CITY OF
SAN JOSE
CAPITAL OF SILICON VALLEY

Department of Planning, Building and Code Enforcement
HARRY FREITAS, DIRECTOR

NEGATIVE DECLARATION

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

NAME OF PROJECT: Tropicana Shopping Center Commercial Building

PROJECT FILE NUMBER: H15-014

PROJECT DESCRIPTION: The proposed project consists of the construction of a three-story commercial office building within the Tropicana Shopping Center. The proposed project covers an approximately 0.72 acre site with 20,748 square feet of office space and 10,996 square feet of retail space. The existing Shopping Center is developed with a mix of retail and commercial uses within ten buildings and surrounding parking lot across ten parcels. The Tropicana Shopping Center, including the proposed project site, falls within the Neighborhood/Community Commercial General Plan designation and is split between the CN Commercial Neighborhood and CP Commercial Pedestrian Zoning Districts.

PROJECT LOCATION & ASSESSORS PARCEL NO: The Tropicana Shopping Center is located at the southwestern corner of the intersection of Story Road and South King Road (1644 Story Road). The shopping center consists of ten existing parcels in the Story Road Neighborhood Business District, and is also located within the Evergreen East Hills Policy area of the City of San José. The Tropicana Shopping Center is comprised of the following parcels: 486-10-059, -062, -063, -064, -086, -087, -088, -091, -096, and -097. The proposed project would be situated principally on parcel **486-10-091.**

COUNCIL DISTRICT: 7

APPLICANT CONTACT INFORMATION: Tropicana Shopping Center
La Placita Tropicana (portion of Tropicana Center owned by DPJW Group II, LP)
DPJW Group II, LP, a California Limited Partnership
Dennis B.K. Fong, Managing Member
1692 Story Road, Suite 218
San José, CA 95122
Tel / Fax (408) 770-3250; (408) 838-7748 (m)

FINDING: The Director of Planning, Building & Code Enforcement finds the project described above will not have a significant effect on the environment in that the attached initial study identifies no significant effects on the environment.

NO MITIGATION MEASURES ARE INCLUDED IN THE PROJECT TO REDUCE POTENTIALLY SIGNIFICANT EFFECTS TO A LESS THAN SIGNIFICANT LEVEL

I. **AESTHETICS.** The project will not have a significant impact on aesthetics or visual resources, therefore no mitigation is required.

II. **AGRICULTURE AND FOREST RESOURCES.** The project will not have a significant impact on agriculture or forest resources, therefore no mitigation is required.

III. **AIR QUALITY.** The project will not have a significant air quality impact, therefore no mitigation is required.

IV. **BIOLOGICAL RESOURCES.** The project will not have a significant biological resources impact, therefore no mitigation is required.

V. **CULTURAL RESOURCES.** The project will not have a significant impact to cultural resources, therefore no mitigation is required.

VI. **GEOLOGY AND SOILS.** The project will not have a significant geologic impact, therefore no mitigation is required.

VII. **GREENHOUSE GAS EMISSIONS.** The project will not have a significant impact to greenhouse gas emissions, therefore no mitigation is required.

VIII. **HAZARDS AND HAZARDOUS MATERIALS.** The project will not have a significant impact on hazards and hazardous materials, therefore no mitigation is required.

IX. **HYDROLOGY AND WATER QUALITY.** The project will not have a significant impact on hydrology and water quality, therefore no mitigation is required.

X. **LAND USE AND PLANNING.** The project will not have a significant land use impact, therefore no mitigation is required.

XI. **MINERAL RESOURCES.** The project will not have a significant impact on mineral resources, therefore no mitigation is required.

XII. **NOISE.** The project will not have a significant impact on noise, therefore no mitigation is required.

XIII. **POPULATION AND HOUSING.** The project will not have a significant population and housing impact, therefore no mitigation is required.

XIV. **PUBLIC SERVICES.** The project will not have a significant impact on public services, therefore no mitigation is required.

XV. **RECREATION.** The project will not have a significant impact on recreation, therefore no mitigation is required.

XVI. TRANSPORTATION / TRAFFIC. The project will not have a significant impact on transportation or traffic, therefore no mitigation is required.

XVII. UTILITIES AND SERVICE SYSTEMS. The project will not have a significant impact on utilities and service systems, therefore no mitigation is required.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE. The project will not substantially reduce the habitat of a fish or wildlife species, be cumulatively considerable, or have a substantial adverse effect on human beings.

PUBLIC REVIEW PERIOD

Before 5:00 p.m. on **November 5, 2015** a person may:

1. Review the Draft Negative Declaration (ND) as an informational document only; or

2. Submit written comments regarding the information and analysis in the Draft ND. Before the ND is adopted, Planning staff will prepare written responses to any comments, and revise the Draft ND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final ND.

Harry Freitas, Director
Planning, Building and Code Enforcement

Meenaxi R. P.
Deputy

Circulation period, from October 16, 2015 to November 5, 2015

INITIAL STUDY

TROPICANA SHOPPING CENTER COMMERCIAL BUILDING SAN JOSÉ, CALIFORNIA

OCTOBER 2015

PREPARED BY THE

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Department of Planning, Building and Code Enforcement

TABLE OF CONTENTS

INITIAL STUDY		1
PROJECT DESCRIPTION		1
DETERMINATION		6
ENVIRONMENTAL CHECKLIST AND DISCUSSION		27
I.	Aesthetics	27
II.	Agriculture and Forestry Resources	28
III.	Air Quality	29
IV.	Biological Resources	35
V.	Cultural Resources	38
VI.	Geology and Soils	40
VII.	Greenhouse Gas Emissions	42
VIII.	Hazards And Hazardous Materials	45
IX.	Hydrology And Water Quality	51
X.	Land Use And Planning	55
XI.	Mineral Resources	57
XII.	Noise	57
XIII.	Population And Housing	61
XIV.	Public Services	61
XV.	Recreation	62
XVI.	Transportation/Traffic	63
XVII.	Utilities And Service Systems	67
XVIII.	Mandatory Findings Of Significance	69
CHECKLIST REFERENCES		71
REPORT PREPARATION		73
APPENDICES		74

Appendix A: Geotechnical Investigation

Appendix B: Phase 1 Environmental Site Assessment

LIST OF FIGURES

1. Project Location 7
2. Existing Site Plan 8
3. General Plan Map 9
4. Zoning Map 10
5. Aerial View of Project Site 11
6-1. View of Project Site 12
6-2. Views A and B of Project Site 13
6-3. Views C and D of Project Site 14
7. Conceptual Site Plan 15
8. Proposed Project 16
9. Streetscape and Project Elevations 17
10. First and Second Floor Plans 18
11. Third Floor and Roof Plans 19
12. East and North Elevations for Project Building 20
13. West and South Elevations for Project Building 21
14. Building Sections 22
15. Conceptual Grading and Drainage Plan 23
16. Conceptual Storm Water Control Plan 24
17. Landscape Elevations for Project Building 25
18. Landscape Plan 26

LIST OF TABLES

1. Cumulative Risk and Hazard Impacts at MEI from Existing Permitted Stationary Sources 34
2. Cumulative Risk and Hazard Impacts at MEI from Existing Mobile Sources 34
3. Cumulative Risk and Hazard Impacts at MEI from Proposed Project as well as Existing Stationary and Mobile Sources 34
4. Regulation of Biological Resources 36
5. Regulation of Hazardous Materials 47

INITIAL STUDY

PROJECT DESCRIPTION

PROJECT FILE NUMBER: H15-014

PROJECT LOCATION: The project site is the Tropicana Shopping Center, an approximately rectangular property located at the southwestern corner of the intersection of Story Road and South King Road (1644 Story Road). The shopping center consists of 10 existing parcels in the Story Road Neighborhood Business District, and is also located within the Evergreen East Hills Policy area of the City of San José. The project location and existing site plan for the subject property are presented in **Figures 1 and 2,** respectively.

APN: The Tropicana Shopping Center is comprised of the following parcels: 486-10-059, -062, -063, -064, -086, -087, -088, -091, -096, and -097. The proposed project would be situated principally on parcel **486-10-091**.

GENERAL PLAN DESIGNATION: Neighborhood/Community Commercial

ZONING: A split zone of CN Commercial Neighborhood and CP Commercial Pedestrian
The General Plan Map and Zoning Map for the project site and its vicinity are presented as **Figures 3 and 4**, respectively.

DESCRIPTION OF THE PROJECT: The proposed project would consist of a three-story commercial office building that encompasses 20,748 square feet (s.f.) of office space and 10,996 s.f. of retail space within the Tropicana Shopping Center property. The shopping center is developed with a mix of retail commercial uses in approximately 10 buildings surrounding a dedicated parking lot. Stores within the shopping center have the following addresses:

Story Road	South King Road
1103 (Tropicana Foods)	1107 (Bank of America)
1630 (Tropicana Foods)	1105 – 1165
1632 – 1646	1167 – 1171
1664 – 1678	1175
1690	1179
	1199

The shopping center currently provides 147,657 s.f. of ground level retail commercial floor space and 7,850 s.f. of second story commercial space. Vehicle access to the shopping center is through one driveway on Story Road and two driveways on South King Road. The retail commercial buildings are located along the northern, southern, and western perimeters of the shopping plaza, with a large parking lot from the center of the site to its eastern boundary along South King Road. **Figure 5** presents an aerial view of the Tropicana Shopping Center and proposed commercial building site.

`

The project area proposed for the commercial building site encompasses approximately 31,540 s.f., or 0.72 acre, and is currently developed as a part of the shopping center parking lot. The project area also includes the two existing driveways that provide access to the shopping center from South King Road, as well as existing walkways, concrete curbs, storm drains, light fixtures, and other facilities serving this part of the parking lot. The demolition of these facilities would remove four rows of parking spaces on the east side of the shopping center and five additional spaces for a trash enclosure, for a total of 70 parking spaces removed. Demolition would also remove curbs, storm drains and inlets, lighting and utilities, asphalt and concrete. The project area would be graded, with a cut of 645 cubic yards (c.y.) and fill of 327 c.y.; export of 318 c.y. would be required for the project.

The new building pad would cover 10,965 s.f. of the 0.72-acre site, with the remainder used for replacement parking, walkways, pedestrian ramps, driveways, and landscaping. The proposed office building provides 31,744 s.f. of commercial space spread nearly equally across three floors. The ground floor is the largest of the three floors, with 10,996 s.f. to be used for retail commercial. The second and third floors of the proposed building would provide 10,607 s.f. and 10,141 s.f. of future office, respectively. Figures 6-1, 6-2, and 6-3 show views of the shopping center from South King Road and on-site parking lot. Figure 7 presents the Conceptual Site Plan, while Figure 8 shows the Proposed Project. Figure 9 includes a representative Streetscape and building elevation. The proposed commercial building's floor plans are presented in Figures 10 and 11. East and North Elevations are shown in Figure 12; West and South Elevations are included in Figure 13. Figure 14 presents the building sections for the structure.

Access for the proposed project would be provided through reconstructed driveways that would replace the existing driveways at their current locations. The new driveways would be integrated into the proposed project to ensure safe operation for pedestrians, bicyclists, and vehicles using the site. The use of the existing access locations would also preclude potential problems with the on-going and continued operation of the transit services at the bus stop on South King Road adjoining the project site.

Parking facilities planned for the project include the construction of 18 standard parking spaces and one space for disabled drivers. These spaces would be situated along the rear of the proposed building within the existing parking lot. An inventory and evaluation of parking spaces has been included with the development plans for the project. Presently, the shopping center provides 644 parking spaces on-site for 155,507 gross s.f. of retail commercial uses on the property. With the addition of the retail and office commercial uses proposed by the project, the shopping center would be required to provide 447 parking spaces. Upon completion of the proposed project, 571 parking spaces would be available on the project site, exceeding the requirement for 447 spaces.

Utilities on the project site are available through service lines extending from South King Road onto the shopping center property along an access drive to the development. The proposed commercial building would connect to an existing 8-inch water line and a 4-inch sanitary sewer on the project site. The existing storm drain system would be removed and replaced with a concrete swale to collect runoff from replaced impervious surfaces. The project will utilize a LID treatment method consisting of an underground detention and infiltration system (e.g. pervious pavement drain rock, large diameter pipe) to treat stormwater prior to entering the municipal storm drain system.

Project plans also specify the installation of new landscape areas around the proposed building. Landscaping strips would be constructed along the north and south sides of the building, with landscaped islands on the west side of the structure, adjoining the parking lot. Landscaping along the building frontage on South King Road would integrate plantings and fencing with the existing street tree plantings. Presently, there are five street trees along this section of South King Road and these would be preserved and maintained to screen views of the site and the future commercial building. Streetscape views of the proposed project are shown in Figure 9.

The project plans are currently under review by the City through the development review process and are provided for illustrative purposes in Figures 7 and 8. Refinements to the conceptual plans may occur through the development review process to ensure code compliance and address design review feedback. Changes may include but are not limited to minor changes to the exterior materials and massing, landscaping improvements, and parking layout.

The proposed office building would be subject to all of the City of San José's development standards that pertain to commercial building development as well as all code requirements for public safety purposes, e.g. automatic fire sprinkler system, fire alarm systems, emergency generators, etc. In addition, the Evergreen – East Hills Development Policy (EEHDP), as adopted and modified through December 2008, specifies development guidelines for this part of San José. The EEHDP addresses area-specific standards and guidelines for the development of residential and commercial land uses in the Evergreen and East Hills. The project is subject to the provisions of the EEHDP for commercial development within the Evergreen – East Hills planning area.

SURROUNDING LAND USES/GENERAL PLAN/ZONING: The project site is comprised of approximately 0.72 acre located within the Tropicana Shopping Center at the southern corner of the Story Road and South King Road intersection. The immediately surrounding properties consist of commercial, residential, open space, and public land uses. Two shopping centers are situated at the northern and eastern corners of this intersection. The 86-acre Emma Prusch Farm Regional Park is located across Story Road to the northwest of the Tropicana Shopping Center; a gas station is situated on the western corner of the Story Road and South King Road intersection. Another gas station adjoins the Tropicana Shopping Center to the west, on Story Road.

Single-family residential neighborhoods on Knox Avenue and Marsh Street surround the site's shopping center to the southwest and southeast. The KIPP Heartwood Academy, a public charter middle school, is located southeast of the Tropicana Shopping Center, across South King Road.

The site is in the CP Commercial Pedestrian Zoning district. The CP Commercial Pedestrian District is a district intended to support pedestrian-oriented retail activity at a scale compatible with surrounding residential neighborhoods. This district is designed to support the goals and policies of the general plan related to Neighborhood Business Districts. The CP Commercial Pedestrian District also encourages mixed residential/ commercial development where appropriate, and is designed to support the commercial goals and policies of the general plan in relation to Urban Villages. This district is also intended to support intensive pedestrian-oriented commercial activity and development consistent with general plan urban design policies.

The site has a General Plan designation of NCC Neighborhood/Community Commercial. This designation supports a very broad range of commercial activity, including commercial uses that serve the communities in neighboring areas, such as neighborhood serving retail and services and commercial/professional office development. Neighborhood / Community Commercial uses typically have a strong connection to and provide services and amenities for the nearby community and should be designed to promote that connection with an appropriate urban form that supports walking, transit use and public interaction. General office uses, hospitals and private community gathering facilities are also allowed in this designation.

PROJECT APPLICANT'S NAME AND ADDRESS:
Tropicana Shopping Center
La Placita Tropicana (portion of Tropicana Center owned by DPJW Group II, LP)
DPJW Group II, LP, a California Limited Partnership
Dennis B.K. Fong, Managing Member
1692 Story Road, Suite 218
San José, CA 95122
Tel / Fax (408) 770-3250; (408) 838-7748 (m)
Emails: dennisfong888@aol.com; dennisfong888@gmail.com

PROJECT DESCRIPTION EXHIBITS: The following exhibits provide detailed information about the project, including site location, General Plan land use designations, zoning, views of the property, building plans, grading, utilities, and storm water control. In addition to Figures 1 through 14, Figures 15 through 18 present: 1) the Conceptual Grading and Drainage Plan; 2) the Conceptual Storm Water Control Plan; 3) Landscape Elevations for Project Building; and 4) the Landscape Plan, respectively.

DETERMINATION

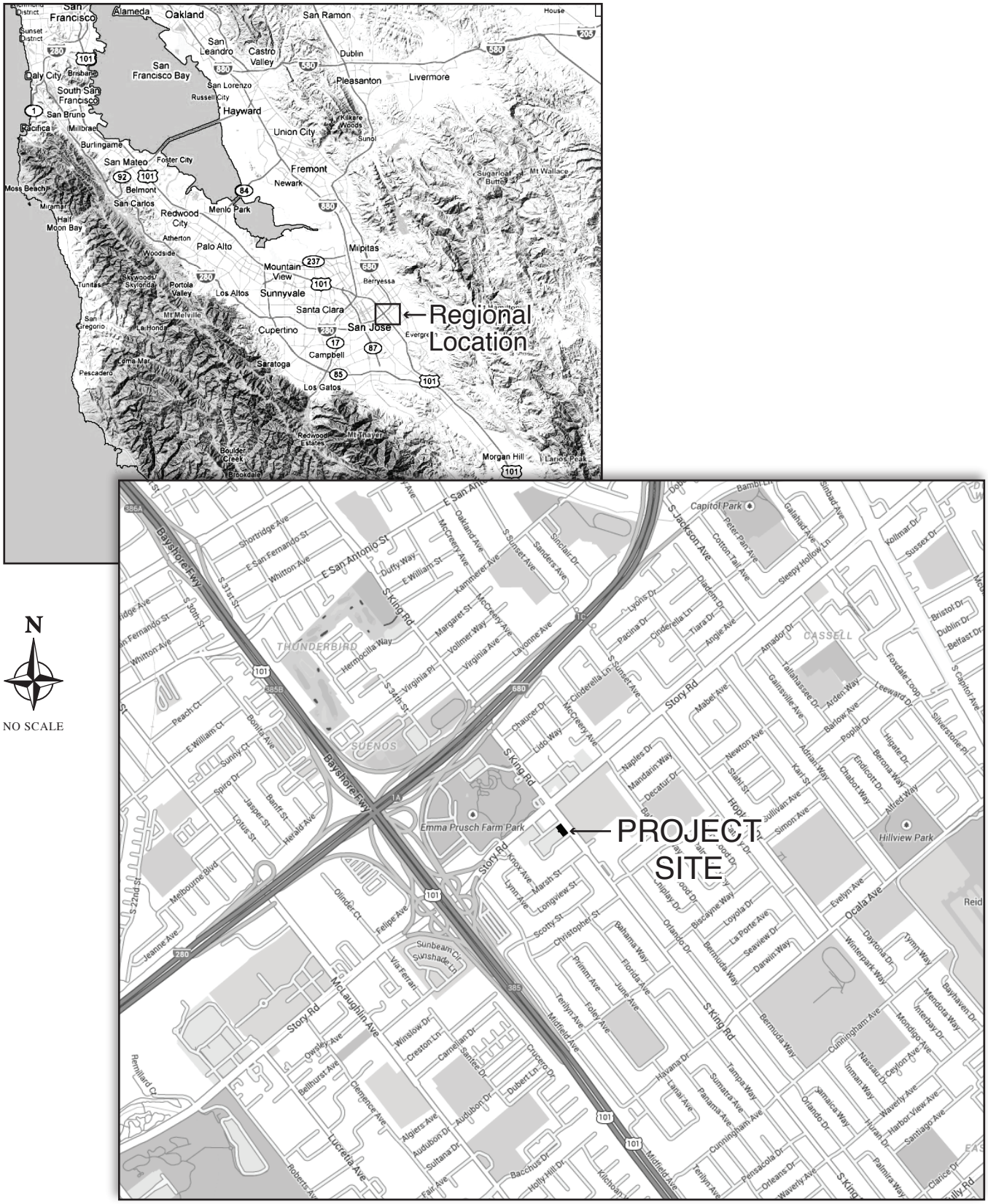
On the basis of this initial study:

☒	I find the proposed project could not have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
☐	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the project proponent has agreed to revise the project to avoid any significant effect. A MITIGATED NEGATIVE DECLARATION will be prepared.
☐	I find the proposed project could have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.
☐	I find the proposed project could have a significant effect on the environment, but at least one effect has been (1) adequately analyzed in a previous document pursuant to applicable legal standards, and (2) addressed by mitigation measures based on the previous analysis as described in the attached initial study. An EIR is required that analyzes only the effects that were not adequately addressed in a previous document.
☐	I find that although the proposed project could have a significant effect on the environment, no further environmental analysis is required because all potentially significant effects have been (1) adequately analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are included in the project, and further analysis is not required.

_____ _____

Date Signature

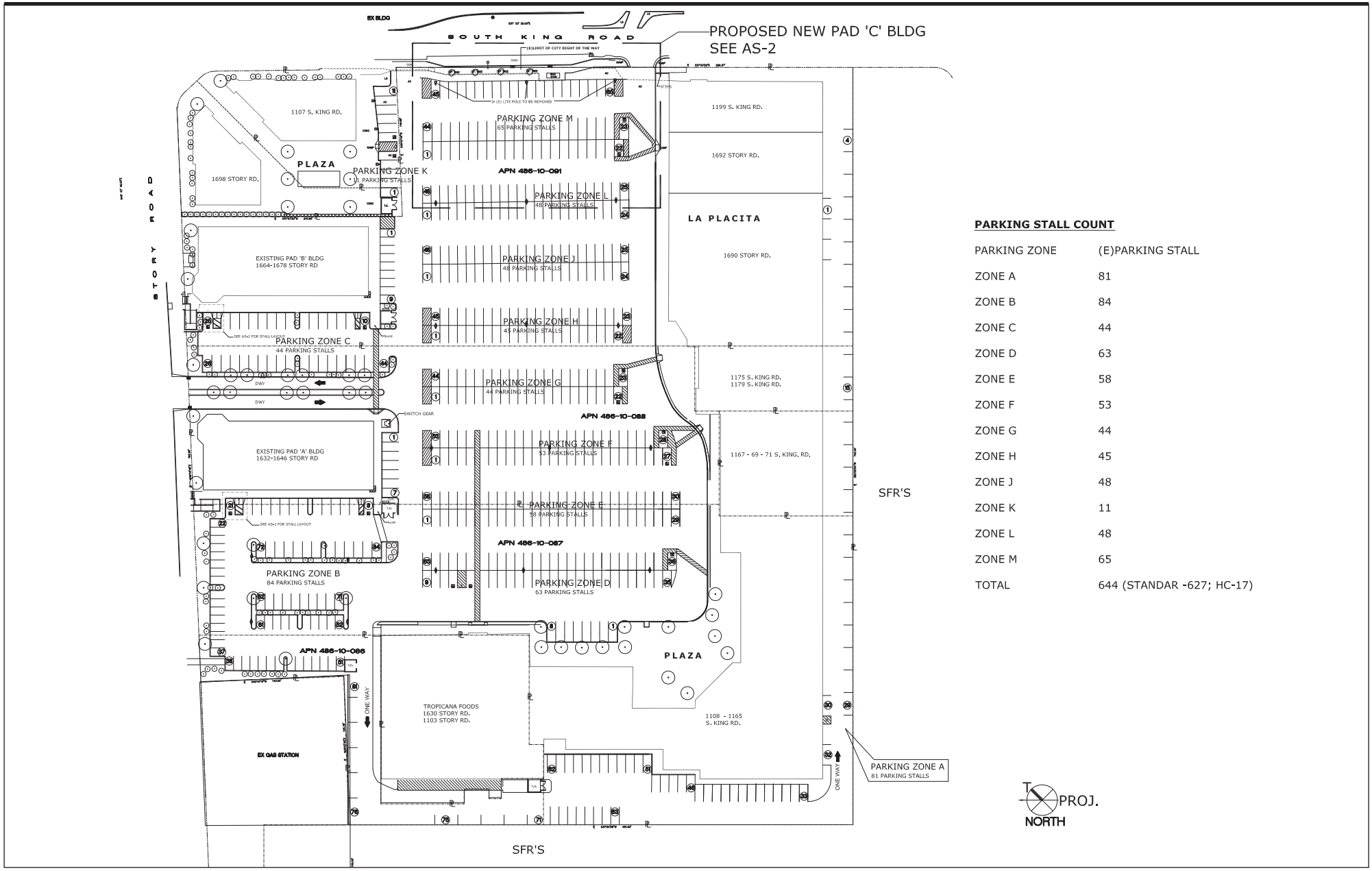
Name of Preparer:
Phone No.:



Source: Geier & Geier Consulting, Inc. (2015)

Existing Site Plan

Figure 2



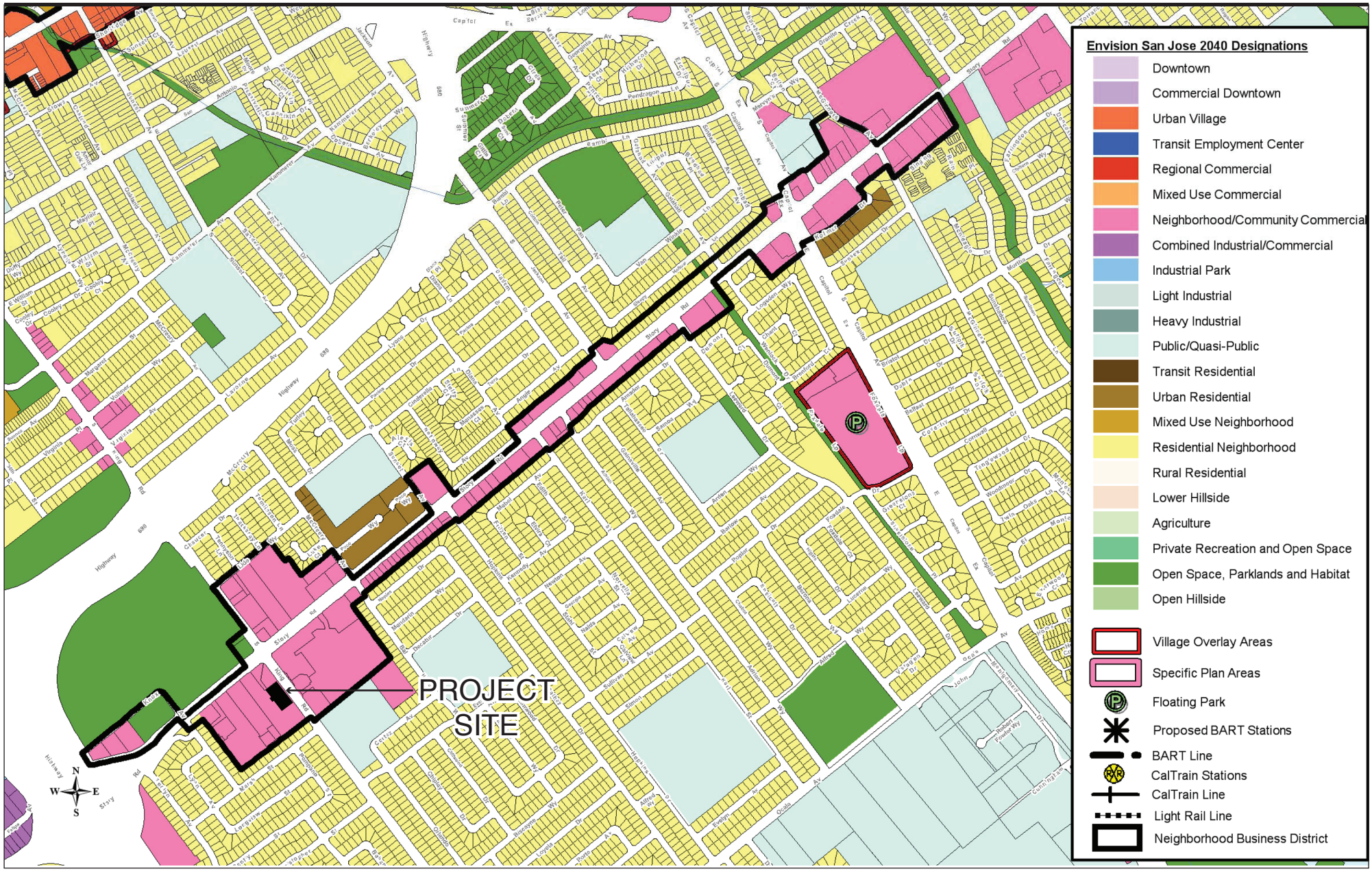
PARKING STALL COUNT

PARKING ZONE	(E)PARKING STALL
ZONE A	81
ZONE B	84
ZONE C	44
ZONE D	63
ZONE E	58
ZONE F	53
ZONE G	44
ZONE H	45
ZONE J	48
ZONE K	11
ZONE L	48
ZONE M	65
TOTAL	644 (STANDAR -627; HC-17)

