



CITY COUNCIL STAFF REPORT

File Nos.	C20-002 & SP21-021
Applicant	John Ha, IDA Inc
Location	East side of Seaboard Avenue, approximately 200 feet southeast of West Trimble Road (2586 Seaboard Avenue)
Existing Zoning District	LI Light Industrial
Proposed Zoning District	CIC Combined Industrial/Commercial
APN	101-01-010
General Plan Land Use Designation	Combined Industrial/Commercial
Council District	4
Historic Resource	No
Annexation Date:	February 10, 1972 (Orchard No. 51)
CEQA:	Exempt per CEQA Guidelines Section 15303(c) and 15303(e) for New Construction or Conversion of Small Structures

APPLICATION SUMMARY:

Conforming Rezoning from the LI Light Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District to allow by Special Use Permit, the establishment of a day care center and an alternating use parking arrangement on an approximately 0.78-gross acre site.

RECOMMENDATION:

1. Consider the categorical exemption in accordance with CEQA.
2. Approve an ordinance rezoning certain real property of approximately 0.78 acres located on the east side of Seaboard Avenue, approximately 200 feet southeast of West Trimble Road (2586 Seaboard Avenue) from the LI Light Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District.
3. Adopt a resolution approving a Special Use Permit to allow a day care center for a maximum of 120 children in an existing building, approval of an alternating use parking arrangement, and construction of on-site circulation improvements and two outdoor play areas.

PROJECT DATA

GENERAL PLAN CONSISTENCY			
General Plan Designation		Combined Industrial/Commercial <input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent	
Consistent Policies		Implementation Policies IP-1.1, IP-1.7, IP-8.2, LU-6.2, ES-1.3, & ES-1.4.	
SURROUNDING USES			
	General Plan Land Use	Zoning	Existing Use
North	Combined Industrial/Commercial	A(PD) Planned Development	Floor covering warehouse business, flower shop
South	Combined Industrial/Commercial	A(PD) Planned Development	Tool and supply store
East	Open Space Parklands and Habitat	IP(PD) Planned Development	Guadalupe River and Trail
West	Combined Industrial/Commercial	A(PD) Planned Development	La Quinta Inn and Wyndham Suites hotel

RELATED APPROVALS	
Date	Action
8/26/2008	Conventional Rezoning (File No. C08-009) from the A(PD) Planned Development Zoning District to the LI Light Industrial Zoning District on a 0.78 gross acre site.
10/8/2008	Conditional Use Permit (File No. CP08-013) to allow a 5,000 square feet of church/religious assembly use in an existing 16,500-square foot industrial building.
5/8/2013	Conditional Use Permit (CP12-049) to allow the expansion of a religious assembly use to include six classrooms and two multi-purpose rooms within the existing 16,500-square foot industrial building.

PROJECT DESCRIPTION

On February 3, 2020, the applicant, John Ha, of IDA Inc., filed an application to rezone an approximately 0.78-gross acre site from the LI Light Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District and a Special Use Permit for a child care center for approximately 120 children with 11 employees at an existing church. The child care center would occupy the existing church building, and outdoor play areas would be provided to the north of the building in the existing church parking area.

Parking for the day care center is proposed via an alternating use parking arrangement with the onsite church and would be located on the western side of the wrought-iron fence enclosing the play areas to the north of the church. The play areas are located in the parking area south of the wrought-iron fence, which would be accessed via a gate for church parking on the weekends.

Site parking and the pick-up/drop-off area of the day care center would be accessed via an approximately 125-foot long, one-way drive aisle. Parents will drop children off Monday through Friday between 7:30 a.m. and 9:00 a.m. Teachers will meet the kids and supervise them until they reach the building. Between 4:30 p.m. to 6:00 p.m., teachers will walk children from the building to the pick-up area and supervise them until pick-up. Additionally, pick-up/drop-off will be staggered, as required by a condition of the permit approval.

Project construction includes on-site circulation improvements, a modified trash enclosure, and wrought-iron fencing around a portion of the existing parking area to create two outdoor play areas.

Site Location and Surroundings:

The subject site is located on the east side of Seaboard Avenue, approximately 200 feet southeast of West Trimble Road at 2586 Seaboard Avenue (see Figure 1). The subject site is approximately 0.78 acres and contains a 16,500-square foot church. The site is surrounded by industrial warehouse and distribution uses to the north, industrial businesses and a supply store to the south, Guadalupe River and Guadalupe River Trail to the east, and a hotel to the west.



Figure 1: Aerial image of the subject site

ANALYSIS

The proposed project was analyzed for conformance with the following: 1) the *Envision San José 2040 General Plan*, 2) the Zoning Ordinance, 3) City Council Policy 6-14: Guidelines for Child Care, 4) City Council Policy 6-34: Riparian Corridor Protection and Bird-Safe Design, and 5) the California Environmental Quality Act (CEQA)

Envision San José 2040 General Plan Conformance

The subject site has a land use designation in the [*Envision San José 2040 General Plan*](#) Land Use/Transportation Diagram of Combined Industrial/Commercial (see Figure 2).

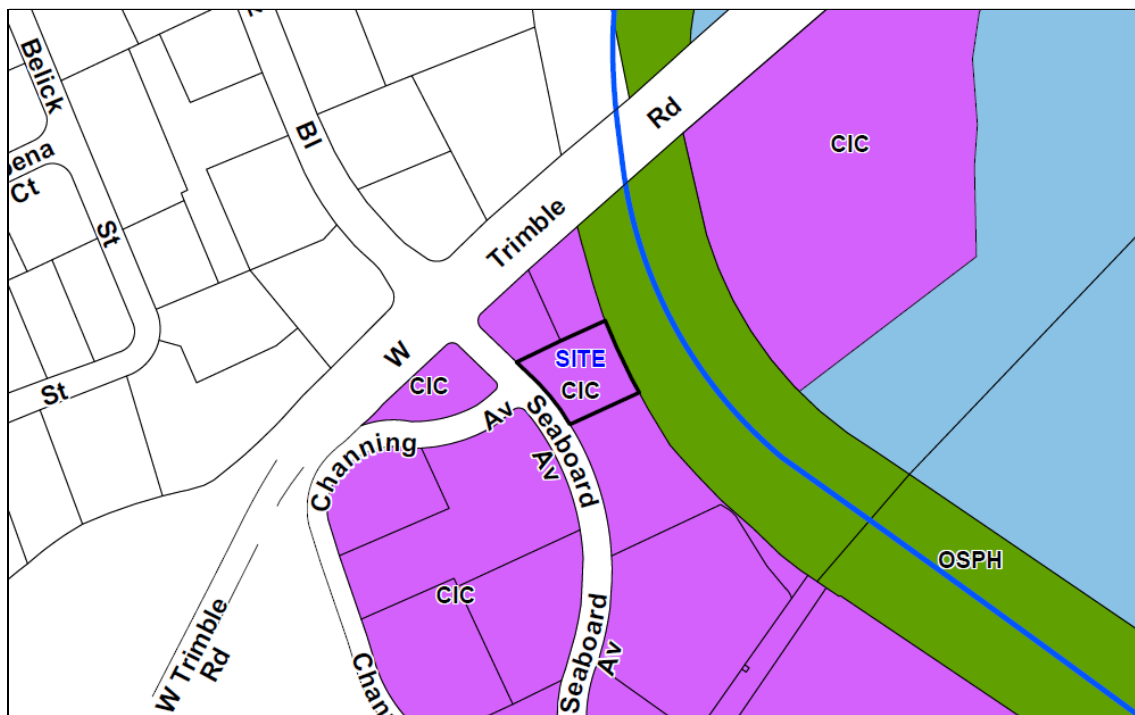


Figure 2: General Plan Land Use/Transportation Diagram

Combined Industrial/Commercial designation allows a FAR up to 12.0 and a significant amount of flexibility for the development of a varied mixture of compatible commercial and industrial uses, including hospitals and private community gathering facilities. Properties with this designation are intended for commercial, office, or industrial developments or a compatible mix of these uses.

The following General Plan policies would also apply to the project:

Implementation Policy IP-1.1- Land Use/Transportation Diagram: Use the *Envision General Plan* Land Use/Transportation Diagram designations to indicate the general intended land use, providing flexibility to allow for a mix of land uses, intensities and development forms compatible with a wide variety of neighborhood contexts and to

designate the intended roadway network to be developed over the timeframe of the *Envision General Plan*. Use the Zoning designation to indicate the appropriate type, form and height of development for particular properties.

Implementation Policy IP-1.7: Ensure that proposals to rezone and prezone properties conform to the Land Use/Transportation Diagram, and advance *Envision General Plan* vision, goals and policies.

Implementation Policy IP-8.2: Use the City's conventional zoning districts, contained in its Zoning Ordinance, to implement the *Envision General Plan* Land Use/Transportation Diagram. These districts include a range of allowed land uses, development intensities, and standards within major land use categories (residential, commercial and industrial) together with zoning districts for other land uses such as mixed-use and open space. The various ranges of allowed use and development intensity correspond generally to the respective *Envision General Plan* land use designations, while providing greater detail as to the appropriate land uses and form of development.

Industrial Preservation Policy LU-6.2: Prohibit encroachment of incompatible uses into industrial lands, and prohibit non-industrial uses which would result in the imposition of additional operational restrictions and/or mitigation requirements on industrial users due to land use compatibility issues.

Education and Services Policy ES-1.3: Encourage new schools, including public and private, to locate near populations which they serve.

Education and Services Policy ES-1.4: Encourage and enable new schools, public or private, to avoid locations that could pose health and safety risks to children (e.g., locations near industrial uses, hazardous material storage, and excessive noise).

Analysis:

The proposed CIC Combined Industrial/Commercial zoning district is a conforming district of the General Plan Land Use Designation of Combined Industrial/Commercial; the existing Light Industrial zoning district is not a conforming zoning district of the land use designation. The proposed rezoning would therefore bring the zoning into conformance with the General Plan, consistent with Policy IP-1.7 and Policy IP-8.2.

The proposed day care center is consistent with the allowed uses of the Combined Industrial/Commercial land use designation, consistent with Policy IP-1.1. Additionally, the project would not result in restriction of existing industrial uses, consistent with Policy LU-6.2.

Existing land uses adjacent to the project site predominantly consist of office, open space, commercial, and industrial uses. Typical uses adjacent to the project include a tool supply store, a floral delivery service, and a hotel.

Although industrial uses in the project vicinity do not pose immediate health or safety risks to children, the project is within the vicinity of industrial uses that store hazardous materials onsite, including:

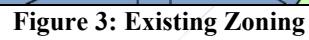
- **370 West Trimble Road (Lumileds):** *This industrial office and manufacturing facility is approximately 1,000 feet from the project area. An ammonia storage facility expansion was approved in October 2005 with Planned Development Permit Amendment File No. PDA94-016-02.*
- **2500 Seaboard Avenue (Swissport Fueling):** *This airplane jet fuel farm is located approximately 850 feet from the project area and was approved in September 2007 with Site Development Permit File No. H07-012.*

These industrial uses were permitted prior to approval of the existing church. A Hazardous Materials Risk Analysis was conducted in 2008 as part of the Conditional Use Permit (File No. CP08-013) to allow the church use, and the permit included a condition of approval requiring submittal of an emergency response plan prior to building permit issuance. The subject Conditional Use Permit for the proposed day care center is therefore also conditioned to require submittal of an emergency response plan prior to building permit issuance. The purpose of the emergency response plan is for the day care to identify emergency procedures to be followed by day care personnel in the event of an unplanned release of hazardous materials near the day care center.

The project would allow a day care center that could be conveniently accessed by employees of commercial and industrial businesses in the project area, thereby supporting parents working in these businesses on weekdays. Therefore, the project is consistent with Policy ES-1.3 and Policy ES-1.4.

Zoning Ordinance Conformance

The subject 0.78-gross acre site is currently within the LI Light Industrial Zoning District (see Figure 3). The proposed rezoning to the Combined Industrial/Commercial zoning district conforms with Table 20-270, Section 20.120.110 of the San José Municipal Code, which identifies the Combined Industrial/Commercial Zoning District as a conforming district of the Combined Industrial/Commercial General Plan Land Use/Transportation Diagram land use designation (see Figure 4). Day care centers are permitted in the Combined Industrial/Commercial zoning district with issuance of a Special Use Permit.



Development Standards

The following development standards of the Commercial/Industrial Commercial Zoning District apply to the project:

Setbacks

Minimum Setback Requirements	
Front	Building: 15 feet Parking and circulation: 20 feet
Side	0 feet
Rear	0 feet

Analysis: The existing building is set back 15 feet from the front property line and the nearest parking space is located approximately 20 feet from the front property line. Walks and driveways for vehicular or pedestrian access to the parking lot are exempt from these setback requirements. Therefore, the project is consistent with these setback requirements.

Height

The maximum height of the zoning district is 50 feet.

The existing building is 18 feet tall and is consistent with the maximum allowed height of the zoning district.

Parking

Pursuant to [Section 20.90.060](#) of the Zoning Ordinance, the required parking ratios for day care centers are as follows:

Required Parking Spaces for Day Care Center	
Vehicle Parking	1 per 6 children, up to 5 spaces and thereafter 1 per 10 children (includes employee parking)
Bicycle Parking	1 per 10 full-time employees and children

Analysis: One parking space per 30 square feet of worship area must be provided for the church use. As described in CP12-049, the church includes a total of 840 square feet of worship area; therefore, 28 parking spaces must be provided for the church use. The site provides 28 vehicular parking spaces. As described in the submitted Operations Plan (see Exhibit F), a maximum of 120 children would attend the proposed day care center, and there would be 11 employees. The day care center therefore requires a total of 14

vehicle spaces. Additionally, 12 short-term and two long-term bicycle spaces are also required. No motorcycle spaces are required.

Additionally, 12 short-term and two long-term bicycle spaces are also required. Required bicycle parking spaces for the day care center are provided to the west of the existing building, approximately 10 feet from the front building entrance. No motorcycle spaces are required.

Alternating Use Parking Arrangement

The project requires approval of alternating use parking arrangements pursuant to Section 20.90.200, which allows shared use of common parking facilities where certain uses generate parking demands during hours when the remaining uses are not in operation.

The 14 required vehicle spaces would be part of the existing 28 spaces located on the western side of the wrought-iron fence enclosing the play areas to the north of the church. The existing church operates from 8:00 P.M. to 10:00 P.M. on Wednesdays and 10:00 A.M. to 1:00 P.M. on Sundays; the day care center would operate from Monday to Friday between the hours of 7:00 A.M. and 6:00 P.M. Therefore, there would be no overlap in operational hours and the 14 vehicle spaces required for the day care center may be permitted with an alternating use parking arrangement pursuant to Section 20.90.20. This arrangement would be included as a condition of approval for the Special Use Permit, and all applicable parking requirements would apply to subsequent uses of the property.

Special Use Permit Findings

In order to make the Special Use Permit findings and recommend approval to the Planning Commission, staff must determine that:

1. The Special Use Permit, as approved, is consistent with and will further the policies of the general plan and applicable specific plans and area development policies; and

Analysis: As described above, the project is consistent with the General Plan designation and policies. The site is not located within any specific plan or area development policy of the City. Although there are existing industrial uses in the project vicinity, these uses would not be restricted by the proposed day care center in that the nearest industrial facility with large amounts of hazardous materials storage is located approximately 850 feet away and is separated by three industrial buildings. Additionally, the day care center would develop an emergency response plan to ensure identification of appropriate emergency procedures before issuance of a Building Permit or Certificate of Occupancy for the day care center.

2. The Special Use Permit, as approved, conforms with the zoning code and all other provisions of the San José Municipal Code applicable to the project; and

Analysis: As described above, the project is consistent with the setback, height, and parking requirements of the zoning district. The existing church operates from 8:00 P.M. to 10:00 P.M. on Wednesdays and 10:00 A.M. to 1:00 P.M. on Sundays; the day care center would operate from Monday to Friday between the hours of 7:00 A.M. and 6:00 P.M. Therefore, the 14 spaces required for the day care center may be permitted with an alternating parking

arrangement pursuant to Section 20.90.200. This arrangement would be included as a condition of approval for the Special Use Permit, and all subsequent uses of the property would be required to comply with the parking requirements of the zoning ordinance.

3. The Special Use Permit, as approved, is consistent with applicable city council policies, or counterbalancing considerations justify the inconsistency; and

Analysis: As described above, the project is consistent with City Council Policy 6-14: Guidelines for Child Care, in that the project would operate between 7:30 a.m. and 6:00 p.m., Monday through Friday, and all outdoor play areas would be enclosed by a 6-foot tall wrought-iron fence. Additionally, as described in the Categorical Exemption, the project was reviewed under the City's Vehicle Miles Travelled (VMT) Transportation Policy, City Council Policy 5-1 and was determined to have a less than significant impact on Traffic and Transportation.

As described above, the project is also consistent with City Council Policy 6-34 Riparian Corridor Protection and Bird-Safe Design, as the project site is in an urban infill location where most properties are developed, and all construction would occur in already developed areas at least 100 feet from the riparian corridor. Additionally, the nearest site activity to the Guadalupe River riparian corridor would be located in a play area that would be located in the existing parking lot. Further, day care uses are not identified as fundamentally incompatible with the riparian habitat.

4. The proposed use at the location requested will not:
 - a. Adversely affect the peace, health, safety, morals or welfare of persons residing or working in the surrounding area; or
 - b. Impair the utility or value of property of other persons located in the vicinity of the site; or
 - c. Be detrimental to public health, safety or general welfare; and

Analysis: As described above, the subject site is located on a commercial site with no residential uses or other sensitive receptors in the project area. Onsite parking and circulation as well as a staggered pick-up/drop-off schedule will ensure adverse effects to traffic are minimized. Additionally, the project would not exceed the exterior noise standards of the General Plan or Zoning Ordinance. Therefore, the project would not result in significant or adverse impacts the peace, health, safety, morals or welfare of persons residing or working in the surrounding area.

The day care center would be located in an existing building and would not impose additional restrictions on industrial uses in the surrounding area, or otherwise impair the utility or value of property in the project area. Additionally, the project would not impair the utility or value of neighboring properties or be detrimental to public health, safety, or general welfare.

5. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in

this title, or as is otherwise required in order to integrate the use with the existing and planned uses in the surrounding area; and

Analysis: All fencing, landscaping, circulation, and parking would be consistent with the setbacks of the zoning district, and the site is adequate in size and shape to accommodate the project. Additionally, as discussed in the Public Works Traffic Memo, dated April 14, 2021, the project was reviewed under the City's VMT Transportation Policy, City Council Policy 5-1, and was determined to have a less than significant impact on traffic and transportation (Exhibit G).

6. The proposed site is adequately served:

- a. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate; or by other forms of transit adequate to carry the kind and quantity of individuals such use would generate; and
- b. By other public or private service facilities as are required.

Analysis: The project is accessed by one inbound-only driveway and one outbound-only driveway onsite, located to the west of the existing building and accessed from Seaboard Avenue; regional vehicular access to the site is provided by U.S. Highway 101. Seaboard Avenue is a fully improved public street that is adequate to carry the vehicles anticipated to be generated by the project. The project also includes construction of a 10-foot wide sidewalk along Seaboard Avenue to improve pedestrian facilities. As discussed in the Public Works Traffic Memo (Exhibit G), dated April 14, 2021, with the inclusion of all project conditions, including staggered pick-up/drop-off, the anticipated traffic generated by the day care center would not result in significant impacts to transportation or transportation. Additionally, the Local Transportation Analysis, dated March 3, 2021, identified no issues related to vehicular stacking. Therefore, the project would be sufficiently served to carry the kind and quantity of the traffic that would be generated by the project.

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

Analysis: As described above, the project would not have an unacceptable negative affect on adjacent property or properties with regards to noise, vibration, dust, drainage, erosion, storm water runoff, and odor. Project construction includes on-site circulation improvements, a 10-foot wide sidewalk, a modified trash enclosure, and fencing around an existing park area to create two outdoor play areas. No residential uses are in the project vicinity. Operations would occur indoors or in the two outdoor play areas, and would not exceed applicable noise standards or result in unacceptable negative effects.

Alternating Use Parking Arrangement Findings:

In addition to any other findings required for a special use permit, the Director, or Planning Commission on appeal, may approve such off-street parking facilities arrangements only upon making the following findings:

1. The number of off-street parking spaces provided in such parking facilities adequately meets the parking requirements of the individual buildings and uses as specified in this Chapter 20.90 of this title;

Analysis: As described above, the alternating use parking arrangement would ensure 28 parking spaces are available for the church use and 14 parking spaces are available for the day care center use during their respective times of operation. These spaces are consistent with the respective requirements of the zoning district as specified in Chapter 20.90.

2. It is reasonably certain that the parking facility shall continue to be provided and maintained at the same location for the service of the building or use for which such facility is required, during the life of the building or use; and

Analysis: The alternating parking arrangement is a condition of permit approval for this project and would continue to be provided and maintained onsite during the life of the day care center use.

3. The parking facility is reasonably convenient and accessible to the buildings or uses to be served.

Analysis: Provided parking spaces are located onsite directly adjacent to the existing building.

City Council Policy Conformance

[City Council Policy 6-14: Guidelines for Child Care](#)

The guidelines of City Council Policy 6-14 help ensure that child care centers conform to City requirements and are compatible with surrounding neighborhoods. Planning staff has reviewed this proposal for consistency with the applicable sections of this policy:

- New Child Care Centers are discouraged from locating on residential streets with limited accessibility, such as those that terminate in a cul-de-sac, in order to prevent traffic congestion and bottle-necking within the neighborhood. Access to new child care centers in order to pick up and drop off children should not negatively impact off-site traffic flow by causing on-street stacking or stopping, and new child care centers should provide adequate vehicular driveways and sufficient turn-around areas for adequate on-site circulation.

Analysis: A Local Transportation Analysis was completed for the project by Hexagon Transportation Consultants on March 3, 2021, confirming that the project would provide sufficient space for vehicle parking, on-site circulation, and pick-up/drop-off. Parents will pick-up/drop-off students using the parking lot and an approximately 125-foot long one-way drive aisle located to the west of the existing building. The one-way drive aisle can accommodate approximately five to six vehicles; during the busiest periods, vehicles would be directed to use the parking lot. A staggered drop-off/pick-up schedule is also

required as a condition of approval for this Conditional Use Permit. As identified in the approved Operations Plan, parents will be required to sign children in and out, and children would be supervised by parents or teachers until they reach the vehicle/day care center. Vehicles would exit using a curb cut directly connecting the parking area to Seaboard Avenue. The Local Transportation Analysis did not indicate that the project would result in stacking along Seaboard Avenue, and on-site circulation and parking is sufficient to allow for efficient pick-up and drop-off of students.

