Book 1274 Official Records, page 241, Santa Clara County Records, with the Northeasterly line of that certain 76.05 acre tract of land described in the Deed from Margaret M. Weaver to Margaret M. Weaver et al, dated December 10, 1942, recorded December 10, 1942 in Book 1120 Official Records, page 317, Santa Clara County Records; running thence Southeasterly along the said Northeasterly line of the Eayshore Highway on a curve to the right with a radius of 3120.00 feet from a tangent which bears South 12° 56' 13" East, through an angle of 1° 39' 37" for a distance of 90.41 feet to the true point of beginning of the 40.00 foot easement to te described; thence leaving the said Northeasterly line of the Eayshore Highway and running Southeasterly on a curve to the right with a radius of 247.20 feet from a tangent bearing of South 79° 49' 10" East through an angle of 30° 3d' 19" for a distance of 132.18.feet; running thence South 49° 11' East and parallel with the Northeasterly line of the said 76.05 acre tract and distant 20.00 feet Southwesterly, measured at right angles therefrom, for a distance of 133.02 feet; thence on a curve to the right with a radius of 110.00 feet, through an angle of 69° 17' for a distance of 133.02 feet; thence South 20° 60' West 109.28 feet; thence on a curve to the left with a radius of 65.00 feet, through an angle of 75° 1d' for a distance of 85.43 feet and South 55° 12' East 152.88 feet to a point on the Southwesterly line of the hereinabove described 5.7377 acre tract, distant thereon South 12° 11' Fast 363.78 feet from an iron pipe at the Northermost corner thereof.

BEACTER 148272

RESERVING from the hereinabove described 5.7377 acre tract, a non-exclusive easement for the purpose of ingress and egress and for the installation and maintenance of public utilities over a strip of land 40.00 feet in width, the center line of which is more particularly described as follows:

BEGINNING at a point on the Southwesterly line of the hereinabove described 5.7377 acre tract, distant thereon South 12° 11' East 363.78 feet from an iron pipe at the Northernmost corner thereof; running thence South 55° 12' East 183.11 feet; thence on a curve to the right with a radius of 250.00 feet, through an angle of 19° 31' for a distance of 85.38 feet and South 35° 38' East 269.20 feet to an iron pipe on the Southeasterly line of the said 5.7377 acre tract, distant thereon North 75° 03' East 278.94 feet from an iron pipe set at the Southernmost corner thereof.

Said easement is reserved as appurtenant to and for the benefit of the remaining lands of Grantors adjoining premises on the South.

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Dated: February 23, 1951	John Lupali Mary a Tripoli		
••••••••••••••••••••••••••••••••••••••			
STATE OF CALIFORNIA  COUNTY OF Santa Clara (1) On February 23; 1951 before me. S. T. PERSIRA A Notary	701606		
Public in and for said  State, terminally appeared JOHE TRIPOLI AND MARY  A TRIPOLI, HIS WIFE  known to me to be the persons whose name S. APB obserted to the within instrument and acknowledge that they executed the same.	FILED FOR RECORD AT REQUEST OF CARROLL PARTY TO A SERVICE STATE SERVICE STATE SERVICE STATE SERVICE SE		

CALIFORNIA PACIFIC TITLE INSURANCE COMPANY

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Jan.8,1954

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John Tripoli and Hary A. Tripoli

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Grant Beed

Y. Archibald

ACCOMPANIENCE all that real pro-

my of Sames Clark, Sease of California, described as follo

Beginning at an iron pipe which bears 8, 75° 03' V., 324.6' feet and S. 40° 25' E., 123.71 feet from the most Easterly corner of that certain 5.7377 acre parcel of land conveyed by John Tripoli, et ux, to Julia Hughins Lorentz, by Deed dated February 23, 1951 and recorded March 2, 1951 in Book 2163 of Official Records, at page 271; running thence from said point of beginning N.89° 23' E., 166.26 feet to aniron pipe; thence S.50° 29' E., 202.72 feet to an iron pipe; thence S. 27° 08' E., 377.45 feet to an iron pipe; thence N. 62° 52' E., 154.71 feet to an iron pipe set in the Northeasterly line of that certain 76.05 acretract of land described inthe Deed from Nargaret N. Weaverto Margaret N. Weaver, et al, dated December 10, 1942 and recorded December 10, 1942 in Book 1120 of Official Records, page 317; thence along said Northeasterly line of said 76.05 acre tract of land, S. 34° 58' 15" E., 915.36 feet to an iron pipe; set at the most Easterly corner of said76.05 acre tract of land; thence along the Southerly line of said 76.05 acre tract of land, S. 80° 28' W., 1234.40 feet to an iron pipe set; thence leaving said Southerly line of the 76.05 acre tract of land and running N. 9° 32' W., 407.37 feet to an iron pipe, said iron pipe being in the center line of the 40 foot right of way hereinafter described; running thence along said center line of the said right of way the following courses and distances N. 14° 22' in the center line of the 40 foot right of way hereinafter described; running thence along said center line of the said right of way the following courses and distances: N. 14° 22' W., 120.72 feet to an iron pipe, N. 4° 50' W., 181.92 feet to an iron pipe; N. 2° 26' W., 130.37 feet to an iron pipe; thence on a curve to the right with a radius of 882.0 feet, through an angle of 21°08', for a distance of 325.32 feet; thence continuing along the center line of said right of way, N. 18° 42' E., 53.81 feet; thence on a curve to the right, with a radius of 125 met, through an angle of 38° 22' 30", for a distance of 83.72 feet, N. 57° 04' 30" E.,70.04 feet; thence on a curve to the left, with a radius of 28.75 feet, through an angle of 97° 29' 30", for a distance of 48.92 feet to the point of beginning, and being a portion of the mid 76.05 acreparcelof land hereinabove referred to, situated in the Rancho for parcelof land hereinabove referred to, situated in the Rancho Yerba Buena Y Socayre, and being shown upon as the 24,938 acre parcel ofland upon that certain Record of Survey Map filed for record in the office of the Recorder of the County of Santa Clara, State of California, on May 23, 1951 in Book 32 of Maps, at page 21.

- Saving and excepting therefrom the following described parcel ofland;

Beginning at the most Easterly corner of that certain 5.7377 acre parcel of land conveyed by JohnTripoli, et ux, Julia Hughins, Lorentz, by Deed dated Pebruary 23, 1951 and recorded March 2, 1951 in Book 2163 of Official Records, page recorded March 2, 1951 in Book 2163 of Official Records, page 271; thence along the Southeasterly line of the said 5.7377 acre parcel ofland S. 75° 03' W., 324.63 feet; thence leaving said Southeasterly line and running along the center line of a 40 foot right of way, S. 40° 25' E., 123.73 feet to an iron pipe; thence continuing along said center line, on a curve to the right, with a rad us of 28.75 feet, through an angle of 97° 29' 30" for a distance of 48.92 feet; thence continuing along said center line S. 57° 04' 30" W., 22 feet to the true point of beginning; thence from said true point of beginning, and along said center line, S. 57° 04' 30" W., 20 met; thence leaving said center line and running S. 32° 55' 30" E., 50 feet; thence parallel with said center line of the right of way, N. 57' 04: 30° E., 20 feet; thence N. 32° 55' 30" W., 50 feet to the

true point of beginning and being the same 20 foot x 50 foot parcel of land as designated. "Easement for Water Tank" upon that certain Record of Survey Map filed in the office of the Recorder of the County of Santa Clara, State of California, on May 23, 1951 in Book 32 of Maps, at page 21, and being a portion of the Rancho Yerba Buena Y Socayre.

Together with and appurtenant to the 24.938 acre parcel of land first hereinabove described, a non-exclusive easement for the purpose of ingress and egress andfor the installation and maintenance of public utilities, over a strip of land 40 feet in width, the center line of which is more particularly described as follows:

Beginning at an iron pipe at the point of intersection of the Northeasterly line of the Bayshore Highway, being the Easterly line of that certain 9.128 acre tract of land described as Parcel No. 1 in the Deed from Margaret M. Weaver et al, to the State of California, dated April 16, 1945 and recorded July 7, 1945 in Book 1274 or unitered necessary line of Santa Clara County Records; with the Northeasterly line of Santa Clara County Records; being described in the Deep 1945 in Book 1274 of Official Records, at page 241, that certain 76.05 acre tract of land described in the Deed from Margaret M. Weaver to Margaret M. Weaver, et al, dated December 10, 1942 and recorded December 10,1942 in Book 1120 of Official Records, at page 317, Santa Clara County Records; thence running Southeasterly abouthe said Northeasterly line thence running Southeasterly almgthe said Northeasterly line of the Bayshore Highway, on a curve to the right, with a radius of 3120.00 feet, from a tangent which bears 3. 12° 56' 13" E., through an angle of 1° 39' 37" for a distance of 90.41 feet to the true point of beginning of the 40.00 foot easement to be described; thence leaving the said Northeasterly line of the Bayshore Highway and running Southeasterly on a curve to the right with a radius of 247.20 feet, from a tangent bearing of S. 79° 49' 10" E., through an angle of 30° 38' 19", for a distance of 132.18 feet; running thence S. 49° 11' E., and parallel with the Northeasterly line of the said76.05 acre tract and distant 20.00 feet Southwesterly, measured at right angles therefrom, for a distance of 218.98 feet; thence on a curve to the right, with a radius of 110.00 feet through an angle of 69° 17', for a distance of 133.02 feet; thence S. 20° 06' W., 109.28 feet; thence on a curve to the left, with a radius of 65.00 feet, through an angle of 75° 18' for a distance of 85.43 feet and S. 55° 12' E., 152.88 feet to a point on the Southwesterly line of that certain 5.7377 acre tract of land conveyed by John Tripoli, et ux, to Julia Hughins Lorentz, by Deed dated February 23, 1951 and recorded March 2, 1951 in Book 2163 of Official Records, at page 271; the said point by Deed dated February 23, 1951 and recorded March 2, 1951 in Book 2163 of Official Records, at page 271; the said point being distant along said Southwesterly line S. 12° 11° E., 363.78 feet from an iron pipe at the Northernmost corner of said 5.7377 acre parcel ofland running thence S. 55° 12° E., 183.11 feet thence-on a curve to the right, with a radius of 250.00 feet, through an angle of 19° 31° for a distance of 85.38 feet and S. 35° 38° E., 269.20 feet to an iron pipe on the Southeasterly line of the said 5.7377 acre tract of land, distant thereon N. 75° 03° E., 278.94 feet from an iron pipe set at the Southernmost corner thereof; thence S. 40° 25° E., 123.73 feet and being a certain 40 foot roadway as delineated 123.73 feet and being a certain40 foot roadway as delineated upon that certain Record of Survey Map, filed for record in the office of the Recorder of the County of Santa Clara, on January 5, 1951 in Book 29 of Maps, at page 32, and a portion of that certain 40 fot right of way as delineated upon that certain Record of Survey Map, filed for record in the office of the Recorder of the County of Santa Clara, State of California, on May 23, 1951 in Book 32 of Maps, at page 21.

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Also together with and appurtement to the 24,938 acre parcel of land first hereinabove described, a non-exclusive easement forthe purpose of ingress and agress and for the installation and maintenance of public utilities, over the following described property:

Beginning at the most Easterly corner of that certain 5.7377 acre parcel of land conveyed by John Tripoli, et ux, to Julia Hughins Lorentz, by Deed dated February23, 1951 and recorded March 2, 1951 in Book 2163 of Official Records, at page 271; thence along the Southeasterly line of the said 5.7377 acre parcel of land, S. 75 '03' W., 324.63 feet; thence leaving said Southeasterly line and running along the center line of a 40 foot right of way, S. 40° 25' E., 123.73 feet to an iron pip; thence continuing along said center line on a curve to the right, with a radius of 28.75 feet, through an angle of 97° 29' 30" for a distance of 48.92 feet; thence S. 57° 04' 30" W., 22 feet to the true point of beginning of this description; thence from said true point of beginning and along said center line, S. 57° 04' 30" W., 20 feet; thence leaving said center line and running S. 32' 55' 30" E., 20 feet; to a point in the Easterly line of said right of way; thence along said Easterly line N. 57° 04' 30" E., 20 feet; thence N. 32' 55' 30" W., 20 feet to the true point of beginning, and being all that portion of the 20 foot x 50 foot parcel ofland, designated as "Easement for Water Tank" on that certain Record of Survey Map filed in the office of the Recorder of the County of Santa Clara, State of California, on May 23, 1951 in Book 32 of Maps, at page 21, lying within the bounds of the said 40 foot right of way, as shown upon said Map.

Also together with and appurtenant to the 24.938 acre parcel of land, first hereinabove described, a non-exclusive easement, for the purpose of ingress and egress and for the installation and maintenance of publicutilities, over the Westerly 20 feet of a certain 40 foot easement, the center line of said 40 foot easement being described as follows:

Beginning at the most Northerly corner of the 24,938 acre parcel of land first hereinabove described; thence Southerly on a curve to the right, with a radius of 28.75 feet, through an angle of 97° 29' 30" for a distance of 48.92 feet, to an iron pipe; thence S. 57° 04' 30" W., 70.04 feet to an iron pipe; thence on a curve to the left, with a radius of 125 feet, through an angle of 38° 22' 30" for a distance of 83.72 feet to an iron pipe; thence S. 18° 42' W., 53.81 feet to an iron pipe; thence on a curve-to-the left, with a radius of 882.0 feet, through angle of 21° 08' for a distance of 325.32 feet to an iron pipe; thence S. 2° 26' E., 130.37 feet to an iron pipe; thence S. 4° 50' E., 181.92 feet to an iron pipe; thence S. 14° 22' E., 120.72 feet to an iron pipe and the Southerly terminus of this right of way, and being the center line of a portion of that certain 40 foot easement as delineated upon that certain Record of Survey Map filed for record in the office of the Recorder of the County of Santa Clam, State of California, on May 23, 1951 in Book 32 of Maps, at page

Reserving from the first hereinabove described parcel of land a non-exclusive easement for the purpose of ingress and agrees and for the installation and maintenance of public utilities, over a strip of land 20 feet in width, lying within the bounds of the said first hereinabove described parcel of land, the Westerly boundary line of said 20 foot strip being a portion of the Westerly boundary line of said parcel of land first hereinabove described, and said Westerly line of said 20 foot strip of land being described as follows;

Beginning at the most Mortherly corner of the 24,938 acre percel of land first hereinabove described; thence Southerly on a curve to the right with a redius of 28.75 feet, through an engle of 97°29'30" for a distance of 48.92 feet to an iron pipe; thence S. 57°04'30"W., 70.06 feet to an iron pipe; thence on a curve to the left with a radius of 125 feet through an angle of 38°22'30" for a distance of 83.72 feet to an iron pipe; thence S. 18°42'W., 53.81 feet to an iron pipe; thence on a curve to the left with a radius of 882.0 feet, through an angle of 21°08' for a distance of 325.32 feet to an iron pipe; thence S. 2°26'E., 130.37 feet to an iron pipe; thence S. 181.92 feet to an iron pipe; thence S. 14°22'E., 120.72 feet to an iron pipe and the Southerly terminus of this right of way, and being the center line of a portion of that certain 40 foot easement as delineated upon that certain Record of Survey Map, filed for record in the office of the Recorder of the County of Santa Clara, State of California, on May 23, 1951 in Book 32 of Maps, at page 21.

October . # 51 dia 8th ind WITNESS OUF

STATE OF CALIFORNIA COLNIY OF SANTA CLARA

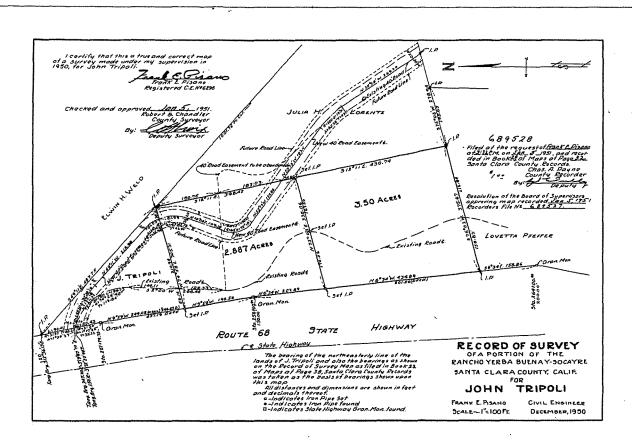
October . 1951, before me. On the 8th bird

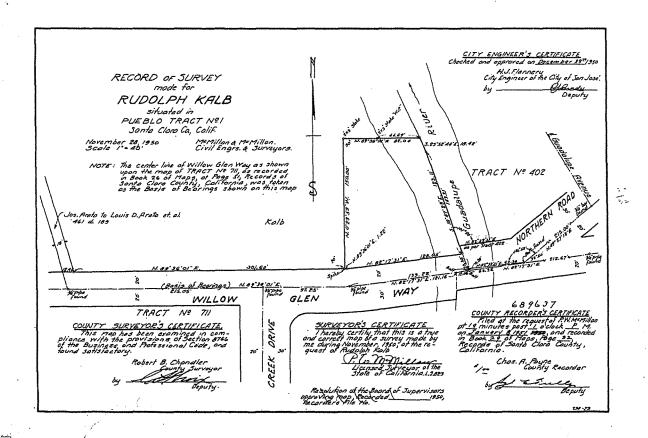
Eva Mitchell

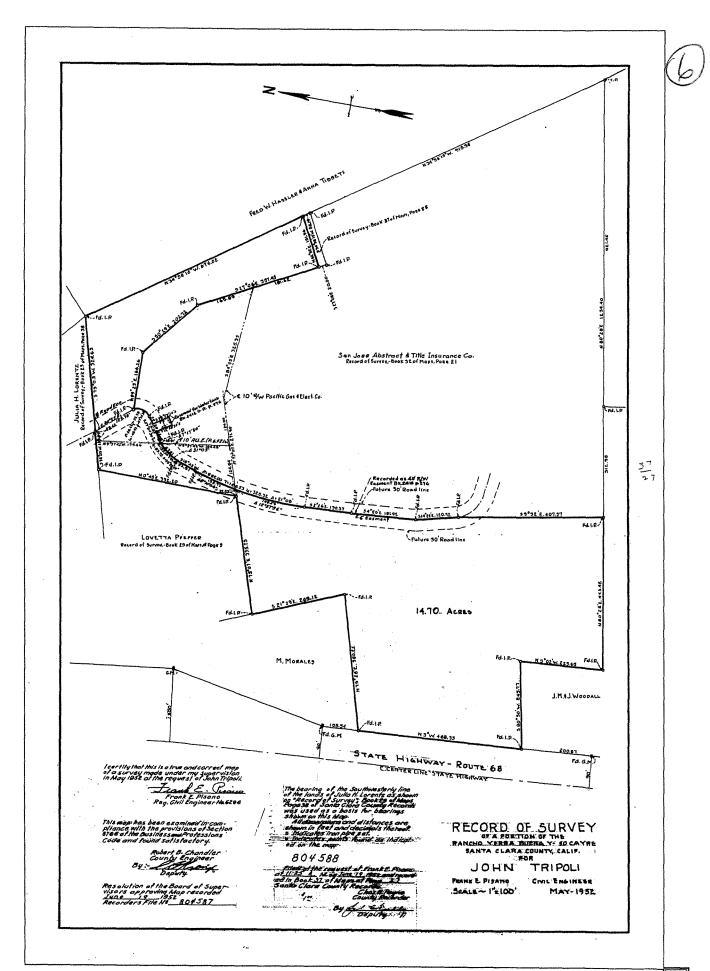
1 North Public in and his und County and State, personally appeared

Mary A. Tripoli and John Tripoli

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PAUL R. TEILH Sta\_

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Recorded at the request of Western Jitte Guaranty Co. JAN 14 1963 230AM PALIL R. TEILH, Recordor. ente Clare County, Official Resert

(TIATE	ATD	עמי	L

do beneby release and quitcleim to the STATE OF CALIFORNIA

all that certain seel property in the

Santa Clara

State of California, described as:

COMMENCING at the most southerly corner of the parcel of land conveyed to the State of California by deed recorded June 8, 1944 in Book 1206 at Page 77, Official Records of Santa Clara County; thence along the line common to the lands, now or formerly, of John Tripoli, and of Warren G. Epstein, et al., S. 48°01'29" E., 72.48 feet; thence S. 13°44'43" E., 33.22 feet; thence from a tangent that bears N. 69°35'35" W., along a curve to the left with a radius of 267.20 feet, through an angle of 9°04'04", an arc length of 42.29 feet; thence N. 78°39'39" W., 8.03 feet to the easterly line of the existing State freeway in Santa Clara County, Road IV-8C1-68-C; thence along last said line from a tangent that bears N. 10°28'09" W., along a curve to the left with a radius of 3,120.00 feet, through an angle of 1°15'55", an arc length of 68.90 feet to the point of commencement.

CONTAINING 0.050 of an acre, more or less.

This quitelaim deed is made for the purposes of a freeway and adjacent frontage road and the undersigned hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights, appurtenant to the remaining property in which the undersigned has some right, title or interest, in and to said freeway, provided, however, that such remaining

LANGE BURN



. se 5863 n 167

7 1 S 7 1 6 5 5863 n. 168

property shall abut upon and have access to said frontage road which will be connected to the freeway only at such points as may be established by public authority.

AISO, treleases and relinquishes any and all abutter's rights of access in and to said freeway over and across and 30.00 foot wide opening as "COVENANTED AND AGREED" in the deed from Margaret M. Weaver, et al., to the State of California, recorded July 7, 1945 in Volume 1274 at Page 241, Official Records of Santa Clara County, said opening being described in said deed as "thence continuing along said curve to the right, through an angle of 0°33'03", a distance of 30.00 feet".

The bearings and distances used in the above description are on the California Coordinate System, Zone 3. Multiply the above distances by 1.0000486 to obtain ground level distances.

It is understood that the present intention of the State of California is to construct and maintain a public highway on the lands hereinshove described, and the understood berely waives any claim for any and all damages to the remaining

1.0%

us!

Mailing Address for Notices Street City Rt. 1 Box 157-3 Campbell, Calif.

Signature of Trustor

dilliam H.Conn Cora Lee Conn

STATE OF CALIFORNIA

On this 6th day of June 1944, before me, COUNTY OF SANTA CLARA )SS S.T.Pereira, a Notary Public in and for said County, personally appeared william H.Conn and Cora Lee Conn, his wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same.

WITHESS my hand and official seal.

(NOTARIAL SEAL)

S.T.Pereira, Notary Public.

My commission expires January 7, 1946.

FILING NO 312002 Filed for record at the request of California Pacific Title Insurance Co. Jun 8 1944 at 47 min past 4 o'clock P. M.

CHAS. A. PAYNE RECORDER

Fee 2.90 221

Syl C. Tully Deputy Recorder

Compared doo Halland compared book Herre H

No. 99 1/

District County Route Section

ΙV SC1

GRANT DEED

(I ex-we) Emma Eudora Weld, a widow, in consideration of one and no/100 (\$1.00) dollars to me in hand paid, receipt of which is hereby acknowledged, do hereby grant to the State of California, all that real property in the County of Santa Clara, State of California, described as:

A parcel of land consisting of a portion of that certain 0.38 acre tract of land acquired by Emma Eudora Weld by deed from F.H.Weld dated April 21, 1908 and recorded February 14, 1934 in Volume 677, at page 166, Official Records of Santa Clara County and a portion of that certain 19.49 acre tract of land acquired by Emma Eudora Weld by deed from F.H. Weld, dated January 29, 1907 and recorded May 15,1931 in Volume 565, at page 519, Official Records of Santa Clara County, said parcel being described as follows:

Commencing at the most westerly corner of said 0.38 acre tract; thence along the northwesterly line of said 0.38 acre tract N. 48° 12' 30" E., 121.68 feet to a curve concentric with and 120.00 feet northeasterly, measured radially, from the center line of the Department of Public Works' survey between Santa Clara Street in San Jose and Ford Road, Road IV-SC1-2-SJs, E; thence from a tangent that bears S. 16° 28' 45"E., along said curve to the right with a radius of 3120 feet, through an angle of 3° 54' 12", a distance of 212.55 feet to the southwesterly line of said 19.49 acre tract; thence slong said southwesterly line and along the southwesterly line of said 0.38 acre tract N. 49° 11' 30" W., 190.49 feet to the point of commencement.