Source: Steve Yang & Associates (2014)

General Plan Map

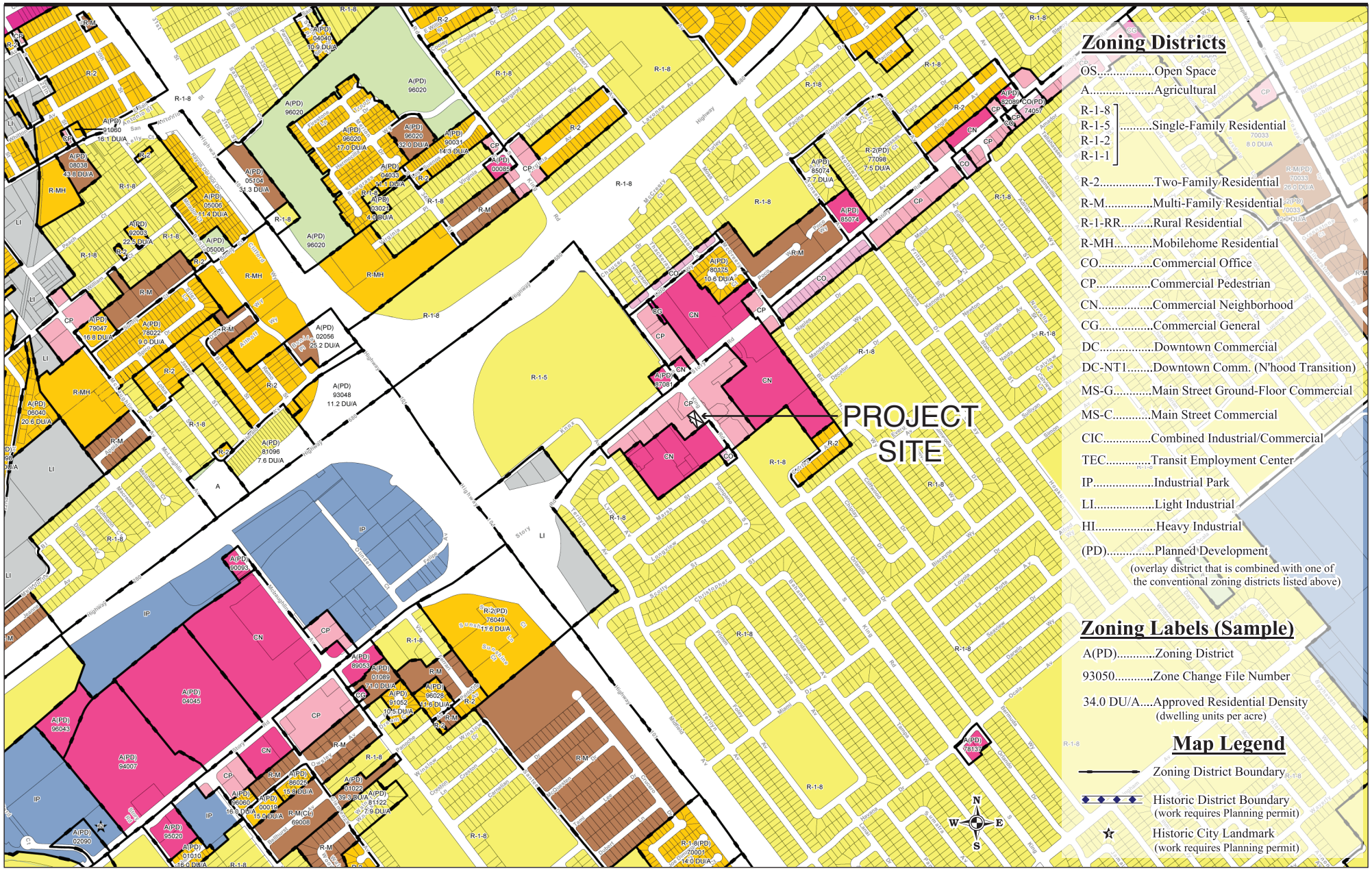
Figure 3



Source: City of San Jose (2015)

Zoning Map

Figure 4



Source: City of San Jose (2015)

Source: Geier & Geier Consulting, Inc. (2015)

View of Project Site

Figure 6-1

Source: Geier & Geier Consulting, Inc. (2015)

Source: Geier & Geier Consulting, Inc. (2015)

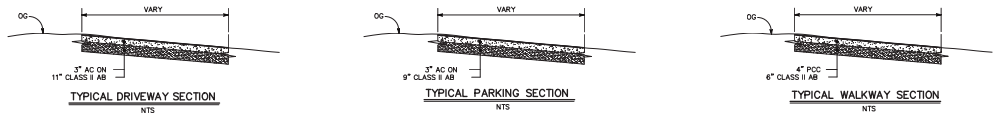
Source: Geier & Geier Consulting, Inc. (2015)

Conceptual Site Plan

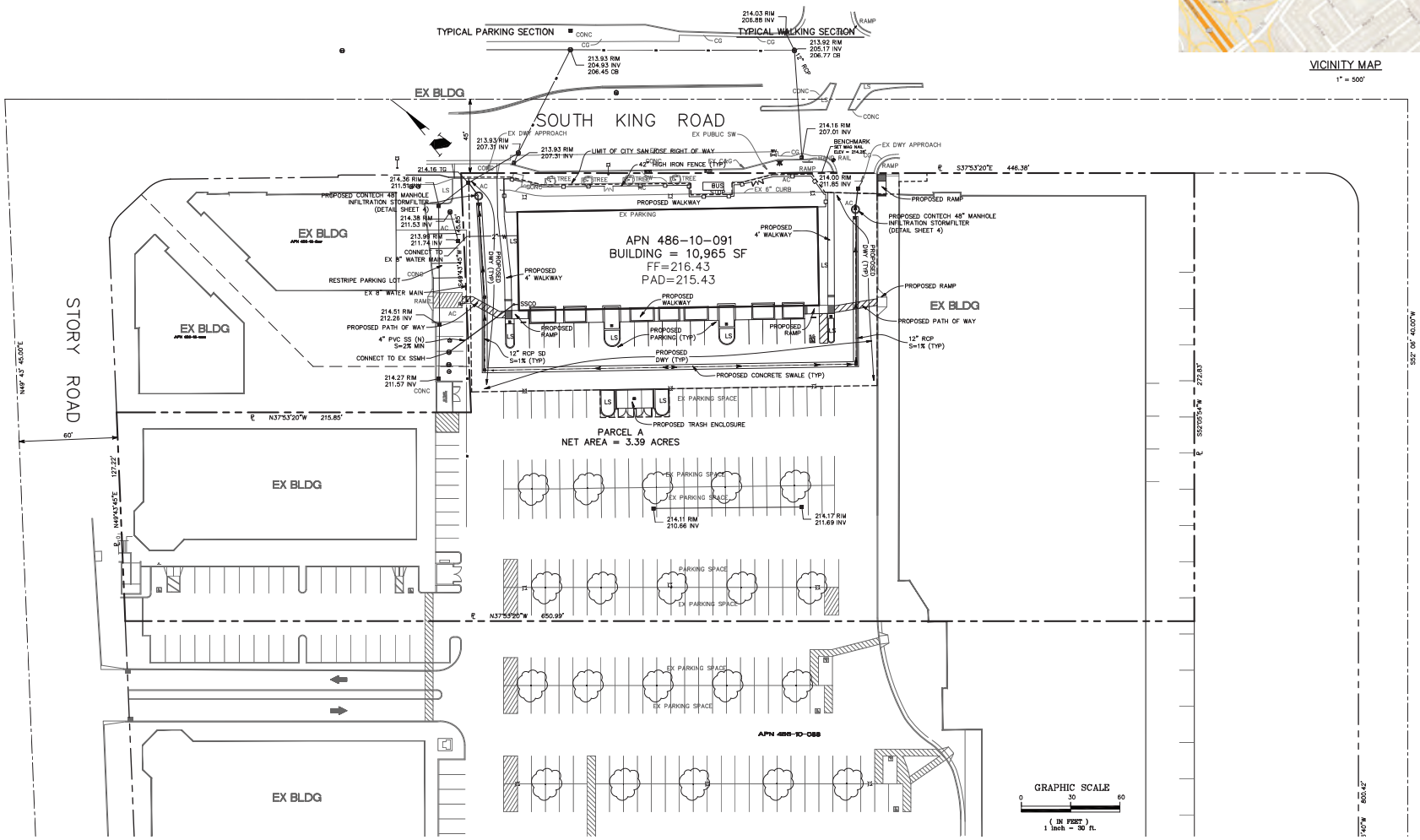
Figure 7

PROPOSED BUILDING		
BUILDING	STORY	HEIGHT (FEET)
1	3	48

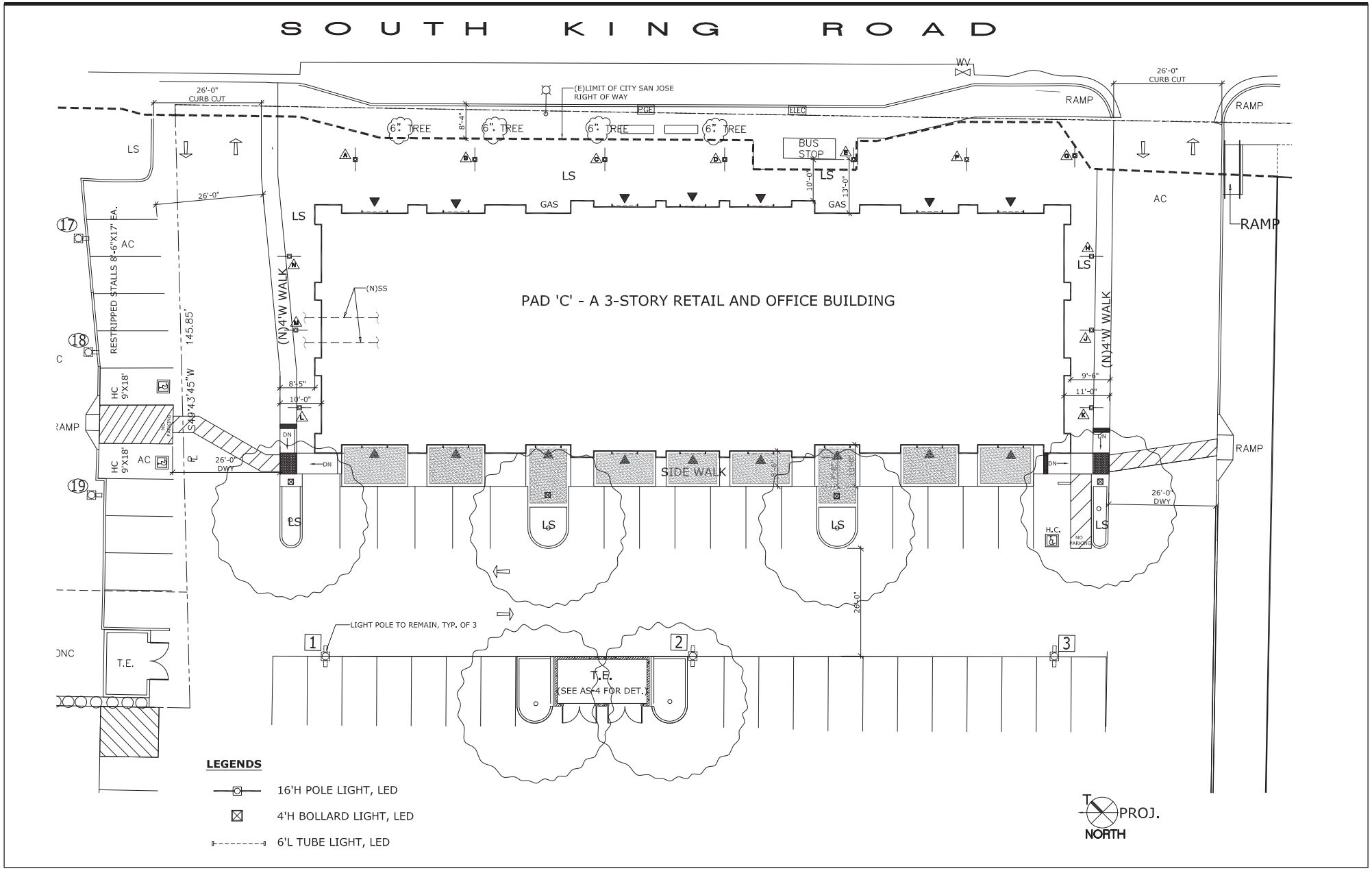
PARCEL								
PARCEL	EXISTING BUILDING AREA (%)	PROPOSED BUILDING AREA (%)	PORCH & WALKWAY AREA (%)	DRIVEWAY AREA (%)	PARKING AREA (%)	LANDSCAPE AREA (%)	STREET PUBLIC AREA (%)	TOTAL AREA (%)
A	33.9	7.4	11.6	29.2	15.7	1	1.1	100



VICINITY MAP
1" = 500'

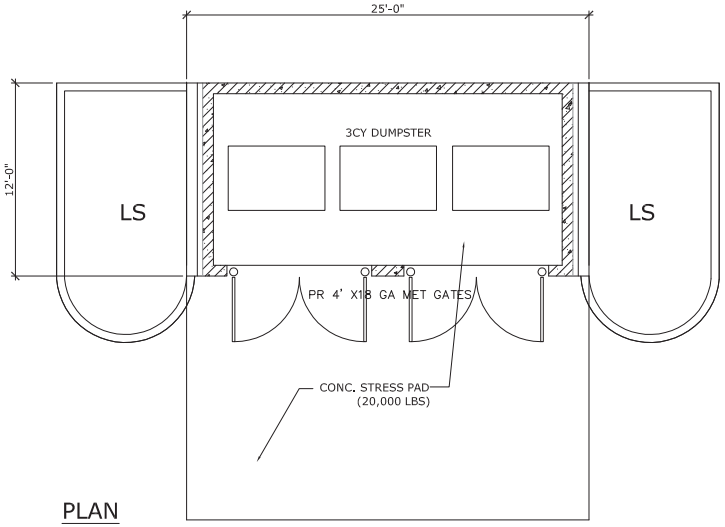


Source: LC Engineering (2015)

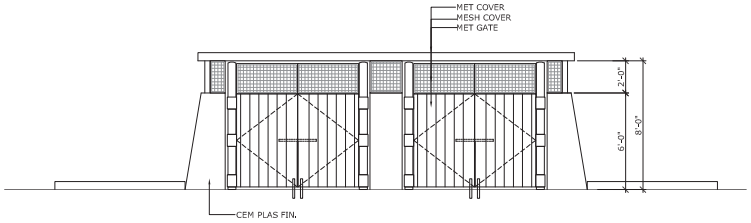


Source: Steve Yang & Associates (2015)

STREETSCAPE



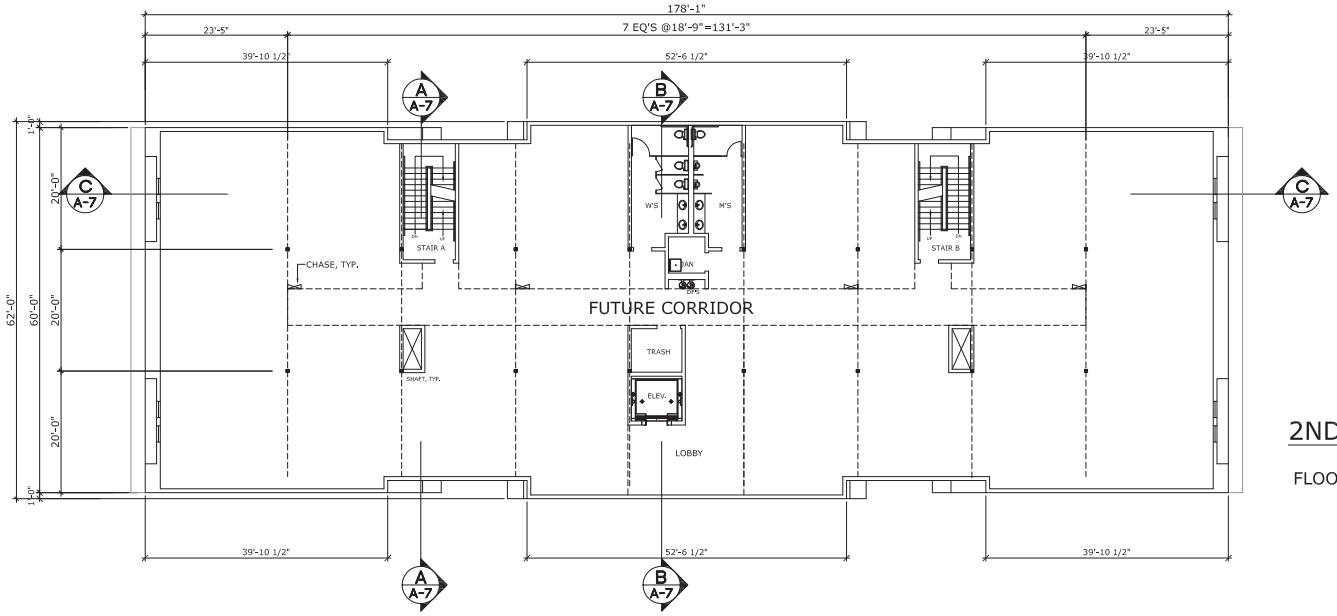
PLAN



FRONT ELEVATION

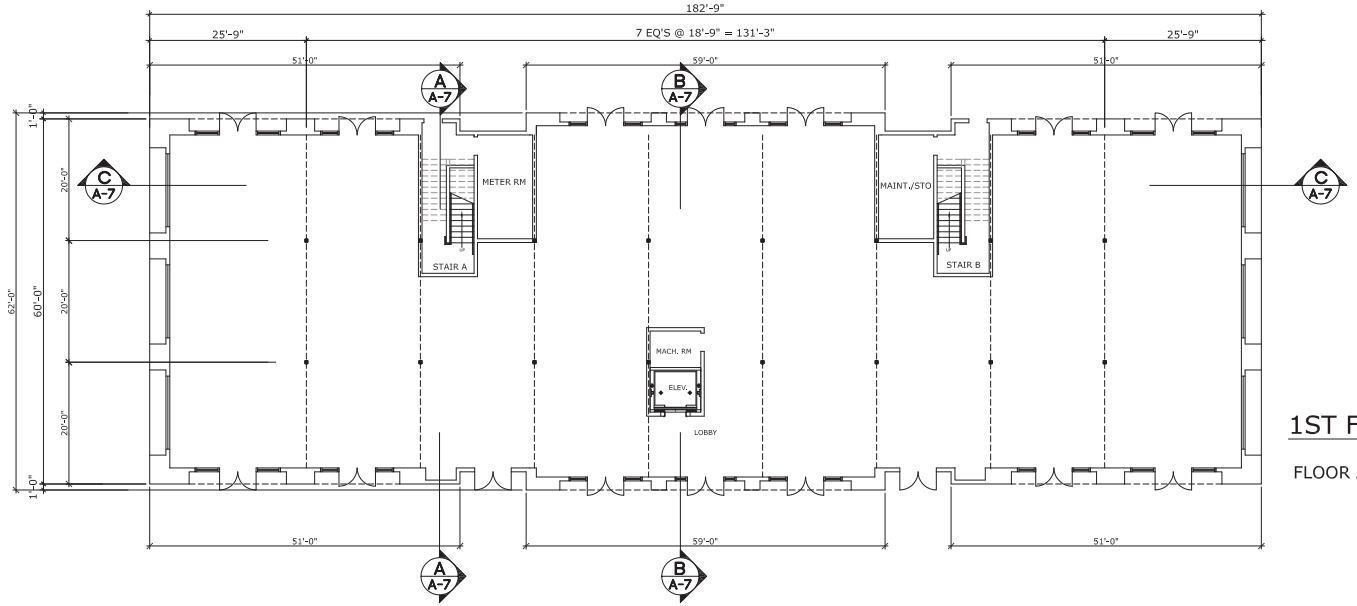
TRASH ENCLOSURE

Source: Steve Yang & Associates (2015)



2ND FLOOR PLAN

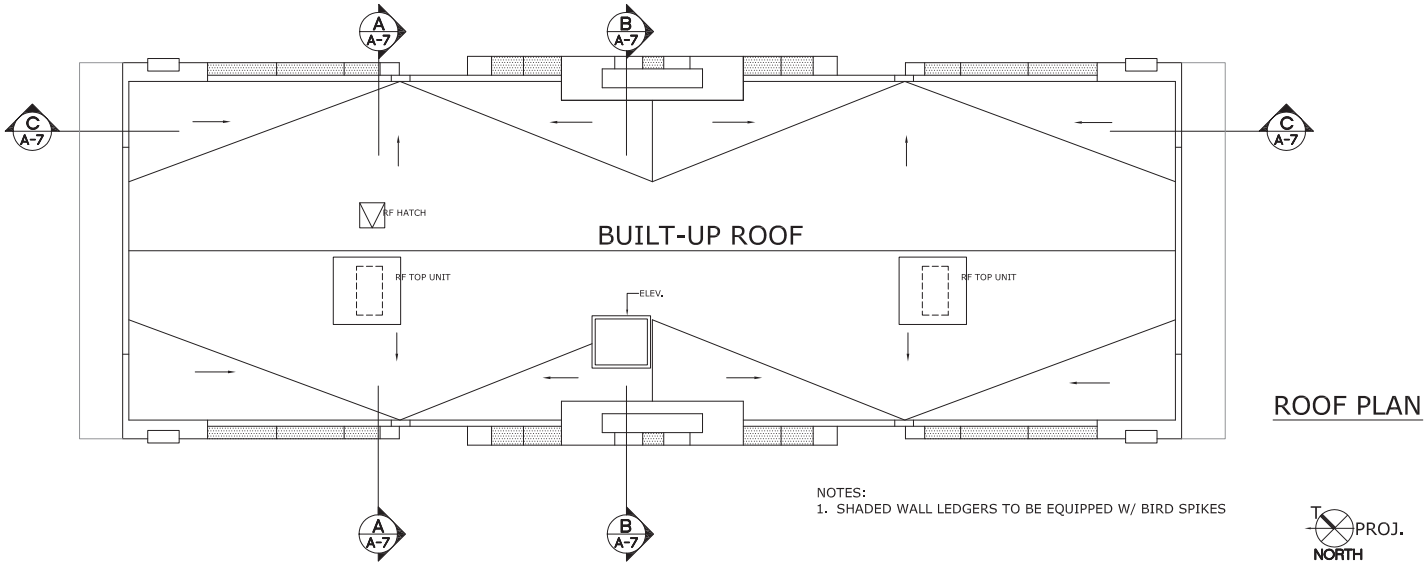
FLOOR AREA - 10,607 SF

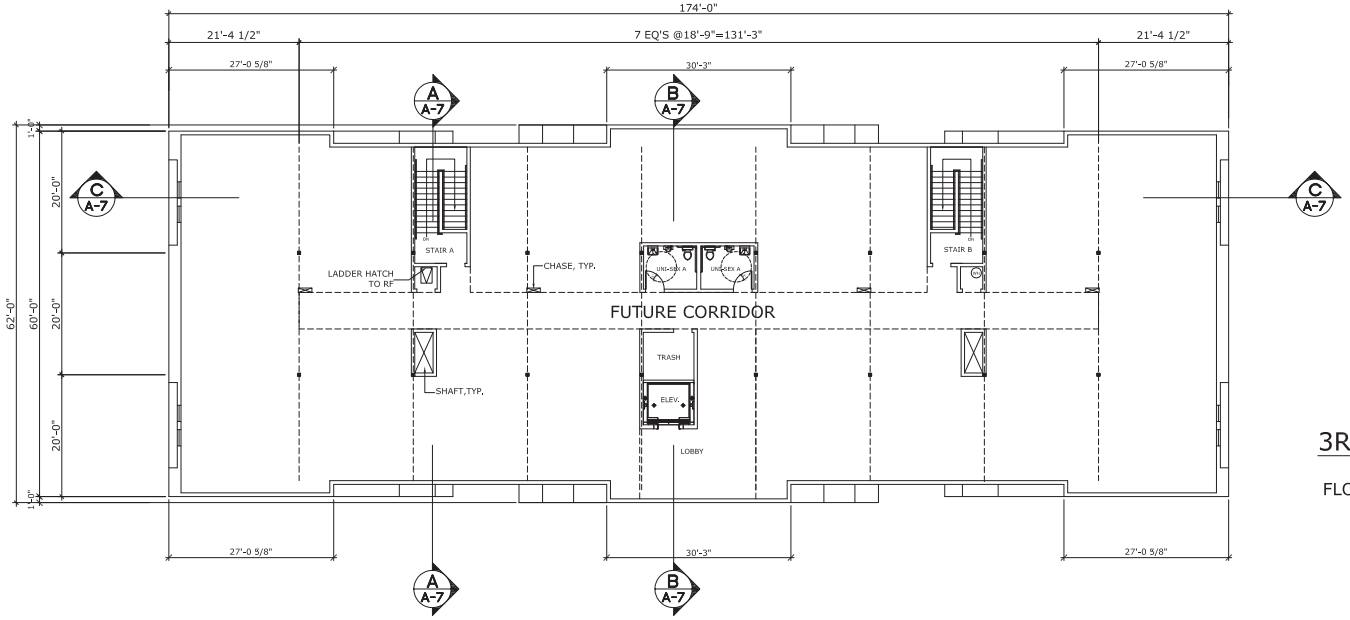


1ST FLOOR PLAN

FLOOR AREA - 10,996 SF

Source: Steve Yang & Associates (2015)

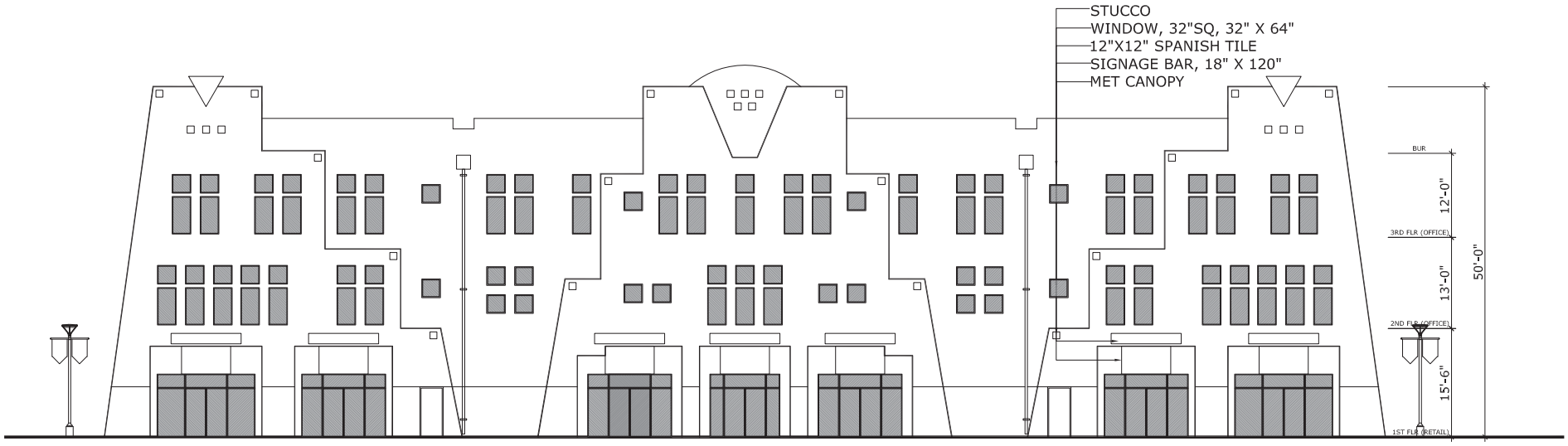




Source: Steve Yang & Associates (2015)

East and North Elevations for Project Building

Figure 12



EAST ELEVATION (VIEWED FROM S. KING RD.)

