



MEMORANDUM

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Planning Commission

SUBJECT: SEE BELOW

DATE: October 9, 2014

COUNCIL DISTRICT: 7

SUBJECT: FILE NO.: PDC13-009. PLANNED DEVELOPMENT REZONING FROM A(PD) PLANNED DEVELOPMENT, A-AGRICULTURE AND PREZONING FROM UNINCORPORATED COUNTY TO A(PD) PLANNED DEVELOPMENT ZONING DISTRICT FOR THE PROPOSED DEVELOPMENT OF UP TO 2,200 RESIDENTIAL UNITS INCLUDING SINGLE FAMILY ATTACHED AND DETACHED AND MULTI-FAMILY UNITS; UP TO 67,500 SQUARE FEET OF RETAIL/COMMERCIAL SPACE; UP TO 1.44 MILLION SQUARE FEET OF INDUSTRIAL PARK USES; PARKS, TRAILS, A SCHOOL SITE AND RELATED OFF-SITE PUBLIC INFRASTRUCTURE OF AN APPROXIMATELY 331.6-ACRE SITE.

FILE NO.: C14-046. DIRECTOR-INITIATED PREZONING FROM UNINCORPORATED COUNTY TO PQP PUBLIC/QUASI-PUBLIC ZONING DISTRICT AND IP INDUSTRIAL PARK ZONING DISTRICT ON AN APPROXIMATELY 9.6 GROSS ACRE SITE ENCOMPASSING A PORTION OF EXISTING RAILROAD RIGHT OF WAY.

FILE NO.: C14-047. DIRECTOR-INITIATED CONFORMING PREZONING FROM UNINCORPORATED COUNTY TO PQP PUBLIC/QUASI-PUBLIC ZONING DISTRICT AND OS OPEN SPACE ZONING DISTRICT ON AN APPROXIMATELY 12.4 GROSS ACRE SITE EAST OF CANOAS GARDEN, NORTH AND SOUTH OF MILLPOND DRIVE.

FILE NO.: C14-048. DIRECTOR-INITIATED PREZONING FROM UNINCORPORATED COUNTY TO PQP PUBLIC/QUASI-PUBLIC ZONING DISTRICT ON A 2.0 GROSS ACRE SITE NORTHEAST OF ST. FLORIAN WAY AND ADELINE AVENUE.

FILE NO.: C14-049. DIRECTOR-INITIATED PREZONING FROM UNINCORPORATED COUNTY TO PQP PUBLIC/QUASI-PUBLIC ZONING DISTRICT AND OS OPEN SPACE ZONING DISTRICT ON AN APPROXIMATELY 10.9 GROSS ACRE SITE SOUTH OF BATISTA DRIVE.

**GENERALLY LOCATED ON THE SOUTH SIDE OF THE UNION
PACIFIC RAILROAD TRACKS, WEST OF HILLSDALE AVENUE,
NORTHERLY OF ADELINE AVENUE AND ALTINO BOULEVARD, AND
EASTERLY OF HIGHWAY 87 AT THE TERMINUS OF CAROL DRIVE.**

RECOMMENDATION

On September 10, 2014, the Planning Commission voted 5-0-1-1 (Commissioner O'Halloran absent, Commissioner Yob recused) to recommend that the City Council approve a Planned Development Rezoning (File No. PDC 13-009) from A(PD) Planned Development and A-Agriculture and Prezoning from unincorporated County to A(PD) Planned Development Zoning District for the proposed development of up to 2,200 residential units including single family attached and detached and multi-family units; up to 67,500 square feet of mixed-use retail/commercial space; up to 1.44 million square feet of industrial park uses; parks, trails, a school site and related off-site public infrastructure of an approximately 331.6-acre site.

The Planning Commission voted 5-0-1-1 (Commissioner O'Halloran absent, Commissioner Yob recused) to recommend that the City Council approve a Director-initiated Prezoning (C14-046) from unincorporated County to PQP Public/Quasi-Public Zoning District and IP Industrial Park Zoning District on an approximately 9.6 gross acre site encompassing a portion of existing railroad right of way.

The Planning Commission voted 5-0-1-1 (Commissioner O'Halloran absent, Commissioner Yob recused) to recommend that the City Council approve a Director-initiated Prezoning (C14-047) from unincorporated County to PQP Public/Quasi-Public Zoning District and OS Open Space Zoning District on an approximately 12.4 gross acre site east of Canoas Garden, north and south of Millpond Drive.

The Planning Commission voted 5-0-1-1 (Commissioner O'Halloran absent, Commissioner Yob recused) to recommend that the City Council approve a Director-initiated Prezoning (C14-048) from unincorporated County to PQP Public/Quasi-Public Zoning District on a 2.0 gross acre site northeast of St. Florian Way and Adeline Avenue.

The Planning Commission voted 5-0-1-1 (Commissioner O'Halloran absent, Commissioner Yob recused) to recommend that the City Council approve a Director-initiated Prezoning (C14-049) from unincorporated County to PQP Public/Quasi-Public Zoning District and OS Open Space Zoning District on an approximately 10.9 gross acre site south of Batista Drive.

OUTCOME

Should the City Council approve the above referenced prezoning and rezoning applications, the City would be able to move forward with annexation (File No. Communications Hill No. 1) to the City of San José of approximately 310.2 acres of land in an existing unincorporated County pocket. Upon annexation, the applicant would be able to obtain a Master Planned Development

Permit and Tentative Map for the proposed development of up to 2,200 residential units including single family attached and detached and multi-family units; up to 67,500 square feet of retail/commercial space; up to 1.44 million square feet of industrial park uses; parks, trails, a school site and related off-site public infrastructure on an approximately 331.6-acre site.

BACKGROUND

On September 10, 2014, the Planning Commission held a public hearing to consider the Final Subsequent Environmental Impact Report (FSEIR), proposed General Plan and Communications Hill Specific Plan (CHSP) Amendments, Area Development Policy and related pre/rezonings. The Director of Planning, Building and Code Enforcement recommended approval of the applications for the reasons stated in the attached staff report and supplemental memo to the Planning Commission. Staff provided a revised General Plan Land Use/Transportation diagram at the public hearing to accurately depict the location of the tall building sites. The subject FSEIR, General Plan Amendment, Specific Plan Text Amendment and Area Development Policy were heard by the Planning Commission concurrently with the proposed rezoning/rezoning for the project (PDC13-009) and four conventional rezoning applications outside of the project boundary. The lands subject to the conventional rezoning applications are proposed to be annexed concurrently with the subject project site.

Twenty-three members of the public spoke on the item at the Planning Commission hearing. Two members of the public spoke in support of the project as proposed. Staff representatives from Santa Clara County expressed concerns about potential project impacts to communications operations related to the existing County Communications Facility. They expressed a willingness to continue to work with staff and applicant to address their concerns.

Most of the public testimony centered on issues related to the public use of the existing “grand staircase” within the adjacent Tuscan Hills development. Primary issues raised were crime, parking, overcrowding and noise. Project related concerns were also raised about increased highway and local street traffic congestion, construction traffic and dust, water supply, need to reopen Fire Station 33, desirability to build the school as part of the project, wetlands and habitat impacts, increased crime due to additional new residents, and the need for affordable housing. Public comments particularly noted the existing traffic congestion on Curtner Avenue near The Plant and at the Narvaez Avenue/State Route 87 northbound on-ramp.

The Planning Commission asked clarifying questions of the applicant and staff about issues raised in the public testimony. The Commission expressed the need for the applicant, City and community to continue to work together to resolve the existing issues. They also wanted to ensure that the project will not cause an increase in the types of problems associated with the existing stairs. They expressed support for the staffing and operation of Fire Station 33. On September 30, 2014, the City Council held a public hearing on the Final Subsequent EIR, 2040 General Plan and Communications Hill Specific Plan Amendments (File No. GP/GPT13-002) and the CHSP Area Development Policy. The Council adopted Resolution No. 77172 for the certification and adoption of the FSEIR with overriding project considerations. The General Plan Land Use/Transportation Diagram designation changes and specific plan text amendments

were approved. The CHSP Area Development Policy was also adopted. These actions cleared the path for the Council's consideration of the proposed rezonings and rezonings. Council questions raised regarding the proposed project will be responded to in a supplemental memo pending discussions with County Communications Center staff.

ANALYSIS

A complete analysis of the project issues is contained in the attached Planning Commission staff report and supplemental memo. With the exception of the County's and applicant's stated concerns regarding the relationship between the proposed project and the operation of the County Communications Center, the majority of issues raised in the public testimony were related to the existing City-owned grand staircase and the proposed project. With regard to avoiding future staircase issues, the Planning Commission generally commented that the future grand staircases, particularly the one on Hillsdale in Phase 1 of the proposed project, will alleviate the concerns with the existing staircase as it is separated from residential, ties into the trail system, and has parking.

Prior to the Council hearing date, staff will continue to work with the County and the applicant regarding the avoidance of project interference with the existing County Communications Facility operations. A meeting is scheduled for October 9, 2014. A supplemental memo outlining the results of these discussions will be provided prior to the City Council public hearing. The supplemental memo will also include any staff recommended modifications to the draft conditions of approval.

EVALUATION AND FOLLOW-UP

The applicant would be required to obtain subsequent development permits and subdivision maps to implement the proposed development of up to 2,200 residential units including single family attached and detached and multi-family units; up to 67,500 square feet of retail/commercial space; up to 1.44 million square feet of industrial park uses; parks, trails, a school site and related off-site public infrastructure on the site. A parkland agreement will also be required in accordance with the Parkland Dedication Ordinance/Park Impact Ordinance. The Master Planned Development Permit and Tentative Map applications have been filed. A Planned Development permit for the first phase of residential development has also been submitted.

PUBLIC OUTREACH

Staff followed Council Policy 6-30: Public Outreach Policy. Numerous large and small community meetings and outreach have been provided for this project, including meetings with various responsible public agencies. A Notice of Preparation of the SEIR and two scoping meetings were held in June, 2013. The most recent community meeting was held on August 28, 2014 with approximately 3,500 postcards mailed. During the spring and early summer of 2014, one or more meetings were attended with the nearby individual home owners or neighborhood

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associations, including Dairy Hill, Millpond, Tuscany Hills, Chianti, Carrara, Lancaster Gate, Carol Drive and VEP. Project related issues raised at these meetings were taken into account in the proposed project.

There is a webpage specifically devoted to this project on the Planning Division's website that contains outreach schedules, plans and links to additional information at <http://www.sanjoseca.gov/communicationshill>. A notice of the public hearing was distributed to the owners and tenants of all properties located within 1000 feet of the project site and posted on the City website. This memorandum and FSEIR are also posted on the City's website. Staff has been available to respond to questions from the public. Written correspondence received by staff before and during the hearing is attached to this memo.

COORDINATION

This project was coordinated with the Department of Public Works, Department of Transportation, Fire Department, Environmental Services Department, and the City Attorney's Office.

CEQA

A project-level Final Subsequent Environmental Impact Report (FSEIR) was prepared for the project and was certified by the City Council on September 30, 2014 in accordance with CEQA and the Municipal Code. The Draft Subsequent EIR document was made available for public review and comment from June 3, 2014 through July 18, 2014. The Final SEIR was circulated on August 29, 2014. The SEIR addresses significant project environmental impacts and identifies mitigation measures and project alternatives that would avoid or reduce potentially significant environmental impacts. The Council adopted a Statement of Overriding Considerations due to the project resulting in significant unavoidable impacts related to transportation level of service and freeway segment impacts, air quality and aesthetic (visual) degradation. The CHSP Area Development Policy provided a partial basis for the override of transportation impacts.

/s/

HARRY FREITAS, SECRETARY
Planning Commission

For questions please contact Steve Piasecki, Interim Planning Official, at 408-535-7893.

Attachments:

9/10/14 Planning Commission Staff Report and Supplemental Memo
Correspondence



PLANNING, BUILDING AND CODE ENFORCEMENT
200 E. SANTA CLARA STREET • SAN JOSE, CA 95113

PLANNING COMMISSION STAFF REPORT

File No.	GP13-002 and PDC13-009
Applicant:	KB Home & MTA Properties
Location	Communications Hill
Existing Zoning	A (PD) & unincorporated County
Council District	7
Historic Resource	n/a
Annexation Date:	Pending
CEQA:	Subsequent EIR to be adopted

APPLICATION SUMMARY:

The proposed project is the development of approximately 2,200 residential units, up to 67,500 square feet of mixed-use commercial/retail, 1.44 million square feet of industrial park uses, necessary public infrastructure, and adoption of an area development policy within the Communications Hill Specific Plan (CHSP) area. A new public street system and infrastructure would connect to existing roadways and utility systems constructed by the previous development. Full buildout of the project is expected to occur in multiple phases over a 12-15 year period. Construction of public improvements and infrastructure will be proportionally phased with private development.

RECOMMENDATION:

Planning staff recommends that Planning Commission recommend approval of the subject General Plan Amendment and Planned Development Rezoning/Prezoning to the City Council for the following reasons:

1. The proposed project is consistent with the Envision San José 2040 General Plan Land Use/Transportation Diagram designations, as amended and the applicable policies.
2. The proposed project conforms to the vision, intent and design objectives of the Communications Hill Specific Plan.
3. The project conforms to the applicable design guidelines and policies.
4. The proposed project is compatible with existing and approved development in the area.
5. The proposed project furthers the objectives of the City's infill housing strategies.
6. The proposed project conforms to the requirements of CEQA.

PROJECT DATA

GENERAL PLAN CONSISTENCY			
General Plan Land Use/Transportation Diagram Designation	Open Space, Parklands and Habitat; Industrial Park; Public Quasi Public; Urban Residential; Neighborhood Community Commercial, Rural Residential <input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent <i>(subject to approval of pending General Plan Amendment request)</i>		
Consistent Policies	Communications Hill Specific Plan		
Inconsistent Policies	NA		
SURROUNDING USES			
	General Plan Land Use	Zoning	Existing Use
North	Open Space, Parklands and Habitat; Residential Neighborhood; Combined Industrial Commercial; Heavy Industrial; Industrial Park	A(PD), HI, County	Railroad tracks, cemetery, open space, mobile home park, residential, industrial
East	Combined Industrial Commercial, Light Industrial	IP(PD), LI, County	Industrial
South	Industrial Park; Urban Residential; Open Space, Parklands and Habitat; Public Quasi Public	IP(PD), A(PD), County	Industrial, residential, County communications
West	Rural Residential, Residential Neighborhood	A(PD), County	Residential, mobile home park, open space

RELATED APPROVALS	
Date	Action
9/16/14	City Council Initiation of Annexation
9/30/14	City Council Public Hearing on Pre/rezoning
11/18/14	City Council Ordering of Annexation

PROJECT DESCRIPTION

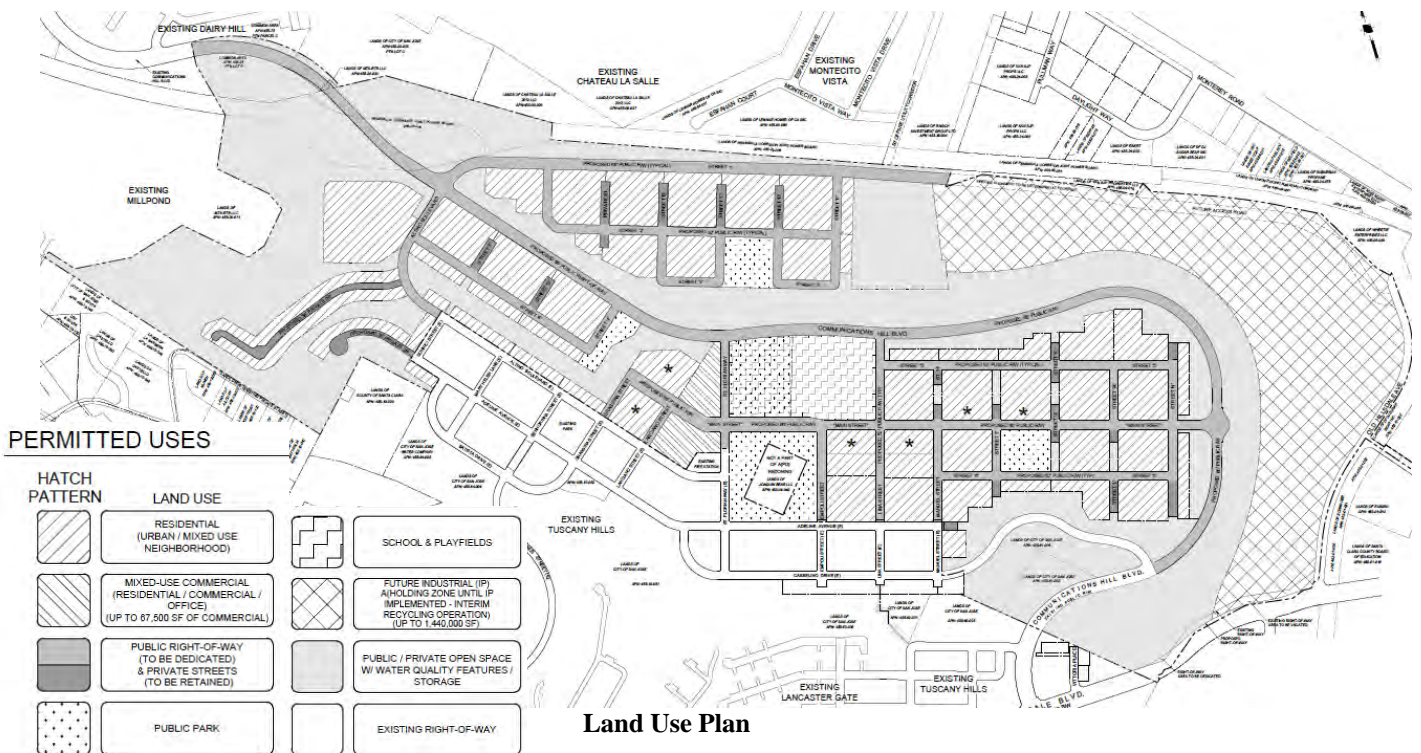
The applicant, KB Home South Bay, Inc., and property owner, MTA Properties, LP are proposing to amend the Envision San José 2040 General Plan and rezone/prezone the 331.6 gross-acre site from A (PD) Planned Development and unincorporated County to A (PD) Planned Development. The intent is to allow up to 2,200 residential units (a mix of single-family attached and detached and multi-family), 67,500 sq. ft. of mixed use retail/commercial, and 1.44 million sq. ft. of industrial space. Various public improvements, including parks, open space, trails, a school site with playfields and all necessary on-site and off-site public infrastructure are also proposed as part of the project. The total net area of the site developed as residential and mixed use commercial will be approximately 83 acres (see chart). This results in a net average residential density of approximately 26.5 dwelling units per acre (DU/AC).

The majority of the site, approximately 275 acres, is currently in the unincorporated County, and is the subject of a pending annexation proposal. The subject site is located within the Communications Hill Planned Community (CHPC). The Communications Hill Specific Plan (CHSP), adopted in 1992, is the City's detailed policy document that establishes the specific land use plan, circulation system and a myriad of more detailed design issues. This project is the

largest single proposal on Communications Hill, affording an opportunity to implement significant remaining portions of the Specific Plan.

The project also includes development of approximately 55 acres of industrial park uses in the eastern portion of the site near the base of Communications Hill, adjacent to Old Hillsdale Avenue. Details of the industrial development have not yet been determined; although, it is anticipated that such development would occur at a Floor Area Ratio (FAR) of approximately 0.6. This would allow approximately 1.44 million square feet of industrial park development, consistent with the Specific Plan. The project also includes implementation of an Area Development Policy (ADP) to reduce overall traffic impacts on a regional level. The Communication Hill Specific Plan ADP (CHSPADP) includes roadway/freeway ramp improvements, trails, bike lanes, and multi-modal connections to transit.

Land Use Summary		
Land Use Type	Acres	Percentage
Residential	79.8	24%
Mixed Use Commercial/Residential	3.2	1%
Streets/Public Right-of-Way	41.1	13%
Public Parks	14.2	4%
School	5.7	2%
Future Industrial Park	55	17%
Open Space with Water Quality Basins	126.2	38%
Existing Right-of-Way	6.4	1%
TOTAL SITE AREA	331.6	100%



Site Location:

The proposed project site is near the top of Communications Hill adjacent to the existing Tuscany Hills development. The site is generally bounded by the Caltrain/Union Pacific railroad tracks on the north, Old Hillsdale Avenue to the east, the Tuscany Hills development to the south, and the Millpond and Dairy Hill residential neighborhoods to the west. It is predominantly vacant, with the exception of the existing AT&T Tower and an aggregate recycling operation at the base of the hill along the railroad tracks on the former quarry operation. The UPRR/JPA railroad tracks run along the northerly edge of the site. Surrounding land uses include the County Communications Center, the Mill Pond Mobile Home Park, and Dairy Hill development to the north across the railroad tracks. There is a pocket of existing industrial uses across Hillsdale Ave. to the east. To the south is the existing Tuscany Hills residential development.



Site and surrounding area

ANALYSIS

The primary issues related to this project include conformance with the General Plan and key elements of the Communications Hill Specific Plan, such as; grading, public infrastructure, and implementation.

Envision San José 2040 General Plan and CH Specific Plan Conformance

While the proposed project is consistent with the overall goals and intent of the Envision San José 2040 General Plan and CH Specific Plan, General Plan amendments are required. Existing land use designations of the site would be changed to be consistent with the City's recently updated Envision San José 2040 General Plan. General Plan amendments would also be required to

implement the project. The following amendments to the text and Land Use/Transportation Diagrams of the Envision San José 2040 General Plan and CHSP are proposed by the project. The differences between the existing and proposed land use designations are shown in the figures below.

Land Use Transportation Diagram Amendments

The proposed project would result in minor changes/refinements to the General Plan land use designations as shown in the table below. These changes are partially proposed to bring the CHSP land use designations, which was approved in 1992, into conformance with the Envision San José 2040 land use designations. The overall intent, vision, and amount of development allowed (number of residential units, housing types, and commercial and industrial park uses) for the CHSP are not substantially changed or increased due to these revisions. The table below outlines the overall proposed changes to the General Plan Land Use/Transportation Diagram designations for the site.

Proposed Changes to General Plan Land Use Designations			
	Existing General Plan Designations*	Proposed General Plan Designations*	Difference (in Acres)
Urban Residential (30-95 DU/AC)	68 ac/22%	9 ac/3%	-59
Rural Residential (2 DU/AC)	12 ac/4%	0	-12
Industrial Park	55 ac/18%	55 ac/18%	n/c
Neighborhood/ Community Commercial	4 ac/1%	0	-4
Mixed Use Commercial	0	5 ac/1%	+5
Mixed Use Neighborhood (Up to 30 DU/AC)	0	109 ac/35%	+109
Public/Quasi-Public	3 ac/1%	6 ac/2%	+3
Open Space, Parklands and Habitat	170 ac/54%	128 ac/41%	-42
TOTAL	312 ac/100%	312 ac/100%	n/c
*In acres/percentage of site, which are approximate. Actual acreages will be determined during the PD Permit stage of development. Not all of the project site requires a change to the General Plan Land Use Transportation Diagram.			
n/c = No Change			

Residential Amendments

The project proposes to modify the density requirements of the General Plan and CHSP. The General Plan and CHSP allow a minimum density of 24 DU/AC per block. The project proposes an average block density of at least 26.5 DU/AC over the development area. This allows some blocks to develop at a density below 24 DU/AC (net) provided the total acreage of such development does not exceed 106 net acres to maintain the proposed average 26.5 DU/AC density. In accordance, the General Plan Land Use/Transportation Diagram designation for the residential development area would largely change from Urban Residential (30-95 DU/AC) to

Mixed Use Neighborhood (up to 30 DU/AC) and the area designated as Open Space, Parklands and Habitat designation would be reduced to accommodate the less dense residential development. In addition, residential units in the southern portion of the site would be moved to the northern portion of the site for better land use compatibility. The total number of units proposed is not increased above that included in the General Plan.

Industrial Park Amendments

The CHSP states that industrial park buildings on the project site should be limited to two stories in height. The project proposes to limit building heights to four (4) stories, although these heights may be extended if future city-wide General Plan policies are modified. The amount of industrial park development is consistent with the General Plan. Only its location would be modified with the proposed project.

Village Center Mixed-Use Amendments

The CHSP Design Standards for Retail/Commercial development states that building height in the Village Center is limited to two stories of housing or offices over the ground floor of retail or office. While retail uses are anticipated to be predominantly on the ground floor, the project proposes to allow office and/or residential uses on the second floor of the structures in the Village Center. Restaurants may also be allowed on upper floors to take advantage of viewshed opportunities. The amount of square footage of commercial development allowed remains unchanged with this amendment.

Transportation Amendments

The CHSP identifies a shuttle bus route connection from the top of the hill to Mill Pond Drive. The project proposes to include a shuttle program at the Planned Development Permit stage that may utilize other potential shuttle route options such as Carol Drive, Communications Hill Boulevard/Curtner Avenue, or Narvaez Avenue. The shuttle service may also be extended to serve future industrial uses within the north and eastern portions of the Specific Plan area, as well as existing residential uses in the Tuscany Hills and Dairy Hill developments to reduce vehicle trips.

The Specific Plan included the roadway extension of Pullman Way between Communications Hill Boulevard and the Hillcap Avenue extension on the northern side of the project site. The intended purpose of this new street connection was to provide additional vehicular access to the site, disperse commute hour traffic away from congested freeway interchanges, and provide better overall connectivity in the project area. The project proposes to eliminate the roadway extension of Pullman Way from the Specific Plan. This improvement would require an under or overcrossing of the active Caltrain tracks, which was determined to be cost prohibitive due to land acquisition and the excavation and geotechnical retaining systems required. Further, the traffic analysis determined that the connection would provide only modest traffic benefits within the project area.



Existing General Plan Land Use Diagram

- Combined Industrial/Commercial
- Industrial Park
- Light Industrial
- Mixed Use Commercial
- Mixed Use Neighborhood
- Neighborhood/Community Commercial
- Open Space, Parklands and Habitat
- Public/Quasi-Public
- Residential Neighborhood
- Rural Residential
- Transit Residential
- Urban Residential



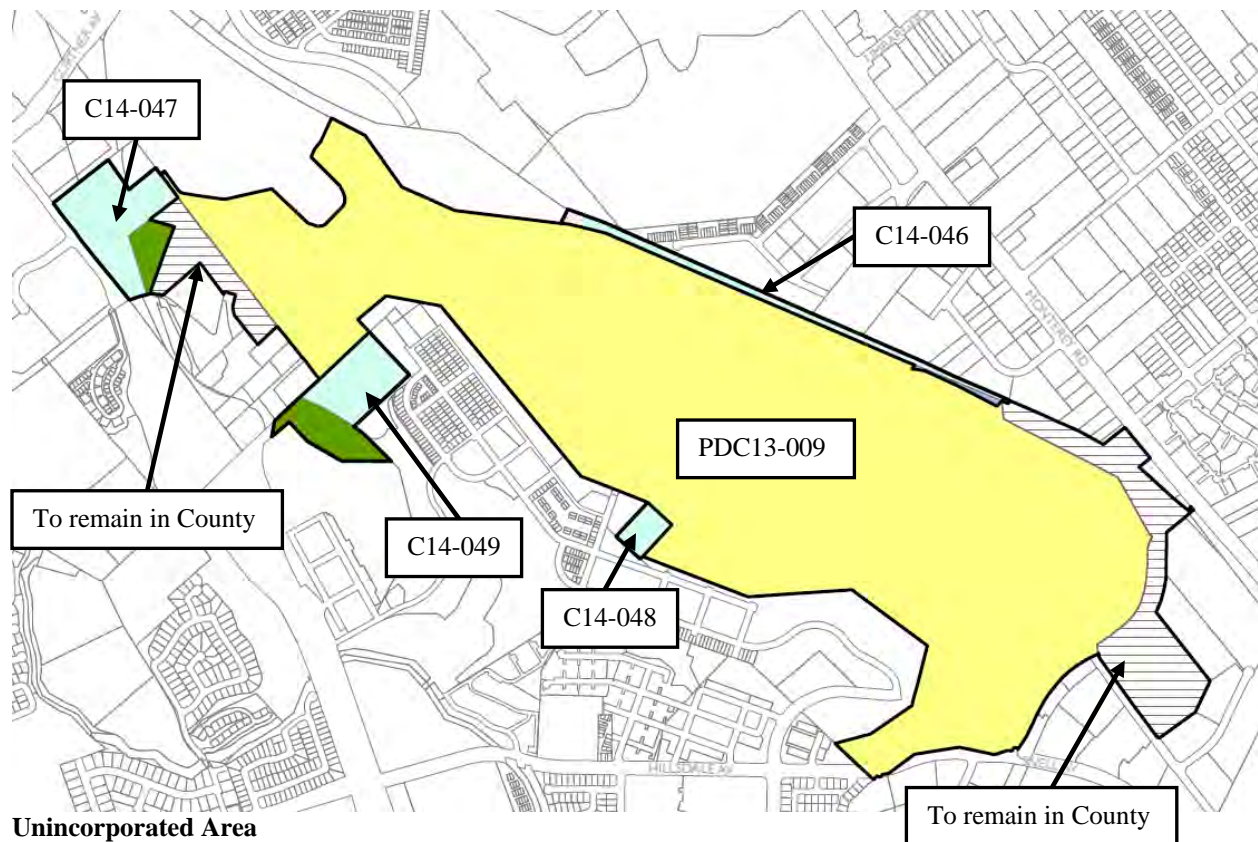
Proposed General Plan Land Use Diagram (proposed streets shown for graphic purposes only)

Conformance to the Communications Hill Specific Plan

The development concepts for the proposed project are the product of the Communications Hill Specific Plan. These concepts include appropriate building types and relationship of such structures to proposed streets and stairs, private/common open space and requirements for public amenities such as parks, trails, schools, open space and preservation of vistas. Additionally, the plan discusses the importance of an overall finance plan for the proper implementation of the plan, which the project proposes proportionally phased with infrastructure and amenities to meet this intent.

One of the most notable urban design characteristics of the specific plan is the system of grid streets for connectivity. The streets are designed to maintain the profile of the existing topography and are often relatively steep with gradients up to 15 percent. In select areas where the grid streets are unable to continue due to the steep slopes, the right-of way transitions to a public pedestrian stairway. The stairs are intended to help create a unique sense of place, enhance pedestrian connectivity and add interest to the neighborhood. The blocks are relatively short by design to encourage walkability and interaction within the neighborhood.