Containing 0.270 of en acre, more or less.

This conveyance in fee is made to enable the grantee to construct and maintain a public highway as a freeway, and the grantor hereby releases and relinquishes to the grantee any and all rights or easements appurtenant to grantor's remaining property by reason of the location thereof with reference to said highway, including, without limiting the foregoing, all rights of ingress to or egress from grantor's remaining property contiguous to the lends hereby conveyed to or from said highway.

> IN WITNESS WHEREOF, I have set my hand and seal this 27 day of April 1944. Emma Eudora Weld (SEAL)

Signed, sealed and delivered in the presence of warren V. Taylor STATE OF CALIFORNIA, CITY AND ) lss

CCUNTY OF SAN FRANCISCO

ACKNOWLEDGMENT OF SUBSCRIBING WITNESSES

On this 3rd day of May in the year one thousand nine hundred and forty-four before me. Robert H. Rusch, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared warren V. Taylor, known to me to be the person whose mame is subscribed to the within instrument as a witness thereto. who, being by me duly sworn, deposed and seld: that he resides in the City and County.of San Francisco, State of California; that he was present and saw Exma Eudore Weld, (personally known to him to be the person described in, and who executed the seid within instrument as party thereto), sign, seal and deliver the same; that the said Emma Eudore Weld duly acknowledged in the presence of said affiant, that she executed the same and that he, the said affiant, thereupon, and at the request of Emma Eudora Weld, subscribed his name as witness thereto.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the said County of San Francisco iState of California, the day and year in this certificate first above written. (NOTARIAL SEAL) Robert H.Rusch Notary Public in and for

the County of City and County of San Francisco, State of California.

My commission expires May 25, 1946.



# Ref: East Side Dove Hill Rd: GP08-08-03

# Sonia Saini <sonia.saini@gmail.com>

Wed 10/26/2016 5:20 PM

Inbox

; The Office of Mayor Sam Liccardo

- <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 < district1@sanjoseca.gov>; District2 < District2 @sanjoseca.gov>; District3
- <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5@sanjoseca.gov>; District6@sanjoseca.gov
- < District6@sanjoseca.gov >; District7 < District7@sanjoseca.gov >; District8 < district8@sanjoseca.gov >; District9
- <district9@sanjoseca.gov>; District 10 < District10@sanjoseca.gov>;

Cc:Tu, John <john.tu@sanjoseca.gov>;

Honorable members of San Jose City Council and Planning Commission Committee,

In our unified efforts to not deluge your inboxes with multiple emails, please find below a petition which is still active and increasing in signatures, reflecting the sentiments of the residents on the Ranch on Silver Creek.

We, the residents OPPOSE the building of an senior assisted facility in the east side of the Dove Hill and believe there have been ample chances given to the developer to fulfill his promises and address the community's concerns in the past 6 years.

We do not believe it was his intent from the beginning to build the assisted facility and in all fairness enough time and opportunities were provided to him.

We request both the City Council and the Planning Commission members to help put a closure to this ongoing case and allow all of us to divert our time, attention and energies to something more promising and meaningful for our community.

http://www.thepetitionsite.com/463/982/429/revert-the-rezoned-non-urban-hillside-to-public-quasi-public/

Thank you,

Sonia Saini Ranch of Silver Creek Lead Representation

Like 1.3M

FIRST NAME

# **PETITIONS**





SIGN PETITION

sign in

# The Ranch on Silver Creek OPPOSE the rezoning and building of a Senior Assisted Living on the east side of Dove Hill Rd

By: Sonia Saini

Target: Honorable Mayor, Vice Mayor, San Jose City Council ...

**68** SUPPORTERS

**100** GOAL

We, the below signed residents of The Ranch of Silver Creek, SUPPORT the Planning Commission Staff recommendation to DENY the Planned Development Rezoning Ordinance and Planned Development Permit Resolution as described in PDC14-051 and PD16-019. The community had provided a signed petition from 245 residents in 2010 even then opposing the rezoning to Public/Quasi Public and for the building of senior assisted living facility. We request you to listen to the community, it's concerns and the valid safety hazards that could potentially put multiple lives as risk in an event of a misfortune.

# LAST NAME **EMAIL** COUNTRY **United States** STREET ADDRESS ADD A COMMENT FOR MORE IMPACT (optional) f share with my Facebook friends Sign Now don't display my name privacy policy

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Geetha S.

California 33 minutes ago

SEND \*

name not displayed

California 2 hours ago

Prasad S.

California 2 hours ago

SEND ★

name not displayed

California 2 hours ago

Zecong S.

California 3 hours ago

SEND 🛨

Priya D.

California 4 hours ago

SEND ★

Balaji V.

California 4 hours ago

Senior Housing Development at a place that is more suited for pastoral activities should not be pursued. Thanks

SEND 🛨

Balaji M.

California 4 hours ago

SEND \*

#### **ENGLISH**

# name not displayed

California 4 hours ago

# name not displayed

California 4 hours ago

#### sheela s.

California 4 hours ago

SEND \*

#### Yvonne L.

California 5 hours ago

I strongly oppose this proposed building project; it will cause safety/traffic problems and adversely affect the residents' life on the Ranch.

SEND ★

# name not displayed

California 5 hours ago

#### Mustafa G.

California 5 hours ago

SEND ★

# Jon A.

Indiana 5 hours ago

SEND ★

#### Vasanthi V.

California 5 hours ago

SEND \*

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Californi ENGLISH

5 hours ago

SEND ★

name not displayed

California

7 hours ago

Prateek k.

California

7 hours ago

SEND ★

Eduardo Z.

California

7 hours ago

SEND ★

Penny B.

Alberta

7 hours ago

SEND ★

Sonia F.

California

8 hours ago

SEND ★

name not displayed

California

8 hours ago

Amitha S.

California

8 hours ago

SEND \*

Raghavendra B.

California

8 hours ago

SEND \*



#### Avanti P.

California 8 hours ago

SEND 🛨

#### Kim S.

New Jersey 9 hours ago

SEND \*

# name not displayed

California 9 hours ago

# Vidyadhara B.

California 9 hours ago

SEND \*

### Noeung N.

California 9 hours ago

I strongly oppose the building of senior assisted living facility due to safety hazards.

SEND \*

# Yong L.

California 9 hours ago

We are concerning the safety on that narrow road, it has been so many accidents in past.

SEND ★

# Jeff R.

California 10 hours ago

Just look at the guardrails along dove road and Hassler pkwy. It is not a safe corridor for pedestrians

SEND \*

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#### **ENGLISH**

### name not displayed

California 10 hours ago

Dove Road is a traffic choke point.

# Robert J.

California 10 hours ago

Location has poor traffic flow and is not appropriate for commercial development.

SEND \*

### Ingrid K.

California 10 hours ago

This senior housing development will make traffic along dove hill rd getting worst..

SEND \*

# name not displayed

California 11 hours ago

# Vijay B.

California 11 hours ago

SEND \*

#### Nancy V.

California 11 hours ago

SEND \*

#### Erika C.

Hungary 11 hours ago

SEND \*

# Tony G.

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# name not displayed

California 11 hours ago

Oppose senior living facility on dove road

#### Loi T.

California 11 hours ago

Dove Rd is very small and congested every morning during commute hours. It will be very challenging for service vehicle to navigate to respond to emergency service call.

SEND ★

#### Mohit A.

California 11 hours ago

SEND \*

#### swati s.

California 11 hours ago

SEND ★

#### Ludo S.

Belgium 12 hours ago

SEND \*

# Eugene C.

California 13 hours ago

SEND \*

#### Rachel L.

Maryland 13 hours ago

SEND \*

more

site feedback



### Sukruth S.

California 15 hours ago

SEND ★

### Michael O.

California 16 hours ago

SEND \*

# Deepesh C.

California 16 hours ago

SEND ★

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### **PETITIONS**

START A PETITION

**BROWSE** 

SIGN PETITION

sign in

# The Ranch on Silver Creek OPPOSE the rezoning and building of a Senior Assisted Living on the east side of Dove Hill Rd

by: Sonia Saini

target: Honorable Mayor, Vice Mayor, San Jose City Council ... more

**95** SUPPORTERS

**100** GOAL

We, the below signed residents of The Ranch of Silver Creek, SUPPORT the Planning Commission Staff recommendation to DENY the Planned Development Rezoning Ordinance and Planned Development Permit Resolution as described in PDC14-051 and PD16-019. The community had provided a signed petition from 245 residents in 2010 even then opposing the rezoning to Public/Quasi Public and for the building of senior assisted living facility. We request you to listen to the community, it's concerns and the valid safety hazards that could potentially put multiple lives as risk in an event of a misfortune.

### FIRST NAME LAST NAME **EMAIL** COUNTRY **United States** STREET ADDRESS ADD A COMMENT FOR MORE IMPACT (optional) f share with my Facebook friends Sign Now don't display my name privacy policy

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/2016	ENGLISH	OPPOSE the rezoning and building
<b>Tejal S.</b> California		5 days ago
SEND ★		
<b>name no</b> California	ot displayed	6 days ag
<b>Lizhen F</b> California	l.	6 days ag
SEND ★		
Sharon 2 California	Χ.	6 days ag
SEND ★		
<b>Xiaoli Y.</b> California		6 days ag
SEND ★		
Shelley (	2.	6 days ag
SEND ★		
Xin W.		
California SEND ★		6 days ag
<b>victor k.</b> California		6 days ag
SEND ★		

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Californi ENGLISH 6 days ago SEND \* Lisa H. California 6 days ago SEND \* Ying G. California 6 days ago SEND \* name not displayed California 6 days ago Wei Z. California 6 days ago SEND \* Yuanyuan L. California 6 days ago SEND \* Lixue S. California 6 days ago SEND \* Pu L. California 6 days ago SEND \*

name not displayed

California 6 days ago

more

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27	Eľ	١G	LI	3	п

Mimi F.

California 6 days ago

SEND \*

Olga R.

Spain 6 days ago

SEND 🛨

Emma M.

United Kingdom 6 days ago

SEND ★

name not displayed

California 6 days ago

name not displayed

California 7 days ago

Julie & Michael M.

California 7 days ago

SEND \*

Reza T.

California 7 days ago

SEND \*

Omila A.

California 7 days ago

SEND ★

name not displayed

Florida 7 days ago

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### name not displayed

California 7 days ago

### Geetha S.

California 7 days ago

SEND \*

### name not displayed

California 7 days ago

### Prasad S.

California 7 days ago

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California 7 days ago

### Zecong S.

California 7 days ago

SEND \*

### Priya D.

California 7 days ago

SEND \*

### Balaji V.

California 7 days ago

Senior Housing Development at a place that is more suited for pastoral activities should not be pursued. Thanks

SEND \*

### Ralaii M

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### name not displayed

California 7 days ago

### name not displayed

California 7 days ago

### sheela s.

California 7 days ago

SEND \*

### Yvonne L.

California 7 days ago

I strongly oppose this proposed building project; it will cause safety/traffic problems and adversely affect the residents' life on the Ranch.

SEND ★

### name not displayed

California 7 days ago

### Mustafa G.

California 7 days ago

SEND \*

### Jon A.

Indiana 7 days ago

SEND \*

### Vasanthi V.

California 7 days ago

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Abhilasha A.	
California	7 days ago
SEND ★	
name not displayed	
California	7 days ago
Prateek k.	
California	7 days ago
SEND ★	
Eduardo Z.	
California	7 days ago
SEND ★	
Penny B.	
Alberta	7 days ago
SEND ★	
Sonia F.	
California	7 days ago
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name not displayed	
California	7 days ago

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8/8

## PROJECT DESCRIPTION

## DOVE HILL HEALTH CARE CENTER

**CONVALESCENT HOSPITAL** 

4200 Dove Hill, San Jose CA 95121

20.200.250 - Convalescent Hospital.

Convalescent Hospital is an establishment where for a minimum of forty hours per week, inpatient nursing care including bed care is provided and where other medical care may be provided for persons who are ill, injured, or infirm (physically or mentally) but excluding / persons with communicable disease.

No outpatient care shall be provided.

### DOVE HILL CONVALESCENT HOSPITAL 4200 Dove Hill, San Jose CA 95121

### I. OVERVIEW

Dove Hill Convalescent Hospital offers high quality skilled nursing and therapy care to ensure a superior level of rehabilitation for our residents. In addition to 24-hour skilled nursing services, we offer a team of rehabilitation specialists, who deliver physical therapy, speech and occupational therapy up to 7 days a week. This facility is required to be licensed by the Department of Health Services and meets the Muni Code definition;

### 20.200.250 - Convalescent Hospital.

Convalescent Hospital is an establishment where for a minimum of forty hours per week, inpatient nursing care including bed care is provided and where other medical care may be provided for persons who are ill, injured, or infirm (physically or mentally) but excluding / persons with communicable disease.

No outpatient care shall be provided.

Dove Hill embraces a patient-centered approach that provides the resident / patient a loving environment with beautiful views of San Jose. Preserving the patient's dignity and privacy is among our utmost priorities, while ensuring that we provide the proper stimulation and encouragement to support the resident's recovery and transition back to their home.

Dove Hill's professional team will consist of well-qualified healthcare professionals — nurses, physical therapists, occupational therapists and speech therapists — who work with the most complex post-surgical care needs. Our medical director and physicians review each resident throughout their stay and make daily rounds to visit residents. Admissions are processed 24/7.

Dove Hill Convalescent Hospital has a total of 248 beds (Building B). The center is required to be Medicare and Medicaid certified.

### **II. SERVICES**

### **II.A. SKILLED NURSING SERVICES**

Highly trained and experienced Registered Nurses (RN), Licensed Vocational Nurses (LVN), and Certified Nursing Assistants (CNA). Program is focused on reducing avoidable reemissions.

- Diabetic management
- Restorative nursing program
- Post-acute surgical care
- Wound care/wound vac
- IV services Central & PICC Care with 24-hour PICC line insertion
- Specializing in IV Antibiotics
- Total Parenteral nutrition (TPN)/PPN
- Enteral Therapy
- Ostomy care (stable and new)
- Ophthalmology services
- Designated Short-term and Long-term areas
- Diabetic Management
- Bowel & Bladder Management Programs
- Pre-surgery registration
- 24-hour lab, X-ray and pharmacy services
- Custom care plans to fit individual needs
- Individualized meal plans including gluten free and kosher menus
- Podiatry, Dental, Vision and Auditory care
- Hospice/respite

### **Wound Care**

Dove Hills progressive treatment programs provide care for:

- Surgical incisions
- Pressure ulcers, stasis ulcers
- Diabetic wounds
- Comprehensive Integrated Healing Program

### **II.B. REHABILITATION SERVICES**

Through a multidisciplinary approach, Dove Hill helps residents in regaining functional ability. Dove Hill has a team of highly qualified physical, occupational and speech therapists with experience in treating a variety of conditions. Individual treatment plans are developed and resident's therapy programs are customized to meet their individual needs, prognosis and prior level of function.

### **Program Includes:**

- Cardiac Recovery
- Congestive Heart Failure (CHF) Program
- Continence Improvement Program
- Contracture Management
- Dysphagia Management and Treatment
- Fall Management

- Orthopedic Fracture Recovery
- Pain Management and Modalities
- Patient/Family Training and Education
- Pulmonary Rehabilitation
- Respiratory Specialty Program
- Stroke Recovery Program

### **Occupational Therapy**

Dove Hill provides an Occupational Therapy treatment plan that will help increase resident's self-sufficiency and improve outcomes. Services include:

- Activities of Daily Living (ADL) including self-care, bathing, home management and community re-entry.
- Improved upper body function, including overall strength, range of motion, coordination and fine motor skills
- Development of a home exercise program
- Low vision management
- Improved continence
- Wheelchair / scooter seating, assessment and training
- Pain and edema management

### **Physical Therapy**

Dove Hill's physical therapists will help residents regain strength, endurance, coordination, flexibility and balance, and will work with them to provide great mobility and independence in the facility's state-of-the art exercise rooms (gyms).

- Balance and vestibular training
- Strength and endurance development
- Diagnostics and treatment for soft tissue problems
- Gait analysis and training
- Prosthetics training
- Improvement of body mechanics and posture
- Pain and edema management
- Fall risk assessment
- Development of a home exercise program
- Lymphedema treatment

### Speech Therapy

Dove Hill's speech therapists offer residents techniques to improve their ability to communicate and develop memory, problem-solving and judgment skills. Therapists assess and treat swallowing disorders and recommend appropriate and safe diet regimens.

- Language comprehension
- Stroke Recovery

- Word-finding and verbal expression
- Articulation
- Voice conservation and rehabilitation
- Swallowing disorders
- Vital stimulation for oral motor treatment
- Reading and writing
- Cognitive deficits

### II.C. Additional Services

- 24-hour admissions services
- Interdisciplinary Walking Rounds
- Transportation Services
- Activities

### **III. PERSONNEL / STAFFING SUMMARY:**

- a) Please see Exhibit A for the staffing level and hours per position.

  Dove Hill will employ a Total of 522 Employees. 271 Full-Time Employees and 251 Part

  Time Employees. Total Number of hours per week is 14,592.
- b) The following is the nursing staffing level / ratio to support this 248-bed Convalescent Hospital, which is consistent with the regulations.
- 1 Director of Nursing
- 1 RN 24/7 (distinct from DON): 3 RN x 8 = 24 RN Hours/Day
- Direct Care Staff: 3.2 nurse hours per resident. With 248 patients, this translates to 800 nursing hours / day.
- Patient to Resident ratio, with 248 Patients

Day: 1:5 50 Nursing Aides x 8 Hours = 400 Hours/Day Evening: 1:8 31 Nursing Aides x 8 Hours = 160 Hours/Day Night 1:13 19 Nursing Aides x 8 Hours = 96 Hours/Day

c) Here's an overview of the positions. A full list is outlined in Exhibit A.

Administrator

**Director of Nursing** 

Director of Rehabilitation Services

**Director of Activities** 

Director of Business Development / Marketing

**Admissions Coordinator** 

Social Services Director

**Business Office Manager** 

Medical Director (provides oversight for clinical quality and medical policies/practices) Licensed practical and vocational nurses

Licensed physical and occupational therapists
Speech-language pathologists
Housekeeping/Janitor
Maintenance
Concierge/Front Desk
Director of Staff Development and Training

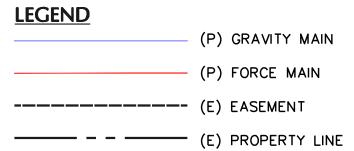
### **EXHIBIT A**

### DOVE HILL CONVALESCENT HOSPITAL - SNF & REHABILITATION CENTER STAFFING LEVELS AND HOURS

**TOTAL BEDS: 248** 

	FULL TIME				RT-TIME (Weel		TOTAL	
POSITION/TITLE	Headcount	Hours/week	Total # of Hours/Week	Headcount	Hours/week	Total # of Hours/Week	HEADCOUNT	GRAND TOTAL # OF HOURS/WEEK
Administrator	1	40	40				1	40
Director of Nursing	1	40	40				1	40
Director of Rehabilitation Services	1	40						
Director of Admissions	1	40	40				1	40
Director of Activities	1	40	40				1	40
Director of Business	1	40	40				1	10
Development/Marketing	_		.0				_	40
Outreach Manager	2	40	80				2	80
Admissions Coordinators	2	40	80	2	16		4	80
Director of Social Services	1	40	40				1	40
Discharge Planners	4	40	160	4	16		8	160
Business Office Manager	1	40	40				1	40
MDS Coordinator	2	40	80				2	80
Registered Nurses	6	40	240	6	16		12	240
Nursing Aide - AM	50	40	2000	50	16	800	100	2800
Nursing Aide - PM	31	40	1240	31	16	496	62	1736
Nursing Aide- NOC	19	40	760	19	16	304	38	1064
Medication Technicians -	12	40	480	12	16	192	24	
LVN								672
Medication Technicians- LVN	12	40	480	12	16	192	24	672
Medication Technicians-	8	40	320	8	16	128	16	
LVN Dhymiael Theyeniete	0	40	220	0	1.0	120	1.0	448
Physical Therapists	8	40 40	320 320	8	16 16	128 128	16 16	448 448
Occupational Therapists Speech Therapists	8	40	320	8	16	128	16	448
Activities Coordinators	15	40	600	15	16	240	30	840
Front Desk / Concierge - AM	2	40	80	2	16	32	4	112
Front Desk / Concierge - PM	2	40	80	2	16	32	4	112
Front Desk / Concierge -	2	40	80	2	16	32	4	112
NOC				2	10	32		112
Plant Operations Director	1	40	40				1	40
Maintenance Manager	1	40	40				1	40
Maintenance Manager	1	40	40	0	0	0	1	40
Housekeeping Manager	1	40	40	0	0	0	1	40
Housekeepers	8	40	320	8	16	128	16	448
Janitors	3	40	120	3	16	48	6	168
Maintenance Assistant	2	40	80	2	16	32	4	112
Director of Staff	1	40	40				1	40
Development & Training	<u> </u>	45	4.5					40
Training Manager	1	40	40				1	40
Executive Chef	1	40	40	-			1	40
Sous Chef	1	40	40		1.5		1	40
Lead Cooks	2	40	80	2	16	66	4	80
Cooks	6	40	240	6	16	96	12	336
Prep Cooks	6	40	240	6	16	96	12	336
Dishwashers	6	40	240	6	16	96	12	336
Servers - AM	12	40	480	12	16	192	24	672
Servers - PM	12	40	480	12	16	192	24	672
Drivers	4	40	160	4	16	64	8	224
Chaplain	1	40	40	1	16	16	2	56
TOTAL HOURS / WEEK	271	1800	10800	251	432	3792	522	14592





PRELIMINARY DRAFT,
NOT FOR
CONSTRUCTION

Date	Description	No.	SIGNATURE DATE SIGNED
REVISIONS			PROFESSIONAL XXXXXXXXX STATE LIC. No. XXXXX

## 4030 Moorpark Avenue, Suite 210, San Jose, CA 95117 T: 408.551.6700 F: 408.551.0344 www.langan.com

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Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C.
Langan International LCC
Collectively known as Langan

4200 DOVE HILL RD

SAN JOSE

SANTA CLARA COUNTY

CONCEPTUAL
SANITARY SEWER
LAYOUT

CALIFORNIA

Submission Date

X Sheet 1 of 1

Filename: \\langan.com\\data\\SJ\\data9\770619901\\Cadd Data - 770619901\\Exhibits\\Sewer\Sewer.dwg Date: 11/10/2016 Time: 16:26 User: dshitanishi Style Table: Langan.stb Layout: EX1.01

### <u>OWNER:</u>

STAHN KUHNE C/O DOLLY MARINDA 31553 HUGH WAY HAYWARD, CA 94544 PHONE: (510) 459-8821

### **DEVELOPER:**

WHL28, LLC JOHN WYNN

DESIGN PROFESSIONALS:

ARCHITECT

SALVATORE CARUSO DESIGN CORPORATION 980 EL CAMINO REAL, SUITE 200 SANTA CLARA, CA 95050 PHONE: (408) 998-4087 FAX: (408) 998-4088

CIVIL ENGINEER

PAMELA SALAS LANGAN TREADWELL ROLLO 4030 MOORPARK AVE, SUITE 210 SAN JOSE, CA 95117 PHONE: (415) 955-5234

<u>GEOTECHNICAL</u> JOHN GOUCHON

LANGAN TREADWELL ROLLO 4030 MOORPARK AVE, SUITE 210 SAN JOSE, CA 95117 PHONE: (415) 955-5237

LANDSCAPE ARCHITECT: GREGORY LEWIS

736 PARK WAY SANTA CRUZ, CA 95065 PHONE: (831) 425-4747

### PROJECT DESCRIPTION:

THE SITE IS APPROXIMATE 21 ACRES, WITH APPROXIMATELY 3 ACRES THAT ARE CURRENTLY AND DEVELOPED WOULD BE REDEVELOPED TO ACCOMMODATE 248 CONVALESCENT HOSPITAL BEDS. THE CURRENTLY BLIGHTED SITE WOULD BE TRANSFORMED INTO A NOBLE, ARCHITECTURALLY PLEASING GATEWAY PROJECT BY CLOSELY WORKING WITH OUR CITY'S PLANNING STAFF AND COUNCIL.