- On-site circulation should be designed to preclude vehicles from backing onto streets designated as Major Collectors and Arterials on the City's adopted General Plan Land Use/Transportation Diagram. Child Care Centers located in non-residential complexes should not allow drop-off and pick-up activities to interfere with the existing on-site traffic circulation.

Analysis: As described above, the project site is accessed via a one-way drive aisle located to the west of the existing building. Seaboard Avenue is not a Major Collector or Arterial. Additionally, the project would implement a staggered pick-up schedule. The project would also be consistent with the City of San José Transportation Analysis Policy (Council Policy 5-1).

- New Child Care Centers should install a minimum six-foot high fence around the active outdoor play areas for child security. The wall may be required to minimize potential impacts from outdoor play and parking areas to surrounding residential uses.

Analysis: The day care center includes a six-foot high wrought-iron fence enclosing the two play areas located to the north of the existing building. No residential uses are located in the project vicinity.

- New Child Care Centers proximate to residential neighborhoods should locate play areas away from adjacent residences as much as possible.

Analysis: There are no residences adjacent to the project site.

- New Child Care Centers are required to meet the noise standards of the Zoning Ordinance and should meet the City's noise standards as specified in the General Plan. A noise study may be required for Child Care Centers proximate to residential neighborhoods to evaluate noise levels and identify appropriate mitigation.

Analysis: As stated above, no residential properties are in proximity of the project site. Additionally, the project would not exceed the acceptable exterior noise standards of the General Plan or zoning ordinance.

- To minimize adverse impacts to adjacent residences, Child Care Centers adjacent to residential neighborhoods should operate only from 6:00 a.m. to 7:00 p.m., Monday through Friday.

Analysis: The day care center would operate between 7:30 a.m. and 6:00 p.m., Monday through Friday. The allowed days of operation (Monday through Friday) are a condition of approval for the Special Use Permit.

City Council Policy 6-34: Riparian Corridor Protection and Bird-Safe Design

The purpose of City Council Policy 6-34 Riparian Corridor Protection and Bird-Safe Design (Council Policy 6-34) is to protect, preserve, or restore riparian habitat and limit the creation of new impervious surface within riparian corridor setbacks to minimize flooding from urban runoff, and control erosion. Under Council Policy 6-34, the project is considered a “riparian project,” as it is a development located within 300 feet of a riparian corridor’s top of bank or vegetative edge, whichever is greater, and pursuant to the City’s Zoning Ordinance requires approval of a Development Permit. However, although the project site is within 300 feet of the Guadalupe River, the site is located within an urban infill location and is less than one acre, per Consideration 2.b. of the Policy; therefore, a reduced setback would be appropriate. The reduced setback would not adversely impact the riparian corridor and is not fundamentally incompatible with the riparian habitat. Additionally, the project would utilize the existing developed site and does not include any construction within the required 100-foot riparian setback. Further, project construction would be separated from the riparian corridor by the existing development. The nearest site activity to the Guadalupe River’s riparian corridor would occur in the existing patio, which would be used as a play area by the day care center. No physical construction would occur within the 100-foot setback. Furthermore, all new construction and ground disturbance would occur on developed areas of the site. Consistent with the purpose of the Council Policy, the project would not create new impervious surfaces or uses within the required riparian setbacks.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Planning Director approved a Categorical Exemption for the project on June 25, 2021. Under the provisions of Sections 15303(c) and 15303(e) (Class 3 – New Construction or Conversion of Small Structures) of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), 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.

The project is exempt from CEQA under State CEQA Guidelines Sections 15303(c) and 15303(e). These exemptions apply to the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The project would consist of a rezoning from the LI Light Industrial zoning district to the Combined Industrial/Commercial zoning district, a Special Use Permit to allow a day care center for a maximum of 120 students in an existing building, approval of an alternating parking arrangement, and construction including on-site circulation improvements, a 10-foot wide sidewalk, a modified trash enclosure, and fencing around an existing parking area to create two outdoor play areas.

The project is in an urbanized area, and is surrounded to the west, north, and south by developed commercial and industrial uses. The Guadalupe River is located to the east of the project site; however, as discussed above, project construction would be minimal in scope and would only occur in developed areas of the site more than 100 feet from the riparian corridor, and would not result in adverse impacts to the riparian corridor. As identified in the exemption, no special circumstances exist under the provisions of CEQA Guidelines Section 15300.2 that would

disqualify the project for the Class 3 Exemption, nor would there be special circumstance that would create a reasonable possibility that the project will have a significant adverse effect on the environment. Therefore, the project is exempt.

CLIMATE SMART SAN JOSE

The recommendation in this memorandum has no effect on Climate Smart San José energy, water, or mobility goals.

PUBLIC HEARING NOTIFICATION

Staff followed Council Policy 6-30: Public Outreach Policy. A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 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. No public comments were received.

CONCLUSION

The proposed rezoning from the LI Light Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District is consistent with the General Plan Implementation Policies IP-1.1, IP-1.7, IP-8.2, and ES-2.11. The rezoning also conforms to the General Plan Land Use designation of Combined Industrial/Commercial pursuant to Table 20-270 of the Zoning Code. The proposed day care center would be consistent with the City's General Plan, Zoning Ordinance, and all other applicable policies and regulations.

/s/

Chris Burton, Director
Planning, Building and Code Enforcement

For questions, please contact Robert Manford, Deputy Director, at (408) 535-7900.

Attachments: Exhibit A - Legal Description
Exhibit B - Plat Map
Exhibit C - Draft Rezoning Ordinance
Exhibit D - Draft Permit Resolution
Exhibit E - Plan Set
Exhibit F - Signed Operations Plan
Exhibit G - CEQA Categorical Exemption

EXHIBIT 'A'
LEGAL DESCRIPTION

All that certain parcel of land situate in the City of San Jose, County of Santa Clara County, State of California, more particularly described as follows:

Being all of Parcel 10, as shown on the Parcel Map filed on August 13, 1973 in Book 328 of Maps at Page 24, Santa Clara County records, more particularly described as follows:

BEGINNING at the most westerly corner of said Parcel 10; thence along the northwesterly line of said Parcel 10, North 65° 25' 26" East, 220.44 feet to the most northerly corner of said Parcel 10, said point being the beginning of a non-tangent curve, concave northeasterly, having a radius of 1,150.00 feet, from which the radius point bears North 69° 30' 42" East; thence leaving said northwesterly line, along the northeasterly line of said Parcel 10, southeasterly, along said curve, through a central angle of 08° 55' 39", for an arc length of 179.19 feet to the most easterly corner of said Parcel 10; thence leaving said northeasterly line, along the southeasterly line of said Parcel 10, South 65° 25' 26" West, 171.59 feet to the most southerly corner of said Parcel 10, said point being the beginning of a non-tangent curve, concave southwesterly, having a radius of 592.00 feet, from which the radius point bears South 57° 35' 34" West; thence leaving said southeasterly line, along the southwesterly line of said Parcel 10, the following two (2) courses: 1) northwesterly, along said curve, through a central angle of 11° 21' 39", for an arc length of 117.38 feet and 2) North 43° 46' 05" West, 68.88 feet to the **POINT OF BEGINNING**.

Containing an area of 0.78 acres of land, more or less.

END OF DESCRIPTION

This description is based upon the dimensions shown for Parcel 10 as shown on the Parcel Map filed on August 13, 1973 in Book 328 of Maps at Page 24, Santa Clara County records.

Kristina D. Comer

Kristina D. Comerer, PLS 6766

Sept. 2, 2020

Date:

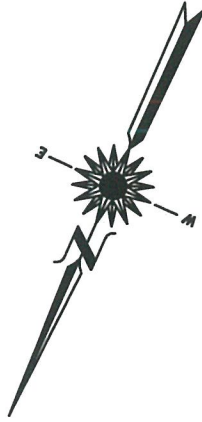


EXISTING ZONING: LIGHT INDUSTRIAL
PROPOSED ZONING: COMBINED INDUSTRIAL COMMERCIAL

GUADALUPE RIVER

R=1150.00 $\Delta=08^{\circ}55'39"$ L=179.19

PM 328 M. 24
PARCEL 12
N69°30'42"E (R)
220.44



101-01-010
LANDS OF LU
DOC. NO. 20013739

PM 328 M. 24
PARCEL 10
AREA=0.78 ACRES +/-

PM 328 M. 24
PARCEL 11
N 65°25'26" E

S57°35'34"W (R)

S 65°25'26" W 171.59

PM 328 M. 24
PARCEL 9

LEGEND

— EXISTING BOUNDARY LINE
- - - STREET CENTER LINE



Kristina D. Comer

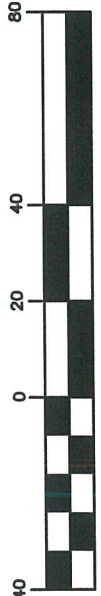
KRISTINA D. COMER, PLS 6766

DATE: *Sept. 2, 2020*



CROSS LAND SURVEYING, INC.
2210 MT. PLEASANT ROAD
SAN JOSE, CA 95148
(408) 274-7994

PROJECT NO. 19-175



1 inch = 40 ft.

SEABOARD AVENUE

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 0.78 GROSS ACRES SITUATED ON THE EAST SIDE OF SEABOARD AVENUE, APPROXIMATELY 200 FEET SOUTHEAST OF WEST TRIMBLE ROAD (2586 SEABOARD AVENUE; APN: 101-01-010) FROM THE LIGHT INDUSTRIAL ZONING DISTRICT TO THE CIC COMBINED INDUSTRIAL/COMMERCIAL 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 Statement of Exemption was prepared for a rezoning under File No. C20-002 and SP21-021, and said Statement of Exemption (CEQA Categorical Exemption Section 15303 for New Construction or Conversion of Small Structures) was adopted on June 25, 2021; and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to the CIC Combined Industrial/Commercial Zoning District; and

WHEREAS, this Council of the City of San José has considered and approves the Statement of Exemption as the appropriate environmental clearance for the proposed project prior to acting upon or approving the subject rezoning;

WHEREAS, the proposed rezoning is consistent with the designation of the site in the applicable General Plan.

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 CIC Combined Industrial/Commercial Zoning District.

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

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

SECTION 4. Any land development approval that is the subject of City File No. C20-002 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 title this ____ day of _____, 2021 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING, SUBJECT TO CONDITIONS, A SPECIAL USE PERMIT TO ALLOW A 7,494-SQUARE FOOT DAY CARE CENTER WITH TWO OUTDOOR PLAY AREAS TOTALING 5,828 SQUARE FEET FOR A MAXIMUM OF 120 CHILDREN WITHIN AN EXISTING 16,977-SQUARE FOOT BUILDING, APPROVAL OF AN ALTERNATING USE PARKING ARRANGEMENT, AND CONSTRUCTION OF ON-SITE CIRCULATION IMPROVEMENTS AND TWO OUTDOOR PLAY AREAS ON AN APPROXIMATELY 0.78-GROSS ACRE SITE LOCATED ON THE EAST SIDE OF SEABOARD AVENUE, APPROXIMATELY 200 FEET SOUTHEAST OF WEST TRIMBLE ROAD (2586 SEABOARD AVENUE)

FILE NO. SP21-021

WHEREAS, pursuant to the provisions of Chapter 20.100 of Title 20 of the San José Municipal Code, on February 3, 2020, an application (File No. SP21-021) was filed by the applicant, John Ha, of IDA Inc, for David Lu, with the City of San José for a Special Use Permit to allow a day care center for a maximum of 120 children in an existing building, approval of an alternating use parking arrangement, and construction of on-site circulation improvements and two outdoor play areas on an approximately 0.78-gross acre site, on that certain real property located on the east side of Seaboard Avenue, approximately 200 feet southeast of West Trimble Road (2586 Seaboard Avenue, San José, which real property is sometimes referred to herein as the “subject property”); and

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

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

Municipal Code, this City Council conducted a hearing on said 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 recommendation of the 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, "Sunny Childcare T.I. and CUP" dated April 23, 2021, 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 this 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 project site is located on the east side of

Seaboard Avenue, approximately 200 feet southeast of West Trimble Road. The subject 0.78-gross acre site is currently developed with an existing 16,977-square foot, single-story church building. The site is surrounded by existing commercial and industrial uses to the west, north, and south, and the Guadalupe River is located to the east. There are no residential properties in the immediate vicinity of the project site.

2. **Project Description.** On February 3, 2020, the applicant, John Ha, of IDA Inc., filed an application to rezone an approximately 0.78-gross acre site from the LI Light Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District and approve a Special Use Permit for a day care center for a maximum of 120 children ages 0 to 5 years old with 11 employees, alternating use parking arrangement, and on-site circulation improvement.

The day care center would occupy 7,494 square feet of an existing 16,977-square foot building, and the remaining 9,518 square feet of interior space would continue to be utilized for the existing church use. The existing church use was permitted with CP08-013 and expanded with CP12-049. The church would continue operating Wednesdays from 8:00 P.M. to 10:00 P.M. and Sundays from 10:00 A.M. to 1:00 P.M., and requires 28 parking spaces onsite.

Wrought-iron fencing and a gate enclosing a portion of the church parking lot totaling 5,828 square feet would provide two outdoor play areas to the north of the building. A maximum of 60 children would be allowed in the outdoor play areas between the hours of 9:00 A.M. to 10:30 A.M., 2:30 P.M. to 4:00 P.M., and 4:30 P.M. to 6:00 P.M., for a total of four and a half hours.

Parking for the day care center is provided via an alternating use parking arrangement with the onsite church and includes 14 spaces located on the western side of the wrought-iron fence enclosing the play areas. The play areas would be enclosed by a wrought-iron fence and gate when the day care center is in operation. The gate would be opened when the church is in operation; a total of 28 existing parking spaces would be provided for the church use, consistent with the amount required per CP12-049.

Site parking and the pick-up/drop-off area of the day care center would be accessed via an approximately 125-foot long one-way drive aisle. Parents will drop children off Monday through Friday between 7:30 am and 9:00 am; teachers will meet kids and supervise them until they reach the building. Between 4:30 to 6:00 pm, teachers will walk children from the building to the pick-up area and supervise them until pick-up. Additionally, pick-up/drop-off will be staggered, as required by a condition of permit approval.

Project construction includes on-site circulation improvements, a modified trash enclosure, and wrought-iron fencing around a portion of the existing parking area to create two outdoor play areas.

3. **General Plan Conformance.**

Land Use Designation

The subject site has a land use designation in the Envision San José 2040 General Plan Land Use/Transportation Diagram of Combined Industrial/Commercial. Combined Industrial/Commercial designation allows a FAR up to 12.0 and a significant amount of flexibility for the development of a varied mixture of compatible commercial and industrial uses, including hospitals and private community gathering facilities. Properties with this designation are intended for commercial, office, or industrial developments or a compatible mix of these uses.

The following General Plan policies also apply to the project:

Implementation Policy IP-1.1: Use the Envision General Plan Land Use/Transportation Diagram designations to indicate the general intended land use, providing flexibility to allow for a mix of land uses, intensities and development forms compatible with a wide variety of neighborhood contexts and to designate the intended roadway network to be developed over the timeframe of the Envision General Plan. Use the Zoning designation to indicate the appropriate type, form and height of development for particular properties. Implementation Policy IP-1.1- Land Use/Transportation Diagram: Use the Envision General Plan Land Use/Transportation Diagram designations to indicate the general intended land use, providing flexibility to allow for a mix of land uses, intensities and development forms compatible with a wide variety of neighborhood contexts and to designate the intended roadway network to be developed over the timeframe of the Envision General Plan. Use the Zoning designation to indicate the appropriate type, form and height of development for particular properties.

Implementation Policy IP-1.7: Ensure that proposals to rezone and prezone properties conform to the Land Use/Transportation Diagram, and advance Envision General Plan vision, goals and policies.

Implementation Policy IP-8.2: Use the City's conventional zoning districts, contained in its Zoning Ordinance, to implement the Envision General Plan Land Use/Transportation Diagram. These districts include a range of allowed land uses, development intensities, and standards within major land use categories (residential, commercial and industrial) together with zoning districts for other land uses such as mixed-use and open space. The various ranges of allowed use and development intensity correspond generally to the respective Envision General Plan land use designations, while providing greater detail as to the appropriate land uses and form of development.

Industrial Preservation Policy LU-6.2: Prohibit encroachment of incompatible uses into industrial lands, and prohibit non-industrial uses which would result in the imposition of additional operational restrictions and/or mitigation requirements on industrial users due to land use compatibility issues.

Education and Services Policy ES-1.3: Encourage new schools, including public and private, to locate near populations which they serve.

Education and Services Policy ES-1.4: Encourage and enable new schools, public or private, to avoid locations that could pose health and safety risks to children (e.g., locations near industrial uses, hazardous material storage, and excessive noise).

The proposed CIC Combined Industrial/Commercial zoning district is a conforming district of the General Plan Land Use Designation of Combined Industrial/Commercial; the existing Light Industrial zoning district is not a conforming zoning district of the land use designation. The proposed rezoning would therefore bring the zoning into conformance with the General Plan, consistent with Policy IP-1.7 and Policy IP-8.2.

The proposed day care center is consistent with the allowed uses of the Combined Industrial/Commercial land use designation, consistent with Policy IP-1.1. Additionally, the project would not result in restriction of existing industrial uses, consistent with Policy LU-6.2.

Existing land uses adjacent to the project site predominantly consist of office, open space, commercial, and industrial uses. Typical uses adjacent to the project include a tool supply store, a floral delivery service, and a hotel.

Although industrial uses in the project vicinity do not pose immediate health or safety risks to children, the project is within the vicinity of industrial uses that store hazardous materials onsite, including:

- **370 West Trimble Road (Lumileds):** This industrial office and manufacturing facility is approximately 1,000 feet from the project area. An ammonia storage facility expansion was approved in October 2005 with Planned Development Permit Amendment File No. PDA94-016-02.
- **2500 Seaboard Avenue (Swissport Fueling):** This airplane jet fuel farm is located approximately 850 feet from the project area and was approved in September 2007 with Site Development Permit File No. H07-012.

These industrial uses were permitted prior to approval of the existing church. A Hazardous Materials Risk Analysis was conducted in 2008 as part of the Conditional Use Permit (File No. CP08-013) to allow the church use, and the permit included a condition of approval requiring submittal of an emergency response plan prior to building permit issuance. The subject Conditional Use Permit for the proposed day care center is therefore also conditioned to require submittal of an emergency response plan prior to building permit issuance. The purpose of the emergency response plan is for the day care to identify emergency procedures to be followed by day care personnel in the event of an unplanned release of hazardous materials near the day care center.

The project would allow a day care center that could be conveniently accessed by employees of commercial and industrial businesses in the project area, thereby supporting parents working in these businesses on weekdays. Therefore, the project is consistent with Policy ES-1.3 and Policy ES-1.4.

4. Zoning Code Compliance.

Land Uses

Pursuant to Section 20.40.100 of the San José Municipal Code, Table 20-90, day care use is permitted with a Special Use Permit in the Combined Industrial/Commercial zoning district.

The CIC Combined Industrial/Commercial zoning designation is intended for commercial or industrial uses, or a compatible mixture of these uses, that support the goals of the combined industrial/commercial general plan designation. The district allows for a broad range of commercial uses with a local or regional market, including big box retail, and a narrower range of industrial uses, primarily industrial park in nature, but including some low-intensity light industrial uses. Assembly uses and day care centers are allowed where they are compatible with and will not impose constraints on neighboring industrial uses.

Development Standards

The following development standards of the Commercial/Industrial Commercial zoning district apply to the project:

Setbacks

Minimum Setback Requirements	
Front	Building: 15 feet Parking and circulation: 20 feet
Side	0 feet
Rear	0 feet

The existing building is set back 15 feet from the front property line and the nearest parking space is located approximately 20 feet from the front property line. Walks and driveways for vehicular or pedestrian access to the parking lot are exempt from these setback requirements. Therefore, the project is consistent with these setback requirements.

Height

The maximum height of the zoning district is 50 feet.

The existing building is 18 feet tall and is consistent with the maximum allowed height of the zoning district.

Parking

Pursuant to [Section 20.90.060](#) of the Zoning Ordinance, the required parking ratios for day care centers are as follows:

Required Parking Spaces for Day Care Center	
Vehicle Parking	1 per 6 children, up to 5 spaces and thereafter 1 per 10 children (includes employee parking)
Bicycle Parking	1 per 10 full-time employees and children

As described in the submitted Operations Plan, a maximum of 120 children would attend the day care center, and there would be 11 employees. The day care center therefore requires a total of 14 vehicle spaces. 1 parking space per 30 square feet of worship area must be provided for the church use. As described in CP12-049, the church includes a total of 840 square feet of worship area; therefore, 28 parking spaces must be provided for the church use.

The subject site provides 28 vehicular parking spaces; the proposed alternating use parking arrangement is described below.

Additionally, 12 short-term and 2 long-term bicycle spaces are also required. Required bicycle parking spaces for the day care center are provided to the west of the existing building, approximately 10 feet from the front building entrance. No motorcycle spaces are required.

Alternating Use Parking Arrangement

The project requires approval of alternating use parking arrangements pursuant to Section 20.90.200, which allows shared use of common parking facilities where certain uses generate parking demands during hours when the remaining uses are not in operation.

The 14 required vehicle spaces would be part of the existing 28 spaces located on the western side of the wrought-iron fence enclosing the play areas to the north of the church. The existing church operates from 8:00 P.M. to 10:00 P.M. on Wednesdays and 10:00 A.M. to 1:00 P.M. on Sundays; the day care center would operate from Monday to Friday between the hours of 7:00 A.M. and 6:00 P.M. Therefore, there would be no overlap in operational hours and the 14 vehicle spaces required for the day care center may be permitted with an alternating use parking arrangement per Section 20.90.20. This arrangement would be included as a condition of approval for the Special Use Permit, and all applicable parking requirements would apply to subsequent uses of the property.

- 5. Commercial Design Guidelines.** The project is subject to the City's Commercial Design Guidelines. Pursuant to the Commercial Design Guidelines, playground facilities should not negatively impact on-site parking and circulation, and equipment should be enclosed by

perimeter fencing. In addition, playground equipment and fencing should not obscure the primary structure along street frontages.

Analysis: The play areas are separated from parking and circulation for the day care center by a 6-foot fence, and the alternating parking arrangement would ensure that sufficient spaces for the existing church and project day care center are provided on-site. Additionally, the fencing and play areas would not obscure the existing church structure from along the property street frontage. Therefore, the site is consistent with the Commercial Design Guidelines.