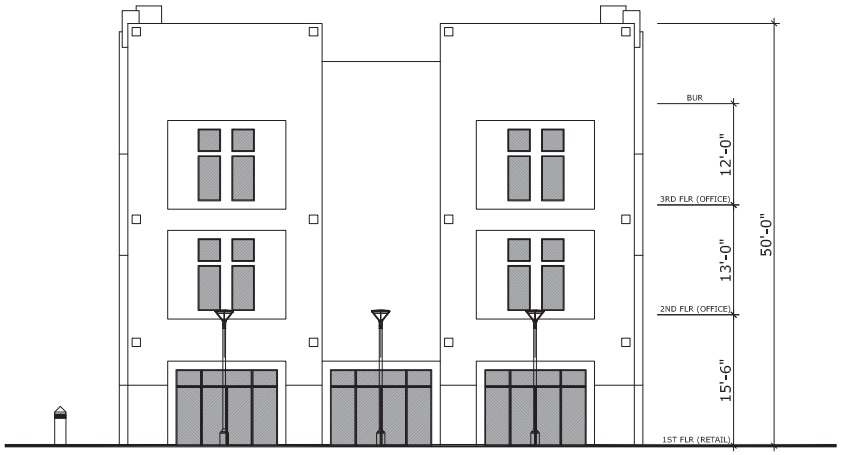
NORTH ELEVATION

Source: Steve Yang & Associates (2015)

West and South Elevations for Project Building

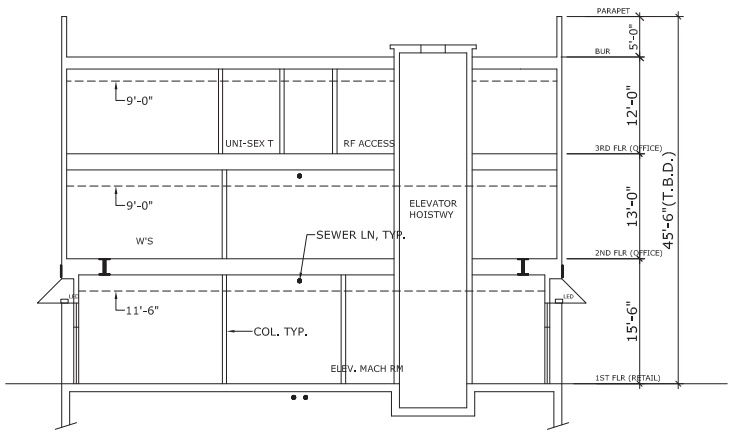
Figure 13

WEST ELEVATION (VIEWED FROM PARKING)

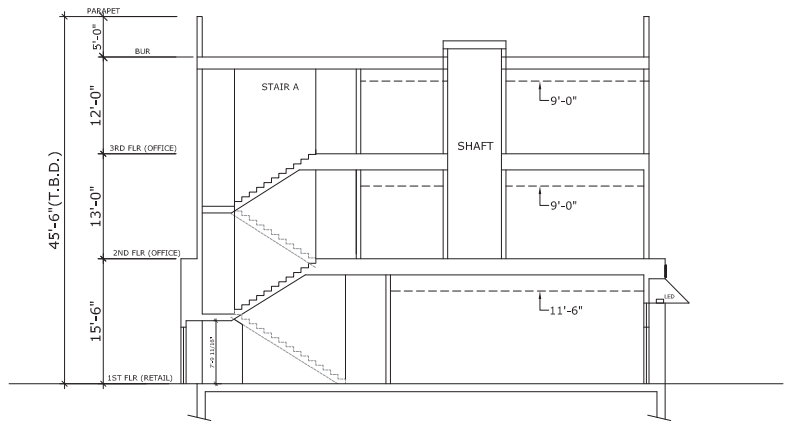


SOUTH ELEVATION

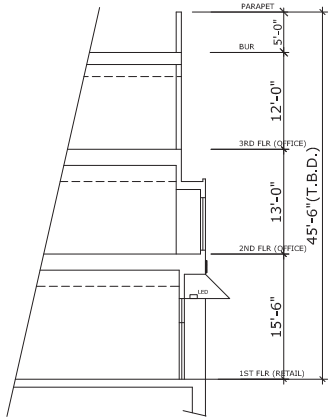
Source: Steve Yang & Associates (2015)



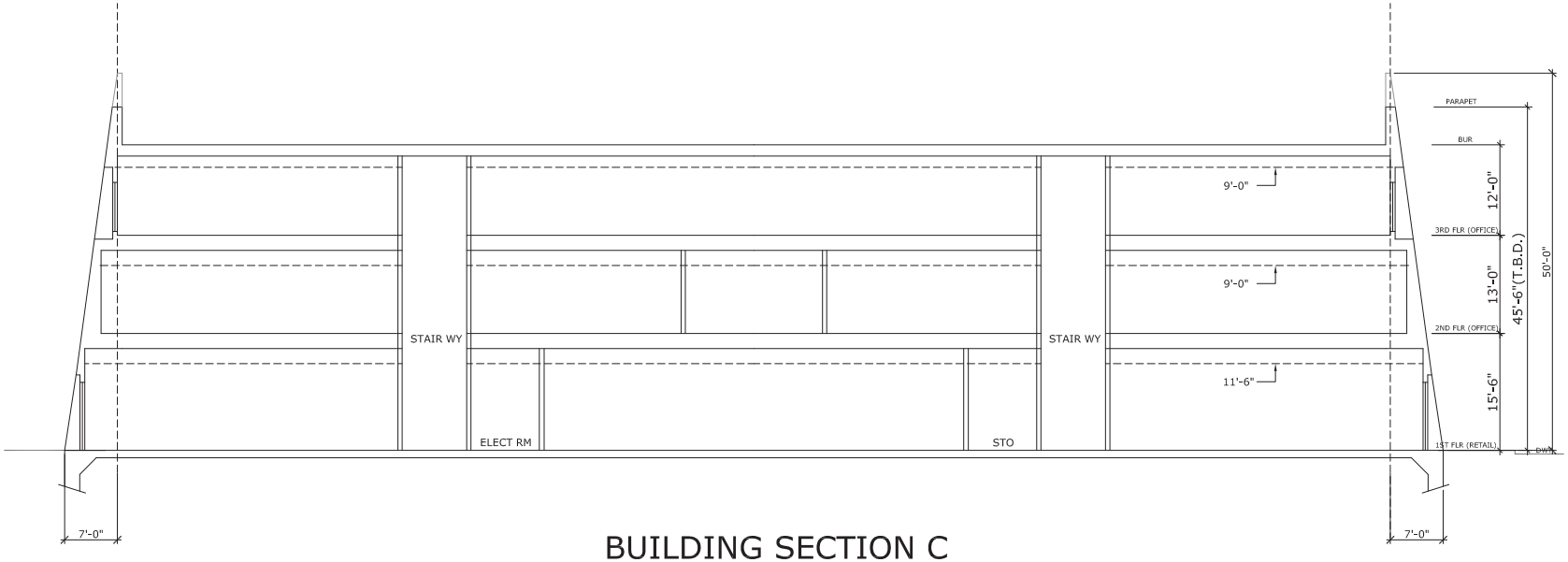
BUILDING SECTION B



BUILDING SECTION A



PARTIAL

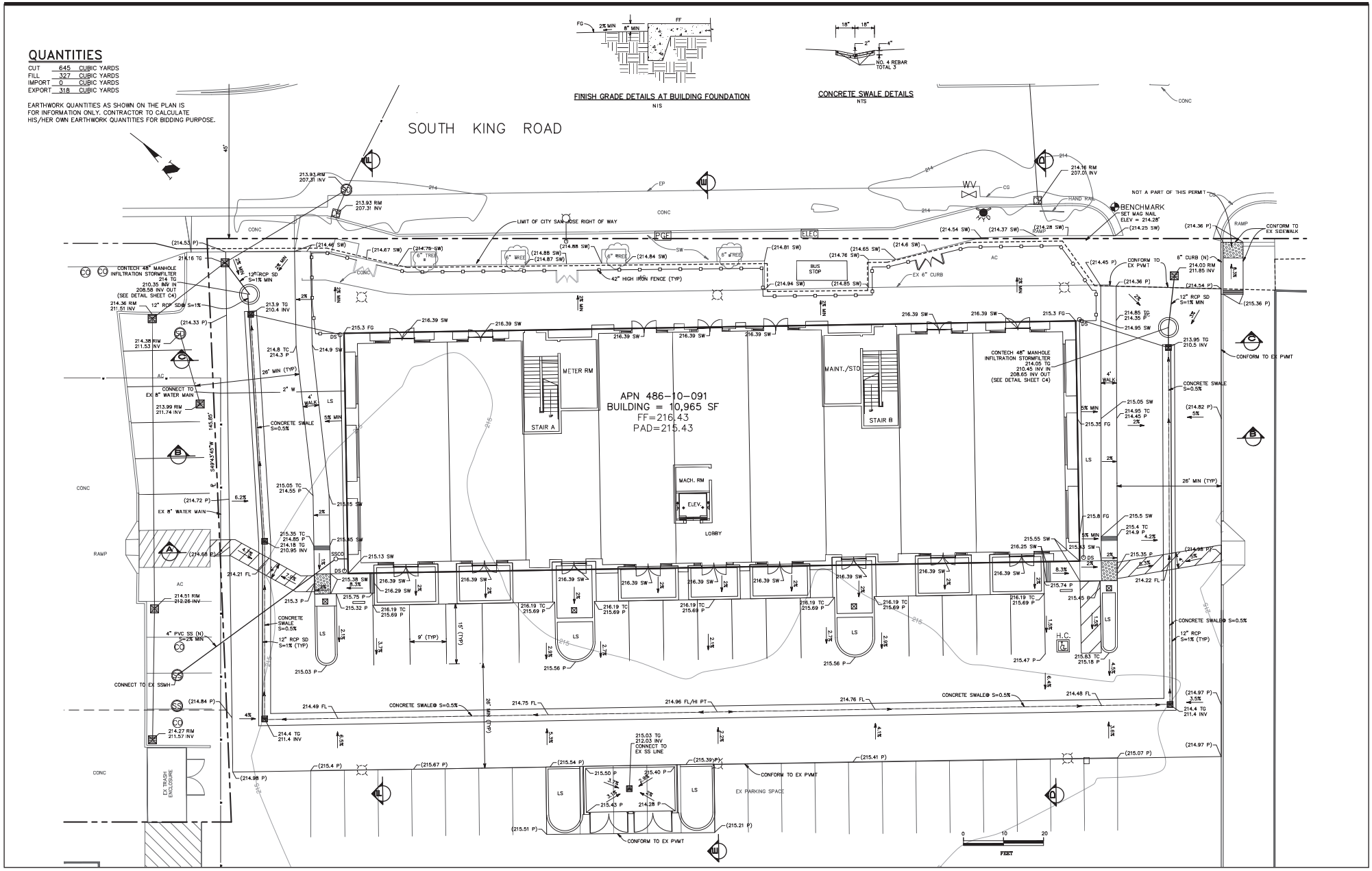


BUILDING SECTION C

Source: Steve Yang & Associates (2015)

Conceptual Grading and Drainage Plan

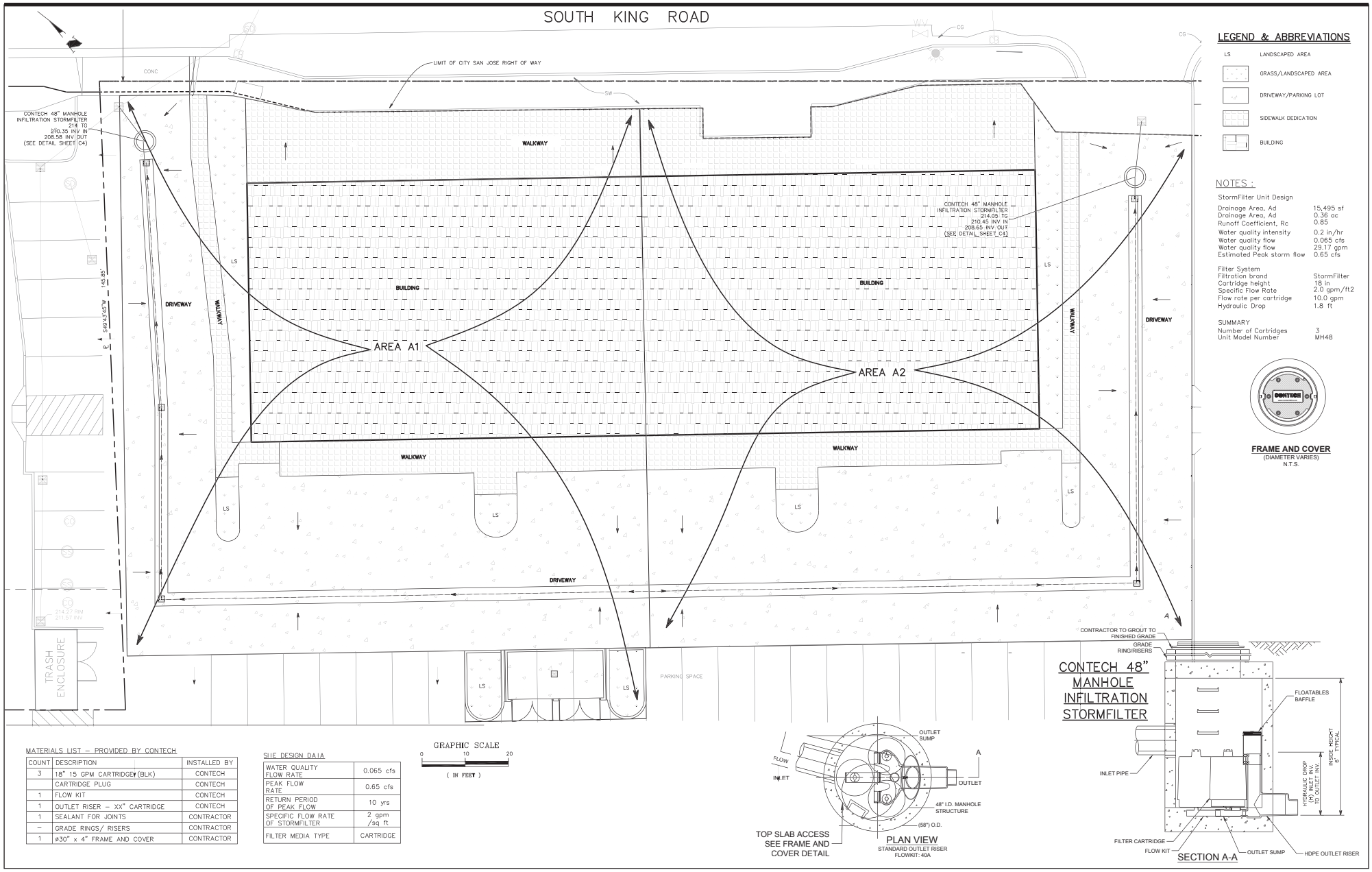
Figure 15



Source: LC Engineering (2015)

Conceptual Storm Water Control Plan

Figure 16



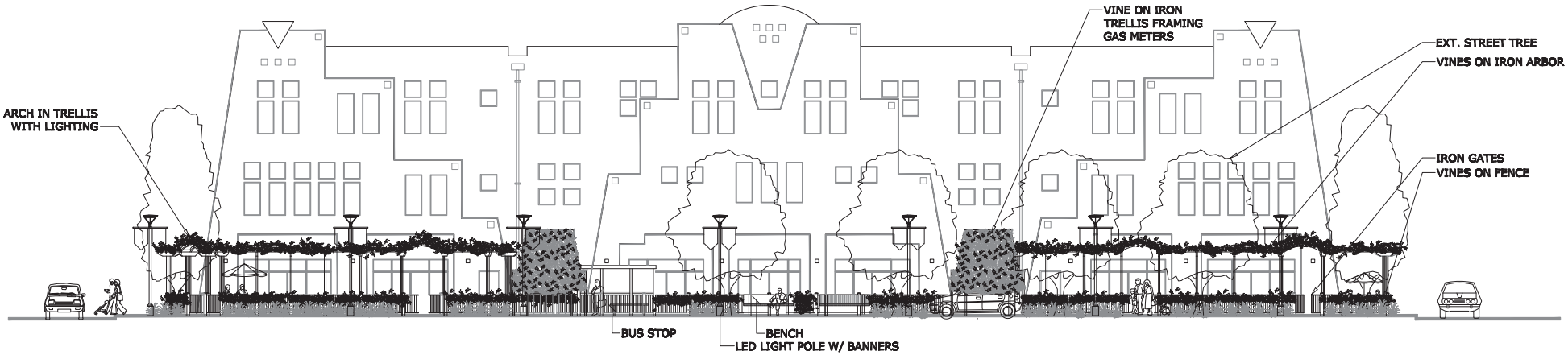
MATERIALS LIST – PROVIDED BY CONTECH

COUNT	DESCRIPTION	INSTALLED BY
3	18" 15 GPM CARTRIDGE (BLK)	CONTECH
	CARTRIDGE PLUG	CONTECH
1	FLOW KIT	CONTECH
1	OUTLET RISER – XX" CARTRIDGE	CONTECH
1	SEALANT FOR JOINTS	CONTRACTOR
–	GRADE RINGS/ RISERS	CONTRACTOR
1	ø30" x 4" FRAME AND COVER	CONTRACTOR

SITE DESIGN DATA

WATER QUALITY FLOW RATE	0.065 cfs
PEAK FLOW RATE	0.65 cfs
RETURN PERIOD OF PEAK FLOW	10 yrs
SPECIFIC FLOW RATE OF STORMFILTER	2 gpm /sq ft
FILTER MEDIA TYPE	CARTRIDGE

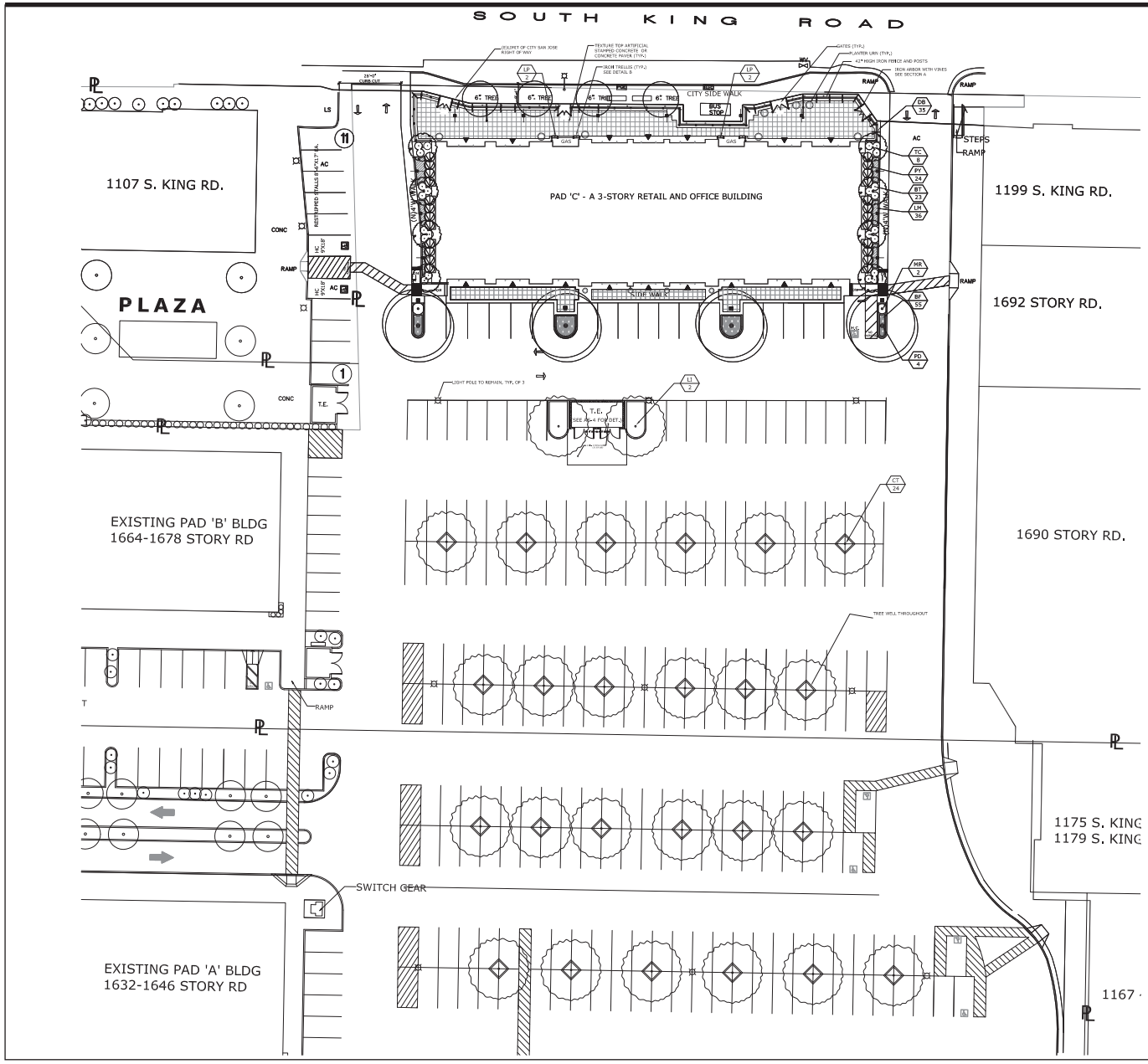
Source: LC Engineering (2015)



EAST / STREET ELEVATION

WEST / PARKING LOT ELEVATION

Source: Todd Kalbfeld Landscape Design (2015)



Plant Legend

SYM.	SIZE	QTY.	BOTANICAL NAME	COMMON NAME	REMARKS
TREES					
CT	24" Bx	24	Chitalpa tashkentensis	Chitalpa	Standard
PD	24" Bx	4	Phoenix dactylifera	Date Palm	Standard
LI	24" Bx	2	Lagerstroemia I. 'Tuscarora'	Crepe Myrtle	Standard
TC	24" Bx	4	Tristania conferta	Brisbane Box	Standard
SHRUBS					
BT	5g	23	Berberis t. 'Atropurpurea'	Crimson Barberry	
BF	1g	55	Bulbine frutescens	NCN	30" o.c.
LM	1g	36	Lantana montevidensis	Lantana	30" o.c.
MR	5g	2	Muhlenbergia rigens	Deer Grass	
PY	5g	24	Phormium cookianum 'Cream Delight'	New Zealand Flax	
VINES AND GROUND COVERS					
DB	5g	35	Distictus buccinatoria	Blood Red Trumpet Vine	
LP	5g	4	Lonicera japonica	Japanese Honeysuckle	

Planting Notes

1. All trees 15 gallons or larger to receive (2) 2'x10' Lodge Pole Pine Stakes with (1) 1"x4" backer board nailed to stakes. Tie all trees to stakes with rubber ties at mid point of trunk, and right below branch crotch. Nail with galvanized roofing nails.

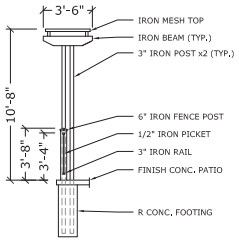
2. Provide deep watering/inspection tubes on all trees. Water basins should be sufficient enough to contain water at base of tree, as necessary.

3. Fertilizer tablets shall be placed at the mid-point of root ball per manu. recommendation.

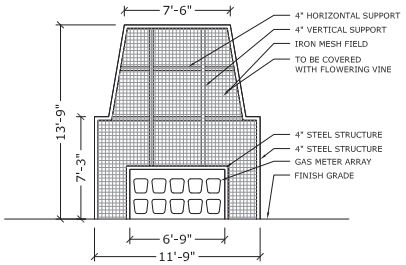
4. Rototill and amend entire planting site with 2" or more of compost into top 6"-12" of existing soil as necessary for planting needs. Refer to soil analysis report for type type of fertilizer, amendment needed for optimal growth.