WE ARE REQUESTING A PD ZONING AND A PD PERMIT.

### PRIOR DEVELOPMENT PERMITS:

VICINITY MAP

C02-019 DIRECTOR INITIATED PREZONING GP08-08-03 GENERAL PLAN AMENDMENT FROM HILLSIDE TO PUBLIC / QUASI PUBLIC

PROPOSED SITE



PROJECT DATA			
PARCEL NUMBERS	679-08-002, 679-08-003 679-09-001, 679-09-002		
TOTAL LOT AREA	21 ACRE (913,413 SF)		
TOTAL PROJECT AREA	3 ACRE (130,680 SF)		
EXISTING GENERAL PLAN	PUBLIC/QUASI PUBLIC		
EXISTING USE	MINOR RESIDENTIAL AND MINOR COMMERCIAL		
PROPOSED USE	CONVALESCENT HOSPITAL		
NO. OF BEDS	248 BEDS		
NO. OF STORY	PODIUM + 3 STORY		
OCCUPANCY GROUP	I-2		
TYPE OF CONSTRUCTION	TYPE V A AND TYPE I-B		
AUTOMATIC FIRE SPRINKLER	YES		

	UNIT MATRIX						
BUILDING	MEMORY CARE BEDS	SKILLED NURSING BEDS	TOTAL BEDS				
А	93	0	93				
В	0	155	155				
TOTAL	93	155	248				

GROSS BUILDING AREA						
BUILDING	NO. OF STORY	PARKING AREA + DRIVEWAY	TOTAL BUILDING AREA WITHOUT BALCONIES	TOTAL AREA		
А	PODIUM + 3	16,094 SF		74,198 SF		
	1ST FLOOR		4,620 SF	18,572 SF		
	2ND FLOOR		18,542 SF	18,542 SF		
	3RD & 4TH FLOOR		18,542 SF	37,084 SF		
В	PODIUM + 3	18,839 SF		99,951 SF		
	1ST FLOOR		6,752 SF	25,590 SF		
	2ND, 3RD & 4TH FLOOR		24,787 SF	74,361 SF		
TOTAL AREA				174,149 SF		

PARKING ANALYSIS				
TOTAL NUMBER OF BEDS - 248 BEDS PROPOSED (340 E	BEDS PREVIOUSLY PROPOSED)			
OUT OF THESE 50 BEDS ARE FOR MEMORY UNITS — FOR PROVIDED FOR THE RESIDENCES	WHICH PARKING IS NOT			
PARKING PROVIDED FOR 248 BEDS				
PARKING REQUIRED				
1 SPACE PER 4 BEDS	248/4 = 62 SPACES			
1 SPACE FOR PEAK NO. OF EMPLOYEES AT ANY TIME	55 SPACES			
TOTAL NO. OF PARKING REQUIRED	117 SPACES			
NO. OF PARKING SPACES IN BUILDING A	36 SPACES			
NO. OF PARKING SPACES IN BUILDING B	57 SPACES			
OUTSIDE PARKING	36 SPACES			
TOTAL PARKING PROVIDED	129 SPACES			
ACCESSIBLE SPACES PROVIDED	6 SPACES			
TOTAL NO. OF BEDS	248 BEDS			
BIKE PARKING REQUIRED				
1 SPACE PER 10 FULL-TIME EMPLOYEES	55/10 = 5.5 SPACES			
BIKE PARKING PROVIDED	6 SPACES			

### SHEET INDEX

### <u>ARCHITECTURAL</u>

COVER SHEET

EXISTING SITE PHOTOS

EXISTING SITE PHOTOS

PROPOSED SITE PLAN

SEWER EXHIBIT

EXISTING SITE PLAN

SITE PLAN

LANDUSE PLAN

ENLARGED SITE PLAN

BUILDING A GARAGE + 2ND FLOOR PLANS

BUILDING A 3RD & 4TH FLOOR PLANS

BUILDING A 5TH FLOOR PLAN

BUILDING B 1ST FLOOR PLAN

BUILDING B 2ND FLOOR PLAN

BUILDING B 3RD & 4TH FLOOR PLANS

BUILDING B 5TH FLOOR PLANS

ENLARGED UNIT PLANS

FULL COMPLIANCE WITH GENERAL PLAN LAND USE DESIGNATION OF PUBLIC/QUASI-PUPLIC

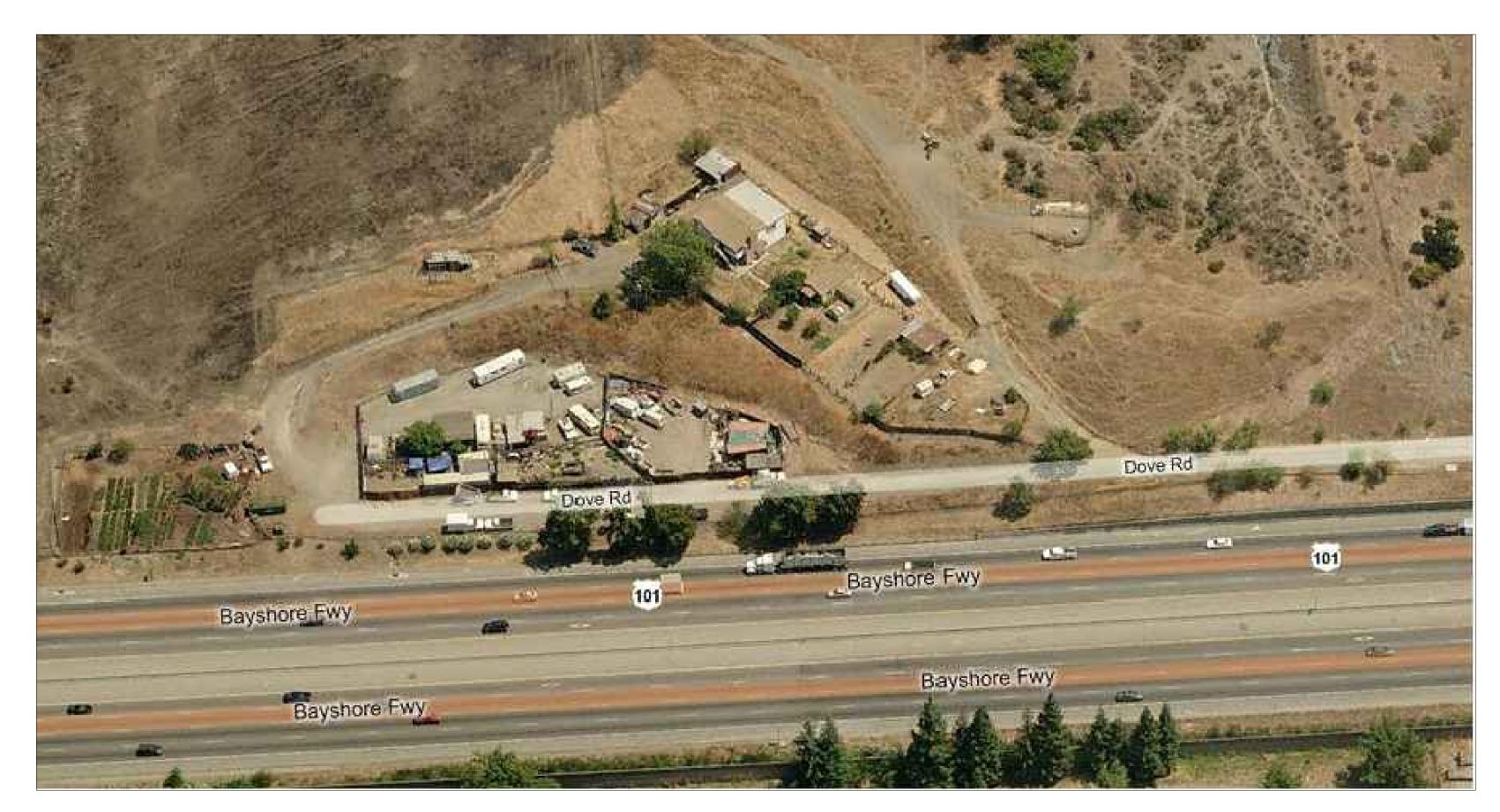
### 20.200.250 - CONVALESCENT HOSPITAL

"CONVALESCENT HOSPITAL" IS AN ESTABLISHMENT WHERE A MINIMUM OF 40 HOURS PER WEEK, INPATIENT NURSING CARE INCLUDING BED CARE IS PROVIDED AND WHERE OTHER MEDICAL CARE MAY BE PROVIDED FOR PERSONS WHO ARE ILL, INJURED, OR INFIRM (PHYSICALLY OR MENTALLY), BUT EXCLUDING /PERSONS WITH COMMUNICABLE DISEASE. NO OUTPATIENT CARE SHALL BE PROVIDED.

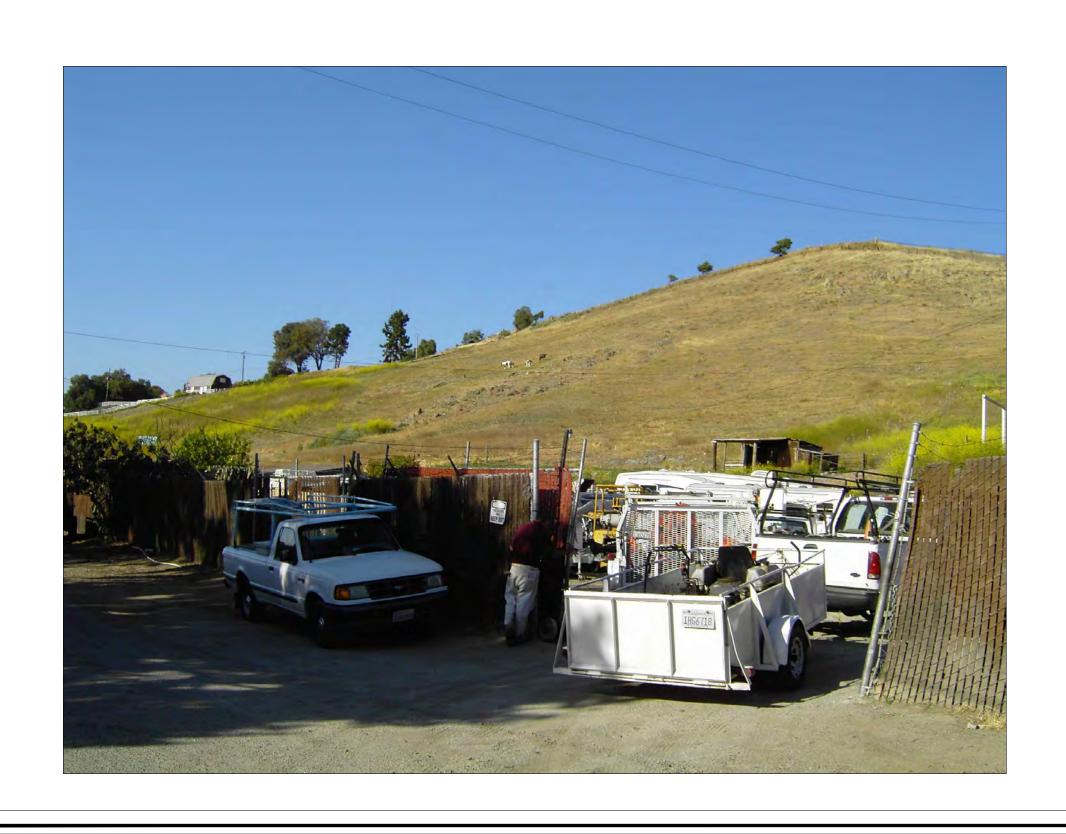
### DOVE HILL CONVALESCENT HOSPITAL

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EXISTING SITE







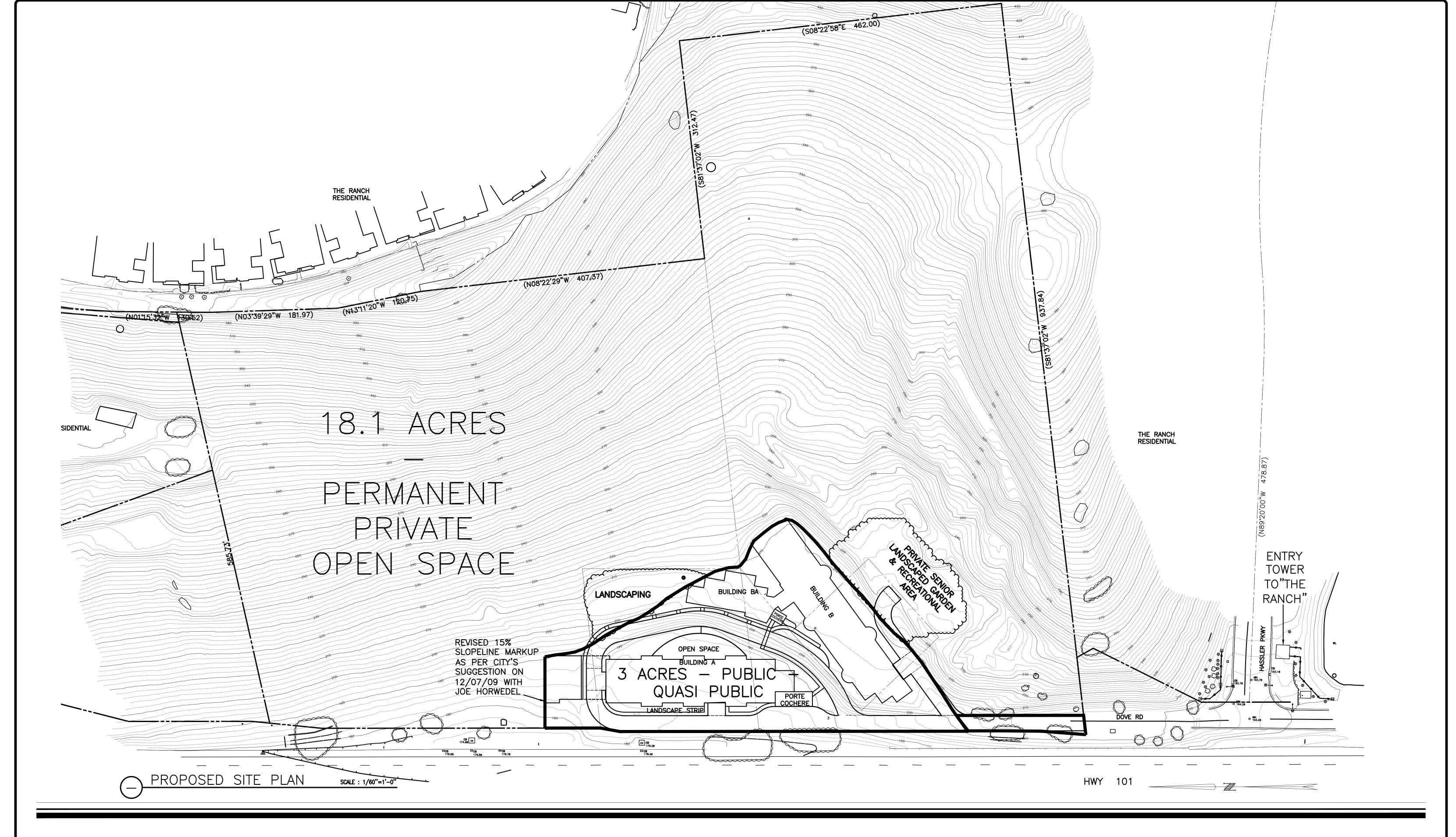
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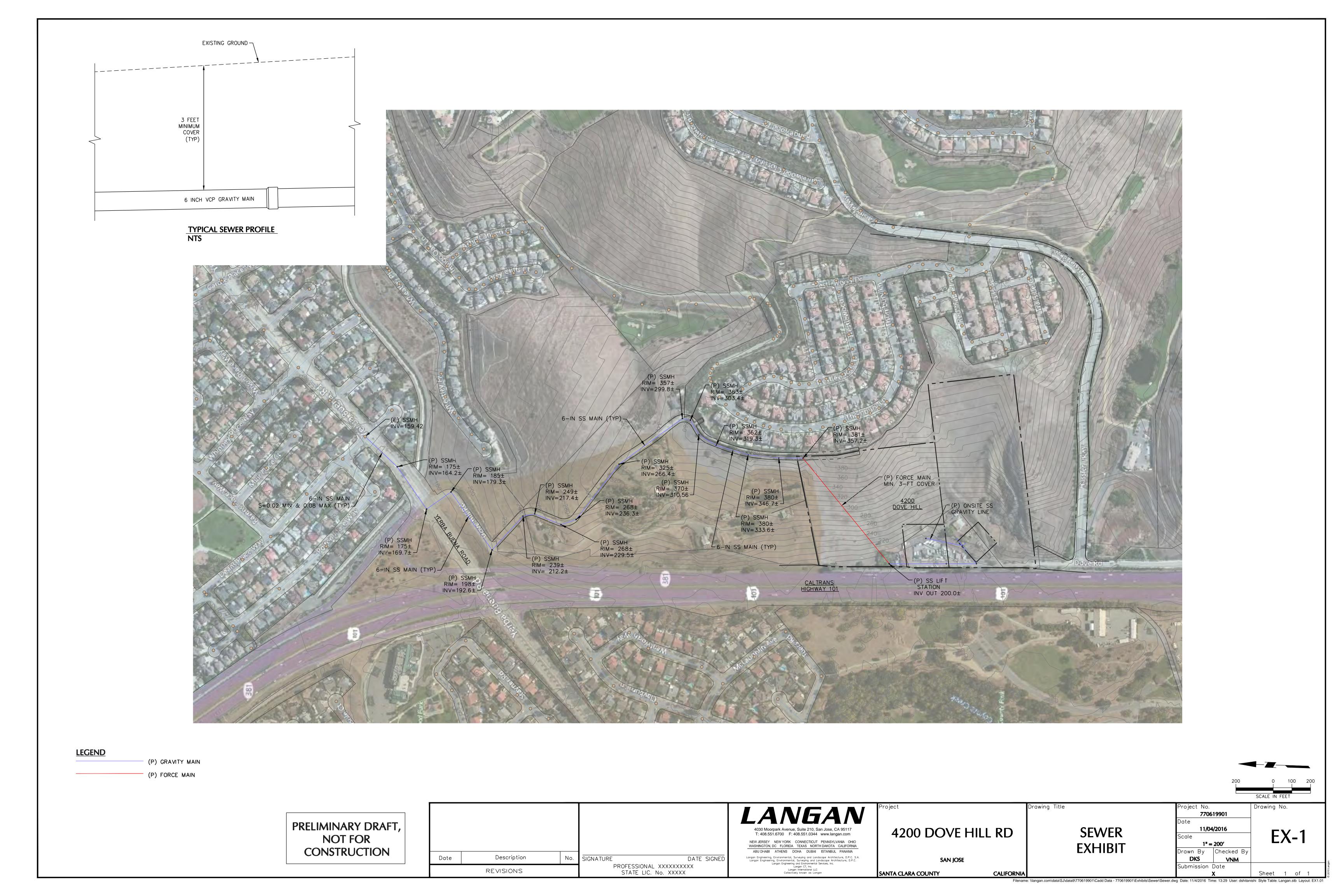