6. City Council Policy 6-14: Guidelines for Child Care

The primary policy applicable for the review and analysis of this project is City Council Policy 6-14: Guidelines for Child Care. These guidelines were written to ensure that child care centers conform to City requirements and are compatible with surrounding neighborhoods. The criteria in the policy are intended as reference points so that there is a common understanding of the minimum design and operational expectations of preschools and child care centers in San José. Planning staff has reviewed this proposal for consistency with the relevant sections of this policy:

- a. New Child Care Centers are discouraged from locating on residential streets with limited accessibility, such as those that terminate in a cul-de-sac, in order to prevent traffic congestion and bottle-necking within the neighborhood. Access to new child care centers in order to pick up and drop off children should not negatively impact off-site traffic flow by causing on-street stacking or stopping, and new child care centers should provide adequate vehicular driveways and sufficient turn-around areas for adequate on-site circulation.

Analysis: A Local Transportation Analysis was completed for the project by Hexagon Transportation Consultants on March 3rd, 2021 confirming that the project would provide sufficient space for vehicle parking, on-site circulation, and pick-up/drop-off. Parents will pick-up/drop-off students using the parking lot and an approximately 125-foot long one-way drive aisle located to the west of the existing building. The one-way drive aisle can accommodate approximately five to six vehicles; during the busiest periods, vehicles would be directed to use the parking lot. A staggered drop-off/pick-up schedule is also required as a condition of approval for this Conditional Use Permit. As identified in the approved Operations Plan, parents will be required to sign children in and out, and children would be supervised by parents or teachers until they reach the vehicle/day care center. Vehicles would exit using a curb cut directly connecting the parking area to Seaboard Avenue. The Local Transportation Analysis did not indicate that the project would result in stacking along Seaboard Avenue, and on-site circulation and parking is sufficient to allow for efficient pick-up and drop-off of students.

- b. On-site circulation should be designed to preclude vehicles from backing onto streets designated as Major Collectors and Arterials on the City's adopted General Plan Land

Use/Transportation Diagram. Child Care Centers located in non-residential complexes should not allow drop-off and pick-up activities to interfere with the existing on-site traffic circulation.

Analysis: As described above, the project site is accessed via a one-way drive aisle located to the west of the existing building. Seaboard Avenue is not a Major Collector or Arterial. Additionally, the project would implement a staggered pick-up schedule. The project would also be consistent with the City of San José Transportation Analysis Policy (Council Policy 5-1).

- c. New Child Care Centers should install a minimum six-foot high fence around the active outdoor play areas for child security. The wall may be required to minimize potential impacts from outdoor play and parking areas to surrounding residential uses.

Analysis: The day care center includes a six-foot high wrought-iron fence enclosing the two play areas located to the north of the existing building. No residential uses are located in the project vicinity.

- d. New Child Care Centers proximate to residential neighborhoods should locate play areas away from adjacent residences as much as possible.

Analysis: There are no residences adjacent to the project site.

- e. New Child Care Centers are required to meet the noise standards of the Zoning Ordinance and should meet the City's noise standards as specified in the General Plan. A noise study may be required for Child Care Centers proximate to residential neighborhoods to evaluate noise levels and identify appropriate mitigation.

Analysis: As stated above, no residential properties are in proximity of the project site. Additionally, the project would not exceed the acceptable exterior noise standards of the General Plan or zoning ordinance.

- f. To minimize adverse impacts to adjacent residences, Child Care Centers adjacent to residential neighborhoods should operate only from 6:00 a.m. to 7:00 p.m., Monday through Friday.

Analysis: The day care center would operate between 7:30 a.m. and 6:00 p.m., Monday through Friday. The allowed days of operation (Monday through Friday) are a condition of approval for the Special Use Permit.

7. City Council Policy 6-34: Riparian Corridor Protection and Bird-Safe Design

The purpose of City Council Policy 6-34 Riparian Corridor Protection and Bird-Safe Design (Council Policy 6-34) is to protect, preserve, or restore riparian habitat and limit the creation of new impervious surface within riparian corridor setbacks to minimize flooding from urban runoff, and control erosion.

Under Council Policy 6-34, the project is considered a "riparian project," as it is a development located within 300 feet of a riparian corridor's top of bank or vegetative edge, whichever is

greater, and pursuant to the City's Zoning Ordinance requires approval of a Development Permit. However, although the project site is within 300 feet of the Guadalupe River, the site is located within an urban infill location and is less than one acre, per Consideration 2.b. of the Policy; therefore, a reduced setback would be appropriate. The reduced setback would not adversely impact the riparian corridor and is not fundamentally incompatible with the riparian habitat. Additionally, the project would utilize the existing developed site and does not include any construction within the required 100-foot riparian setback. Further, project construction would be separated from the riparian corridor by the existing development. The nearest site activity to the Guadalupe River's riparian corridor would occur in the existing patio, which would be used as a play area by the day care center. No physical construction would occur within the 100-foot setback. Furthermore, all new construction and ground disturbance would occur on developed areas of the site. Consistent with the purpose of the Council Policy, the project would not create new impervious surfaces or uses within the required riparian setbacks.

8. **California Environmental Quality Act.** The Planning Director approved a Categorical Exemption for the project on June 25, 2021. Under the provisions of Sections 15303(c) and 15303(e) (Class 3 – New Construction or Conversion of Small Structures) of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), 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.

The project is exempt from CEQA under State CEQA Guidelines Sections 15303(c) and 15303(e). These exemptions apply to the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The project would consist of a rezoning from the LI Light Industrial zoning district to the Combined Industrial/Commercial zoning district, a Special Use Permit to allow a day care center for a maximum of 120 students in an existing building, approval of an alternating parking arrangement, and construction including on-site circulation improvements, a 10-foot wide sidewalk, a modified trash enclosure, and fencing around an existing parking area to create two outdoor play areas.

The project is in an urbanized area, and is surrounded to the west, north, and south by developed commercial and industrial uses. The Guadalupe River is located to the east of the project site; however, as discussed above, project construction would be minimal in scope and would only occur in developed areas of the site more than 100 feet from the riparian corridor, and would not result in adverse impacts to the riparian corridor. As identified in the exemption, no special circumstances exist under the provisions of CEQA Guidelines Section 15300.2 that would disqualify the project for the Class 3 Exemption, nor would there be special circumstance that would create a reasonable possibility that the project will have a significant adverse effect on the environment. Therefore, the project is exempt.

9. **Special Use Permit Findings.** Chapter 20.100 of the San José Municipal Code (SJMC) establishes required Findings for issuance of a Special Use Permit. These criteria are applied to the project based on the above-stated findings related to General Plan and CEQA conformance and for the reasons stated below, and subject to the conditions set forth in the Permit.

- a. The special use permit, as approved, is consistent with and will further the policies of the general plan and applicable specific plans and area development policies; and

Analysis: As described above, the project is consistent with the General Plan designation and policies. The site is not located within any specific plan or area development policy of the City. Although there are existing industrial uses in the project vicinity, these uses would not be restricted by the proposed day care center in that the nearest industrial facility with large amounts of hazardous materials storage is located approximately 850 feet away and is separated by three industrial buildings. Additionally, the day care center would develop an emergency response plan to ensure identification of appropriate emergency procedures before issuance of a Building Permit or Certificate of Occupancy for the day care center.

- b. The special use permit, as approved, conforms with the zoning code and all other provisions of the San José Municipal Code applicable to the project; and

Analysis: As described above, the project is consistent with the setback, height, and parking requirements of the zoning district. The existing church operates from 8:00 P.M. to 10:00 P.M. on Wednesdays and 10:00 A.M. to 1:00 P.M. on Sundays; the day care center would operate from Monday to Friday between the hours of 7:00 A.M. and 6:00 P.M. Therefore, the 14 spaces required for the day care center may be permitted with an alternating parking arrangement per Section 20.90.200. This arrangement would be included as a condition of approval for the Special Use Permit, and all subsequent uses of the property would be required to comply with the parking requirements of the zoning ordinance.

- c. The special use permit, as approved, is consistent with applicable city council policies, or counterbalancing considerations justify the inconsistency; and

Analysis: As described above, the project is consistent with City Council Policy 6-14: Guidelines for Child Care, in that the project would operate between 7:30 a.m. and 6:00 p.m., Monday through Friday, and all outdoor play areas would be enclosed by a 6-foot tall wrought-iron fence. Additionally, as described in the Categorical Exemption, the project was reviewed under the City's Vehicle Miles Travelled (VMT) Transportation Policy, City Council Policy 5-1 and was determined to have a less than significant impact on Traffic and Transportation.

As described above, the project is also consistent with City Council Policy 6-34 Riparian Corridor Protection and Bird-Safe Design, as the project site is in an urban infill location where most properties are developed, and all construction would occur in already

developed areas at least 100 feet from the riparian corridor. Additionally, the nearest site activity to the Guadalupe River riparian corridor would be located in a play area that would be located in the existing parking lot. Further, day care uses are not identified as fundamentally incompatible with the riparian habitat.

- d. The proposed use at the location requested will not:
- i. Adversely affect the peace, health, safety, morals or welfare of persons residing or working in the surrounding area; or
 - ii. Impair the utility or value of property of other persons located in the vicinity of the site; or
 - iii. Be detrimental to public health, safety or general welfare; and

Analysis: As described above, the subject site is located on a commercial site with no residential uses or other sensitive receptors in the project area. Onsite parking and circulation as well as a staggered pick-up/drop-off schedule will ensure adverse effects to traffic are minimized. Additionally, the project would not exceed the exterior noise standards of the General Plan or Zoning Ordinance. Therefore, the project would not result in significant or adverse impacts the peace, health, safety, morals or welfare of persons residing or working in the surrounding area.

The day care center would be located in an existing building and would not impose additional restrictions on industrial uses in the surrounding area, or otherwise impair the utility or value of property in the project area. Additionally, the project would not impair the utility or value of neighboring properties or be detrimental to public health, safety, or general welfare.

- e. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate the use with existing and planned uses in the surrounding area; and

Analysis: All fencing, landscaping, circulation, and parking would be consistent with the setbacks of the zoning district, and the site is adequate in size and shape to accommodate the project. Additionally, as discussed in the Public Works Traffic Memo, dated April 14th, 2021, the project was reviewed under the City's Vehicle Miles Travelled (VMT) Transportation Policy, City Council Policy 5-1, and was determined to have a less than significant impact on traffic and transportation.

- f. The proposed site is adequately served:
- i. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate; or by other forms of transit adequate to carry the kind and quantity of individuals such use would generate; and
 - ii. By other public or private service facilities as are required.

Analysis: The project is accessed by one inbound-only driveway and one outbound-only driveway onsite, located to the west of the existing building and accessed from Seaboard Avenue; regional vehicular access to the site is provided by U.S. Highway 101. Seaboard Avenue is a fully improved public street that is adequate to carry the vehicles anticipated to be generated by the project. The project also includes construction of a 10-foot wide sidewalk along Seaboard Avenue to improve pedestrian facilities. As discussed in the Public Works Traffic Memo, dated April 14th, 2021, with the inclusion of all project conditions, including staggered pick-up/drop-off, the anticipated traffic generated by the day care center would not result in significant impacts to transportation or transportation. Additionally, the Local Transportation Analysis, dated March 3, 2021, identified no issues related to vehicular stacking. Therefore, the project would be sufficiently served to carry the kind and quantity of the traffic that would be generated by the project.

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

Analysis: As described above, the project would not have an unacceptable negative affect on adjacent property or properties with regards to noise, vibration, dust, drainage, erosion, storm water runoff, and odor. Project construction includes on-site circulation improvements, a 10-foot wide sidewalk, a modified trash enclosure, and fencing around an existing park area to create two outdoor play areas. No residential uses are in the project vicinity. Operations would occur indoors or in the two outdoor play areas, and would not exceed applicable noise standards or result in unacceptable negative effects.

- 10. Alternating Use Parking Arrangement Findings.** In addition to any other findings required for a special use permit, the director, or planning commission on appeal, may approve such off-street parking facilities arrangements only upon making the following findings:

- a. The number of off-street parking spaces provided in such parking facilities adequately meets the parking requirements of the individual buildings and uses as specified in this Chapter 20.90 of this title;

As described above, the alternating use parking arrangement would ensure 28 parking spaces are available for the church use and 14 parking spaces are available for the day care center use during their respective times of operation. These spaces are consistent with the respective requirements of the zoning district as specified in Chapter 20.90.

- b. It is reasonably certain that the parking facility shall continue to be provided and maintained at the same location for the service of the building or use for which such facility is required, during the life of the building or use; and

The alternating parking arrangement is a condition of permit approval for this project, and would continue to be provided and maintained onsite during the life of the day care center use.

- c. The parking facility is reasonably convenient and accessible to the buildings or uses to be served.

Provided parking spaces are located onsite, directly adjacent to the existing building.

In accordance with the findings set forth above, a Special Use 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 permitted hereby.

CONDITIONS

- 1) **Acceptance of Permit.** Pursuant to Section 20.100.290(B) of the San José Municipal Code, should the permittee fail to file a timely and valid appeal of this Special Use Permit (sometimes referred to as "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 Special Use Permit by the permittee; and
 - b) Agreement by the permittee to be bound by, to comply with, and to do all things required of or by the permittee pursuant to all of the terms, provisions, and conditions of this Permit or other approval and the provisions of Title 20 of the San José Municipal Code applicable to such Permit.
- 2) **Permit Expiration.** This Special Use Permit shall automatically expire four 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 Special Use Permit. The date of issuance is the date this Special Use Permit is approved by the City Council. However, the Director of Planning may approve a Permit Adjustment to extend the validity of this Permit in accordance with Title 20 of the San José Municipal Code. The Permit Adjustment must be approved prior to the expiration of this Special Use Permit.
- 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 Special Use 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) **Building Permit.** Obtainment of a Building Permit is evidence of acceptance of all conditions specified in this document and the permittee's intent to fully comply with said conditions.
- 5) **Sewage Treatment Demand.** Pursuant to Chapter 15.12 of Title 15 of the San José Municipal Code, acceptance of this Permit by Permittee shall constitute acknowledgement of receipt of notice by Permittee that (1) no vested right to a Building Permit shall accrue as the result of the granting of this Permit 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; (2) substantive conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approval authority; (3) issuance of a Building Permit to implement this Permit may be suspended, conditioned or denied where the City Manager 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 on the City by the State of California Regional Water Quality Control Board for the San Francisco Bay Region.
- 6) **Conformance to Plans.** The development of the site shall conform to the approved Special Use Permit plans entitled, "Sunny Daycare T.I. and CUP", dated April 23, 2021, 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 plans" or the "Approved Plan Set."
- 7) **Use Authorization.** Subject to all conditions herein, this Permit allows a child care use for a maximum of 120 children ages 0 to 5 years old.
 - a) **Operational Hours.** The day care center use shall be limited to operation from Monday through Friday between 6:30 am and 7:00 pm, unless a Permit, as applicable, is approved by the City for other hours of operation. The existing church use shall only operate when the day care center is not in operation.
 - b) **Outdoor Play Areas.** The use of the outdoor play areas shall be limited to a maximum of 60 children at any one time, and for up to four and a half hours a day.
- 8) **Hazardous Materials Emergency Response Plan.** The child care use is located in an area with Combined Industrial/Commercial General Plan land use designations, industrial zoning

designations, and existing industrial uses with hazardous materials storage. Prior to the issuance of a Building Permit or a Certificate of Occupancy for the day care use, the permittee shall submit an Emergency Response Plan to the Planning Division. The purpose of the Emergency Response Plan is to outline the emergency procedures that shall be followed by child care personnel in the event of an unplanned release of hazardous materials near the child care use.

- 9) **Noise Control.** Maximum noise levels emanating from the use shall not exceed 60 decibels (dBA) adjacent to a property used or zoned for commercial purposes and shall not exceed 70 decibels (dBA) adjacent to a property used or zoned for industrial or use other than commercial or residential purposes.
- 10) **Alternative Parking Arrangement.** The day care center is only allowed to operate Monday through Friday between 6:30 am and 7:00 pm, and the existing church may only operate when the day care center is not in operation.
- 11) **Compliance with Local and State Laws.** The subject use shall be conducted in full compliance with all local and state laws, regulations and required permits. No part of this approval shall be construed to permit a violation of any part of the San José Municipal Code. The Permit shall be subject to revocation if the subject use is conducted in such a manner as to cause a nuisance, as defined below.
- 12) **Discretionary Review.** The City maintains the right of discretionary review of requests to alter or amend structures, conditions, or restrictions of this Permit incorporated by reference in accordance with Chapter 20.100 of the San José Municipal Code.
- 13) **Refuse.** All trash and refuse storage areas shall be effectively screened from view and covered and maintained in an orderly state to prevent water from entering into the trash or refuse container(s). Trash areas shall be maintained in a manner to discourage illegal dumping.
- 14) **Replacement Landscaping.** All landscaping removed with the construction of the project shall be replaced with similar landscaping in the immediate area. All landscaped replacement areas shall be automatically irrigated.
- 15) **Building and Property Maintenance.** The permittee 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.
- 16) **Outdoor Storage.** No outdoor storage is allowed or permitted with this Special Use Permit.
- 17) **Street Number Visibility.** Street numbers of the buildings shall be easily visible from the street at all times, day and night.
- 18) **Landscaping.** Planting and irrigation are to be provided by the permittee, as indicated, on the final Approved Plans.
- 19) **Required Vehicular, Motorcycle, and Bicycle Parking.** This project shall conform to the vehicular, motorcycle, and bicycle parking requirements of the Zoning Ordinance, as

amended. Any changes to the required vehicular, motorcycle, or bicycle parking requires the issuance of a Permit Adjustment or Amendment to the satisfaction of the Director of Planning.

- 20) **No Generators Approved.** This Permit does not include the approval of any stand-by/backup electrical power generation facility. Any future stand-by/backup generators shall secure appropriate permits and shall conform to the regulations of Title 20 of the Municipal Code.
- 21) **Affordable Housing Financing Plans.** The San José City Council ("City") approved the Envision San José General Plan 2040 ("General Plan") in 2011. The General Plan provides the framework for development located in San José.

The City has adopted a Commercial Linkage Fee Ordinance (San José Municipal Code Chapter 5.10) and Resolution, which may apply to this project. The City is also in the process of developing financing plans to help fund affordable housing and related amenities and services. Other financing plans may include the creation of a (i) Community Facilities District(s); (ii) Enhanced Infrastructure Financing District(s); (iii) Property Based Improvement District(s); (iv) Mitigation Impact Fee program(s); and/or (v) other financing mechanisms or combination thereof. For example, the City Council has directed City staff to complete studies and make recommendations related to commercial impact fees to help fund affordable housing. These efforts are on-going and there will continue to be other similar efforts to study various funding mechanisms for affordable housing.

By accepting this Permit including the conditions of approval set forth in this Permit, permittee acknowledges it has read and understands all of the above. Permittee further agrees that prior to the issuance of any building permit, the project shall be subject to, fully participate in, and pay any and all charges, fees, assessments, or taxes included in any City Council approved financing plans related to affordable housing, as may be amended, which may include one or more of the financing mechanisms identified above.

- 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:
- Construction Plans.* This permit file number, SP21-021 shall be printed on all construction plans submitted to the Building Division.
 - Americans with Disabilities Act.* The Permittee shall provide appropriate access as required by the Americans with Disabilities Act (ADA).
 - Emergency Address Card.* The project Permittee shall file an Emergency Address Card, Form 200-14, with the City of San José Police Department.
 - Construction Plan Conformance.* A project construction plan conformance review by the Planning Division is required. Planning Division review for project conformance begins 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.

e. *Other.* Such other requirements as may be specified by the Chief Building Official.

23) **Bureau of Fire Department Clearance for Issuing Permits.** Prior to the issuance of any Building Permit, the project must comply with the 2016 California Fire Code and the fire alarm system must be included as follows.

a) **Fire Alarm System.** Building(s) shall be provided with an automatic fire alarm system as required by CFC 907.2.3 and EVAC (emergency voice/alarm communication) system.

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

a) **Minor Improvement Permit:** The public improvements conditioned as part of this permit require the execution of a Minor Street Improvement Permit that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. The Minor Improvement Permit includes privately engineered plans, insurance, surety deposit, and engineering and inspection fees.

b) **Transportation:**

i. A Local Transportation Analysis (LTA) has been performed for this project based on a net 83 AM and 84 PM peak hour trips. See separate Local Transportation Analysis Memo dated April 14, 2021 for additional information. The following conditions shall be implemented:

(1) Construct one (1) inbound-only, 11-foot wide driveway along Seaboard Avenue.

(2) Provide signage permitting inbound access only to trash and emergency vehicles near the existing two-way driveway along Seaboard Avenue.

(3) Implement a staggered pick-up schedule to improve vehicle access to the inbound-only driveway along Seaboard Avenue.

c) **Grading/Geology:**

i. A grading permit is required prior to the issuance of a Public Works Clearance. The construction operation shall control the discharge of pollutants (sediments) to the storm drain system from the site. An erosion control plan may be required with the grading application.

- d) **Stormwater Runoff Pollution Control Measures:** This project may need to 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 and source controls to minimize stormwater pollutant discharges.
- e) **Stormwater Peak Flow Control Measures:** The project is located in a non-Hydromodification Management area and is not required to comply with the City's Post-Construction Hydromodification Management Policy (Council Policy 8-14).
- f) **Flood: Zone X:** The project site is not within a designated Federal Emergency Management Agency (FEMA) 100-year floodplain. Flood Zone X is an area of moderate or minimal flood hazard. Zone X is used on new and revised maps in place of Zones B and C. There are no City floodplain requirements for Zone X.
- 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 issuance of Public Works clearance.
- h) **Undergrounding:** The In-Lieu Undergrounding Fee shall be paid to the City for the Seaboard Avenue frontage prior to issuance of a Public Works Clearance. Ten percent of the base fee in place at the time of payment will be due. Currently, the 2021 base fee is \$532 per linear foot of frontage and is subject to change every January 31st based on the Engineering News Record's City Average Cost Index for the previous year. The project will be required to pay the current rate in effect at the time the Public Works Clearance is issued.
 - i. The Director of Public Works may, at his discretion, allow the permittee to perform the actual undergrounding of all off-site utility facilities fronting the project adjacent to Union Avenue. Permittee shall submit copies of executed utility agreements to Public Works prior to the issuance of a Public Works Clearance.
- i) **Street Improvements:**
 - i. Relocate fence along property frontage outside of the public right-of-way.
 - ii. Construct 10-foot wide City Standard attached sidewalk with 4-foot by 5-foot tree wells spaced 35 feet on center along Seaboard Avenue project frontage.
 - iii. Permittee shall be responsible to remove and replace curb, gutter, and sidewalk damaged during construction of the project.
 - iv. Remove and replace broken, uplifted curb and gutter as well as broken, uplifted or non-ADA compliant sidewalk along project frontage.
 - v. Dedication and improvement of the public streets to the satisfaction of the Director of Public Works.
- j) **Street Trees:** The locations of the street trees will be determined at the street improvement stage. Contact the City Arborist at (408) 794-1901 for the designated street

tree. Install street trees within public right-of-way along entire project street frontage per City standards; refer to the current "Guidelines for Planning, Design, and Construction of City Streetscape Projects". Street trees shall be installed in cut-outs at the back of curb. Obtain a DOT street tree planting permit for any street tree plantings. Street trees shown on this permit are conceptual only.

k) **Referrals:** This project should be referred to the County of Santa Clara.