Annexation and Rezoning



The majority of the project site is located within an unincorporated area of Santa Clara County. The unincorporated pocket is generally surrounded by the City of San José. The project includes the annexation of approximately 310 acres into the City of San José, such that it can be developed consistent with the Communications Hill Specific Plan and the City's General Plan. This acreage also includes approximately 35 acres that are proposed for annexation on properties that are not part of the project site (*refer to Files No. C14-046, -047, -048, & -049*). Annexation of these properties is proposed to minimize the creation of additional County pockets and to reduce the size of any residual pockets within the City's Sphere of Influence consistent with the General Plan policies. The County has determined annexation of the site is a high priority. City Council is expected to initiate the annexation on September 23, 2014, with the ordering to be considered on November 18, 2014.

Residential Development

The project proposes the development of up to 2,200 residential units consisting of townhouses/flats, detached alley houses, detached row houses, podium condominiums, and apartments in the Village Center. The overall density of the residential development would be approximately 26.5 dwelling units per acre per block. An approximate breakdown of residential units to be developed is shown in the table below. The project is exempt from the City’s inclusionary requirements to provide housing affordable to households of low- and moderate-income because the City’s Municipal Code established an exemption. Proposed building designs would include some traditional Mediterranean architecture in keeping with the existing development style and would transition to modern contemporary architecture. A mid-range “transitional” style is also contemplated between the traditional and modern areas of the development.

Proposed Residential Unit Mix and Densities			
Unit Type	Number of Units (Up to)	Acreage	Approx. Density (du/ac)
Attached Townhouses/Flats	885	36	25
Detached Alley Houses	375	20	19
Detached Row Houses	275	17	16
Podium Condominiums	500	7	71
Apartments in Village Center*	165	3	55
Total	2,200	83	26.5 Net Average
*These structures also include commercial/retail uses			

The majority of the residential blocks would be primarily developed with three-story attached townhouse/flat units and detached alley houses. The attached townhouse/flat buildings would have between four and nine units per building. To diversify and vary the design, some of the townhouse units would be two stories while others would be at four stories. The townhouse units would be less than 45 feet in height measured from the average grade plane to top of roof ridge.



Attached townhouse/flat conceptual rendering



Detached alley house conceptual rendering

As required in the CHSP six tall podium condominium buildings are proposed as part of the project. Two of these buildings would be located northwest of the Village Center and four would be located on the eastern side of the hill. These buildings would vary in height, up to a maximum of 120 feet measured from the average finished grade plane to the top of parapet (including architectural projections, shafts, and mechanical ventilation). This would allow buildings up to seven stories with a density between 30 and 90 DU/AC. These podium product will comprise about 500 of the project's 2,200 units.



Podium building conceptual rendering

Approximately 200 detached row houses are proposed as part of the project. The majority of these units would be placed on edges of the grid-patterned streets or curvilinear cul-de-sacs on the steep slopes of the northwest portion of the project site.



Detached row house conceptual rendering

Commercial and Mixed Use Development

The Communications Hill Specific Plan includes the construction of between 50,000 and 80,000 square feet of mixed-use commercial/retail development in the “Village Center.” The project proposes up to approximately 67,500 square feet of mixed use commercial/retail uses, consistent with the amount and type of development allowed by the CHSP. Uses include restaurants, shops, entertainment, and small office consistent with the Specific Plan. While retail and commercial uses would generally be limited to the ground floor, some office and restaurant uses may be allowed the upper floors to take advantage of viewshed opportunities. Outdoor eating areas may be provided at grade and along the street or on upper floor decks and rooftops. Building heights would be up to 75 feet.



“Village Center” conceptual rendering

Industrial Development

The project includes the development of approximately 55 acres of industrial park uses in the eastern portion of the site near the base of Communications Hill adjacent to Old Hillsdale Avenue. Details of the industrial development have not yet been determined, although it is anticipated that such development would occur at a Floor Area Ratio (FAR) of approximately 0.6. This would allow approximately 1.44 million square feet of industrial park development, consistent with the Specific Plan and the City's Zoning Ordinance. Uses could include research and development, manufacturing, assembly, testing, and offices. Multiple buildings are anticipated with building heights between one and four stories.

Parks, Trails, Open Space, and Landscaping

The Specific Plan includes 22.8 acres of parks, including five acres of school playfields next to the school site. The proposed project includes the construction of approximately 11.8 acres of parklands and 7.5 acres of on-site trails, for a total of 19.4 acres. The additional parkland and trail would accommodate and enhance the approximately six acres of parklands and trails that have been constructed thus far as part of the Tuscany Hills and Dairy Hill developments. The project would result in the construction of approximately 4.6 miles of on- and off-site trails. The precise location, size, and shape of parks and trail alignments are subject to modification and variation during the development review process.



Conceptual Landscape Master Plan

The proposed project includes roughly 126.2 acres of open space, predominately consisting of hillside slopes. Trails, staircases, and water quality facilities are included in the open space areas, consistent with the Specific Plan. Landscaping would be consistent with the Specific Plan. The CHSP identifies a trail that is to completely circumnavigate the hill. Portions of this trail were completed for the Tuscany Hills development; the project proposes to construct the remainder. However, because portions of the trail may be placed on lands owned by the County, the timing of completion of the entirety of the circumnavigating trail may be delayed. The proposed project would not preclude the development of this trail connection.

The project also includes the construction of off-site improvements as part of the Communications Hill Specific Plan Area Development Policy (CHSPADP). Trail connections on the west side of the hill would be constructed and/or improved from the Curtner Avenue/SR 87 on-ramp to Narvaez Avenue in the south, as shown on Figure 2.0-4 and described in detail below. An off-site trail/street connection to a future Caltrain overcrossing near Monterey Road, east of the project site is also included in the CHSPADP to provide better pedestrian/bicycle access to commuter rail facilities.

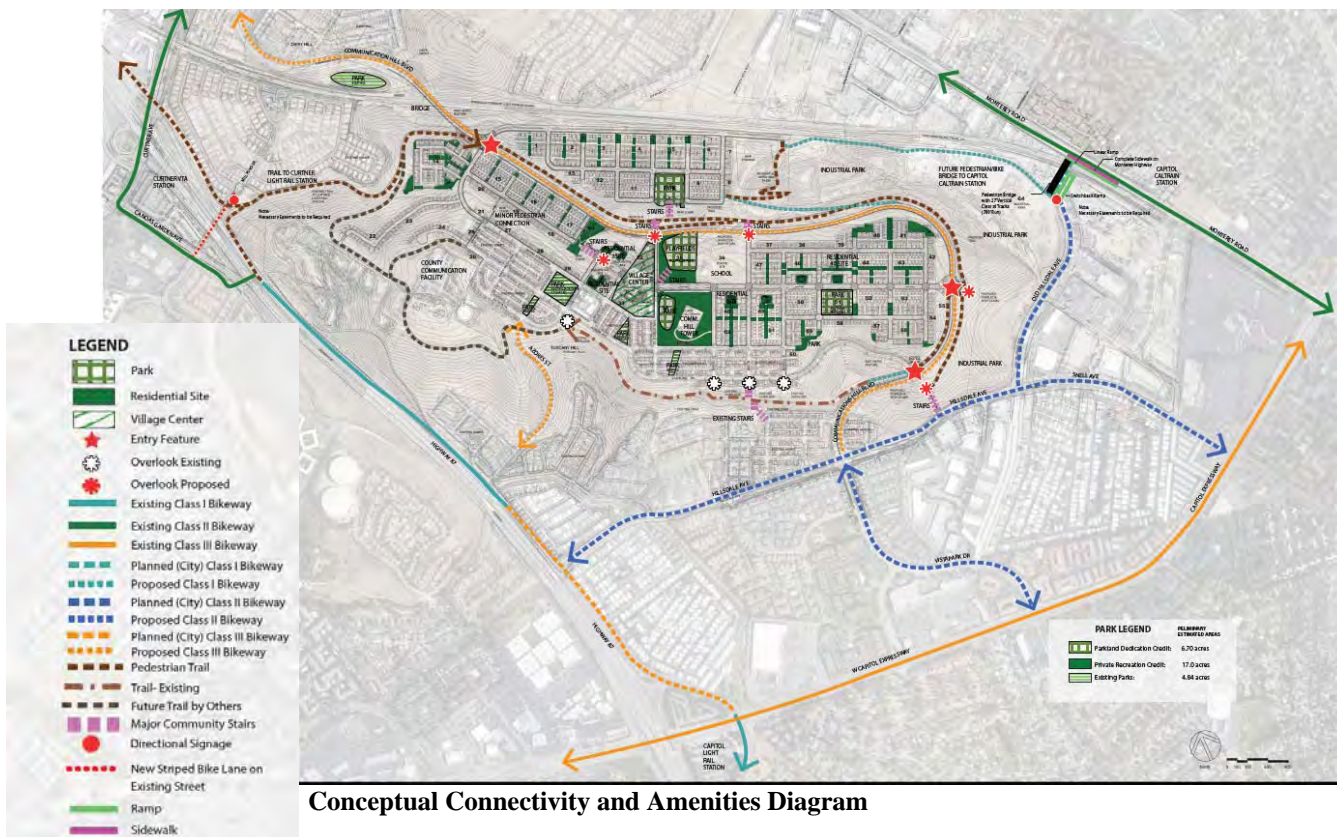
Infrastructure

Some residential uses, infrastructure, and roadways have been constructed within the Specific Plan Area, including the 733-unit Tuscany Hills development at the top of the hill adjacent to the proposed project site. A portion of Communications Hill Boulevard was constructed to provide access to the existing and proposed residential units. Infrastructure components, including streets, water and sewer lines, and utilities (gas, electricity, cable, and telephone) constructed thus far were sized to accommodate the proposed project.

An existing PG&E distribution/transmission line currently runs east/west through the Specific Plan Area school site. This line would be relocated as part of the project in order to optimize its alignment within the proposed school site by eliminating the diagonal crossing of the site and shifting it away from anticipated school buildings. The proposed project includes additional infrastructure components to serve the proposed development, as well as changes to some elements currently included in the Specific Plan. Major infrastructure elements include the roadway system, including a vehicular bridge over the Caltrain tracks with all associated utilities, storm drainage facilities, sanitary sewer, and water.

Access

During the initial phases of the project, the main access to the site will be provided by the extension of Communications Hill Boulevard at Casselino Drive with three (3) connections from the Tuscany Hills Development. The connections of Empoli Street, Lina Street, and Manuel Street will be extended into the project site. As the build-out of the residential development continues additional access to the project site will be provided by a new bridge extending Communications Hill Boulevard over the existing Caltrain and Union Pacific Rail Road (UPRR) tracks. The Communications Hill Bridge will accommodate all modes of travel including vehicles, pedestrians, and bicycles. The later phases of the residential development will add additional connections from the Tuscany Hills Development with the construction of Altino Boulevard at the intersection of Altino Boulevard and Donnici Street, and the extension of Grassina Street and Larciano Street.



The existing connection of Communications Hill Boulevard and Casselino Drive will be converted to a restricted access intersection due to speed and sight distance issues that may create unsafe conditions. Left turn movements in and out of Casselino Drive from Communications Hill Boulevard will not be permitted. Casselino Drive will safely operate with a right in and right out only configuration.

Communications Hill Specific Plan Area Development Policy

The City analyzed potential LOS traffic impacts and benefits caused by the build-out of the Communications Hill Specific Plan, relative to the cost of the improvements, and determined that alternative traffic and transportation related improvements would provide a better overall benefit and value to the Communications Hill area. Such alternative improvements provide opportunities to better improve multi-modal transportation opportunities for pedestrians, bicycles and transit use (bus, Caltrain and Light Rail Transit) improvements. Improving multi-modal transportation opportunities is a key goal of the Envision San Jose General Plan.

The planned improvements included in the CHSPADP are described as follows:

1. Widen Curtner Avenue to five (5) lanes between Communications Hill Boulevard and the Almaden Expressway Southbound off-ramp
2. Modifications at the intersection of Communications Hill Boulevard and Curtner Avenue
3. Modifications at the intersection of SR 87 northbound off-ramp and Curtner Avenue
4. Modifications at the SR 87 on-ramp at Curtner Avenue
5. Improvement of the Narvaez Avenue Corridor and SR 87

6. Bicycle and Pedestrian Facility Improvements at Unified Way to Masonic Drive and Azores Street to Capitol Expressway
7. CALTRAIN Pedestrian/Bicycle Connection along Monterey Highway

School

The CHSP designates a 5-acre centrally located parcel for use as a future school site, next to an additional 5-acre playfield site. The Specific Plan anticipated that the school would be an elementary school serving the Franklin-McKinley School District. However, a final determination has not been made. The proposed project includes the remediation of hazardous materials on the school site primarily related to the Naturally Occurring Asbestos (NOA). Capping of the site in accordance with all federal, state, and local regulations would be completed.

Existing Mercury Mine/Former Quarry

There is an existing abandoned mercury mine and a former rock quarry within the boundary of the proposed project site. The 295-acre Azevedo Quarry was operated on the project site until 1999. An aggregate recycling center is currently using the quarry property and is proposed to continue operation as a legal-nonconforming use. Reclamation efforts were undertaken in 1995 under an approved Reclamation Plan to restore vegetation to the quarried areas. Although these efforts ceased in 2009 due to a lack of funding, most of the former quarry area has been revegetated, with the exception of areas occupied by existing recycling operations. It is anticipated that the recycling operation will continue to utilize this portion of the site, which is the location of the proposed industrial park uses, until its County Use Permit expires in approximately 10 years (2023).

Initial excavation and grading activities associated with the project would safely eliminate much of the former quicksilver mine. However, in some locations, mine shafts would be backfilled by injecting a flowable sand and foam or concrete based slurry prior to site grading to reduce the potential of mine collapse during construction. The backfill materials would be injected from surface portals or mine openings. Some of these areas may ultimately be graded out during construction. The remaining filled mines will be left in place as described in the Geohazard Clearance obtained for the project. All graded areas would be engineered for stability. For a detailed description of the project's Mine Remediation Plan, please refer to *Section 4.8 Geology and Soils*.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

A project-level Final Subsequent Environmental Impact Report (FSEIR) was prepared for the project and is pending certification in accordance with CEQA and the Municipal Code. The Draft SEIR document was made available for public review and comment from June 3, 2014 through July 18, 2014. The Final SEIR was circulated on August 29, 2014. The SEIR addresses significant project environmental impacts and identifies mitigation measures and project alternatives that would avoid or reduce potentially significant environmental impacts.

The SEIR analyzes potential impacts in the areas of land use, transportation, noise and vibration, air quality, cultural resources, hazards and hazardous materials, biological resources, geology and soils, hydrology and water quality, utilities and service systems, energy, greenhouse gas emissions, agricultural and forest resources, population and housing, public facilities and services, mineral resources and aesthetics. Mitigation measures have been incorporated into the project as conditions of approval to reduce most of the significant environmental impacts to a less than significant level.

The SEIR identifies that implementation of the project would result in the following significant and unavoidable impacts:

- Level of service impacts at intersections
- Freeway segment impacts
- Air quality impacts (ROG, NO_x and PM₁₀)
- Aesthetic impacts (change and degrade existing visual character)

The project would also result in significant and unavoidable cumulative impacts with regard to air quality impacts (ROG, NO_x and PM₁₀) and population and housing due to a substantial contribution to jobs/housing imbalance as identified in the Envision 2040 General Plan.

Because the project will result in significant and unavoidable impacts, the City Council will be required to adopt a Statement of Overriding Considerations (SOC) as part of the Resolution of FSEIR findings for its adoption. The SOC is required to explain how the benefits of the project outweigh the environmental impacts in order to approve the project. The CHSPADP provides a basis for the override in that it helps to counter-balance traffic impacts.

Previously a program-level Environmental Impact Report (EIR) was prepared for the Communications Hill Specific Plan (CHSP) and was certified in 1991. As such, that EIR did not provide project-specific environmental clearance for future construction of development or infrastructure. That EIR states that subsequent environmental review will be necessary for future, specific development proposals. The environmental impacts of the Tuscany Hills project were addressed by a Supplemental Environmental Impact Report (EIR) entitled “Communications Hill Kaufman & Broad Residential Project” certified in 2001.

PUBLIC HEARING NOTIFICATION

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

Although this item does not meet any of the criteria above, staff followed Council Policy 6-30: Public Outreach Policy. Numerous large and small community meetings and outreach has been provided for this project, including meetings with various responsible public agencies. A Notice of Preparation of the SEIR and two scoping meeting were held in June, 2013. The most recent community meeting was held on August 28, 2014 with approximately 3,500 postcards mailed. During the spring and early summer of 2014, one or more meetings were attended with the nearby individual home owner's or neighborhood associations, including Dairy Hill, Millpond, Tuscany Hills, Chianti, Carrara, Lancaster Gate, Carol Drive and VEP. Project related issues raised at these meeting were taken into account in the proposed project.

There is a webpage specifically devoted to this project on the Planning Division's website that contains outreach schedules, plans and links to additional information at <http://www.sanjoseca.gov/communicationshill>. A notice of the public hearing was distributed to the owners and tenants of all properties located within 1000 feet of the project site and posted on the City website. The staff report and FSEIR are also posted on the City's website. Staff has been available to respond to questions from the public.

Project Manager: Martina Davis, Acting Senior Planner

Approved by:  , Division Manager for Harry Freitas, Planning Director

Date: 8/29/14

Attachments:
Draft Zoning Conditions General Development Plan Set FSEIR

Owner: MTA Properties LP c/o Robert J. Bettencourt	Applicant: KB Home Attn: Peter Lezak
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Communications Hill 2
PDC File No.13-009 (pre/rezoning)
DRAFT Conditions of Approval
August 29, 2014

Sewage Treatment Demand. Chapter 15.12 of Title 15 of the San José Municipal Code requires that all land development approvals and applications for such approvals in the City of San José shall provide notice to the applicant for, or recipient of, such approval that no vested right to a Building Permit shall accrue as the result of the granting of such approval when and if the City Manager makes a determination that the cumulative sewage treatment demand of the San José-Santa Clara Water Pollution Control Plant represented by approved land uses in the area served by said Plant will cause the total sewage treatment demand to meet or exceed the capacity of San José-Santa Clara Water Pollution Control Plant to treat such sewage adequately and within the discharge standards imposed on the City by the State of California Regional Water Quality Control Board for the San Francisco Bay Region. Substantive conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approval authority.

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

Specific Plan Conformance. This project is intended to conform to the Communications Hill Specific Plan, as amended, unless otherwise approved as part of this Planned Development (PD) Zoning and to the satisfaction of the Director of Planning.

Residential Density. The net average residential density for the total project shall not be less than 24 DU/AC. A higher net average residential density is allowed with an approved Planned Development permit. An updated “running total” calculation of net density built under this Planned Development Zoning shall be provided with each Planned Development (PD) Permit for the construction of new residential units to demonstrate overall project density compliance. The actual density range of individual blocks or phases of the development may be below or above the average overall density.

Master Planning. A Master PD permit and Tentative Map is required prior to approval of the first final map to ensure a comprehensive and holistic approach is established for phased project build-out with the issuance of subsequent Planned Development Permits allowed for each discrete development phase. The master permit and tentative map shall address precise street placement, street landscaping, timing, interim conditions, etc.

Phasing. Phasing of project development is allowed subject to the following general criteria:

1. To ensure that the backbone urban structure is realized,
2. To ensure orderly, safe and sequential development

3. To minimize conflicts between new or existing development and on-going construction activities,
4. To minimize potential conflicts between new and existing uses, and
5. To encourage new development to occur as soon as feasible.

Fair Share. Each phase of development shall fulfill its “fair share” contribution towards the construction of on-site and off-site (non-ADP) required infrastructure (streets, stairs, pathways, parks, utilities, etc.) to the satisfaction of the Directors of Planning and Public Works as a condition of the approval of the Planned Development permit and Tentative Map for that phase. Methodology and details for fulfilling this obligation should be established in the Master Planned Development Permit and Tentative Map.

Prezoning. This Planned Development District includes “Prezoned territory” for purposes of conformance to San Jose Municipal Code Section 20.120.300.

Architecture. Final architectural design, materials and details shall be determined prior to the issuance of the PD permit for each development phase. Street elevations and renderings shall be provided with each PD permit.

Shuttle Service – In accordance with the intent of the CHSP, the overall project shall provide a shuttle bus program that links the residential neighborhood and industrial area to nearby Light Rail Transit and Caltrain stations and bus stops. The precise routes, frequency, financing mechanisms, management, operation, startup timing and feasibility of the service shall be analyzed and evaluated to the satisfaction of the Director of Planning and Public Works in conjunction with the TDM program or no later than prior to the issuance of the PD permit for the 1500th residential unit. The analysis should include a survey of existing residents. The Director of Planning can effectuate or remove this requirement with an approved PD permit subsequent to a determination of adequate assessment and consideration.

Grading – To meet the intended visual character of the developed hill consistent with the CHSP (vertical building elevation difference and multi-terraced development that provides vistas of the valley for residential units in close proximity to each other), the final grading should be as consistent as possible with that shown in the conceptual grading plans. Typically, steeper street grades are better, such as around the perimeter blocks 40, 41, 56 and 57. Detailed grading relationships including block layouts and adjacent public improvements shall be provided with each PD permit.

RESIDENTIAL

1. Permitted, Special and Conditional residential uses shall be those of the R-M Multiple Residence District. All Conditional and Special uses shall require an approved PD permit. “Mom & Pop” stores are allowed in the residential areas if consistent with the CHSP design standards and the issuance of a PD Permit.
2. Development Regulations and Standards

Attached Units and detached units with garages accessed off the side or rear of the unit

- a. Encroachments into the setbacks are encouraged with varying horizontal distances intended to enhance building articulation and architectural detail. Permitted building

projections include, but are not limited to, architectural elements, such as stairs, stoops, porches, eave overhangs, fireplaces, bay or bow windows and trellises. Bay windows, bow windows or any enclosed inhabited projections should be limited in length and must be separated by at least 2 ft. from one another. Stairs, stoops and porches may encroach the full 3 ft.

- b) Minimum Lot Area – 1,500 square feet
- c) Building Setbacks to Property Line–
 - i) Front – 3 feet
 - ii) Side – 3 feet
 - iii) Rear – 3 feet
- d) Minimum Building Separations
 - i) Front to Front – typically 15 feet with variations allowed by the Director of Planning for porches, steps and architectural elements.
 - ii) Rear to Rear, Front to Rear and Side to Rear – typically 15 feet with variations allowed by the Director of Planning in conformance with Building and Fire Code requirements based on unit type with an approved Planned Development permit.
 - iii) Side to Side – (not applicable to detached units) – typically 15 feet variations allowed by the Director of Planning in conformance with Building and Fire Code requirements based on unit type with an approved Planned Development permit.
- e) Maximum Height – 120 feet or ten (10) stories

Detached Units with garages and primary entrances on the same facade

- f) Minimum Lot Area – 1,500 square feet
- g) Building Setbacks to Property Line–
 - i) Front – 5 feet.
 - ii) Side – 4 feet.
 - iii) Rear – 10 feet.
 - iv) Encroachments into the front and side setbacks are encouraged with varying horizontal distances intended to enhance building articulation and architectural detail. Permitted building projections include, but are not limited to, architectural elements, such as stairs, stoops, porches, eave overhangs, fireplaces, bay or bow windows and trellises. Bay windows, bow windows or any enclosed inhabited projections should be limited in length and must be separated by at least 2 ft. from one another. Stairs, stoops and porches may encroach into the full front setback. Encroachments into the rear setback shall be non habitable, limited to no more than 50% of the length of building and shall encroach into the required rear setback no more than 5 feet.
- h) Driveway length – Driveways shall be 10 feet or less or 18 feet or greater in length.

- i) Development should comply with the hillside development (Chapter 12) and grading (Chapter 13) provisions of the Residential Design Guidelines.
 - j) Level flat pad development and flat rear yards shall be avoided consistent with General Plan Hillside Preservation Goals and Policy LU-17.4.
 - k) Accessory Structures:
 - i) Accessory buildings and structures must be located behind the single family dwelling. No side or rear setback is required except to comply with Building and Fire Codes.
 - ii) No more than 30% of the rear yard shall be covered with above-grade accessory buildings or structures. No more than 60% of a rear yard shall be covered with accessory buildings or structures of any kind.
 - iii) Above-grade accessory structures shall be limited to 200 square feet in size each. Accessory structures that are visible from a public right of way shall be open in nature.
 - iv) No accessory buildings shall be visible from a public right-of-way. Accessory buildings shall be limited to 200 square feet in size each.
 - v) Height limitations for residential accessory buildings and structures shall be per the Zoning Ordinance standards, as amended.
 - vi) Retaining walls over 2' in height require issuance of a Planned Development Permit.
 - l) Modifications to these standards may be allowed by the Director of Planning through a Planned Development Permit to account for site specific topography to meet the grading intent of the Communications Hill Specific Plan.
3. To enhance compatibility a minimum setback separation to pedestrian "stairs" shall be established on a case by case basis prior to the issuance of the Planned Development Permit for the applicable phase of stair construction.
4. Off-street residential parking requirements shall be two (2) covered spaces per unit. Covered tandem parking spaces are permitted with no additional review by the Director of Planning required. The parking requirement may be reduced to the satisfaction of the Director of Planning as determined appropriate on a case by case basis through a Planned Development Permit by giving consideration to one or more of the following:
- a) the particular unit or building type and design,
 - b) use of on-street parking to meet a portion of the requirements, or
 - c) a reduction as justified based on an adequate parking need analysis.
 - d) Alternative parking arrangements and reductions with TDM measures may be approved through a Planned Development Permit.
5. The amount of private and/or common open space provided shall conform to the CHSP or Residential Design Guidelines as applicable with variations allowed on case by case basis by Director of Planning with an approved PD permit.
6. A Home Owner's Association shall be provided for all residential development. The association shall control and maintain common area items, such as landscaping, towing cars parked in unauthorized private areas, etc.

MIXED- USE COMMERCIAL (VILLAGE CENTER)

1. Permitted, Special and Conditional commercial uses shall be those of the CP Commercial Pedestrian District with the following exceptions:
 - a) Permitted Use: Mixed use with attached residential units at densities consistent with those allowed under this PD zoning
 - b) Conditional Use: Driving school, hotel or motel, wholesale auto dealer
 - c) Prohibited Use: Pawn shop/broker, Emergency ambulance service, Bail bond establishment, Mortuary and funeral services, Payday lending establishment, Cemetery
2. All Conditional and Special uses shall require approval of a Planned Development Permit.
3. Development Regulations and Standards
 - a) Minimum Lot Area – As established by approved Planned Development Permit
 - b) Building Setbacks – As established by the Communications Hill Specific Plan
 - i) Front – None required
 - ii) Side – None required
 - iii) Rear – None required
 - c) Maximum Height – 120 feet
4. Mixed Use Commercial Parking:
 - a) Non-residential uses: Typical parking requirements for non-residential uses should be no more than one (1) parking space per 500 sq. ft. net square feet of building floor area. Alternative parking arrangements and reductions due to TDM measures or demand analysis may be approved through a PD Permit.
 - b) Residential uses: Residential parking requirements shall be per Table 20-210 of the Zoning Ordinance, as amended. Alternative parking arrangements and reductions with TDM measures or demand analysis may be approved through a Planned Development Permit.

INDUSTRIAL

1. Permitted, Special and Conditional industrial uses shall be those of the IP Industrial Park District. All conditional and special uses shall require an approved PD permit.
2. Industrial Development Regulations, Standards and Performance Standards shall be those of the IP Industrial Park District, except the maximum building height shall not project above the 250 feet elevation based upon the NVGD 29 to protect the view sheds from the top of the hill and perimeter trail.
3. Director of Planning has discretion to adjust industrial development standards with an approved PD permit.

4. Industrial Parking requirements shall be per Table 20-120 of the Zoning Ordinance, as amended. Alternative parking arrangements and reductions due to TDM measures or demand analysis may be approved through a Planned Development Permit.
5. A Planned Development permit to master plan the area designated for industrial development shall be required prior to the issuance of the first building permit for construction in said area. This Master PD permit and Tentative Map shall include, but not be limited to, details, final design and phasing of all related and required improvements, such as public streets, stairs, pedestrian connections, etc. as shown to be constructed in connection with development of the land area designated for industrial park use.
6. A design study for the stairs identified as No. 27 in the CHSP, shall be completed to the satisfaction of the Director of Planning prior to the approval of a Planned Development permit or Tentative Map for the construction of adjacent industrial area streets and/or development. This condition shall apply in any case and regardless of any other parkland dedication or credit considerations. The final location, alignment and construction schedule of the stairway to the east of the intersection of Communications Hill Blvd and "Main Street" and the proposed temporary EVA road in the industrial area depicted on the Conceptual Site Plan should be included in the Master Planned Development Permit for the industrial area.

OPEN SPACE

1. Allowed use of areas designated as private or public open space shall be limited to those "non-structural" uses of the OS Open Space zoning district. Conditional or Special non-structural uses shall require a Planned Development permit.
2. Any Private Hillside Open Space areas shall not be developed and shall be preserved as open space in perpetuity via a conservation easement or through a property grant deed to a public or quasi-public entity, or similar legally binding mechanism to ensure the preservation, maintenance and management those areas as open space.
3. Prior to approval the landscaping plan and plant palette for the open hillsides shall be reviewed by a qualified biologist or botanist for appropriateness and suitability of plant materials given the physical characteristics of the site.

LEGAL NON-CONFORMING RECYCLING USE

Existing legal and conforming uses as approved by County of Santa Clara Use Permit File No. 4728-43-60-03P and Architecture & Site Approval File No. 4728-43-60-91A-03P shall be allowed to continue subject to full compliance with the existing County permit conditions. This Planned Development zoning allows for the existing surface mining permit/reclamation plan and County use permit operations (surface mine, concrete, asphalt and soil recycling facility) to continue. The general location of the existing recycling operations is in the area designated for Industrial Park use. The scope and location of the recycling operations shall be limited to those permitted and approved under the existing County permits. Upon cessation of the existing recycling operation and use, the allowed uses shall be those of the base zone until such time as the Industrial Park land is developed.