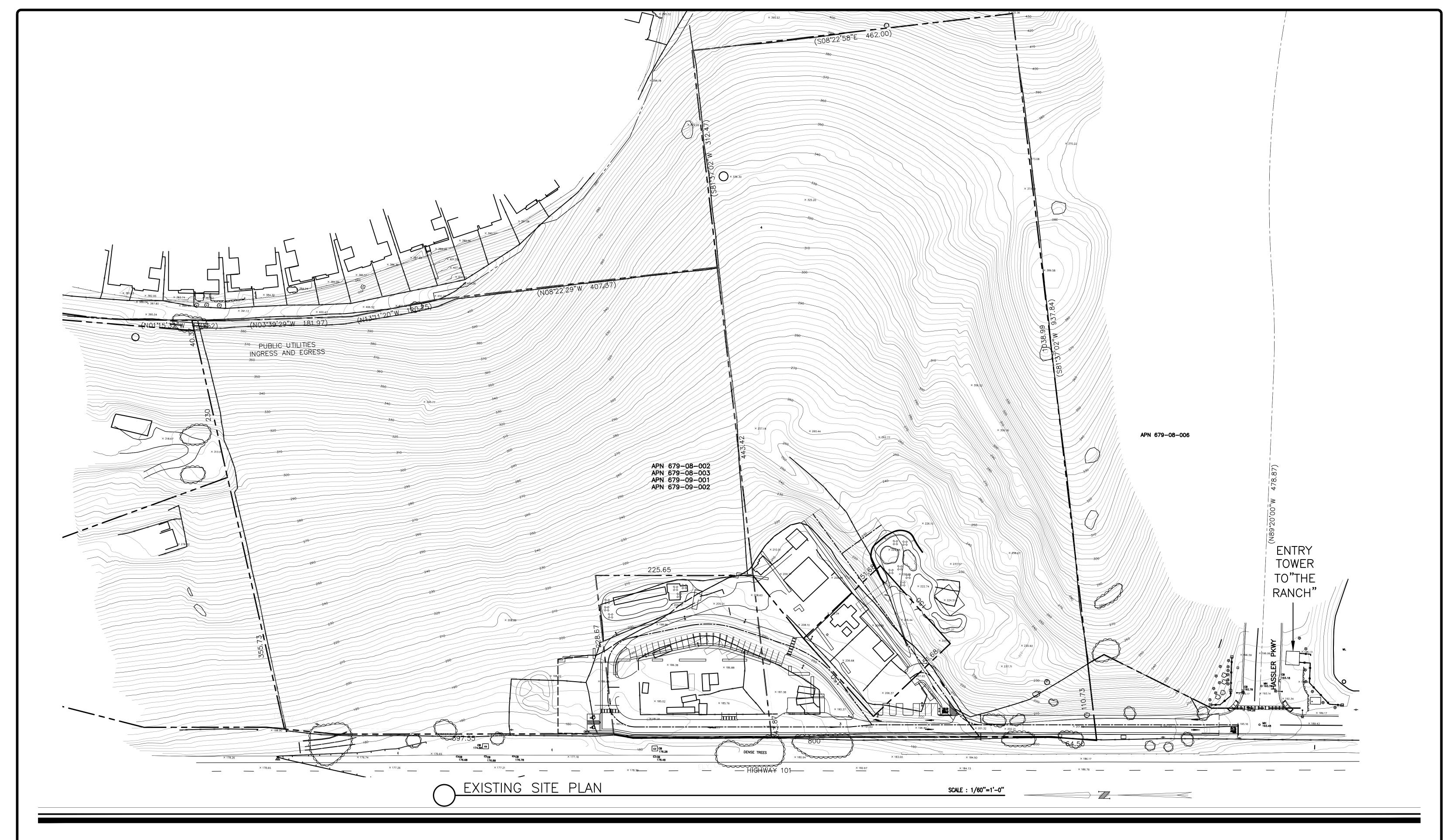
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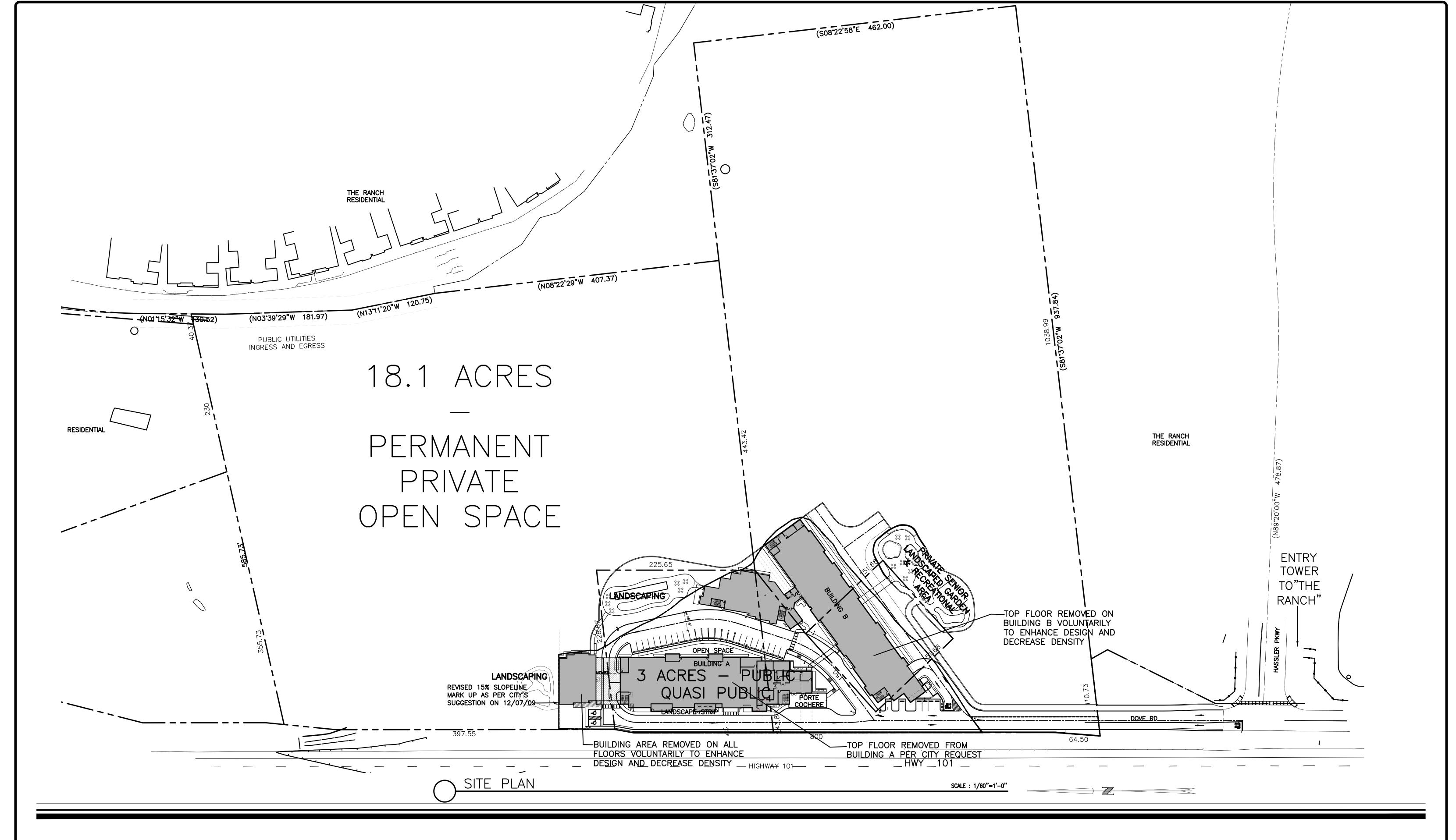
PROPOSED SITE PLAN





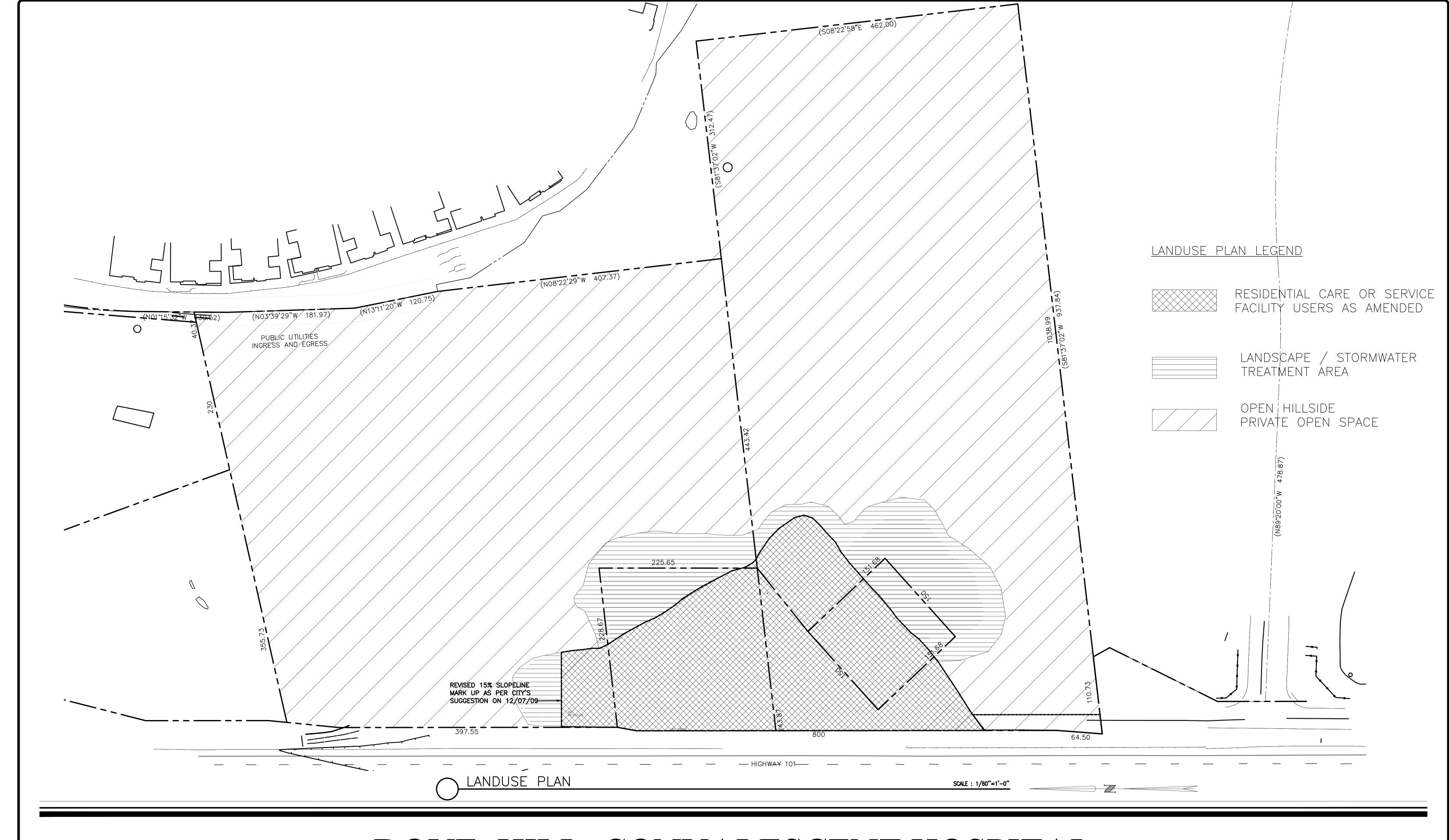
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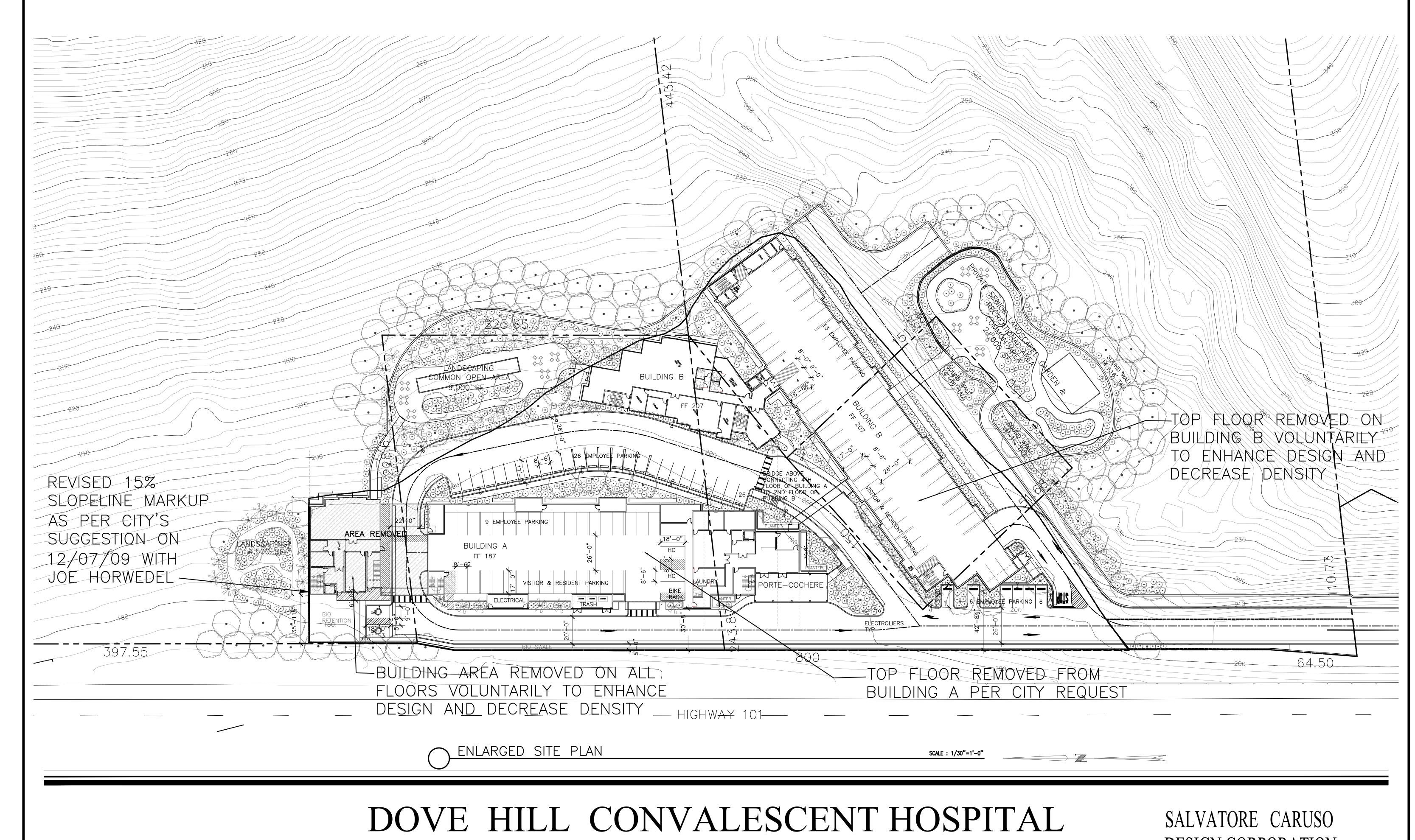
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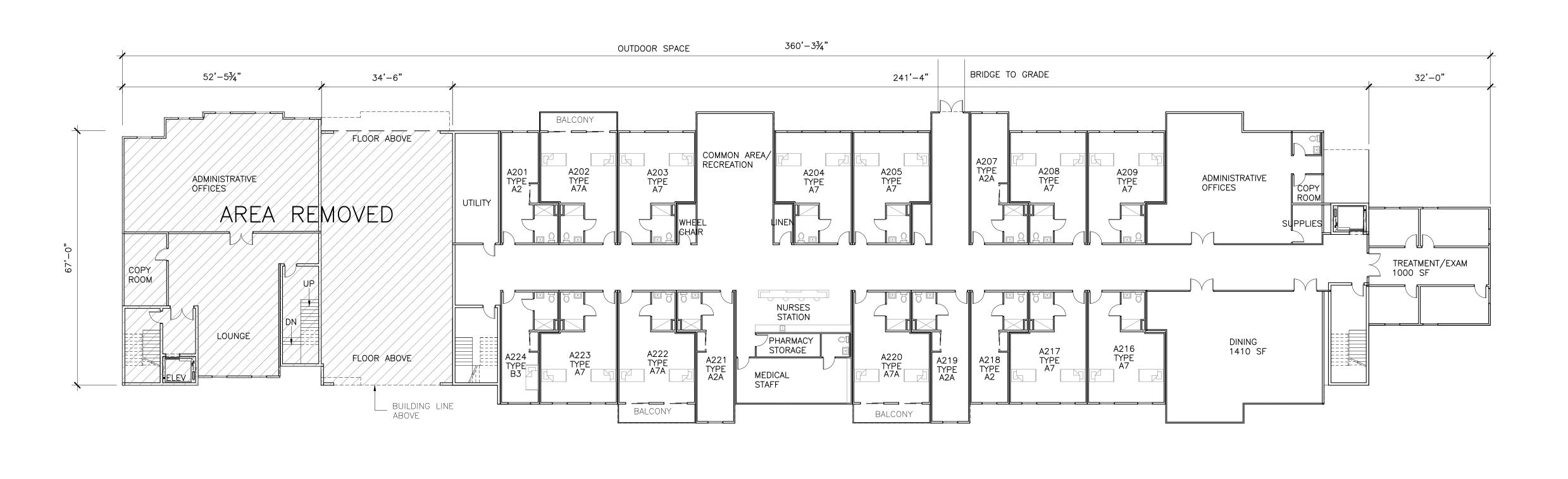
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## DESIGN CORPORATION

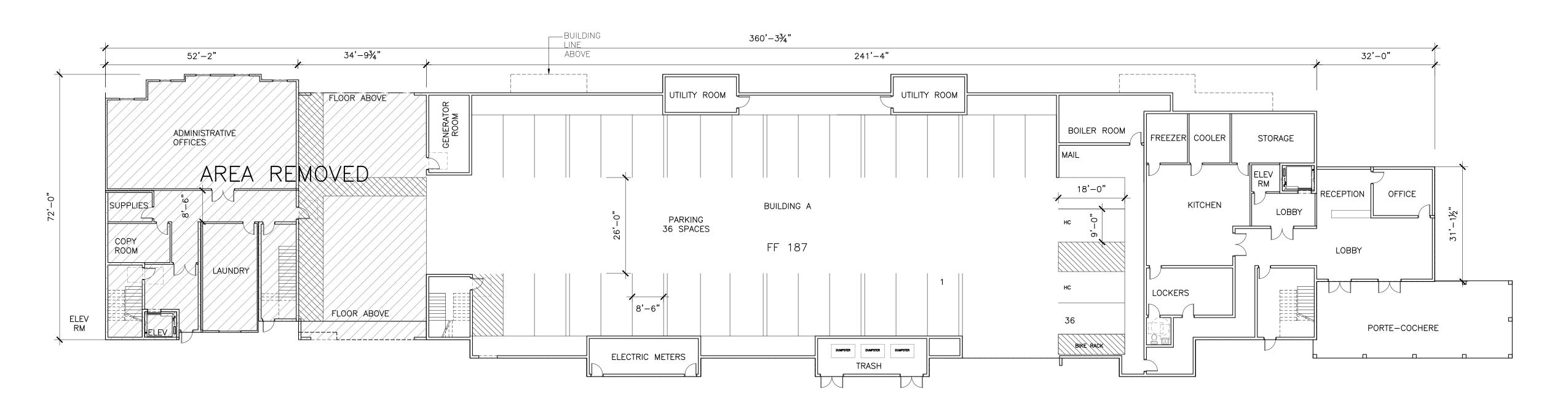
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SECOND FLOOR - 28 BEDS
BUILDING A

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





1 GARAGE LEVEL - ADMINISTRATION

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



### DOVE HILL CONVALESCENT HOSPITAL

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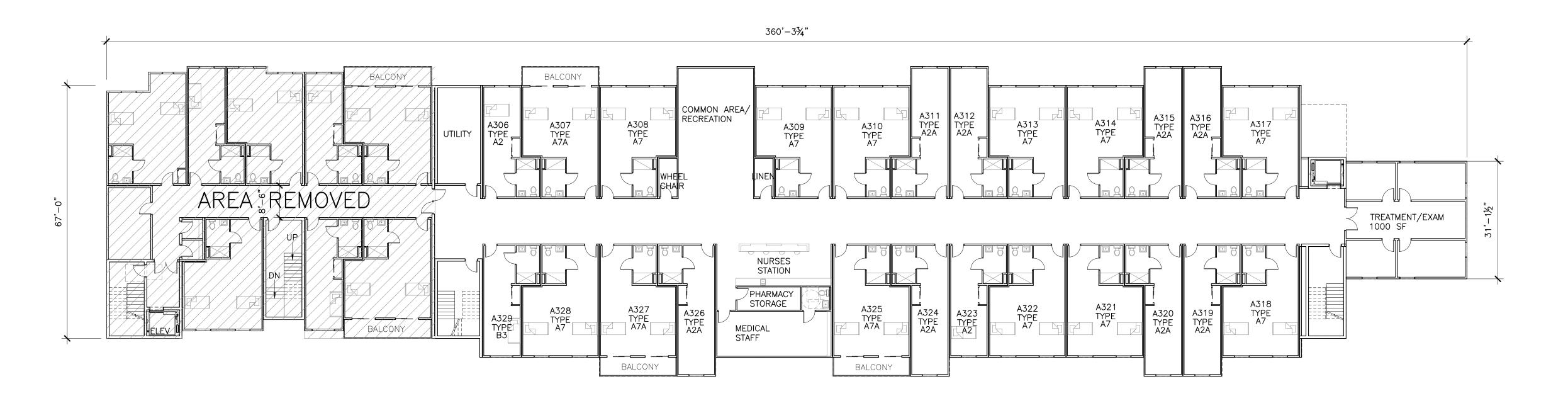
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2 FOURTH FLOOR - 37 BEDS

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





THIRD FLOOR - 37 BEDS

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

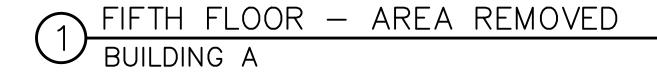


### DOVE HILL CONVALESCENT HOSPITAL

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SALVATORE CARUSO DESIGN CORPORATION





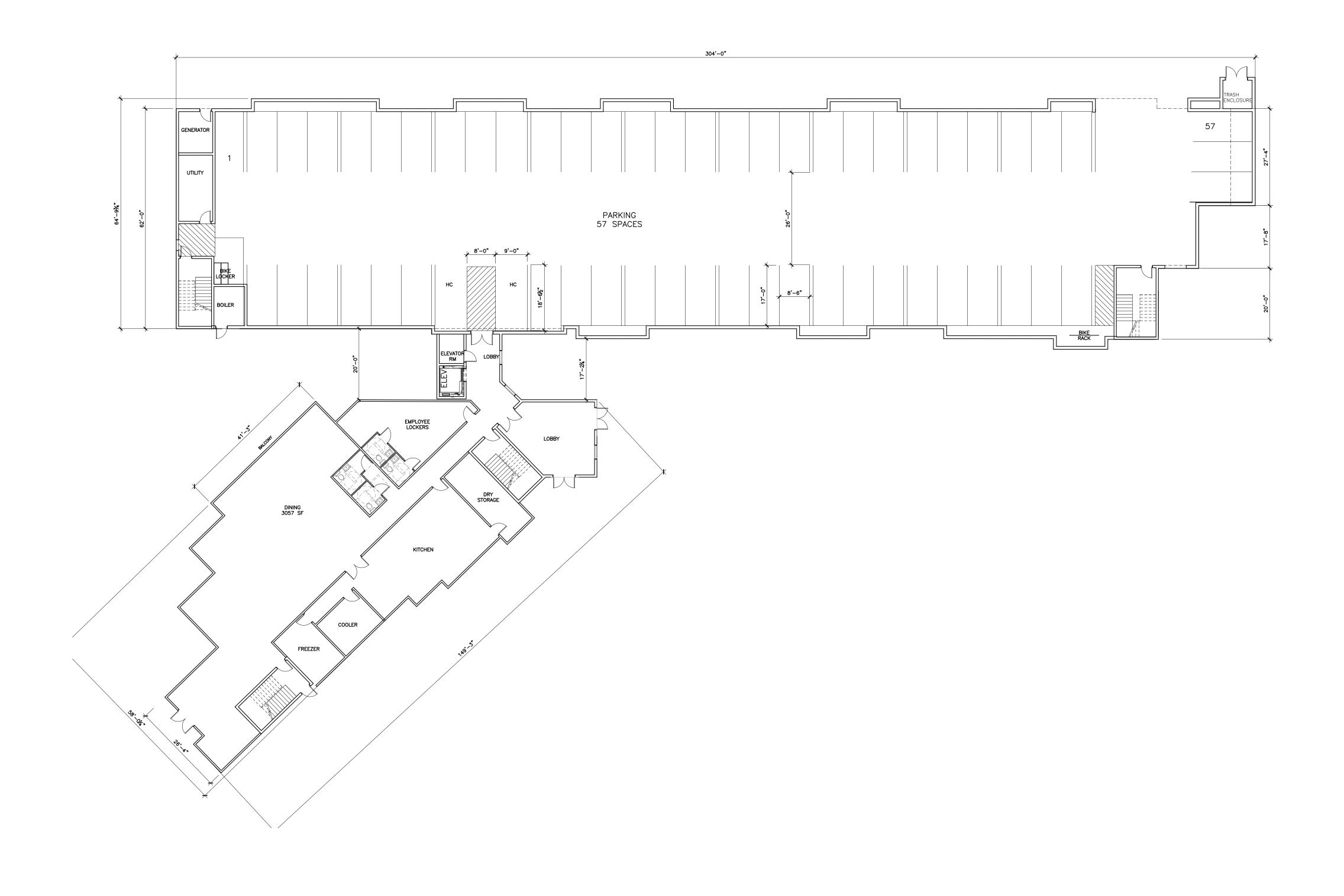
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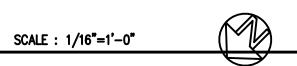
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1 GARAGE LEVEL
BUILDING B



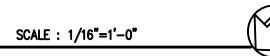
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SECOND FLOOR - 51 BEDS
BUILDING B





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3RD & 4TH FLOOR - 52 BEDS
BUILDING B