25)**Nuisance.** This use shall be operated in a manner that does not create a public or private nuisance. Nor shall the use adversely affect the peace, health, safety, morals or welfare of persons residing or working in the surrounding area or be detrimental to public health, safety or general welfare. Any such nuisance shall be abated immediately upon notice by the City.

26)**Anti-Graffiti.** The permittee shall remove all graffiti from buildings, fences, and wall surfaces within 48 hours of defacement.

27)**Anti-Litter.** The site and surrounding area shall be maintained free of litter, refuse, and debris:

- a) Cleaning shall include keeping all publicly used areas free of litter, trash, cigarette butts and garbage and shall include daily damp washing of all exterior walls and sidewalks along the project's frontage.
- b) Mechanical equipment used for outside maintenance, including blowers and street sweepers may not be used between 10:00 p.m. and 6:00 a.m. daily.

28)**Lighting.** No new on-site lighting is approved through issuance of this Permit.

29)**Sign Approval.** No signs are approved as part of this permit. All signs shall be subject to review and approval by the Director of Planning through a subsequent Permit Adjustment.

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

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

In accordance with the findings set forth above, a permit to use the subject property for said purpose specified above is hereby **approved**.

EFFECTIVE DATE

The effective date of this Permit (File No. SP21-021) shall be the effective date of the Conforming Rezoning Ordinance for File No. C20-002, approved for publication on _____, 20__ (the "Conforming Rezoning Ordinance") and shall be no earlier than the effective date of said Conforming Rezoning Ordinance.

ADOPTED this _____ day of _____, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

NOTICE TO PARTIES

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

SUNNY CHILD CARE T.I. AND CUP

TENANT IMPROVEMENT

2586 SEABOARD AVE. SAN JOSE, CA 95131

PROJECT TEAM	DRAWING INDEX	SYMBOL	TABULATION	VICINITY MAP
<div>CLIENT:</div> <div>HAN LEE</div> <div>2586 SEABOARD AVE</div> <div>SAN JOSE CA 95131</div> <div>408-599-4381</div> <div>SUNNYCHILDCARE2015@GMAIL.COM</div> <div>ARCHITECT:</div> <div>IDA, INC.</div> <div>JOHN HA, AIA</div> <div>510 LAWRENCE EXP. #105</div> <div>SUNNYVALE, CA 94085</div> <div>TEL: (408) 245-0991</div> <div>FAX: (408) 245-0711</div>	<div>GENERAL:</div> <div>A-0 TITLE SHEET</div> <div>A-1.0 EXISTING SITE PLAN/FLOOR PLAN, PROPOSED SITE PLAN</div> <div>C-1 CIVIL PLAN</div> <div>A-1.1 ADA PARKING DETAIL</div> <div>A-1.2 TRASH ENCLOSURE DETAIL</div> <div>A-2.0 FLOOR PLAN</div> <div>A-3.0 FENCE DETAILS</div> <div>A-3.1 ELEVATIONS</div> <div>2</div>	<div><div><div><div><div></div><div></div></div><div></div></div></div><div>DOOR NUMBER</div><div>DOOR SCHEDULE</div><div>HARDWARE GROUP</div><div><div><div><div></div><div></div></div><div></div></div></div><div>WINDOW TYPE</div><div><div><div><div></div><div></div></div><div></div></div></div><div>REVISION NUMBER</div><div><div><div><div></div><div></div></div><div></div></div></div><div>WORK POINT, DATUM POINT</div><div>OR CONTROL POINT</div><div><div><div><div></div><div></div></div><div></div></div></div><div>ELEVATION IDENTIFICATION</div><div>SHEET WHERE ELEVATION IS DRAWN</div><div><div><div><div></div><div></div></div><div></div></div></div><div>SECTION IDENTIFICATION</div><div>SHEET WHERE SECTION IS DRAWN</div><div><div><div><div></div><div></div></div><div></div></div></div><div>DETAIL IDENTIFICATION</div><div>SHEET WHERE DETAIL IS DRAWN</div><div><div><div><div></div><div></div></div><div></div></div></div><div>INTERIOR ELEVATION IDENTIFICATION</div><div>SHEET WHERE INTERIOR ELEVATION IS DRAWN.</div><div><div><div><div></div><div></div></div><div></div></div></div><div>ROOM NAME</div><div>ROOM NO.</div><div>FLOOR SCHEDULE</div><div>BASE SCHEDULE</div><div>CEILING SCHEDULE</div><div>WALL SCHEDULE</div></div>	<div>APN<div>10101010</div></div> <div>PREVIOUS PLANNING PERMITS<div>CP12-049; C08-009; CP08-013</div></div> <div>TOTAL FLOOR AREA<div>17012</div><div>SQ. FT.</div></div> <div>ALLOCATED SF FOR CHURCH<div>9518</div><div>SQ. FT.</div></div> <div>ALLOCATED SF FOR DAYCARE<div>7494</div><div>SQ. FT.</div></div> <div>ALLOCATED SF FOR DAYCARE OUTDOOR SPACE<div>5825</div><div>SQ. FT.</div></div> <div>(PER STATE LAW 75 SF PER CHILF FOR OUTDOOR SPACE 5825/75=77.6 MAXIMUM OF 77 CHILDREN IS PERMITTED IN THE PLAY AREA AT ONE TIME)</div> <div>EXISTING PARKING SPACES<div>31</div></div> <div>PROPOSED CHURCH PARKING SPACES<div>28</div></div> <div>STANDARD<div>26</div></div> <div>ACCESSIBLE<div>2</div></div> <div>PROPOSED CHILD CARE PARKING SPACES<div>14</div></div> <div>STANDARD<div>12</div></div> <div>ACCESSIBLE<div>2</div></div> <div>ZONING:<div>CIC</div></div> <div>PREVIOUS USE:<div>DAYCARE-CHURCH SANCTUARY</div></div> <div>PROPOSED USE:<div>DAYCARE-CHURCH SANCTUARY</div></div> <div>TYPE OF CONSTRUCTION:<div>VB</div></div> <div>PREVIOUS OCCUPANCY<div>14</div></div> <div>PROPOSED OCCUPANCY<div>14</div></div> <div>FIRE SPRINKLER SYSTEM<div>YES</div></div> <div>NUMBER OF STORIES<div>1</div></div> <div>CA BUILDING CODE<div>2019</div></div> <div>CA FIRE CODE<div>2019</div></div> <div>CA PLUMBING<div>2019</div></div> <div>CA ELECTRICAL CODE<div>2019</div></div> <div>CA MECHANICAL CODE<div>2019</div></div> <div>CA GREEN BUILDING CODE<div>2019</div></div> <div>CA ENERGY CODE<div>2019</div></div>	<div></div> <div>PROJECT DESCRIPTION</div> <div>THE PROPOSED PROJECT INCLUDE A CONFORMING REZONING FROM THE (LI) LIGHT INDUSTRIAL ZONING DISTRICT TO THE (CIC) COMBINED INDUSTRIAL/COMMERCIAL ZONING DISTRICT AND A CONDITIONAL USE PERMIT TO ALLOW A 7494SF DAYCARE FOR A MAXIMUM OF 120 CHILDREN RANGING FROM 0 YEARS TO 5 YEARS AND 11 EMPLOYEES, AT AN EXISTING CHURCH ON AN APPROXIMATELY 0.78-GROSS ACRE SITE LOCATED AT 2586 SEABOARD AVENUE.</div>
ABBREVIATION	FIRE DEPARTMENT NOTES			GENERAL NOTES
<div>& And</div> <div>@ Angle</div> <div># Centerline</div> <div>(E) Diameter or Round</div> <div>(R) Pound or Number</div> <div>(N) Existing</div> <div>(N) Relocated</div> <div>(N) New</div> <div>A.B. Anchor Bolt</div> <div>A.COUS. Acoustical</div> <div>A.D. Area Drain</div> <div>A.DJ. Adjustable</div> <div>A.GGR. Aggregate</div> <div>AL. Aluminum</div> <div>AL. Alternate</div> <div>A.P. Access Panel</div> <div>A.PPROX. Approximate</div> <div>ARCH. Architectural</div> <div>ASB. Asbestos</div> <div>ASPH. Asphalt</div> <div>A.F.F. Above Finish Floor</div> <div>B.B. Bulletin Board</div> <div>BDUM Board</div> <div>BKG. Backing</div> <div>BLDG. Building</div> <div>BLK. Block</div> <div>BLKG. Blocking</div> <div>BM. Beam</div> <div>BOT. Bottom</div> <div>CAB. Cabinet</div> <div>C.B. Catch Basin</div> <div>CEM. Cement</div> <div>CEM. Ceramic</div> <div>C.I. Cast Iron</div> <div>C.G. Construction Joint</div> <div>CLG. Ceiling</div> <div>CLKG. Clanking</div> <div>CLO. Closet</div> <div>CLR. Clear</div> <div>C.O. Closed Opening</div> <div>C.O. Column</div> <div>CONC. Concrete</div> <div>CONN. Connection</div> <div>CONSTR. Construction</div> <div>CONT. Continuous</div> <div>CORR. Corridor</div> <div>CPT. Carpet</div> <div>CTSK. Countersunk</div> <div>CNTR. Counter</div> <div>CTR. Center</div> <div>DET. Detail</div> <div>DIA. Diameter</div> <div>DIM. Dimension</div> <div>DISP. Dispenser</div> <div>DN. Down</div> <div>D.O. Door Opening</div> <div>DWR. Drawer</div> <div>DOWSP. Downspout</div> <div>D.S.P. Dry Standpipe</div> <div>DWG. Drawing</div> <div>E. East</div> <div>E.O. Elevation</div> <div>E.B. Expansion Bolt</div> <div>E.J. Expansion Joint</div> <div>ELEV. Elevation</div> <div>ELEC. Electrical</div> <div>ELEV. Elevator</div> <div>EMER. Emergency</div> <div>ENC. Enclosure</div> <div>ENGR. Engineer</div> <div>E.P. Electrical Panelboard</div> <div>EQ. Equipment</div> <div>E.OPT. Electrical Water Cooler</div> <div>E.XST. Existing</div> <div>E.XP. Exposed</div> <div>E.XP. Expansion</div> <div>E.XT. Exterior</div> <div>F.A. Fire Alarm</div> <div>F.B. Flat Bar</div> <div>F.D. Floor Drain</div> <div>FDN. Foundation</div> <div>F.E. Fire Extinguisher</div> <div>F.E.C. Fire Extinguisher Cab.</div> <div>F.H.C. Fire Hose Cabinet</div> <div>F.H.W.S. Flat Head Wood Screw</div> <div>FIN. Finish</div> <div>FIXT. Fixture</div> <div>FL. Floor</div> <div>FLASH. Flashing</div> <div>FLUOR. Fluorescent</div> <div>F.O.C. Face of Concrete</div> <div>F.O.F. Face of Finish</div> <div>F.O.S. Face of Studs</div> <div>F.PRF. Fireproof</div> <div>F.S. Full Size</div> <div>FT. Foot or Feet</div> <div>FTG. Footing</div> <div>FUR. Furring</div> <div>FUT. FUTURE</div> <div>GA. GUAGE</div> <div>GALV. Galvanized</div> <div>G.B. Grab Bar</div> <div>GL. Glass</div> <div>GND. Ground</div> <div>GR. Grade</div> <div>GYP. Gypsum</div> <div>H.B. Hose Bibb</div> <div>H.C. Hollow Core</div> <div>H.DWD. Hardwood</div> <div>H.DWL. Hardware</div> <div>H.M. Hollow Metal</div> <div>HORIZ. Horizontal</div> <div>HR. Hour</div> <div>HGT. Height</div> <div>I.D. Inside Diameter (Dim.)</div> <div>INC. Incandescent</div> <div>INFO. Information</div> <div>INSUL. Insulation</div> <div>INT. Interior</div> <div>INTER. Intermediate</div> <div>JAN. Janitor</div> <div>JT. Joint</div> <div>Kit. Kitchen</div> <div>LAB. Laboratory</div> <div>LAM. Laminated</div> <div>LAV. Lavatory</div> <div>LKR. Light</div> <div>MAS. Masonary</div> <div>MAT. Material</div> <div>MAX. Maximum</div> <div>M.B. Machine Bolt</div> <div>M.C. Medicine Cabinet</div> <div>MECH. Mechanical</div> <div>MEMB. Membrane</div> <div>MET. Metal</div> <div>MFR. Manufacturer</div> <div>MH. Manhole</div> <div>MIN. Minimum</div> <div>MIR. Mirror</div> <div>MISC. Miscellaneous</div> <div>M.O. Masonry Opening</div> <div>MTD. Mounted</div> <div>MUL. Mullion</div> <div>N. North</div> <div>N.I.C. Not In Contrast</div> <div>NO. Number</div> <div>NOM. Nominal</div> <div>N.T.S. Not To Scale</div> <div>O.A. Overall</div> <div>OBS. Obscure</div> <div>O.C. On Center</div> <div>O.D. Outside Diameter (DIM.)</div> <div>OFF. Office</div> <div>Opp. Opposite Hand</div> <div>OPNG. Opening</div> <div>OPP. Opposite</div> <div>P. Paint</div> <div>P.A.D. Powder Actuated Device</div> <div>P.CAST. Pre-cast</div> <div>PL. Plate</div> <div>P.LAM. Plastic Laminate</div> <div>PLAS. Plaster</div> <div>PLYWD. Plywood</div> <div>PR. Point</div> <div>P.T. Point</div> <div>P.T.D. Paper Towel Dispenser</div> <div>P.T.D/R Combination Paper Towel Dispenser & Receptacle</div> <div>PART. Partition</div> <div>P.T.R. Paper Towel Reptacle</div> <div>Q.T. Quarry Tile</div> <div>QTY. Quantity</div> <div>R. Riser</div> <div>RAD. Radius</div> <div>R.D. Roof Drain</div> <div>REF. Reference</div> <div>REFR. Refrigerator</div> <div>RGTR. Register</div> <div>REINF. Reinforced</div> <div>REQ. Required</div> <div>RESIL. Resilient</div> <div>RM. Room</div> <div>RO. Rough Opening</div> <div>RUB. Rubber</div> <div>RWD. Redwood</div> <div>R.W.L. Rain Water Leader</div> <div>S. South</div> <div>S.A.D. See Architectural Drawing</div> <div>S.C. Solid Core</div> <div>S.C.D. Seat Cover Dispenser</div> <div>S.D. Schedule</div> <div>SECT. Section</div> <div>S.E.D. See Electrical Drawing</div> <div>SHR. Shower</div> <div>SHT. Sheet</div> <div>SIM. Similar</div> <div>S.M.D. See Mechanical Drawing</div> <div>S.M.S. Sheet Metal Screw</div> <div>S.N.D. Sanitary Napkin Dispenser</div> <div>S.N.R. Sanitary Napkin Receptacle</div> <div>SPEC. Specification</div> <div>S.P.D. See Plumbing Drawing</div> <div>SQ. Square</div> <div>S.S.D. See Structural Drawing</div> <div>ST. Staircase</div> <div>S.S.K. Service Sink</div> <div>STA. Station</div> <div>STD. Standard</div> <div>STL. Steel</div> <div>STOR. Storage</div> <div>STR. Structural</div> <div>SUSP. Suspended</div> <div>SYM. Symmetrical</div> <div>TRD. Tread</div> <div>T.B. Towel Bar</div> <div>T.C. Top of Curb</div> <div>TEL. Telephone</div> <div>TER. Terrazzo</div> <div>T.G. Tongue and Groove</div> <div>THK. Thick</div> <div>THRES. Threshold</div> <div>T.P. Top of Pavement</div> <div>T.P.B. Telephone Panelboard</div> <div>T.P.D. Toilet Paper Dispenser</div> <div>T.V. Television</div> <div>T.W. Top of Wall</div> <div>TYP. Typical</div> <div>UNF. Unfinished</div> <div>U.O.N. Unless Otherwise Noted</div> <div>UR. Urinal</div> <div>V.C.T. Vinyl Composition Tile</div> <div>VERT. Vertical</div> <div>VEST. Vestibule</div> <div>V.I.F. Verify in field</div> <div>W. West</div> <div>W/ With</div> <div>WC. Wall Covering</div> <div>W.C. Water Closet</div> <div>WD. Wood</div> <div>W.F. Wide Flange</div> <div>W.O. Where Occurs</div> <div>W/O Without</div> <div>WP. Waterproof</div> <div>WSCT. Wainscot</div> <div>WT. Weight</div> <div>W.R. Water Resistant</div>	<div>1. IF THE BUILDING IS EQUIPPED WITH A FIRE ALARM SYSTEM, THE HOOD & DUCT SYSTEM SHALL BE CONNECTED TO THE FIRE ALARM SYSTEM CONTROL PANEL.</div> <div>2. PROVIDE A K CLASS FIRE EXTINGUISHER WITHIN 30 FEET OF COOKING INVOLVING VEGETABLE OR ANIMAL OIL AND FATS (SUCH AS DEEP FAT FRYERS), AS MEASURED ALONG AN UNOBSTRUCTED PATH OF TRAVEL.</div> <div>3. EGRESS DOORS SHALL BE READILY OPENABLE FROM THE EGRESS SIDE WITHOUT THE USE OF A KEY, THUMB TURN, OR ANY SPECIAL KNOWLEDGE OR EFFORT. MANUALLY OPERATED FLUSH BOLTS OR SURFACE BOLTS ARE NOT PERMITTED, UNLESS ANY OF THE CONDITIONS UNDER SECTION 1008.13.4 IS MET.</div> <div>4. ALL PORTIONS OF THE BUILDING SHALL BE WITHIN 75 FEET OF A FIRE EXTINGUISHER. THE MINIMUM SIZE OF THE EXTINGUISHER SHALL BE 2-A:10-BC.</div> <div>5. EACH SYSTEM(S) PROVIDING HEATING OR COOLING AIR IN EXCESS OF 2000 CUBIC FEET PER MINUTE SHALL BE EQUIPPED WITH AN AUTOMATIC SHUTOFF ACTIVATED BY SMOKE DETECTORS.</div> <div>6. ALTOGATIC SHUTOFF IS NOT REQUIRED WHEN ALL OCCUPIED ROOMS SERVED BY THE AIR-HANDLING EQUIPMENT HAVE DIRECT EXIT TO THE EXTERIOR AND THE TRAVEL DISTANCE DOES NOT EXCEED 100 FEET.</div> <div>7. COMMERCIAL HOODS AND KITCHEN VENTILATION SHALL COMPLY WITH THE REQUIREMENTS OF CMC SECTION 501 THROUGH 511.</div> <div>8. ROOFTOP TERMINATIONS SHALL COMPLY WITH REQUIREMENTS UNDER CMC 5102.1.</div> <div>9. APPROVED NUMBERS OR ADDRESSES SHALL BE PLACED ON ALL NEW AND EXISTING BUILDINGS IN SUCH A POSITION AS TO BE PLAINLY VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. SAID NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND.</div>	<div>• BY EXECUTING CONTRACTS, CONTRACTOR AND SUBCONTRACTORS REPRESENT THAT THEY HAVE: A. VISITED THE SITE AND ITS SURROUNDING AND MADE DUE ALLOWANCES FOR DIFFICULTIES AND CONTINGENCIES. B. COMPARED DRAWINGS WITH EXISTING CONDITIONS AND INFORMED THEMSELVES OF CONDITIONS TO BE ENCOUNTERED, INCLUDING WORK BY OTHERS, IF ANY, BEING PERFORMED; AND C. NOTIFIED THE ARCHITECT OF AMBIGUITIES, INCONSISTENCIES, AND ERRORS THEY HAVE DISCOVERED WITHIN DRAWINGS OR BETWEEN SCOPE AND EXISTING CONDITIONS.</div> <div>• FAILURE TO VISIT THE SITE AND BECOME FAMILIAR WITH CONDITIONS SHALL NOT RELIEVE CONTRACTOR OR A SUBCONTRACTOR FROM FURNISHING MATERIALS OR COMPLETING THE WORK IN ACCORDANCE WITH PLANS AND OTHER CONTRACT DOCUMENT AT NO ADDITIONAL COST.</div> <div>• CONTRACTOR OR SUBCONTRACTOR WILL NOT BE GIVEN EXTRA PAYMENT FOR WORK RELATED TO CONDITIONS THEY CAN DETERMINE BY EXAMINING THE SITE AND PLANS AND OTHER CONTRACT DOCUMENTS.</div> <div>• CONTRACTOR OR SUBCONTRACTOR WILL NOT BE GIVEN EXTRA PAYMENT FOR WORK RELATED TO AMBIGUITIES, INCONSISTENCIES OR ERRORS WITHIN CONTRACT DOCUMENTS, OR BETWEEN CONTRACT DOCUMENTS AND EXISTING CONDITIONS, WHEN SUCH AMBIGUITIES, INCONSISTENCIES, OR ERROR ARE KNOWN TO CONTRACTOR OR SUBCONTRACTOR BEFORE CONTRACT EXECUTION UNLESS CONTRACTOR OR SUBCONTRACTOR HAS NOTIFIED THE OWNER IN WRITING OF SUCH CONDITION BEFORE EXECUTION OF AGREEMENT BETWEEN OWNER AND CONTRACTOR.</div> <div>• CONTRACTOR SHALL ACCEPT THE SITE AND THE EXISTING SURROUNDING IN THE CONDITIONS IN WHICH THEY EXIST AT THE TIME CONTRACTOR IS GIVEN ACCESS TO BEGIN THE WORK.</div> <div>• DAMAGE CAUSED BY CONTRACTOR TO EXISTING STRUCTURES, AND WORK BY OTHERS SHALL BE REPAIRED BY CONTRACTOR AND LEFT IN AS GOOD CONDITIONS AS EXISTING BEFORE THE DAMAGING, UNLESS SUCH EXISTING WORK IS SHOWN TO BE REMOVED OR REPLACED BY NEW WORK.</div> <div>• COMPLETE DOCUMENTATION OF EXISTING CONSTRUCTION IS NOT AVAILABLE. DIMENSIONS, LAYOUT, EXISTING MATERIALS, AND CONCEALED CONDITIONS HAVE NOT NECESSARILY BEEN VERIFIED AND AREA NOT REPRESENTED TO BE ACCURATE BEYOND THE LEVEL NECESSARY TO DEFINE THE APPROXIMATE SCOPE OF SURFACE RENOVATION AND SYSTEM REPLACEMENT.</div> <div>• THE CONTRACTOR FOR THIS PROJECT MUST SHOW PROOF OF WORKERS' COMPENSATION INSURANCE AT THE TIME OF PERMIT ISSUANCE. (HEALTH & SAFETY CODE 19825)</div> <div>• THE CONTRACTOR FOR THIS PROJECT MUST HAVE A VALID CITY OF SAN LEANDRO BUSINESS LICENSE PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. IF YOU HAVE QUESTIONS REGARDING BUSINESS LICENSES, PLEASE CONTACT THE CITY CASHIER AT 518-4310. (NMC CH.5)</div> <div>• IMMEDIATELY UPON ENTERING THE SITE FOR PURPOSES OF BEGINNING WORK, LOCATE GENERAL REFERENCE POINTS AND LAY OUT WORK AND BE RESPONSIBLE FOR LINES ELEVATION AND MEASUREMENTS, AND WORK EXECUTED UNDER THIS CONTRACT. EXERCISE PROPER PRECAUTIONS TO VERIFY FIGURES SHOWN ON PLANS BEFORE LAYING OUT WORK.</div> <div>• CONTRACTOR AND EACH SUBCONTRACTOR, BEFORE STARTING WORK, SHALL VERIFY GOVERNING DIMENSION AT THE SITE INCLUDING ELEVATIONS AND SHALL EXAMINE ADJOINING WORK ON WHICH CONTRACTOR'S OR SUBCONTRACTOR'S WORK IN ANY WAY DEPENDENT. NO "EXTRA" OR ADDITIONAL COMPENSATION WILL BE ALLOWED ON ACCOUNT OF DIFFERENCES BETWEEN ACTUAL MEASUREMENTS AND DIMENSIONS SHOWN. SUBMIT DIFFERENCES DISCOVERED DURING THE WORK TO THE OWNER FOR INTERPRETATION BEFORE PROCEEDING WITH ASSOCIATED WORK.</div> <div>• NO GUARANTEE OF QUALITY OF CONSTRUCTION IS IMPLIED OR INTENDED BY THE ARCHITECTURAL DOCUMENTS, AND THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY OR ALL CONSTRUCTION DEFICIENCIES.</div> <div>• THE GENERAL CONTRACTOR SHALL HOLD HARMLESS, INDEMNIFY AND DEFEND THE ARCHITECTS AND HIS CONSULTANTS FROM ANY ACTION INITIATED BY THE INITIAL OWNER OR ANY SUBSEQUENT OWNERS FOR CONSTRUCTION DEFICIENCIES, MODIFICATIONS OR SUCH CONDITIONS WHICH MAY BE BEYOND THE CONTROL OF THE ARCHITECTS.</div> <div>• ALL WORK SHALL COMPLY WITH APPLICABLE CODES AND TRADE STANDARDS WHICH GOVERN EACH PHASE OF WORK, INCLUDING BUT NOT LIMITED TO: 2016 CALIFORNIA BUILDING CODE (CBC), 2016 CALIFORNIA MECHANICAL CODE (CMC), 2016 CALIFORNIA ELECTRICAL CODE (CEC), 2016 CALIFORNIA PLUMBING CODE (CPC), AND ALL APPLICABLE LOCAL CODES AND LEGISLATION.</div> <div>• ALL PUBLIC IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE LATEST ADOPTED CITY STANDARDS. THE STORING OF GOODS AND MATERIALS ON SIDEWALK AND/OR STREET WALL NOT BE ALLOWED UNLESS THE CONTRACTOR HAS APPLIED AND SECURED A SPECIAL PERMIT WHICH ALLOW SUCH STORAGE TO BE PLACED.</div>		
PARCEL MAP				
<div></div>				