PARKS & TRAILS

1. **Parks:** This residential project is subject to either the requirements of the City's Park Impact Ordinance (Chapter 14.25 of Title 14 of the San Jose Municipal Code) or the Parkland Dedication Ordinance (Chapter 19.38 of Title 19 of the San Jose Municipal Code) for the dedication of land and/or payment of fees in-lieu of dedication of land for public park and/or recreational purposes under the formula contained within in the Subject Chapter and the Associated Fees and Credit Resolutions.
2. The final public park and trail acreage, location, dedication and design will be determined in conjunction with the Planned Development permits, Tentative Maps and required Parkland Agreement(s).
3. A design study for the AT&T tower park site, including the stairs as proposed in the CHSP, shall be completed to the satisfaction of the Director of Planning prior to the approval of a Planned Development permit or Tentative Map for the construction of second phase of residential development. This condition shall apply in any case and regardless of any other parkland dedication or credit considerations.
4. In the event that the approximately ten-acre school and playfield site is not developed for a school as designated in the Communications Hill Specific Plan and this Planned Development zoning, consideration should be given to the potential use of some or all of that 10 acre land area for public parks purposes.
5. An off-street 'class I' trail, as defined in the CalTrans Highway Design Manual, shall be constructed through the industrial area to connect the Communications Hill Trail System to the CalTrain Station. The construction of this trail shall conform to the San Jose Trail Design Guidelines or other appropriate agreement approved by the Director of Planning. The exact alignment of this trail and final dimensions shall be set forth in any Planned Development Permits and Tentative Maps associated with the industrial phase of development and should be consistent with the intended trail route proposed in this Zoning or as otherwise approved by the Director of Planning.
6. Consistent with the CHSP, the project should construct a perimeter trail, including any necessary stairways, platforms, or ramps, within the open hillside area and separate from the road system. To the greatest extent feasible within the 'project area', or within 'minor' and necessary easements secured to complete 'project area' trail segments, a circumnavigating off-street 'Class I' trail, as defined by the CalTrans Highway Design Manual, should be constructed consistent with the San Jose Trail Design Guidelines or associated parkland agreement. The exact alignment of this trail and final dimensions shall be set forth in the Planned Development Permits and/or Tentative Maps associated with that phase of development.

PUBLIC WORKS

1. **Final Design.** Final right-of-way locations may be modified and will be determined prior to the issuance of a Planned Development permit to the satisfaction of the Director of Public Works.

2. **Tower Access.** Project shall provide permanent access to the future land locked parcel APN 455-09-040, Lands of Joaquin Bear, LLC to the satisfaction of the Director of Public Works.
3. **Public Works Clearance for Building Permit(s) or Map Approval:** Prior to the approval of the Tract or Parcel Maps by the Director of Public Works, or the issuance of Building permits, whichever occurs first, the applicant will be required to have satisfied all of the Public Works conditions.
4. **Construction Agreement:** The public improvements conditioned as part of this permit require the execution of a Construction Agreement that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. This agreement includes privately engineered plans, bonds, insurance, a completion deposit, and engineering and inspection fees.
5. **Grading/Geology:**
 - a) A grading permit is required prior to the issuance of a Public Works Clearance.
 - b) If the project proposes to haul more than 10,000 cubic yards of cut/fill to or from the project site, a haul route permit is required. Prior to issuance of a grading permit, contact the Department of Transportation at (408) 535-3850 for more information concerning the requirements for obtaining this permit.
 - c) Because this project involves a land disturbance of one or more acres, the applicant is required to submit a Notice of Intent to the State Water Resources Control Board and to prepare a Storm Water Pollution Prevention Plan (SWPPP) for controlling storm water discharges associated with construction activity. Copies of these documents must be submitted to the City Project Engineer prior to issuance of a grading permit.
 - d) A Certificate of Geologic Hazard Clearance was issued for the proposed project. Refer to the memo dated May 12, 2014 for additional information and conditions of the clearance.
6. **Transportation:**
 - a) A traffic report by Hexagon Transportation Consultants, Inc. dated May 28, 2014 was received and is under review. A final traffic memo that summarized the report and documents the transportation related conditions on the project shall be provided prior to environmental clearance.
 - b) The project includes an area development policy (Communications Hill Specific Plan Area Development Policy (CHSPADP)) to address infeasible traffic mitigation measures consistent with the Envision San José 2040 General Plan. Upon the adoption of the policy by City Council, the project will be required to construct transportation improvements as described in the CHSPADP. Development triggers will be established to determine construction phasing and to ensure the improvements are completed in a timely manner. The triggers will be generally described in the master PD Permit. Detailed trigger conditions of approval will be identified in subsequent PD permits.
7. **Stormwater Runoff Pollution Control Measures:** This project must comply with the City's Post-Construction Urban Runoff Management Policy (Policy 6-29) which requires implementation of site design measures, source controls, and stormwater treatment measures to minimize stormwater pollutant discharges.

- a) The applicant is required to submit additional information in subsequent planning permits with respect to calculations, numerical sizing and final Stormwater Control Plans.
 - b) The project proposes to modify the two (2) existing stormwater basins adjacent to the Dairy Hill Development and Tuscany Hill Development respectively to comply with Policy 6-29.
 - c) Final inspection and maintenance information on the post-construction treatment control measures must be included on the final Stormwater Control Plan.
8. **Stormwater Peak Flow Control Measures:** The project is located in a Hydromodification Management (HM) area and will create and/or replace one acre or more of impervious surface. The project must comply with the City's Post-Construction Hydromodification Management Policy (Council Policy 8-14 which requires HM projects to demonstrate that post-project runoff does not exceed estimated pre-project runoff rates and durations.
- a) The applicant is required to submit additional information in subsequent planning permits with respect to calculations, numerical sizing, as well as final HM plans/reports. The submittals shall coincide with the phasing of the development.
 - b) This project proposes to modify the two (2) existing stormwater basins adjacent to the Dairy Hill Development and Tuscany Hills Development respectively to comply with Policy 8-14.
 - c) Final inspection and maintenance information for the HM controls must be included on the final HM plans.
9. **Sewage Fees:** In accordance with City Ordinance all storm sewer area fees, sanitary sewer connection fees, and sewage treatment plant connection fees, less previous credits, are due and payable.
10. **Assessments:** In order to facilitate the build-out of the parcels consistent with the Communications Hill Specific Plan, and to maintain the unique public features contemplated in the CHSP, annexation into Community Facilities District No. 8 (Communications Hill) or the formation of a new district may be required.
11. **Sewer:** A conceptual sanitary and storm sewer plan for the overall project has been submitted. The applicant is required to submit additional information in subsequent planning permits with respect to calculations, numerical sizing, and final sanitary and storm sewer plans. The submittals shall coincide with the phasing of the development and the plans will be finalized with subsequent planning permits.
12. **Electrical:**
- a) Electroliers along the proposed project street frontages will be evaluated at the public improvement stage and any street lighting requirements will be included on the public improvement plans.
 - b) Provide clearance for electrical equipment from driveways, and relocate driveway or electrolier. The minimum clearance from driveways is 10' in commercial areas and 5' in residential areas.
 - c) Provide clearance for electroliers from overhead utilities and request clearance from utility companies. Clearance from electrolier(s) must provide a minimum of 10' from high voltage lines; 3' from secondary voltage lines; and 1' from communication lines.

13. Street Trees:

- a) 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".
- b) Landscaping plan shall follow the guidelines detailed with the Communications Hill Specific Plan.
- c) Show all existing trees by species and diameter that are to be retained or removed. Obtain a street tree removal permit for any street trees that are over 6 feet in height that are proposed to be removed.

14. Street Improvements:

- a) Applicant shall be responsible to remove and replace curb, gutter and sidewalk damaged during construction of the project.
- b) Construct necessary curb, gutter and sidewalk at locations within the project boundary.
- c) Dedication and improvement of the public streets to the satisfaction of the Director of Public Works.
- d) All in-tract improvements including all public streets, the Communications Hill Boulevard Bridge, stormwater facilities, sewer mains shall be completed in a timely manner and phased such that it coincides with the CHSPADP improvements as well as to the satisfaction of the Director of Public Works. To ensure these improvements are implemented in a timely manner:
 - i) The Applicant shall submit expenditure reports containing up-to-date accounting and schedules of all in-tract improvements.
 - ii) Expenditure reports shall be submitted both annually and per development phase.
 - iii) The expenditure reports shall be reviewed by the Director of Public Works prior to the recordation of final maps.

15. Private Streets:

- a) Per Common Interest Development (CID) Ordinance, all common infrastructure improvements shall be designed and constructed in accordance with the current CID standards.
- b) Final private street improvement plans may be required to the satisfaction of the Director of Public Works.

LANDSCAPING

1. Low hedges, flowering shrubs and other appropriate plantings are encouraged within the building set back areas.
2. The rock outcroppings located below the County communications facility approximately 300 ft. from Carol Drive shall be preserved and incorporated into the trail system as an visual amenity.

3. The project shall ensure the long-term viability and survivability of all landscaping due to unfavorable existing soil conditions. Specific landscaping measures, such as over excavation, shall be determined and required with a Planned Development Permit.

AREA DEVELOPMENT POLICY

The Communications Hill Specific Plan Area Development Policy provides an alternative means of project compliance with the City's Transportation Level of Service Policies and provides a partial basis for the adoption of a FEIR CEQA Statement of Overriding Considerations for the project. The project is required to implement the improvements listed in the CHSPADP with an expenditure equal to \$30 million dollars subject to an annual cost escalation beginning on January 1, 2020 based on the Engineering News Record (ENR) Construction Cost Index for San Francisco, CA. The cost escalation is included to maintain the value of the project's contribution toward CHSPADP improvements over time and shall be applied to funds that have not been expended or allocated. Details regarding the implementation of the CHSPADP are included in that document and the Public Works transportation memo dated August 26, 2014.

ENVIRONMENTAL MITIGATION MEASURES AS CONDITIONS OF APPROVAL

Transportation

MM TRAN-4.1: At the intersection of Communications Hill Boulevard and Curtner Avenue the necessary improvement shall include the addition of a second 650-foot long westbound left-turn lane. The improvement would require median modifications, removal of the "pork chop" islands, restriping of lanes, and traffic signal modifications. Sufficient right-of-way is available for this mitigation measure. These improvements are included in the Curtner Avenue Corridor improvements described in the CHSP Area Development Policy, which is included in the proposed project.

Noise

MM NOI-1.1: Site specific noise analyses shall be conducted prior to the issuance of a PD permit for future residences to be located along the railway near Esfahan Drive and near the Carol Drive residences to verify consistency with City noise standards. The study will identify site specific mechanisms to reduce interior noise to levels considered acceptable in the City's General Plan and Zoning Ordinance, such as forced air mechanical ventilation systems, window rating standards, and fences and/or noise barriers.

MM NOI-2.1: Future retail and industrial park uses on the project site will be required to maintain a noise level of 55 dBA at property lines located adjacent to sensitive receptors. Prior to the issuance of a PD permit for future retail and industrial park uses, the project applicant shall submit an acoustical study demonstrating compliance with the City's requirements.

MM NOI-3.1: The project shall implement the following measures to reduce construction noise impacts to a less than significant level:

- Limit construction activity to 7:00 am to 7:00 pm on weekdays, 9:00 am to 5:00 pm on Saturdays, and no construction activity on Sundays or holidays.
- Schedule highest noise-generating activity and construction activity along the site boundaries near Kurte Park, Tuscany Hills Residences, Esfahan Drive Residences, Millpond Community, and Carol Residences between 9:00 am and 3:00 pm wherever feasible.

- Install temporary construction noise barriers at residential property lines to reduce noise at locations closest to residences.
- Equip all internal combustion engine-driven equipment with original factory (or equivalent) intake and exhaust mufflers which are maintained in good condition.
- Prohibit and post signs prohibiting unnecessary idling of internal combustion engines.
- Locate all stationary noise-generating equipment such as air compressors and portable generators as far as practicable from noise-sensitive land uses.
- Locate staging areas and construction material areas as far as practicable from noise-sensitive land uses.
- If impact pile-driving is proposed, temporary noise control blanket barriers shall shroud pile drivers or be erected in a manner to shield adjacent land uses. Foundation pile holes shall be pre-drilled to minimize the number of impacts required to seat the piles. All adjacent land uses shall be notified of any pile-driving schedule in writing.
- Utilize “quiet” air compressors and other stationary equipment where feasible and available.
- Designate a noise disturbance coordinator who will respond to neighborhood complaints about construction noise by determining the cause of the noise complaints and require implementation of reasonable measures to correct the problem.
- Conspicuously post a telephone number for the disturbance coordinator at the construction site.

Air Quality

MM AIR-1.1: Consistent with guidance from the BAAQMD, the following additional actions shall be required of construction contracts and specifications for the project:

- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 2 minutes. Clear signage shall be provided for construction workers at all access points;
- The project shall develop a plan, which will be implemented and adhered to during construction activities, demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average of at least 70 percent NO_x reduction compared to unmitigated emissions. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available. Specifically, all diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously shall meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent;
- All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NO_x;
- All contractors shall use equipment that meets Air Resource Board’s most recent certification standard for off-road heavy duty diesel engines; and
- Minimize the number of hours that equipment will operate, including the use of idling restrictions.

MM AIR-2.1: The project shall develop and implement a transportation demand management (TDM) Program, consistent with City requirements. At a minimum, the TDM program shall include the following measures:

- Consider providing transit stops on site, such as at convenient locations on Communications Hill Boulevard with pedestrian access no more than 0.25 mile from the project center. Also consider the posting of transit information at high pedestrian traffic areas on-site. Any resulting plans to modify transit stops would have to be made in accordance with the City and VTA;
- Bicycle amenities should be provided for the project. This would include secure bicycle parking for employees and multi-family residents along with the proposed bike lane connections;
- Provide on-site shower and locker room facilities for employee use to the extent feasible;
- Consider providing pedestrian signage and signalization. Enhanced pedestrian crossings at strategic areas with countdown signals should be considered;
- Encourage employers at the project site to purchase Eco Passes from VTA to provide transit incentives for employees. In addition, project site employers should be required to promote transit use by providing transit information and incentives to employees; and
- The applicant and City shall explore opportunities to implement a “car share program” and measures that would reduce vehicle travel by reducing parking availability (such as an employee parking cash out program).

MM AIR-2.2: A future heavy-duty truck route to the industrial portion of the site shall be designated, so as to minimize long-term disturbance and exposure of TAC pollutants to project residences and sensitive receptors.

Cultural Resources

MM CUL-1.1: The project proponent shall have a qualified archaeologist present to monitor subsurface construction excavation activities into native soils in the vicinity of CA-SCL-68, near Narvaez Avenue. The frequency and duration of the monitoring shall be at the discretion of the archaeologist and dependent on his/her subsurface observations during construction operations.

MM CUL-1.2: Construction personnel involved in all site clearing and subsequent grading and trenching associated with the proposed project shall be warned that there is a potential for the discovery of archaeological and paleontological materials. Indicators of archaeological site deposits include, but are not limited to, the following: darker than surrounding soils, evidence of fire (ash, fire altered rock and earth, carbon flecks), concentrations of stone, bone and shellfish, artifacts of these materials and burials, either animal or human. Potential fossil types that may be encountered will be discussed.

MM CUL-1.3: In the event any unanticipated prehistoric or significant historic era cultural materials are exposed during construction, all grading and/or excavation operations within 50 feet of the find shall be halted, the Director of PBCE shall be notified, and a qualified professional archaeologist shall examine the find and make appropriate recommendations regarding the significance of the find and the appropriate mitigation. The recommendation shall be implemented and could include collection, recordation, and analysis of any significant cultural materials.

MM CUL-1.4: In the event that human remains are found, all project-related construction shall cease within a 50-foot radius of the find in order to proceed with the testing and mitigation measures required. Pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code of the State of California:

- *In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner shall re-enter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.*

MM CUL-1.5: If cultural resources or remains are discovered during any construction associated with the project, a final report shall be submitted to the satisfaction of the Director of PBCE. This report shall contain a description of the mitigation program that was implemented and its results, including a description of the monitoring and testing program, a list of the resources found, a summary of the resources analysis methodology and conclusion, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the Director of PBCE.

MM CUL-4.1: If paleontological resources are discovered during construction, all work on the site will stop immediately until a qualified professional paleontologist can assess the nature and importance of the find and recommend appropriate treatment. Treatment may include preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds. The City will be responsible for ensuring that the recommendations of the paleontological monitor regarding treatment and reporting are implemented.

Hazards and Hazardous Materials

MM HAZ-1.1: The project applicant shall prepare an Asbestos Dust Mitigation Plan and submit the plan to BAAQMD for review and approval prior to grading activities. The plan must describe dust control measures during grading as well as long term dust control measures. The plan shall include, at a minimum, the following measures:

- Track-out prevention and control measures;
- Active stockpiles shall be adequately wetted or covered with tarps;
- Control for disturbed surface areas and storage piles that remain inactive for more than seven days;
- Control for traffic on unpaved roads, parking lots, and staging areas;
- Control for earthmoving activities; and,
- Control for off-site transport.

MM HAZ-1.2: Disturbed surfaces with NOA exceeding the BAAQMD threshold concentration of 0.25 percent shall be stabilized using one or more of the following methods:

- Establishment of a vegetative cover;
- Placement of at least three inches of non-asbestos-containing material;
- Paving;
- Any other measure deemed sufficient to prevent wind speeds of 10 miles per hour or greater from causing visible dust emission.

MM HAZ-2.1: Prior to issuance of a PD Permit, a soil management plan (SMP) shall be developed that identifies management practices for characterizing the impacted soil that may be encountered during site development activities. If, after characterizing the impacted soil, concentrations of chemicals are found above residential CHHSLs or other clean up level approved by a regulatory oversight agency, remedial measures are required. Possible remedial measures include: 1) excavation and off-site disposal of the impacted soil at a permitted facility; 2) use of engineering and administrative controls such as consolidation and capping of the soil on-site and land use covenants restricting certain activities/uses; and 3) a combination of the above. The project shall obtain regulatory agency oversight and approval of the remedial measure(s) prior to site development.

The SMP shall include the following elements:

- procedures for transporting and disposing the waste material generated during removal activities,
- procedures for stockpiling soil on-site,
- provisions for collecting additional soil samples in previously inaccessible areas to confirm the extent of soil contamination, following demolition activities,
- confirmation soil sampling to verify achievement of remediation goals,
- procedures to ensure that fill and cap materials are verified as clean,
- truck routes, and/or
- staging and loading procedures and record keeping requirements.

MM HAZ-3.1: To avoid the spread of harmful levels of contamination, the discharge of any water from dewatering activities will be required to comply with NPDES permit requirements, which may involve installation of a treatment system(s) at the dewatering location.

Biological Resources

MM BIO-1.1: To the maximum extent practicable, trees and large shrubs planned for removal shall be removed during the non-breeding season (September 1 through January 31). If it is not possible to avoid tree removal or other disturbances during the breeding season (February 1 through August 31), a qualified biologist shall conduct a pre-construction survey in all trees, large shrubs, or other areas of potential nesting habitat within the construction footprint and within 250 feet of the footprint, if such disturbance will occur during the breeding season. This survey shall be conducted no more than 14 days prior to the initiation of demolition/construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August).

MM BIO-1.2: If nesting raptors or migratory birds are detected on the site during the survey, a suitable construction-free buffer shall be established around all active nests. The precise dimension of the buffer (a minimum of 150 feet, up to a maximum of 250 feet) would be determined at that time and may vary depending on location and species. Buffers shall remain in place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents.

MM BIO-2.1: *Regulatory Agency Mitigation.* If required by the pertinent regulatory agencies, the applicant shall satisfy agency mitigation requirements by compensating for aquatic impacts at

a 1:1 replacement-to-loss ratio either on-site or offsite, in addition to payment of wetland fees via the HCP.

If the applicant chooses to complete its own mitigation on-site, several areas within designated open space on the site may have the potential to accommodate such mitigation. Potential opportunities for wetland/aquatic creation or restoration include, but are not limited to, as aquatic/wetland feature along the proposed water quality and detention basins, and creation of one or more aquatic/wetland features in the eastern part of the site designated as open space. These areas could offset some of the required wetland fee and/or may also satisfy a portion of the anticipated mitigation requirements by the CDFW and RWQCB.

An on-site mitigation and monitoring plan (MMP) would need to be developed to mitigate for impacts to these features. At a minimum, the MMP shall:

- Define the location of all restoration/creation activities;
- Provide evidence of a suitable water budget to support any created aquatic and riparian habitats;
- Identify the species, amount, and location of plants to be installed in the aquatic and riparian habitats;
- Identify the time of year for planting and method for supplemental watering during the establishment period;
- Identify the monitoring period. This should be not less than 5 years for aquatic restoration.
- Define success criteria that will be required for restoration efforts to be deemed a success;
- Identify adaptive management procedures that accommodate the uncertainty that comes with restoration projects. These include, but are not limited to, measures to address colonization by invasive species, unexpected lack of water, and excessive foraging of installed plants by native wildlife;
- Define management and maintenance activities (weeding of invasive plants, providing for supplemental water, repair of water delivery systems, etc.); and
- Provide for surety in funding the monitoring and ensuring that the created aquatic and riparian habitats fall within lands to be preserved and managed into perpetuity.

Any remaining mitigation required by these two agencies to satisfy the additional 1:1 replacement-to-loss ratio would need to be obtained offsite (e.g., via the purchase of credits from an approved mitigation bank).

MM BIO-3.1: Prior to approval of a PD Permit for any phase of development on the project site, an updated tree survey, which identifies the number of ordinance size trees on the site, prepared by a certified arborist or licensed landscape architect shall be completed. In locations where preservation of existing trees is not feasible due to site constraints, relocation and replanting of significant existing trees (especially native species) shall be incorporated into the project, where feasible and appropriate, to the satisfaction of the Director of PBCE.

MM BIO-3.2: Trees to be removed as part of the project shall be replaced at the following ratios:

Table 4.7-1: Tree Replacement Requirements

Diameter of Tree to be Removed	Type of Tree to be Removed			Minimum Size of Each Replacement Tree
	Native	Non-Native	Orchard	
18 inches or greater	5:1	4:1	3:1	24-inch box
12-18 inches	3:1	2:1	None	24-inch box
Less than 12 inches	1:1	1:1	None	15-gallon container

Notes: X:X = tree replacement to tree loss ratio
 Trees greater than 18-inches in diameter shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees.

MM BIO-3.3: The species and exact number of trees to be planted on the site shall be determined in consultation with the City Arborist and to the satisfaction of the Director of PBCE. In the event the sites do not have sufficient area to accommodate the required tree mitigation, one or both of the following measures shall be implemented at the PD Permit stage:

- The size of a 15-gallon replacement tree may be increased to 24-inch box and count as two replacement trees.
- An alternative site(s) will be identified for additional tree planting, with a priority placed on proximity to the project site. Alternative sites may include local parks or schools, or installation of trees on adjacent properties for screening purposes, to the satisfaction of the Director of PBCE.
- A donation equal to the replacement/installation cost per replacement tree will be made to Our City Forest or a similar organization for in-lieu off-site tree planting in the community. These funds will be used for tree planting and maintenance of planted trees for approximately three years. A donation receipt for off-site tree planting will be provided to the Planning Project Manager prior to issuance of a development permit.

Geology and Soils

MM GEO-1.1, 2.1, and 3.1: The project proponent shall have a qualified geotechnical professional complete a design-level geotechnical investigation to address the geologic hazards identified on the site. The investigation shall be consistent with the guidelines published by the State of California (CDMG Special Publication 117) and the Southern California Earthquake Center (SCEC report). The investigation shall identify the specific design features that will be required for the future development on-site, including site preparation, compaction, trench excavations, foundation and subgrade design, drainage, and pavement design. Field exploration shall concentrate on obtaining engineering parameters of the site soils for determining site specific bearing capacity, settlement, and liquefaction potential. The geotechnical investigation shall be reviewed and approved by the City Geologist prior to issuance of a grading permit or Public Works Clearance.

Examples of measures to be included in the design-level geotechnical investigation include the following:

Slope Stability:

- The maximum inclination of cut and fill slopes shall be 2:1 (horizontal to vertical) unless retained by a retaining wall.

- For cut slopes in weak serpentinite or claystone, slopes higher than 40 feet inclined at 2:1 will require geogrid-reinforced fills. For cut slopes in stronger serpentinite, slopes higher than 50 feet inclined at 2:1 will require geogrid-reinforced fills.
- In general, fill slopes greater than 40 feet in height will require either flattening the slope to 2.5:1 or reinforcing the fill with geogrid.
- Benches shall be shown on the grading plans and shall be at least six feet wide and spaced at a maximum of 30 feet in vertical height.
- Every effort shall be made to reduce cut/fill transitions occurring in the slopes. These areas will require remedial grading.
- "V" ditches or "J" ditches shall be placed along the benches and the tops of the slopes to intercept surface water.
- Irrigation of the slope areas shall be kept to a minimum. Subdrains may be necessary to remove excess surface and subsurface water.
- Grading plans shall show locations of keyways, subdrains, and colluvium and fill removals. Grading plan details shall include geogrid type, strength, vertical spacing, and length, subdrain details, and keying and benching details.

Expansive Soils:

- Structures located on relatively flat building pads shall be founded on post-tensioned mat foundations.
- Structures located on slopes shall be designed on pier and grade beam foundation systems.
- Reuse of claystone and colluvium on the site shall be limited to deeper fill areas and not at the outer edges of new engineered fill slopes.

Compressible Soils:

- Quarry stockpiles and soils disturbed or loosened by quarry operations shall be excavated and recompact.
- During mass grading, colluvium soils shall be removed down to bedrock.

Artificial Fill:

- Artificial fill shall be removed and replaced with engineered fill.

Shallow Groundwater:

- Routine earthwork procedures such as chemical treatment, drying/mixing soil before compaction, and installing subdrains shall be implemented during project construction.

MM GEO-1.2 and 2.2: The proposed project shall be constructed in accordance with the standard engineering practices in the Uniform Building Code.

MM GEO-1.3, and 2.3: Prior to issuance of a Public Works Clearance and prior to commencement of excavation and construction, the project proponent shall obtain a grading permit. The grading permit requires implementation of standard grading and best management practices that would prevent substantial erosion and siltation during development of the site.

MM GEO-4.1: Quality Assurance and Construction Quality Control (QA/QC) shall be provided consistent with a Construction Quality Assurance (CQA) Plan for remediation of the abandoned mercury mine. The intent of the CQA Plan is to provide independent third party verification and testing to demonstrate that the Contractor has met its obligations in the supply

and installation of earthwork (soils) materials according to the design and project specifications and Backfill Work Plan.

Specific components of the QA/QC process are included in Appendix H-2 and will generally consist of the following:

- Assessment of the underground working stability;
- Assessing the quality and competence of the rock material encountered during over-excavation to confirm the over-excavation depth required.
- Addressing on-site queries and making recommendations as to any revisions to the original remediation plan;
- Working with on-site surveyors to develop initial estimate of backfill quantities;
- Issuing daily reports;
- Documentation of remediation quantities; and
- Issuing as-built report.

MM GEO-4.2: To avoid potential incidents, all MSHA and OSHA regulations and guidelines shall be followed for mine remediation. A qualified safety officer shall prepare a Worker Safety Program for the project and shall oversee all aspects of the program. The program will include at least the following measures:

- Proper Personnel Protection Equipment (PPE) shall be worn while working in the mine. PPE should include as a minimum:
 - Steel-toe boots;
 - Hard hat;
 - Safety glasses;
 - Gloves;
 - Battery lamp light; and
 - Hearing protection when mechanical equipment is working underground.
- Due to the abandoned nature of the workings, the following additional safety equipment shall be provided to the crew working underground:
 - Gas monitor;
 - Fresh ventilation air;
 - Pry bars for loose ground; and
 - Communication radio.
- Injury by ground fall is the single largest hazard underground, especially because ground conditions have not been verified for some time. Before any area can be accessed a crew member trained in ground control measures, tunnel conditions will be determined and any loose ground will be removed before other members of the crew have access to the area. It is important that crew members do not wander off into uninspected/secured areas.

PLANNED DEVELOPMENT PRE-ZONING & REZONING TO A(PD) PLANNED DEVELOPMENT FOR **COMMUNICATIONS HILL**

A MIXED-USE DEVELOPMENT BY KB HOME WITHIN THE COMMUNICATIONS HILL SPECIFIC PLAN
AS ESTABLISHED IN ORDINANCE _____, ESTABLISHING A PLANNED DEVELOPMENT ZONING DISTRICT

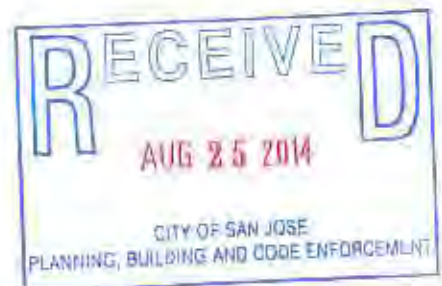


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PROJECT DESCRIPTION

THE PROPOSED PRE-ZONING AND REZONING WOULD ALLOW FOR THE DEVELOPMENT OF THE APPROXIMATELY 1331.6 ACRE SITE LOCATED AT COMMUNICATIONS HILL. THE PROJECT CONSISTS OF UP TO 2,200 RESIDENTIAL UNITS, INCLUDING SINGLE FAMILY DETACHED HOMES, TOWNHOMES, CONDOMINIUMS, AND APARTMENTS, UP TO 67,500 SF OF RETAIL / COMMERCIAL SPACE AT THE VILLAGE CENTER, UP TO 1,440,000 SF OF OFFICE / R&D (INDUSTRIAL), AND NEW INFRASTRUCTURE / PUBLIC IMPROVEMENTS, PARKS, TRAILS, AND A SCHOOL SITE.