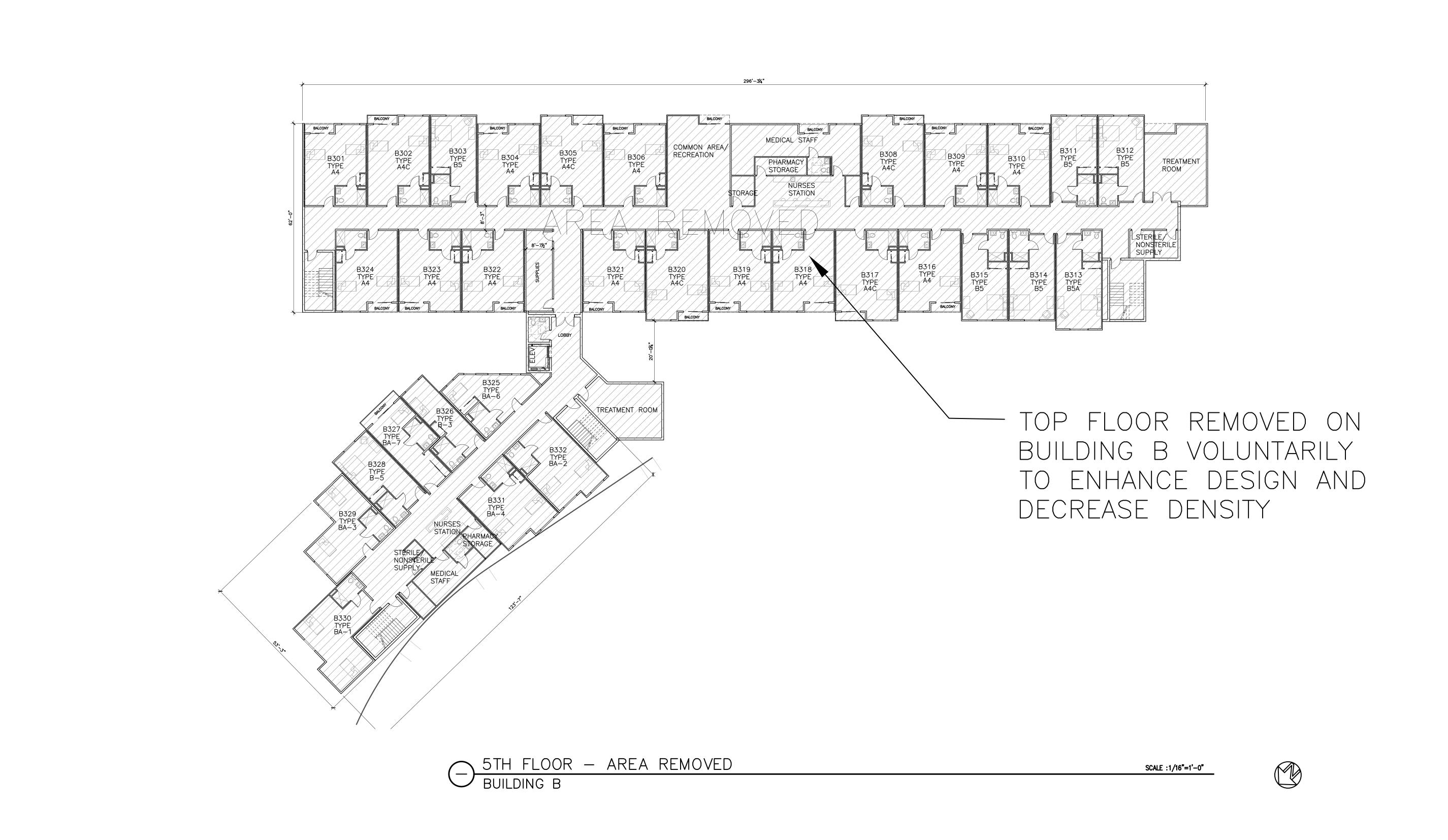
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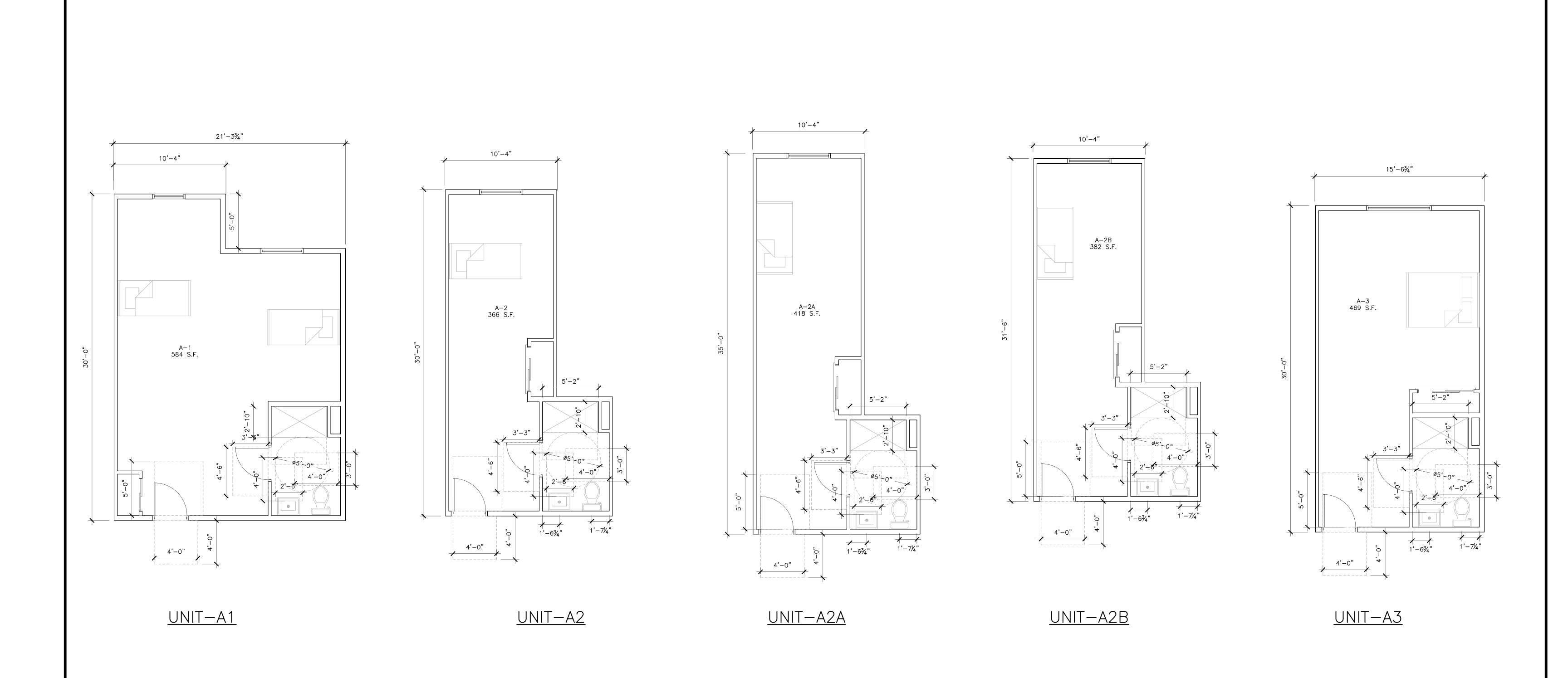
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## SALVATORE CARUSO DESIGN CORPORATION



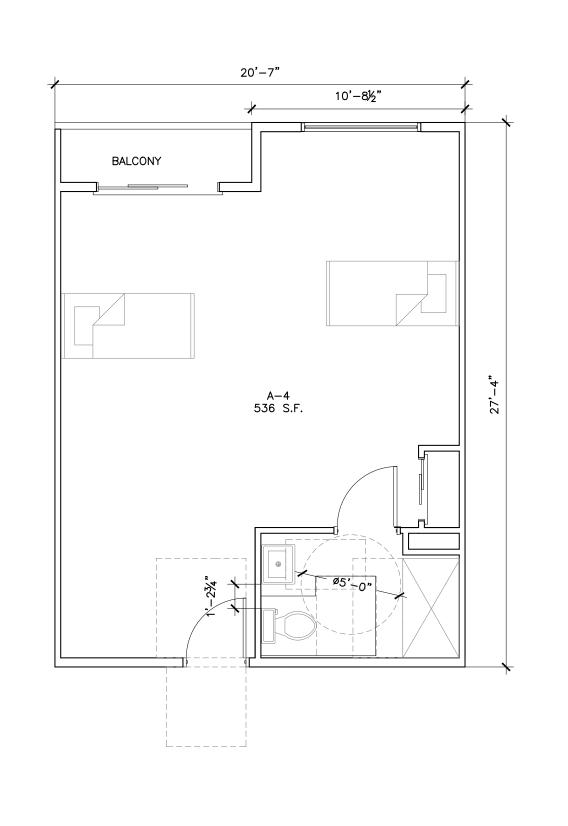
UNIT PLANS

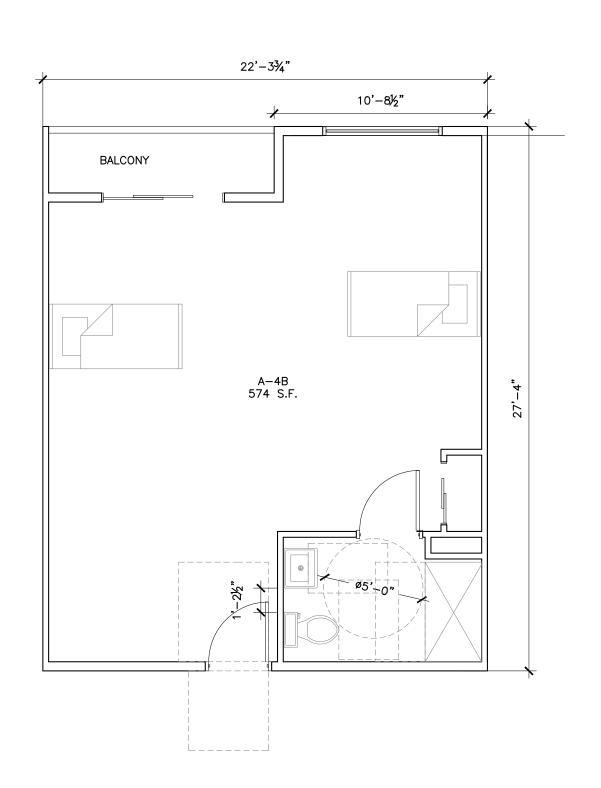
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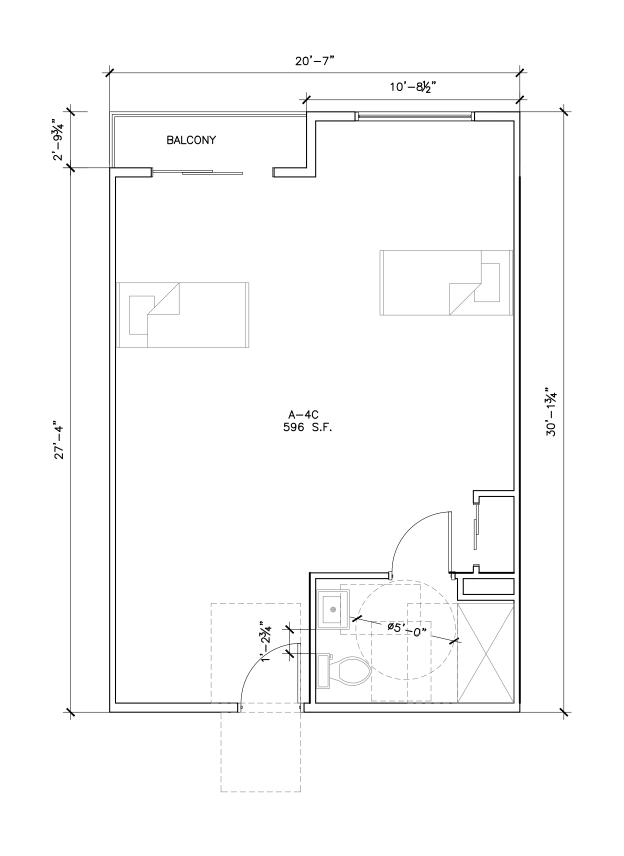
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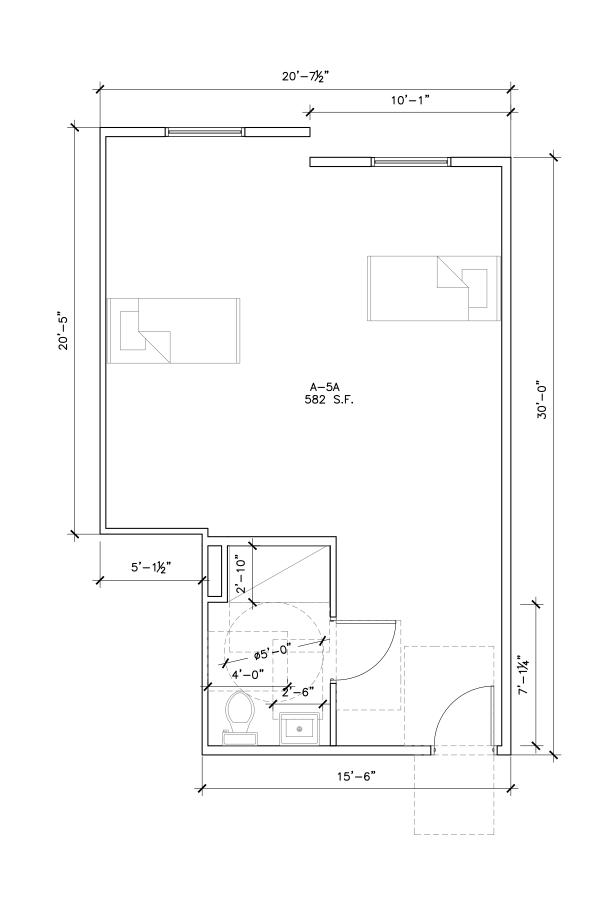
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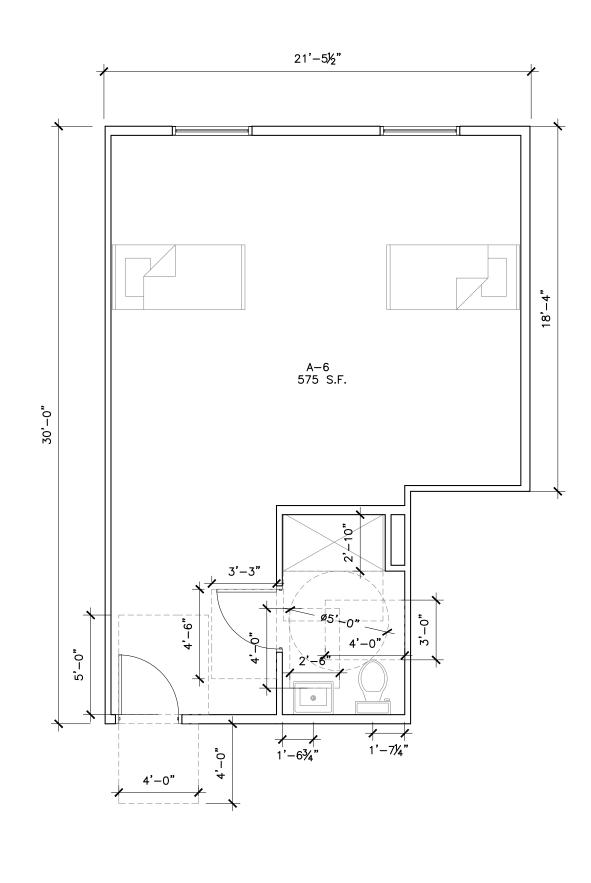
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<u>UNIT-A4B</u> <u>UNIT-A4B</u> <u>UNIT-A4B</u> <u>UNIT-A4B</u>

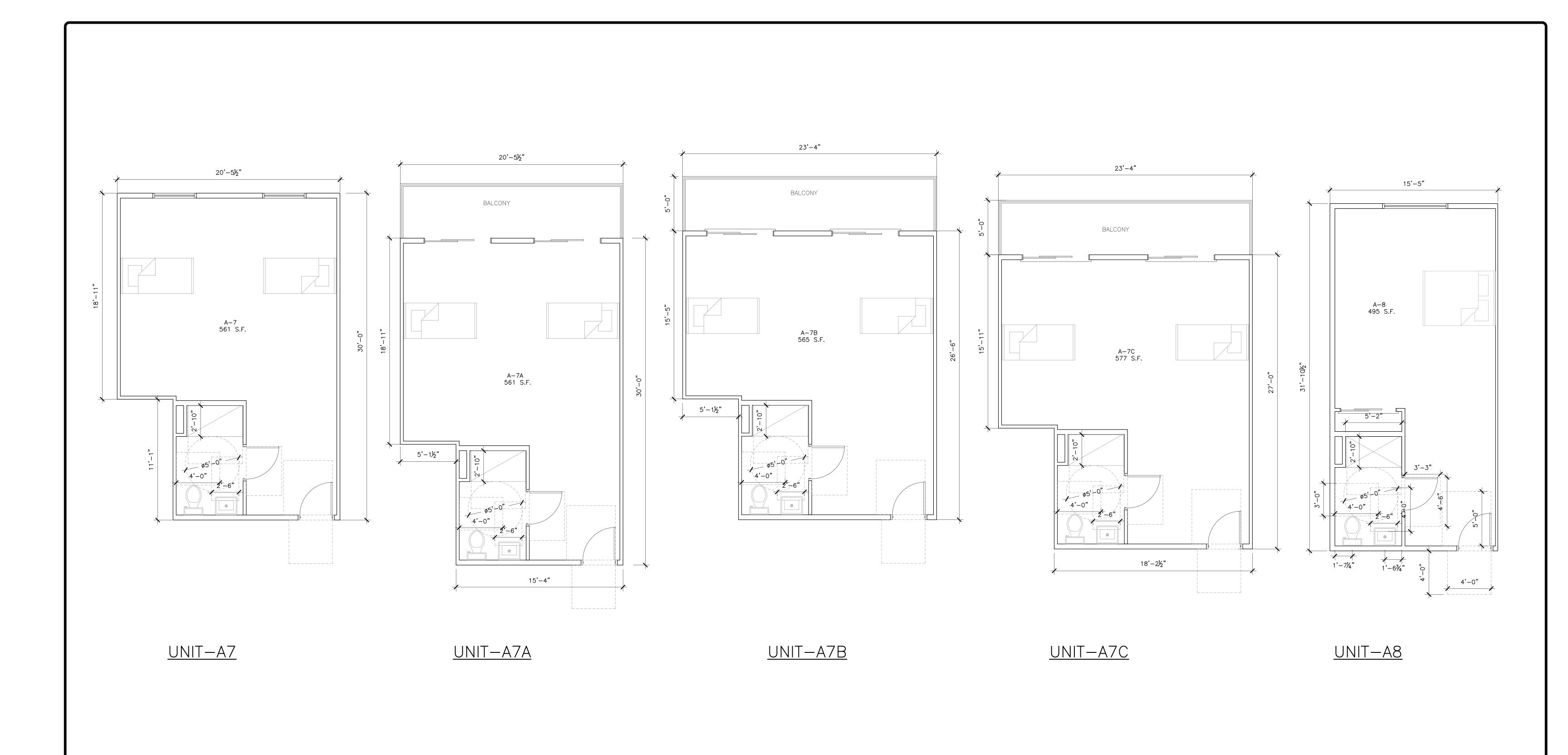
UNIT PLANS

scale :1/4"=1'-0

### DOVE HILL CONVALESCENT HOSPITAL

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## SALVATORE CARUSO DESIGN CORPORATION



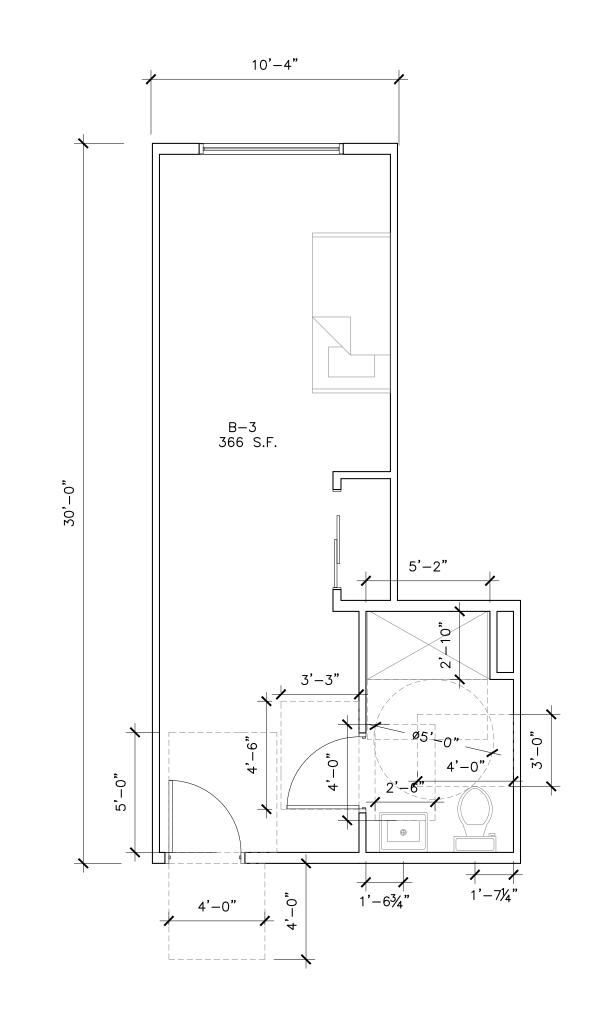
UNIT PLANS

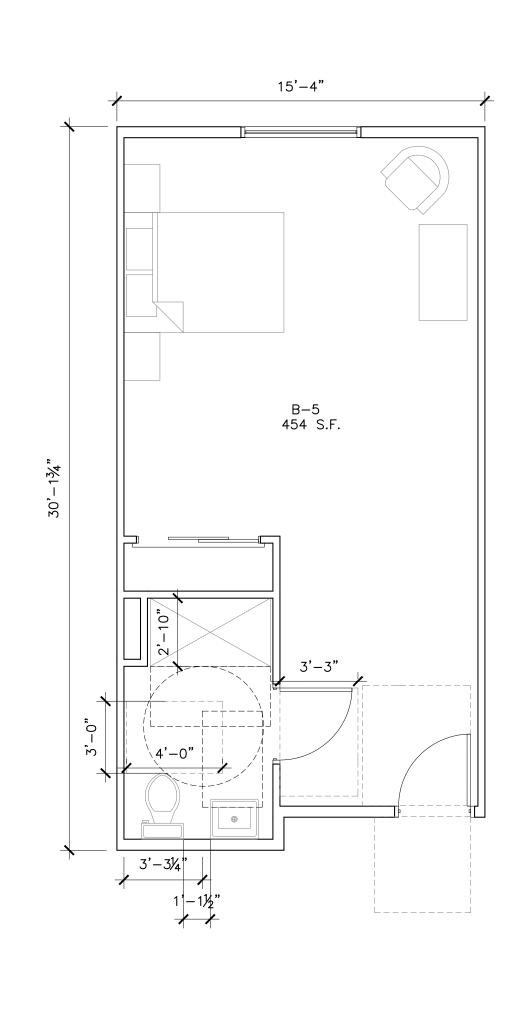
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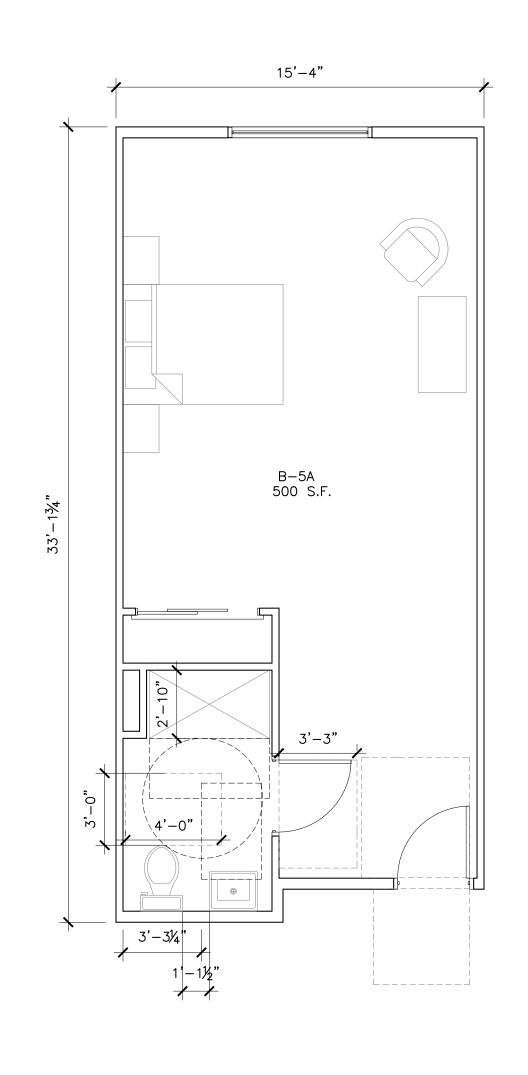
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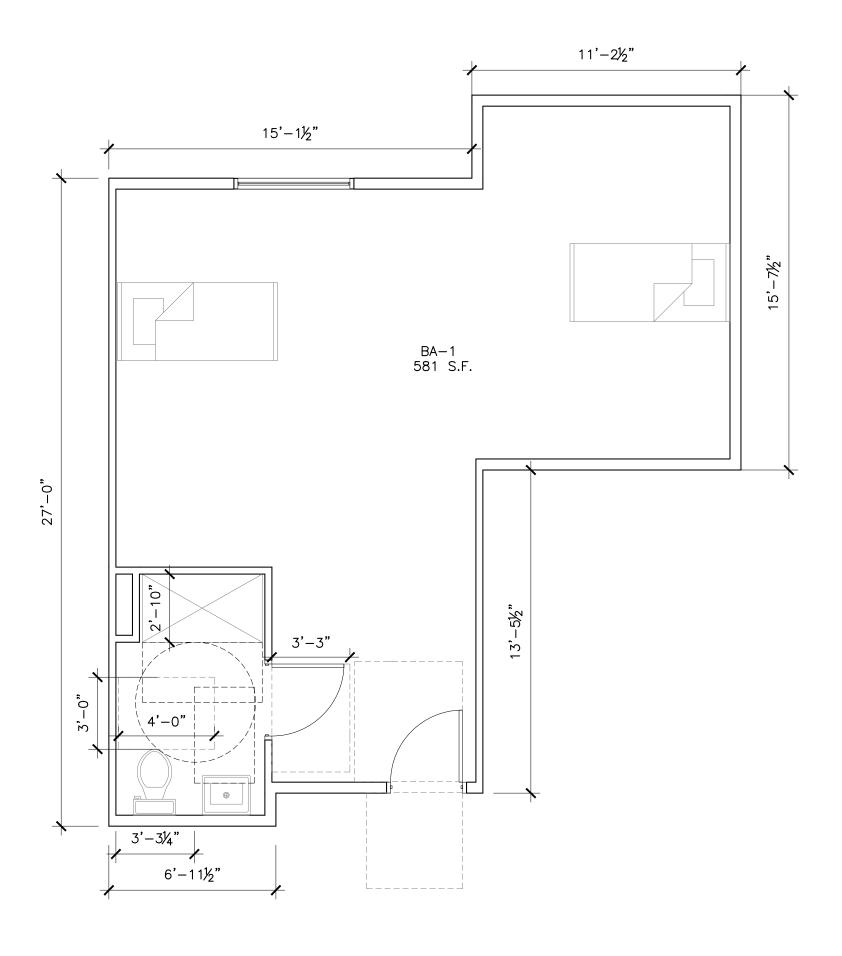
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## SALVATORE CARUSO DESIGN CORPORATION