Innovative Design Architecture, Inc.

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TEL: (408) 245-0711

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sunnychildcare2015@gmail.com
4085994381

SUNNY CHILD CARE T.I. CUP

TENANT IMPROVEMENT

2586 SEABOARD AVE
SAN JOSE, CA 95131

PLANNING FILE NO. CP20-004

REVISIONS:	CITY COMMENTS 07-22-2020
SHEET TITLE:	TITLE SHEET
DATE 12/13/2019	PROJECT NO. 19-1141
SCALE AS SHOWN	DRAWN JH/FL
SHEET	A-0
OF SHEETS	

HOURS OF OPERATION								PARKING SPACES	PARKING REQUIREMENTS
	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	STALLS	MAXIMUM OCCUPANTS
CHURCH	—	—	8:00PM–10:00PM	—	—	—	10:00AM–1:00PM	28	112 SEATS MAX (1 PER 4 FIXED SEATS)
DAYCARE	7:00AM–6:00PM	7:00AM–6:00PM	7:00AM–6:00PM	7:00AM–6:00PM	7:00AM–6:00PM	—	—	14(14 STUDENT DROP OFF PARKING)	260 OCCUPANT MAX (1 PER 6 UP TO 5 SPACES AND THEREAFTER 1 PER 10 CHILDREN)

HOURS OF OPERATION AND PARKING

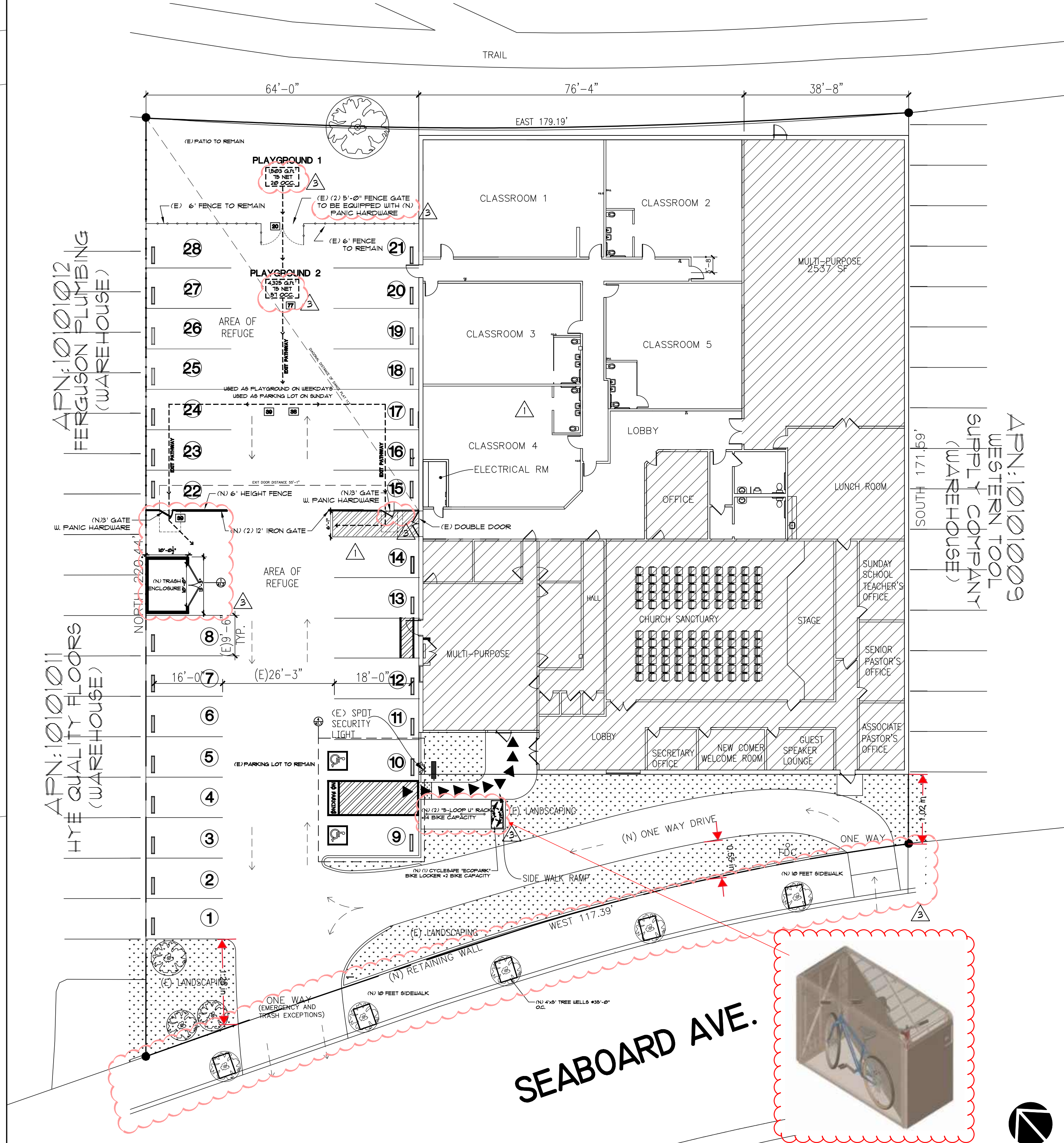
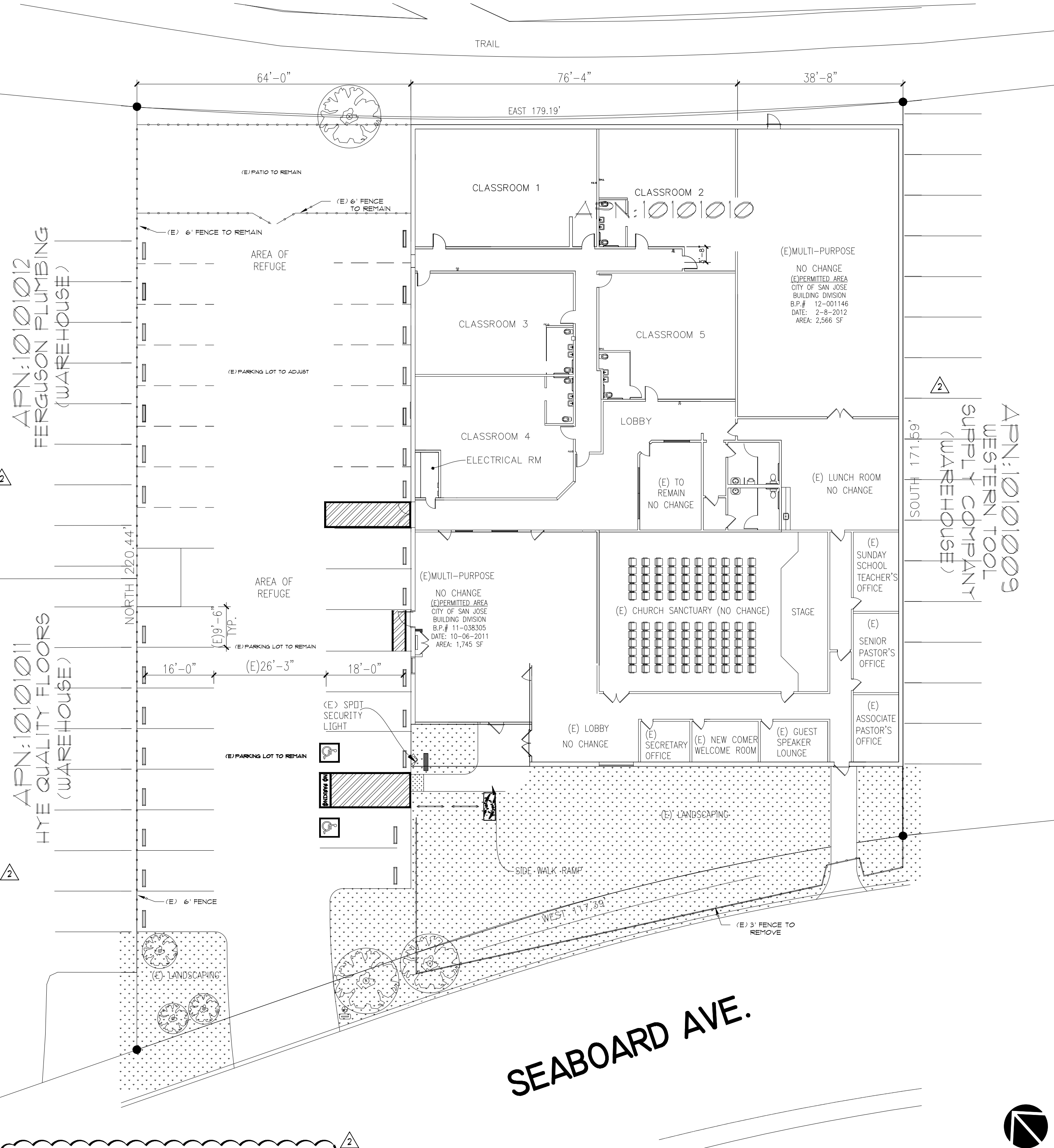
NTS 3

- SIDEWALK NOTES:**
- WALKS AND SIDEWALKS SUBJECT TO THESE REGULATIONS SHALL HAVE A CONTINUOUS COMMON SURFACE, NOT INTERRUPTED BY STEPS OR BY ABRUPT CHANGES IN LEVEL EXCEEDING 1/2 INCH (12.7 MM) (SEE SECTION 11B 302), AND SHALL BE A MINIMUM OF 48 INCHES (1219 MM) IN WIDTH. (CBC 2016 11B-402)
 - SURFACE CROSS SLOPES SHALL NOT EXCEED ONE UNIT VERTICAL IN 48 UNITS. CBC 2016 102.2)
- NOTE FOR SIGN PROGRAMS**
- THE INTERNATIONAL SYMBOL OF ACCESSIBILITY SHALL BE PROVIDED AT ALL ENTRANCES AND W/ ADDITIONAL DIRECTIONAL SIGNS AS REQUIRED TO BE VISIBLE TO PERSONS ALONG APPROACHING PEDESTRIAN WAYS CBC 2016 SECTION 11B-216.5
 - TO POST A SIGN FOR 5MPH SPEED LIMIT SIGN AT EACH ENTRANCE FROM PUBLIC WAYS.

SITE LEGEND

- ACCESSIBLE PATH OF TRAVEL
(E) PROPERTY LINE
(E) LANDSCAPE
EGRESS PATH

NOTE:
ACCESSIBLE WALKWAY SLOPE 5% MAXIMUM IN THE DIRECTION OF WALK AND 2% MAXIMUM FOR THE CROSS SLOPE



PREVIOUS PLANNING PERMITS CP12-049; C08-009; CP08-013

EXISTING SITE PLAN/1ST FLOOR FLOOR PLAN

1/16" 1

PROPOSED SITE PLAN

1/16" 2

- REVISIONS:
- CITY COMMENTS 03-04-2020
 - CITY COMMENTS 07-22-2020
 - CITY COMMENTS 04-23-2021

SHEET TITLE:
EXISTING SITE PLAN
PROPOSED SITE PLAN

DATE: 12/13/2019
SCALE: AS SHOWN
PROJECT NO.: 19-1741
DRAWN: JH/FL

OF SHEETS

A-1.0

Innovative Design Architecture, Inc.



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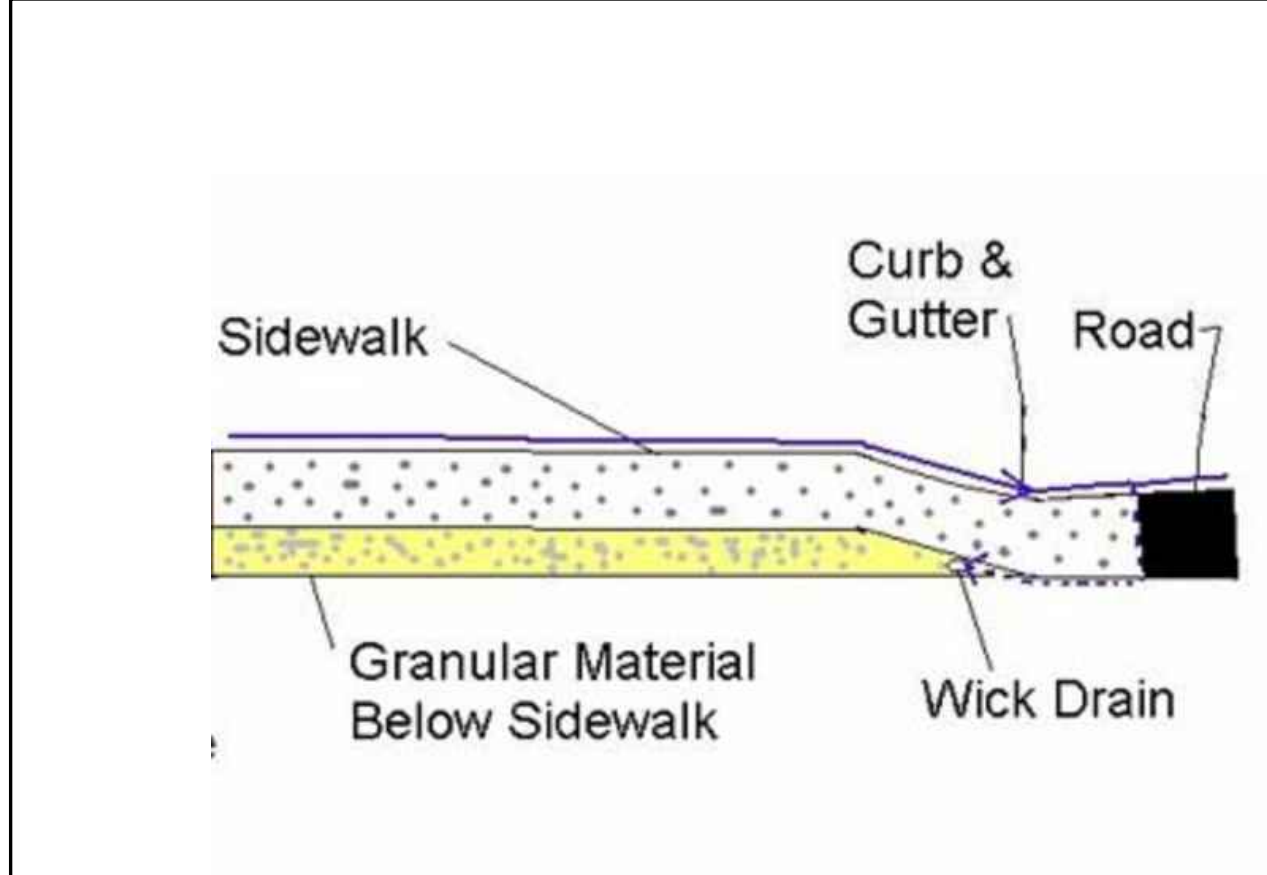
OWNER:
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sunnychildcare2015@gmail.com
4085994381

SUNNY CHILD CARE T.I. CUP

TENANT IMPROVEMENT

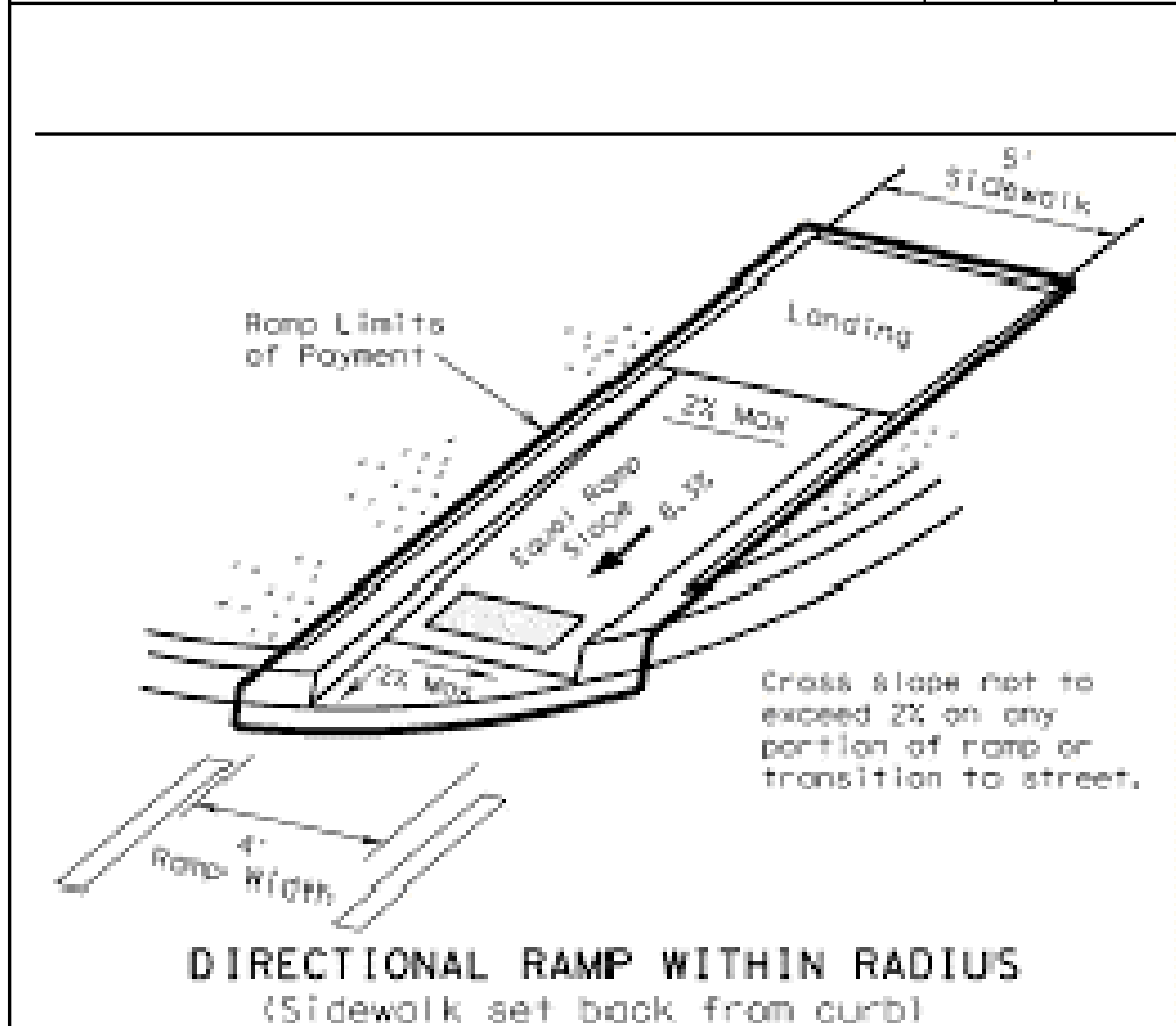
2586 SEABOARD AVE
SAN JOSE, CA 95131

PLANNING FILE NO. CP20-004



DETAIL 2

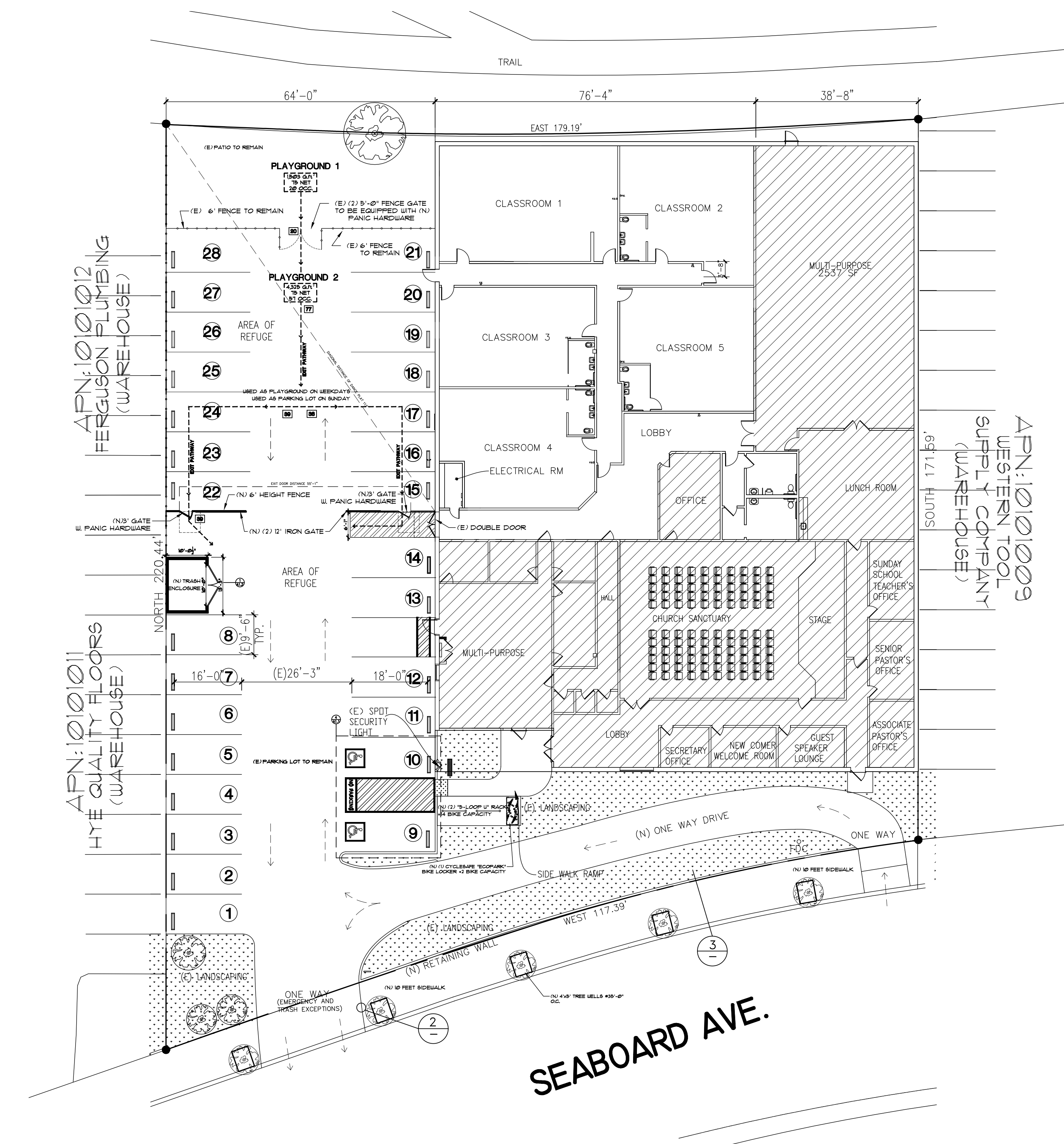
NTS 3



DETAIL 1

NTS 2

PROPOSED SITE PLAN



APN: 10101009
WESTERN TOOL
SUPPLY COMPANY
(WAREHOUSE)