DEVELOPMENT TEAM

DEVELOPER	ARCHITECT	CIVIL ENGINEER	FRM
KB HOME CONTACT: STEVE BULL 5000 SERRA LOMA PARKWAY, SUITE 125 SAN JOSE, CA 95128	KLDF CONTACT: MANNY GONZALEZ 1733 OCEAN AVENUE, SUITE 250 SANTA MONICA, CA 90401	CONTACT: DAVID WILSON 1670 COLUMBO ROAD SAN JOSE, CA 95131	
URBAN PLANNER: DAHLIN GROUP CONTACT: MARK DAY 2889 OWENS DRIVE PLEASANTON, CA 94588	ARCHITECT: HENRICH RODRIGUEZ & PARTNERS, INC. CONTACT: KEN RODRIGUEZ 446 NORTH WHISMAN ROAD, SUITE 200 MOUNTAIN VIEW, CA 94045		
PLANNING CONSULTANT: HR CONSULTING ARCHITECTURE 1570 DAKLAND ROAD SAN JOSE, CA 95131	LANDSCAPE ARCHITECT: THE GUZZARDO PARTNERSHIP CONTACT: RARY LAWREN 181 GREENWICH STREET SAN FRANCISCO, CA 94111		

PROJECT INFORMATION

ASSessor'S PARCEL NUMBER:	455-04-017, 455-29-026 (PTN), 017, 020, 023 (PTN), LOT P (PTN); 455-08-007, 013, 016, 017, 018, 455-01-001, 003, 006, 455-02-011, 025, 029, 455-03-024, 025, 027, 455-75-PARCEL C (PTN)
PROJECT LOCATION:	COMMUNICATIONS HILL (COMMUNICATIONS HILL BLVD. BETWEEN HILLSDALE AVE & CURTNER AVE.)
EXISTING GENERAL PLAN DESIGNATIONS:	COMMUNICATIONS HILL PLANNED COMMUNITY URBAN RESIDENTIAL (U3 - 85 DENSITY) OPEN SPACE, PARKLAND AND HABITAT INDUSTRIAL PARK MIXED USE COMMERCIAL PUBLIC / QUASI PUBLIC
PROPOSED GENERAL PLAN DESIGNATIONS:	COMMUNICATIONS HILL PLANNED COMMUNITY MIXED USE NEIGHBORHOOD (UP TO 30 DENSITY) URBAN RESIDENTIAL (U3 - 85 DENSITY) OPEN SPACE, PARKLAND AND HABITAT INDUSTRIAL PARK MIXED USE COMMERCIAL PUBLIC / QUASI PUBLIC
EXISTING ZONING DESIGNATION:	CITY OF SAN JOSE, APODADO & COUNTY OF SANTA CLARA, R1 8 (M) A1
PROPOSED ZONING DESIGNATION:	A(PD) PLANNED DEVELOPMENT (INITIAL PLNG PRE-ZONING & REZONING)
PROPOSED USE:	MIXED USE (MULTI-FAMILY)
GROSS PROJECT AREA (W/ PD) / REZONING FOOTPRINT:	1331.6 AC
RIGHT-OF-WAY DEDICATION:	241.1 AC
PUBLIC PARK DEDICATION:	114.2 AC
EXISTING PUBLIC RIGHT-OF-WAY:	28.4 AC
NET SITE AREA:	2093.0 AC
PROPOSED DENSITY:	UP TO 2,200 DU TO 8 AC (NET RESIDENTIAL) 76.5 DU / AC (NET AVERAGE DENSITY)
PROPOSED PARKING:	RESIDENTIAL - TRD COMMERCIAL - TRD
CONSTRUCTION SCHEDULE:	
START DATE:	TBD
COMPLETION DATE:	TBD



8/13/2014

NOTE: APPLICATIONS FOR ANNEXATION (COMMHILL) AND A LAND USE TRANSPORTATION DIAGRAM GENERAL PLAN AMENDMENT (GP13-001) HAVE BEEN FILED FOR CONCURRENT PROCESSING WITH THIS APPLICATION

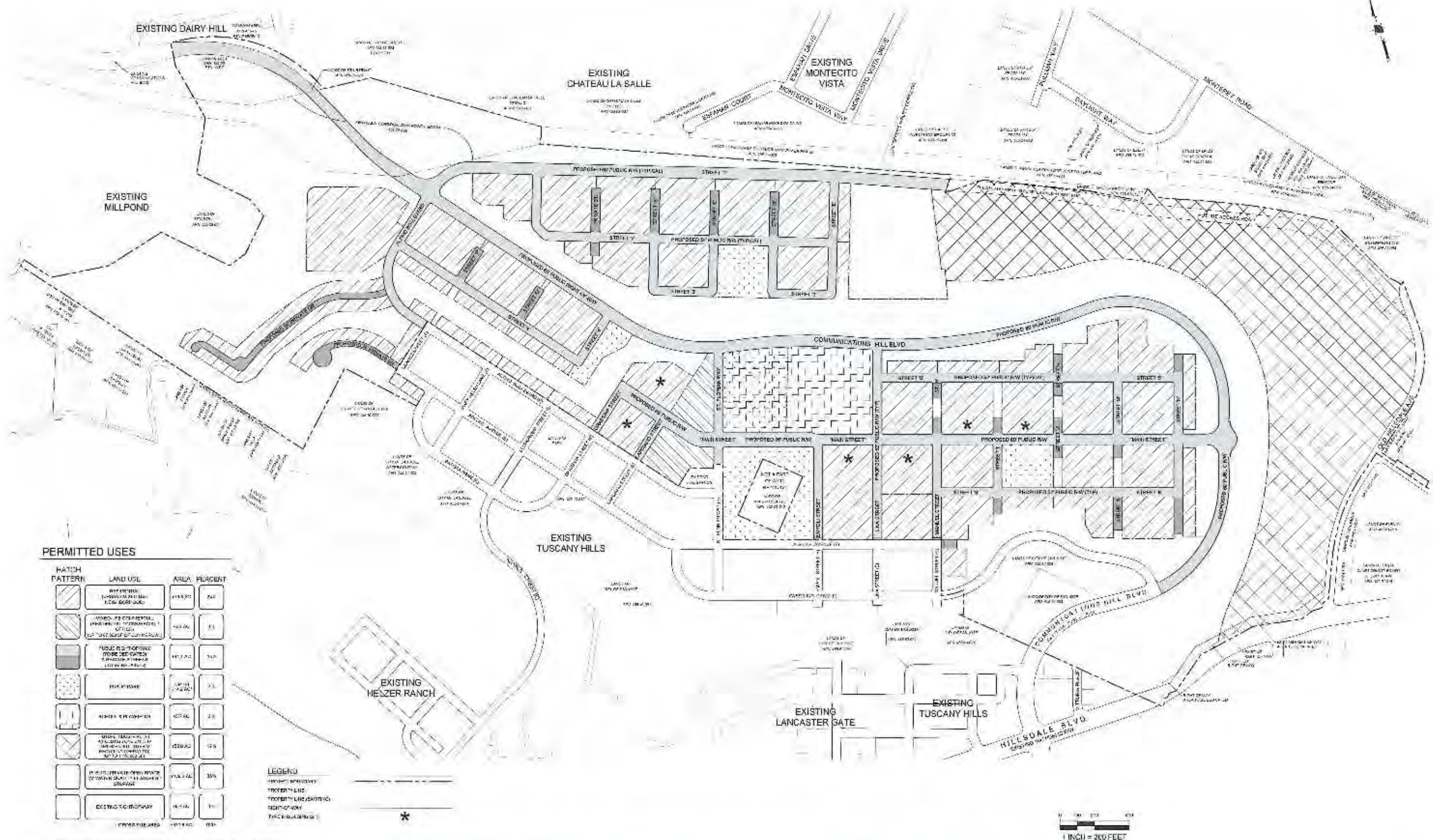


GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

NO.	REVISION	DATE	BY	CHKD BY
1	ISSUED FOR PERMIT	8/13/2014	SB	SB
2	REVISED PER CITY COMMENTS	8/13/2014	SB	SB
3	REVISED PER CITY COMMENTS	8/13/2014	SB	SB
4	REVISED PER CITY COMMENTS	8/13/2014	SB	SB
5	REVISED PER CITY COMMENTS	8/13/2014	SB	SB
6	REVISED PER CITY COMMENTS	8/13/2014	SB	SB

TITLE SHEET

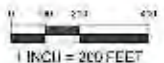
1.0



PERMITTED USES

HATCH PATTERN	LAND USE	AREA	PERCENT
[Diagonal lines /]	RESIDENTIAL SINGLE-FAMILY (R1)	118,800	24%
[Diagonal lines \]	RESIDENTIAL MEDIUM-DENSITY (RM)	48,000	11%
[Stippled]	TUSCANY HILLS FORMER USE (TU)	447,000	100%
[Cross-hatch]	RECREATION	1,000,000	23%
[Horizontal lines]	RECORDS DEPOSITORIES	427,000	11%
[Vertical lines]	STORAGE	1,220,000	29%
[White]	EXISTING TOPOGRAPHY	1,410,000	33%
[Diagonal lines /]	PERMITTED TOTAL	4,112,800	100%

LEGEND
 --- PROPOSED IMPROVEMENT
 --- PROPERTY LINE
 --- PROPERTY LINE EXTENSION
 --- RIGHT-OF-WAY
 * TYPICAL



*BASED ON AIR RIGHTS TO BE OBTAINED FROM THE LANDOWNERS AND AGREEMENTS



GENERAL DEVELOPMENT PLAN - EXHIBIT C
PDC13-009
 COMMUNICATIONS HILL

PROJECT NO.	PDC13-009	DATE	08/13/13
PROJECT NAME	COMMUNICATIONS HILL	DESIGNED BY	STREMSIS
PROJECT LOCATION	SAN JOSE, CALIFORNIA	DRAWN BY	STREMSIS
PROJECT OWNER	KB HOME	CHECKED BY	STREMSIS
DATE	08/13/13	SCALE	AS SHOWN

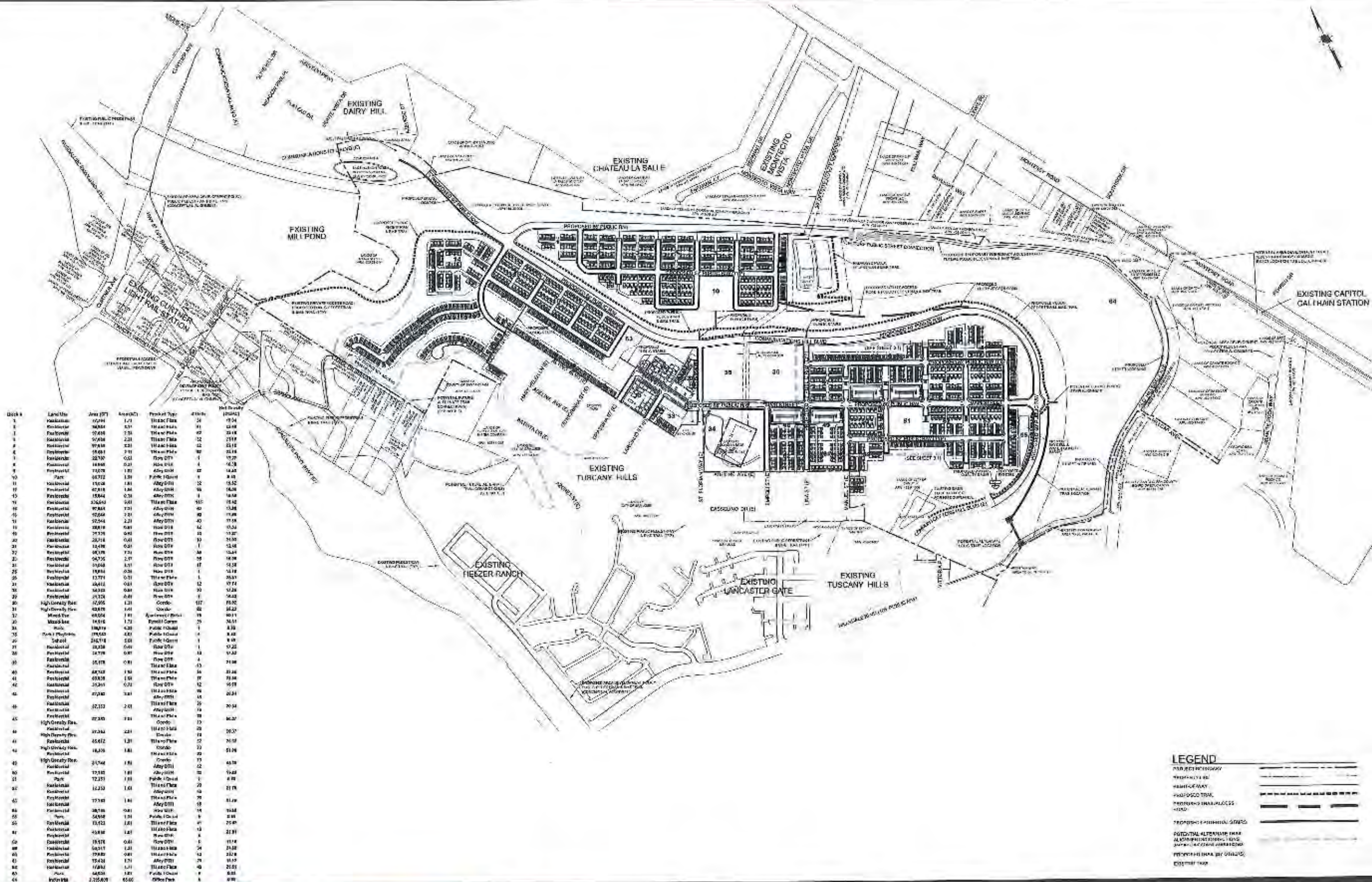
DEVELOPMENT STANDARDS
TO BE DETERMINED

ENVIRONMENTAL MITIGATION
TO BE DETERMINED



GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

01/15/13	PER CITY COMMENTS	REVISION NO.	01/15/13
01/15/13	PER CITY COMMENTS	CONTRACT NO.	1300000
01/15/13	PER CITY COMMENTS FOR AIRPORT ROAD	DESIGNED BY	
01/15/13	PER CITY COMMENTS	ISSUED BY	
01/15/13	PER CITY COMMENTS	DATE	01/15/13
01/15/13	PER CITY COMMENTS	BY	



Block #	Land Use	Area (SF)	Acres	Proposed Type	Units	Net Density (Units/Acre)
1	Residential	10,240	1.23	Three-Floor	24	19.54
1	Residential	10,240	1.23	Three-Floor	24	19.54
1	Residential	10,240	1.23	Three-Floor	24	19.54
2	Residential	10,240	1.23	Three-Floor	24	19.54
3	Residential	10,240	1.23	Three-Floor	24	19.54
4	Residential	10,240	1.23	Three-Floor	24	19.54
5	Residential	10,240	1.23	Three-Floor	24	19.54
6	Residential	10,240	1.23	Three-Floor	24	19.54
7	Residential	10,240	1.23	Three-Floor	24	19.54
8	Residential	10,240	1.23	Three-Floor	24	19.54
9	Residential	10,240	1.23	Three-Floor	24	19.54
10	Park	10,240	1.23	Open Space	0	0.00
11	Residential	10,240	1.23	Three-Floor	24	19.54
12	Residential	10,240	1.23	Three-Floor	24	19.54
13	Residential	10,240	1.23	Three-Floor	24	19.54
14	Residential	10,240	1.23	Three-Floor	24	19.54
15	Residential	10,240	1.23	Three-Floor	24	19.54
16	Residential	10,240	1.23	Three-Floor	24	19.54
17	Residential	10,240	1.23	Three-Floor	24	19.54
18	Residential	10,240	1.23	Three-Floor	24	19.54
19	Residential	10,240	1.23	Three-Floor	24	19.54
20	Residential	10,240	1.23	Three-Floor	24	19.54
21	Residential	10,240	1.23	Three-Floor	24	19.54
22	Residential	10,240	1.23	Three-Floor	24	19.54
23	Residential	10,240	1.23	Three-Floor	24	19.54
24	Residential	10,240	1.23	Three-Floor	24	19.54
25	Residential	10,240	1.23	Three-Floor	24	19.54
26	Residential	10,240	1.23	Three-Floor	24	19.54
27	Residential	10,240	1.23	Three-Floor	24	19.54
28	Residential	10,240	1.23	Three-Floor	24	19.54
29	Residential	10,240	1.23	Three-Floor	24	19.54
30	High Density Res.	10,240	1.23	Condo	117	95.02
31	High Density Res.	10,240	1.23	Condo	60	48.62
32	High Density Res.	10,240	1.23	Condo	18	14.61
33	High Density Res.	10,240	1.23	Condo	12	9.74
34	High Density Res.	10,240	1.23	Condo	12	9.74
35	High Density Res.	10,240	1.23	Condo	12	9.74
36	High Density Res.	10,240	1.23	Condo	12	9.74
37	High Density Res.	10,240	1.23	Condo	12	9.74
38	High Density Res.	10,240	1.23	Condo	12	9.74
39	High Density Res.	10,240	1.23	Condo	12	9.74
40	High Density Res.	10,240	1.23	Condo	12	9.74
41	High Density Res.	10,240	1.23	Condo	12	9.74
42	High Density Res.	10,240	1.23	Condo	12	9.74
43	High Density Res.	10,240	1.23	Condo	12	9.74
44	High Density Res.	10,240	1.23	Condo	12	9.74
45	High Density Res.	10,240	1.23	Condo	12	9.74
46	High Density Res.	10,240	1.23	Condo	12	9.74
47	High Density Res.	10,240	1.23	Condo	12	9.74
48	High Density Res.	10,240	1.23	Condo	12	9.74
49	High Density Res.	10,240	1.23	Condo	12	9.74
50	High Density Res.	10,240	1.23	Condo	12	9.74
51	High Density Res.	10,240	1.23	Condo	12	9.74
52	High Density Res.	10,240	1.23	Condo	12	9.74
53	High Density Res.	10,240	1.23	Condo	12	9.74
54	High Density Res.	10,240	1.23	Condo	12	9.74
55	High Density Res.	10,240	1.23	Condo	12	9.74
56	High Density Res.	10,240	1.23	Condo	12	9.74
57	High Density Res.	10,240	1.23	Condo	12	9.74
58	High Density Res.	10,240	1.23	Condo	12	9.74
59	High Density Res.	10,240	1.23	Condo	12	9.74
60	High Density Res.	10,240	1.23	Condo	12	9.74
61	High Density Res.	10,240	1.23	Condo	12	9.74
62	High Density Res.	10,240	1.23	Condo	12	9.74
63	High Density Res.	10,240	1.23	Condo	12	9.74
64	High Density Res.	10,240	1.23	Condo	12	9.74
65	High Density Res.	10,240	1.23	Condo	12	9.74
66	High Density Res.	10,240	1.23	Condo	12	9.74

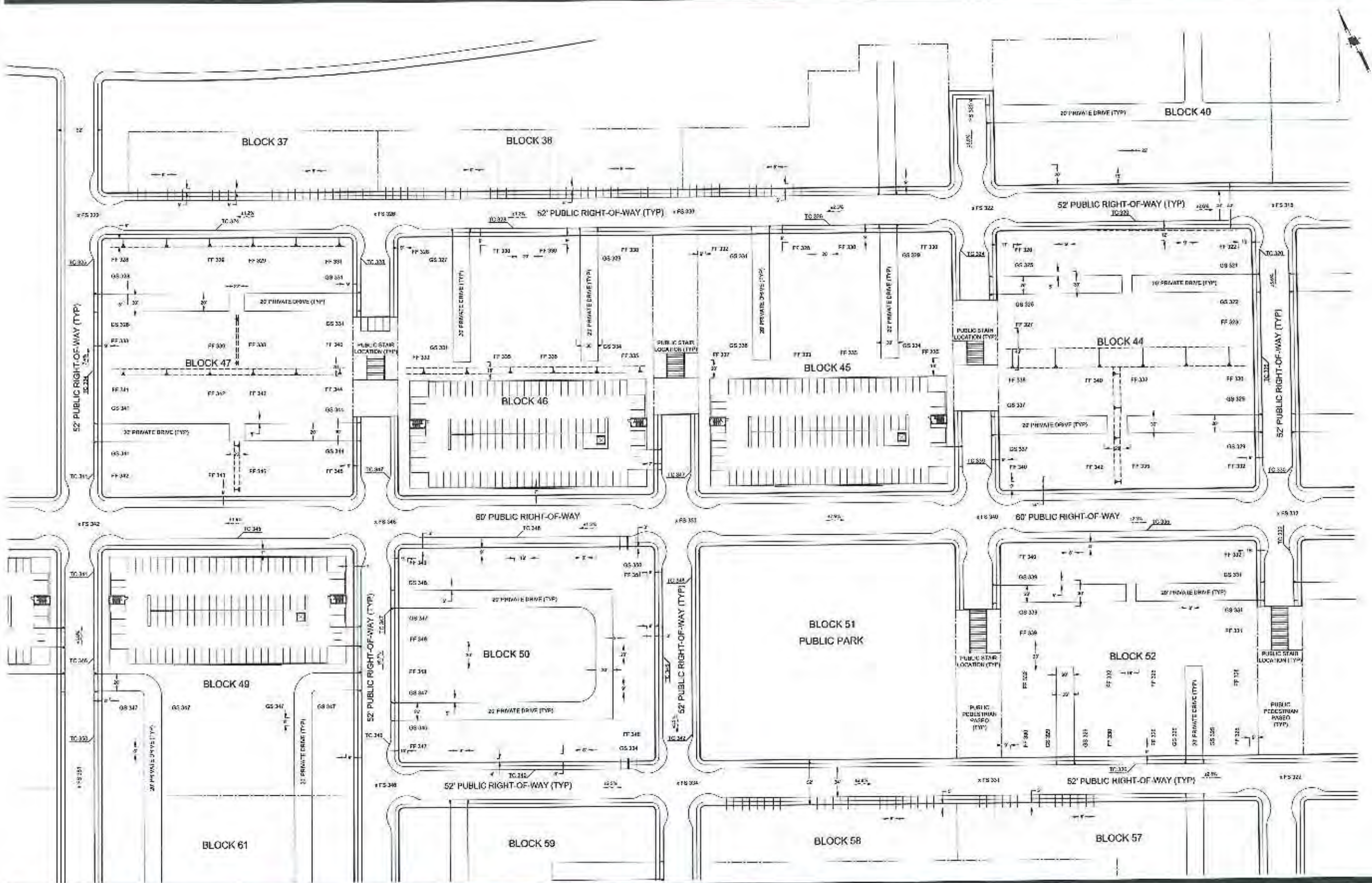
LEGEND

- PROPOSED INFRASTRUCTURE
- PROPOSED TRAIL
- PROPOSED TRAIL ACCESS
- PROPOSED COMMUNITY CENTER
- POTENTIAL ALTERNATE TRAIL ALIGNMENT (FOR FUTURE DEVELOPMENT)
- POTENTIAL ALTERNATE TRAIL ALIGNMENT (FOR FUTURE DEVELOPMENT)
- POTENTIAL ALTERNATE TRAIL ALIGNMENT (FOR FUTURE DEVELOPMENT)
- POTENTIAL ALTERNATE TRAIL ALIGNMENT (FOR FUTURE DEVELOPMENT)
- POTENTIAL ALTERNATE TRAIL ALIGNMENT (FOR FUTURE DEVELOPMENT)
- POTENTIAL ALTERNATE TRAIL ALIGNMENT (FOR FUTURE DEVELOPMENT)



GENERAL DEVELOPMENT PLAN - EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

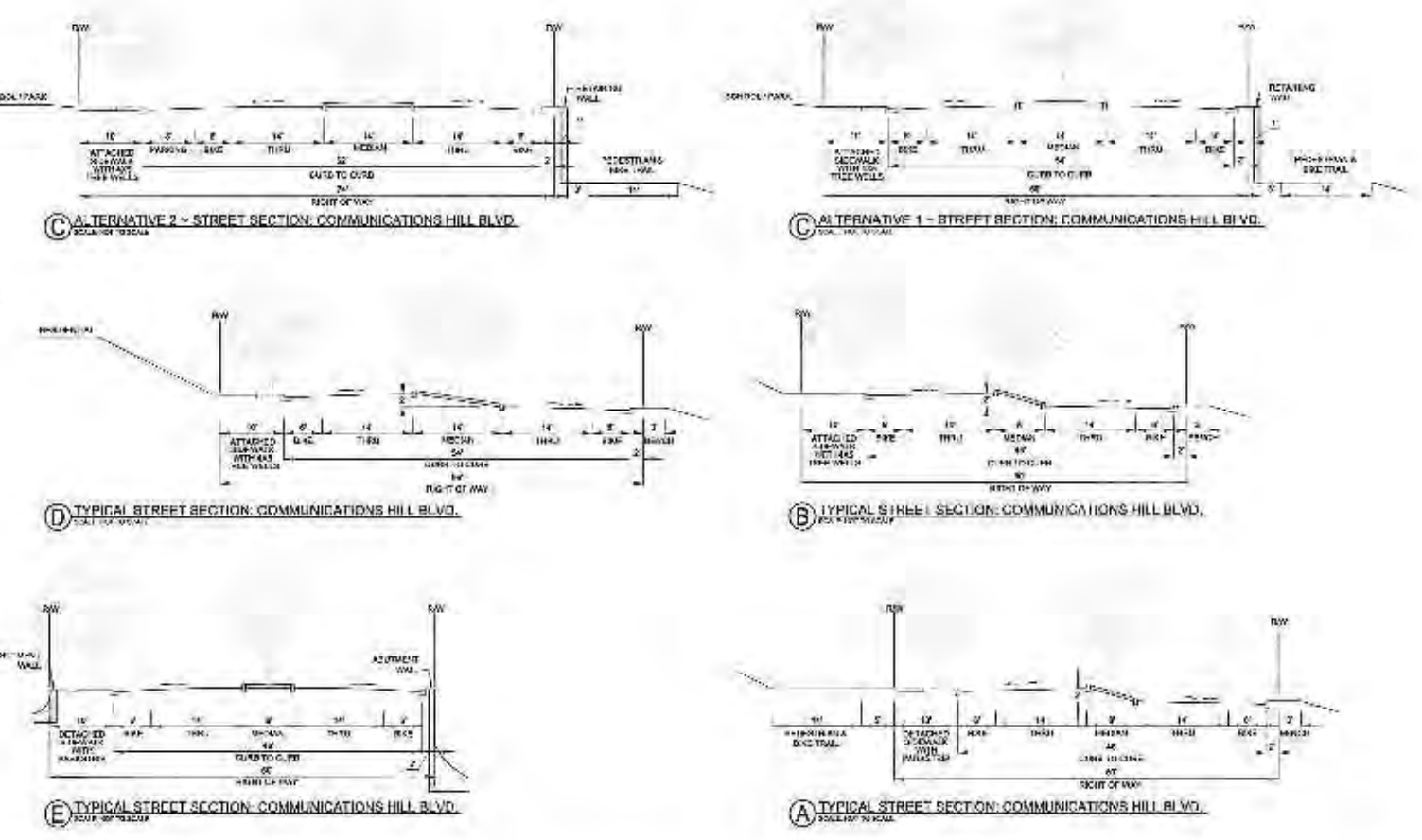
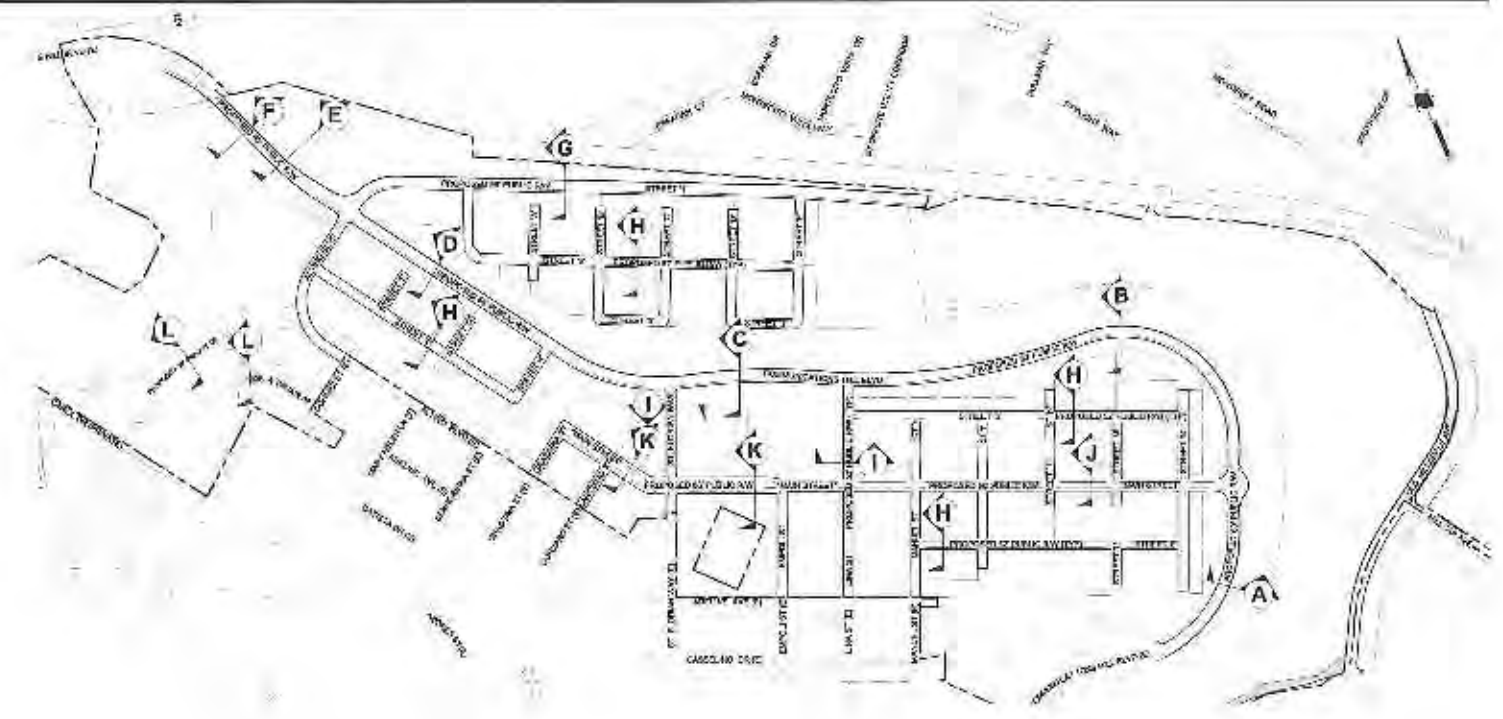
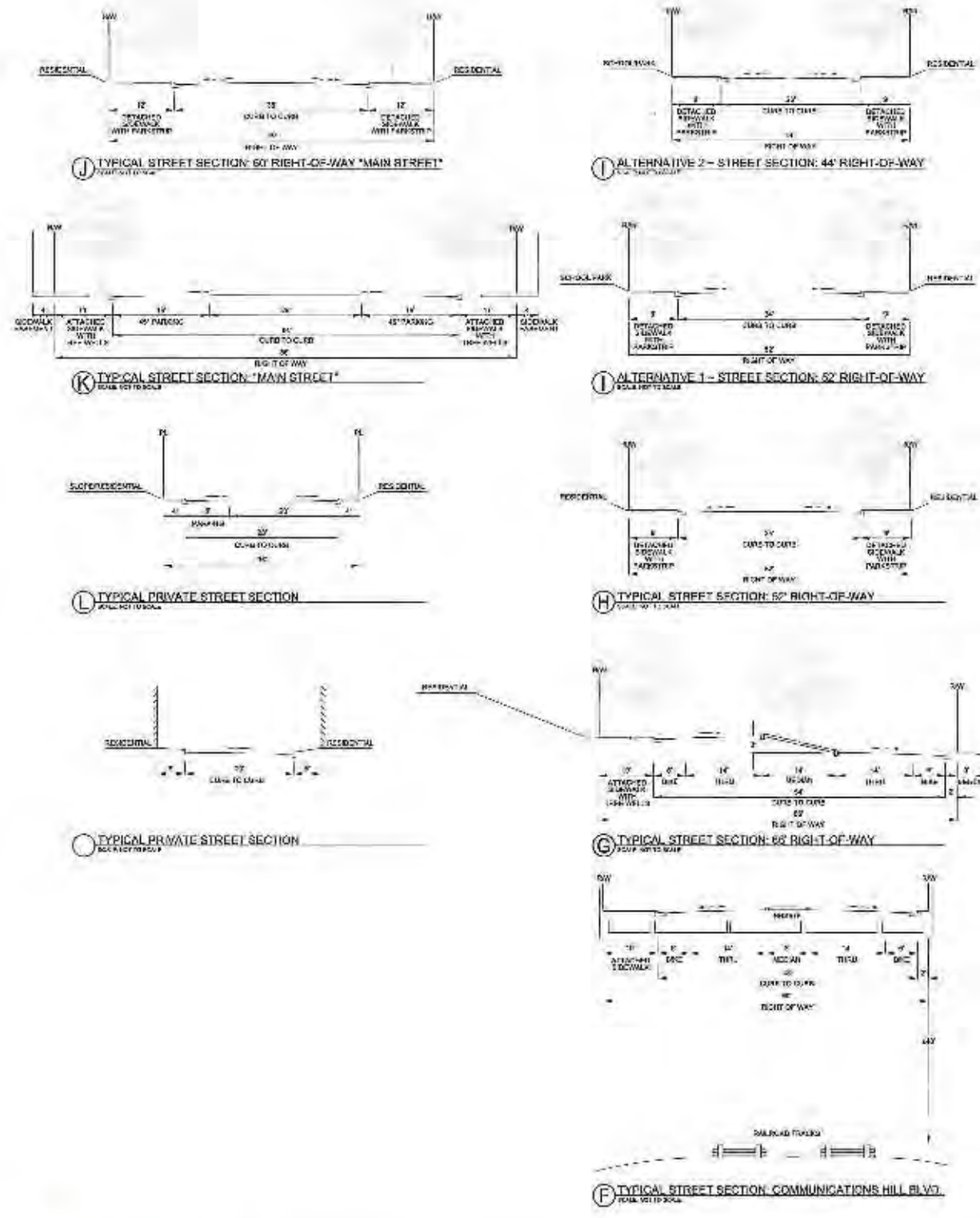
PROJECT NO.	PDC13-009	DATE	03/01/11
PROJECT NAME	COMMUNICATIONS HILL	DESIGNED BY	H&O
CLIENT	THE GUZZARDO PARTNERSHIP INC.	DRAWN BY	AS
SCALE	AS SHOWN	CHECKED BY	AS
DATE	03/01/11	DATE	03/01/11
SCALE	AS SHOWN	SCALE	1" = 300'