<u>UNIT-B3</u> <u>UNIT-B5</u> <u>UNIT-B41</u>

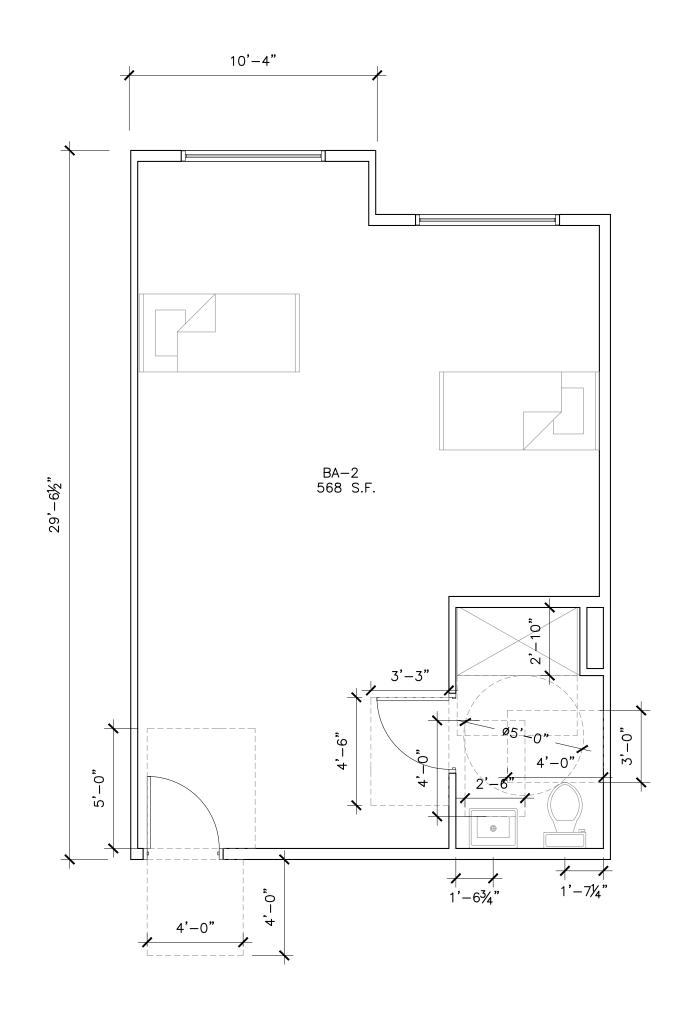
UNIT PLANS

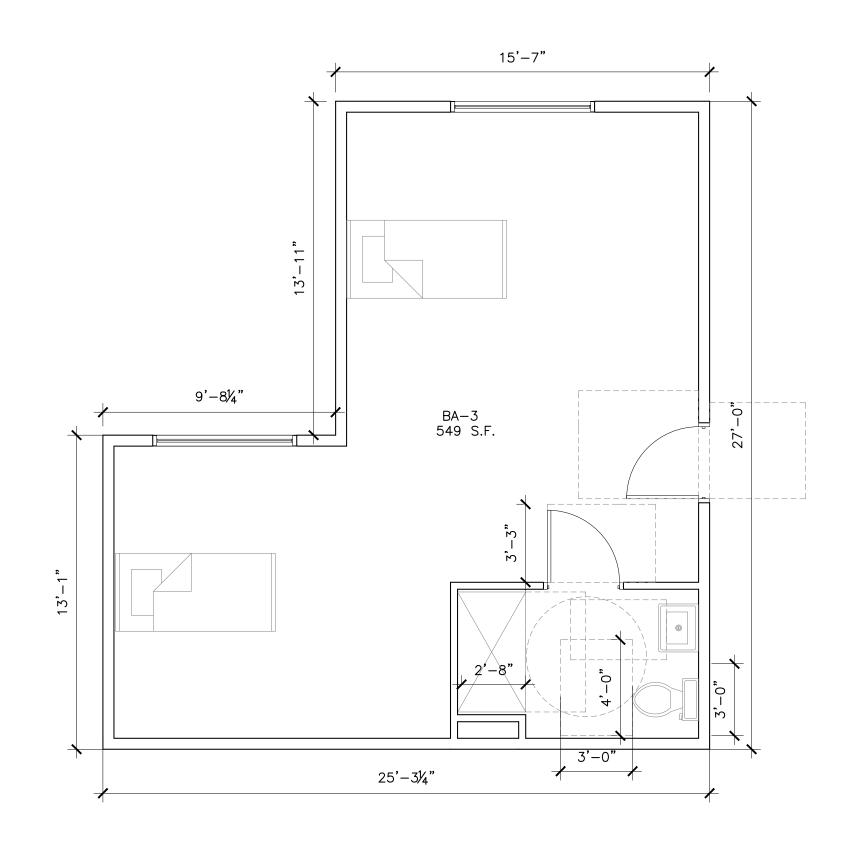
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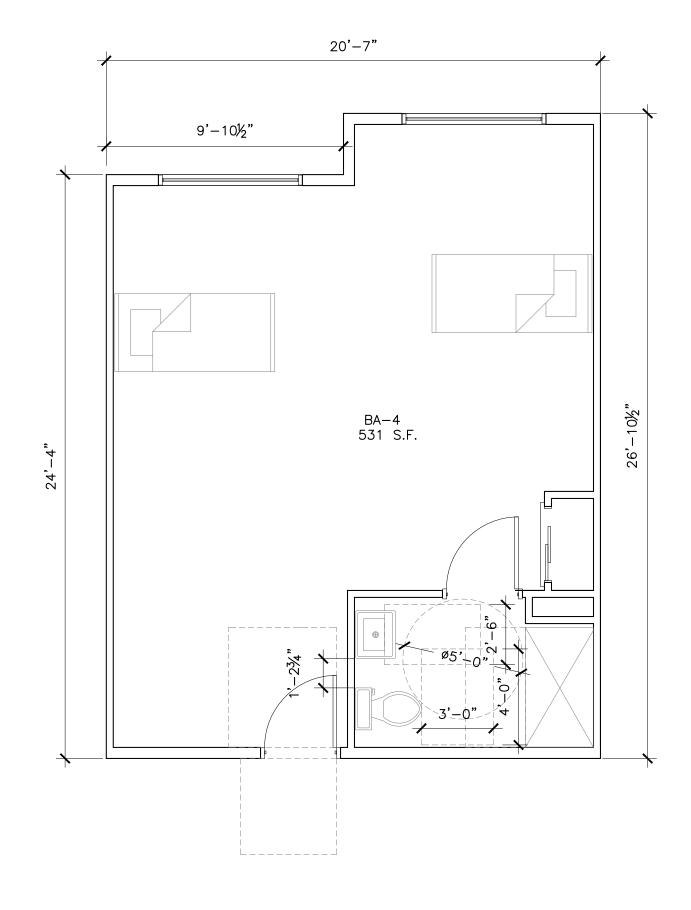
### DOVE HILL CONVALESCENT HOSPITAL

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## SALVATORE CARUSO DESIGN CORPORATION







<u>UNIT-BA3</u>
<u>UNIT-BA3</u>

UNIT PLANS

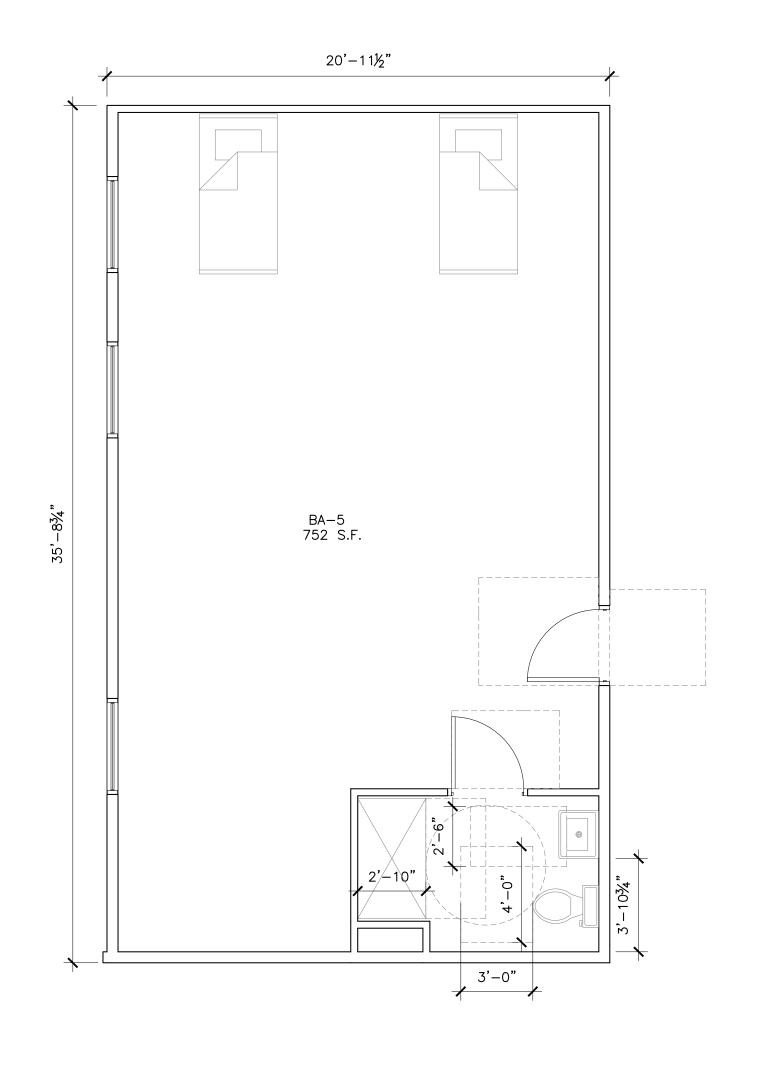
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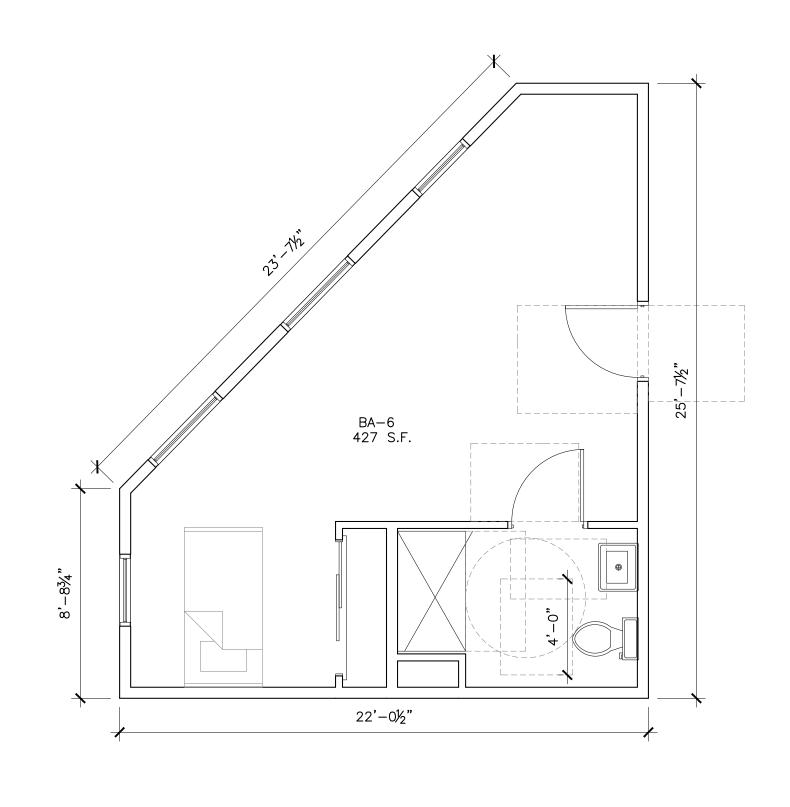
# DOVE HILL CONVALESCENT HOSPITAL

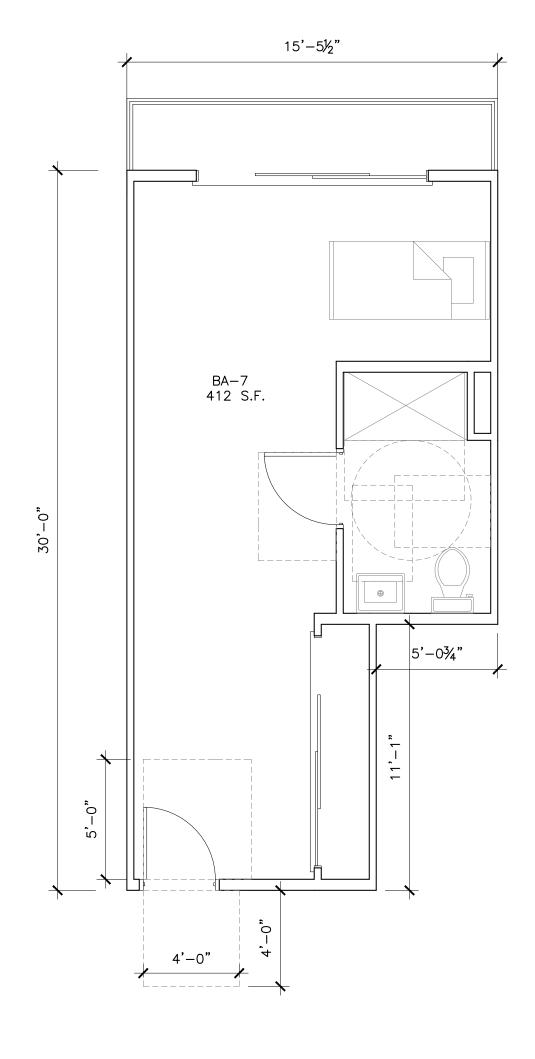
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<u>UNIT-BA5</u> <u>UNIT-BA6</u>

ONIT PLANS

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

# DOVE HILL CONVALESCENT HOSPITAL

4200 DOVE HILL ROAD SAN JOSE, CA

# SALVATORE CARUSO DESIGN CORPORATION

980 EL CAMINO REAL, SUITE 200, SANTA CLARA, CA 9505 TEL. No. (408) 998-4087 • FAX. No. (408) 998-4088

# FW: Dove Hill Files

# Salvatore Caruso <scaruso@caruso-designs.com>

Wed 11/9/2016 2:46 PM

To:Tu, John <john.tu@sanjoseca.gov>; McHarris, Steve <Steve.McHarris@sanjoseca.gov>; Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>; Herrera, Rose <rose.herrera@sanjoseca.gov>; Groen, Mary Anne <maryanne.groen@sanjoseca.gov>; 'John Wynn (johnwynn8888@gmail.com)' <johnwynn8888@gmail.com>; Archana Jain <ajain@caruso-designs.com>; Christian Frederiksen <cfrederiksen@caruso-designs.com>; Tom, Vivian <Vivian.Tom@sanjoseca.gov>; Provenzano, Joe < Joe. Provenzano @sanjoseca.gov >; dollymarinda 1 @yahoo.com < dollymarinda 1 @yahoo.com >; Lipoma, Emily <emily.lipoma@sanjoseca.gov>;

2 attachments (10 MB)

Full Set.pdf; 2016-11-9-DOVE HILL CONVALESCENT HOSPITAL AND MEMORY CARE.pdf;

# Dear John.

On Oct 26<sup>th</sup> at 6PM we learned that we have full capacity available for the proposed development however we have reduced significantly our project area and reduced the number of beds from 340 to 248.

The attached set of drawings illustrates the Dove Hill Convalescent Hospital as having individual hospital rooms with either one or two beds per room. Nurses stations, pharmaceutical supply rooms exam rooms and others on each floor. This is a licensed facility by the Department of Health Services and meets the muni code definition;

# 20.200.250 - Convalescent Hospital.

Convalescent Hospital is an establishment where for a minimum of forty hours per week, inpatient nursing care including bed care is provided and where other medical care may be provided for persons who are ill, injured, or infirm (physically or mentally ) but excluding / persons with communicable disease. No outpatient care shall be provided.

Therefore the Convalescent Hospital is an allowed use in the PQP Land Use Designation. In the plan set is also the sewer plan showing the gravity flow line being placed in an existing 40 foot wide easement for ingress and egress and the installation and maintenance of public utilities. We will also be providing at no cost to the adjacent neighbors approximately 12 stub-outs for the sewer for them to hook up since they currently are not served by a public sewer and are on a septic system.

Per your request we have removed the top floor on building A and per our own desire to reduce the scope of the project have also removed the top floor on building B. These two changes have reduced the number of beds from 340 down to 248.

The entire re-development area of approximately 3 acres is 100% under the 15% slope line as illustrated on sheet 03 of the attached plan set.

With your permission once we are past Nov 15<sup>th</sup> we will address any other issues beyond the land use and sewer lines.

On these grounds we respectfully request the withdrawal of the early consideration/denial hearing to allow us to process this application through the normal process. Thank you, Sal Caruso

# Salvatore Caruso A.I.A.

**Salvatore Caruso Design Corporation** 

980 El Camino Real, Suite 200 Santa Clara, CA 95050

<u>Tel:</u> (408) 998-4087 Fax: (408) 998-4088 Cell: (408) 640-1001

# FW: New Medical Assisted Living Facility

# Salvatore Caruso <scaruso@caruso-designs.com>

Fri 11/11/2016 4:36 PM

To:Herrera, Rose <rose.herrera@sanjoseca.gov>; Groen, Mary Anne <maryanne.groen@sanjoseca.gov>; Tu, John <john.tu@sanjoseca.gov>; McHarris, Steve <Steve.McHarris@sanjoseca.gov>;

# For the City Council Meeting Nov 15th

# Salvatore Caruso A.I.A. **Salvatore Caruso Design Corporation**

980 El Camino Real, Suite 200

Santa Clara, CA 95050 Tel: (408) 998-4087 Fax: (408) 998-4088 Cell: (408) 640-1001

From: Rick Rosdail [mailto:rosdails@yahoo.com] Sent: Friday, November 11, 2016 4:15 PM

To: Salvatore Caruso <scaruso@caruso-designs.com>

Subject: New Medical Assisted Living Facility

Honorable Mayor, Vice Mayor and City Council,

I Richard J. Rosdail am in support of the Dove Hill Medical Assisted Living Facility and or Convalescent Hospital Project whichever name and function is approved by you.

This would create a beautiful and needed service to our community. I have supported this project at City Meetings in the past.

Additionally the sewer placed in the existing Easement would allow us to connect and have sewer service. We currently are on septic systems.

The developer will provide stub-outs for each one of us to make the hook up easier at no cost to us. Most of us are retired or hope to be soon and having the sewer service will improve our situation at no cost to the City of San Jose or us.

Even before the notion of having sewer service we have always been in support of the project over the past few years.

We believe the land use is appropriate and the sewer will be an asset for our community. This project would replace a eye sore that we have had to view for years and retain open land.

We are actually the only neighbors that will actually see the facility. The Ranch residents are 200 feet above this property and look up and over this site. We are the same neighbors that supported the building of the "Ranch Project" that provided homes for the people who now object to these new people to join our community. We always must remember to welcome others to our community. They take our open space away when they built their homes, now they need to welcome others to our community.

The environmental and traffic reports concluded that there is no significant impact to the area and or the Seniors that would stay at this facility.

We respectfully ask the you allow the project to move forward and cancel the General Plan reversion.

Respectfully,

Richard J. Rosdail

Honorable Mayor, Vice Mayor and City Council:

As one of the owners of 3814 Dove Hill Road, I am in support of the Dove Hill Medical Assisted Living Facility as it has been presented to me under my current understanding of the proposed project.

With an increasing aging population, our community needs additional housing options for our elderly who are in need of care. Currently the issue of supply and demand has raised the cost of care so significantly that most cannot afford what they need.

I understand there is a concern about the proposed sewer. There is an existing easement across several of the adjacent properties. Most of the neighbors met to discuss this option and we were in agreement that as a whole we do not object to the development nor have issue with the use of the easement. We currently are on septic systems.

We were promised that the developer will provide stub-outs for each of the individual property owners to make a hook up to city sewer easier in the future, at no cost to us. This is a win-win situation for both the development and community, current land owners to the north of the proposed development at no cost to the City of San Jose or us the affected property owners. The developer/owner of the proposed project is willing to pay the long-term maintenance on the sewer system as well.

Even before the notion of having sewer service we have always been in support of the project over the past several years. We believe the land use is appropriate, and the sewer will be an asset for our community.