5. Provide 3"+, of shreded mulch under all trees, shrubs and unplanted areas for water conservation.

6. Provide water saving drip irrigation for all planted areas.



"DETAIL A" IRON ARBOR AND FENCE SECTION
N.T.S



"DETAIL B" IRON TRELLIS
N.T.S

Source: Todd Kalbfeld Landscape Design (2015)

ENVIRONMENTAL CHECKLIST AND DISCUSSION

I. AESTHETICS - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐	1,2
b) Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒	1,2
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒	1,2
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☒	☐	1,2

INTRODUCTION: Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating visual and aesthetic impacts resulting from planned development within the City. The proposed project would be subject to the visual and aesthetic policies listed in Chapter 4, Goals and Policies, of the City's General Plan, including the following:

Policy CD-1.1: Require the highest standards of architectural and site design, and apply strong design controls for all development projects, both public and private, for the enhancement and development of community character and for the proper transition between areas with different types of land uses.

Policy CD-1.5: Encourage incorporation of publicly accessible spaces, such as plazas or squares, into new and existing commercial and mixed-use developments.

Policy CD-1.8: Create an attractive street presence with pedestrian-scaled building and landscaping elements that provide an engaging, safe, and diverse walking environment. Encourage compact, urban design, including use of smaller building footprints, to promote pedestrian activity throughout the City.

Policy CD-1.9: Give the greatest priority to developing high-quality pedestrian facilities in areas that will most promote transit use and bicycle and pedestrian activity. In pedestrian-oriented areas such as Downtown, Urban Villages, or along Main Streets, place commercial and mixed-use building frontages at or near the street-facing property line with entrances directly to the public sidewalk, provide high-quality pedestrian facilities that promote pedestrian activity, including adequate sidewalk dimensions for both circulation and outdoor activities related to adjacent land uses, a continuous tree canopy, and other pedestrian amenities. In these areas, strongly discourage parking areas located between the front of buildings and the street to promote a safe and attractive street facade and pedestrian access to buildings.

Policy CD-1.10: Promote shared parking arrangements between private uses and the provision of commonly accessible commercial or public parking facilities which can serve multiple users in lieu of providing individual off-street parking on a property-by-property basis. Consider in-lieu parking fees or other policy actions to support this goal.

Policy CD-1.13: Use design review to encourage creative, high-quality, innovative, and distinctive architecture that helps to create unique, vibrant places that are both desirable urban places to live, work, and play and that lead to competitive advantages over other regions.

Policy CD-2.8: Size and configure mixed-use development to accommodate viable commercial spaces with appropriate floor-to-floor heights, tenant space configurations, window glazing, and other infrastructure for restaurants and retail uses to ensure appropriate flexibility for accommodating a variety of commercial tenants over

time. Retail commercial buildings should have primary entrances at the street at sidewalk grade, particularly in pedestrian-oriented areas.

FINDINGS:

I.a, c. Scenic Vistas and Visual Character

The proposed project would alter the existing visual character of the site and its surroundings through various means including the demolition of a portion of the Tropicana Shopping Center parking lot and the construction of a 3-story commercial building providing ground floor retail uses and two floors of office space above the retail level. The project would replace an extensive view of the shopping center's parking lot area from South King Road with a view of the new 3-story commercial building. The proposed commercial building would establish a frontage view for the project site that is consistent with similar views of the shopping center opposite the site along South King Road. The project would provide a more integrated and coordinated visual perception of the commercial uses along this part of South King Road. The project would also block the existing views of the site's parking lot and replace them with views that are more aesthetically consistent with the overall Tropicana Shopping Center., Consequently, the proposed project would not substantially affect a scenic vista nor significantly degrade the existing visual character of the site.

I.b. Scenic Resources Within a State Scenic Highway

The Tropicana Shopping Center is not located in proximity to a a state scenic highway and, therefore, would not substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway.

I.d. Light or Glare

Exterior building and parking lot lighting associated with the new development would likely create a minor increase in the amount of nighttime lighting when compared to the existing land use on the site; however it would not adversely affect views in the area. The project would be required to conform to the City's Commercial Design Guidelines and to the standards of the City's Outdoor Lighting Policy. Therefore, the potential impacts of the proposed project on existing levels of light and glare occurring at the site would be less than significant.

Standard Permit Conditions

In addition to the policies of the San José General Plan, the proposed project would be required to comply with the following City policies and guidelines:

- San José Outdoor Lighting Policy (City Council Policy 4-3, as revised 6/20/00)
- San José Commercial Design Guidelines

CONCLUSION: Conformance with the above General Plan Policies and City Standard Permit Conditions will ensure that aesthetic impacts would be reduced to a less than significant level at the time of future development of the site.

MITIGATION MEASURES: None required.

II. AGRICULTURE AND FORESTRY RESOURCES - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒	1,3,4
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	1,3,4

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined in Public Resources Code 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒	1,3,4
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	1,3,4
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒	1,3,4

INTRODUCTION: Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating agricultural impacts resulting from planned development within the City. The proposed project would be subject to the agricultural policies listed in the City's General Plan, including the following:

Policy LU-12.3: Protect and preserve the remaining farmlands within San José's sphere of influence that are not planned for urbanization in the timeframe of the Envision General Plan through the following means:

- Limit residential uses in agricultural areas to those which are incidental to agriculture.
- Restrict and discourage subdivision of agricultural lands. Encourage contractual protection for agricultural lands, such as Williamson Act contracts, agricultural conservation easements, and transfers of development rights.
- Prohibit land uses within or adjacent to agricultural lands that would compromise the viability of these lands for agricultural uses.
- Strictly maintain the Urban Growth Boundary in accordance with other goals and policies in this Plan.

Policy LU-12.4: Preserve agricultural lands and prime soils in non-urban areas in order to retain the aquifer recharge capacity of these lands.

Policy LU-12.5: Encourage appropriate agricultural uses in the hillsides.

FINDINGS:
<u>II.a, II.b, II.c, II.d, II.e. Farmland, Agricultural, and Forestry Uses</u>
The project site is not located in an area identified as or near prime farmland, nor is the site being used for or zoned for agricultural or timberland use. Therefore, the proposed project will not result in a significant impact on the City's or Region's agricultural or timberland resources.

CONCLUSION: The proposed project will have no impacts on City or Regional agricultural or forest lands.

MITIGATION MEASURES: None required.

III. AIR QUALITY - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐	1,14
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐	1,14,28, 31

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐	1,14
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐	1,14,29
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒	1,14

INTRODUCTION: The City of San José is within the San Francisco Bay Area Air Quality Management District (BAAQMD). The District is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. The Clean Air Plan (CAP) is BAAQMD's primary plan for reducing air pollutant emissions. This *Clean Air Plan* outlines how the SFBAAB will attain air quality standards, reduce population exposure and protect public health, and reduce greenhouse gas (GHG) emissions.

BAAQMD also published CEQA Guidelines for the purpose of evaluating the air quality impacts of projects and plans. The analysis in this document is based upon the methodologies in the most recept BAAQMD CAP and CEQA Guidelines, as well as Federal and State numeric thresholds for the San Francisco Bay air basin.

Various policies in the General Plan have been adopted for the purpose of avoiding or mitigating air quality impacts from development projects. The proposed project would be subject to the air quality policies listed in the General Plan, including the following:

Policy MS-10.1: Assess projected air emissions from new development in conformance with the Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines and relative to state and federal standards. Identify and implement feasible air emission reduction measures.

Policy MS-10.2: Consider the cumulative air quality impacts from proposed developments for proposed land use designation changes and new development, consistent with the region's Clean Air Plan and State law.

Policy MS-11.1: Require completion of air quality modeling for sensitive land uses such as new residential developments that are located near sources of pollution such as freeways and industrial uses. Require new residential development projects and projects categorized as sensitive receptors to incorporate effective mitigation into project designs or be located an adequate distance from sources of toxic air contaminants (TACs) to avoid significant risks to health and safety.

Policy MS-11.5: Encourage the use of pollution absorbing trees and vegetation in buffer areas between substantial sources of TACs and sensitive land uses.

Policy MS-13.1: Include dust, particulate matter, and construction equipment exhaust control measures as conditions of approval for subdivision maps, site development and planned development permits, grading permits, and demolition permits. At minimum, conditions shall conform to construction mitigation measures recommended in the current BAAQMD CEQA Guidelines for the relevant project size and type.

Policy CD-3.3: Within new development, create and maintain a pedestrian-friendly environment by connecting the internal components with safe, convenient, accessible, and pleasant pedestrian facilities and by requiring pedestrian connections between building entrances, other site features, and adjacent public streets.

Policy TR-9.1: Enhance, expand and maintain facilities for walking and bicycling, particularly to connect with and ensure access to transit and to provide a safe and complete alternative transportation network that facilitates non-automobile trips.

All future development allowed by the proposed land use designations would be subject to the City's Grading Ordinance, which mandates that all earth moving activities shall include requirements to control fugitive dust, including regular watering of the ground surface, cleaning nearby streets, damp sweeping, and planting any areas left vacant for extensive periods of time.

In addition to the policies of the City's General Plan, an evaluation of potential air quality impacts on local and regional levels was prepared as part of the City's certified *Evergreen – East Hills Vision Strategy Project FEIR* (SCH 2005102007) and the certified *Supplemental FEIR for Revision of the Evergreen Development Policy* (SCH 200510200). These environmental documents evaluated potentially significant air quality impacts for future development pools encompassing residential and commercial land uses in the project area. The revised air quality analysis conducted for the Evergreen – East Hills area included the development of 500,000 s.f. of commercial retail space and 75,000 s.f. of office space. The proposed commercial building would be consistent with the project area's land use plans subject to this prior environmental review. Air quality mitigation measures required by these environmental documents would be implemented as part of the project plans.

FINDINGS:

III.a. Air Quality Planning

The consistency of the proposed project with the most recently adopted regional air quality plan, the *CAP,* is determined by comparing the project's consistency with pertinent land use and transportation control measures contained in the *CAP*. The project site is located adjacent to VTA bus routes 22, 77, and 12 and the proposed commercial development would be consistent with *CAP* Policy TCM D-3, which promotes provision of employment development near transit to promote walking, bicycling, and transit use. The *CAP* is based on the City's *Evergreen – East Hills Development Policy,* which was in effect at the time the *CAP* was approved, and therefore, consistency of the project with this Policy would indicate consistency with the *CAP*. Therefore, the project would not conflict with or obstruct implementation of the applicable air quality plan, a less-than-significant impact.

III.b. Air Quality Standards

Regulatory and Planning Framework. In June 2010, the BAAQMD adopted CEQA thresholds of significance and updated its CEQA Air Quality Guidelines, which provides guidance for assessing air quality impacts under CEQA. However, on March 5, 2012, the Alameda County Superior Court issued a judgment finding that the BAAQMD had failed to comply with CEQA when it adopted the Thresholds. The court issued a writ of mandate ordering the BAAQMD to set aside the Thresholds and cease dissemination of them until the BAAQMD had complied with CEQA. On August 13, 2013, the California Court of Appeal reversed the Alameda County Superior Court judgment that invalidated the BAAQMD's CEQA thresholds of significance. In a published ruling, the Court directed that the Superior Court vacate the writ of mandate issued in March 2012, ordering the BAAQMD to set aside its June 2010 resolution (Res. #2010-06) "Adopting Thresholds for Use in Determining the Significance of Projects' Environmental Effects Under the California Environmental Quality Act." Therefore, the 2010/2011 BAAQMD CEQA Air Quality Guidelines and significance thresholds will be back in effect as soon as the Superior Court complies with the appellate court ruling.

Significance Thresholds. Exercising its own discretion as Lead Agency and similar to many other San Francisco Bay Area jurisdictions, the City of San José has decided to rely on the thresholds within the Options and Justification Report (ref. 28) prepared by the BAAQMD, which serve as the basis for the 2010/2011 BAAQMD CEQA Air Quality Guidelines and significance thresholds (ref. 14). The BAAQMD Options and Justification Report establishes the following thresholds based on substantial evidence and are consistent with the thresholds outlined within the 2010/2011 BAAQMD CEQA Air Quality Guidelines:

- NO_X and ROG: 54 pounds/day
- PM_{10}: 82 pounds/day
- $PM_{2.5}$: 54 pounds/day

In addition to establishing the above significance thresholds for criteria pollutant emissions, the BAAQMD, in its Options and Justification Report and 2010/2011 CEQA Air Quality Guidelines, also recommended the following quantitative thresholds to determine the significance of construction-related and operational emissions of toxic air contaminants from individual project and cumulative sources on cancer and non-cancer health risks:

- Increased cancer risk of >10.0 in a million for individual projects and >100 in a million (from all local sources) for cumulative sources;
- Increased non-cancer risk of >1.0 Hazard Index (Chronic or Acute) for individual projects and >10.0 Hazard Index (from all local sources) for cumulative sources; and
- Ambient $PM_{2.5}$ increase: >0.3 $\mu g/m^3$ annual average for individual projects and >0.8 $\mu g/m^3$ annual average (from all local sources) for cumulative sources.

Project Emissions. Construction of the proposed building would require operation of heavy equipment, which would generate short-term emissions of criteria pollutants, including suspended and inhalable particulate matter and equipment exhaust emissions. Annual and average daily construction-related and operational emissions was estimated for a commercial project of similar size, and found to not exceed the above significance thresholds.[1] Therefore, construction and operational exhaust emission estimates for this project are also expected to be below these thresholds and, therefore, this impact would be less than significant. However, the BAAQMD recommends that all Basic Construction Measures be implemented for all construction projects, whether or not construction-related emissions exceed these significance thresholds. Therefore, the project's construction-related and operational increases in criteria pollutant emissions would be less than significant with implementation of Standard Permit Conditions outlined below.

III.c. Cumulative Air Quality Impacts

To address cumulative impacts on regional air quality, the City of San José utilizes the thresholds of significance established by the BAAQMD for construction-related and operational criteria pollutants and precursor emissions (specified above). These thresholds represent the levels at which a project's individual emissions of criteria pollutants and precursors would result in a cumulatively considerable contribution to the SFBAAB's existing air quality conditions. If daily average or annual emissions exceed these thresholds, the project would result in a cumulatively significant impact. Since the project's construction-related and operational criteria pollutant emissions would not exceed the significance thresholds specified above, the project's contribution would be less than cumulatively considerable and, therefore, less than significant.

III.d. Exposure of Sensitive Receptors

Sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers. The California Air Resources Board (CARB) has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis. Sensitive receptors in the project vicinity include single-family residences (on Marsh Street and Knox Avenue) located approximately 250 to 600 feet to the south and west, respectively. The closest schools, Anthony Dorsa Elementary School and Kidango – Arbuckle Elementary School, are located approximately one-fourth mile and one-third mile to the east and north, respectively.

Operation of the proposed commercial building would not generate toxic air contaminants (TACs) that would pose a health risks to adjacent or nearby uses. During project construction, combustion emissions from operation of off-road construction equipment on the project site would be generated and could expose adjacent and nearby receptors

[1] Construction-related annual and average daily criteria pollutant emissions were estimated for a similarly-sized shopping center project (26,500 s.f. proposed at 15600 Los Gatos Boulevard in Los Gatos and found to well below the above significance thresholds (ref. 29).

to diesel particulate matter (DPM) and other toxic air contaminants (TACs) that are associated with various health risk factors. However, due to the small size of the project and distance to the closest sensitive receptors, the project's construction-related DPM emissions are not expected to exceed BAAQMD significance thresholds for cancer (10 in a million) and non-cancer health risks (Hazard Index of 1.0).[2] Therefore, the project's construction-related DPM emissions would result in temporary health risks that would be less than significant to infants, children, and adults.

In addition to the above construction-related risk and hazard impacts, sensitive receptors in the project vicinity would be exposed to cumulative risk and hazard impacts from the project's construction-related emissions in combination with existing stationary and mobile sources within approximately 1,000 feet of the project area. Therefore, in addition to project construction, possible local stationary or vehicular source emissions must be added to this concentration to determine the cumulative total. Specifically, the BAAQMD requires that existing stationary and mobile emissions (i.e. freeways or roadways with more than 10,000 vehicles per day) sources within 1,000 feet of the project area also be considered. Any potential cumulative health risk would, therefore, derive from project activities plus any existing identified risk sources within the project vicinity. When emissions from existing permitted stationary and mobile sources located within approximately 1,000 feet of the project are considered, cumulative health risks at the maximally-exposed individual (MEI) would be as indicated in Tables 1 and 2. Table 3 presents total cumulative emissions at the MEI from stationary and mobile sources (Tables 1 and 2) and the proposed project. As indicated in this table, cumulative emissions would not exceed the cumulative significance thresholds for risk and hazard impacts at new sensitive receptors. Therefore, the project's contribution to cumulative construction-related risk and hazard impacts would be less than cumulatively considerable, a less-than-significant impact.

Moreover, the proposed project would allow infill development in an already urbanized area. The provision of infill development is consistent with smart growth principles. The provision of more commercial development in the predominantly residential Evergreen area is anticipated to reduce longer vehicle trips out of the area to more remote job and retail centers. The provision of commercial and office growth within the Evergreen area allows for internalization of vehicle trips within the area, as well as providing opportunities for jobs for residents of Evergreen, which would reduce work commute vehicle trip lengths.

Standard Permit Conditions

Basic Construction Measures. To limit the project's construction-related dust and criteria pollutant emissions, the following BAAQMD-recommended Basic Construction Mitigation Measures shall be included in the project's grading plan, building plans, and contract specifications:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. Recycled water should be used wherever feasible.[3]
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- Post a publicly visible sign with the telephone number and person to contact at the City regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.
- Post a publicly visible sign with the telephone number and person to contact at the City regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

[2] A health risk screening analysis was completed for a similarly-sized shopping center project (26,500 s.f.) proposed at 15600 Los Gatos Boulevard in Los Gatos and found to well below the above significance thresholds (ref. 29).

[3] As of February 2015, recycled water was made available by the San José Environmental Services Department for construction spray trucks for dust control on construction projects, misting street sweepers, and sewer cleanout trucks. There are seven recycled water filling stations in San José, five in Milpitas, and another is planned in the City of Santa Clara (ref. 31).

Table 1
Cumulative Risk and Hazard Impacts at MEI from Existing Permitted Stationary Sources

Site #	Facility Name	Street Address	City	Distance	Excess Cancer Risk	Chronic Hazard Index	Acute Hazard Index	PM2.5 (µg/m^3)
G97194	Calderon's Station	1620 Story Road	San José	520 feet	0.101*	0.0001*	- -	na
G11896	Story Road Shell	1699 Story Road	San José	400 feet	1.368*	0.0018*	- -	na
G7261	L&D Service Station	960 S. King Road	San José	925 feet	0.245*	0.0004*	- -	na
16373	Target (generator)	1750 Story Road	San José	700 feet	0.00	0.00	- -	0.00
Total – Stationary Sources					**1.714**	**0.0023**	**- -**	**0.00**

NOTES:
* Adjusted for distance per BAAQMD's *Gasoline Dispensing Facilities Distance Multiplier Tool.*
SOURCES: BAAQMD, *Stationary Source Screening Analysis Tool,* May 30, 2012; BAAQMD, *Gasoline Dispensing Facility Distance Multiplier Tool,* June 13, 2012. Available online at http://www.baaqmd.gov/Home/Divisions/Planning%20and%20Research/CEQA%20GUIDELINES/Tools%20and%20Methodology.aspx.

Table 2
Cumulative Risk and Hazard Impacts at MEI from Existing Mobile Sources

Direction	Roadways with ADT of >10,000	Distance	ADT	Excess Cancer Risk (cases in a million)*	PM2.5 Concentration (µg/m^3)
N-S	South King Road	25 feet	29,734	15.64	0.321
E-W	Story Road	250 feet	39,000	7.45	0.187
			Total Roadways	**23.09**	**0.508**

NOTES: There were no freeways located within 1,000 feet of the project site.
* Sources for roadway distances from the site and ADTs: Google Earth Pro (accessed on June 5, 2015).
SOURCES: BAAQMD, *Roadway Screening Analysis Calculator*, April 16, 2015; BAAQMD *Highway Screen Analysis Tool,* April 29, 2011. Available online at http://www.baaqmd.gov/Home/Divisions/Planning%20and%20Research/CEQA%20GUIDELINES/Tools%20and%20Methodology.aspx .

Table 3
Cumulative Risk and Hazard Impacts at MEI from Proposed Project as well as Existing Stationary and Mobile Sources

Type	Excess Cancer Risk (cases in a million)	PM2.5 Concentration (µg/m^3)	Chronic Hazard	Acute Hazard
Stationary Source	1.714	0.000	0.0023	- -
Roadways	23.09	0.508	-	-
Proposed Project (worst-case)	<5.00*	<0.012*	<0.02*	<1
Maximum Cumulative	**<30**	**<0.5**	**<1**	**<1**
Significance Threshold	100	0.8	1	1

NOTES:
* For purposes of this analysis, the project's health risks were conservatively assumed to be twice the risk levels estimated for a similarly-sized shopping center project (26,500 s.f.) proposed at 15600 Los Gatos Boulevard in Los Gatos, which had an excess cancer risk of 2.48 in a million for infants, non-cancer risk of 0.012 HI, and annual average PM2.5 concentration of 0.058 µg/m^3) and cumulative risk levels were still well below the above significance thresholds (ref. 29).
SOURCES: Tables 2, 3, and 4.

Enhanced Particulate Controls. All loaders, backhoes, dozers, excavators, cranes, and water trucks used during project construction shall be equipped with Tier 4 engines and Level 3 diesel particulate filters in order to reduce health risks to infants to a less-than-significant level

III.e. Odors

Project construction would generate nuisance diesel odors associated with operation of diesel construction equipment on-site (primarily during initial grading phases), but this effect would be localized, sporadic, and short-term in nature. Therefore, temporary impacts from nuisance diesel odors on adjacent residential receptors located approximately 250 feet to the southeast are considered to be less than significant. According to the BAAQMD CEQA Air Quality Guidelines, land uses associated with odor complaints typically include wastewater treatment plants, landfills, confined animal facilities, composting stations, food manufacturing plants, refineries, and chemical plants. The project would not include any uses identified by the BAAQMD as being associated with odors. No new or unusual sources of nuisance odors would be associated with the proposed office use. Therefore, the project's potential for nuisance odor problems would be less than significant.

CONCLUSION: Conformance with the above General Plan Policies and the BAAQMD BMPs will ensure that air quality impacts would be reduced to a less than significant level at the time of future development of the site.

MITIGATION MEASURES: None required.

IV. BIOLOGICAL RESOURCES - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒	1,10
b) Have a substantial adverse effect on any aquatic, wetland, or riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒	1,6,10
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒	1,6
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒	1,10
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒	1,11
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒	1,2

INTRODUCTION: Biological resources include plants and animals and the habitats that support them. Individual plant and animal species that are listed as rare, threatened or endangered under the state and/or federal Endangered Species Act, and the natural communities or habitats that support them, are of particular concern. Sensitive natural communities (e.g., wetlands, riparian woodlands, and oak woodland) that are critical to wildlife or ecosystem function are also important biological resources.

The avoidance and mitigation of significant impacts to biological resources under CEQA is consistent with and complementary to various federal, state, and local laws and regulations that are designed to protect these resources. Many of these regulations mandate that project sponsors obtain permits that include measures to avoid and/or mitigate impacts, prior to the commencement of development activities. Table 4 summarizes laws and regulations applicable to the proposed project.

In addition to the laws and regulations listed above, various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating biological impacts resulting from planned development within the City. The proposed project would be subject to the biological policies listed in the City's General Plan, including the following:

Policy MS-21.4: Encourage the maintenance of mature trees, especially natives, on public and private property as an integral part of the community forest. Prior to allowing the removal of any mature tree, pursue all reasonable measures to preserve it.

Policy MS-21.5: As part of the development review process, preserve protected trees (as defined by the Municipal Code), and other significant trees. Avoid any adverse affect on the health and longevity of protected or other significant trees through appropriate design measures and construction practices. Special priority should be given to the preservation of native oaks and native sycamores. When tree preservation is not feasible, include appropriate tree replacement, both in number and spread of canopy.

Policy ER-4.1: Preserve and restore, to the greatest extent feasible, habitat areas that support special-status species. Avoid development in such habitats unless no feasible alternatives exist and mitigation is provided of equivalent value.

Policy ER-5.1: Avoid implementing activities that result in the loss of active native birds' nests, including both direct loss and indirect loss through abandonment, of native birds. Avoidance of activities that could result in impacts to nests during the breeding season or maintenance of buffers between such activities and active nests would avoid such impacts.

Table 4
Regulation of Biological Resources

Law/Regulation	Objective(s)	Responsible Agencies
Federal Endangered Species Act California Endangered Species Act	Protect endangered species and their habitat and, ultimately restore their numbers to where they are no longer threatened or endangered.	USFWS, NOAA Fisheries CDFG
Federal Migratory Bird Treaty Act	Protect migratory birds, including their nests & eggs.	USFWS
California Fish & Game Code Section 3503.5	Protect birds of prey, including their nests & eggs.	CDFG

NOAA = National Oceanic & Atmospheric Administration
USFWS = U.S. Fish & Wildlife Service
CDFG = California Department of Fish & Game

FINDINGS:
IV.a.– d. Special-Status Species, Sensitive Habitat/Communities, Wetlands, Fish and Wildlife Movement, Corridors, and Nursery Sites
The portion of the project site proposed for the development of the commercial building consists of a paved parking lot with negligible to minimal biological value. There are five Chinese pistache street trees (*Pistachia chinensis*) along the site's frontage on South King Road, and these trees are within the City's right-of-way. No other landscape

improvements occur within the proposed building site. No rare, threatened, endangered or special status species of flora or fauna are known to inhabit the site.

The project site provides minimal habitat for wildlife species associated with urban areas. While trees in urban areas can generally provide food and cover for wildlife adapted to this environment, including birds such as house finch, mourning dove, house sparrow, and Brewer's blackbird, the street trees at the site along South King Road are not yet mature and provide minimal separation from human activity in the site vicinity. The trees' location at a bus stop and active street vendor operations discourage bird use of these trees. No raptors or nests were observed on the site, and the potential for raptors to nest in these trees is very low. No other rare, threatened, or endangered animal species were observed on the project site, nor are any expected to occur since the area is extensively developed.

IV.e. Tree and Biological Protection Ordinances

Construction of the proposed project would result in no removal of trees from the site. The existing five street trees would remain in place, supplemented with landscape plantings along the proposed building's frontage on South King Road. Palm trees would be planted at the rear of the building and would complement existing palm tree landscape plantings within the site's plaza immediately adjoining the building site to the north. Shrubs and vines would also be planted at the front of the building, with vines to grow along proposed trellises and low iron fencing. Figures 17 and 18 present proposed landscape and planting plans.

IV.f. Habitat Conservation Plans

The Santa Clara Valley Habitat Plan (Plan) provides a framework for promoting the protection and recovery of natural resources, including endangered species, while streamlining the permitting process for planned development, infrastructure, and maintenance activities. The Plan will allow the County of Santa Clara (County), the Santa Clara Valley Water District (SCVWD), the Santa Clara Valley Transportation Authority (VTA) and the cities of Gilroy, Morgan Hill, and San José (collectively, the Local Partners or Permittees) to receive endangered species permits for activities and projects they conduct and those under their jurisdiction. The Santa Clara Valley Open Space Authority (Open Space Authority) has also contributed to Plan preparation. The Plan will protect, enhance, and restore natural resources in specific areas of Santa Clara County and contribute to the recovery of endangered species. Rather than separately permitting and mitigating individual projects, the Plan evaluates natural-resource impacts and mitigation requirements comprehensively in a way that is more efficient and effective for at-risk species and their essential habitats.