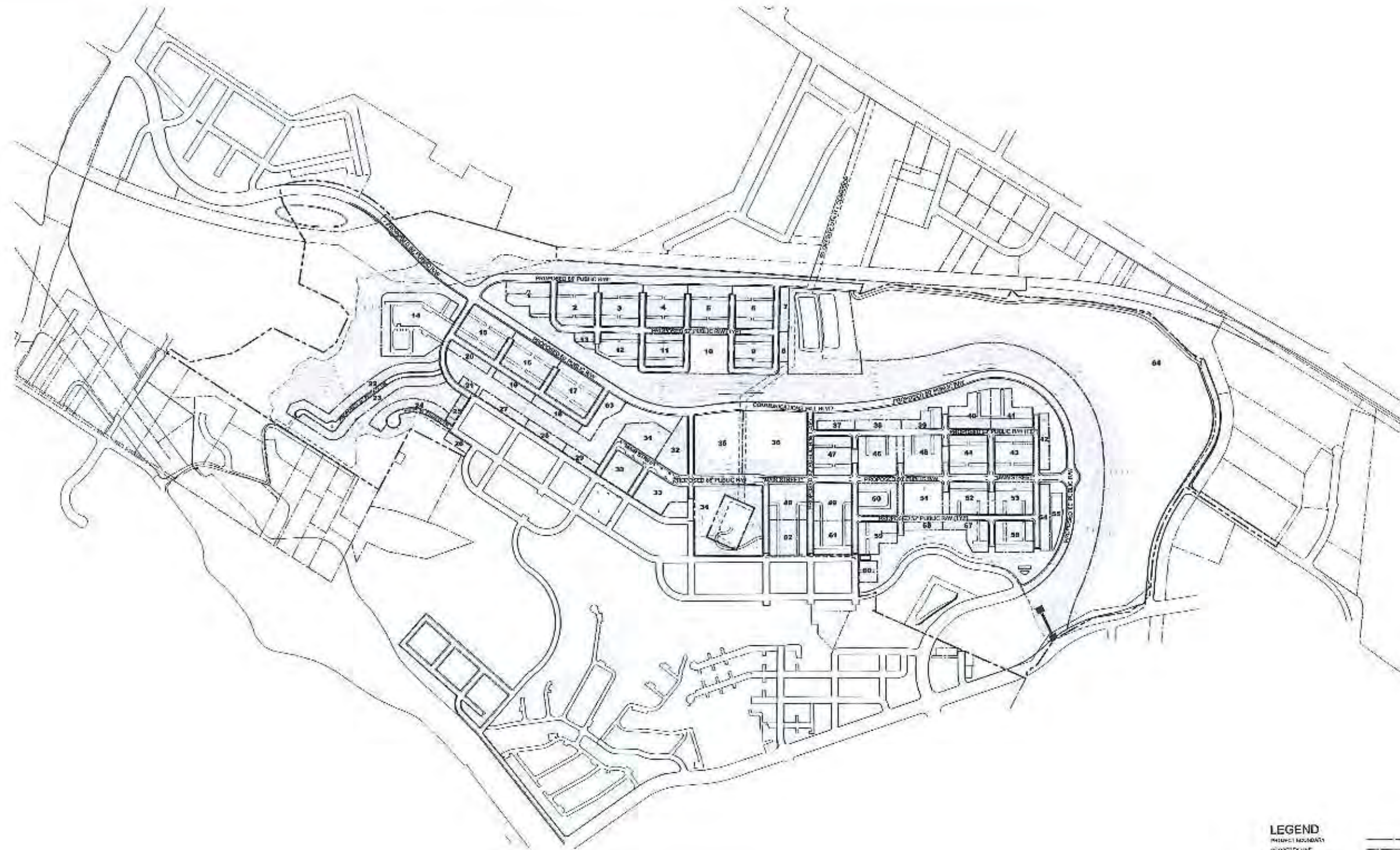
GENERAL DEVELOPMENT PLAN - EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

DATE: 12/11/13	DESCRIPTION: PRELIMINARY	PROJECT NO: 13000	SCALE: AS SHOWN
DRAWN BY: J. G. G.	CHECKED BY: J. G. G.	APPROVED BY: J. G. G.	DATE: 12/11/13
PROJECT NO: 13000	CLIENT: COMMUNITY DEVELOPMENT DEPARTMENT	PROJECT NAME: COMMUNICATIONS HILL	SCALE: AS SHOWN
DATE: 12/11/13	DESCRIPTION: PRELIMINARY	PROJECT NO: 13000	SCALE: AS SHOWN

TYPICAL BLOCK CONFIGURATIONS AND GRADING CONCEPT REPRESENTING THE VARIETY OF PROPOSED RESIDENTIAL PRODUCT TYPES



10/13/13	PRELIMINARY	PROJECT NO.	100113
11/13/13	P.A. REVIEW AND	CAD NUMBER	100001
12/13/13	PUB. COMMENTS	DESIGNED BY	...
01/14/14	P.A. REVIEW AND	CONCEPT BY	...
02/14/14	FINAL DESIGN	DATE	01/14/14
03/14/14	CONCEPT	SCALE	1" = 200'



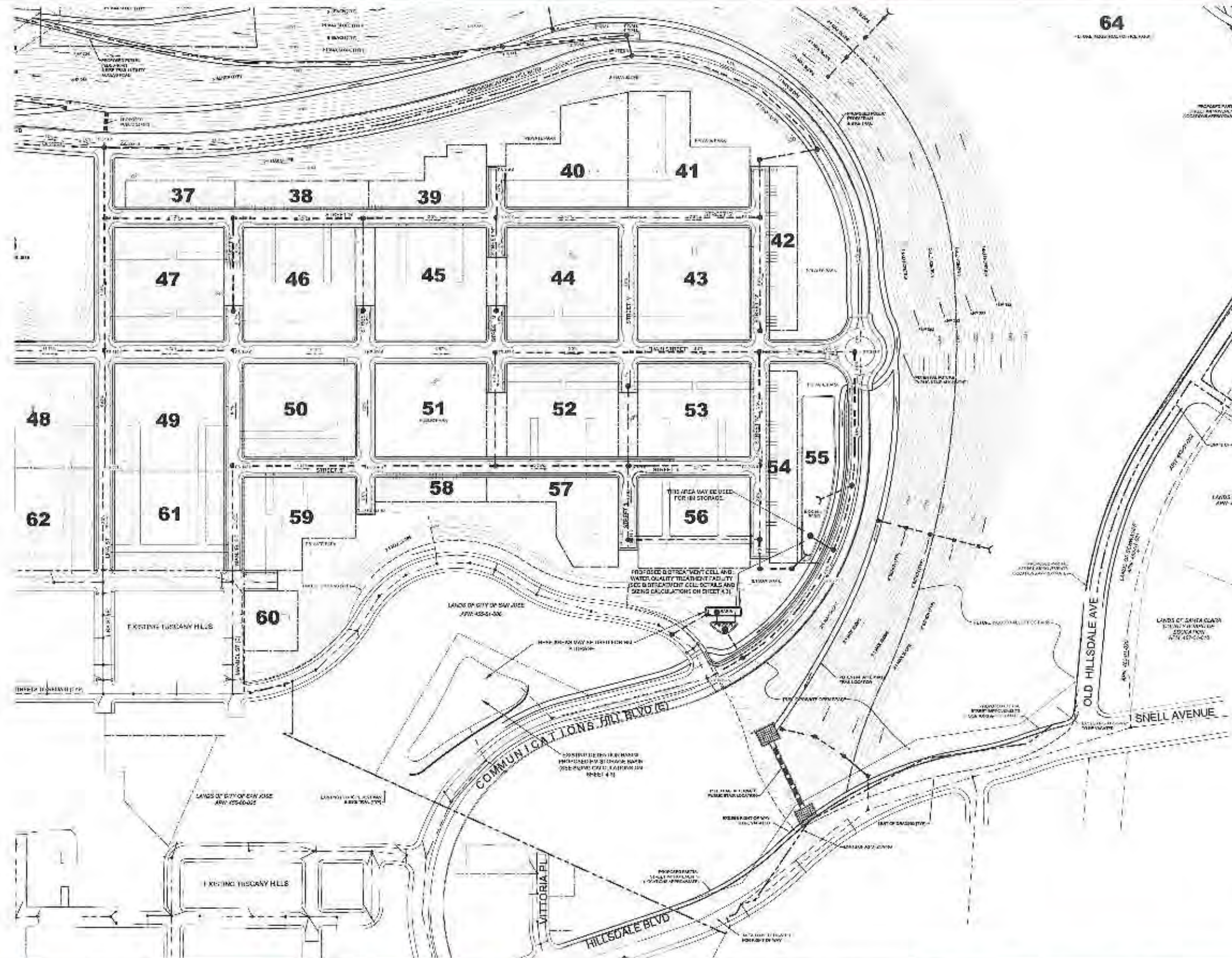
LEGEND

PROJECT BOUNDARY	—————
PROPERTY LINE	—————
PROPERTY LINE (EXISTING)	—————
RIGHT OF WAY	—————
APPROXIMATE LIMIT OF GRADING	—————

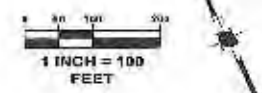


**GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC-13-009
COMMUNICATIONS HILL**

NO. 000001	114 CITY COMMENTS	PROJECT NO.	2013-09
NO. 000002	114 CITY COMMENTS	CAD DWD FILE	1210411
NO. 000003	114 CITY COMMENTS	DESIGNER	STP
NO. 000004	114 CITY COMMENTS	DRAWN BY	ML
NO. 000005	114 CITY COMMENTS	CHECKED BY	TS
NO. 000006	114 CITY COMMENTS	DATE	MARCH 1, 2013
NO. 000007	114 CITY COMMENTS	SCALE	1"=40'



64



LEGEND

- PROJECT BOUNDARY
- PROPOSED LOT
- PROPOSED LOT POSITION
- EXISTING LOT
- EXISTING LOT POSITION
- PROPOSED LOT POSITION
- PROPOSED LOT POSITION



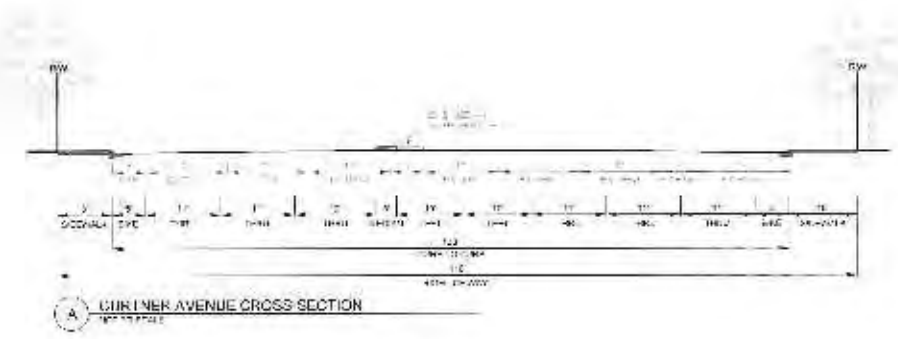
GENERAL DEVELOPMENT PLAN - EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

NO.	DESCRIPTION	DATE	BY
1	PROJECT BOUNDARY	11/14/13	JLW
2	PROPOSED LOT	11/14/13	JLW
3	PROPOSED LOT POSITION	11/14/13	JLW
4	EXISTING LOT	11/14/13	JLW
5	EXISTING LOT POSITION	11/14/13	JLW
6	PROPOSED LOT POSITION	11/14/13	JLW
7	PROPOSED LOT POSITION	11/14/13	JLW

VICINITY MAP (NTS)



INTERSECTION OF CURTNER AVENUE & STONE AVENUE



A CURTNER AVENUE CROSS SECTION

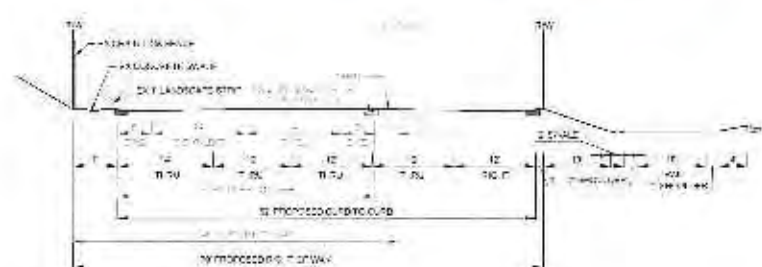
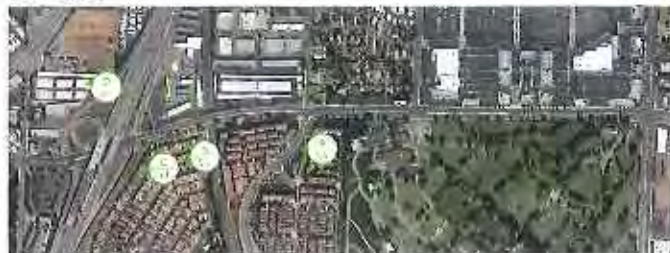


GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

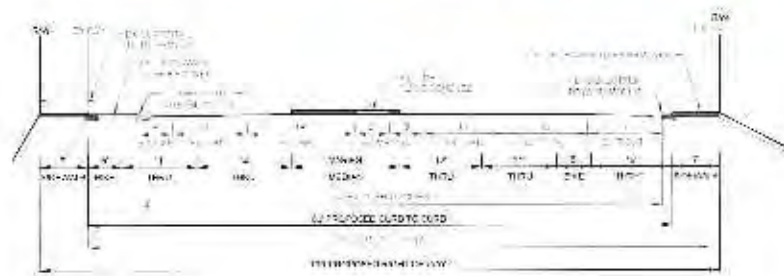
DATE	PROJECT NUMBER	PROJECT NAME	SCALE
11/15/13	PDC13-009	COMMUNICATIONS HILL	1" = 40'
DATE	PROJECT NUMBER	PROJECT NAME	SCALE
11/15/13	PDC13-009	COMMUNICATIONS HILL	1" = 40'

CONCEPTUAL OFF-SITE AREA DEVELOPMENT
POLICY TRAFFIC IMPROVEMENTS
CURTNER CORRIDOR

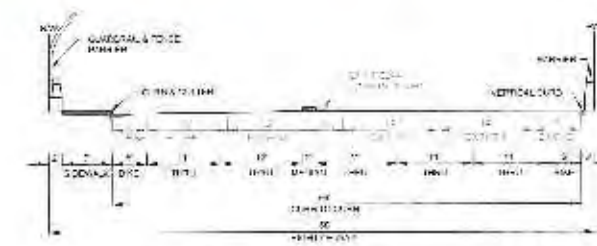
KEY MAP



D UNIFIED WAY CROSS-SECTION
NOT TO SCALE



C CURTIER AVENUE CROSS-SECTION
NOT TO SCALE



B CURTIER AVENUE BRIDGE CROSS-SECTION
NOT TO SCALE



GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

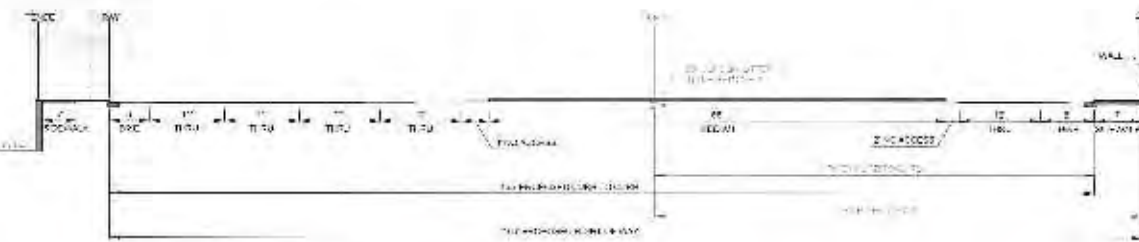
NO.	DESCRIPTION	DATE	BY
1	PRELIMINARY	08/12/13	MM
2	REVISIONS	08/12/13	MM
3	REVISIONS	08/12/13	MM
4	REVISIONS	08/12/13	MM
5	REVISIONS	08/12/13	MM
6	REVISIONS	08/12/13	MM
7	REVISIONS	08/12/13	MM
8	REVISIONS	08/12/13	MM
9	REVISIONS	08/12/13	MM
10	REVISIONS	08/12/13	MM

CONCEPTUAL OFF-SITE AREA DEVELOPMENT
POLICY TRAFFIC IMPROVEMENTS
CURTIER CORRIDOR

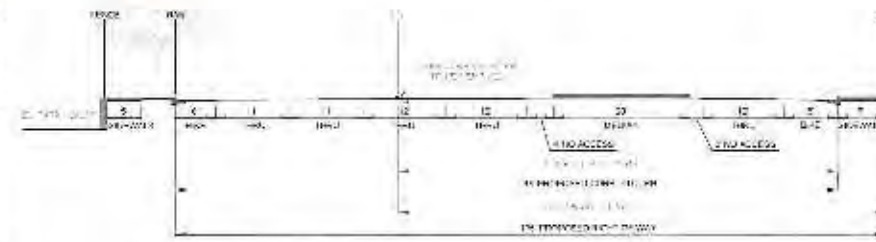
VICINITY MAP (NTS)



D NARVAEZ AVENUE CROSS SECTION



C NARVAEZ AVENUE CROSS SECTION



B NARVAEZ AVENUE CROSS SECTION



A NARVAEZ AVENUE CROSS SECTION



GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

NO.	DESCRIPTION	DATE	BY	APP. BY
1	PRELIMINARY PLAN	11/13/13	...	...
2
3
4
5
6

CONCEPTUAL OFF-SITE AREA DEVELOPMENT
POLICY TRAFFIC IMPROVEMENT
CURTNER CORRIDOR



LEGEND

- EXISTING TRAIL
- TRAIL FACILITIES - CONCEPTUAL ALIGNMENTS
- RECREATION PATH OF TRAVEL
- TRAIL BRIDGE - CONCEPTUAL ALIGNMENTS
- POTENTIAL TRAIL CROSSING LOCATION
- POTENTIAL TRAIL CROSSING LOCATION
- POTENTIAL TRAIL LOCATION



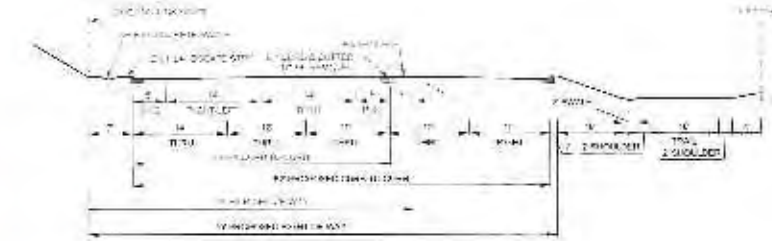
GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

NO.	DATE	DESCRIPTION	BY	APP. BY
1	12/15/12	PER CITY COMMENTS	...	...
2	1/16/13	PER CITY COMMENTS FOR AIRPORT CONC	...	...
3	2/27/13	PER CITY COMMENTS	...	...
4	3/13/13	PER CITY COMMENTS	...	...
5	3/13/13	PER CITY COMMENTS	...	...

CONCEPTUAL DEVELOPMENT POLICY
PROJECT FACILITIES



VICINITY MAP (NTS)



UNIFIED WAY CROSS-SECTION
REV. 10.2012



LEGEND

- PROPOSED DRIVE
- PROPOSED TRAIL
- EXISTING TRAIL

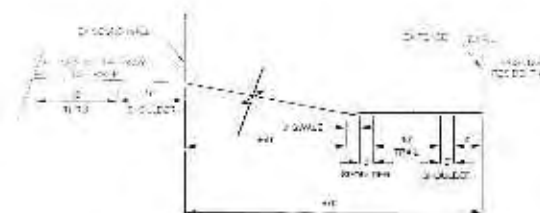


GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

NO.	REVISION	DATE
1	ISSUED FOR PERMITTING	10/20/12
2	REVISED TO REFLECT COMMENTS	11/15/12
3	REVISED TO REFLECT COMMENTS	12/10/12
4	REVISED TO REFLECT COMMENTS	01/10/13
5	REVISED TO REFLECT COMMENTS	02/10/13
6	REVISED TO REFLECT COMMENTS	03/10/13
7	REVISED TO REFLECT COMMENTS	04/10/13
8	REVISED TO REFLECT COMMENTS	05/10/13
9	REVISED TO REFLECT COMMENTS	06/10/13
10	REVISED TO REFLECT COMMENTS	07/10/13
11	REVISED TO REFLECT COMMENTS	08/10/13
12	REVISED TO REFLECT COMMENTS	09/10/13
13	REVISED TO REFLECT COMMENTS	10/10/13
14	REVISED TO REFLECT COMMENTS	11/10/13
15	REVISED TO REFLECT COMMENTS	12/10/13
16	REVISED TO REFLECT COMMENTS	01/10/14
17	REVISED TO REFLECT COMMENTS	02/10/14
18	REVISED TO REFLECT COMMENTS	03/10/14
19	REVISED TO REFLECT COMMENTS	04/10/14
20	REVISED TO REFLECT COMMENTS	05/10/14
21	REVISED TO REFLECT COMMENTS	06/10/14
22	REVISED TO REFLECT COMMENTS	07/10/14
23	REVISED TO REFLECT COMMENTS	08/10/14
24	REVISED TO REFLECT COMMENTS	09/10/14
25	REVISED TO REFLECT COMMENTS	10/10/14
26	REVISED TO REFLECT COMMENTS	11/10/14
27	REVISED TO REFLECT COMMENTS	12/10/14
28	REVISED TO REFLECT COMMENTS	01/10/15
29	REVISED TO REFLECT COMMENTS	02/10/15
30	REVISED TO REFLECT COMMENTS	03/10/15
31	REVISED TO REFLECT COMMENTS	04/10/15
32	REVISED TO REFLECT COMMENTS	05/10/15
33	REVISED TO REFLECT COMMENTS	06/10/15
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35	REVISED TO REFLECT COMMENTS	08/10/15
36	REVISED TO REFLECT COMMENTS	09/10/15
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39	REVISED TO REFLECT COMMENTS	12/10/15
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42	REVISED TO REFLECT COMMENTS	03/10/16
43	REVISED TO REFLECT COMMENTS	04/10/16
44	REVISED TO REFLECT COMMENTS	05/10/16
45	REVISED TO REFLECT COMMENTS	06/10/16
46	REVISED TO REFLECT COMMENTS	07/10/16
47	REVISED TO REFLECT COMMENTS	08/10/16
48	REVISED TO REFLECT COMMENTS	09/10/16
49	REVISED TO REFLECT COMMENTS	10/10/16
50	REVISED TO REFLECT COMMENTS	11/10/16
51	REVISED TO REFLECT COMMENTS	12/10/16
52	REVISED TO REFLECT COMMENTS	01/10/17
53	REVISED TO REFLECT COMMENTS	02/10/17
54	REVISED TO REFLECT COMMENTS	03/10/17
55	REVISED TO REFLECT COMMENTS	04/10/17
56	REVISED TO REFLECT COMMENTS	05/10/17
57	REVISED TO REFLECT COMMENTS	06/10/17
58	REVISED TO REFLECT COMMENTS	07/10/17
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78	REVISED TO REFLECT COMMENTS	03/10/19
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94	REVISED TO REFLECT COMMENTS	07/10/20
95	REVISED TO REFLECT COMMENTS	08/10/20
96	REVISED TO REFLECT COMMENTS	09/10/20
97	REVISED TO REFLECT COMMENTS	10/10/20
98	REVISED TO REFLECT COMMENTS	11/10/20
99	REVISED TO REFLECT COMMENTS	12/10/20
100	REVISED TO REFLECT COMMENTS	01/10/21



VICINITY MAP (NTS)



B 87 GUADALUPE PKWY OFF RAMP

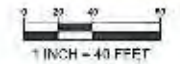
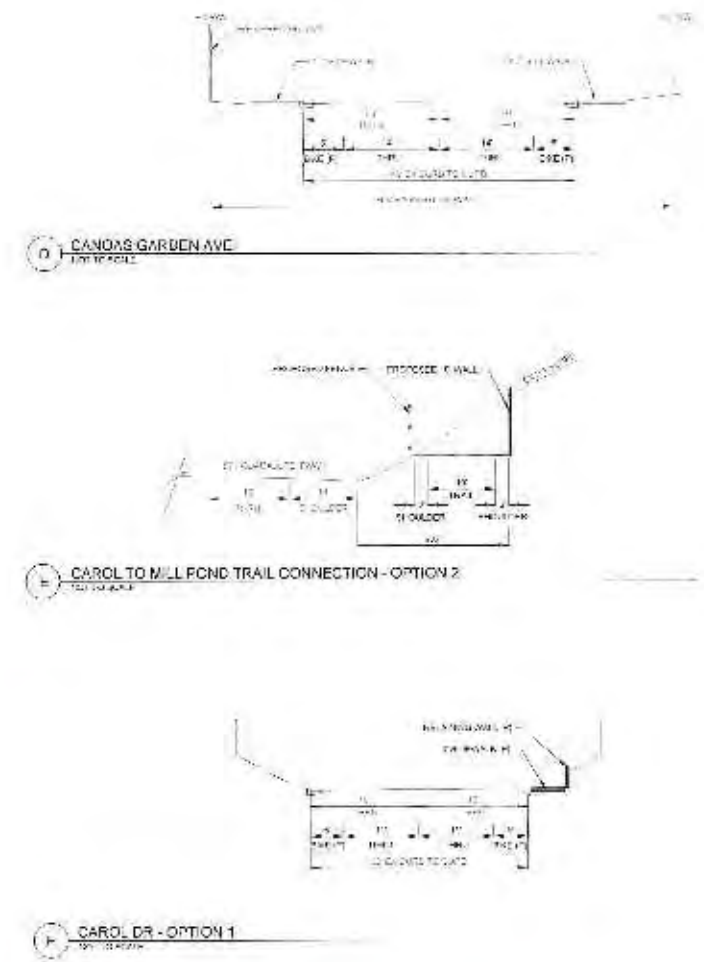