I personally believe the location of the proposed Assisted Living Facility is a perfect use for the land. And cannot understand why those living at The Ranch development object. Those residents are 200 feet above this property and look up and over this site. Who they rather have a housing development or an apartment building? Assisted Living Communities have low impact as it relates to noise, vehicles/traffic, and crime!

We respectfully ask you to allow the project to move forward.

Sincerely, Sheri Wolfgram Dove Hill LLC 3814 Dove Hill Road San Jose, CA (408) 781-0807 sheriwolfgram@gmail.com

# Mariam Hassan support letter

# Salvatore Caruso <scaruso@caruso-designs.com>

Mon 11/14/2016 8:10 AM

To:Tu, John <john.tu@sanjoseca.gov>; 'John Wynn (johnwynn8888@gmail.com)' <johnwynn8888@gmail.com>; Herrera, Rose <rose.herrera@sanjoseca.gov>; Groen, Mary Anne <maryanne.groen@sanjoseca.gov>; dollymarinda1@yahoo.com' <dollymarinda1@yahoo.com>; Stahn Kuehne (elikuehne@aol.com) <elikuehne@aol.com>;

John.

Mariam Hassan support letter. Please give to Council and Mayor. Thank you

# Salvatore Caruso A.I.A. **Salvatore Caruso Design Corporation**

980 El Camino Real, Suite 200 Santa Clara, CA 95050

Tel: (408) 998-4087 Fax: (408) 998-4088 Cell: (408) 640-1001

Honorable Mayor, Vice Mayor and City Council,

I Mariam hassan in support of the Dove Hill Medical Assisted Living Facility and or Convalescent Hospital Project whichever name and function is approved by you.

This would create a beautiful and needed service to our community.

Additionally the sewer placed in the existing Easement would allow us to connect and have sewer service. We currently are on septic systems.

The developer will provide stub-outs for each one of us to make the hook up easier at no cost to us. Most of us are retired or hope to be soon and having the sewer service will improve our situation at no cost to the City of San Jose or us.

Even before the notion of having sewer service we have always been in support of the project over the past few years.

We believe the land use is appropriate and the sewer will be an asset for our community.

We are actually the only neighbors that will actually see the facility. The Ranch residents are 200 feet above this property and look up and over this site.

The environmental and traffic reports concluded that there is no significant impact to the area and or the Seniors that would stay at this facility.

We respectfully ask the you allow the project to move forward and cancel the General Plan reversion.

Respectfully, Mariam hassan

# RE: Dove Hill Files

# Salvatore Caruso <scaruso@caruso-designs.com>

Wed 11/9/2016 5:06 PM

To:Tu, John <john.tu@sanjoseca.gov>; McHarris, Steve <Steve.McHarris@sanjoseca.gov>; Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>; Herrera, Rose <rose.herrera@sanjoseca.gov>; Groen, Mary Anne <maryanne.groen@sanjoseca.gov>; 'John Wynn (johnwynn8888@gmail.com)' <johnwynn8888@gmail.com>; Archana Jain <ajain@caruso-designs.com>; Christian Frederiksen <cfrederiksen@caruso-designs.com>; Tom, Vivian <Vivian.Tom@sanjoseca.gov>; Provenzano, Joe <Joe.Provenzano@sanjoseca.gov>; dollymarinda1@yahoo.com <dollymarinda1@yahoo.com>; Lipoma, Emily <emily.lipoma@sanjoseca.gov>;

1 attachments (314 KB)

2016-11-9-DOVE HILL CONVALESCENT HOSPITAL AND MEMORY CARE.PDF:

# Dear John,

Attached is the corrected version of the "Project Description". Please disregard the previous one. When we received the definition of what Planning would allow in mid June 2016 as a Convalescent Hospital only and NOT Senior Assisted Living we began the re-design process only to be told on July 27<sup>th</sup> that there was no capacity left in the Evergreen Plan for anything above roughly 70,000 SF. On Oct 26<sup>th</sup> we were ready to address the capacity issue but instead was handed a memo at the PC meeting stating that it was all a mis-calculation and there was indeed plenty of capacity for our project at the original square footage.

We have worked since Oct 26 to make absolutely certain to comply fully with the Convalescent Hospital Land Use designation as illustrated in our floor plans and project description. With this completed and the sewer line also submitted we would like to continue our planning process and go to council when you have completed your review and be heard on the actual PD Zoning and Permit.

Maybe one would ask, "why do this project" the answer is simply "there is great need in our community for quality Convalescent Care and this site is below the 15 % slope line and complies with the GP.

On these grounds we respectfully request the withdrawal of the early consideration/denial hearing to allow us to move forward through the normal process.

Thank you, Sal

# Salvatore Caruso A.I.A. Salvatore Caruso Design Corporation

980 El Camino Real, Suite 200 Santa Clara, CA 95050

<u>Tel:</u> (408) 998-4087 Fax: (408) 998-4088 Cell: (408) 640-1001 From: Salvatore Caruso

Sent: Wednesday, November 9, 2016 2:45 PM

To: Tu, John < john.tu@sanjoseca.gov>; McHarris, Steve (Steve.McHarris@sanjoseca.gov) < Steve.McHarris@sanjoseca.gov>; 'rosalynn.hughey@sanjoseca.gov' <rosalynn.hughey@sanjoseca.gov>; Herrera, Rose <rose.herrera@sanjoseca.gov>; Groen, Mary Anne <maryanne.groen@sanjoseca.gov>; 'John Wynn (johnwynn8888@gmail.com)' <johnwynn8888@gmail.com>; Archana Jain <ajain@caruso-designs.com>; Christian Frederiksen <cfrederiksen@caruso-designs.com>; Tom, Vivian <Vivian.Tom@sanjoseca.gov>; Provenzano, Joe <Joe.Provenzano@sanjoseca.gov>; dollymarinda1@yahoo.com; Lipoma, Emily (emily.lipoma@sanjoseca.gov) <emily.lipoma@sanjoseca.gov>

Subject: FW: Dove Hill Files

Dear John,

On Oct 26<sup>th</sup> at 6PM we learned that we have full capacity available for the proposed development however we have reduced significantly our project area and reduced the number of beds from 340 to 248.

The attached set of drawings illustrates the Dove Hill Convalescent Hospital as having individual hospital rooms with either one or two beds per room. Nurses stations, pharmaceutical supply rooms exam rooms and others on each floor. This is a licensed facility by the Department of Health Services and meets the muni code definition:

### 20.200.250 - Convalescent Hospital.

Convalescent Hospital is an establishment where for a minimum of forty hours per week, inpatient nursing care including bed care is provided and where other medical care may be provided for persons who are ill, injured, or infirm (physically or mentally ) but excluding / persons with communicable disease. No outpatient care shall be provided.

Therefore the Convalescent Hospital is an allowed use in the PQP Land Use Designation. In the plan set is also the sewer plan showing the gravity flow line being placed in an existing 40 foot wide easement for ingress and egress and the installation and maintenance of public utilities. We will also be providing at no cost to the adjacent neighbors approximately 12 stub-outs for the sewer for them to hook up since they currently are not served by a public sewer and are on a septic system.

Per your request we have removed the top floor on building A and per our own desire to reduce the scope of the project have also removed the top floor on building B. These two changes have reduced the number of beds from 340 down to 248.

The entire re-development area of approximately 3 acres is 100% under the 15% slope line as illustrated on sheet 03 of the attached plan set.

With your permission once we are past Nov 15<sup>th</sup> we will address any other issues beyond the land use and sewer lines.

On these grounds we respectfully request the withdrawal of the early consideration/denial hearing to allow us to process this application through the normal process.

Thank you, Sal Caruso

Salvatore Caruso A.I.A. **Salvatore Caruso Design Corporation** 

980 El Camino Real, Suite 200

Santa Clara, CA 95050 <u>Tel:</u> (408) 998-4087

Fax: (408) 998-4088 Cell: (408) 640-1001

# support letter

### Salvatore Caruso <scaruso@caruso-designs.com>

Mon 11/14/2016 8:00 AM

To:Tu, John < john.tu@sanjoseca.gov>; Groen, Mary Anne <maryanne.groen@sanjoseca.gov>; Herrera, Rose <rose.herrera@sanjoseca.gov>; 'John Wynn (johnwynn8888@gmail.com)' <johnwynn8888@gmail.com); 'dollymarinda1@yahoo.com' <dollymarinda1@yahoo.com'; Stahn Kuehne (elikuehne@aol.com) <elikuehne@aol.com>;

John,

Another letter of support. Please include in Council and Mayor package.

Thank you,

Sal

# Salvatore Caruso A.I.A.

**Salvatore Caruso Design Corporation** 

980 El Camino Real, Suite 200 Santa Clara, CA 95050

<u>Tel:</u> (408) 998-4087 Fax: (408) 998-4088 Cell: (408) 640-1001 Honorable Mayor, Vice Mayor and City Council,

I <u>S. Muchine</u> am in support of the Dove Hill Medical Assisted Liv Convalescent Hospital Project whichever name and function is approved b

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We respectfully ask the you allow the project to move forward and cancel t reversion.

1. Chahoce

Respectfully,

# support letter Mahmood

# Salvatore Caruso <scaruso@caruso-designs.com>

Mon 11/14/2016 8:07 AM

To:Tu, John <john.tu@sanjoseca.gov>; Herrera, Rose <rose.herrera@sanjoseca.gov>; Groen, Mary Anne <maryanne.groen@sanjoseca.gov>; 'John Wynn (johnwynn8888@gmail.com)' <johnwynn8888@gmail.com>; 'dollymarinda1@yahoo.com' <dollymarinda1@yahoo.com>; Stahn Kuehne (elikuehne@aol.com) <elikuehne@aol.com>;

Mahmood support letter, please add to Council desk item

### Salvatore Caruso A.I.A.

### **Salvatore Caruso Design Corporation**

980 El Camino Real, Suite 200 Santa Clara, CA 95050

Tel: (408) 998-4087 Fax: (408) 998-4088 Cell: (408) 640-1001

Honorable Mayor, Vice Mayor and City Council,

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The environmental and traffic reports concluded that there is no significant impact to the area and or the Seniors that would stay at this facility.

We respectfully ask the you allow the project to move forward and cancel the General Plan reversion.

Respectfully, Mahmood Hassan 3813 dove hill rd sanjose.

RULES.COMMITTEE: 4-23-14

ITEM: G.2



# Memorandum

TO: Rules and Open Government

Committee

FROM:

Councilmember Rose Herrera

SUBJECT:

City Council initiated General

Plan Amendment for Dove Hill

Road - GP08-08-03

DATE:

April 17, 2014

**APPROVE** 

# **RECOMMENDATION:**

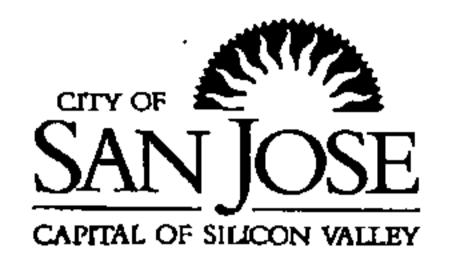
Initiate a General Plan amendment for GP08-08-03 to change the land use designation back to Non-Urban Hillside from Public/Quasi-Public.

# **BACKGROUND:**

In June 2010, The City Council approved a General Plan amendment to change the land use designation from Non-Urban Hillside to Public/Quasi-Public due to the applicant's representation that there was financing and market demand for an assisted living facility in this location. In the motion that approved the amendment (see attached), the intent was that the City would bring forward an amendment to return the site to Non-Urban Hillside (or the queivalent under the 2040 General Plan) two years later if the project has not moved forward.

The City has not received a zoning or planning permit application for this proposal, and therefore, I am requesting the City Council to initiate this General Plan amendment to be heard during the 2014 General Plan hearings.

COUNCIL AGENDA: 6-15-10 ITEM: 10.1



# Memorandum

TO: Mayor and City Council

FROM: Councilmember Rose Herrera

**SUBJECT: GP08-08-03** 

**DATE:** June 15, 2010

Approved

Date

\_\_\_\_

# RECOMMENDATION

1) Approve Staff's recommendation on the General Plan Amendment for GP08-08-03 with the following issues to be addressed at the PD Permit Zoning and/or Permit stages:

- 1. Air quality for the future residents of the assisted living facility
- 2. Traffic capacity and traffic safety on Dove Hill Road and Hassler Parkway
- 3. Emergency vehicle access in to and out of the site
- 4. Emergency exit and emergency evacuation capacity for Ranch residents in addition to the future residents on Dove Hill Road
- 5. Noise levels for future residents of the assisted living facility from Highway 101
- 2) Direct staff to initiate a General Plan change back to Non-Urban Hillside if construction on the project has not began within two years of approval of the PD Permit.

# BACKGROUND

Originally GP08-08-03 came to the City Council on September 9, 2008 for early denial. The City Council voted to continue processing the application and the project has since evolved to what is before us tonight. It was scheduled for hearing on April 27, 2010 but due to a noticing error by the City, the City Council approved tonight's General Plan hearing to allow for additional outreach to the neighboring residents that were not originally notified of the project.

Because the Public/Quasi-Public project is broad, the applicant has ventured to discuss his possible future project, an assisted living facility, in the community meetings. The City Council is not approving the assisted living facility project that has been discussed in community meetings, but it has been very helpful to understand the project that will be coming forward in the near-term for discussion purposes.

During the additional community meetings, the neighbors have been committed to learning about the City's General Plan, what it means and how it guides us. Questions have also been raised at a project-specific level. The applicant and City staff have been diligent in responding to the residents' concerns. Concern has been raised about what will happen if the assisted living facility development does not go through. I am confident the applicant will continue to

communicate with my office and the community as he moves through the process. I strongly encourage the community to stay engaged during the zoning and development permit processes to "hold the applicant to his word" for a quality project with all the appropriate mitigations.

·

In conclusion, I recommend approval of GP08-08-03 and look forward to representing the interests of the future residents of this site during the permit and zoning stages.

COUNCIL AGENDA: 06-10-14 ITEM: 10.1



# Memorandum

TO: MAYOR AND CITY COUNCIL

FROM:

Councilmember Rose Herrera

SUBJECT:

General Plan Amendment for

Dove Hill Road

DATE:

June 9, 2014

APPROVE

Rose Herrera in G

# **RECOMMENDATION:**

Initiate a General Plan amendment for GP08-08-03 to change the land use designation back to Non-Urban Hillside from Public/Quasi-Public.

# **BACKGROUND:**

The purpose of this memo is to clarify the reason to initiate a General Plan amendment for GP08-08-03 back to Non-Urban Hillside from Public/Quasi-Public. In 2010, a proposal for an assisted senior living facility was submitted to the City of San Jose which required a General Plan amendment from Non-Urban Hillside to Public/Quasi-Public. The property was originally designated as Non-Urban Hillside in both the city's General Plan as well as the Silver Creek Planned Community Specific Plan. After receiving the General Plan Amendment, the applicant has not submitted for a Planned Development permit and after four years of inactivity, it is appropriate to request a change back to the original designation.

During the original public outreach on this proposal, a large number of neighbors and residents near the project site voiced their opposition to the project and in all fairness to the community, the inactivity of the proposal should not be allowed to linger and cause unease in the community.

Since this is a request for staff to bring this back during the August 2014 General Plan Amendment changes, the applicant has an opportunity to submit a Planned Development permit prior to the hearings in August.

# The following items were received after packets were distributed.

# After-Posting Correspondents and Revisions

# Item 5A

File Nos. PDC14-051 & PD16-019

upon notice by the City.

- 11. Anti-Litter. The site and surrounding area shall be maintained free of litter, refuse, and debris. Cleaning shall include keeping all publicly used areas free of litter, trash, cigarette butts and garbage.
- 12. Anti-Graffiti. During construction, the permittee shall remove all graffiti from buildings, walls and other surfaces within 48 hours of defacement. Upon project completion and/or transfer of ownership, the property owner and/or Maintenance District shall remove all graffiti from buildings and wall surfaces within 48 hours of defacement.
- 13. **Loitering.** Loitering shall not be allowed in the public right-of-way adjacent to the subject site.
- 14. **Refuse.** All trash areas shall be effectively screened from view and covered and maintained in an orderly state to prevent water from entering the garbage container. Trash areas shall be maintained in a manner to discourage illegal dumping.
- 15. **Outdoor Storage**. No outdoor storage is allowed or permitted unless designated on the approved plan set.
- 16. **Sign Approval.** No signs are approved at this time. All proposed signs shall be subject to review and approval by the Director of Planning through a subsequent Permit Adjustment.
- 17. **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.
- 18. Colors and Materials. All building colors and materials are to be those specified on the Approved Plan Set. Any change in building colors and materials shall require a Permit Adjustment.
- 19. **Lot Merger.** Prior to the issuance of a building permit, the project shall merge the lots via a final map or lot line adjustment in area of proposed buildings and structures.
- 20. Affordable Housing Conditions. Prior to the issuance of the final building permit, housing shall review the building plans to confirm the project is still not subject to the City's Inclusionary Housing Ordinance (IHO) or Affordable Housing Impact Fee (AHIF). If the project is determined to be subject to the IHO or AHIF based on that review, an Affordable Housing Compliance Plan is required at that time.
  - a. If the project is subject to the AHIF, no building permit may issue until the AHIF is paid. No Temporary Certificate of Occupancy, Certificate of Occupancy, or Notice of Completion for any units shall be issued until all requirements of the AHIF Resolution are met.

- b. If the project is subject to the IHO, no building permit may issue until the Affordable Housing Agreement is recorded and no Temporary Certificate of Occupancy, Certificate of Occupancy, or Notice of Completion for any units shall be issued until all requirements of the IHO are met.
- 20.21. Covenant of Easement. Prior to construction authorized with a building permits, all sewer and all other necessary easements that cross property lines shall be obtained and recorded by the property owner.
- 21.22. Building Division 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. The permit file number, PD16-019 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), including paths of travel connecting all buildings on the site.
  - c. Emergency Address Card. The permittee shall file an Emergency Address Card, Form 200-14, with the City of San José Police Department.
  - d. Street Number Visibility. Street numbers of the buildings shall be easily visible at all times, day and night.
  - e. Construction Plan Conformance. A project construction plan 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 any building permit issuance, building permit plans shall conform to the approved Planning development permits and applicable conditions.
- 22.23. Construction and Demolition Hours. Construction, demolition, and grading activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday. This includes the staging of equipment and construction personnel. The construction hours shall be printed on all plans for the project used to construct the project. Interior construction activities that do not generate any audible noise impacts at residential properties are allowed on Saturdays between 9:00 a.m. and 5:00 p.m.
- 23.24. **Demolition of Structures.** Subsequent to permit approval, no demolition permits may be issued prior to the submittal of foundation or structural building permits for the medical care facility.
- 24.25. Green Building. The project shall receive a minimum green building certification of LEED Silver Certified. The permittee shall pay a Green Building Refundable Deposit prior to building permit issuance. The request for refund of the Green Building Deposit together with green building certification evidence demonstrating the achievement of the green building standards indicated above shall be submitted within

- ii. Final inspection and maintenance information on the post-construction treatment control measures must be submitted prior to issuance of a Public Works Clearance.
- e. **Flood Zone D:** The project site is not within a designated Federal Emergency Management Agency (FEMA) 100-year floodplain. Flood Zone D is an unstudied area where flood hazards are undetermined, but flooding is possible. There are no City floodplain requirements for Zone D.
- f. Stormwater Peak Flow Control Measures: The project is located in a Hydromodification Management (HM) area and will create and/or replace one acre or more of impervious surface. The project must comply with the City's Post-Construction Hydromodification Management Policy (Council Policy 8-14) which requires HM projects to demonstrate that post-project runoff does not exceed estimated pre-project runoff rates and durations.
  - i. The project's HM plan and sizing calculations have been reviewed and this project will be in conformance with City Policy 8-14.
  - ii. Final inspection and maintenance information for the HM controls must be included on the final HM plans.
- g. **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.
- h. **Municipal Water:** In accordance with City Ordinance #23975, Major Water Facilities Fee is due and payable prior to Public Works clearance. Contact Public Works at (408) 794-6769 for further information.
- i. Street Improvements:
  - i. Construct curb, gutter and 8-foot wide sidewalk on Dove Hill Road from the curb return at Hassler Parkway to the project site. These street surface improvements made from the intersection of Hassler Parkway and Dove Hill Road to the project site will be subject to reimbursement by the City.
  - ii. Reconstruct handicap ramp at the northeast corner of Hassler Parkway and Dove Hill Road to City and ADA standard.
  - iii. Construct driveway entrance at the property line on Dove Hill Road.
  - iv. Proposed driveway width to be 26 feet.
  - iv.v. Provide signage and markings for a 3-way stop control at the intersection of Dove Hill Road and Hassler Parkway.
  - <u>v.vi.</u> Dedication and improvement of the public streets to the satisfaction of the Director of Public Works.

# Project File Numbers: PDC14-051 & PD16-019

# E. Tomdio Nana <tomdio@comcast.net>

Tue 7/24/2018 10:55 AM

To:Tu, John <john.tu@sanjoseca.gov>;

# Dear Mr. Tu:

I'm writing to you as a residence of the Ranch on Silver Creek, concerning the subject line project numbers. I'd like to express my concerns about utilizing the land referenced in the public hearing notice for the project. Please see my concerns listed below:

- 1. Traffic congestion and safety. The Project would result in an increase of about 759 vehicle trips per day on Dove Hill Road, leading to the medical facility (<a href="http://www.sanjoseca.gov/index.aspx?">http://www.sanjoseca.gov/index.aspx?</a><a href="https://www.sanjoseca.gov/index.aspx?">NID=6068</a> and download "Response to Comments/Text Changes"). This same road, which has at least 2 blind spots and no shoulders, is used by the Ranch residents also. This impacts personal safety of current and future residents.
- 2. Impacts quality of life: Significant delays and added commute time for the residents in the neighborhood considering the above vehicle trips per day.
- 3. Fire safety hazard. Access to the site is limited and the natural topography poses significant limitations in providing services such as fire or sanitation services.
- 4. Special status species habitat. This area has special status plants (dudleya) and could be the habitat suitable for special status birds and species.

Thanks, Emmanuel

# Re: Project File Numbers: PDC14-051 & PD16-019

# Tu, John

Tue 7/24/2018 1:09 PM

To:Laura Nana < laurasnana@comcast.net>;

Bcc:Le, Thai-Chau <Thai-Chau.Le@sanjoseca.gov>; Salvatore Caruso <scaruso@caruso-designs.com>;

# Laura,

Thank you for your comments and questions. It would be included as part of the public record. Below are the response to the comments.

Questions 1 & 2: The estimated 759 daily trips are estimated based on the Institute of Transportation Engineers 9th edition Trip Generation manual for a typical convalescent hospital and also specifically looked at peak hour commute which are only 42 AM peak hour trips and 55 PM peak hour trips. Trip generation for the project was also estimated based on anticipated hourly project site activity including detailed information on the anticipated number of employees, staff schedules, resident vehicle ownership, and anticipated visitors. Based on site activity information, the proposed project is anticipated to generate less traffic than a typical convalescent hospital as represented by the ITE rates. Furthermore, per our Council Policy 5-3, intersection delays were analyzed and concluded that the addition of project traffic would not increase the average delay at the intersection during the peak hours. Additionally, the project includes the construction curb, gutter and 8-foot wide sidewalk on Dove Hill Road from the curb return at Hassler Parkway to the project site. Additionally, the project has been conditioned to provide signage and markings for a 3-way stop control at the intersection of Dove Hill Road and Hassler Parkway.