The project site is located within the boundaries of the Santa Clara Valley HCP in an area designated as "Urban - Suburban" (lands designated as Urban Areas by the HCP have no associated land cover fee). The project site is less than 2 acres, and no covered species are known or expected to occur within the project site; therefore, this project is not considered a covered project under the Habitat Plan.

.

CONCLUSION: The proposed project would have no impacts on biological resources or habitat values in the project site.

MITIGATION MEASURES: None required.

V. CULTURAL RESOURCES - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines §15064.5?	☐	☐	☒	☐	1,7
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	☐	☐	☐	☒	1,8
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☐	☒	☐	1,8

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐	1,8

INTRODUCTION: Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating cultural resource impacts resulting from planned development within the City. The proposed project would be subject to the geology and soil policies listed in the City's General Plan, including the following:

Policy ER-10.1: For proposed development sites that have been identified as archaeologically or paleontologically sensitive, require investigation during the planning process in order to determine whether potentially significant archeological or paleontological information may be affected by the project and then require, if needed, that appropriate mitigation measures be incorporated into the project design.

Policy ER-10.2: Recognizing that Native American human remains may be encountered at unexpected locations, impose a requirement on all development permits and tentative subdivision maps that upon their discovery during construction, development activity will cease until professional archaeological examination confirms whether the burial is human. If the remains are determined to be Native American, applicable state laws shall be enforced.

Policy ER-10.3: Ensure that City, State, and Federal historic preservation laws, regulations, and codes are enforced, including laws related to archaeological and paleontological resources, to ensure the adequate protection of historic and pre-historic resources.

Policy LU-14.5: Continue and strengthen enforcement programs, such as those addressing vacant buildings, to promote the maintenance and survival of all classes of the city's historic and cultural resources.

Policy IP-12.3: Use the Environmental Clearance process to identify potential impacts and to develop and incorporate environmentally beneficial actions, particularly those dealing with the avoidance of natural and human-made hazards and the preservation of natural, historical, archaeological and cultural resources.

FINDINGS:

V.a. Historical Resources

The project site consists of a parking lot within the Tropicana Shopping Center. According to historical sources, the current site buildings were constructed in 1957-1960, and in 2000 for use as a retail shopping center. A review of the City of San José Historic Resources Inventory (9/23/2014) indicates that the project site does not contain any acknowledged historic structures or sites.

V.b, Vd. Archaeological Resources and Human Remains

The overall project site has been developed since the 1960s, with environmental review required as the project site has been built out. The proposed project area has been developed as a parking lot, with trenching and excavation conducted for the installation of utilities and services lines. Previous development of the project site has been the subject of review for archaeological resources and none have been uncovered by past construction activities.

V.c. Paleontological Resources

The project is located within an area of potential paleontological sensitivity. Previous development of the project site has been the subject of review for paleontological resources and none have been uncovered by past construction activities. As a result, sensitivity for cultural resources is considered to be low for the site. Nonetheless, further excavation and trenching for demolition of the parking lot and construction of the building foundation could reveal hidden archaeological and/or paleontological resources. Consequently, the City will include the following conditions of approval to the proposed project.

Standard Permit Conditions

In addition to the policies of the San José General Plan, the proposed project would be required to comply with the following Permit Conditions:

- Should evidence of prehistoric cultural resources be discovered during construction, work within 50 feet of the find shall be stopped to allow adequate time for evaluation and mitigation by a qualified professional archaeologist. The material shall be evaluated and if significant, a mitigation program including collection and analysis of the materials at a recognized storage facility shall be developed and implemented under the direction of the City's Environmental Principal Planner.
- As required by County ordinance, this project will incorporate the following guidelines. 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.

CONCLUSION: Conformance with the above General Plan Policies will ensure that cultural resources impacts would be reduced to a less than significant level at the time of redevelopment of the site.

MITIGATION MEASURES: None required.

GEOLOGY AND SOILS - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
1) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	☒	☐	1,5,24,25
2) Strong seismic ground shaking?	☐	☐	☒	☐	1,5,24,25
3) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐	1,5,24,25
4) Landslides?	☐	☐	☒	☐	1,5,24,25
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐	1,5,24,25
c) c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐	1,5,24,25
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐	1,5,24,25
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☒	☐	1,5,24,25

INTRODUCTION: Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating geology and soil impacts resulting from planned development within the City. The proposed project would be subject to the geology and soil policies listed in the City's General Plan, including the following:

Policy EC-3.1: Design all new or remodeled habitable structures in accordance with the most recent California Building Code and California Fire Code as amended locally and adopted by the City of San José, including provisions regarding lateral forces.

Policy EC-3.2: Within seismic hazard zones identified under the Alquist-Priolo Fault Zoning Act, California Seismic Hazards Mapping Act and/or by the City of San José, complete geotechnical and geological investigations and approve development proposals only when the severity of seismic hazards have been evaluated and appropriate mitigation measures are provided as reviewed and approved by the City of San José Geologist. State guidelines for evaluating and mitigating seismic hazards and the City-adopted California Building Code will be followed.

Policy EC-4.1: Design and build all new or remodeled habitable structures in accordance with the most recent California Building Code and municipal code requirements as amended and adopted by the City of San José, including provisions for expansive soil, and grading and storm water controls.

Policy EC-4.2: Approve development in areas subject to soils and geologic hazards, including un-engineered fill and weak soils and landslide-prone areas, only when the severity of hazards have been evaluated and if shown to be required, appropriate mitigation measures are provided. New development proposed within areas of geologic hazards shall not be endangered by, nor contribute to, the hazardous conditions on the site or on adjoining properties. The City of San José Geologist will review and approve geotechnical and geological investigation reports for projects within these areas as part of the project approval process.

Policy EC-4.4: Require all new development to conform to the City of San José's Geologic Hazard Ordinance.

Policy EC-4.5: Ensure that any development activity that requires grading does not impact adjacent properties, local creeks and storm drainage systems by designing and building the site to drain properly and minimize erosion. An Erosion Control Plan is required for all private development projects that have a soil disturbance of one acre or more, are adjacent to a creek/river, and/or are located in hillside areas. Erosion Control Plans are also required for any grading occurring between October 1st and April 30th.

Policy EC-4.7: Consistent with the San José Geologic Hazard Ordinance, prepare geotechnical and geological investigation reports for projects in areas of known concern to address the implications of irrigated landscaping to slope stability and to determine if hazards can be adequately mitigated.

FINDINGS:

<u>VI.a., VI.c. Seismic and Geologic Hazards</u>

Due to its location within a seismically active region, the project site would likely be subject to at least one moderate to major earthquake that could affect the project after construction. The site would be subject to strong ground shaking in the event of a major earthquake on one of the region's active faults. Because the potential for liquefaction on the site is considered high, liquefaction and differential settlement could occur on the site during an earthquake.

This project is located within the State of California Seismic Hazard Zone. A geotechnical investigation report addressing the potential hazard of liquefaction must be submitted to, reviewed and approved by the City Geologist prior to issuance of a grading permit or Public Works Clearance. This investigation will be consistent with the guidelines published by the State of California (CGS Special Publication 117A) and the Southern California Earthquake Center (SCEC, 1999).

Silicon Valley Soil Engineering completed a geotechnical investigation for the proposed project in June 2014, and it is included in Appendix A of this report. The geotechnical investigation included the two exploratory soil borings

to assess geologic conditions beneath the project site and provide geotechnical information for design of the proposed office building and other improvements. The report provides an assessment of the liquefaction potential on the site, and makes specific conclusions and recommendations for the design and construction of the project building. The recommendations address: 1) measures for the control of construction grading activities; 2) treatment of water wells; 3) foundation design criteria; 4) retaining wall design; 5) excavation; 6) drainage; 7) utility line removal and trenching; 8) slab-on-grade and pavement treatments.

VI.b. Soil Erosion and Loss of Topsoil

The project site is currently developed and paved. Excavation associated with previous development would have removed any topsoil historically present. Therefore, there would not likely be a well-developed topsoil horizon at the project site, and impacts related to loss of topsoil would be less than significant.

Without proper soil stabilization controls, construction activities such as building demolition, excavation, backfilling, and grading can increase the potential for soil loss and erosion by wind and stormwater runoff through the removal of stabilizing vegetation and exposure of areas of loose soil. The potential for soil erosion exists during the construction period when the existing cover has been removed and before new vegetation or hardscape is installed. However, as discussed in Hydrology and Water Quality, the project sponsor would be required to comply with the requirements of the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, Order No. 2009-0009-DWQ (Construction General Stormwater Permit) to control erosion during construction. In accordance with this permit, the project sponsor would be required to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the Construction General Stormwater Permit. The SWPPP would specify the use of best management practices to restrict soil erosion. With compliance with the Construction General Stormwater Permit, geologic impacts related to erosion during construction would be less than significant.

VI.d. Expansive Soils

The soils in the City of San José area range from moderate to high shrink-swell potential. Moderate to high shrink-swell soils are classified as expansive soils and require appropriate construction engineering. Soils at the project site and vicinity are part of the Urbanland – Newpark complex (USDA, 2015).

The Geotechnical Investigation (Silicon Valley Soil Engineering, 2014) prepared for the project site identifies native soils on the property to have a high expansion potential when subjected to fluctuations in moisture. Expansive soils can undergo significant volume changes with variations in moisture content and are known to shrink and harden when dried and expand and soften when wetted. The report provides specific recommendations for the treatment and preparation of site soils for the development of a building pad and associated footings.

Treatments to eliminate the effects of soil expansion include, but are not limited to, grouting, re-compaction, and replacement with non-expansive material. In San José, construction sites on expansive soil are required to be evaluated to determine the particular treatment that would be most appropriate. Because expansive soils are common throughout the Bay Area, contractors and soil testing firms are familiar with the procedures used to identify and eliminate the problems involved.

The use of expansive soils in project construction is prohibited by the City. Soils are required to be moist at all times before and during construction by either covering exposed soil when construction is not active or regularly watering the exposed soil to maintain a consistent moisture level. Therefore, impacts related to risks to life and property as a result of construction on expansive soils is less than significant.

VI.e. Wastewater Treatment

The project site is located in an urbanized part of San José and the area is served by the community's sewer system. No septic tanks or alternative wastewater disposal systems would be required for the project. Therefore, there would be no impact related to having soils capable of supporting the use of septic tanks or alternative waste disposal systems.

Standard Permit Conditions
The recommendations of the Silicon Valley Soil Engineering geotechnical investigation (June, 2014) and any subsequent geotechnical investigations shall be incorporated in the final construction plans for the proposed project (Appendix A). These recommendations address issues of potential liquefaction hazards on the site.

CONCLUSION: Conformance with the above General Plan Policies and the recommendations of the geotechnical study for the project will ensure that geology and soils impacts would be reduced to a less than significant level at the time of future development of the site.

MITIGATION MEASURES: None required.

VI. GREENHOUSE GAS EMISSIONS - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐	1, 30
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐	1, 5

INTRODUCTION: Various gases in the earth's atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the earth's surface temperature. Solar radiation enters the atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect, or climate change, are carbon dioxide (CO_2), methane (CH_4), ozone (O_3), water vapor, nitrous oxide (N_2O), and chlorofluorocarbons (CFCs). Human-caused emissions of these GHGs in excess of natural ambient concentrations are responsible for enhancing the greenhouse effect. In California, the transportation sector is the largest emitter of GHGs, followed by electricity generation.

In 2006, the State of California adopted State Senate Bill AB 32 – the California Global Warming Solutions Act, which requires by law a reduction in greenhouse gas emissions throughout the state to 1990 levels by the year 2020 and to 80% below 1990 levels by the year 2050. In 2007, State Senate Bill 97 established regulations requiring potential greenhouse gas emissions created as a result of a project be analyzed during the California Environmental Quality Act (CEQA) review process. The BAAQMD is the local agency authorized to regulate greenhouse gases in the San Francisco Bay Area Air Basin. In 2010, the Air District released the Air Quality CEQA Guidelines, which outline the Air District's recommended procedures for evaluating greenhouse gas emissions during the environmental review process. The Guidelines encouraged local jurisdictions to adopt a Greenhouse Gas Reduction Strategy to demonstrate a method to meet the goals of AB 32 and to conform to CEQA requirements.

The Bay Area Air Quality Management District established three thresholds of significance standards for determining if a development project would have a significant impact due to GHG emissions. These standards are: (1) demonstrated compliance with a qualified climate action plan or qualified general plan; (2) annual GHG emissions of less than 1,100 metric tons of CO2eq per year; or (3) annual GHG emissions of less than 4.6 metric tons per service population (residents plus employees). Projects that meet one of these three standards are considered to have a less-than-significant project impact for GHG emissions.

BAAQMD, in their 2010 California Environmental Quality Act Air Quality Guidelines (2011 Update), established operational GHG screening criteria for GHG emissions based on land use type and project size using default

emission assumptions in the URBEMIS GHG emission model. Projects smaller than the applicable screening criteria for the subject land use will not exceed the 1,100 MT of CO2e/yr GHG threshold of significance, and therefore will be considered to have a less than significant impact for GHG emissions. Projects larger than the BAAQMD screening criteria for the subject land use are required to analyze operational GHG emissions to determine if a significant GHG emission impact would occur.

The following General Plan policies address greenhouse gas emission reductions in the City of San José:

MS-1.1: Demonstrate leadership in the development and implementation of green building policies and practices. Ensure that all projects are consistent with or exceed the City's Green Building Ordinance and City Council Policies as well as State and/or regional policies which require that projects incorporate various green building principles into their design and construction.

MS-1.2: Continually increase the number and proportion of buildings within San José that make use of green building practices by incorporating those practices into both new construction and retrofit of existing structures.

MS-2.3: Utilize solar orientation (i.e., building placement), landscaping, design, and construction techniques for new construction to minimize energy consumption.

MS-2.11: Require new development to incorporate green building practices, including those required by the Green Building Ordinance. Specifically, target reduced energy use through construction techniques (e.g., design of building envelopes and systems to maximize energy performance), through architectural design (e.g., design to maximize cross ventilation and interior daylight) and through site design techniques (e.g., orienting buildings on sites to maximize the effectiveness of passive solar design).

MS-14.4: Implement the City's Green Building Policies (see Green Building Section) so that new construction and rehabilitation of existing buildings fully implements industry best practices, including the use of optimized energy systems, selection of materials and resources, water efficiency, sustainable site selection, passive solar building design, and planting of trees and other landscape materials to reduce energy consumption.

CD-2.1: Promote the Circulation Goals and Policies in this Plan. Create streets that promote pedestrian and bicycle transportation by following applicable goals and policies in the Circulation section of this Plan.

1. Design the street network for its safe shared use by pedestrians, bicyclists, and vehicles. Include elements that increase driver awareness.
2. Create a comfortable and safe pedestrian environment by implementing wider sidewalks, shade structures, attractive street furniture, street trees, reduced traffic speeds, pedestrian-oriented lighting, mid-block pedestrian crossings, pedestrian-activated crossing lights, bulb-outs and curb extensions at intersections, and on-street parking that buffers pedestrians from vehicles.
3. Consider support for reduced parking requirements, alternative parking arrangements, and Transportation Demand Management strategies to reduce area dedicated to parking and increase area dedicated to employment, housing, parks, public art, or other amenities. Encourage de-coupled parking to ensure that the value and cost of parking are considered in real estate and business transactions.

CD-3.2: Prioritize pedestrian and bicycle connections to transit, community facilities (including schools), commercial areas, and other areas serving daily needs. Ensure that the design of new facilities can accommodate significant anticipated future increases in bicycle and pedestrian activity.

CD-3.3: Within new development, create and maintain a pedestrian-friendly environment by connecting the internal components with safe, convenient, accessible, and pleasant pedestrian facilities and by requiring pedestrian connections between building entrances, other site features, and adjacent public streets.

CD-3.4: Encourage pedestrian cross-access connections between adjacent properties and require pedestrian and bicycle connections to streets and other public spaces, with particular attention and priority given to providing convenient access to transit facilities. Provide pedestrian and vehicular connections with cross-access easements within and between new and existing developments to encourage walking and minimize interruptions by parking areas and curb cuts.

CD-3.6: Encourage a street grid with lengths of 600 feet or less to facilitate walking and biking. Use design techniques such as multiple building entrances and pedestrian paseos to improve pedestrian and bicycle connections.

CD-3.8: Provide direct access from developments to adjacent parks or open spaces, and encourage residential development to provide common open space contiguous to such areas.

CD-3.10: Increase neighborhood connectivity in new development by providing access across natural barriers (e.g., rivers) and man-made barriers (e.g., freeways).

CD-5.1: Design areas to promote pedestrian and bicycle movements, to facilitate interaction between community members, and to strengthen the sense of community.

LU-5.4: Require new commercial development to facilitate pedestrian and bicycle access through techniques such as minimizing building separation from public sidewalks; providing safe, accessible, convenient, and pleasant pedestrian connections; and including secure and convenient bike storage.

LU-5.5: Encourage pedestrian and vehicular connections between adjacent commercial properties with reciprocal-access easements to encourage safe, convenient, and direct pedestrian access and "one-stop" shopping. Encourage and facilitate shared parking arrangements through parking easements and cross-access between commercial properties to minimize parking areas and curb-cuts.

LU-9.1: Create a pedestrian-friendly environment by connecting new residential development with safe, convenient, accessible, and pleasant pedestrian facilities. Provide such connections between new development, its adjoining neighborhood, transit access points, schools, parks, and nearby commercial areas. Consistent with Transportation Policy TR-2.11, prohibit the development of new cul-de-sacs, unless it is the only feasible means of providing access to a property or properties, or gated communities, that do not provide through- and publicly-accessible bicycle and pedestrian connections.

TR-2.8: Require new development where feasible to provide on-site facilities such as bicycle storage and showers, provide connections to existing and planned facilities, dedicate land to expand existing facilities or provide new facilities such as sidewalks and/or bicycle lanes/paths, or share in the cost of improvements.

TR-2.11: Prohibit the development of new cul-de-sacs, unless it is the only feasible means of providing access to a property or properties, or gated communities that do not provide through and publicly accessible bicycle and pedestrian connections. Pursue the development of new through bicycle and pedestrian connections in existing cul-de-sac areas where feasible.

TR-2.18: Provide bicycle storage facilities as identified in the *San José Bicycle Master Plan*.

TR-3.3: As part of the development review process, require that new development along existing and planned transit facilities consist of land use and development types and intensities that contribute toward transit ridership. In addition, require that new development is designed to accommodate and to provide direct access to transit facilities.

TR-6.7: As part of the project development review process, ensure that adequate off-street loading areas in new large commercial, industrial, and residential developments are provided, and that they do not conflict with adjacent uses, or with vehicle, pedestrian, bicycle, or transit access and circulation.

LU-16.4: Require development approvals that include demolition of a structure eligible for or listed on the Historic Resources Inventory to salvage the resource's building materials and architectural elements to allow re-use of those elements and materials and avoid the energy costs of producing new and disposing of old building materials.

MS-2.8: Develop policies which promote energy reduction for energy-intensive industries. For facilities such as data centers, which have high energy demand and indirect greenhouse gas emissions, require evaluation of operational energy efficiency and inclusion of operational design measures as part of development review consistent with benchmarks such as those in EPA's EnergyStar Program for new data centers.

TR-7.1: Require large employers to develop and maintain TDM programs to reduce the vehicle trips generated by their employees.

LU-3.6: Prohibit uses that serve occupants of vehicles (such as drive-through windows) and discourage uses that serve the vehicle (such as car washes and service stations), except where they do not disrupt pedestrian flow, are not concentrated, do not break up the building mass of the streetscape, and are compatible with the planned uses of the area.

FINDINGS:
VII.a., VII.b. Greenhouse Gas (GHG) Emissions, and Reduction Plans, Policies, and Regulations

The project proposes 20,748 square feet (s.f.) of office space and 10,996 s.f. of retail space. This is less than BAAQMD's operational GHG screening criteria for office land uses (53,000 s.f.) and for retail land uses (shopping center, 19,000 s.f.); therefore, the project is considered to have a less than significant impact for GHG emissions.

The project will not conflict with any other applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Future development will comply with General Plan Policies established for the purpose of reducing GHG emissions.

CONCLUSION: Conformance with the policies contained in the Greenhouse Gas Reduction Strategy will ensure that greenhouse gas impacts would be reduced to a less than significant level at the time of redevelopment of the site.

MITIGATION MEASURES: None required.

VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐	1,26
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐	1,26
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒	1,26
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒	1,12,26

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	1,2
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	1
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	1,2
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒	1

INTRODUCTION: Hazardous materials encompass a wide range of substances, some of which are naturally-occurring and some of which are man-made. Examples include pesticides, herbicides, petroleum products, metals (e.g., lead, mercury, arsenic), asbestos, and chemical compounds used in manufacturing. Determining if such substances are present on or near project sites is important because, by definition, exposure to hazardous materials above regulatory thresholds can result in adverse health effects on humans, as well as harm to plant and wildlife ecology.

Due to the fact that these substances have properties that are toxic to humans and/or the ecosystem, there are multiple regulatory programs in place that are designed to minimize the chance for unintended releases and/or exposures to occur. Table 2 summarizes many of these regulations.

Table 5
Regulation of Hazardous Materials

Agency	Responsibilities
U.S. Environmental Protection Agency (EPA)	Oversees Superfund sites; evaluates remediation technologies; develops standards for hazmat disposal & cleanup of contamination; implements Clean Air & Clean Water Acts.
U.S. Department of Transportation (DOT)	Regulates and oversees the transportation of hazardous materials.
U.S. Occupational Safety & Health Administration (OSHA)	Implements federal regulations and develops protocol regarding the handling of hazmat for the protection of workers.
CA Department of Toxic Substances Control (DTSC)	Authorized by EPA to implement & enforce various federal hazmat laws & regulations; implements state hazmat regulations; oversees remediation of contamination at various sites.
CA Occupational Safety & Health (Cal-OSHA)	Implements state regulations and develops protocol regarding the handling of hazmat for the protection of workers.
CA Air Resources Board/Bay Area Air Quality Management District (BAAQMD)	Regulates emissions of toxic air contaminants & requires public dissemination information regarding the risk of such emissions.
CA Water Resources Control Board/Regional Water Quality Control Board (RWQCB)	Regulates the discharge of hazmat to surface and ground waters; oversees remediation of contamination at various sites.
Santa Clara County Department of	Oversees & enforces state/local regulations pertaining to hazardous waste

Environmental Health (SCCDEH)	generators and risk management programs, including the California Accidental Release Program.
City of San José Fire Department (SJFD)	Implements City's Toxic Gas and Hazardous Material Storage Ordinances; requires businesses that use or store hazmat to prepare a management plan; regulates installation & removal of above- and below-ground storage tanks; reviews plans for compliance with the Uniform Fire and the Flammable & Combustible Liquids Codes.

In addition to the above regulations, various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating hazards and hazardous materials impacts resulting from planned development within the City. The proposed project will be subject to the hazards and hazardous materials policies of the City's General Plan, including the following:

Policy MS-13.2: Construction and/or demolition projects that have the potential to disturb asbestos (from soil or building material) shall comply with all the requirements of the California Air Resources Board's air toxics control measures (ATCMs) for Construction, Grading, Quarrying, and Surface Mining Operations.

Policy EC-6.6: Address through environmental review for all proposals for new residential, park and recreation, school, day care, hospital, church or other uses that would place a sensitive population in close proximity to sites on which hazardous materials are or are likely to be located, the likelihood of an accidental release, the risks posed to human health and for sensitive populations, and mitigation measures, if needed, to protect human health.

Policy EC-7.1: For development and redevelopment projects, require evaluation of the proposed site's historical and present uses to determine if any potential environmental conditions exist that could adversely impact the community or environment.

Policy EC-7.2: Identify existing soil, soil vapor, groundwater and indoor air contamination and mitigation for identified human health and environmental hazards to future users and provide as part of the environmental review process for all development and redevelopment projects. Mitigation measures for soil, soil vapor and groundwater contamination shall be designed to avoid adverse human health or environmental risk, in conformance with regional, state and federal laws, regulations, guidelines and standards.

Policy EC-7.4: On redevelopment sites, determine the presence of hazardous building materials during the environmental review process or prior to project approval. Mitigation and remediation of hazardous building materials, such as lead-paint and asbestos-containing materials, shall be implemented in accordance with state and federal laws and regulations.

Policy EC-7.5: On development and redevelopment sites, require all sources of imported fill to have adequate documentation that it is clean and free of contamination and/ or acceptable for the proposed land use considering appropriate environmental screening levels for contaminants. Disposal of groundwater from excavations on construction sites shall comply with local, regional, and state requirements.

Action EC-7.10: Require review and approval of grading, erosion control and dust control plans prior to issuance of a grading permit by the Director of Public Works on sites with known soil contamination. Construction operations shall be conducted to limit the creation and dispersion of dust and sediment runoff.

Action EC-7.11: Require sampling for residual agricultural chemicals, based on the history of land use, on sites to be used for any new development or redevelopment to account for worker and community safety during construction. Mitigation to meet appropriate end use such as residential or commercial/industrial shall be provided.

FINDINGS:

VIII.a. Transport, Use, or Disposal of Hazardous Materials

For general office uses, as proposed by the project, the extent of hazardous materials used in the building would generally be limited to those needed for cleaning and maintenance. While the amount of materials would be small, the quantities at the site could exceed the threshold volumes of 500 pounds for solids, 55 gallons for liquids, and 200 cubic feet for compressed gases. If the storage volumes exceeded these quantities, the project applicant would be required to submit an Environmental Compliance Plan and Hazardous Materials Inventory Statement to the City of San José Fire Department detailing hazardous material and waste inventories, site layouts, personnel training, monitoring procedures, and an emergency response plan. A diesel emergency generator would also be used. In addition to meeting the above requirements, the project applicant would be required to obtain an installation permit from the City to install the emergency generator tank, piping, and associated equipment. The tank would need to be installed in accordance with specifications provided by the City of San José Fire Department regarding tank construction, secondary containment, spill protection, overfill protection, separation from the property boundary, and protection from seismic and vehicle hazards.

Transportation of hazardous materials would be subject to the requirements of a well-established regulatory framework. The regulatory framework provides specific guidance and measures for the proper handling and transporting of hazardous materials. The measures include safety training and methodologies for conducting such activities. With compliance with the guidance and requirements of the established regulatory framework, the potential for exposure of the public to the release of hazardous materials into the environment would be significantly reduced.

With compliance with the above requirements, if triggered, operational impacts related to the transport, use, and disposal of hazardous materials would be less than significant.