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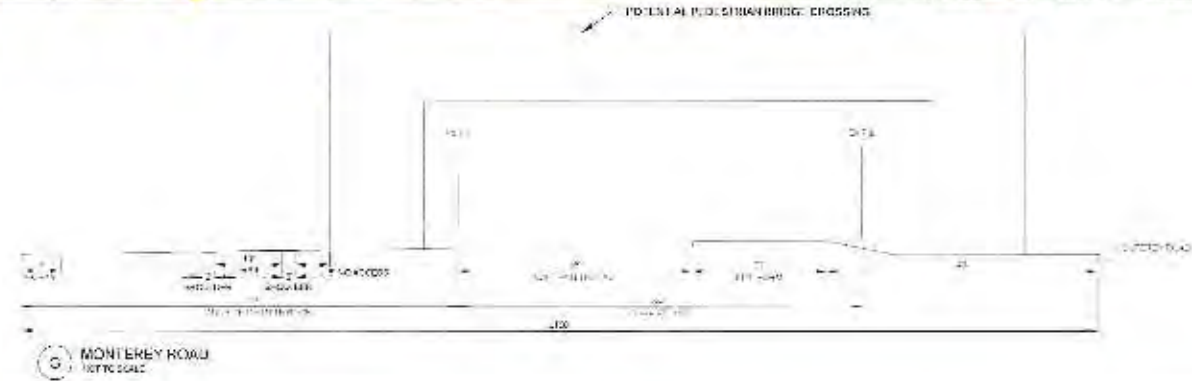
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8	REVISED	05/15/14	MM
9	REVISED	06/15/14	MM
10	REVISED	07/15/14	MM
11	REVISED	08/15/14	MM
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13	REVISED	10/15/14	MM
14	REVISED	11/15/14	MM
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17	REVISED	02/15/15	MM
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98	REVISED	11/15/21	MM
99	REVISED	12/15/21	MM
100	REVISED	01/15/22	MM



VICINITY MAP (NTS)



NO.	DESCRIPTION	DATE	BY
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48	FOR CITY COMMENTS	10/10/17	MM
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50	FOR CITY COMMENTS	12/10/17	MM





TRADITIONAL MEDITERRANEAN



TRANSITIONAL



CONTEMPORARY MODERN

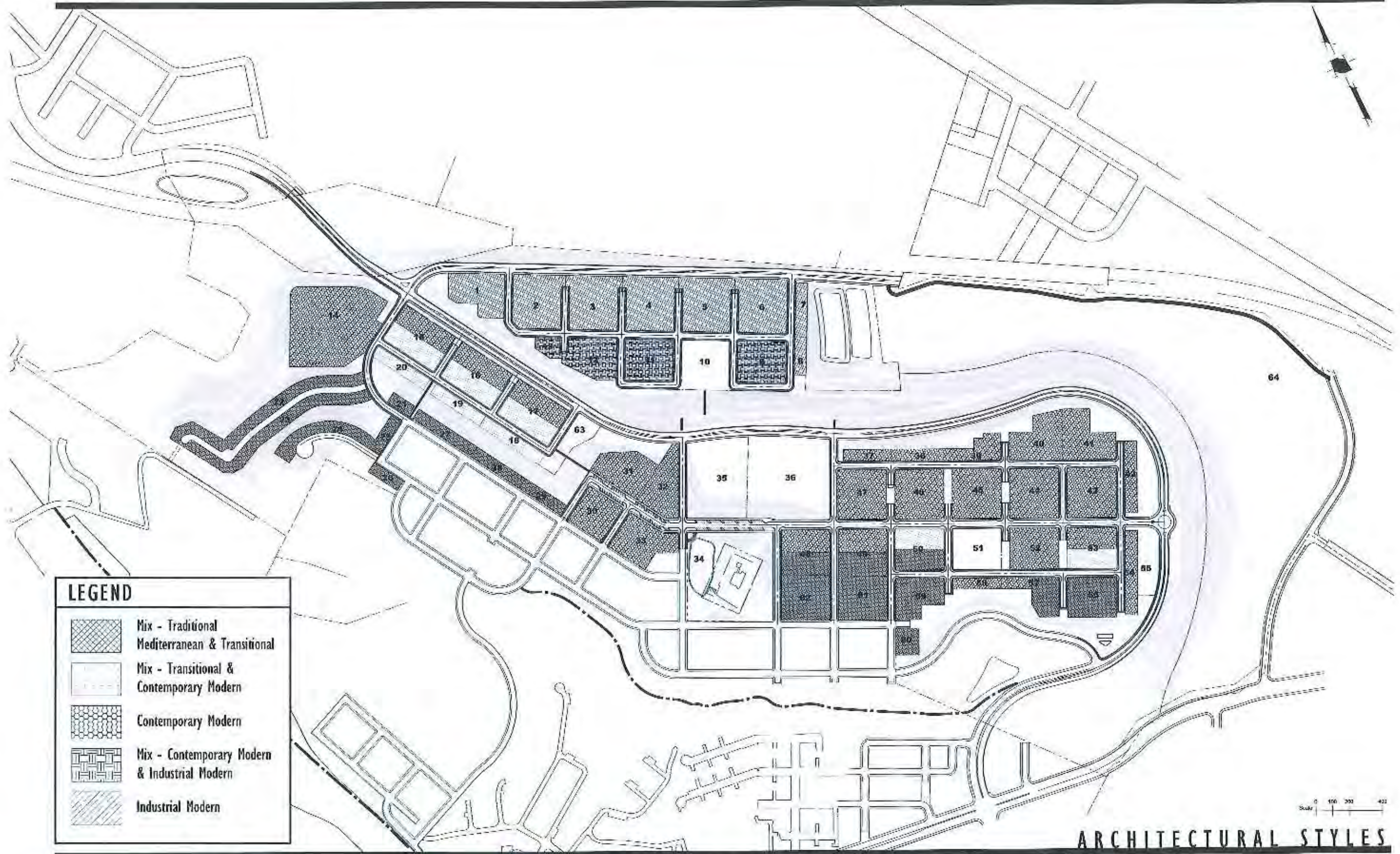


INDUSTRIAL MODERN

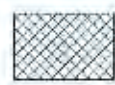

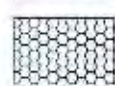


ARCHITECTURAL STYLES



NO. 1	PLANNING	INDUSTRIAL MODERN	10/20/11
NO. 2	PLANNING	CONTEMPORARY MODERN	10/20/11
NO. 3	PLANNING	TRADITIONAL MEDITERRANEAN	10/20/11
NO. 4	PLANNING	TRANSITIONAL	10/20/11
NO. 5	PLANNING	INDUSTRIAL MODERN	10/20/11
NO. 6	PLANNING	CONTEMPORARY MODERN	10/20/11
NO. 7	PLANNING	TRADITIONAL MEDITERRANEAN	10/20/11
NO. 8	PLANNING	TRANSITIONAL	10/20/11
NO. 9	PLANNING	INDUSTRIAL MODERN	10/20/11
NO. 10	PLANNING	CONTEMPORARY MODERN	10/20/11
NO. 11	PLANNING	TRADITIONAL MEDITERRANEAN	10/20/11
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NO. 13	PLANNING	INDUSTRIAL MODERN	10/20/11
NO. 14	PLANNING	CONTEMPORARY MODERN	10/20/11
NO. 15	PLANNING	TRADITIONAL MEDITERRANEAN	10/20/11
NO. 16	PLANNING	TRANSITIONAL	10/20/11
NO. 17	PLANNING	INDUSTRIAL MODERN	10/20/11
NO. 18	PLANNING	CONTEMPORARY MODERN	10/20/11
NO. 19	PLANNING	TRADITIONAL MEDITERRANEAN	10/20/11
NO. 20	PLANNING	TRANSITIONAL	10/20/11
NO. 21	PLANNING	INDUSTRIAL MODERN	10/20/11
NO. 22	PLANNING	CONTEMPORARY MODERN	10/20/11
NO. 23	PLANNING	TRADITIONAL MEDITERRANEAN	10/20/11
NO. 24	PLANNING	TRANSITIONAL	10/20/11
NO. 25	PLANNING	INDUSTRIAL MODERN	10/20/11
NO. 26	PLANNING	CONTEMPORARY MODERN	10/20/11
NO. 27	PLANNING	TRADITIONAL MEDITERRANEAN	10/20/11
NO. 28	PLANNING	TRANSITIONAL	10/20/11
NO. 29	PLANNING	INDUSTRIAL MODERN	10/20/11
NO. 30	PLANNING	CONTEMPORARY MODERN	10/20/11



LEGEND

-  Mix - Traditional Mediterranean & Transitional
-  Mix - Transitional & Contemporary Modern
-  Contemporary Modern
-  Mix - Contemporary Modern & Industrial Modern
-  Industrial Modern

Scale 0 100 200 400

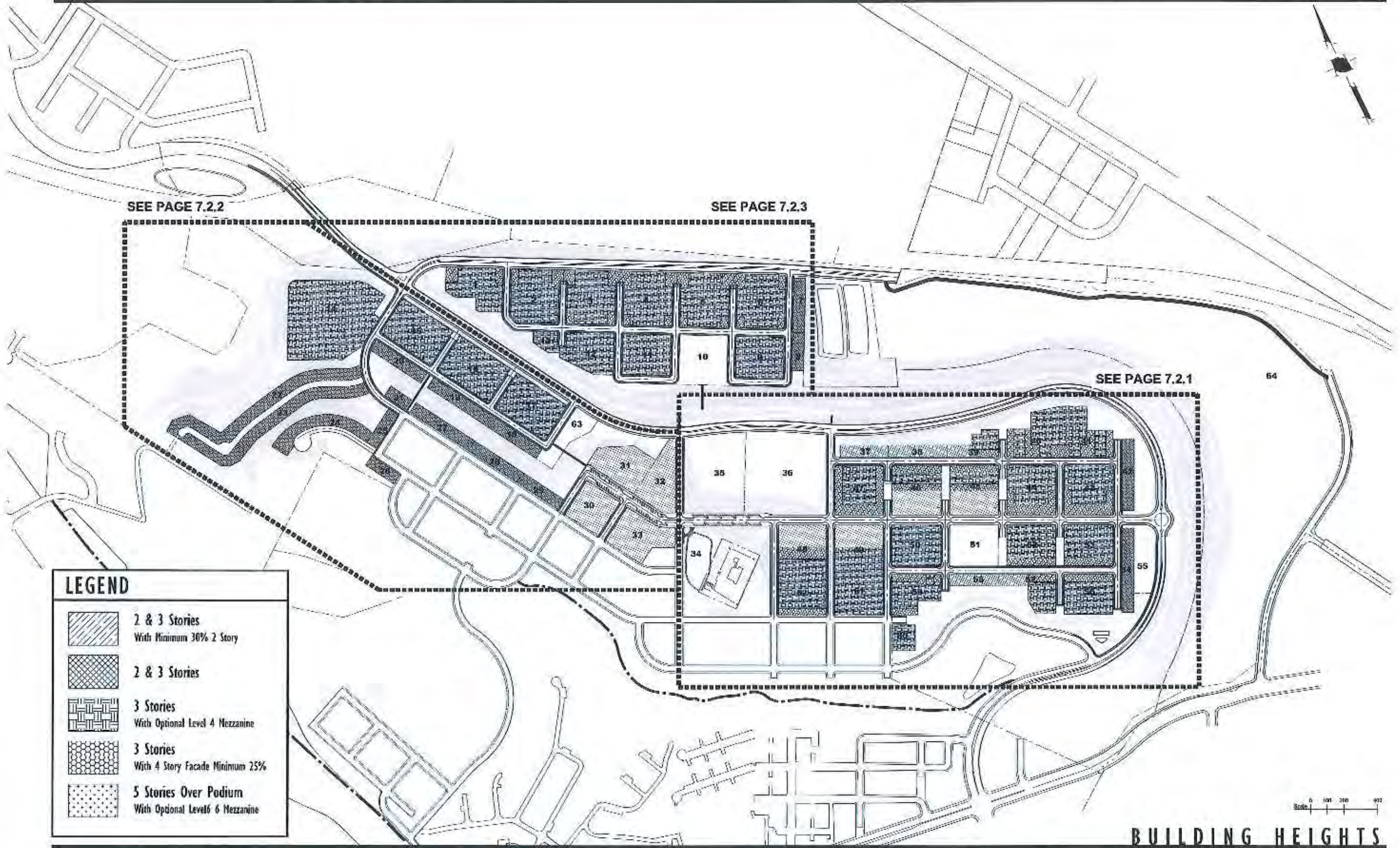
ARCHITECTURAL STYLES



GENERAL DEVELOPMENT PLAN - EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

PROJECT NO.	PDC13-009
PROJECT NAME	COMMUNICATIONS HILL
DATE	03/14/13
SCALE	AS SHOWN

KEY TO ARCHITECTURAL STYLES






SEE PAGE 7.2.2

SEE PAGE 7.2.3

SEE PAGE 7.2.1

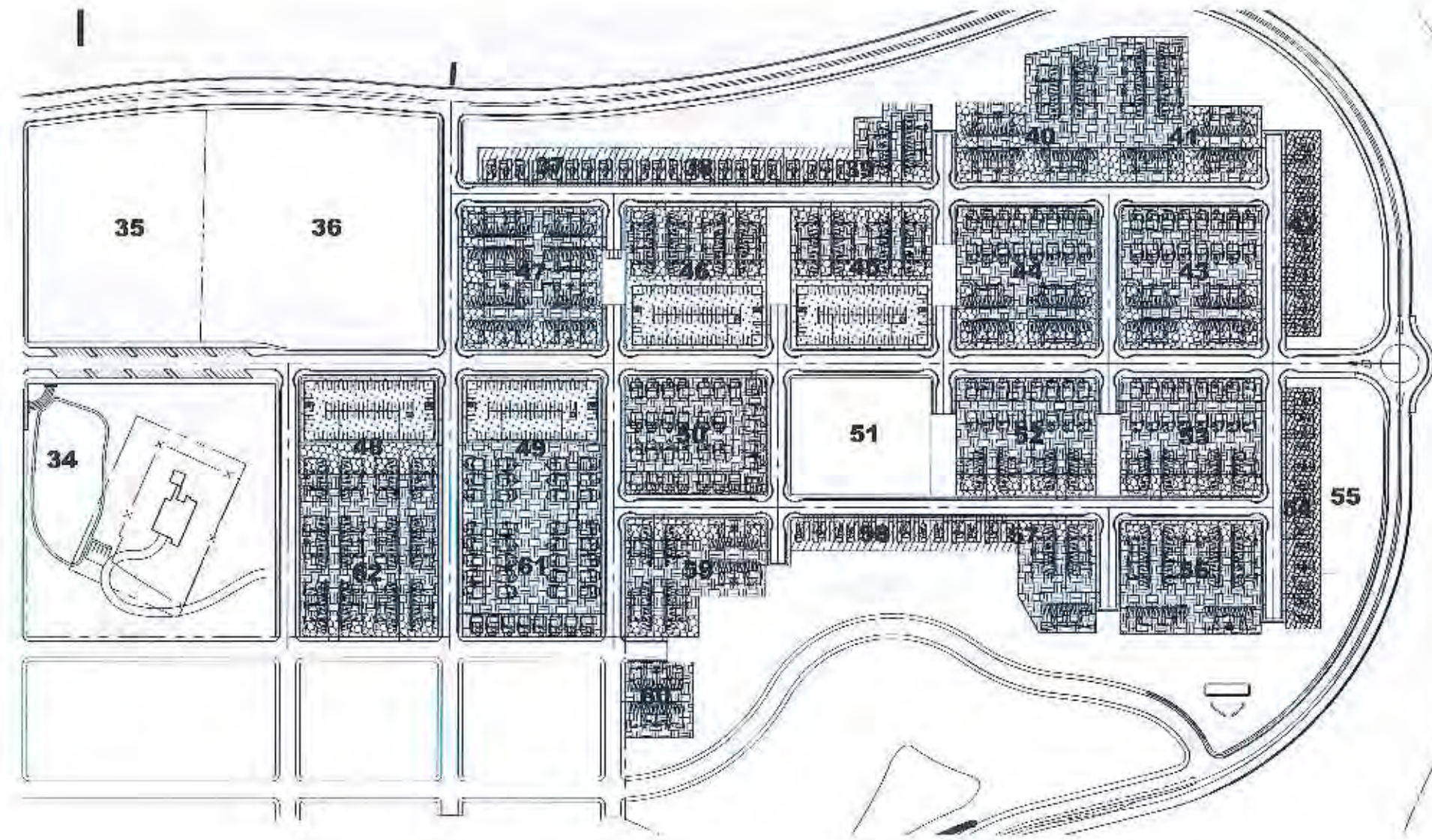
LEGEND

-  2 & 3 Stories
With Minimum 30% 2 Story
-  2 & 3 Stories
-  3 Stories
With Optional Level 4 Mezzanine
-  3 Stories
With 4 Story Facade Minimum 25%
-  5 Stories Over Podium
With Optional Level 6 Mezzanine

Scale 0 100 200 400

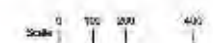
BUILDING HEIGHTS

NO.	DATE	BY	DESCRIPTION	PROJECT NO.	PROJECT TITLE
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2	02/02/11	MM	REVISIONS	PDC13-009	COMMUNICATIONS HILL
3	02/02/11	MM	REVISIONS	PDC13-009	COMMUNICATIONS HILL
4	02/02/11	MM	REVISIONS	PDC13-009	COMMUNICATIONS HILL
5	02/02/11	MM	REVISIONS	PDC13-009	COMMUNICATIONS HILL



LEGEND

	2 & 3 Stories With Minimum 30% 2 Story
	2 & 3 Stories
	3 Stories With Optional Level 4 Mezzanine
	3 Stories With 4 Story Facade Minimum 25%
	5 Stories Over Podium With Optional Levels 6 Mezzanine



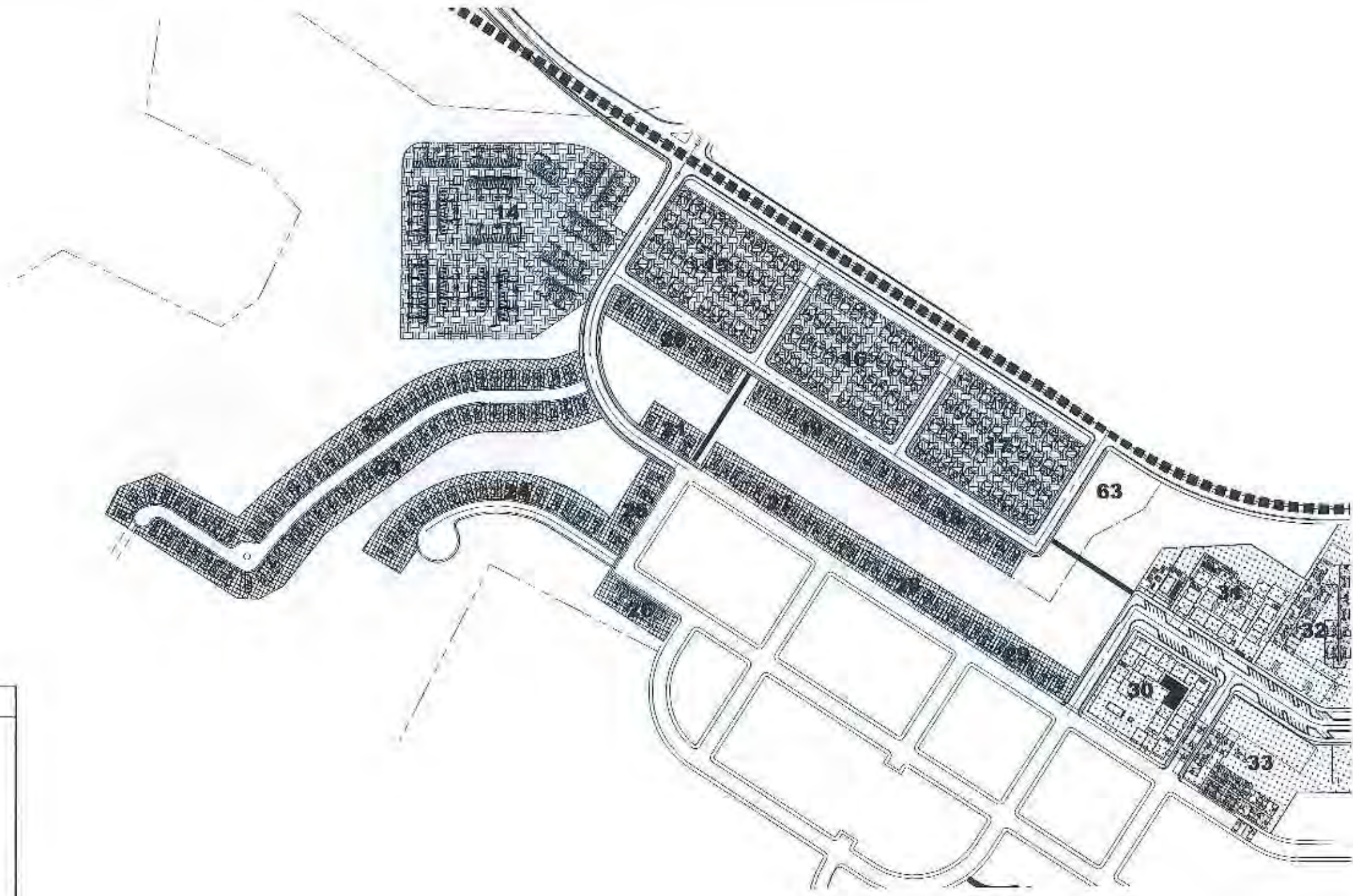
BUILDING HEIGHTS

BUILDING HEIGHTS DIAGRAM



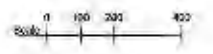
GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

NO.	DESCRIPTION	DATE	BY	CHECKED BY
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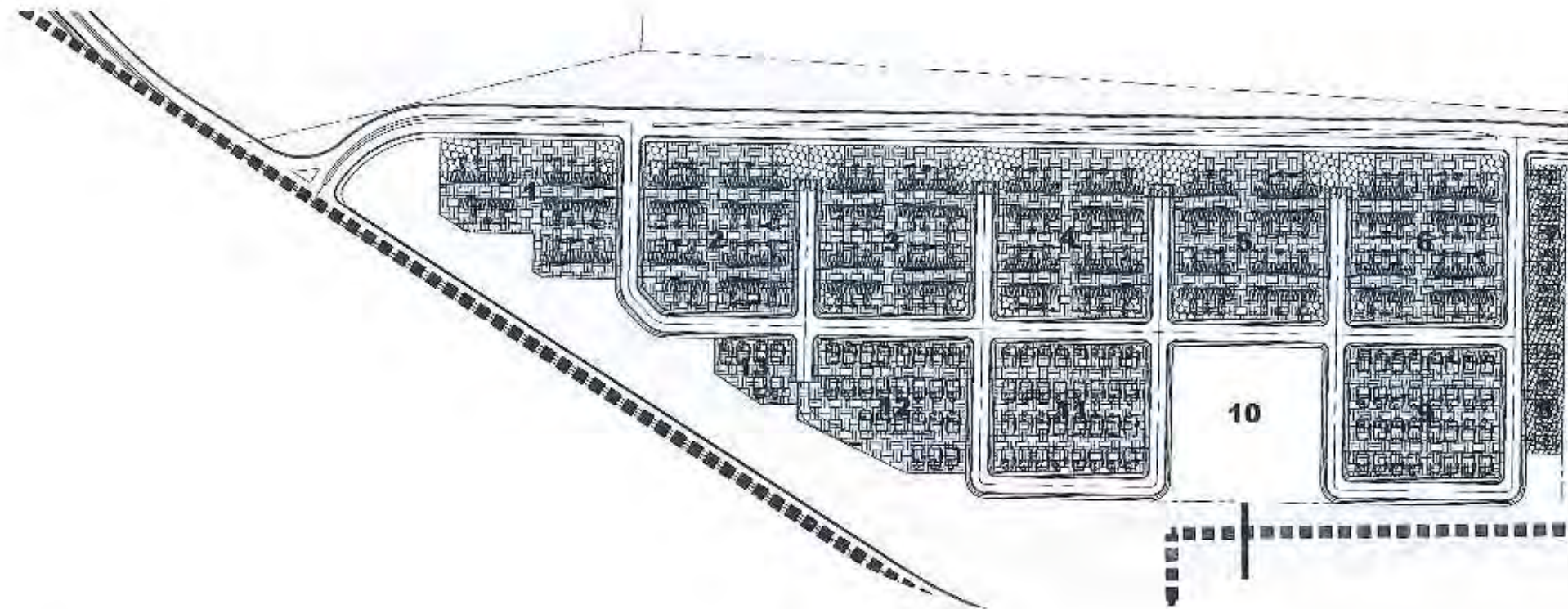
LEGEND

	2 & 3 Stories With Minimum 10% 2 Story
	2 & 3 Stories
	3 Stories With Optional Level 4 Mezzanine
	3 Stories With 4 Story Facade Minimum 25%
	5 Stories Over Podium With Optional Level 6 Mezzanine



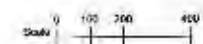
BUILDING HEIGHTS

NO.	DATE	DESCRIPTION	SCALE	BY	CHECKED BY	REVISION
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3	08/11/11	PER CITY COMMENTS	AS SHOWN
4	08/11/11	PER CITY COMMENTS	AS SHOWN
5	08/11/11	PER CITY COMMENTS	AS SHOWN



LEGEND

	2 & 3 Stories With Minimum 30% 2 Story
	2 & 3 Stories
	3 Stories With Optional Level 4 Mezzanine
	3 Stories With 4 Story Facade Minimum 25%
	5 Stories Over Podium With Optional Levels 6 Mezzanine



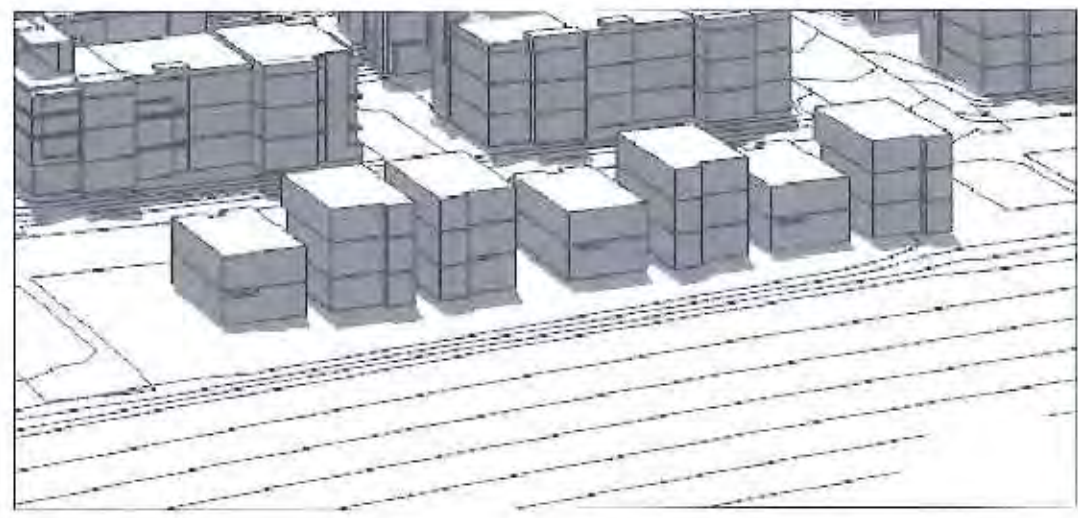
BUILDING HEIGHTS

BUILDING
HEIGHTS
DIAGRAM

PAGE 7.2.3

NO.	DATE	BY	PROJECT NO.	PROJECT TITLE
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3	02/01/11	...	PDC13-009	COMMUNICATIONS HILL
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5	02/01/11	...	PDC13-009	COMMUNICATIONS HILL

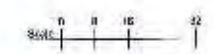
CONCEPTUAL MASSING
LOT 38



TYPICAL BLOCK
LOT 58



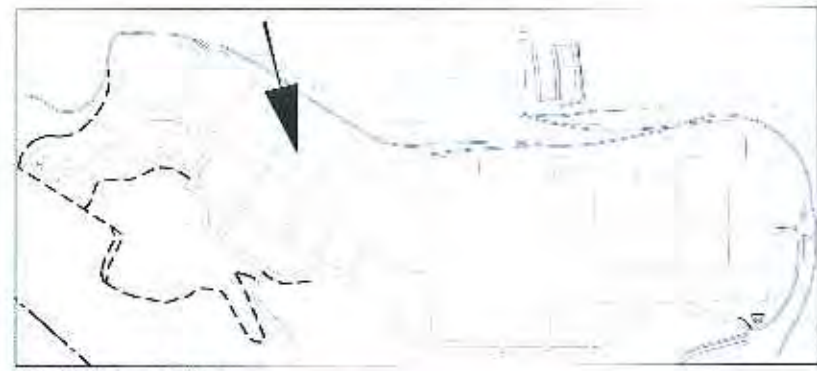
VIEWING ANGLE



ROWHOMES

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3	PER CITY COMMENTS	10/01/13	AS SHOWN
4	PER CITY COMMENTS	11/15/13	AS SHOWN
5	PER CITY COMMENTS	12/10/13	AS SHOWN

LOT 18 CONCEPTUAL PERSPECTIVE
Transitional &
Contemporary Modern Styles



VIEWING ANGLE

ROWHOMES

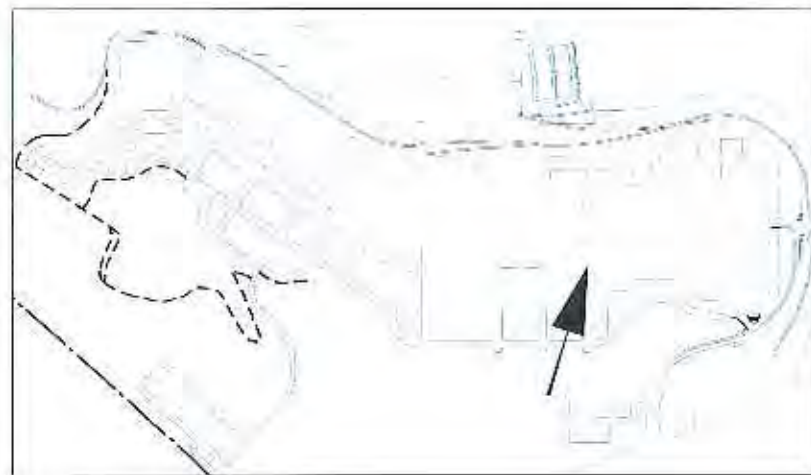
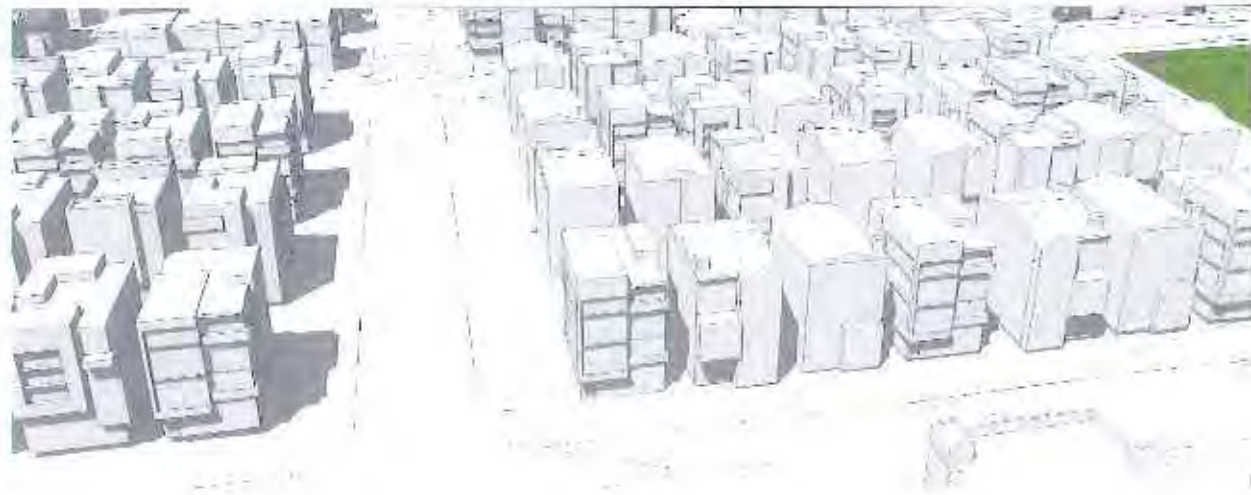


GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

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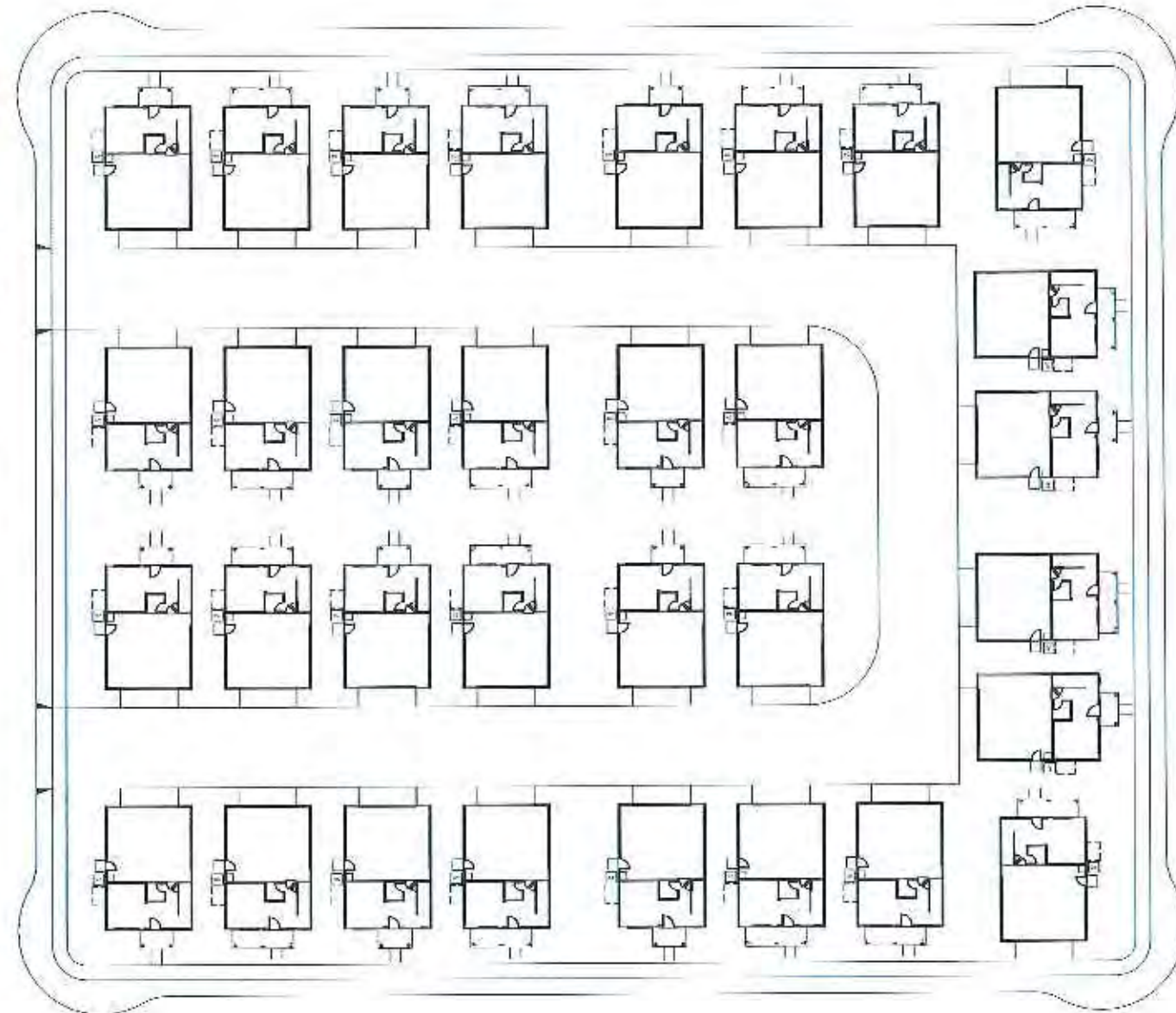
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ROWHOMES -
LOT 18 PERSPECTIVE

CONCEPTUAL MASSING
LOT 50



VIEWING ANGLE

TYPICAL BLOCK
LOT 50

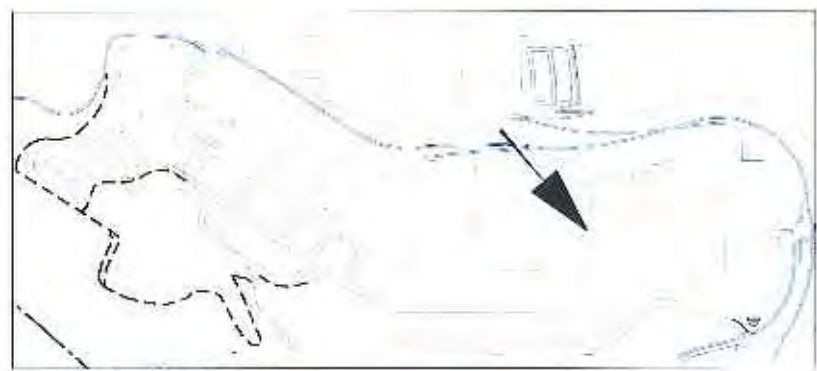


Scale 1" = 16' - 0"

DETACHED TOWNHOMES

DETACHED
TOWNHOMES -
TYPICAL BLOCK

LOT 50 CONCEPTUAL PERSPECTIVE
Traditional Mediterranean &
Transitional Styles



VIEWING ANGLE

DETACHED TOWNHOMES

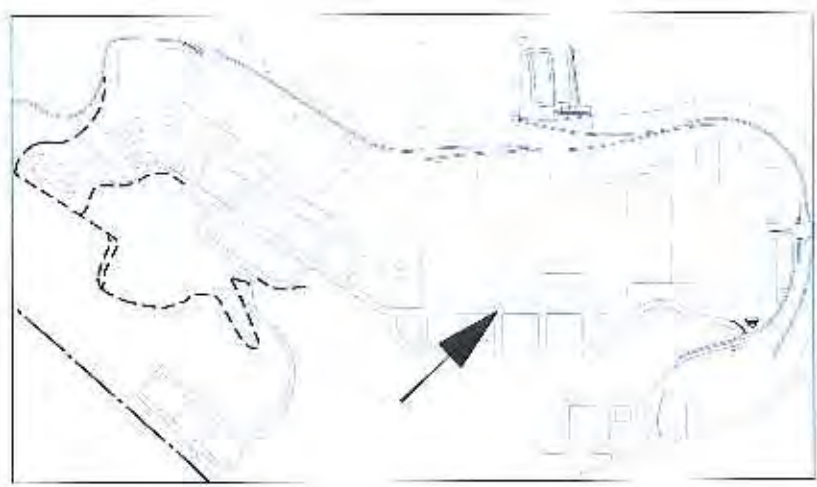
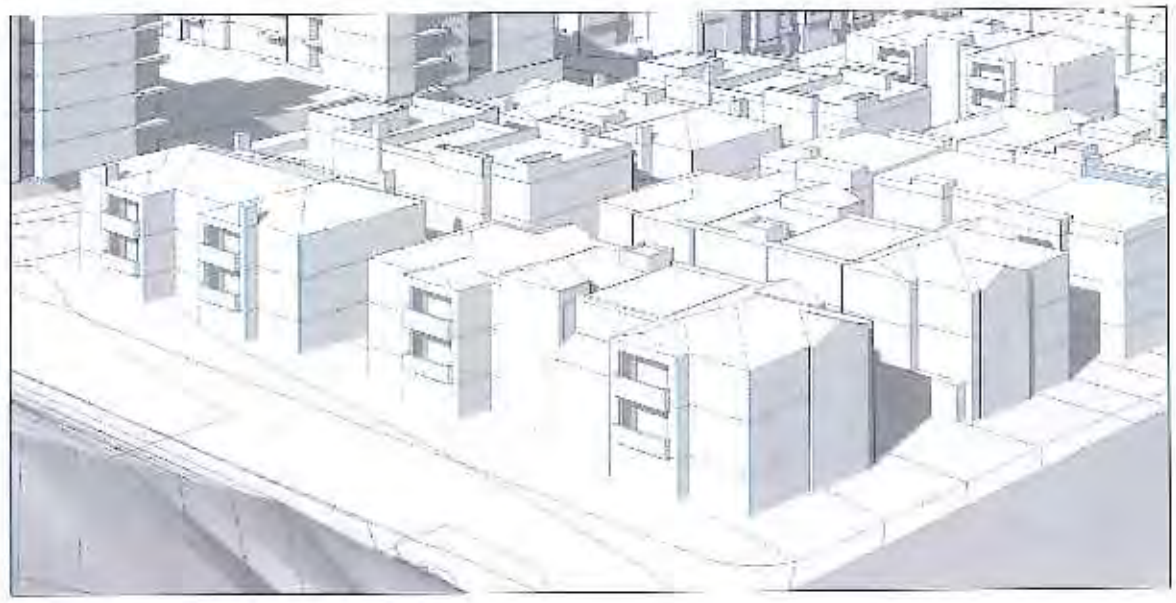


GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

PROJECT NO.	2014011
DATE	08/13/14
PROJECT NAME	COMMUNICATIONS HILL
CLIENT	KB HOME
DESIGNED BY	KTG
CHECKED BY	KTG
DATE	08/13/14
SCALE	NOT TO SCALE

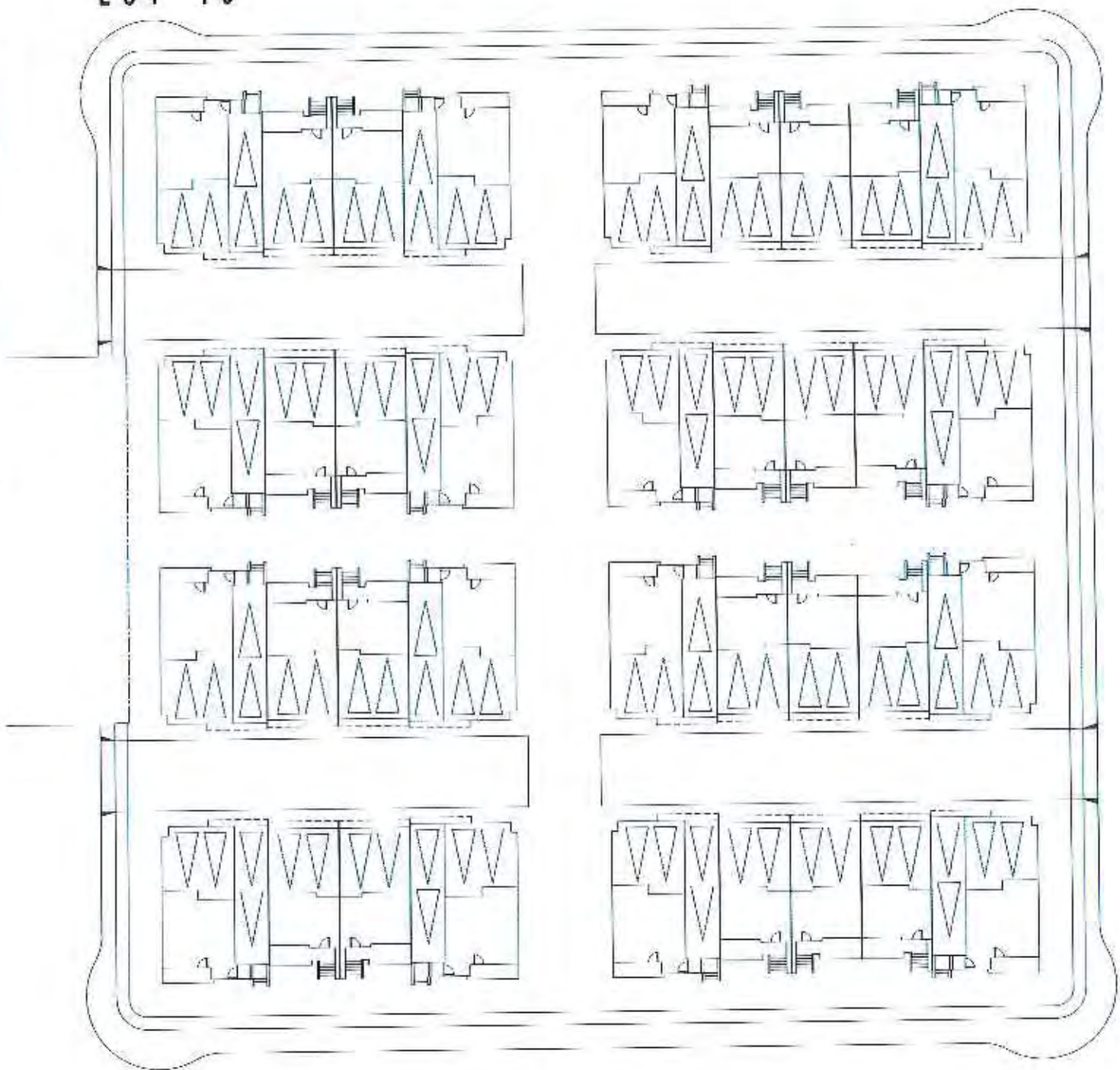
DETACHED TOWNHOMES -
LOT 50 PERSPECTIVE

CONCEPTUAL MASSING
LOT 62



VIEWING ANGLE

TYPICAL BLOCK
LOT 46



Scale 0 3 6 9 12

ATTACHED TOWNHOMES



GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

NO.	DESCRIPTION	DATE	BY
1	PRELIMINARY	11/15/12	AS
2	REVISED	12/10/12	AS
3	REVISED	01/10/13	AS
4	REVISED	02/10/13	AS
5	REVISED	03/10/13	AS
6	REVISED	04/10/13	AS
7	REVISED	05/10/13	AS
8	REVISED	06/10/13	AS
9	REVISED	07/10/13	AS
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15	REVISED	01/10/14	AS
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28	REVISED	02/10/15	AS
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97	REVISED	11/10/20	AS
98	REVISED	12/10/20	AS
99	REVISED	01/10/21	AS
100	REVISED	02/10/21	AS

ATTACHED TOWNHOMES -
TYPICAL BLOCK

LOT 46 CONCEPTUAL PERSPECTIVE
Contemporary Modern Style



VIEWING ANGLE

ATTACHED TOWNHOMES

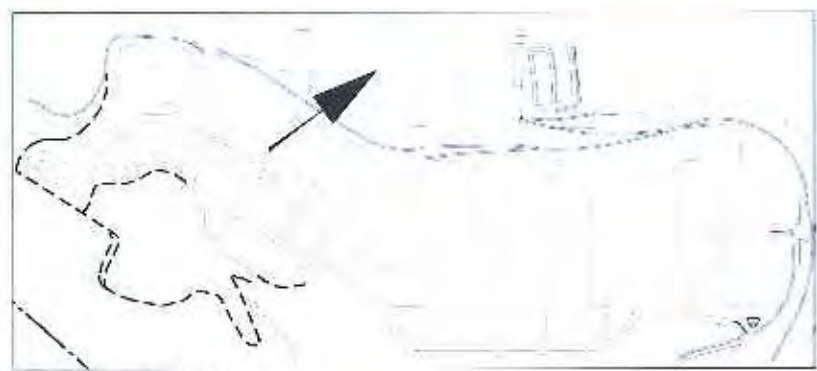


GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

NO.	DATE	DESCRIPTION	BY	APP. BY
1	01/20/11	PRELIMINARY	MM	MM
2	02/22/11	REVISED	MM	MM
3	03/22/11	REVISED	MM	MM
4	04/22/11	REVISED	MM	MM
5	05/22/11	REVISED	MM	MM
6	06/22/11	REVISED	MM	MM
7	07/22/11	REVISED	MM	MM
8	08/22/11	REVISED	MM	MM
9	09/22/11	REVISED	MM	MM
10	10/22/11	REVISED	MM	MM
11	11/22/11	REVISED	MM	MM
12	12/22/11	REVISED	MM	MM

ATTACHED
TOWNHOMES -
LOT 46 PERSPECTIVE

LOT 4 CONCEPTUAL PERSPECTIVE
Industrial Modern Style



VIEWING ANGLE

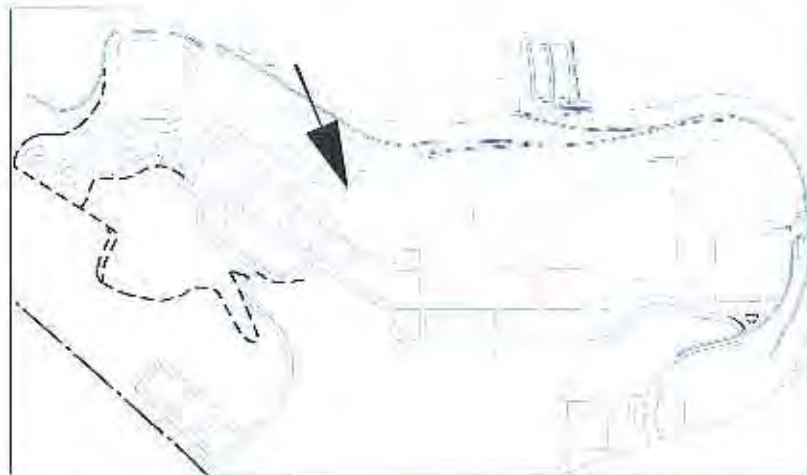
ATTACHED TOWNHOMES

GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

NO.	REVISION	DESCRIPTION	DATE
1	ISSUED FOR PERMITS		01/14/14
2	REVISED PERMITS		01/14/14
3	REVISED PERMITS		01/14/14
4	REVISED PERMITS		01/14/14
5	REVISED PERMITS		01/14/14
6	REVISED PERMITS		01/14/14
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8	REVISED PERMITS		01/14/14
9	REVISED PERMITS		01/14/14
10	REVISED PERMITS		01/14/14

ATTACHED TOWNHOMES -
LOT 4 PERSPECTIVE

CONCEPTUAL MASSING
LOT 30

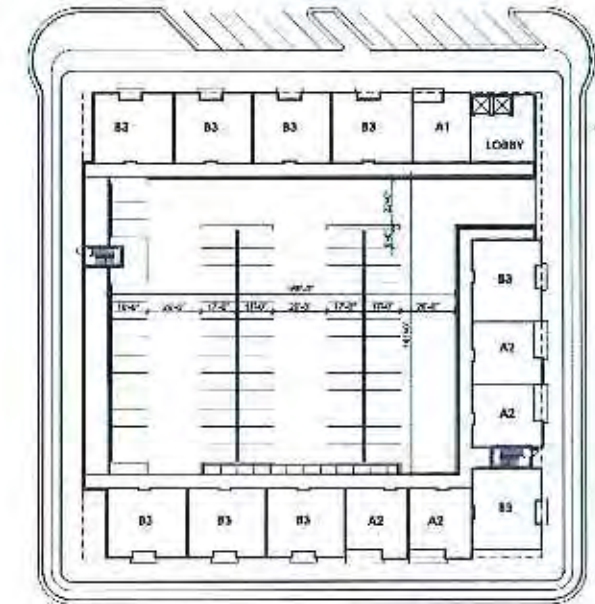


VIEWING ANGLE

TYPICAL BLOCK
LOT 30 (117 units)



TYPICAL PLAN



GARAGE PLAN - LEVEL G1

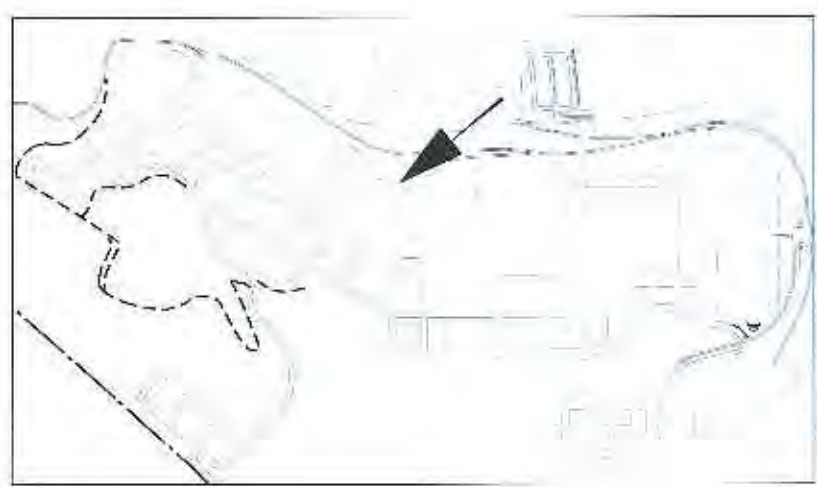
110'	110'	110'	110'	140'	ELEV. LOBBY
110'	110'	110'	110'	140'	ELEV. LOBBY
110'	110'	110'	110'	140'	ELEV. LOBBY
110'	110'	110'	110'	140'	ELEV. LOBBY
110'	110'	110'	110'	140'	ELEV. LOBBY
110'	110'	110'	110'	140'	ELEV. LOBBY
110'	110'	110'	110'	140'	ENTRY LOBBY
GARAGE					

BUILDING SECTION A

PODIUM STACKED FLATS

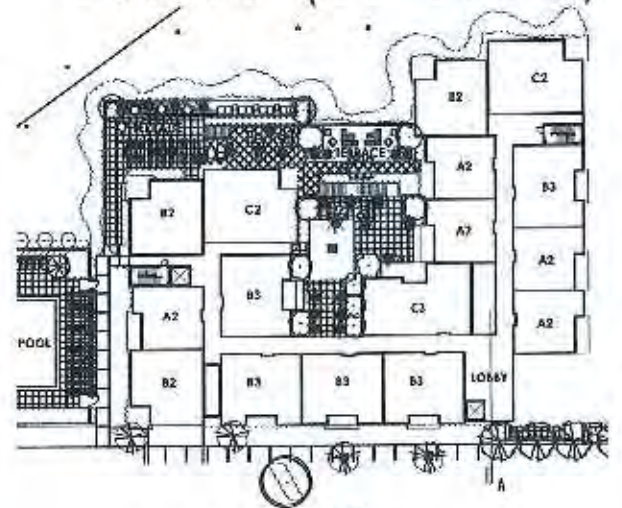
Scale: 0 10 20 40'

CONCEPTUAL MASSING
LOT 31

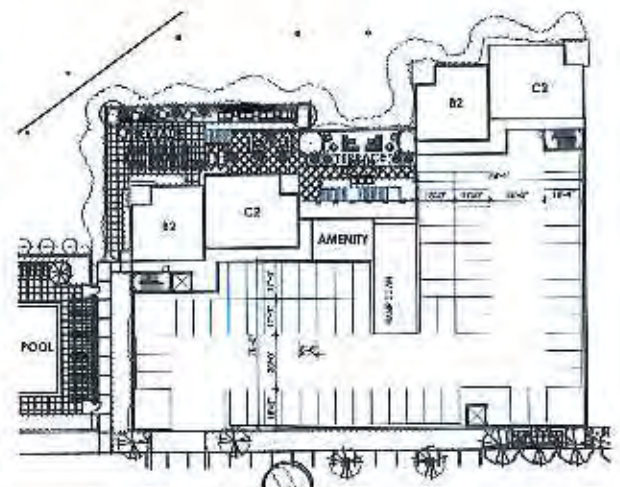


VIEWING ANGLE

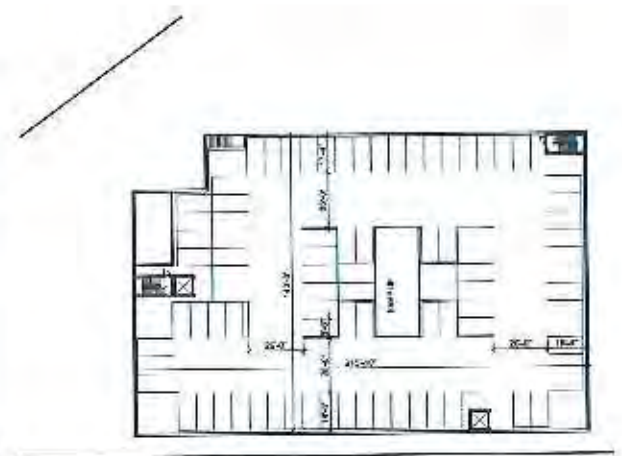
TYPICAL BLOCK
LOT 31 (82 UNITS)



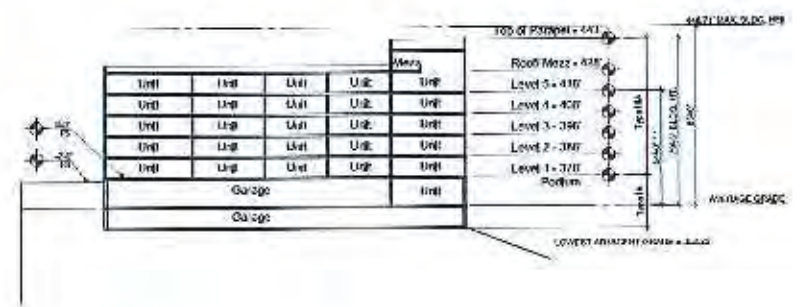
TYPICAL PLAN



GARAGE PLAN - LEVEL G1



GARAGE PLAN - LEVEL G2



BUILDING SECTION A



PODIUM STACKED FLATS



GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

NO.	DESCRIPTION	DATE
1	PRELIMINARY	01/11/11
2	FOR CITY COMMENTS	02/22/11
3	FOR CITY COMMENTS	03/02/11
4	FOR CITY COMMENTS	03/02/11
5	FOR CITY COMMENTS	03/02/11
6	FOR CITY COMMENTS	03/02/11

PODIUM
STACKED FLATS -
TYPICAL BLOCK

LOT 31 CONCEPTUAL PERSPECTIVE
Contemporary Modern Style



PODIUM STACKED FLATS

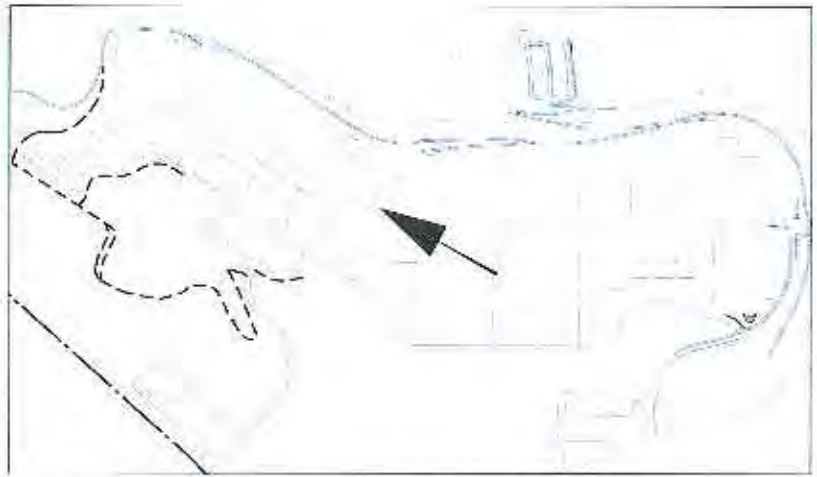
PROJECT NO.	3019401
DATE	08/14/2013
PROJECT NAME	COMMUNICATIONS HILL
PROJECT ADDRESS	10000 N. SAN JOSE AVENUE
PROJECT CITY	SAN JOSE, CA 95131
PROJECT COUNTY	SAN JOSE COUNTY
PROJECT STATE	CALIFORNIA
PROJECT ZIP	95131
PROJECT ELEVATION	AS SHOWN



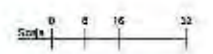
CONCEPTUAL STREETSCENE
LOT 30



CONCEPTUAL STREETSCENE
LOT 31



VIEWING ANGLE

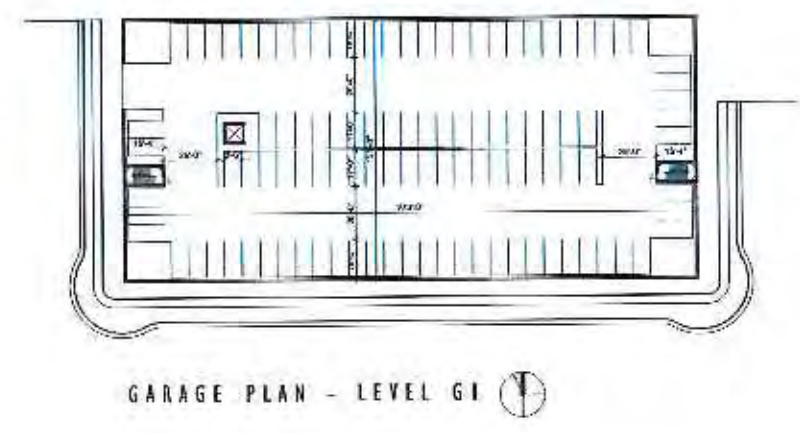
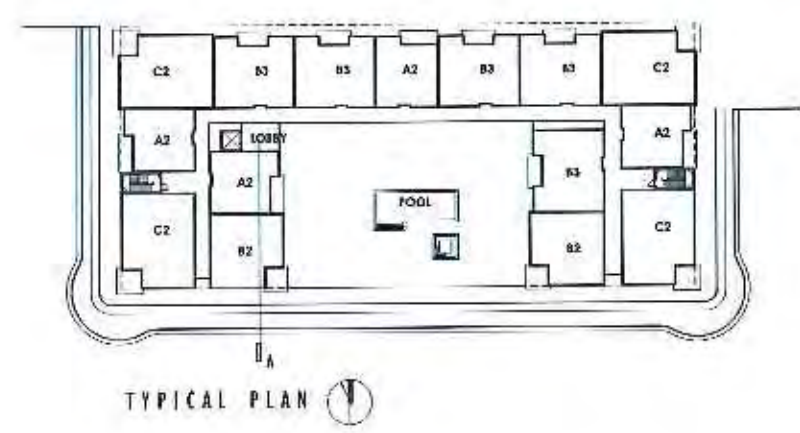