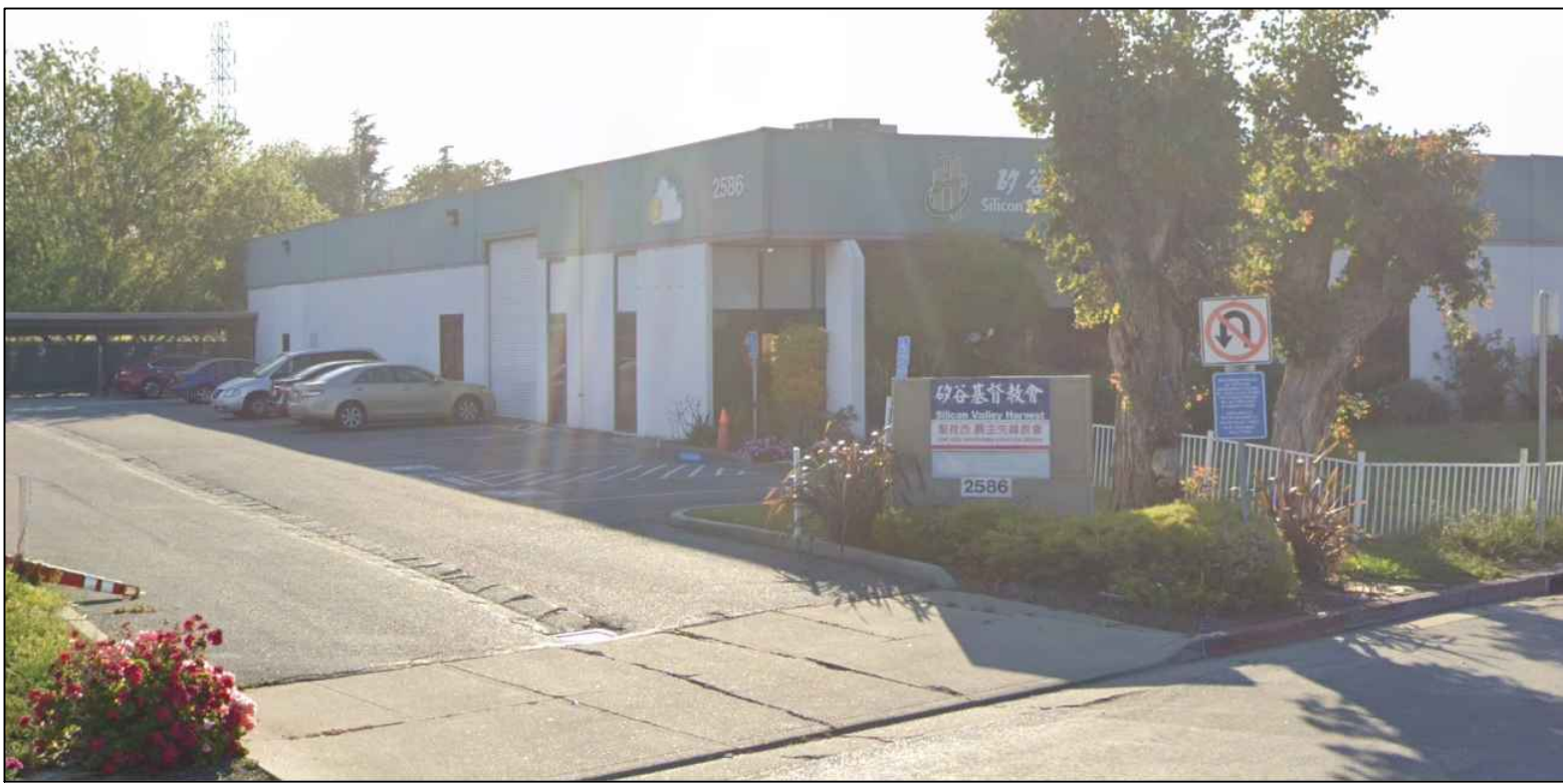
APN: 10101012
FERGUSON PLUMBING
(WAREHOUSE)

APN: 10101011
HYE QUALITY FLOORS
(WAREHOUSE)



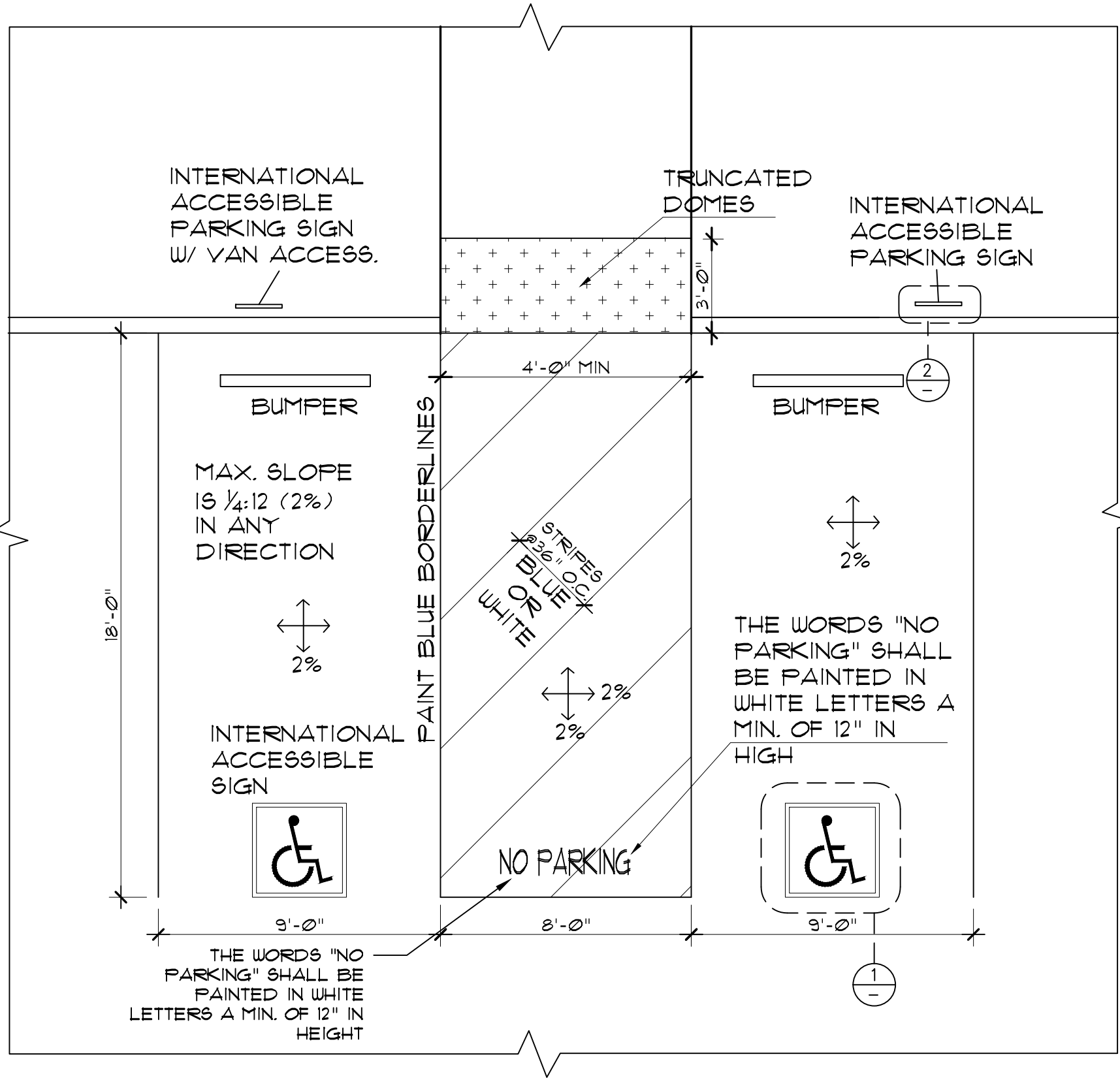
BWU Consultants, Inc.
1168 N. San Gabriel Blvd., #N
Rosemead, ca 91770
TEL: (626) 288-0708
EMAIL: bwuconsultants@gmail.com

PLANNING FILE NO. CP20-004



EXISTING SITE AND BUILDING

NTS 6

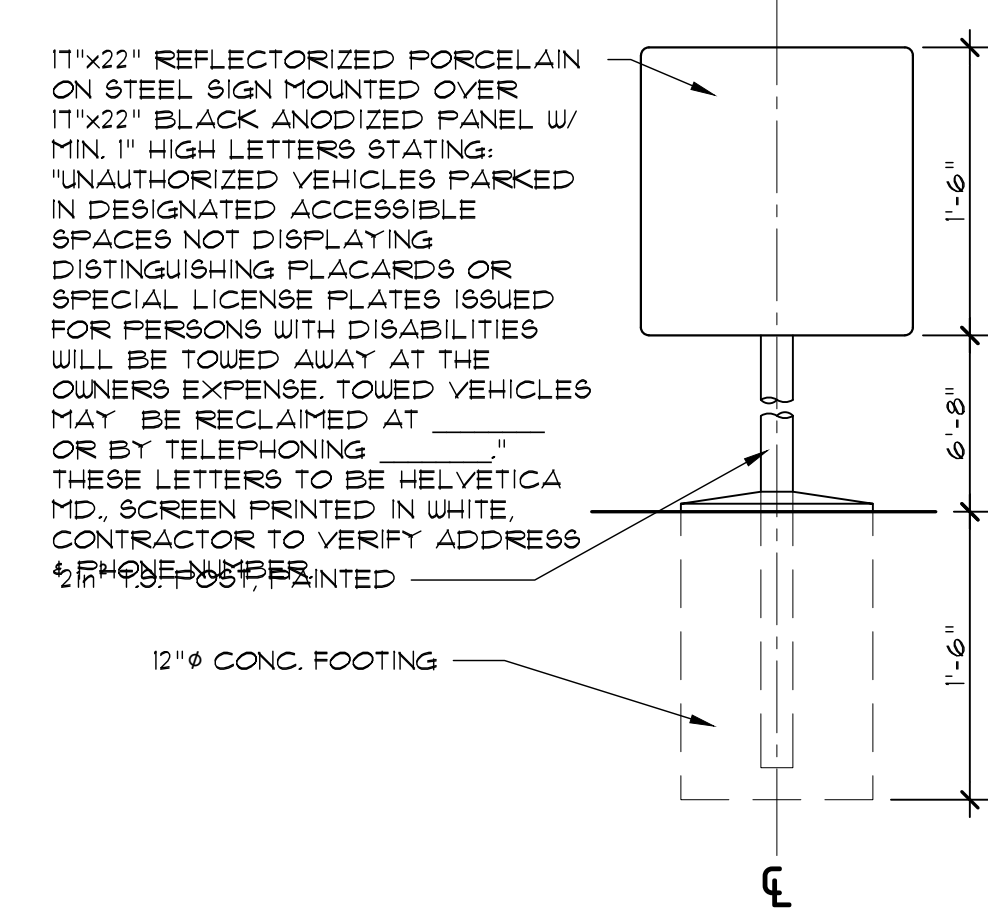


ACCESSIBLE PARKING DETAIL

NTS 4

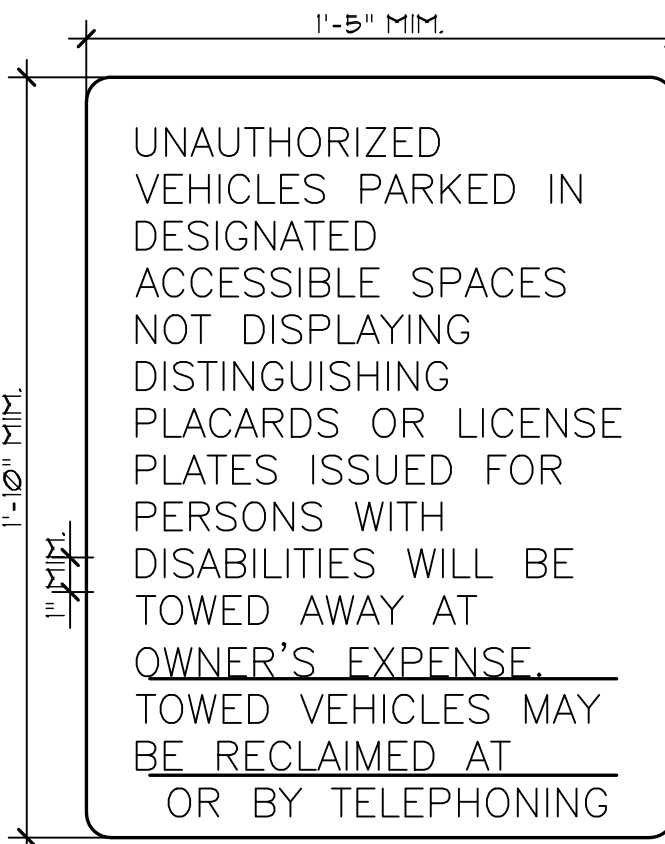
FENCE DETAIL

NTS 5



TYP. TOW AWAY SIGN

NTS 3



TYP. ACCESSIBLE SIGN DETAIL

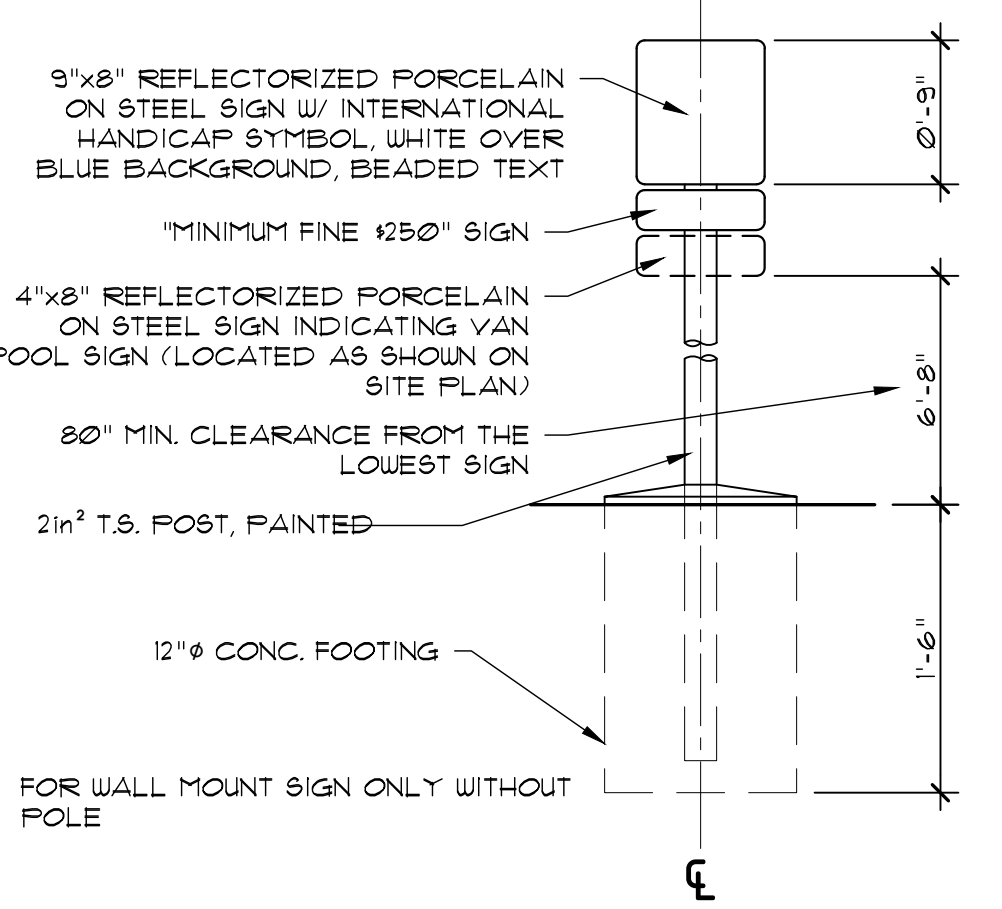
MATERIAL:
REFLECTORIZED PAINT
OR PORCELAIN ON
METAL

COLORS:
WHITE LETTERS ON
BLUE BACKGROUND
EQUAL TO No. 15030
FEDERAL STANDARD
595

OPTION:
SUBSTITUTE
COMMERCIAL SIGN
COMPLYING WITH 24
CAC Sec. 2-1102

SUPPORT:
STANDARD
GALVANIZED STEEL
PIPE POST

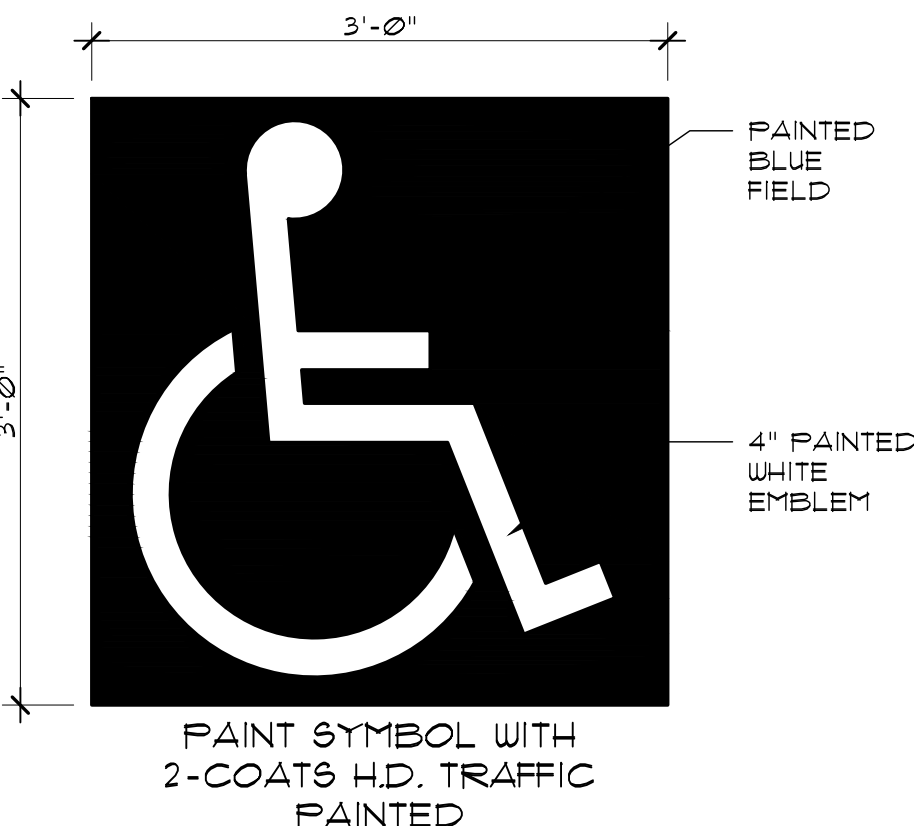
VAN ACCESSIBLE
SIGN WHERE
OCCURS



NTS 2

TYP. ACCESSIBLE PARKING SIGN

NTS 1



SUNNY CHILD CARE T.I. CUP

TENANT IMPROVEMENT

2586 SEABOARD AVE
SAN JOSE, CA 95131

PLANNING FILE NO. CP20-004

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sunnychildcare2015@gmail.com
4085994381

REVISIONS:

CITY COMMENTS
07-22-2020

SHEET TITLE:
ADA PARKING DETAIL

DATE
12/13/2019

PROJECT NO.
19-1741

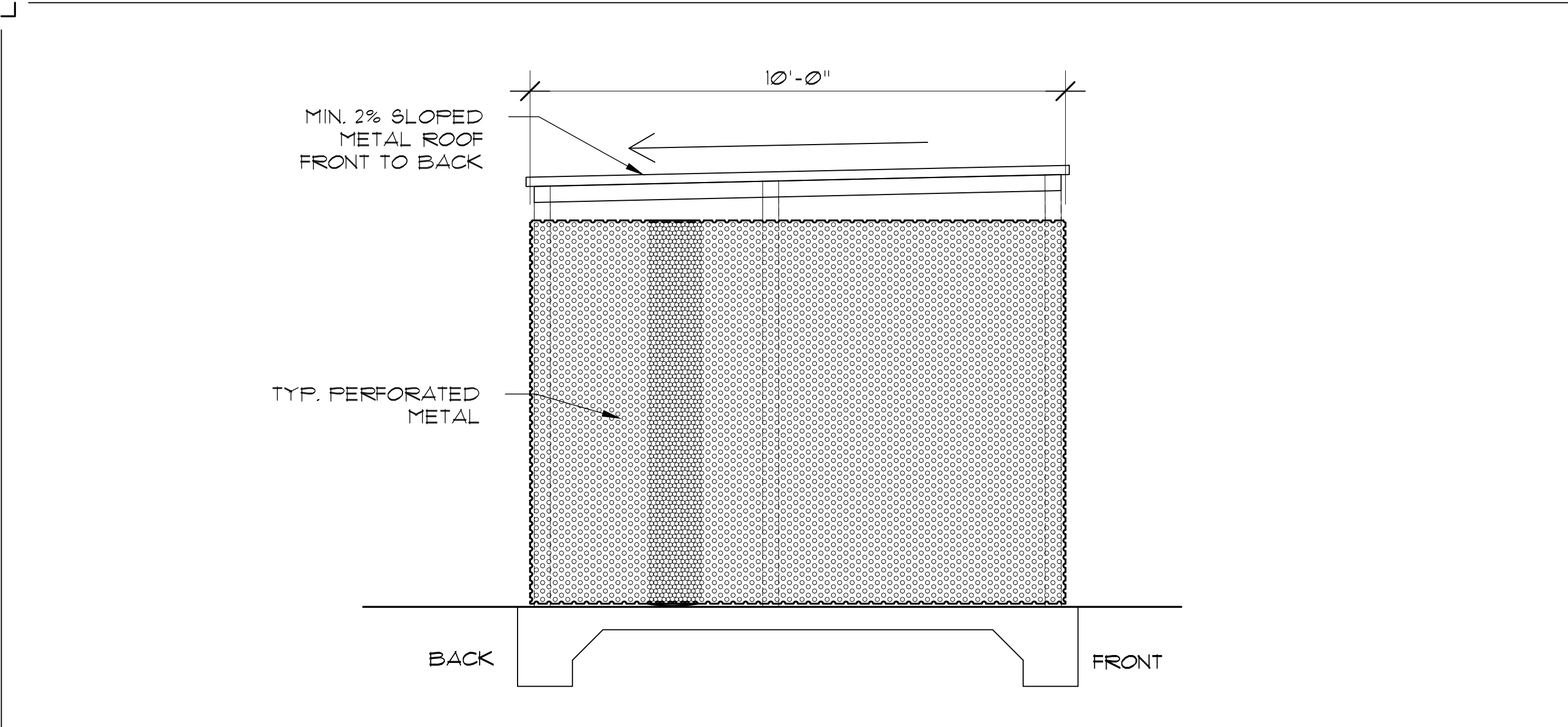
SCALE
AS SHOWN

DRAWN
JH/FL

SHEET

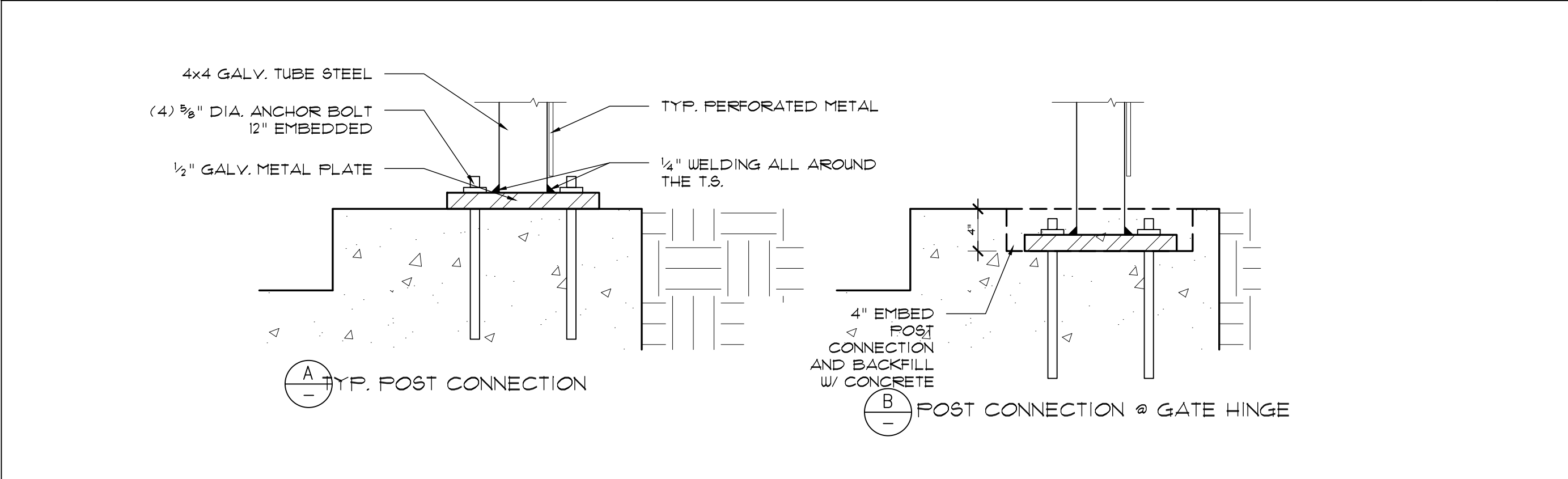
A-1.1

OF SHEETS



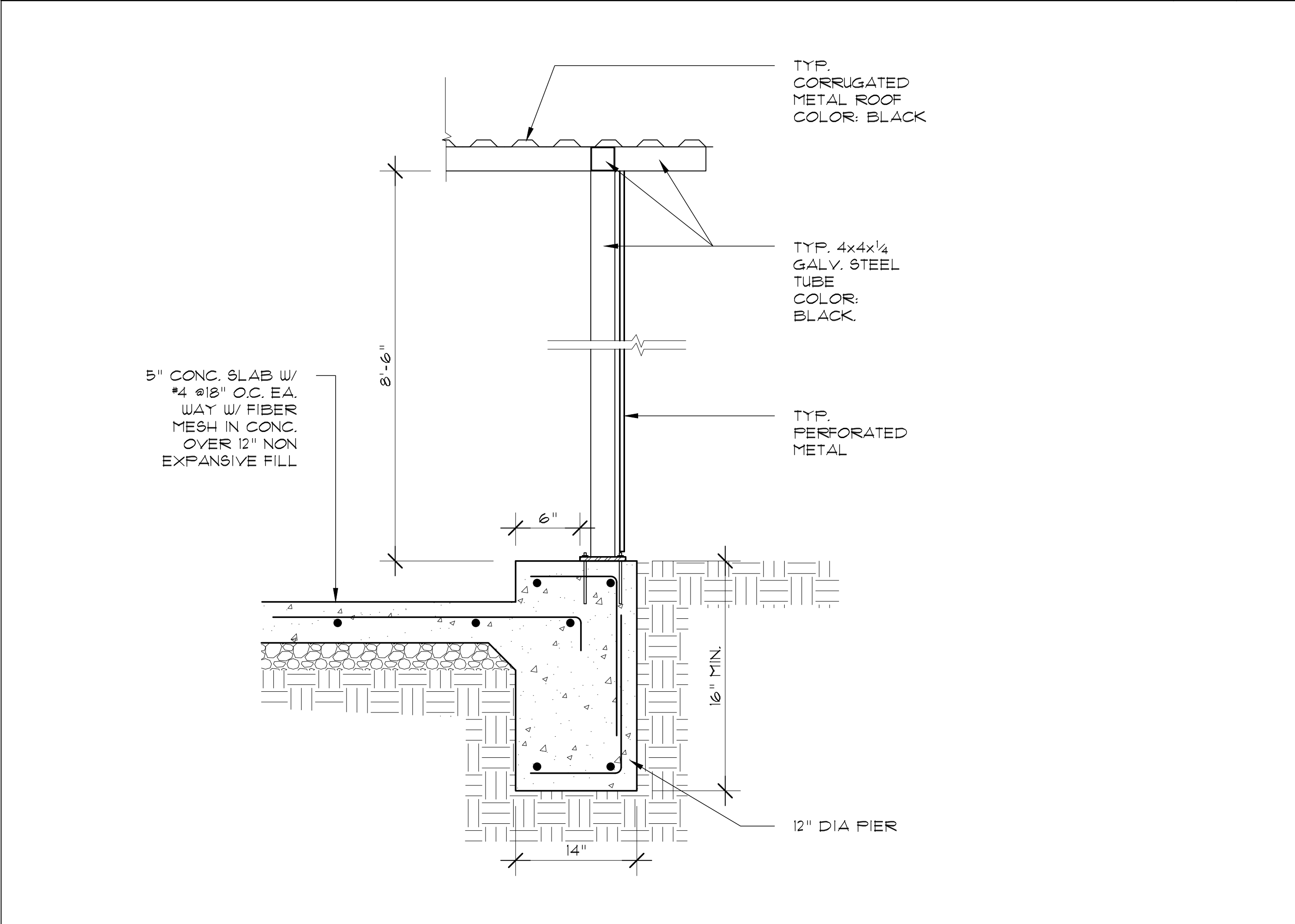
TRASH ENCLOSURE ELEVATION

1/2" 4



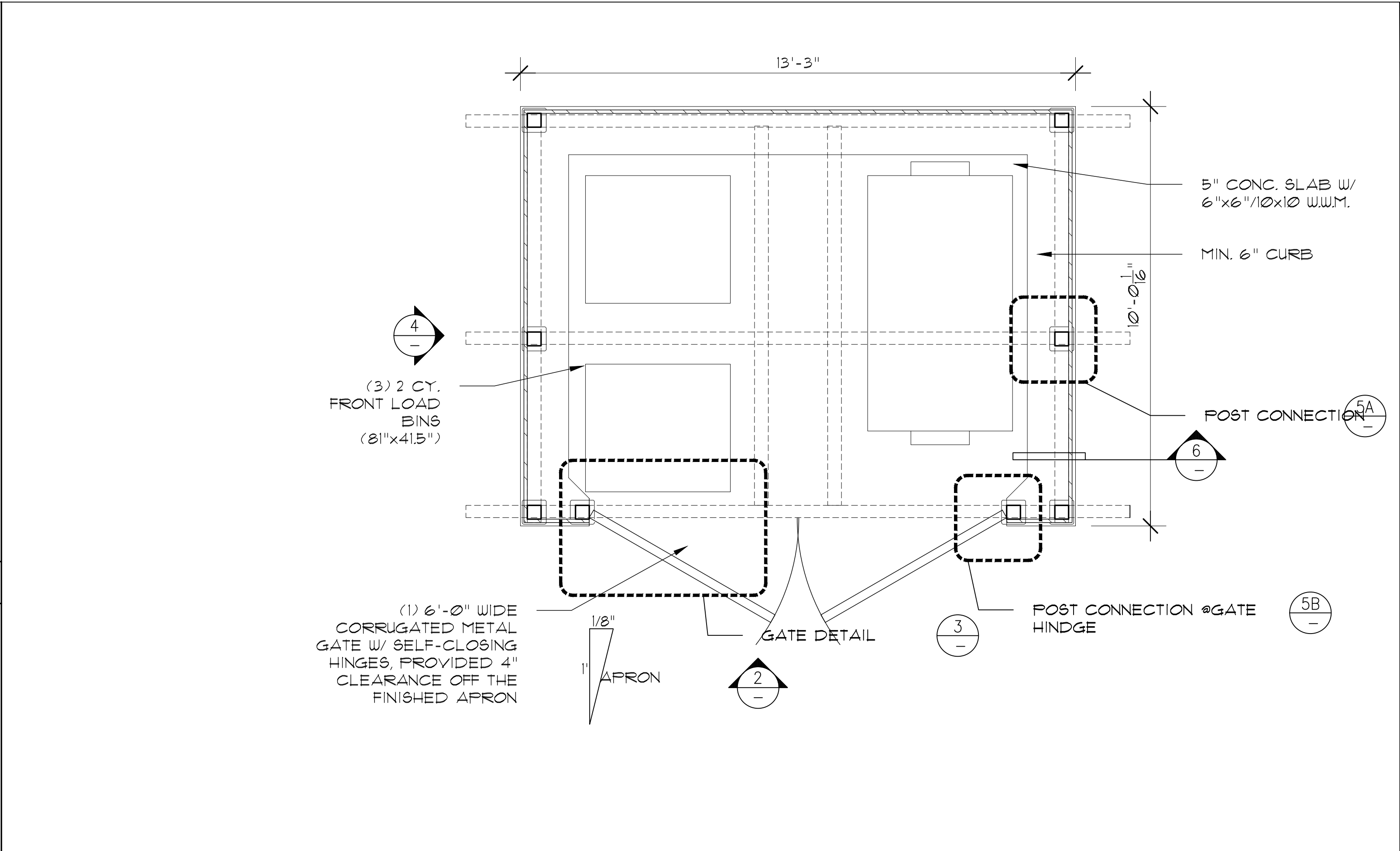
TRASH ENCLOSURE POST CONNECTION

N.T.S. 5



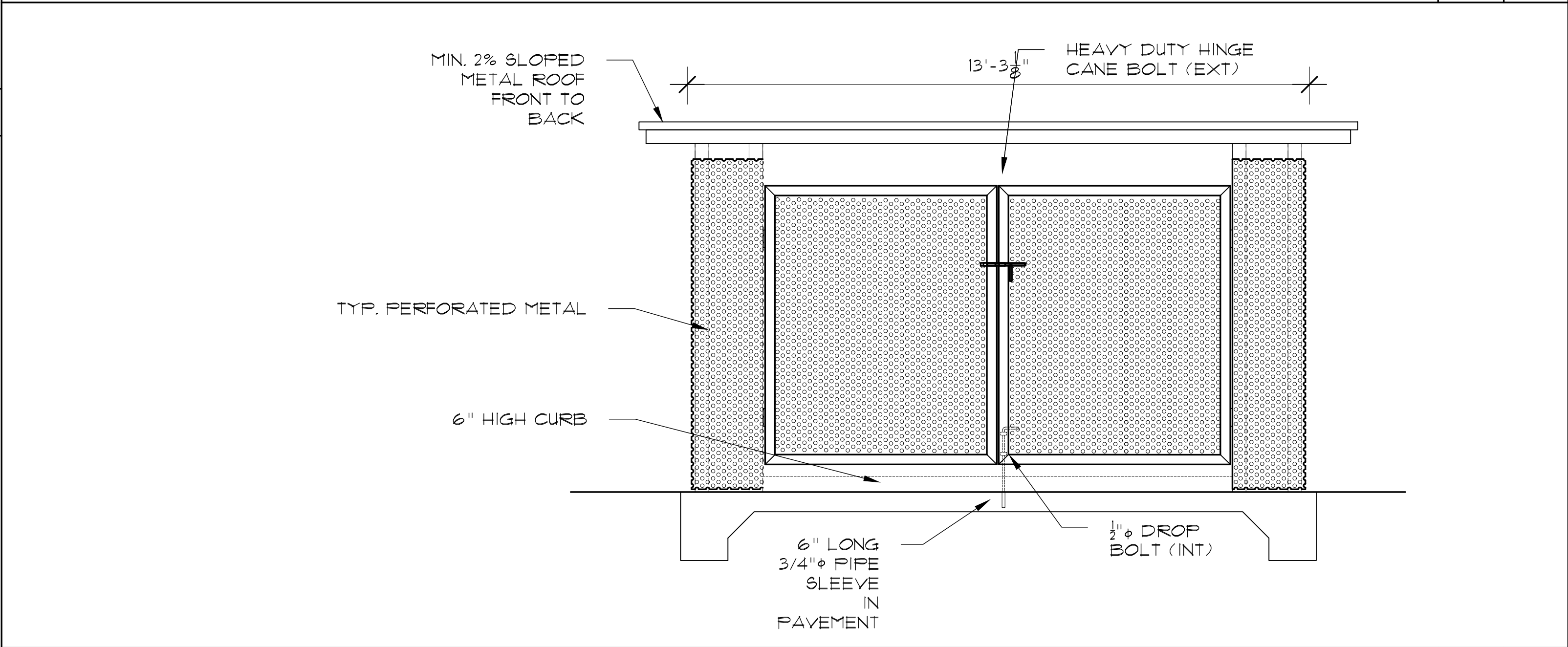
TRASH ENCLOSURE WALL SECTION

NTS 6



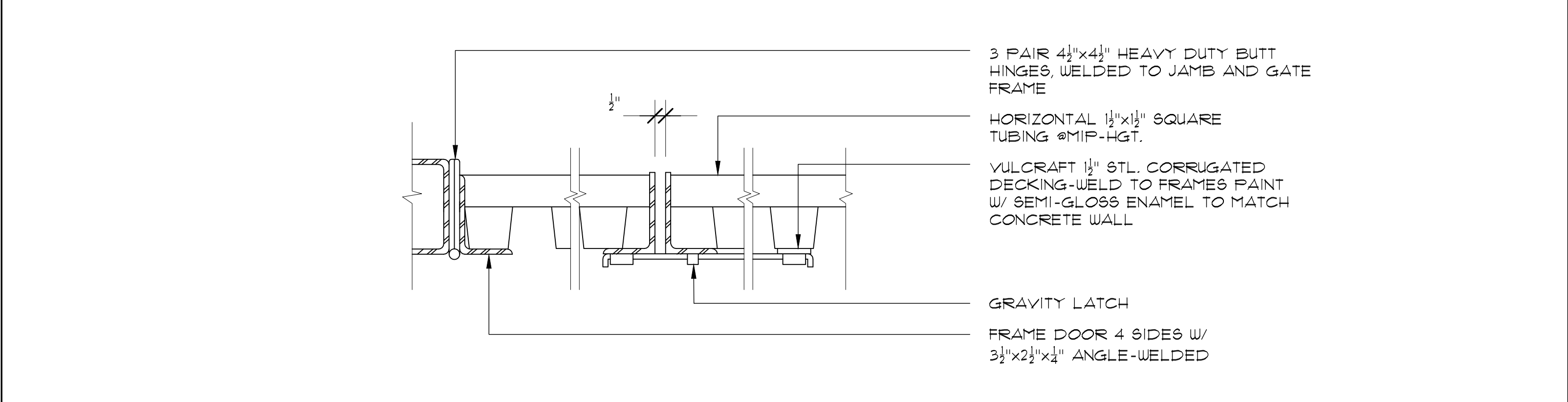
TRASH ENCLOSURE DETAIL

1/2" 1



TRASH ENCLOSURE ELEVATION

1/2" 2



TRASH ENCLOSURE GATE DETAIL

NTS 3



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SUNNY CHILD CARE T.I. CUP

TENANT IMPROVEMENT

2586 SEABOARD AVE
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PLANNING FILE NO. CP20-004

REVISIONS:

2	CITY COMMENTS
1	07-22-2020

SHEET TITLE:
TRASH ENCLOSURE DETAIL

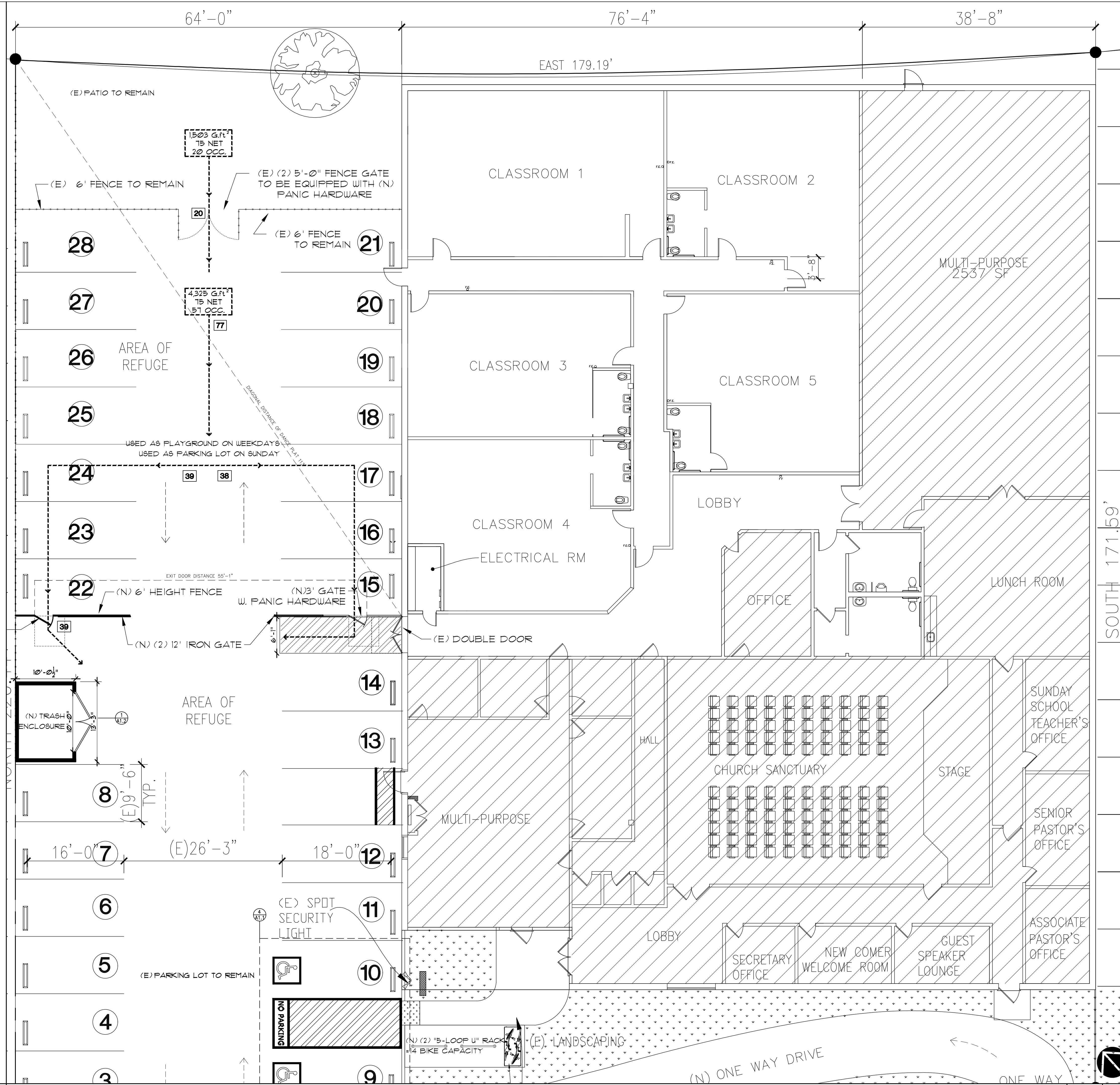
DATE 12/13/2019	PROJECT NO. 19-1741
SCALE AS SHOWN	DRAWN JH/FL