VIII.b. - .d. Release or Use of, or Exposure to Hazardous Materials, and Hazardous Emissions

The project site does not contain hazardous materials nor is it listed on the State of California Department of Toxic Substance's (DTSC) database of: 1) cleanup sites; 2) permitted sites: 3) leaking underground fuel tank sites (LUFT); or 4) spills, leaks, investigation, and cleanup (SLIC) sites. The DTSC's GeoTracker database does identify four cases of leaking underground storage tanks (LUST) in the vicinity of the project site. These include: 1) Quality Tune-up (1696 Story Road); 2) BP (formerly 1702 Story Road); 3) Shell (1699 Story Road); and 4) Story King Redevelopment Project (1136 – 1138 South King Road). The cleanup for Cases 1, 2, and 4 was completed in 2010 and these cases are closed. The status of the Shell Station case (#3) is still open, but it is eligible for closure. Development of the proposed project will require the demolition of a parking lot area on the site, which may contain asbestos building materials and/or lead-based paint. In the absence of proper precautions, proposed demolition of the existing parking lot could expose site workers and adjacent occupants to hazardous materials or result in an accidental release to the environment. However, prior to demolition, hazardous materials would be removed and the facility would be closed in accordance with applicable laws and regulations designed to address hazardous materials and protect human health and the environment.

A Phase I Environmental Site Assessment (ESA) was prepared for the site by AEI Consultants. A copy of the report, entitled *Phase I: Environmental Site Assessment for La Placita Center,* San José, dated October 21, 2014, in included in Appendix C of the Initial Study.

The Phase I ESA for the project site addressed the following issues: 1) Recognized Environmental Conditions (RECs); 2) Controlled Recognized Environmental Conditions (CRECs); 3) Historical Recognized Environmental Condition (HREC); 4) Environmental Issues; and 5) Non-ASTM Considerations. The following discussion presents a summary of the findings and conclusions of the report.

RECs are defined by the ASTM Standard Practice E1527- 13 as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to

the environment. AEI's assessment revealed no on-site RECs associated with the subject property or nearby properties.

CRECs are defined by the ASTM Standard Practice E1527-13 as a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls. AEI's assessment identified no on-site CRECs associated with the subject property or nearby properties during the course of its assessment.

HREC is defined by the ASTM Standard Practice E1527-13 as a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls. AEI's assessment revealed no on-site HRECs associated with the subject property or nearby properties during the course of its assessment.

Environmental Issues include environmental concerns identified by AEI that warrant discussion, but do not qualify as recognized environmental conditions, as defined by the ASTM Standard Practice E1527-13. These can include, but are not limited to risks that can have a material environmental or environmentally-driven impact on the business associated with the current or planned use of the subject property. AEI's investigation indicated that no on-site environmental issues associated with the subject property or nearby properties were identified during the course of its investigation.

Non-ASTM Considerations may include the presence of environmental conditions such as asbestos containing materials, lead-based paint, radon, mold, lead in drinking water, etc. which can affect the liabilities and financial obligations of the client, the health & safety of site occupants, and the value and marketability of the subject property. AEI's assessment revealed no non-ASTM considerations associated with the subject property or nearby properties during the course of its assessment.

As the result of its comprehensive review, the Phase I ESA prepared by AEI recommends no further investigations for the subject property at the time of the ESA's completion in October 2014..The City's Environmental Services' Sustainability and Compliance staff reviewed the Phase I environmental site assessment.

VIII.e. - f. Airports/Airstrips

The Airport Influence Area (AIA) is the area surrounding an airport where developments could be affected by noise, height, and safety considerations. The closest airport to the project area is Reid-Hillview airport located approximately 0.9 mile to the east of the site and the project site is located within the AIA for this airport. In addition, Mineta San José International Airport is located approximately 4 miles to the northwest of the project site; however, it is not located in the AIA for this airport.

The Santa Clara County Airport Land Use Commission adopted the Reid Hillview Airport Comprehensive Land Use Plan (CLUP) on October 24, 2007. As required by state law, the City brought its General Plan into conformance with the Comprehensive Land Use Plans in 2008 with the adoption of an Airport Influence Area Overlay zoning district. The purpose of this proposed Airport Influence Area Overlay is to provide consistency between the City's General Plan and the CLUP. Implementation of the CLUP is intended to safeguard the general welfare of the inhabitants within the vicinity of Reid-Hillview Airport and those who use the Airport. The impacts of aircraft noise and potential safety hazards to persons and property on the ground are primary considerations. Future development within the Overlay area would be subject to the safety and compatibility guidelines of the CLUP.

The proposed project is outside of the Traffic Pattern Safety Zone for the Reid-Hillview Airport. The Traffic Pattern Zone (TPZ) is within other portions of the airport area that are routinely overflown by aircraft. The potential for aircraft accidents is relatively low and the need for land use restrictions is minimal. For this airport, the TPZ is the surface area underlying the FAR Part 77 Horizontal Surface. Since the site is outside of the TPZ, potential

safety impacts to project occupants from air traffic at Reid-Hillview Airport would be considered very low and less than significant.

VIII.g. Emergency Plans

The project would not impair or physically interfere with an adopted emergency response or emergency evacuation plan because the project would be required to comply with Fire Department Standard Details and Specifications to ensure adequate emergency access to project buildings by fire engines and ladder trucks. Therefore, the project's impact related to interference with an adopted emergency response plan or emergency evacuation plan would be less than significant.

VIII.h. Wildland Fire Hazards

The proposed project site is not located in a fire hazard severity zone within a local responsibility area[4] or state responsibility area.[5] In addition, fire protection would be provided by the San José Fire Department and there is adequate water pressure and water quantity for fire protection during construction and operation of the project as discussed in Section XVII, Utilities and Service Systems. Therefore, impacts related to wildland fire hazards would be less than significant.

Standard Permit Conditions

- In conformance with State and Local laws, a visual inspection/pre-demolition survey, and possible sampling, will be conducted prior to the demolition of the building to determine the presence of asbestos-containing materials and/or lead-based paint. Demolition done in conformance with these Federal, State and Local laws and regulations, will avoid potentially significant exposure of construction workers and/or the public to asbestos and lead-based paint.

- Prior to demolition of each building, the project applicant shall require that the contractor(s) have a hazardous building materials survey completed by a State certified asbestos and lead-based paint person. This survey shall be completed prior to any demolition activities associated with the project. If any friable asbestos-containing materials or lead-containing materials are identified, adequate abatement practices, such as containment and/or removal, shall be implemented in accordance with applicable laws prior to demolition. Specifically, asbestos abatement shall be conducted in accordance with Section 19827.5 of the California Health and Safety Code, as implemented by the BAAQMD, and 8 CCR Section 1529 and Sections 341.6 through 341.14, as implemented by Cal/OSHA. Lead-based paint abatement shall be conducted in accordance with Cal/OSHA's Lead in Construction Standard.

- The project applicant shall retain a qualified professional to update the environmental database review performed as part of the Phase 1 Environmental Site Assessment no more than six months prior to the start of construction activities. The qualified professional shall prepare a report summarizing the results of the environmental database review that assesses the potential for any identified chemical release sites to affect soil or groundwater quality at the proposed project site and identifies appropriate analyses to evaluate the potential for contamination at the proposed project site, if needed. In response, the project applicant shall implement the recommended analyses, if any.

CONCLUSION: Conformance with the above General Plan Policies and recommendations of the Phase I ESA will ensure that hazards and hazardous material impacts would be reduced to a less than significant level at the time of future development of the site.

MITIGATION MEASURES: None required.

---

[4] California Department of Forestry and Fire Protection, 2007. Santa Clara County Draft Fire Hazard Severity Zones in LRA. October 4. Available online at http://www.fire.ca.gov/fire_prevention/fhsz_maps_santaclara.php.

[5] California Department of Forestry and Fire Protection, 2007. *Santa Clara County Fire Hazard Severity Zones in SRA*. November 7. Available online at http://www.fire.ca.gov/fire_prevention/fhsz_maps_santaclara.php.

VIII. HYDROLOGY AND WATER QUALITY - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐	1,15
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐	1
c) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site?	☐	☐	☒	☐	1
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on-or off-site?	☐	☐	☒	☐	1
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐	1,17
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐	1
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☒	☐	1,9
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☒	☐	1,9
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐	1
j) Be subject to inundation by seiche, tsunami, or mudflow?	☐	☐	☒	☐	1

INTRODUCTION: The proposed commercial building site is located within the Tropicana Shopping Center parking lot adjoining South King Road. The shopping center encompasses 3.39 acres at the intersection of Story Road and South King Road. Impervious surfaces cover the entire shopping center site. The proposed project would replace existing impervious asphalt surface of the parking lot with a commercial building's impervious surface, comprised of 10,965 s.f. of roof area. Overall, the proposed project would replace 30,632 s.f. of existing impervious parking surface with 29,084 s.f. of impervious surfaces for parking, sidewalks, driveways, and patios.

In addition, the proposed project would construct 1,548 s.f. of new pervious surface area to be used for landscaping and biotreatment of storm runoff around the building site. Consequently, the proposed project would result in a 5 % net decrease of impervious surfaces within the shopping center. **Figure 16** presents the Conceptual Storm Water Control Plan and identifies the new pervious areas for landscaping. This exhibit also shows the design plans for the collection, treatment, and disposition of stormwater flows generated by the project site.

Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating hydrology impacts resulting from planned development within the City. The proposed project will be subject to the hydrology policies of the City's General Plan, including the following:

Policy ER-8.1: Manage stormwater runoff in compliance with the City's Post-Construction Urban Runoff (6-29) and Hydromodification Management (8-14) Policies.

Policy ER-8.3: Ensure that private development in San José includes adequate measures to treat stormwater runoff.

Policy ER-8.5: Ensure that all development projects in San José maximize opportunities to filter, infiltrate, store and reuse or evaporate stormwater runoff onsite.

Policy EC-4.1: Design and build all new or remodeled habitable structures in accordance with the most recent California Building Code and municipal code requirements as amended and adopted by the City of San José, including provisions for expansive soil, and grading and storm water controls.

Policy EC-5.7: Allow new urban development only when mitigation measures are incorporated into the project design to ensure that new urban runoff does not increase flood risks elsewhere.

Action EC-5.16: Implement the Post-Construction Urban Runoff Management requirements of the City's Municipal NPDES Permit to reduce urban runoff from project sites.

Policy IN-3.9: Require developers to prepare drainage plans that define needed drainage improvements for proposed developments per City standards.

FINDINGS:
IX.a., IX.f. Water Quality
Water Quality-Construction Period. Any construction or demolition activity that results in land disturbance equal to or greater than one acre must comply with the Construction General Permit (CGP), administered by the State Water Resources Control Board (SWRCB). The CGP requires the installation and maintenance of Best Management Practices (BMPs) to protect water quality until the site is stabilized. Based upon the determination that the proposed site disturbance would affect 0.72 acre, the project is not expected to require Construction General Permit coverage based on area of land disturbed.

All development projects, whether subject to the CGP or not, shall comply with the City of San José's Grading Ordinance, which requires the use of erosion and sediment controls to protect water quality while the site is under construction. Prior to the issuance of a permit for grading activity occurring during the rainy season (October 1st to April 30th), the project will submit to the Director of Public Works an Erosion Control Plan detailing BMPs that will prevent the discharge of stormwater pollutants.

Water Quality-Post Construction. The City of San José is required to operate under a Municipal Stormwater NPDES Permit to discharge stormwater from the City's storm drain system to surface waters. On October 14, 2009, the San Francisco Bay Regional Water Quality Control Board adopted the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (MRP) for 76 Bay Area municipalities, including the City of San José.

The Municipal Regional Permit (NPDES Permit No. CAS612008) mandates the City of San José use it's planning and development review authority to require that stormwater management measures such as Site Design, Pollutant Source Control and Treatment measures are included in new and redevelopment projects to minimize and properly treat stormwater runoff.

Provision C.3 of the MRP regulates the following types of development projects:

- projects that create or replace 10,000 square feet or more of impervious surface;
- Special Land Use Categories that create or replace 5,000 square feet or more of impervious surface

The MRP requires regulated projects to include Low Impact Development (LID) practices, such as pollutant source control measures and stormwater treatment features aimed to maintain or restore the site's natural hydrologic

functions. The MRP also requires that stormwater treatment measures are properly installed, operated and maintained.

The project will create or replace approximately 29,084 square feet of impervious surface. The project plans identify the use of design measures that include the reduction of existing impervious surfaces, creating new pervious areas through landscaping (1,548 s.f.), and planting trees adjacent to and in parking areas, and adjacent to other impervious areas. Stormwater pollutant source control measures proposed by the project would include covered recycling/trash enclosures, installation of beneficial landscaping and maintenance controls such as pavement sweeping, catch basin cleaning, and drain pipe maintenance.

In addition, based on its size and land use, the project would be required to comply with the LID stormwater management requirements of Provision C.3 of the Municipal Regional Permit. A Project Data Form worksheet (Supplemental Form A.2) submitted to the City indicates that LID measures would be implemented for the project. The MRP specifies the use of LID Treatment measures such as appropriately sized self-retaining areas to receive stormwater flows, rainwater harvest and use, infiltration basins and/or trenches, exfiltration trenches, and underground detention and infiltration systems. The project proposes the installation of an underground detention and infiltration system (e.g. pervious pavement drain rock, large diameter pipe) on the proposed office building site for the treatment of site storm runoff.

The Municipal Regional Permit also requires regulated projects to include measures to control hydromodification impacts where the project would otherwise cause increased erosion, silt pollutant generation, or other adverse impacts to local rivers and creeks. Development projects that create and/or replace one acre or more of impervious surface and are located in a subwatershed or catchment that is less than 65% impervious, must manage increases in runoff flow and volume so that post-project runoff shall not exceed estimated pre-project rates and durations. Based on its size and land use, the project will not be required to comply with the hydromodification requirements of Provision C.3 of the Municipal Regional Permit.

The City has developed policies that implement Provision C.3, consistent with the Municipal Regional Permit. The City's Post-Construction Urban Runoff Management Policy (6-29) establishes specific requirements to minimize and treat stormwater runoff from new and redevelopment projects.

IX.b. Groundwater Resources

The City's groundwater resources are located within the Santa Clara subbasin (Subbasin No. 2-9.02), as defined in the San Francisco Bay Basin Water Quality Control Plan (Basin Plan). The subbasin extends from the northern border of Santa Clara County to the groundwater divide near the town of Morgan Hill, and has a surface area of approximately 225 square miles. The Santa Clara Valley Water District (SCVWD) conducts an artificial recharge program that entails releasing locally conserved or imported water to in-stream and off-stream facilities. In-stream recharge occurs along approximately 70 miles of stream channels in the alluvial plain upstream from the confined zone. Off-stream recharge facilities include 71 ponds ranging in area from one acre to more than 20 acres. Uses of the Santa Clara groundwater subbasin include municipal and domestic supply, industrial process supply, industrial service supply, and agricultural supply.

Although the project could involve temporary and limited extraction of groundwater for excavation-related dewatering, the project does not propose to directly use groundwater for any component of the development and would not involve long-term dewatering. Further, the project would result in a slight reduction of impervious surfaces through the construction of new landscape areas on the site; stormwater runoff from the new impervious surfaces (parking area and building rooftop) would be infiltrated to the groundwater through on-site bioretention areas for three catchment areas. With the reduction in impervious surfaces and infiltration of the remaining stormwater from the site, recharge to the Santa Clara subbasin would be increased, resulting in a beneficial impact related to groundwater recharge.

IX.c. – e. Drainage

The project site does not include any existing streams or water course that could be altered or diverted and there are no surface impoundments, wetlands, natural catch basins, settling ponds, or lagoons on the site. Therefore, there would be no impact related to alteration of drainage patterns by altering the course of a stream in a manner that would cause erosion or flooding on or off-site.

Currently, surface water runoff on-site is either conveyed to the existing storm drain system or infiltrates into the ground where pervious surfaces exist. Replacement of impervious surfaces would maintain the current rate, duration, and quantity of stormwater runoff generated on the project site. Proposed reduction of impervious surfaces for landscaping improvements on the project site would incrementally decrease project runoff volumes, which could be accommodated by current storm drain capacities. Consequently, the drainage impacts from project development would be considered less than significant.

IX.g – j. Flood Hazards

Based on the effective FEMA Flood Insurance Rate Maps for the City of San José, the project site is in Zone D described as an unstudied area where flood hazards are undetermined, but flooding is possible. To the extent that the proposed project reduces the extent of impervious surfaces on the project site, the proposed project would decrease site runoff flows and associated contributions to existing potential flood hazard. There are no City requirements for Flood Zone D.

Standard Permit Conditions

Implementation of the following standard conditions, consistent with NPDES Permit and City Policy requirements, will reduce potential construction and post-construction impacts to surface water quality to less than significant levels:

Construction Measures

- The project applicant shall comply with the City of San José Grading Ordinance, including implementing erosion and dust control during site preparation and with the City of San José Zoning Ordinance requirements for keeping adjacent streets free of dirt and mud during construction.
- Typical measures that will be implemented to prevent stormwater pollution and minimize potential sedimentation during construction include but are not limited to:
  1. Utilize on-site sediment control BMPs to retain sediment on the project site;
  2. Utilize stabilized construction entrances and/or wash racks;
  3. Implement damp street sweeping;
  4. Provide temporary cover of disturbed surfaces to help control erosion during construction;
  5. Provide permanent cover to stabilize the disturbed surfaces after construction has been completed.

Post-Construction

- The project shall comply with applicable provisions of the following City Policies: City Council Policy 6-29 Post-Construction Urban Runoff Management and City Council Policy 8-14 Post-Construction Hydromodification Management.
- Details of specific Site Design, Pollutant Source Control, and Stormwater Treatment Control Measures demonstrating compliance with Provision C.3 of the Municipal Regional Stormwater Permit (NPDES Permit Number CAS612008), shall be included in the project design, to the satisfaction of the Director of Planning, Building and Code Enforcement.

CONCLUSION: Conformance with the above General Plan Policies and the City's standard conditions will ensure that hydrology and water quality impacts would be reduced to a less than significant level at the time of future development of the site.

MITIGATION MEASURES: None required.

IX. LAND USE AND PLANNING - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Physically divide an established community?	☐	☐	☐	☒	1,2
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐	1,2,27
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒	1,2

INTRODUCTION: The Neighborhood/Community Commercial [Density: FAR Up to 2.0 (1 to 4 stories)] land use designation indicated by the Envision San José 2040 General Plan supports a very broad range of commercial activity, including commercial uses that serve the communities in neighboring areas, such as neighborhood serving retail and services and commercial/professional office development. Neighborhood / Community Commercial uses typically have a strong connection to and provide services and amenities for the nearby community and should be designed to promote that connection with an appropriate urban form that supports walking, transit use and public interaction. General office uses, hospitals and private community gathering facilities are also allowed in this designation.

The site is in the CP Commercial Pedestrian Zoning district. The CP Commercial Pedestrian District is a district intended to support pedestrian-oriented retail activity at a scale compatible with surrounding residential neighborhoods. This district is designed to support the goals and policies of the general plan related to Neighborhood Business Districts. The CP Commercial Pedestrian District also encourages mixed residential/ commercial development where appropriate, and is designed to support the commercial goals and policies of the general plan in relation to Urban Villages. This district is also intended to support intensive pedestrian-oriented commercial activity and development consistent with general plan urban design policies.

The *Evergreen Development Policy* (EDP) was originally adopted in 1976 to address the issues of flood protection and limited traffic capacity in the Evergreen area south of Story Road and east of US Highway 101. In 1991 and 1995, the EDP was revised to identify specific transportation and flood control improvements needed for the implementation of the Evergreen Specific Plan and the greater policy area, respectively. Revisions were also made in 2008 to provide a new framework to allow a limited amount of additional development capacity. The resulting policy was renamed the *Evergreen-East Hills Development Policy* (EEHDP). The project site is subject to the EEHDP.

This project is located in the K.O.N.A. (King Ocala Neighborhood Area) and East Valley/680 Communities Strong Neighborhood Initiative (SNI) Areas.

Many of the policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating land use impacts resulting from planned development within the City. The proposed project would be subject to the land use policies of the City's General Plan, including the following:

Policy LU-1.1: Encourage Walking. Create safe, attractive, and accessible pedestrian connections between developments and to adjacent public streets to minimize vehicular miles traveled.
Policy LU-1.2: Create safe, attractive, and accessible pedestrian connections between developments and to adjacent public streets to minimize vehicular miles traveled.

Policy LU 1.6: Locate employee-intensive commercial and industrial uses within walking distance of transit stops. Encourage public transit providers to provide or increase services to areas with high concentrations of residents, workers, or visitors.

Policy LU-4.1: Retain existing commercial lands to provide jobs, goods, services, entertainment, and other amenities for San José's workers, residents, and visitors.

Policy LU-4.3: Concentrate new commercial development in identified growth areas and other sites designated for commercial uses on the Land Use/Transportation Diagram. Allow new and expansion of existing commercial development within established neighborhoods when such development is appropriately located and designed, and is primarily neighborhood serving.

Policy LU-5.1: In order to create complete communities, promote new commercial uses and revitalize existing commercial areas in locations that provide safe and convenient multi-modal access to a full range of goods and services.
Policy LU-5.2: To facilitate pedestrian access to a variety of commercial establishments and services that meet the daily needs of residents and employees, locate neighborhood-serving commercial uses throughout the city, including identified growth areas and areas where there is existing or future demand for such uses.

Policy LU-5.3: Encourage new and intensification of existing commercial development, including stand-alone, vertical mixed-use, or integrated horizontal mixed-use projects, consistent with the Land Use / Transportation Diagram.

Policy LU-5.4: Require new commercial development to facilitate pedestrian and bicycle access through techniques such as minimizing building separation from public sidewalks; providing safe, accessible, convenient, and pleasant pedestrian connections; and including secure and convenient bike storage.

Policy LU-5.5: Encourage pedestrian and vehicular connections between adjacent commercial properties with reciprocal-access easements to encourage safe, convenient, and direct pedestrian access and "one-stop" shopping. Encourage and facilitate shared parking arrangements through parking easements and cross-access between commercial properties to minimize parking areas and curb-cuts.

Policy LU-5.6: Encourage and facilitate the upgrading, beautifying, and revitalization of existing strip commercial areas and shopping centers. Minimize the visual impact of large parking lots by locating them away from public streets.

FINDINGS:
10a. Divide an Established Community
The proposed project will not physically divide an established community, and the project is consistent with the site's General Plan Land Use designation.

10b. Project Consistency with Land Use Plans and Policies
As discussed above, the proposed project is consistent with the *Evergreen-East Hills Development Policy* as well as the Land Use policies of the Envision San José 2040 General Plan.
In addition to the policies of the San José General Plan, the proposed project would be required to comply with the San José Commercial Design Guidelines, which includes parameters for setbacks, building design, landscaping, screening, and lighting, all of which are factors in ensuring land use compatibility.

10c. Project Consistency with Habitat Conservation Plan
The project site is located within the boundaries of the Santa Clara Valley HCP in an area designated as "Urban - Suburban" (lands designated as Urban Areas by the HCP have no associated land cover fee). The project site is less than 2 acres, and no covered species are known or expected to occur within the project site; therefore, this project is not considered a covered project under the Habitat Plan. See the Biological Resource section for a full discussion.

CONCLUSION: Conformance with the above General Plan Policies will ensure that land use and planning impacts would be reduced to a less than significant level at the time of future development of the site.

MITIGATION MEASURES: None required.

X. MINERAL RESOURCES - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒	1,2,23
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒	1,2,23

INTRODUCTION: Many of the policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating mineral resource impacts resulting from planned development within the City. The proposed project is located in an urbanized part of San José that supports single-family residential, commercial, public, and open space uses.

FINDINGS:
XI.a. - b. Mineral Resources
Extractive resources known to exist in and near the Santa Clara Valley include cement, sand, gravel, crushed rock, clay, and limestone. Pursuant to the mandate of the Surface Mining and Reclamation Act of 1975 (SMARA), the State Mining and Geology Board has designated: the Communications Hill Area (Sector EE), bounded generally by the Southern Pacific Railroad, Curtner Avenue, State Route 87, and Hillsdale Avenue, as containing mineral deposits which are of regional significance as a source of construction aggregate materials.

The project site is outside of the Communications Hill area, and will therefore not result in a significant impact from the loss of availability of a known mineral resource.

CONCLUSION: Conformance with the above General Plan Policies will ensure that mineral resource impacts would be reduced to a less than significant level at the time of future development of the site.

MITIGATION MEASURES: None required.

XI. NOISE - Would the project result in:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐	1,2,13,18
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐	1
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	1
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	1
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐	1

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐	1

INTRODUCTION: Because excessive noise levels can adversely affect human activities (such as conversation and sleeping) and human health, federal, state, and local governmental agencies have set forth criteria or planning goals to minimize or avoid these effects. The City of San José's General Plan contains goals and policies, which pertain to desired noise levels for various land uses located within the City.

Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating noise impacts resulting from planned development within the City. The proposed project would be subject to the noise policies of the City's General Plan, including the following:

Policy EC-1.1: Locate new development in areas where noise levels are appropriate for the proposed uses. Consider federal, state and City noise standards and guidelines as a part of new development review. Applicable standards and guidelines for office buildings and business commercial uses in San José are considered acceptable for up to 70 DNL (in dBA), conditionally acceptable for noise levels between 70 and 80 DNL, and unacceptable (over 80 DNL).

Policy EC-1.2: Minimize the noise impacts of new development on land uses sensitive to increased noise levels (Categories 1, 2, 3 and 6) by limiting noise generation and by requiring use of noise attenuation measures such as acoustical enclosures and sound barriers, where feasible. The City considers significant noise impacts to occur if a project would:

- Cause the DNL at noise sensitive receptors to increase by five dBA DNL or more where the noise levels would remain "Normally Acceptable"; or
- Cause the DNL at noise sensitive receptors to increase by three dBA DNL or more where noise levels would equal or exceed the "Normally Acceptable" level.

Policy EC-1.6: Regulate the effects of operational noise from existing and new industrial and commercial development on adjacent uses through noise standards in the City's Municipal Code.

Policy EC-1.7: Require construction operations within San José to use best available noise suppression devices and techniques and limit construction hours near residential uses per the City's Municipal Code. The City considers significant construction noise impacts to occur if a project located within 500 feet of residential uses or 200 feet of commercial or office uses would involve substantial noise generating activities (such as building demolition, grading, excavation, pile driving, use of impact equipment, or building framing) continuing for more than 12 months.

The City's Municipal Code contains a Zoning Ordinance that limits noise levels at any property line of any residential, commercial, or industrial properties. The maximum noise limit at the property line of a commercial use located adjacent to a property zoned for residential use is 55 dBA, while the limit is 60 dBA for any commercial use located adjacent to a property zoned for commercial or non-residential use (ref. 18).