Question 3: Emergency access were also reviewed and discussed in the Initial Study/Mitigated Negative Declaration on page 133 and concluded that the critical gap acceptance and follow-up time analysis results indicate the addition of project traffic at the Dove Hill Road and Hassler Parkway intersection would result in no change to the critical gap and follow-up times currently experienced during the peak hours at the intersection. In addition, the project would construction of a new water main in Dove Road and installation of new onsite private water lines and sanitary sewer lines. Existing water lines to serve the project are located within Hassler Parkway. A sewer line would be constructed within an existing utility easement and includes a 3,000 feet connection with an elevation change at approximately 220 feet, connecting to an existing sewer connection in Yerba Buena Avenue. A sewer pump station connecting to the sewer line would be installed at the southwestern corner of Building A. The project would not connect to the City's stormwater drainage system. The project proposes storm drainage infrastructure including flow-through planters, bio-swales, storm drain lines, and a bioretention basin on the site. More information are available in the staff report and package to the Planning Commission page as well here: <a href="http://www.sanjoseca.gov/DocumentCenter/View/78814">http://www.sanjoseca.gov/DocumentCenter/View/78814</a>.

**Question 4:** As part of the environmental review of this report, these areas were studied and concluded that the dudleya plants on site are located about 230 feet in elevation above the development footprint, along the upper slopes of the open space area. Additionally, the project will include fencing to separate the development from the open space and prevent unauthorized human access. For these reasons, these special-status plants will not be significantly impacted by the project. There are mitigation measures and conditions in the permit itself that would further regulate impacts to biological resources during ground disturbance activities.

# Best, Tong (John) Tu

Planner IV (Supervising Planner) | Planning Division | PBCE

City of San José | 200 East Santa Clara Street

Email: john.tu@sanjoseca.gov | Phone: (408)-535-6818

For More Information Please Visit: http://www.sanjoseca.gov/planning

From: Laura Nana < laurasnana@comcast.net>

Sent: Tuesday, July 24, 2018 8:42 AM

To: Tu, John Cc: Laura S. Nana

Subject: Project File Numbers: PDC14-051 & PD16-019

Dear Mr. Tu.

I'm writing to you as a residence of the Ranch on Silver Creek, concerning the subject line project numbers. I'd like to express my concerns about utilizing the land referenced in the public hearing notice for the project. Please see my concerns listed below:

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Thanks, Laura

# Dove Hill Medical Facility Project

Ref: PDC14-051/PD16-019

Key concerns from the residents of Ranch On Silver Creek Community

July 25 2018

# One Page Summary

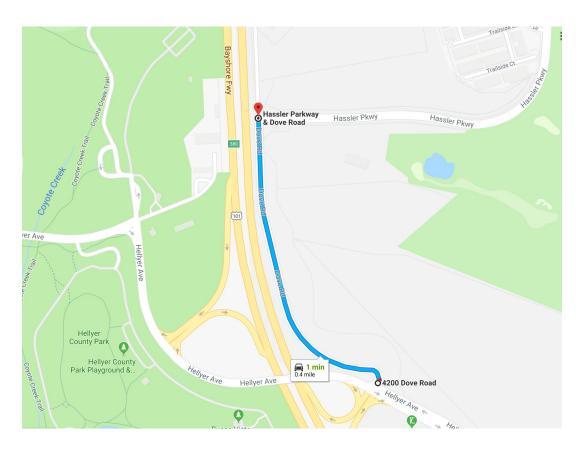
# Mindful Development

 New commercial developments should not destroy or degrade existing communities and crumble existing infrastructure.

# Bring infrastructure before you bring new projects

- Balance new commercial developments with new infrastructure developments for long term sustainability of neighboring communities.

# Primary Concern — Traffic Congestion and Safety



- It all comes down to **0.4 mile** stretch of **Dove Road** with Hellyer Ave on one end and Hassler Parkway intersection on the other.
- This is the lifeline for Ranch and neighboring residents to get on to US 101.
- This stretch of the road cannot reasonably handle additional **759 estimated daily trips**, which happen **exclusively on this stretch.**

# Traffic Congestion and Safety Concerns — Why?



A Fire Truck cannot legally navigate this section without crossing the yellow lines.

Impacts personal safety of residents. Increases current near zero risk of collision with Emergency and other vehicles to a very high risk of traffic crashes. Jeopardizes personal safety.

# Traffic Congestion and Safety Concerns — Why?





Blind turn for South bound Traffic on Dove Road



No shoulder on either side



No shoulder on either side

# Traffic Congestion and Safety Concerns — Why?

<u>Comment B1:</u> City of San José Planning Commission, in 2010, recommended that if this project needs to move forward, it needs to address some/all of these concerns at the zoning & permit stages

- 1. Traffic Hazard
  - a. Safety Hazard Blind Spots, no Shoulders on Dove Road and Hassler Bridge on US-101
  - b. Reduced Level of Service (LOS)

Response B1: The collision history at the Dove Hill Road and Hassler Parkway intersection was reviewed as part of the IS/MND and, specifically, a Traffic Operations Analysis prepared for the project in April 2015, updated in March 2018 by Hexagon Transportation Consultants Inc (Hexagon, 2018). Hassler Parkway, as it approaches Dove Hill Road, consists of a straight steep downgrade to a stop sign at the intersection of the two roadways. City of San José collision data indicates five collisions at the intersection of Dove Hill Road and Hassler Parkway over a five-year period. Based on the traffic reports for these accidents, each of the recorded accidents was a solo vehicle accident that involved vehicles traveling westbound along Hassler Parkway and running off the road and/or hitting a fixed object. Project trips would be unlikely to increase this solo vehicle accident rate since the collision history at this location does not appear to be related to congestion, but due to driver error. Therefore, even with the increase in project's traffic as part of this project, the additional volume would not result in an increase in collisions at the intersection (see pages 131-133 of the IS/MND and Appendix I)

An increase of 759 daily trips significantly increases the chances of collision with another vehicle instead of solo accidents.

# Traffic Safety Concerns — Supporting Data

Per SJFD records, 0 calls made to SJFD in six months — (July-Dec 2009) from residents on Hassler Parkway between Dove Road and Silver Creek Valley Road

In context of the proposed project for assisted living, additional 100 calls per year will be made to Emergency services. This is about two Emergency calls every week

Email from Ty Mayfield, San Jose Fire Department on May 27, 2010

For the six months between 7/1/2009 and 12/31/2009 there were:

- no emergency responses anywhere on Hassler Parkway during the six month interval
- 27 medical emergencies and 2 cancelled calls at 4463 San Felipe
- 47 medical emergencies, 1 service call, and 2 cancellations at 4855 San Felipe

[Initial Study: Page 180]

Based on project's estimated number of proposed units (275), the SJFD estimates the project may result in up to 100 calls per year.

Proposed project leads to about 2 <u>ADDITIONAL Emergency Calls to SJFD per week</u> and this is about the same number of emergency calls that originated from a nearby Assisted Living Facility during six month period of Jul-Dec 2009.

While this data is bit old, we estimate<sup>[1]</sup> that the number of calls made from assisted living facilities has increased in the last 10 years. So, the data is still representative of nature of emergency calls. In addition, the estimated 759 daily trips on Dove Road jeopardizes the personal safety of the residents.

<sup>[1]</sup>https://www.theridgefieldpress.com/46050/assisted-living-facilities-use-ambulances-a-lot/

# Is this "Not in my Backyard" Mindset?

Nearly half of Bay Area residents say they want to leave <a href="https://www.mercurynews.com/2018/06/03/nearly-half-of-bay-area-residents-say-they-want-to-leave/">https://www.mercurynews.com/2018/06/03/nearly-half-of-bay-area-residents-say-they-want-to-leave/</a>

When asked to pinpoint the most important problem facing the Bay Area, 42 percent of those surveyed said housing — a dramatic jump from 28 percent last year. Meanwhile, 18 percent said traffic and congestion, 14 percent cited poverty and homelessness, and 12 percent said the cost of living.

### What do the Ranch Residents Say?

## 139 (and counting) residents have expressed their opinions <a href="https://www.thepetitionsite.com/takeaction/617/331/767/?cid=headerClick">https://www.thepetitionsite.com/takeaction/617/331/767/?cid=headerClick</a>

#### Kimberly R.

California

Traffic Congestion is already bad, it will get worse.

#### Reynold W.

California

It's an inappropriate location for a medical facility of such size.

#### Suzanne L.

California

This will negatively impact our community – traffic congestion, blind spots, no infrastructure to support this development.

environment for current residents.

#### Manjula J.

California

Traffic, Safety and quality of life!! Protecting the endangered species!!

#### Joe H.

California

a day ago

Traffic congestion and safety. Personal safety of current and future residents. Fire safety hazard. Impacts quality of life.

#### Jian S.

California

This proposed projects will let our residential area in a high safety risk due to the existing Dove Hill Road traffic condition. Along the dove road, one side is 101 highway, another side is cliff rocks with big sharp curve and blind spots, during normal rush hours, the traffic already are very heavy, and drivers need pay extra attentions. If the planned projects will under going, during emergency cases will frequently create considerable safety issues. Thanks for your re-considerate this area and provide a peaceful living

a day ago

# City of San Jose Cannot Lead Sustainable Development Without Improving Infrastructure

### Expand infrastructure before new development

- Widen Dove Road, eliminate blind spots, add shoulders, add traffic lights, and help improve common-use infrastructure instead of crumbling existing infrastructure
- Since the parcel sits on Dove Hill Road, evaluate if the traffic can be routed on that road
- This development is too big to support on existing infrastructure
- A new development doesn't have to be a "win-lose" game. Make new commercial developers invest in the communities for sustained growth and lead other cities by example

### **Last Words**

### Mindful Development

 New commercial developments should not destroy or degrade existing communities and crumble existing infrastructure

### Bring infrastructure before you bring new projects

 Balance new commercial developments with new infrastructure developments for long term sustainability of neighboring communities

#### THE RANCH ON SILVER CREEK COMMUNITY OPPOSES THE REZONING AND BUI...

### START A PETITION SIGN PETITION ΛE er Creek ۱E SES the ling of **✓ -** Facility **States DDRESS** 1/PD16-IS IMPORTANT TO YOU? (optional) Share this petition with friends! **1,000** GOAL Sign Now anch on Silver Creek, green neighborhood don't display my name ezoning and building of Dove Hill Medical Facility Project (reference number SIGNALAVO 51/CED 16 TO 19 terms of service. https://do.www.somijosecia.igov/ClvidiAlerts.aspx? -laying problems signing this? Let us know. AID=2189&ARC=3689). The planned development is for the demolition of all existing buildings, structures, trees and landscaping, and associated improvements, and to develop a convalescent hospital facility with two buildings containing a total of 155 patient rooms and up to 248 beds. This doesn't include support staff personnel. There was a planned

1. Traffic congestion and safety. The Project would result in an

development for the same parcel in 2010 for a senior assisted

living facility, which the community opposed with a signed petition from 245 residents back in 2010. The community

site feedback

**BROWSE** 

sign in

echoes the same concerns raised in 2010, namely:

increase of about 759 vehicle trips per day on Dove Hill Road, leading to the medical facility (http://www.sanjoseca.gov/index.aspx?NID=6068 and download "Response to Comments/Text Changes"). This

same road, which has at least 2 blind spots and no shoulders, is used by the Ranch residents also. This impacts personal safety of current and future residents.

2. Impacts quality of life: Significant delays and added

more

f SHARE 33 F TWEET EMAIL A EMBED





#### 141 SUPPORTERS

**Local Comments** 

**Local Signatures** 

ΑII

#### Mohammad T.

California

17 minutes ago

Points raised in the petition. Also, when we bought our place, it was under the assumption that these were protected lands. Please note that each homeowner pays annually an extra 1500 dollars on their property taxes for a 30 year period to keep the Ranch as is. It is unfair to the community to make such zoning changes based on the status of the neighborhood.

SEND ★



California

25 minutes ago

I have lived in this neighborhood since 2001 and traffic continues to increase without upgrades to the infrastructure. This will not only bring more traffic and with more traffic this becomes an unsafe area for families.

SEND \*

#### Ravi A.

California

4 hours ago

Traffic congestion



#### name not displayed

California 8 hours ago

Dove road is too narrow for increased traffic. Accidents are more likely to happen with increased traffic and additional elderly pedestrians walking around the facility and crossing the Hassler Parkway intersection (which in itself is hazardous due to the steep downgrade).



#### Prasad S.

California 9 hours ago

Traffic and safety are primary concerns. Unless there is additional infrastructure and/or alternate approach road (e.g. yerba buena exit and new residential complex) to the proposed development, I can't accept that the increased traffic on Dove road will not impact current ranch residents.

SEND ★

#### name not displayed

California 9 hours ago

This development will affect long standing quality of life via increased traffic, sound from general operations and sirens (ambulance), environmental hazards from waste retention tanks, etc. A 248 bed medical facility is simply too close to residential development. This is a clear zoning issue.

#### Lily M.

California 10 hours ago

keep evergreen green, no more buildings and leave the hill alone

SEND 🛨

#### Chris M.

California 13 hours ago

The new medical center will bring down the value of neighboring properties because of increased traffic and population.



#### name not displayed

California 14 hours ago

Access issues to the proposed facility will create traffic nightmare and limited evacuation options in case of emergency. In addition, the quality of life for the proposed residents of the facility will be severely impacted due to proximity to freeway including noise and pollution.

#### Kimberly R.



California 14 hours ago

Traffic Congestion is already bad, it will get worse.

SEND 🛨

#### Deepa K.

California 16 hours ago

Will increase the already congested traffic during the peak hours.

SEND \*

#### Suzanne L.

California 16 hours ago

This will negatively impact our community – traffic congestion, blind spots, no infrastructure to support this development.

SEND \*

#### Satyajit C.

California 16 hours ago

There is absolutely no infrastructure to support as important as a medical facility in this neighborhood. It's a residential community and ambulance and emergency vehicle traffic will create a huge bottleneck. There is only one road leading up to and out of this community and it will simply become a nightmare if speciality traffic needs to be accommodated. I oppose this proposal.

SEND ★

#### Kevin H.

California 19 hours ago

The intersection of Dove and Hellyer is not designed to handle heavy commercial traffic, nor is the single lane on Dove. So the concerns are 1) safety of handling heavy traffic when vehicles making turns 2) traffic congestion on Dove road 3) turning a quite residential community to be semi- commercial



#### Reynold W.

California



19 hours ago

It's an inappropriate location for a medical facility of such size.

SEND ★

#### name not displayed

California 21 hours ago

It's a quiet place .. don't want to change it.

#### name not displayed

California 21 hours ago

The infill of additional businesses in this location would make a major negative impact on traffic and open space.

#### Emmanuel N.

California a day ago

Concerns with traffic congestion and safety hazards.

SEND \*

#### Bobby G.

California a day ago

Noise and traffic congestion

SEND \*

#### name not displayed

California

7/25/2018

a day ago

A building facing the freeway, with traffic noise, and up against the mountainside does not seem to me to be the most ideal place to build a medical facility let alone the negative impact to the Ranch residents who already struggle with traffic during peak hours on Dove and Hassler roads.

#### Manjula J.

California a day ago

Traffic, Safety and quality of life!! Protecting the endangered species!!

SEND \*

#### name not displayed

California a day ago

traffic issues, property values going down, quality life impact, also construction will effect us daily with noise, trucks, and construction equipment for many months!!!

#### Brian M.

California a day ago

property values

SEND ★

#### name not displayed

California a day ago

Wildlife, congestion. Not an ideal place in a residential area. Traffic will get worse than it already is. Totally disapprove!

#### name not displayed

California a day ago

Congestion and Quality of life.

#### name not displayed

California

7/25/2018

a day ago

Hospital should be in a business area instead of a residential area. Safety and traffic concern.

#### Vineet V.

California

a day ago

Traffic and safety concerns

SEND ★

#### name not displayed

California

a day ago

Safety and traffic congestion

#### Suchi J.

California

a day ago

ithe dove hill is already so choked during peak hours. 2 wouldn't want more traffic. Moreover what happened to wild life/butterflies preserved area?

SEND ★

#### name not displayed

California

a day ago

Traffic and Safety

#### Laura N.

California

a day ago

Traffic congestion concerns

SEND ★

#### name not displayed

California

a day ago

Negative impact on The Ranch homeowners.

#### Joe H.

California a day ago

Traffic congestion and safety. Personal safety of current and future residents. Fire safety hazard. Impacts quality of life.

SEND ★

#### Thanh D.

California a day ago

Traffic and Safety

SEND 🛨



California a day ago

Traffic congestion and racing in cars and bikes on hassled parkway is already a big problem. Adding more traffic to this will create a huge bottleneck. Medical Facilities need open access .. constructing one here would be harmful to the residents as well as the patients.

SEND \*

#### Kun Z.

California a day ago

This medical center construction plan is very harmful to your community. Let alone how much it worse the traffic and local living environment, just it's own existence won't sustain. We will try out best to act against this.

SEND ★

#### Thi T.

California a day ago

Traffic is my main concern

SEND \*

#### Shu W.

California 2 days ago

Traffic is my concerned. Dove Rd is two-lane road.



CY.

California 2 days ago

Traffic congestion on Dove Rd since it is single lane each way and congestion on Hwy 101 on and off ramps which are already very busy.

SEND \*

#### Siva R.



California 2 days ago

As mentioned in the petitions, this is not a blind opposition to any development in our neighborhood. We appreciate the need for a medical facility (or assisted living facility planned in 2010) in our neighborhood, but the topography of the area surrounding the parcel and its access doesn't warrant such a big scale development in this neighborhood.

SEND ★

#### name not displayed

California 2 days ago

Safety, security and traffic problems to this community will increase substantially.

#### Shelley C.

California 2 days ago

Safety and family value is important for the community

SEND \*

#### Jian S.

California 2 days ago

This proposed projects will let our residential area in a high safety risk due to the existing Dove Hill Road traffic condition. Along the dove road, one side is 101 highway, another side is cliff rocks with big sharp curve and blind spots, during normal rush hours, the traffic already are very heavy, and drivers need pay

7/25/2018

extra attentions. If the planned projects will under going, during emergency cases will frequently create considerable safety issues. Thanks for your re-considerate this area and provide a peaceful living environment for current residents.

SEND ★

#### Jim X.

California 2 days ago

The proposed projects will create severe driving hazards in the intersection areas of Dove Road and Hassler Py as well as the nearby entrances to highway 101. Dove Road and Hassler Py are not designed for carrying additional traffic that is associated with the proposed projects.

SEND 🛨

#### Hongen Z.

California 2 days ago

Traffic congestion

SEND \*

#### Kavitha N.

California 2 days ago

This causes traffic congestion in a Residential neighborhood

SEND \*

#### Geetha S.

California 2 days ago

a. Traffic congestion on Dove Hill Road b. Safety of the neighborhood c. Protection of endangered species

SEND ★

#### Saumya T.

California 2 days ago

I am a resident and I see several reasons as to how this new development will ruin the area. Traffic would become a nightmare; it will kill several butterfly species that have this area as their natural habitat. Moreover, this is not a site to build a senior living due to several hazards & noise pollution. Thank you.

SEND ★

#### Loi T.

California

2 days ago

Safety. Two grass fires within 14 year in this area. Last one was in early summer 2018.

SEND ★



#### name not displayed

California

2 days ago

Alleviate congestion and hazards, single entry and exit will be disastrous in the event of an emergency

#### Kuldipsingh P.

California

2 days ago

Dove road is a single lane road. It already has congestions during the peak hours. With this new facility, the congestion is bound to increase, leading to delays in emergency services – specifically for newly planned seniors community that will need emergency services.

SEND ★

load more

## "The best way to predict the future is to create it!"

- Denis Gabor

Start Petition

**Our Promise:** Welcome to Care2, the world's largest community for good. Here, you'll find over 45 million like-minded people working towards progress, kindness, and lasting impact.

**Care2 Stands Against:** bigots, bullies, science deniers, misogynists, gun lobbyists, xenophobes, the willfully ignorant, animal abusers, frackers, and other mean people. If you find yourself aligning with any of those folks, you can move along, nothing to see here.

**Care2 Stands With:** humanitarians, animal lovers, feminists, rabble-rousers, nature-buffs, creatives, the naturally curious, and people who really love to do the right thing.

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### Dove Hill Medical Facility Project

Ref: PDC14-051/PD16-019

Key concerns from the residents of Ranch On Silver Creek Community

July 25 2018

### One Page Summary

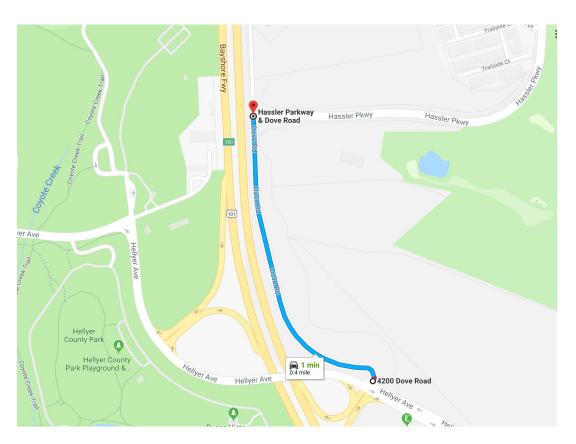
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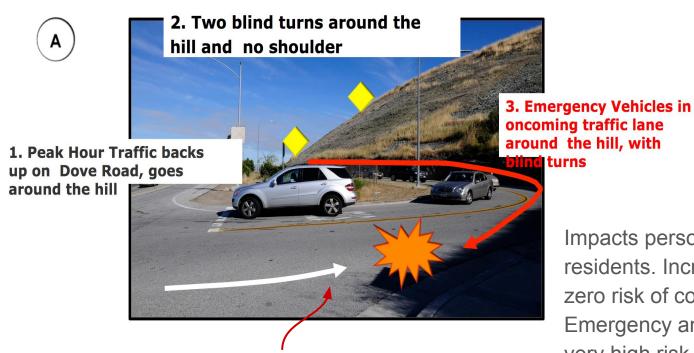
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Blind turn for South bound Traffic on Dove Road



No shoulder on either side



No shoulder on either side

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[Initial Study: Page 180]

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#### Kimberly R.

California

Traffic Congestion is already bad, it will get worse.

#### Reynold W.

California

It's an inappropriate location for a medical facility of such size.

#### Suzanne L.

California

This will negatively impact our community - traffic congestion, blind spots, no infrastructure to support this development.

#### Manjula J.

California

Traffic, Safety and quality of life!! Protecting the endangered species!!

#### Joe H.

California

a day ago

Traffic congestion and safety. Personal safety of current and future residents. Fire safety hazard. Impacts quality of life.

#### Jian S.

California

a day ago

This proposed projects will let our residential area in a high safety risk due to the existing Dove Hill Road traffic condition. Along the dove road, one side is 101 highway, another side is cliff rocks with big sharp curve and blind spots, during normal rush hours, the traffic already are very heavy, and drivers need pay extra attentions. If the planned projects will under going, during emergency cases will frequently create considerable safety issues. Thanks for your re-considerate this area and provide a peaceful living environment for current residents.

# City of San Jose Cannot Lead Sustainable Development Without Improving Infrastructure

### Expand infrastructure before new development

- Widen Dove Road, eliminate blind spots, add shoulders, add traffic lights, and help improve common-use infrastructure instead of crumbling existing infrastructure
- Since the parcel sits on Dove Hill Road, evaluate if the traffic can be routed on that road
- This development is too big to support on existing infrastructure
- A new development doesn't have to be a "win-lose" game. Make new commercial developers invest in the communities for sustained growth and lead other cities by example

### **Last Words**

### Mindful Development

 New commercial developments should not destroy or degrade existing communities and crumble existing infrastructure

### Bring infrastructure before you bring new projects

 Balance new commercial developments with new infrastructure developments for long term sustainability of neighboring communities