PODIUM STACKED FLATS

CONCEPTUAL MASSING
LOT 45



TYPICAL BLOCK
LOT 45 (73 units)



VIEWING ANGLE



Scale 0 10 20 40

PODIUM STACKED FLATS

LOT 45 CONCEPTUAL PERSPECTIVE
Contemporary Modern Style



PODIUM STACKED FLATS

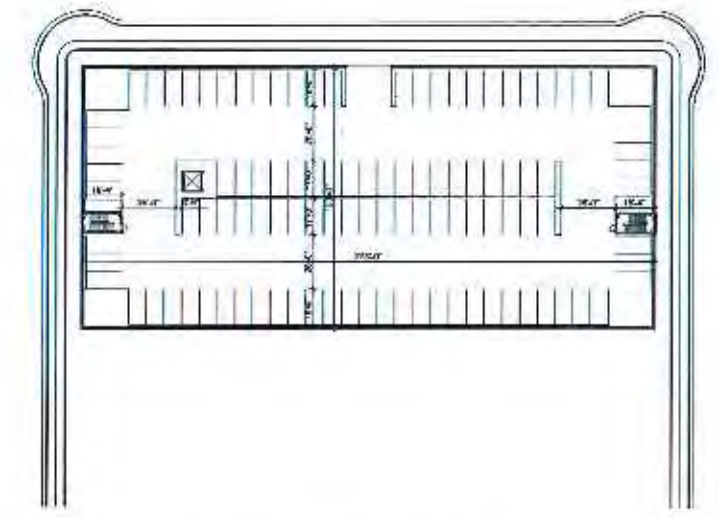
CONCEPTUAL MASSING
LOT 48



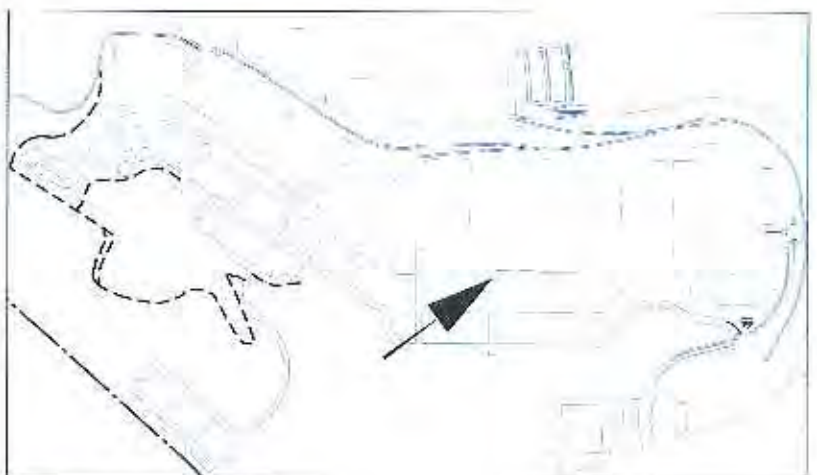
TYPICAL BLOCK
LOT 48 (73 units)



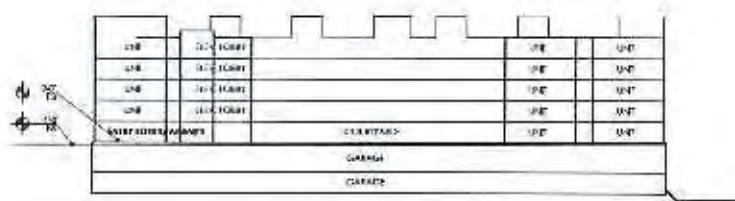
TYPICAL PLAN



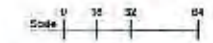
GARAGE PLAN - LEVEL G1



VIEWING ANGLE



BUILDING SECTION A



PODIUM STACKED FLATS



GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

NO.	DATE	DESCRIPTION	SCALE	DESIGNED BY	DRAWN BY
1	10/20/11	PRELIMINARY	AS SHOWN	PHILIP LARSEN	PHILIP LARSEN
2	11/02/11	PER CITY COMMENTS	AS SHOWN	PHILIP LARSEN	PHILIP LARSEN
3	11/02/11	PER CITY COMMENTS	AS SHOWN	PHILIP LARSEN	PHILIP LARSEN
4	11/02/11	PER CITY COMMENTS	AS SHOWN	PHILIP LARSEN	PHILIP LARSEN
5	04/11	ENCLOSURE	SCALE	AS SHOWN	AS SHOWN

PODIUM
STACKED FLATS -
TYPICAL BLOCK



CONCEPTUAL RENDERING



GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

NO.	REVISION	DATE	BY	APP'D
1	ISSUED FOR PERMITTING	08/14/13	MM	MM
2	REVISED TO REFLECT COMMENTS	08/28/13	MM	MM
3	REVISED TO REFLECT COMMENTS	09/10/13	MM	MM
4	REVISED TO REFLECT COMMENTS	09/10/13	MM	MM
5	REVISED TO REFLECT COMMENTS	09/10/13	MM	MM
6	REVISED TO REFLECT COMMENTS	09/10/13	MM	MM
7	REVISED TO REFLECT COMMENTS	09/10/13	MM	MM
8	REVISED TO REFLECT COMMENTS	09/10/13	MM	MM
9	REVISED TO REFLECT COMMENTS	09/10/13	MM	MM
10	REVISED TO REFLECT COMMENTS	09/10/13	MM	MM

RETAIL VILLAGE
LOTS 32 & 33



CONCEPTUAL RENDERING



GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

NO.	REVISION	DATE	BY	CHKD.	DESCRIPTION
1					PRELIMINARY
2					CONCEPTUAL
3					CONCEPTUAL
4					CONCEPTUAL
5					CONCEPTUAL
6					CONCEPTUAL
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25					CONCEPTUAL
26					CONCEPTUAL
27					CONCEPTUAL
28					CONCEPTUAL
29					CONCEPTUAL
30					CONCEPTUAL

HILLSIDE VIEW
LOT 31



CONCEPTUAL RENDERING



GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

NO.	DATE	DESCRIPTION	BY	APPROVED BY
1	01/15/13	PRELIMINARY CONCEPT	DAHLIN	DAHLIN
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100	04/15/21	PRELIMINARY CONCEPT	DAHLIN	DAHLIN

PARK VIEW
LOT 63



CONCEPTUAL RENDERING



GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

NO.	DESCRIPTION	DATE	BY	APP. BY
1	PRELIMINARY	01/15/13	...	...
2	REVISED	02/15/13	...	...
3	REVISED	03/15/13	...	...
4	REVISED	04/15/13	...	...
5	REVISED	05/15/13	...	...
6	REVISED	06/15/13	...	...
7	REVISED	07/15/13	...	...
8	REVISED	08/15/13	...	...
9	REVISED	09/15/13	...	...
10	REVISED	10/15/13	...	...
11	REVISED	11/15/13	...	...
12	REVISED	12/15/13	...	...

MAIN STREET VIEW
LOT 44



EAST ELEVATION - MAIN STREET



NORTH ELEVATION - CASSELINO DRIVE



WEST ELEVATION - ALTINO BLVD.



GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC -
COMMUNICATIONS HILL

PROJECT NO.	127131
CAD/PAGE NO.	073
DATE	03/11/11
SCALE	AS SHOWN
DATE	03/11/11
SCALE	AS SHOWN

BLOCK 33
VILLAGE CENTER
ELEVATIONS



WEST ELEVATION - MAIN STREET



SOUTH ELEVATION - ST. FLORIAN WAY



GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC -
COMMUNICATIONS HILL

PROJECT NO.	161-217
DATE REVISED	2005
DESIGNED BY	XXX
DRAWN BY	XXX
CHECKED BY	12/11/11
DATE	05/11
SCALE	AS SHOWN

BLOCK 32
VILLAGE CENTER
ELEVATIONS



LEGEND

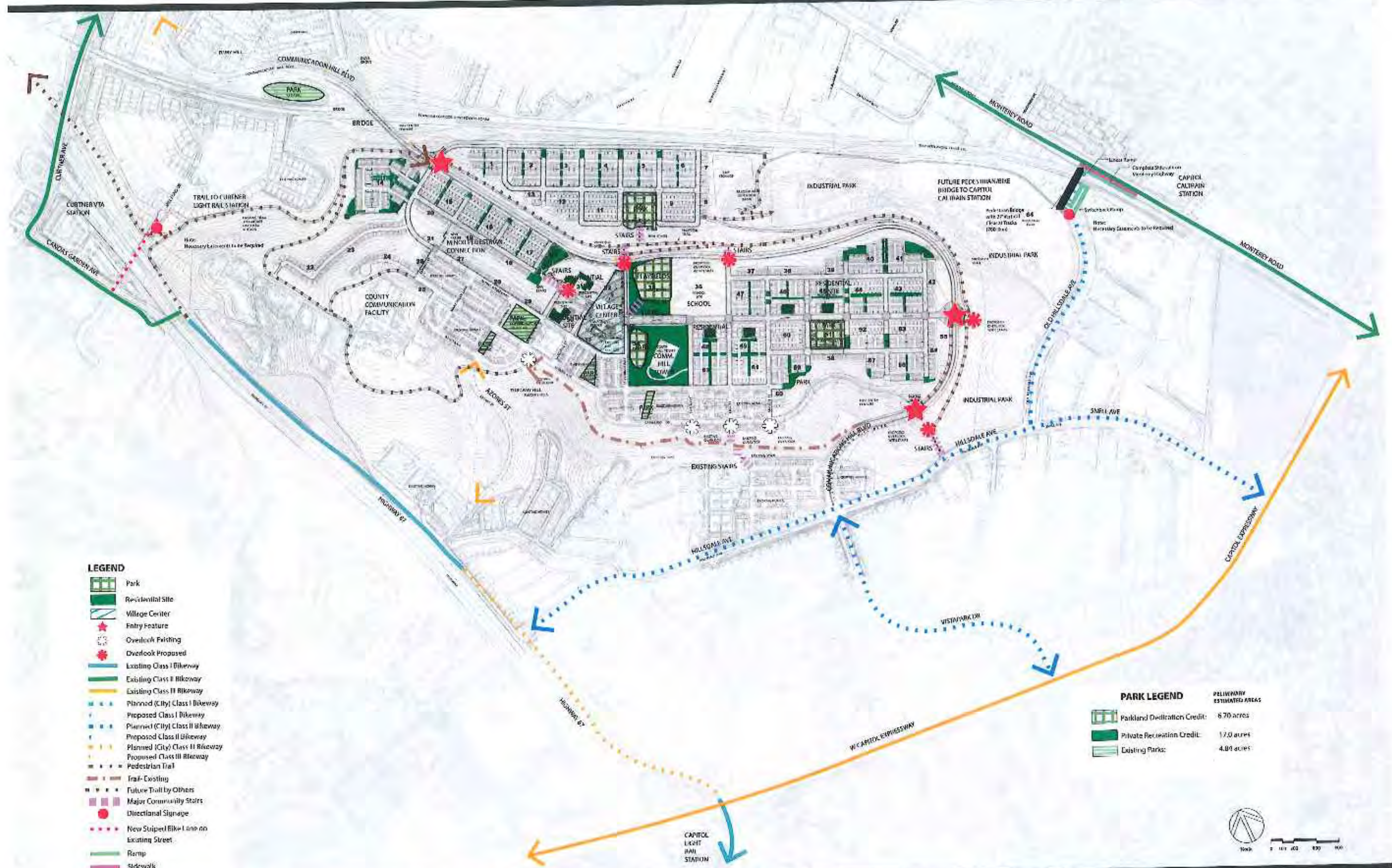
- ROAD DESIGN PROPOSALS
- PARK AND RECREATION
- STREETS AND OPEN SPACE
- UTILITY AND INFRASTRUCTURE



GENERAL DEVELOPMENT PLAN - EXHIBIT C
PDC13-009
COMMUNICATIONS HILL

DATE	DESCRIPTION	BY	CHKD
07/20/09	Design Review	JAN	JAN
10/20/09	Revisions	JAN	JAN
01/20/10	Per City Council	JAN	JAN
01/20/10	Per City Council	JAN	JAN

Conceptual Landscape Masterplan L1.1



LEGEND

- Park
- Residential Site
- Village Center
- Entry feature
- Overlook Existing
- Overlook Proposed
- Existing Class I Bikeway
- Existing Class II Bikeway
- Existing Class III Bikeway
- Planned (City) Class I Bikeway
- Proposed Class I Bikeway
- Planned (City) Class II Bikeway
- Proposed Class II Bikeway
- Planned (City) Class III Bikeway
- Proposed Class III Bikeway
- Pedestrian Trail
- Trail Existing
- Future Trail by Others
- Major Community Stars
- Directional Signage
- New Striped Bike Lane on Existing Street
- Ramp
- Sidewalk

PARK LEGEND

	PRELIMINARY ESTIMATED AREAS
Parkland Dedication Credit	6.70 acres
Private Recreation Credit	17.0 acres
Existing Parks	4.89 acres



**GENERAL DEVELOPMENT PLAN -
EXHIBIT C
PDC13-009
COMMUNICATIONS HILL**

PROJECT NO.	311
CALLING #	860
DATE	2/1/11
DESIGNED BY	2/1/11
CHECKED BY	2/1/11
DATE	2/1/11
SCALE	1"=300'

Conceptual Landscape Amenities Plan L1.2

**The following
items were
received after
packets were
distributed.**



Memorandum

TO: PLANNING COMMISSION

FROM: Harry Freitas

SUBJECT: COMMUNICATIONS HILL

DATE: September 10, 2014

COUNCIL DISTRICT: 7

SUPPLEMENTAL MEMO

RECOMMENDATION

- (a) For Item No. 7.a (File GP13-002) on the Planning Commission Agenda, accept a revised staff recommendation to “Consider the Communications Hill 2 Project Subsequent EIR in accordance with CEQA. Recommend to the City Council approval of the General Plan and Communications Hill Specific Plan Text Amendments, and the Communications Hill Specific Plan Area Development Policy.”
- (b) For Item No. 4.a.2 (File PDC13-009) on the Planning Commission Agenda, include an additional condition of approval related to the County Communications Center as set forth in this supplemental memo.

ANALYSIS

Based on further consideration by staff and questions and comments received, staff has determined there is a need to clarify that the proposed project includes text amendments to the Communications Hill Specific Plan (CHSP) document, as previously amended.

Relationship of CHSP with 2040

In accordance with Chapter 5 of the Envision San José 2040 General Plan the CHSP is incorporated into the General Plan by reference. The 2040 Land Use/Transportation Diagram designations and applicable General Plan policies regulate the land uses and development within the CHSP Area in the same manner as citywide, excepting the additional, supplemental land use policies that are specified in the Specific Plan.

The CHSP was originally written and adopted when the Horizon 2000 General Plan for San José was in effect. Since CHSP adoption in 1992, the specific plan has been amended no less than six times in addition to any changes made as part of the 2020 and 2040 General Plan updates.

In order to find the proposed project in conformance with the CHSP, the attached CHSP text amendments are required in addition to the Envision 2040 Land Use/Transportation Diagram

designation amendments as previously discuss. The CHSP requires that amendments to the specific plan can only be considered during the Annual Review process of the General Plan.

Additional Planned Development Zoning Conditions

As a result of discussions with the County of Santa Clara Communications Center, staff is proposing the following additional condition be incorporated as part of the Planned Development Zoning PDC13-009.

Communications Facility Transmission Interference

In order to avoid the project causing interference with the County Communications Center operation, the following conditions shall apply consistent with the Final EIR for the adoption of the Communications Hill Specific Plan, File No. PP91-312. These height limits shall take precedence over any other applicable development height standards or regulations.

1. *Future residential and commercial development under the Specific Plan shall be setback a minimum of 200 feet from the County Communications Center transmission facilities.*
2. *A minimum clearance of no less than 30 vertical feet shall be maintained between project structures and microwave transmission beams.*
3. *The height of any and all structures shall be limited so as not to interfere with County Communications Center transmission beams.*
4. *All Planned Development permit applications shall be referred to County Communications for their review and comment on the height and location of proposed structures.*
5. *If necessary, appropriate technical studies will be required prior to the issuance of Planned Development permits to demonstrate the proposed structures will not adversely impact communications operations to the satisfaction of the Director of Planning.*

COORDINATION

City Attorney's Office



HARRY FREITAS, DIRECTOR
Planning, Building and Code Enforcement

Attachments: Communications Hill Specific Plan Text Amendments

PROPOSED COMMUNICATIONS HILL SPECIFIC PLAN TEXT AMENDMENTS

September 10, 2014

Residential Text Changes

Amend the Communications Hill Specific Plan; Chapter 3, "The Plan", Section 3.2.b Multi-Family Housing as follows:

Page 58, paragraph 2: ... The Specific Plan permits up to 4,900 units for all residential development and requires a density of at least ~~24~~ 26.5 units per net developed acre on ~~each block~~ the entire project. Lower or higher densities may be permitted on individual sites within a block provided that the ~~block~~ project average remains at a minimum of ~~24~~ 26.5 units per acre and a maximum of 50 units per acre....

Page 58, add new paragraph 4: An additional garage door exception is allowed along the outlying edges of the gridiron street network next to steep slopes where there is not ample space for buildings with a deep footprint. Several units may be allowed to have individual garage doors facing the street, if there is ample living area placed alongside the garages. The intent is to avoid the unwanted appearance of long unbroken lengths of garage doors. This exception is not allowed on major streets. It will only be used in moderation where grading conditions make it impractical to serve such units with rear loaded alleys. In no case will such units be allowed on both sides of the same street except for curvilinear cul-de-sacs at the northwest end of the site.

Industrial Text Changes

Amend the Communications Hill Specific Plan; Chapter 3, "The Plan", Section 3.2.e Industrial/Commercial & Heavy Industrial as follows:

Page 68, paragraph 8: ~~The extension of Pullman Way to the west provides an entry to Communications Hill from Monterey Road and provides a direct link to downtown.~~

Page 69, paragraph 1: ~~The extension of Pullman Way under the railroad right-of-way to the west makes it possible to develop the flatlands of the existing quarry site is not feasible due to physical design (land acquisition, excavation and geotechnical retaining systems) and economic constraints. The Plan proposes heavy industrial park use for the portion to the north and combined industrial/commercial use for the portion to the south of the site along the railroad tracks. The proposed CalTrain maintenance facility would be located within the heavy industrial area. Access to these areas is provided by a road which extends northwesterly from the Hillcap Road/Pullman Way intersection and that extends southeasterly from Communications Hill Blvd. terminates in a ring of columnar trees which serve as a landmark and a vehicular turn around. This access road provides a physical boundary between new development and the undeveloped grassy slopes.~~

Page 69, paragraph 5: Building Height & Massing, Buildings are limited to ~~two~~ four stories in height.

Village Center Text Changes

Amend the Communications Hill Specific Plan; Chapter 3, "The Plan", Section 3.2.c Retail & Commercial as follows:

Page 65, paragraph 4: Building Height & Massing, Building height is limited to ~~two~~ three stories of a mix of housing, restaurants or offices over the ground floor of retail or offices for a total building height of 75 feet.

Transportation Text Changes

Amend the Communications Hill Specific Plan; Chapter 3, "The Plan", Section 3.1.b Streets as follows:

Page 25, paragraph 1: ...On the western slope there is a road which links the hillside neighborhood to public transit at the Capitol Station via Narvaez Avenue. Alternative shuttle bus routes from the neighborhood to the nearby Light Rail Transit or CalTrain Stations may be identified and utilized based on adequate analysis prepared at the time of Planned Development Permits. An important link and necessary road is the extension of Pullman Way to Communications Hill Blvd. This connects the neighborhood to Monterey Road at the location of the playfields and school. The extension of Old Hillsdale from the south provides access to the proposed industrial areas in the flatlands. ~~The extension of Old Hillsdale north of Pullman may be eliminated if the heavy industrial land adjacent to it is developed for a single user thus eliminating the need for public street access to multiple parcels....~~

Amend the Communications Hill Specific Plan; Chapter 4, "Implementation", Section 4.1 Increment of Development as follows:

Page 71, Implementation Principles, Streets:

6. ~~Millpond Road, The alternative shuttle bus access road~~ route(s) connecting the hilltop with the Curtner Light Rail Transit Station and Capital CalTrain Station, must be completed ~~studied and identified~~ no later than the approval of certificates-of-occupancy for 50% of the housing units in the northern portion of the hilltop neighborhood or 1000 housing units located within the hilltop neighborhood, whichever develops first.
7. ~~The western segment of Pullman Way, from the Old Hillsdale access road to Communications Hill Blvd., must be completed concurrently with the completion of segments 3 or 4 of Communications Hill Blvd. Old Hillsdale road must also be completed and connect to Monterey when 50% of the industrial commercial area along Old Hillsdale Road access road is built.~~

September 9, 2014

Planning Commission
City of San José
200 E. Santa Clara St.
San José, CA 95113

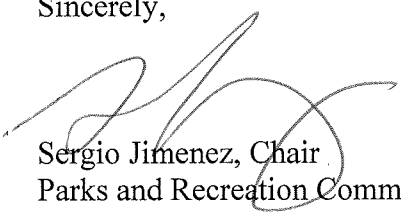
Dear Planning Commissioners:

The Parks and Recreation Commission heard a presentation by City staff on September 3, 2014 which included an overview of the general park and trail plan proposed as part of the Communications Hill development project. It is our understanding that several actions related to key project approvals will be heard by the Planning Commission at your meeting of September 10, 2014. The Parks and Recreation Commission understands that City staff and the development team have worked closely together on this significant project and recommends approval of the project subject to the following comments:

1. Include a public restroom facility in the proposed recreational facility site.
2. Construct another set of stairs as soon as possible to provide relief to current residents with regard to ongoing recreational activity at the existing "grand" staircase.
3. Preserve natural resources including seeps and intermittent streams.
4. Include significant shade trees throughout the project and especially in parks, trails, and recreational facilities.
5. Include adequate *active* open space.

Thank you for consideration of our recommendations.

Sincerely,


Sergio Jimenez, Chair
Parks and Recreation Commission

CONCRETE READY MIX, INC.

33 HILLSDALE AVENUE, SAN JOSE, CALIFORNIA 95136
P. O. BOX 50006, SAN JOSE, CALIFORNIA 95150-0006

Tel. (408) 224-2452

FAX (408) 224-3014

To Whom It May Concern at the Department of Planning, Building and Code Enforcement:

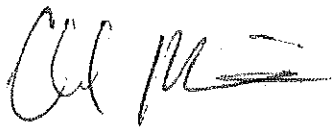
This letter is in reference to the planned development on Communications Hill and the Architectural plan set forth on the City of San Jose website. I am writing as a representative for Concrete Ready Mix, Inc. and the property associated with APN 455-09-054.

After attending the first meeting regarding the project on Thursday, Augst 28th it came to my attention that there was a proposed bike path and pedestrian bridge that would be crossing to the Caltrain station located on Monterey Rd. The following day, Martina Davis provided me with a copy of the plans, and in the time since I have reviewed them further with more material.

My first concern arises from pages 5.3 and 5.7 in which the Trail Facilities - Conceptual Alignment and the Potential Area Development Policy Pedestrian Bridge Crossing Approximate Location run directly through the property of our business and the land associated with APN 455-09-054. We are opposed to this proposed location, and any attempt to place public pedestrian traffic through our property.

The next concern arises from page L1.2 in which the proposed class II bikeway runs through "Old Hillsdale Ave." and into the proposed pedestrian bridge. This presents a safety issue with the bike lane being placed along a blind turn in which the vast majority of traffic is large commercial trucks entering and leaving our business along with the accompanying businesses located along the proposed bike path. This page also gives more details on a switch back ramp as part of the proposed pedestrian bridge which we are also opposed to.

We would like you to amend the locations of the proposed pedestrian walkways/bridges and bike paths so that it does not disrupt the practices of our business or affect the safety of the residents of the proposed development on Communications Hill.



Chad Minnis

Dated: September 10th, 2014

COMMENTS FROM BRADLEY VERONA ON COMMUNICATIONS HILL
Community Planning Commission Meeting Statement: PHASE 2 - A DEVELOPMENT

As a homeowner on Communications Hill from the very beginning, I have experienced what was once a beautiful, tranquil, and wonderful place to call home, turn into an out of control, completely unpoliced (aside from the services that the residents are privately paying for), wild west frontier fraught with:

1. Litter, graffiti, public underage drinking and drug usage, public acts of sex and the like all hours of the day and night with complete disregard for the families and children who call communications hill their home.
2. Bootcamps, and physical training businesses (trainers and clients from as far away as San Francisco) running rampant with no licenses to do so, attaching exercise equipment to both public and private property damaging it in the process, leaving the residents of Communications Hill to pay for the repairs either privately or with their tax money.
3. Severe speeding, illegal parking (blocking residents' driveways and access to their homes/garages), and complete blockage of the staircase as a passageway for residents. The entire community has pleaded with the city and police department to do something about this as it's just a matter of time before someone is killed by a speeding vehicle. It's disgusting to realize that it will take such a tragedy for the city officials to finally wake up and act.
4. Environmental/Traffic Impact Studies that the city did in the planning for Phase 2 that was presented to the residents recently admits that with this new construction, several traffic ways (entrances to 87 freeway, intersections around the bottom of Communications Hill, etc) WILL FAIL to meet required levels of service - the city has already graded them an "F", and the city has NO CORRECTIVE ACTION PLAN for this. When asked how can they move forward then, the city representative responded that the city effectively gave themselves and KB a waiver to NOT meet the requirements (laws?). When further pushed about how can they just ignore the law and why they would allow the bulldozing if they already know of the severely negative traffic impact, the city representative replied, "that's what city's do!"

KAREN MACK

Based on the feedback I've received from the residents, taxpayers, and voters of Communications Hill, we feel it would be irresponsible and negligent for the City Planning Commission and City Council to approve the start any new residential construction until city officials and the builder address and correct the mistakes and issues they have already created in the first phase of the CHSP.

Jeremy's Statement:

The Grand Staircase/Trail in its current state is a failure, most notably because of the following.

1. It is no longer a passageway for residents, which was its original intent
2. It's primary usage now and for the past four years has been for fitness, bootcamps, and as a hang out spot for non-residents. Because infrastructure does not accommodate this usage as a fitness facility, severely and negatively impacts the quality of life for residents who paid for its construction and existing maintenance. We have seen the following occur:
 3. Litter, graffiti, public underage drinking and drug usage, public acts of sex and the like all hours of the day and night with complete disregard for the families and children who call communications hill their home.
 4. Loud noise at all hours of the day and night on the stairs and trail, which are both in very close proximity to residential housing.
 5. People using residents' driveways and porches as places to stretch, exercise, congregate, loiter, litter, and conduct bootcamp businesses.
 6. Increase in parking/traffic issues since 80% of the people who use the Grand Staircase/Trails don't live in the community.
 7. Severe speeding, illegal parking (blocking residents' driveways and access to their homes/garages), and complete blockage of the staircase as a passageway for residents.

On behalf of the Tuscany Hills HOA, we ask that approval of the next phase be contingent on the following conditions:

1. KB Home must commit to fund any retrofit needed for the existing staircase and trail, with a budget that would cover renovations up to and including a complete redesign and rebuild of the first staircase.
2. KB Home agrees to build out the second staircase located away from residential housing as early as possible (before building any additional homes which would only compound many of the current problems) so that it is an attractive alternative to the first staircase in order to siphon traffic away from residential housing.
3. The City of San Jose agrees to continue working with the Tuscany Hills HOA to explore solutions whether it be funded by KB Homes, residents' existing tax funds, or other funding sources necessary to alleviate community issues including those related to traffic, parking, trails, lookouts and stairways.

We appreciate the continued partnership with the City of San Jose and KB Home in resolving the issues with the existing community and are happy to help in any way possible to ensure our issues are resolved.

Jeremy Jones
Re: Comm Hill EIR, Agenda Item 4a

My name is Jeremy Jones and I am the Vice President of the Tuscany Hills Homeowners Association, currently the largest HOA on Communications Hill. We represent approximately 1600 residents who call Communications Hill their home. Our HOA has been the most impacted by issues related to the Grand Staircase and Trail due to our close proximity to these two attractions. This new development does give us cause for concern due to the existing issues these two attractions have created. I'd like to share feedback as well as recommendations before considering moving forward with this new development.

The Grand Staircase/Trail in its current state is a failure, most notably because of the following...

- It's no longer a passageway for residents, which was its original intent
- It's primary usage now is for fitness and as a hang out spot for non residents. Because infrastructure does not accommodate these usages, it impacts the quality of life for residents who paid for its construction and existing maintenance. We have seen the following occur...
 - An increase in litter, graffiti, public drinking and drug use.
 - Loud noise at all hours of the day and night on the stairs and trail, which are both in very close proximity to residential housing.
 - People using residents driveways and porches as places to stretch, exercise, and congregate.
 - Increase in parking/traffic issues since 80% of the people who use the Grand Staircase/Trails don't live in the community.

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We appreciate the continued partnership with the City of San Jose and KB Home in resolving the issues with the existing community. If there is anything we can do to help, please let us know.

Thank you.

Item that 7a

Joe Halpern

Tuscony Hills HOA
on board of directors
but speaking as a resident

"Existing stairs are not part of the project." Residents concerned that this new project will take a big problem and make it bigger.

I request that the planning commission ignore this statement.

"Urban Neighborhood" is a wonderful vision. But the reality is that most residents avoid going outside and deal with the crowds. ||

Question: Do you think building another staircase would help siphon some of the traffic away from the first staircase?

Answer: Perhaps. But so far the solutions offered have been band-aids on the problem. We need more permanent solutions.

So I recommend that the project NOT be approved as is, and that the conditions mentioned by Jeremy Jones be instituted before allowing it to move forward.