The City's Municipal Code also contains a Zoning Ordinance that limits noise levels generated by stand-by/backup and emergency generators. The noise level emitted by these generators shall not exceed 55 decibels at the property line of residential properties. The standards and criteria for stand-by/ backup generators are set as follows (ref. 18):

1. Maximum noise levels, based upon a noise analysis by an acoustical engineer, will not exceed the applicable noise standards set forth in Title 20.80.2030.
2. Testing of generators is limited to 7 a.m. to 7 p.m., Monday through Friday.

FINDINGS:

XII.a. Noise Compatibility of Proposed Uses

The proposed commercial building would provide retail commercial uses on its ground floor and two upper floors of commercial office space. These proposed uses are consistent with surrounding retail commercial uses established within the Tropicana Shopping Center and in the nearby shopping center across South King Road from the project site.

Primary sources of noise affecting the site's noise environment are traffic on South King Road and Story Road. The project site is located approximately 250 feet from Story Road and is immediately adjacent to South King Road. Traffic noise levels along South King Road in the project vicinity are mapped as ranging between 65 and 70 DNL (ref. 13). When compared to the City's noise compatibility guidelines (Policy EC-1.1), such noise levels are considered acceptable for office and commercial uses. Therefore, noise compatibility impacts would be less than significant.

XII.b. Groundborne Noise and Vibration

Construction of the proposed building would not involve the use of impact equipment (i.e. pile drivers) or extensive construction of subsurface facilities (i.e. tunnels) and therefore, generation of substantial construction-related groundborne vibration and noise levels would not occur. Since the closest structures are located 35 feet or more away, construction-related vibration from operation of construction equipment is not expected to cause any cosmetic or architectural damage to any adjacent structures. Therefore, potential groundborne noise and vibration generated by project-related construction activities would be less than significant.

XII.c. Long-term Noise Increases

Long-term noise increases associated with the proposed building would include rooftop mechanical equipment and traffic-related noise increases on South King and Story Roads. Given the high existing traffic volumes on these roads (30,000 to 40,000 average daily traffic), project-related traffic increases are expected to result in less-than-significant noise increases (not perceptible) along these roads. In general, a doubling of the traffic volume results in a 3-dBA noise increase, which is barely perceptible to most people.

Noise generated by the project's commercial activities and mechanical equipment (including emergency generator, if required) would be similar to noise generated by existing adjacent commercial activities and mechanical equipment within the existing shopping center. Mechanical equipment would be subject to the noise limit of 55 dBA specified in City's Municipal Code at the property boundary of the existing shopping center. These noise limits would ensure that the potential for noise disturbance resulting from the proposed project. Since the project building would be located 250 feet or more away from residential property lines and there are intervening commercial structures that would block project equipment from nearby residential receptors, project equipment are expected to be able to conform to ordinance limits without the need to implement special noise attenuation measures. Therefore, long-term noise increases associated with project implementation would be less than significant.

XII.d. Short-Term Noise Increases

Project construction would result in temporary short-term noise increases due to the operation of heavy equipment. Construction noise sources range from about 82 to 90 dBA at 25 feet for most types of construction equipment, and slightly higher levels of about 94 to 97 dBA at 25 feet for certain types of earthmoving and impact equipment. If noise controls are installed on construction equipment, the noise levels could be reduced to 80 to 85 dBA at 25 feet, depending on the type of equipment.

Residential uses are generally considered to be noise-sensitive uses or sensitive receptors. The closest residential uses are located at least 250 feet to the south on Marsh Street and 600 feet to the west on Knox Avenue. At 250 feet, typical construction-related noise levels would decrease to less than 70 dBA for most types of equipment and less than 77 dBA for certain types of earthmoving and impact equipment. Existing commercial buildings in this shopping center are located as close as 35 feet from the project building, and exterior noise levels at the closest stores would approach the levels noted above.

As indicated in Policy EC-1.7 indicates that the City considers construction noise impacts to be significant if a project is located within 500 feet of residential uses or 200 feet of commercial or office uses and would involve substantial noise generating activities (such as building demolition, grading, excavation, pile driving, use of impact equipment, or building framing) continuing for more than 12 months. Since the duration of substantial noise generating activities required for project construction is expected to be less than 12 months, the City considers the project's short-term noise increases to be less than significant (per General Plan Policy EC-1.7). In addition, existing commercial buildings are located between the project site and the closest residences, interrupting the line-of-sight between homes and project construction activities and blocking construction noise from these residences.

Standard Permit Conditions
The City's Municipal Code limits construction hours near residential land uses, and Policy EC-1.7 in the Envision San José 2050 General Plan addresses the types of construction equipment that are sources of significant noise. The following measures would be implemented to reduce construction noise and vibration levels consistent with the City of San José policy:

- Construction hours within 500 feet of residential uses will be limited to the hours of 7:00 a.m. and 7:00 p.m. weekdays, with no construction on weekends or holidays.
- Utilize 'quiet' models of air compressors and other stationary noise sources where technology exits.
- Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
- Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent land uses.
- Locate stating areas and construction material areas as far away as possible from adjacent land uses.
- Prohibit all unnecessary idling of internal combustion engines.
- The contractor will prepare a detailed construction plan identifying a schedule of major noise generating construction activities. This plan shall identify a noise control 'disturbance coordinator' and procedure for coordination with the adjacent noise sensitive facilities so that construction activities can be scheduled to minimize noise disturbance. This plan shall be made publicly available for interested community members.
- The disturbance coordinator will be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the case of the complaint (e.g. starting to early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented. The telephone number for the disturbance coordinator at the construction site will be posted and included in the notice sent to neighbors regarding the construction schedule.

Conformance with the above Standard Measures and General Plan Policies will ensure that noise impacts would be reduced to a less than significant level.

XII.e. Airport-Related Issues
The Airport Influence Area (AIA) is the area surrounding an airport where developments could be affected by noise. The closest airport to the project area is Reid-Hillview airport located approximately 0.9 mile to the east of the site and the project site is located in the AIA, but outside the 60 CNEL noise contour for this airport. In addition, Mineta San José International Airport is located approximately 3.5 miles to the west of the project site; however, it is not located in the AIA for this airport. Therefore, the project site would not be adversely affected by noise associated with airport operations in the project area.

CONCLUSION: Conformance with the above General Plan Policies and Zoning Ordinance noise limits will ensure that construction-related and operational noise impacts would be reduced to a less than significant level.

MITIGATION MEASURES: None required.

XII. POPULATION AND HOUSING - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐	1,2
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1

INTRODUCTION: The development guidelines for the project area are provided by the Envision San José 2040 General Plan and the Evergreen – East Hills Development Policy (EEHDP). The EEHDP specifies development pools for new residential, retail commercial, and office space uses within the EEHDP area. These pools of land uses include: 500 new residential units; 500,000 s.f. of new retail space; and 75,000 s.f. of new commercial office space. The proposed project would provide 10,996 s.f. of retail use on the ground floor of the new building and 20,748 s.f. of new commercial office space, representing approximately 2 percent of the planned retail space and 28 percent of the planned commercial office space envisioned for the EEHDP area. The proposed project would not induce substantial population growth in the area beyond the levels anticipated by the EEHDP, nor through the extension of roads or infrastructure.

FINDINGS:
XIII.a. – c. Growth-Inducement Impacts, Displacement of Housing or Residents
The proposed project would not induce substantial population growth because it does not provide residential development and would not contribute new residents to the planning area's population. Additionally, the commercial project supports the EEHDP goals of providing employment opportunities for existing residents within the EEHDP planning area.

CONCLUSION: The proposed commercial development would have a less than significant level impact on the planning area's population growth and would not displace substantial numbers of existing housing or people.

MITIGATION MEASURES: None required.

XIII. PUBLIC SERVICES - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
Fire Protection?	☐	☐	☒	☐	1,2
Police Protection?	☐	☐	☒	☐	1,2
Schools?	☐	☐	☒	☐	1,2
Parks?	☐	☐	☒	☐	1,2
Other Public Facilities?	☐	☐	☒	☐	1,2

INTRODUCTION: The proposed project will be subject to the following state law and City ordinances that offset the demand created by residential development upon schools and parkland, respectively:

Policy FS-5.6: When reviewing major land use or policy changes, consider the availability of police and fire protection, parks and recreation and library services to the affected area as well as the potential impacts of the project on existing service levels.

Policy ES-3.8: Use the Land Use / Transportation Diagram to promote a mix of land uses that increase visibility, activity and access throughout the day and to separate land uses that foster unsafe conditions.

Policy ES-3.11: Ensure that adequate water supplies are available for fire-suppression throughout the City. Require development to construct and include all fire suppression infrastructure and equipment needed for their projects.

FINDINGS:
XIV.a. Public Services
The project site is located in an urbanized area of San José, and well served by existing Fire, Police, School, Park and other Public Facilities. The site is served by three fire stations within 2.5 miles of the property; Station 16 at 2001 South King Road is located approximately 0.9 mile from the project site.

The implementation of the proposed General Plan would result in an increase in calls for fire protection services but is not anticipated to result in the need for construction of fire stations in excess of those currently planned. Similarly, The proposed General Plan would result in an increase in calls for service and may require the need for expansion of existing police facilities or the location of new facilities within planned growth areas. Construction of new police facilities would require supplemental environmental review but is not anticipated to have significant adverse environmental impacts. No additional Fire or Police personnel or equipment are necessary to serve the proposed project.
There are two developed parks within walking distance (3/4 mile) of the project site. Emma Prusch Farm Regional Park are located at 647 South King Road (opposite from the project site) and at the intersection of McLaughlin Avenue and Panoche Avenue, respectively. Emma Prusch Farm Regional Park includes reservable and non-reservable picnic sites, barbecue facilities, restrooms, two youth playgrounds, a barn with plant and science center, two children's water play areas, and a parking lot on 43.5 acres.

CONCLUSION: Conformance with the above General Plan Policies will ensure that public service impacts would be reduced to a less than significant level at the time of future development of the site.

MITIGATION MEASURES: None required.

XIV. RECREATION - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒	1,2
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒	1,2

INTRODUCTION: The proposed project would not generate new residents and an increased demand for use of existing recreational facilities. The project would provide commercial services that serve the surrounding neighborhoods and populace, which are currently using neighborhood and regional park facilities.

FINDINGS:
XV.a. – b. Demand for and Impacts to Construction of Recreational Facilities
The proposed project will not increase the number of residents on the site or surrounding neighborhoods, and therefore is not expected to affect the use of existing parks or recreation centers such that deterioration would occur or be accelerated. The proposed project would not require the construction or expansion of recreational facilities.

CONCLUSION: The project would have no direct or indirect impacts on neighborhood or regional parks, or existing recreational facilities would be reduced to a less than significant level at the time of future development of the site.

MITIGATION MEASURES: None required.

XV. TRANSPORTATION / TRAFFIC - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐	1,2,19
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐	1,19
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☒	☐	1,19
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐	1,20
e) Result in inadequate emergency access?	☐	☐	☒	☐	1,18
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?					

INTRODUCTION: The following discussion is based in part upon previous transportation studies completed in the project area for existing development on the adjacent school campus. The studies are on file at the City of San José Department of Planning, Building, and Code Enforcement.

Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating transportation and traffic impacts resulting from planned development within the City. The proposed project would be subject to the transportation policies of the City's General Plan, including the following:

Policy CD-2.10: Recognize that finite land area exists for development and that density supports retail vitality and transit ridership. Use land use regulations to require compact, low-impact development that efficiently uses land planned for growth, especially for residential development which tends to have a long life-span. Strongly discourage small-lot and single-family detached residential product types in Growth Areas.

Policy CD-3.3: Within new development, create and maintain a pedestrian-friendly environment by connecting the internal components with safe, convenient, accessible, and pleasant pedestrian facilities and by requiring pedestrian connections between building entrances, other site features, and adjacent public streets.

Policy CD-3.6: Encourage a street grid with lengths of 600 feet or less to facilitate walking and biking. Use design techniques such as multiple building entrances and pedestrian paseos to improve pedestrian and bicycle connections.

Policy LU-1.6: Locate employee-intensive commercial and industrial uses within walking distance of transit stops. Encourage public transit providers to provide or increase services to areas with high concentrations of residents, workers, or visitors.

Policy TR-5.3: The minimum overall roadway performance during peak travel periods should be level of service "D" except for designated areas. How this policy is applied and exceptions to this policy are listed in the following bullets:

- Vehicular Traffic Mitigation Measures. Review development proposals for their impacts on the level of service and require appropriate mitigation measures if development of the project has the potential to reduce the level of service to "E" or worse. These mitigation measures typically involve street improvements. Mitigation measures for vehicular traffic should not compromise or minimize community livability by removing mature street trees, significantly reducing front or side yards, or creating other adverse neighborhood impacts.
- Area Development Policy. An "area development policy" may be adopted by the City Council to establish special traffic level of service standards for a specific geographic area which identifies development impacts and mitigation measures. These policies may take other names or forms to accomplish the same purpose. Area development policies may be first considered only during the General Plan Annual Review and Amendment Process; however, the hearing on an area development policy may be continued after the Annual Review has been completed and the area development policy may thereafter be adopted or amended at a public meeting at any time during the year.
- Small Projects. Small projects may be defined and exempted from traffic analysis per the City's transportation policies.
- Special Strategy Areas. In recognition of the unique characteristics and particular goals of Special Strategy Areas, intersections identified as Protected Intersections within these areas, may be exempt from traffic mitigation requirements. Special Strategy Areas are identified in the City's adopted General Plan and include Urban Villages, Transit Station Areas, and Specific Plan Areas.

Policy TR-9.1: Enhance, expand and maintain facilities for walking and bicycling, particularly to connect with and ensure access to transit and to provide a safe and complete alternative transportation network that facilitates non-automobile trips.

In addition to the policies of the San José General Plan, future development allowed by the proposed land use designations would be required to comply with the San José Commercial Design Guidelines.

FINDINGS:

<u>XVI.a,, XVI.b. Conflicts with Congestion Management Program, or Plans, Ordinances or Policies for Effective Performance of a Circulation System</u>

This project is in the K.O.N.A. and East Valley/680 Communities Strong Neighborhood Initiative (SNI) Areas. The K.O.N.A. Neighborhood Improvement Plan (NIP) includes Goal A: Safe and Efficient Transportation, Circulation and Parking as a specific goal for further development within the Plan Area. Of the top 10 priorities identified by the K.O.N.A. NIP, the following would apply to the proposed project:

8. Install additional trees and landscaping to improve the appearance of public streets in the neighborhood;
9. Repair broken and cracked sidewalks and complete the installation of ADA compliant ramps throughout the K.O.N.A. area; and

10. Make short term and interim security and aesthetic improvements in the King and Story shopping areas.

The East Valley/680 Communities Neighborhood Improvement Plan also includes general goals for the Plan Area, with a list of 10 priority improvements. These include the following goals:

1. Improve the overall appearance of the neighborhood;
2. Improve pedestrian and vehicular circulation throughout the area; and
3. Enhance the condition and appearance of housing and businesses in the area.

Number 1 priority improvement for the Plan Area is: Preserve and Improve the Tropicana Shopping Center. Transportation-related improvements specified in the NIP include: improved pedestrian and bicycle circulation, sidewalk repair and installation, street lighting, and street tree maintenance and installation.

The proposed project includes several provisions for landscaping improvements along South King Road that integrate with the street trees located along the sidewalk adjoining the project's street frontage. Project plans also provide for landscaping on the west side of the proposed office building. Landscape improvements extend to vines on fencing, iron arbors, and trellis structures along South King Road, and include lighting installed on the trellis. New trees and planters are proposed for the north, west, and south sides of the office building; biotreatment areas along the north and south sides of the project would be planted with ground cover landscaping.

Access improvements proposed by the project involve enhancement of the pedestrian environment by constructing a 12-foot wide attached sidewalk along South King Road, and a new sidewalk on the west side of the proposed office building that would facilitate pedestrian movement through the parking lot area. New walkways on the north and south sides of the building would permit pedestrian access to the office building from the bus stop without the need to cross the access driveways at these locations. New pedestrian crossing striping at the northern access drive would aid pedestrians and drivers in avoiding pedestrian/vehicle conflicts and improve overall safety on the project site. Proposed pedestrian ramps at the southern access driveway would further improve pedestrian access for ADA compliance.

The proposed project is also located in the Evergreen - East Hills Development Policy (EEHDP) area and would be in conformance with the EEHDP. The Environmental Impact Report for the EEHDP provides project-level environmental review for the Revised Evergreen Development Policy components of the Evergreen • East Hills Vision Strategy (EEHVS). The approved development for the EEHVS area includes pools of 500,000 s.f. of commercial space and 75,000 s.f. of office space. The proposed project would develop 20,748 square feet (s.f.) of office space and 10,996 s.f. of retail space within the Tropicana Shopping Center property.

The City's Department of Public Works has reviewed project plans and determined that it would be in conformance with the City's Transportation Level of Service Policy (Council Policy 5-3) and would not create a significant traffic impact as long as the project development conforms with the levels of commercial retail and office space defined by the EEHVS.[6] Of the 500,000 s.f. commercial retail and 75,000 s.f. office that was established in the 2008 EEHDP, only 55,260 sf of commercial and 59,231 sf of office are remaining from the original allocation. Issuance of a site development permit does not guarantee the availability of the current allotment since there are other projects in the EEHDP that are being processed. In order to guarantee traffic capacity and be included in the current allocation, this project should pay the Traffic Impact Fee (TIF) as soon as the Planning Permit is approved. The City has indicated that the project would be consistent with development levels evaluated by the EIR for the EEHDP and a determination for a negative declaration can be made with respect to traffic impacts.

The project would be required to pay a Traffic Impact Fee (TIF). The 2015 TIF per residential unit is $14,786 and per 1,000 square feet of commercial or office is $12,860. This fee is subject to an annual escalation on January 1st per the Engineering News-Record Construction Cost Index for San Francisco. The project will be required to pay

[6] K. Mack, Public Works Department, Personal Communication on June 8, 2015.

the current rate in effect at the time the Public Works Clearance is issued (based on 2015 rate, the fee is approximately $408,227).

XVI.c. Air Traffic Patterns

Reid-Hillview Airport (RHV) is a general aviation facility located approximately four miles southeast of Downtown San José and is owned and operated by the County of Santa Clara. Over 240,000 annual takeoffs and landings occur at this airport, and approximately 700 small and general aviation aircraft are based at the airport.

The County has deemed expansion of RHV beyond its current boundary as infeasible because the area surrounding the airport is built-out primarily with residential neighborhoods and the Eastridge Shopping Center. Therefore, the County has determined that only minor expansions can be made within the Airport's boundary, such as adding more hangars or adding minor extensions to the runways. The County has previously explored the idea of closing down the airport and selling the land for redevelopment; however, the County does not have any plans to change Airport operations at this time.

The proposed project is outside of the Airport Influence Area (AIA) for the Reid – Hillview, Mineta San José International, and Moffett airports, and would not be affected by airport operations. The proposed office building would be three stories in height and have no effects on airport operations.

XVI.d. Traffic Safety Hazards

The proposed project would be constructed within the Tropicana Shopping Center parking lot area that is served by two access driveways connecting South King Road to the parking lot. The commercial office building office would be situated between these two driveways and the driveways continue to serve both existing retail commercial uses in the shopping center as well as the proposed project. The proposed project would include driveway improvements such as pedestrian crossing striping and signage to minimize potential traffic safety hazards on the site. The Public Works Department may require an operational analysis of the driveways to demonstrate that the project's driveway improvement plans would be consistent with current driveway operations and preclude the introduction of any new safety hazards for driveway use. The driveway improvement plans would be subject to Public Works Department review and approval to ensure safe operational use of these driveways.

XVI.e. Emergency Access

The proposed project would not alter access to the project site such that emergency access would be reduced, restricted, or otherwise diminished. Emergency access to the project site would remain adequate as under existing conditions.

XVI.f. Conflicts with Alternative Transportation (Pedestrian, Bicycle, and Transit Access)

Bike routes (Class III) in general are located on low traffic volume streets that provide alternate routes for recreational, and in some cases, commuter and school-age cyclists. These facilities are designated Class III and are signed for bike use, but have no separated right-of-way or lane striping. Bike routes serve either to: (1) provide continuity to other bicycle facilities, or (2) designate preferred routes through high demand corridors. Sample bike routes include Meridian Avenue, Blossom Hill Road west of Almaden Expressway, and King Road. The closest bike route to the project site is on Ocala Avenue from South King Road to Mt. Pleasant Road.

Additionally, Santa Clara VTA operates numerous bus lines that operate on most major thoroughfares throughout Santa Clara County. Several of these lines converge at key transfer points, including Downtown San José, several Caltrain stations between Palo Alto and Gilroy, and most light rail stations. Some lines also provide connecting services to other transit agencies, including AC Transit, Dumbarton Express, Monterey-Salinas Transit, and SamTrans. The transit stop on South King Road serving the project area is presently along this street frontage at the project site and would continue to serve both the shopping center and the proposed commercial office building. The transit stop serves VTA Lines 12, 22, and 77 that have terminals at the Eastridge Transit Center, Palo Alto Caltrain Station, the San José Civic Center, and the Milpitas Great Mall/Main Transit Center. The proposed project would not conflict with pedestrian, bicycle, or transit access or operations.

Standard Permit Conditions

Construction Traffic Control Plan. Prior to the issuance of the building permit, the project applicant and construction contractor should meet with the Public Works department to determine traffic management strategies to reduce, to the maximum extent feasible, pedestrian and bicycle impacts, traffic congestion and the effects of parking demand by construction traffic during construction of this project. The project applicant should develop a construction traffic control plan for review and approval by the Public Works Department based on this feedback that minimizes the extent and duration that existing streets and sidewalks are closed for construction traffic and equipment staging. The plan should include at least the following items and requirements:

- A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic and pedestrian hours, detour signs if required, lane closure procedures, sidewalk closure procedures, signs, cones for drivers, and designated construction access routes.
- Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur.
- Location of construction staging areas for materials, equipment, and vehicles (must be located on the project site).
- Identification of haul routes for movement of construction vehicles that would minimize impacts on vehicular and pedestrian traffic, circulation and safety; and provision for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected by the project applicant.
- Temporary construction fences to contain debris and material and to secure the site.
- Provisions for removal of trash generated by project construction activity.
- A process for responding to and tracking complaints pertaining to construction activity.
- Provisions for monitoring surface streets used for truck routes so that any damage and debris attributable to the trucks can be identified and corrected.

It is anticipated that these measures will be incorporated into a more detailed Construction Management Plan, which would address other issues such as hours of construction on site, limitations on noise and dust emissions, and other applicable items.

Traffic Impact Fee. The project would be required to pay a Traffic Impact Fee (TIF). The 2015 TIF per residential unit is $14,786 and per 1,000 square feet of commercial or office is $12,860. This fee is subject to an annual escalation on January 1st per the Engineering News-Record Construction Cost Index for San Francisco. The project will be required to pay the current rate in effect at the time the Public Works Clearance is issued (based on 2015 rate, the fee is approximately $408,227).

CONCLUSION: Conformance with the above EEHDP and General Plan Policies will ensure that traffic impacts would be reduced to a less than significant level at the time of future development of the site.

MITIGATION MEASURES: None required.

UTILITIES AND SERVICE SYSTEMS - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐	1,15
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	1,2,21

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	1,17
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐	1,22
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐	1,21
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐	1,21
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐	1,21

INTRODUCTION: The proposed commercial building project would not require construction of new facilities for water, wastewater treatment, storm drainage, or waste disposal because the subject site is located within the City of San José Urban Service Area where such facilities exist, and currently have the capacity to serve the proposed project. Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating utility-related impacts resulting from planned development within the City. The proposed project will be subject to the utilities and services policies of the City's General Plan, including the following:

Policy MS-3.1: Require water-efficient landscaping, which conforms to the State's Model Water Efficient Landscape Ordinance, for all new commercial, institutional, industrial, and developer-installed residential development unless for recreation needs or other area functions.

Policy MS-3.2: Promote use of green building technology or techniques that can help reduce the depletion of the City's potable water supply, as building codes permit. For example, promote the use of captured rainwater, graywater, or recycled water as the preferred source for non-potable water needs such as irrigation and building cooling, consistent with Building Codes or other regulations.

Policy MS-3.3: Promote the use of drought tolerant plants and landscaping materials for non-residential and residential uses.

Policy MS-19.1: Require new development to contribute to the cost-effective expansion of the recycled water system in proportion to the extent that it receives benefit from the development of a sustainable local water supply.

Action EC-5.16: Implement the Post-Construction Urban Runoff Management requirements of the City's Municipal NPDES Permit to reduce urban runoff from project sites.

In addition to the above-listed policies of the San José General Plan, new development in San José is required to comply with programs that mandate the use of water-conserving features and appliances and the City's Integrated Waste Management Program, which minimizes solid waste.

FINDINGS:
The Final Program EIR (November, 2011) for the General Plan evaluated the potential effects of General Plan implementation on utilities and service systems in the city. The following discussion presents the conclusions of the Program EIR (PEIR) concerning the environmental effects of community growth upon utilities and services facilities serving the city.

XVII.a. – b., XVII.e. Wastewater Facilities and Service

The potential growth resulting from the *Envision San José 2040 General Plan* land use provisions would generate additional sewage that will contribute to existing deficiencies in the sanitary sewer system. The proposed General Plan policies ensure that proposed development would be required to expand the sewer system capacity to meet the needs of new development. Since the specific location of future pump stations is not currently known, it cannot be determined conclusively at this time if future facilities might have an adverse impact on the environment. Construction and/or expansion of pump stations would require supplemental environmental review; however, construction of such facilities consistent with proposed policies and existing regulations would reduce any physical impacts from these facilities to a less than significant level.

XVII.d. Water Facilities and Service

The implementation of the *Envision San José 2040 General Plan* would potentially increase demand for water from the three water retailers serving San José. Water demand could exceed water supply with implementation of the General Plan during dry and multiple dry years after 2025. Existing regulations and proposed policies would substantially reduce demand resulting from current and future development. With the implementation of the proposed General Plan policies water demand from increased development in San José would not exceed water supply.

XVII.c., Stormwater Facilities

The proposed project's potential impacts on storm drainage and municipal facilities serving the project area are discussed in Section IX, Hydrology and Water Quality. In brief, the proposed project would result in an incremental reduction of impervious services on the site, thereby reducing runoff volumes from the site. The reduction of storm flows and improvement in water quality from the site would be positive effect of the project.

XVII.f. – g. Solid Waste Services

Community growth as anticipated by the *Envision San José 2040 General Plan* would not generate solid waste exceeding the capacity of existing landfills serving the City of San José. Estimated increases in solid waste generation from development allowed by the project would be avoided through implementation of the City's Zero Waste Strategic Plan. The proposed General Plan policies, existing regulations, and local programs ensure that the *Envision San José 2040 General Plan* would not result in significant impacts from the provision of landfill capacity to accommodate the City's increased service population.

Standard Permit Conditions

Sewer Improvements. Prior to the issuance of the building permit, the proposed project shall contribute its fair share of the costs required to upgrade City sewer facilities that serve the project site and vicinity. The appropriate contribution for sewer line improvements will be determined in consultation the City's Public Works Department.