SHEET

A-1.2

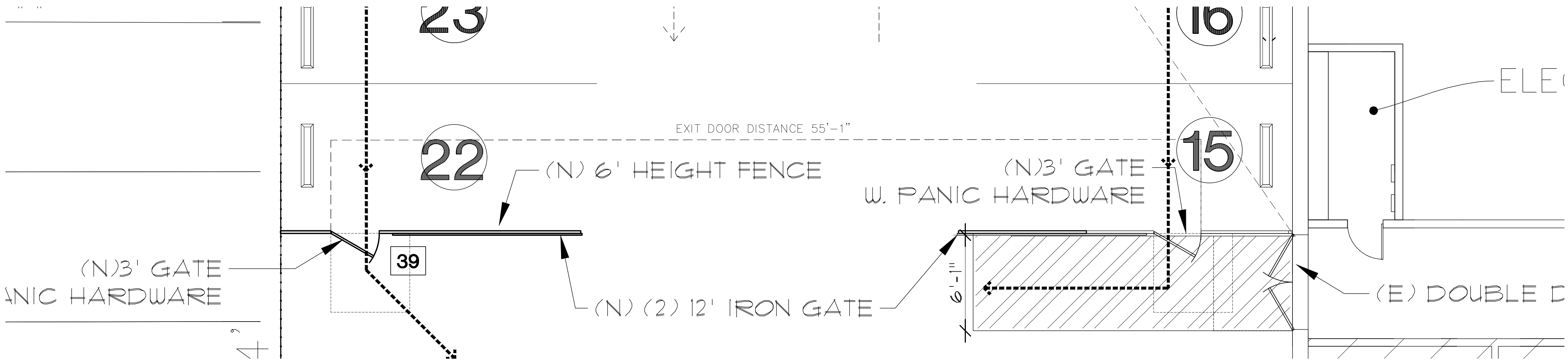
OF SHEETS

1. All work shall be performed in accordance with National, State and Local regulations. Secure required permits. Arrange with owner and/or appropriate persons for service shutoffs before beginning work. Identify and coordinate all existing hardware and devices scheduled to remain or to be salvaged for reuse, verify with owner.
2. All bidders submitting proposals for this work shall first examine the site (premises) and all such conditions as may affect the work under this contract. Failure to examine site will not relieve the successful bidder from necessity to provide work that may be required to complete the work without additional cost to the owner.
3. Work to be performed under this contract shall include all demolition, site work, building construction, and improvements to the property designated in the construction documents. The intent of the construction contract is to provide an improvement of an existing daycare on 2586 Seaboard Ave. San Jose, CA 95131, completely in all respect with all work performed in a quality and workmanlike manner with the building ready for occupancy when construction is complete.
4. Survey existing site and building conditions with compliance of ADA regulations and upgrade as required per codes. The contractor shall bring to the attention of the owner any conflicts, omissions, deletions, or errors in the drawings and/or specifications, which do not conform to the applicable zoning, code and other use regulations and/or to the AMERICANS WITH DISABILITIES ACT and regulations promulgated thereunder. The contractor shall not be liable to the owner or the architect for any damages resulting from any such errors except that contract shall be fully and exclusively liable upon failure to put architect on notice of said conflicts, omissions, deletions or errors.
5. Contractor shall remove from the job site all crates, packing, debris, etc, from kitchen equipment. He shall broom clean the building interior daily. At the completion of the project, the contractor shall leave the building cleaned dust free, clean all glass, replace any broken glass, remove stains, spots, marks and dirt from decorated work, clean hardware, remove paint spots from all surfaces, clean fixtures, and wash all tile floors.
6. If there is a conflict and/or errors between the plans and specifications, the specifications shall take precedence unless specifically indicated otherwise by the owner or owner's representative. It shall be the contractor's responsibility to notify the owner of the owner's agent of any conflicts, omissions deletions or errors in the plans or specifications encountered during the bidding period and the course of the construction before continuing the work affected.
7. Coordinate all demolition operations with owner for shutdown periods and sequence of work. Protect existing hardware and devices to remain and assure continuing facility operations in general.
8. Remove all demolished materials not scheduled for salvage and reuse, or those to become property of the owner, local authorities, or utility company, from the site and dispose of in accordance with local regulations. Confirm with the owner, proper authorities or utility company all items to be salvaged and returned to the appropriate party. All items to be turned over to the owner, local authorities or utility company, shall be protected during demolition and removal and shall be delivered to the appropriate party in an undamaged condition.
9. All items scheduled to be salvaged for reuse, shall be removed with care, stored and protected from damage until salvaged items are incorporated in the new work. It shall be the contractors responsibility to replace and/or restore any items scheduled for salvage and reuse that are damaged during the course of contract operations the owner shall determine the suitability of these salvaged items for reuse in the work.
10. Patch/repair/refinish all surfaces exposed by demolition work to match and align with existing adjacent surfaces scheduled to remain and prepare to receive new finished as specified. Work shall include all labor and materials required rendering substrates acceptable and receiving new finishes as specified in accordance with manufacturers written recommendations.
11. When walls, columns or other supporting and/or bracing elements are scheduled for demolition, temporary structural supports and bracing for the adjacent construction shall be provided and maintained until the permanent supporting structures are in place and able to support imposed loads.
12. Terminate, cap and remove all abandoned electrical conduit, wiring boxes, switches, etc, plumbing, and piping, fixtures, etc, HVAC, ductwork, controls, piping, etc. as required and per code.
13. It is the responsibility of the G.C. to coordinate delivery, uncrating, positioning, final hook-up and removal of trash of all owners supplied kitchen equipment.
14. All kitchen equipment to be installed as per manufacturers specifications. Refer to equipment plan for location and schedule.
15. Verify electrical, gas, and water capacity for new equipment requirements.
16. Existing construction and finishes to be protected from damage. Responsible party to match surrounding surfaces shall repair all materials damaged.
17. G.C. to prepare all surfaces to receive new finishes per manufacturer specifications. Refer to exterior and interior finish schedules for material and color selections.
18. The contract documents call for certain items to be supplied by the owner or others and installed by the general contractor. Other items are to be furnished and installed by the owner or others, the general contractor shall coordinate the work of all trades and cooperate in the preparations of surfaces, dimensions and utilities for work to be performed by the owner or others. Subcontractors installing mechanical, electrical and plumbing services for food service equipment to be installed by the owner or by others are cautioned that the rough-in dimensions shown on the plans are extremely critical. Error in locating services shall be corrected by the contractor performing the rough-in work at no additional cost to the owner.



1/16"	1
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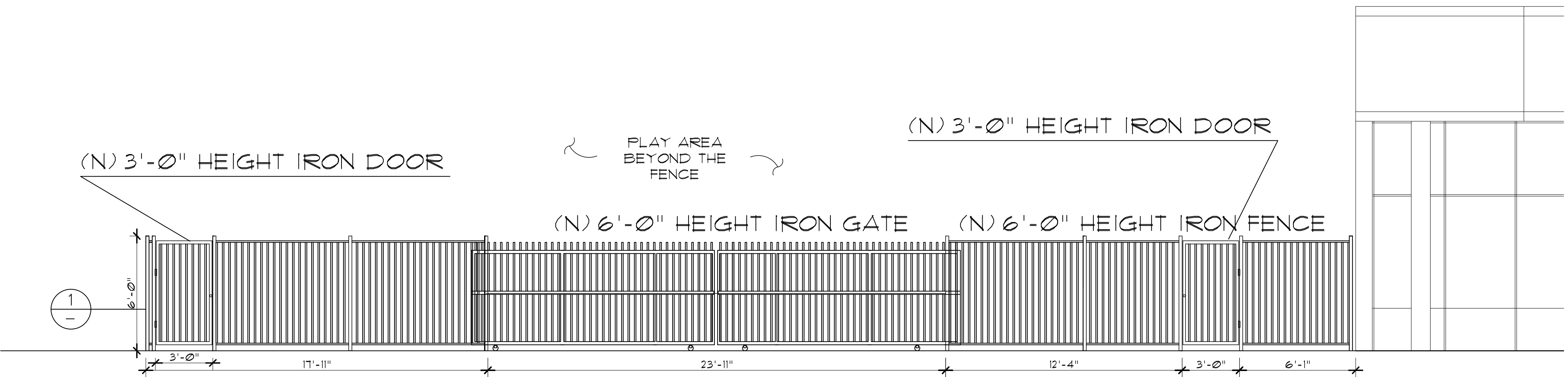
OF SHEETS



ENLARGED FENCE PLAN

1/4"

1



ENLARGED FENCE AND GATE ELEVATION DETAIL

1/4"

2

Innovative Design Architecture, Inc.

IDA

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SUNNY CHILD CARE T.I. CUP

TENANT IMPROVEMENT

2586 SEABOARD AVE
SAN JOSE, CA 95131

PLANNING FILE NO. CP20-004

REVISIONS:

CITY COMMENTS
07-22-2020

SHEET TITLE:
FENCE ELEVATION AND
DETAIL

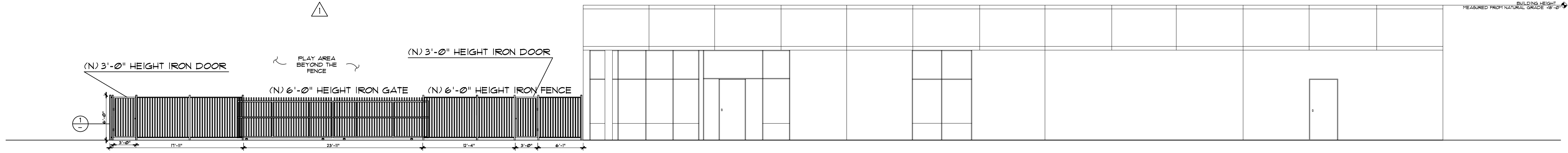
DATE
12/13/2019
PROJECT NO.
19-1741
SCALE
AS SHOWN
DRAWN
JH/FL

SHEET

A-1.2

OF SHEETS

NOTE:
NO CHANGE TO THE EXISTING BUILDING

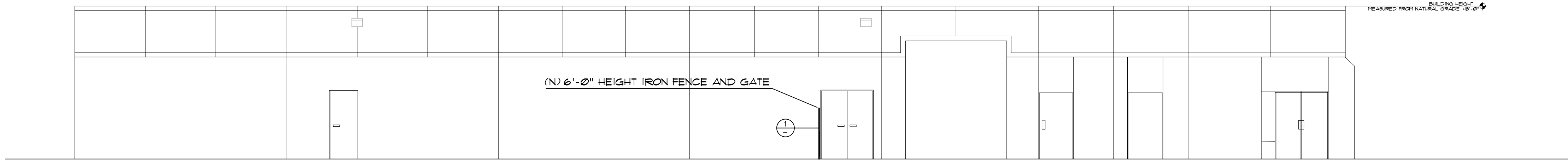


(E) FRONT ELEVATION W/ (N) FENCE

1/8"

1

NOTE:
NO CHANGE TO THE EXISTING BUILDING

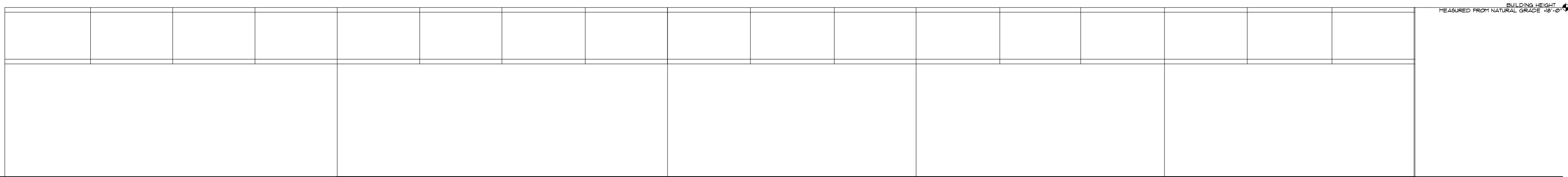


(E) SIDE ELEVATION

1/8"

2

NOTE:
NO CHANGE TO THE EXISTING BUILDING

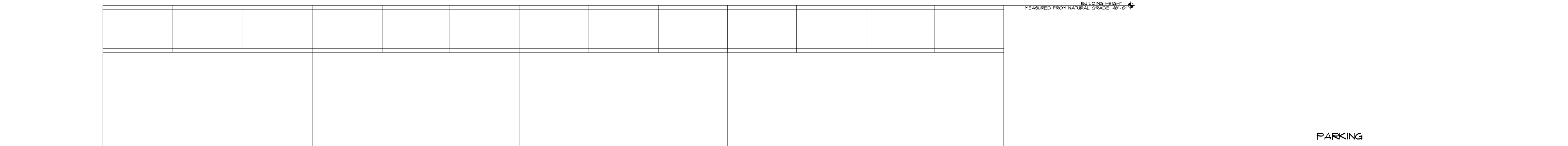


(E) SIDE ELEVATION

1/8"

2

NOTE:
NO CHANGE TO THE EXISTING BUILDING



(E) REAR ELEVATION

1/8"

2

IDA

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SUNNY CHILD CARE T.I. CUP

TENANT IMPROVEMENT

2586 SEABOARD AVE
SAN JOSE, CA 95131

PLANNING FILE NO. CP20-004

REVISIONS:

△ CITY COMMENTS
03-04-2020
△ CITY COMMENTS
07-22-2020

SHEET TITLE:
ELEVATIONS

DATE
12/13/2019
PROJECT NO.
19-1741
SCALE
AS SHOWN
DRAWN
JH/FL

SHEET

A-12

OF SHEETS

June 8th, 2020

CITY OF SAN JOSE Planning, Building & Code Enforcement
200 East Santa Clara Street, 3rd Floor
San Jose, CA 95113

Reference: File No. CP20-004

Project: Sunny Childcare

Site address: 2586 Seaboard Ave. San Jose, CA 95131

Hi,

Please see the below for Operations Management Plan for the Sunny Childcare. Here is the operation time in the center for the proposed daycare center.

The operation time of the daycare center will be from 7:30 am to 6:00 pm on weekdays, and closed on weekends. The targeted age groups of the daycare center will be from zero to five years old. The daycare center is proposed to have 120 students maximum, 10 teachers, and 1 director when it is under operations. The daycare center will have five classes simultaneously under operation. Each age group (birth to 1, 1 to 2, 2 to 3, 3 to 4, and 4 to 5) will occupy one classroom on the first floor. There will be about 24 students with two to three teachers in one room.

The below is the proposed daycare schedule. (A maximum of 60 students will use the playground at any time)

Weekdays	
7:30 – 9:00 am	Arrival
9:00 – 10:30 am	Morning Learning Activities (Half of the students will have 1 hour outdoor activities)
10:30 – 11:30 am	Morning Naps/Free Play (Indoor activities)
11:30 am – 12:30 pm	Lunch
12:30 – 2:30 pm	Story Time and Afternoon Naps
2:30 – 4:00 pm	Afternoon Learning Activities (Half of the students will have 1 hour outdoor activities)
4:00 – 4:30 pm	Snack Time
4:30 – 6:00 pm	Free Play (Outdoor and indoor activities) (Kids ready for pick up)
6:00 pm	Closing

Estimate number of students during business hours (Weekdays):

Time	# of students (Daycare)	# of teachers (Daycare)
7:30 am	15	3

8:00 am	40	4
8:30 am	70	7
9:00 am	100	9
10:00 am – 1:30 am	120	11
1:30 am – 3:00 am	120	11
3:30 pm	120	11
4:00 pm	100	9
4:30 pm	80	8
5:00 pm	60	7
5:30 pm	30	5
6:00 pm	5	2
6:30 pm	0	0
7:00 pm	0	0

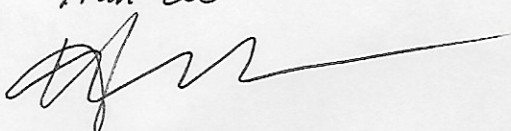
Drop off and pick-up procedures:

The daycare center will be open at 7:30 am for parents to drop-off kids. Parents can drop off kids respectively from 7:30 am to 9:00 am. The daycare center will provide an identity card for students. The card will be given to the parent when they drop off the kids to the teachers. Teachers will be at the parking lot to confirm the student identity with parents and walk the students to the building. Parents will need to bring the students to the check-in desk if they come after 9:00 am.

Parents can pick up kids from 4:30 pm to 6:00 pm respectively. Parents can also sign up for pick-up list in order for the teacher to bring the students to the parking lot for pick up. Parents will need to give the identity card to the teacher when they come pick up the kids. Teacher will compare the parents name on the card to the parents' photo ID. Parents who fail to show the identity card or the photo ID will need to go inside to further confirm their identity. One of the teachers from each classroom will walk the students to the parking lot to wait for parents, and the teacher will confirm the parents' identity as mentioned above before letting the student go. Parents who would like to pick up their children at a different time will need to pick up students from the lobby or classrooms.

If you have any questions, please contact the Architect Office for Nina Li at 408-245-0991 or email ninaliida@gmail.com.

Thank you

Han Lee


STATEMENT OF EXEMPTION

LEAD AGENCY

City of San José

PROJECT TITLE

Sunny Childcare, Planning File Nos. C20-002 and SP21-021

LOCATION OF PROPERTY

2586 Seaboard Avenue

PROJECT DESCRIPTION

Conforming Rezoning of an approximately 0.78-gross acre site from the LI Light Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District and a Special Use Permit for a day care center for approximately 120 students and 11 employees at an existing church. The project includes on-site circulation improvements and the construction a 10-foot sidewalk, a modified trash enclosure, and fencing around an existing park area to create two outdoor play areas.

CERTIFICATION

Under the provisions of Section 15303(c) and (e) of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) as stated below, 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.

15303. NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include, but are not limited to:

(c) A store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area. In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

(e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

ANALYSIS

Project Understanding

The project proposes to rezone the project site from the Light Industrial zoning district to Combined Industrial/Commercial zoning district, and use an existing 16,500-square foot building for a child care center for up to 120 children with 11 employees. As described in the submitted Operations Plan (Attachment A), the day care center would operate from 7:30 AM to 6 PM, with drop-offs occurring between 7:30 AM and 9 AM. Project construction includes on-site circulation improvements and the construction of a 10-foot sidewalk at the front of the site, a modified trash enclosure, and fencing around an existing parking area to create two playgrounds for use during day care operations totaling 5,828 square feet.

Traffic

The project was reviewed under the City's Vehicle Miles Travelled (VMT) Transportation Policy, City Council Policy 5-1 and it was determined that due to the nature of the proposed use, the project would have a less than significant impact on Traffic and Transportation. As detailed in the Public Works Traffic Memo (Attachment B), new daycare facilities typically redistribute existing trips instead of creating new ones and can shorten vehicle trips and reduce overall Vehicle Miles Travelled (VMT) by diverting existing trips from established daycares to the new local daycare without measurable increasing trips outside of the local area. Therefore, the proposed day care center use was converted to local-serving trip rates by calculating the project trip generation estimates using ITE rates then converting to equivalent retail square footage. Based on the ITE Trip Generation Manual, 10th Edition, the equivalent retail square footage of a 120-student daycare facility is 13,000 square feet. Through this calculation, it was determined that the new daycare use serving up to 120 children is equivalent to 13,000 square feet of retail. The project would meet the screening criteria as a local-serving retail use with 100,000 square feet or less and without drive through operations. The project qualifies for the screening criteria for local-serving retail, does not require additional VMT analysis under Council Policy 5-1, and would have a less than significant impact on traffic and transportation.

CONCLUSION

The project would include circulation improvements and a 10-foot sidewalk at the front of the site, a modified trash enclosure, and fencing around an existing parking area. These changes are minor and would not result in a substantial or significant environmental impact. The project would also include a rezoning from the Light Industrial to the Combined Industrial/Commercial zoning district, consistent with the land use designation of the City's General Plan. The project site is within an urbanized area with existing conditions to sewer, water, and electricity service. Additionally, the daycare would not involve the use of significant amounts of hazardous substances. As discussed above, the project would not result in significant impacts to transportation.

As discussed further below, no special circumstances exist under the provisions of CEQA Guidelines Section 15300.2 that would disqualify the project for the Class 3 Exemption. Additionally, there are no special circumstances that would create a reasonable possibility that the proposed project would have a significant adverse effect on the environment. Therefore, the project is considered categorically exempt from the review requirements of CEQA.

EXCEPTIONS

CEQA Guidelines Section 15300.2 provides exceptions to the use of Categorical Exemptions where the use of a Categorical Exemption is prohibited under certain circumstances. The City has

considered the project's applicability to all of the exceptions under Section 15300.2. An analysis of each of these exceptions in reference to this project is provided below.

- a) Location. Class 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. As shown in the aerial map (Attachment C), the existing building and parking lot is approximately 75 feet west of the Guadalupe River corridor. However, the day care center would utilize the existing developed site and does not propose any construction within 100 feet of the edge of the river. The project site is in an urban area surrounded by parcels to the west, north, and south that are developed various commercial and industrial uses. The project site has been occupied for at least 50 years, and the current project does not propose an expansion of the physical building footprint to the site.
- b) Cumulative Impact. Based on the above analysis, there is no evidence of a potential significant cumulative impact on the environment from the proposed project. The project would comply with all permit conditions and with City's rules and regulations.
- c) Significant Effect. The project would not result in any significant effects on the environment due to unusual circumstances, as discussed in detail in the analysis above.
- d) Scenic Highways. This project site is not located within a view of a highway officially designated as a state scenic highway. Therefore, the project is not subject to this provision. Even so, the project is not proposing any physical changes to the site.
- e) Hazardous Waste Sites. The project is not located on a site that is included on any list pursuant to Section 65962.5 of the Government Code.
- f) Historical Resources. The project site is not designated as a historic site and there are no historical resources located on the project site on adjacent sites. Therefore, this provision does not apply.

Chris Burton, Director
Planning, Building and Code Enforcement



6/25/21

Date

Deputy

Cassandra Van der Zweep
Environmental Project Manager

Attachments:

- A) Operations Plan
- B) Public Works Traffic Memo
- C) Aerial Map