CONCLUSION: Conformance with the above General Plan Policies will ensure that utility and service system impacts would be reduced to a less than significant level at the time of future development of the site.

MITIGATION MEASURES: None required.

XVI. MANDATORY FINDINGS OF SIGNIFICANCE

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Does the project have the potential to (1) degrade the quality of the environment, (2) substantially reduce the habitat of a fish or wildlife species, (3) cause a fish or wildlife population to drop below self-sustaining levels, (4) threaten to eliminate a plant or animal community, (5) reduce the number or restrict the range of a rare or endangered plant or animal, or (6) eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒	1,10

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
b) Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.	☐	☐	☒	☐	1,16
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐	1

FINDINGS: As discussed in the previous sections, the proposed project would have less than significant environmental effects with respect to noise. With the above noted measures required as standard conditions of approval as part of the project design and plans, the environmental effects of the proposed project would be minimized and less than significant.

CONCLUSION: Conformance with the above General Plan Policies will ensure that impacts would be reduced to a less than significant level at the time of future development of the site.

MITIGATION MEASURES: None required.

CHECKLIST REFERENCES

1. Environmental Clearance Application – File No. H15-014
2. City of San José, *Envision San José 2040 General Plan*, November 1, 2011
3. USDA, Soil Conservation Service, Soil Survey of SC County, August 1968
4. USDA, Soil Conservation Service, Important Farmlands of SC County map, June 1979
5. State of California's Geo-Hazard maps / Alquist Priolo Fault maps
6. Riparian Corridor Policy Study 1994
7. San José Historic Resources Inventory
8. City of San José Archeological Sensitivity Maps
9. FEMA Flood Insurance Rate Map, Santa Clara County, May 2009
10. California Department of Fish & Game, California Natural Diversity Database, June 2015
11. City of San José Heritage Tree Survey Report
12. California Environmental Protection Agency Hazardous Waste and Substances Sites List, 2015
13. City of San José, *Envision San José 2040 General Plan*, Appendix 7, Noise Study & Maps, Envision San José 2040 General Plan, Comprehensive Update Environmental Noise Assessment, Figure 1, Existing (2008) Vehicular Traffic Noise Contours for Major Roadways in San José, December 7, 2010.
14. Bay Area Air Quality Management District (BAAQMD) CEQA Air Quality Guidelines, May 2010, updated May 2011.
15. San Francisco Bay Regional Water Quality Control Board 1995 Basin Plan, March 20, 2015.
16. City of San José, Final Environmental Impact Report, *Envision San José 2040 General Plan*, November 2011
17. Santa Clara Valley Water District
18. City of San José Municipal Code, Title 20, Zoning Ordinance, Sections 20.40.600 and 20.80.2030. Available online at https://www.municode.com/library/ca/san_jose/codes/code_of_ordinances?nodeId=TIT20ZO.
19. San José Department of Public Works
20. San José Fire Department
21. San José Environmental Services Department
22. San José Water Company
23. California Division of Mines and Geology, 1982
24. Cooper Clark, San José Geotechnical Information Maps, July 1974
25. Silicon Valley Soil Engineering, Geotechnical Investigation: Proposed Three-Story Retail and Office Building, June 2014
26. AEI Consultants, Phase I Environmental Site Assessment: La Placita Center, San José, October 2014
27. Evergreen-East Hills Development Policy, City of San José, May 2007
28. BAAQMD, Options and Justification Report, October 2009
29. Initial Study, CVS Pharmacy and Commercial Development, 15600 & 15650 Los Gatos Boulevard, Los Gatos, California, Town of Los Gatos, August 2013
30. Greenhouse Gas Reduction Strategy, City of San José, February 4, 2014

31. City of San José Environmental Services Department, News Release, Recycled Water Filling Stations Now Available in San José and Milpitas for Commercial Trucks, January 26, 2015. Available online at http://www.piersystem.com/go/doc/1914/2452346/Recycled-Water-Filling-Stations-Now-Available-in-San-Jos-and-Milpitas-for-Commercial-Trucks

REPORT PREPARATION

LEAD AGENCY

City of San José, Department of Planning, Building and Code Enforcement

Whitney Berry, Planner II

Kelsey Steffen, Planner / Environmental Review

CONSULTANTS

Geier & Geier Consulting, Inc.

Frederick Geier	Project Manager
Valerie Chew Geier	Air Quality, Noise, Greenhouse Gases

APPENDIX A

Silicon Valley Soil Engineering
Geotechnical Investigation:
Proposed Three-Story Retail and Office Building

June 2014

REPORT TO
LC ENGINEERING
SAN JOSE, CALIFORNIA

FOR

PROPOSED THREE-STORY RETAIL AND OFFICE BUILDING

SOUTHERN CORNER OF
S. KING ROAD AND STORY ROAD
SAN JOSE, CALIFORNIA

GEOTECHNICAL INVESTIGATION

JUNE 2014

PREPARED BY

SILICON VALLEY SOIL ENGINEERING
2391 ZANKER ROAD, SUITE 350
SAN JOSE, CALIFORNIA

SILICON VALLEY SOIL ENGINEERING
GEOTECHNICAL CONSULTANTS

File No. SV1267
June 4, 2014

LC Engineering
1291 Oakland Road
San Jose, CA 95112

Attention: Mr. Ninh Le

Subject: Proposed Three-Story Retail and Office Building
Southern Corner of S. King Road & Story Road
San Jose, California
GEOTECHNICAL INVESTIGATION

Dear Mr. Le:

We are pleased to transmit herein the results of our geotechnical investigation for the proposed Three-story retail and office building. The subject site is located on the southern corner of S. King Road and Story Road in San Jose, California.

Our findings indicate that the site is suitable for the proposed development provided the recommendations contained in this report are carefully followed. Field reconnaissance, drilling, sampling, and laboratory testing of the surface and subsurface material evaluated the suitability of the site. The following report details our investigation, outlines our findings, and presents our conclusions based on those findings.

If you have any questions or require additional information, please feel free to contact our office at your convenience.

Very truly yours,
SILICON VALLEY SOIL ENGINEERING

Sean Deivert/vv
Sean Deivert
Project Manager

Vien Vo, P.E.

REGISTERED PROFESSIONAL ENGINEER
VIEN M. VO
RCE
32296
Exp. 12/31/14
CIVIL
STATE OF CALIFORNIA

SV1267.GI/Copies: 4 to LC Engineering

2391 ZANKER ROAD, SUITE 350 • SAN JOSE, CALIFORNIA 95131 • (408) 324-1400 • F (408) 324-1404

TABLE OF CONTENTS

GEOTECHNICAL INVESTIGATION PAGE

INTRODUCTION 1
SITE LOCATION AND DESCRIPTION 1
FIELD INVESTIGATION 1
LABORATORY INVESTIGATION 2
SOIL CONDITIONS 3
GENERAL GEOLOGY 4
LIQUEFACTION ANALYSIS 5
A. GROUNDWATER 5
B. SUSPECTED LIQUEFIABLE SOIL LAYERS 5
C. STANDARD PENETRATION TEST N60 VALUE CORRECTED FOR FIELD TESTING PROCEDURES 7
D. STANDARD PENETRATION TEST $(N1)_{60}$ VALUE CORRECTED FOR FIELD TESTING PROCEDURES AND OVERBURDEN PRESSURE 8
E. PEAK GROUND ACCELERATION 9
F. CYCLIC STRESS RATIO (CSR) CAUSED BY THE EARTHQUAKE 9
G. CYCLIC RESISTANCE RATIO (CRR) 10
H. FACTOR OF SAFETY AGAINST LIQUEFACTION (FS) 11
I. SETTLEMENT VERSUS FACTOR OF SAFETY AGAINST LIQUEFACTION 11
J. LIQUEFACTION-INDUCED GROUND DAMAGE 12
K. CONCLUSIONS 14
L. LATERAL SPREADING 14
INUNDATION POTENTIAL 15
CONCLUSIONS 16
RECOMMENDATIONS 18
GRADING 18
WATER WELLS 20
FOUNDATION DESIGN CRITERIA 20
2013 CBC SEISMIC VALUES 21
RETAINING WALLS 22
CONCRETE SLAB-ON-GRADE CONSTRUCTION 23
EXCAVATION 24
DRAINAGE 24
ABANDONMENT OF THE EXISTING UTILITY LINES 25
ON-SITE UTILITY TRENCHING 26
PAVEMENT DESIGN 26
LIME TREATMENT ALTERNATIVES 27
LIMITATIONS AND UNIFORMITY OF CONDITIONS 28
REFERENCES 30

LIST OF TABLES, FIGURES, AND APPENDICES
GEOTECHNICAL INVESTIGATION

TABLES

TABLE I - SUMMARY OF MOISTURE/DENSITY, DIRECT SHEAR, PLASTICITY INDEX, & LIQUID LIMIT TESTS
TABLE II - PROPOSED ALTERNATE PAVEMENT SECTIONS
TABLE IIA - PROPOSED NON-EXPANSIVE PAVEMENT SECTIONS
TABLE IIB - PROPOSED LIME TREATMENT PAVEMENT SECTIONS
TABLE III - PROPOSED RIGID PAVEMENT SECTIONS
TABLE IV - PROPOSED PAVER PAVEMENT SECTIONS
TABLE V - LIQUEFACTION ANALYSIS

FIGURES

FIGURE 1 - VICINITY MAP
FIGURE 2 - SITE PLAN
FIGURE 3 - FAULT LOCATION MAP
FIGURE 4 - PLASTICITY INDEX CHART
FIGURE 5 - COMPACTION TEST A
FIGURE 6 - R-VALUE TEST
FIGURE 7 - CORRECTION FACTOR C_N FOR EFFECTIVE OVERBURDEN PRESSURE
FIGURE 8 - REDUCTION FACTOR (r_d)
FIGURE 9 - CYCLIC RESISTANCE RATIO (CRR)
FIGURE 10 - MAGNITUDE SCALING FACTORS
FIGURE 11 - LIQUEFACTION-INDUCED GROUND SURFACE SETTLEMENT
FIGURE 12 - LIQUEFACTION-INDUCED GROUND DAMAGE

APPENDICES

MODIFIED MERCALLI SCALE
METHOD OF SOIL CLASSIFICATION CHART
KEY TO LOG OF BORING
EXPLORATORY BORING LOGS (B-1 & B-2)

INTRODUCTION

Per your authorization, Silicon Valley Soil Engineering (SVSE) conducted a geotechnical investigation. The purpose of this geotechnical investigation was to determine the nature of the surface and subsurface soil conditions at the project site through field investigations and laboratory testing. This report presents an explanation of our investigative procedures, results of the testing program, our conclusions, and our recommendations for earthwork and foundation design to adapt the proposed development to the existing soil conditions.

SITE LOCATION AND DESCRIPTION

The subject site is located on the southern corner of S. King Road and Story Road in San Jose, California (Figure 1). S. King Road bound the subject site to the northeast and paved parking and driveways to the southeast, southwest, and northwest. At the time of this investigation, the subject site is an asphalt concrete paved parking stalls and driveways. Based on the available information for the subject site, the development will include the removal of the existing pavement section and the construction of a three-story retail and office building with associated improvements. The approximate location of the proposed building and our borings are shown on the Site Plan (Figure 2).

FIELD INVESTIGATION

After considering the nature of the proposed development and reviewing available data on the area, our geotechnical engineer conducted a field investigation at the project site. It included a site reconnaissance to detect any unusual surface features, and the drilling of two exploratory test borings to determine the subsurface soil characteristics. The borings were drilled on May 28, 2014. The approximate location of the borings is shown on the Site Plan

(Figure 2). The borings were drilled to the depths of 11.5 feet and 51.5 feet below the existing pavement surface. The borings were drilled with a truck mounted drill rig using 8-inch diameter hollow stem augers.

The soils encountered were logged continuously in the field during the drilling operation. Relatively undisturbed soil samples were obtained by hammering a 2.0-inch outside diameter (O.D.) split-tube sampler for a Standard Penetration Test (S.P.T.), A.S.T.M. Standard D1586, into the ground at various depths. A 140- pound hammer with a free fall of 30 inches was used to drive the sampler 18 inches into the ground. Blow counts were recorded on each 6-inch increment of the sampled interval. The blows required to advance the sampler the last 12 inches of the 18 inch sampled interval were recorded on the boring logs as penetration resistance. These values were also used to evaluate the liquefaction potential of the subsurface soils. After the completion of the drilling operation, the exploratory borings were backfilled from the bottom of the borehole to the surface with neat cement in accordance to the rules and regulations of the Santa Clara Valley Water District.

In addition, one disturbed bulk sample of the near-surface soil was collected for laboratory analyses. The Exploratory Boring Log, a graphic representation of the encountered soil profile which also shows the depths at which the relatively undisturbed soil samples were obtained, can be found in the Appendix at the end of this report.

LABORATORY INVESTIGATION

A laboratory-testing program was performed to determine the physical and engineering properties of the soils underlying the site.

1. Moisture content and dry density tests were performed on the relatively undisturbed soil samples in order to determine soil consistency and the moisture variation throughout the explored soil profile (Table I).

2. Atterberg Limits tests were performed on the sub-surface soil to assist in the classification of these soils and to obtain an evaluation of their expansion and shrinkage potential and liquefaction analysis.

3. The strength parameters of the foundation soils were determined from direct shear tests that were performed on selected relatively undisturbed soil samples. Laboratory compaction tests were performed on the near-surface material per the ASTM D1557-12 test procedure.

4. Grain size distribution analyses (sieve and hydrometer) were performed on suspected liquefiable soil to assist in their classification and gradation.

5. One R-Value test was performed on a near surface soil sample for pavement section design recommendations.

The results of the laboratory-testing program are presented in the Tables and Figures at the end of this report.

SOIL CONDITIONS

In Boring B-1 (51.5 feet boring), the existing pavement consists of 3 inches of asphalt concrete over 6 inches of aggregate base material. Below the pavement section to the depth of 8 feet, a black, moist, very stiff silty clay layer was encountered. A color change of brown was noted at the depth of 5 feet. From the depths of 8 feet to 13 feet, the soil became olive brown, moist, very stiff sandy clay/clayey sand. From the depths of 13 feet to 18 feet, an olive brown, moist, medium dense, silty clayey sand layer was encountered. The sand was medium grained and poorly graded. From the depths of 18 feet to 30 feet, the soil became bluish gray, moist, very stiff, silty clay. From the depths of 30 feet to 35 feet, an olive brown, moist, dense silty sand layer was encountered. The sand was medium grained and poorly graded. From the depths of 35 feet to the

end of the boring at 51.5 feet, the soil became greenish gray, moist, very stiff silty clay. Similar soil profiles were encountered in other borings.

Groundwater was initially encountered in Boring B-1 at the depth of 14 feet and rose to a static level of 13 feet at the end of the drilling operation. It should be noted that the groundwater level would fluctuate as a result of seasonal changes and hydrogeological variations such as groundwater pumping and/or recharging. A graphic description of the explored soil profiles is presented in the Exploratory Boring Log contained in the Appendix.

GENERAL GEOLOGY

The site lies in the San Francisco Bay Region, which is part of the Coast Range province. The regional structure is dominated by the northwest trending Santa Cruz Mountains to the southwest and the Diablo Range across the bay to the northeast.

The site lies on the east flank of the Santa Cruz Mountains on a thin layer of Holocene alluvial deposits overlying the Merced formation, Lower Pleistocene and Upper Pliocene marine deposits. The Santa Cruz Mountains consists of two entirely different, incompatible core complexes, lying side by side and separated from each other by large faults. These two core complexes are Early Cretaceous Granitic intrusions, and an Upper Jurassic to Lower Cretaceous eugosynclinal assemblage - the Franciscan formation. These core complexes are blanketed by thick layers of Eocene to Pleistocene marine deposits. Some Miocene volcanic intrusions are also present in the Santa Cruz Mountains southwest of the subject site. The core complex of the Diablo Range to the northeast of the subject site is comprised of Franciscan formation, predominantly covered with Upper Cretaceous and Lower to Middle Pliocene marine deposits.

The Quaternary history of the region is recorded by sedimentary marine strata alternating with non-marine strata. The changes of the depositional environment are related to the fluctuation of sea level corresponding to the glacial and interglacial periods. Late Quaternary deposits fill the center of the San Francisco Bay Region and most of the strata are of continental origin characterized as alluvial and fluvial materials.

Folds, thrust faults, steep reverse faults, and strike-slip faults developed as a consequence of Cenozoic deformations that occur very often within the province and are continuing today.

LIQUEFACTION ANALYSIS

A. GROUNDWATER

Groundwater was initially encountered in the borings at depths of 14 feet and rose to a static level ranging from 13 feet at the end of the drilling operation. Based on the State guidelines and CGS Seismic Hazard Zone Report 044 [*Seismic Hazard Evaluation of the San Jose East 7.5-Minute Quadrangle, Santa Clara County, California. 2000 (Revised 01/17/2006).* Department Of Conservation. Division of Mines and Geology], the highest expected groundwater level is approximately 8 feet below ground elevation. Therefore, this depth of the groundwater table will be used for the liquefaction analysis.

B. SUSPECTED LIQUEFIABLE SOIL LAYERS

The site is located within the State of California Seismic Hazard Zone for liquefaction (CGS, 2001). The State Guidelines (CGS Special Publication 117A, revised 2008, Southern California Earthquake Center, 1999) were followed by this study. Based on recent studies (Bray and Sancio, 2006, Boulanger and Idriss, 2004), the "Chinese Criteria", previously used as the liquefaction screening (CGS SP 117, SCEC, 1999) is no longer valid indicator of liquefaction susceptibility. The

revised screening criteria clearly stated that liquefaction is the transformation of loose saturated silts, sands, and clay with a Plasticity Index (PI) < 12 and moisture content (MC) > 85% of the liquid limits are susceptible to liquefaction. This occurs under vibratory conditions such as those induced by a seismic event. To help evaluate liquefaction potential, samples of potentially liquefiable soil were obtained by hammering the split tube sampler into the ground. The number of blows required driving the sampler the last 12 inches of the 18 inch sampled interval were recorded on the log of test boring. The number of blows was recorded as a Standard Penetration Test (S.P.T.), A.S.T.M. Standard D1586-92.

The results from our exploratory boring show that the subsurface soil material in Boring B-1 to the depth of 51.5 feet consists of very stiff silty clay to very stiff sandy clay/clayey sand to medium dense silty clayey sand to very stiff silty clay to dense silty sand to very stiff silty clay. The following is the determination of the liquefiable soil for each soil layer in Boring B-1.

1. The very stiff silty clay layer from the surface to the depth of 8 feet <u>is not liquefiable</u> soil because it is above the groundwater table.

2. The very stiff sandy clay/clayey sand layer from the depth of 8 feet to 13 feet <u>is not liquefiable</u> soil because based on the Plasticity Index (PI) and moisture contents (MC):

    - Sample No. 1-3 (10 feet) - [PI > 12; PI = 17 and MC = 21.3% < 85% LL = 31.5% ; LL = 37]

3. The medium dense silty clayey sand layer from the depths of 13 feet to 18 feet <u>is liquefiable</u> soil based on the PI (PI<12).

4. The very stiff silty clay layer from the depth of 18 feet to 30 feet <u>is not liquefiable</u> soil because based on the Plasticity Index (PI) and moisture contents (MC):

- Sample No. 1-5 (20 feet) - [PI > 12; PI = 23 and MC = 24.6% < 85% LL = 40.0%; LL = 47]

- Sample No. 1-6 (25 feet) - [PI > 12; PI = 22 and MC = 26.5% < 85% LL = 40.8%; LL = 48]

5. The dense silty sand layer from the depth of 30 feet to 35 feet <u>is not liquefiable</u> soil because of the high blow counts.

6. The very stiff silty clay layer from the depth of 35 feet to the end of the boring at 51.5 feet <u>is not liquefiable</u> soil because based on the Plasticity Index (PI) and moisture contents (MC):

   - Sample No. 1-8 (35 feet) - [PI > 12; PI = 19 and MC = 25.5 % < 85% LL = 37.4%; LL = 44]

   - Sample No. 1-9 (40 feet) - [PI > 12; PI = 23 and MC = 21.6% < 85% LL = 38.3%; LL = 45]

   - Sample No. 1-10 (45 feet) - [PI > 12; PI = 20 and MC = 27.1% < 85% LL = 36.6%; LL = 43]

   - Sample No. 1-11 (50 feet) - [PI > 12; PI = 22 and MC = 29.9% < 85% LL = 38.3%; LL = 45]

In summary, there is one liquefiable soil layer underlying the subject site. This layer is the medium dense silty clayey sand layer from the depths of 13 feet to 18 feet (5 feet in thickness).

C. STANDARD PENETRATION TEST N_{60} VALUE CORRECTED FOR FIELD TESTING PROCEDURES

The measured standard penetration test (SPT) *N* value can be influenced by many factors including the soil types, groundwater conditions, and different

field-testing procedures. The N values corrected for field-testing procedure are calculated using the following formula as suggested by *Skempton 1986*:

$N_{60} = 1.67\ E_m C_b C_r N$

N_{60} = standard penetration test N value corrected for field testing procedures

E_m = hammer efficiency (E_m = 0.6 for U.S. equipment)

C_b = bore hole diameter corrections (C_b = 1.05 for 150-mm diameter bore hole)

C_r = rod length correction:

C_r = 0.75 for rod length up to 13.1 feet

C_r = 0.85 for rod length between 13.1 to 19.7 feet

C_r = 0.95 for rod length between 19.7 to 32.8 feet

N = measured standard penetration test N value

The N_{60} values are shown in Table V.

D. STANDARD PENETRATION TEST $(N1)_{60}$ VALUE CORRECTED FOR FIELD TESTING PROCEDURES AND OVERBURDEN PRESSURE

For this liquefaction study, the standard penetration test N_{60} value is corrected for the vertical effective stress by the following formula:

$(N_1)_{60} = C_N N_{60} = (100/\sigma'_{ov})^{0.5} N_{60}$

$(N_1)_{60}$ = standard penetration test N value corrected for both field testing procedures and overburden pressure

C_N = correction factor to account for overburden pressure obtained from Figure 7 using the above data

N_{60} = standard penetration test N value corrected for field testing procedures

σ'_{ov} = vertical effective stress, also called the effective overburden pressure

The $(N_1)_{60}$ values for the suspected liquefiable silty clayey sand layer in Boring B-1 is shown in Table V.

E. PEAK GROUND ACCELERATION

The ground motion caused by earthquakes is generally characterizes in terms of ground surface displacement, velocity, and acceleration. For this liquefaction study, the measure of the cyclic ground motion is represented by the maximum horizontal acceleration at the ground surface, a_{max}. The maximum horizontal acceleration at ground surface is also called the peak horizontal ground acceleration. The value of peak ground acceleration is usually based on prior earthquake and faults studies because it is not possible to predict earthquakes. Based on the State guidelines and CGS Seismic Hazard Zone Report 044 [*Seismic Hazard Evaluation of the San Jose East 7.5-Minute Quadrangle, Santa Clara County, California.* 2006 (revised 01/17/2006). Department of Conservation. Division of Mines and Geology], the peak ground acceleration is 0.61g.

F. CYCLIC STRESS RATIO (CSR) CAUSED BY THE EARTHQUAKE

The cyclic stress ratio (CSR) induced by the earthquake is a function of the depth of the liquefiable soil layer, peak ground acceleration, total vertical stress, effective vertical stress, and ground water depth. The CSR can be calculated using the following formula:

$$CSR = 0.65\, r_d (\sigma_{ov}/(\sigma'_{ov})(\, a_{max}/g)$$

CSR = cyclic stress ratio, also called seismic stress ratio

r_d = depth reduction factor, also called stress reduction coefficient

σ_{ov} = total vertical stress at a particular depth where the liquefaction analysis is performed

σ'_{ov} = vertical effective stress at the same depth in soil deposit where σ_{ov} was calculated

a_{max} = maximum horizontal acceleration at ground surface that is induced by the earthquake, also called peak ground acceleration

g = acceleration of gravity

The above formula was developed with the assumptions that the ground surface is level and the unit width and length soil column will move horizontally as a rigid body. The horizontal movement of the soil column is the result of the maximum horizontal accelerations, a_{max}, exerted by the earthquake at ground surface. The depth reduction factor was introduced to account for the fact that the soil column does not behave as a rigid body. The depth reduction factor was obtained from Figure 8, which was reproduced from *Andrus and Stokoe 2000.* The CSRs, which were computed using the above formula for the suspected liquefiable soil layer in Boring B-1 is shown in Table V.

G. CYCLIC RESISTANCE RATIO (CRR)

The cyclic resistance ratio (CRR) represents the liquefaction resistance of the in situ soil. The CRR of the suspected liquefiable soil layer was obtained from Figure 9. This figure was reproduced from *Seed et al. 1985.* In using Figure 9 the following data were entered:

1. *Standard penetration test* $(N_1)_{60}$ *value.*
2. *Percent fines.*
3. *Cyclic resistance ratio* (CRR) *for an anticipated magnitude 7.5 earthquake.*

4. *Correction for other magnitude earthquakes:* At higher magnitude values, the magnitude scaling factor can be determine from Figure 10. This figure was reproduced from *Andrus and Stokoe 2000.*

H. FACTOR OF SAFETY AGAINST LIQUEFACTION (FS)

The factor of safety against liquefaction is defined as follows:

FS = CRR/ CSR

The higher the safety factor, the more resistant the soil is to liquefaction. A factor of safety against liquefaction greater than 1.3 indicates that the level of risk associated with liquefaction hazard is acceptable. A factor of safety against liquefaction less than 1.3 indicates that an evaluation of the severity of the hazard associated with potential liquefaction of the suspected liquefiable soil layer should be performed. The severity of the hazard includes liquefaction-induced ground surface settlements and liquefaction-induced ground damage. Factors of safety against liquefaction, which were calculated for the suspected liquefiable silty clayey sand layer in exploratory Boring B-1, is shown in Table V. Based on the factor of safety against liquefaction (F.S. = 0.35 < 1.3), it is probable that during the anticipated earthquake, the silty clayey sand layer from the depths of 13 feet to 18 feet will liquefy.

I. SETTLEMENT VERSUS FACTOR OF SAFETY AGAINST LIQUEFACTION

As we have evaluated, the suspected liquefiable soil layer will liquefy. Accordingly, the settlement will occur as water flows from the soil in response to the earthquake-induced excess pore water pressures. To estimate the ground surface settlement of the suspected liquefiable soil layer, we used Figure 11. This figure was reproduced from *Kramer 1996, which was originally developed by Tokimatsu and Seed 1984.* In using Figure 11, the CSR and $(N_1)_{60}$

values of the suspected liquefiable soil layer in exploratory Boring B-3 were entered. Two types of settlements will be considered.

1. Total Settlement. The estimated total settlements were calculated from the resulting volumetric strain percentage applying to the suspected liquefiable soil layer thickness.

2. Differential Settlement. Because of variable soil conditions and structural loads, the earthquake-induced settlements are rarely uniform. As a result, the foundation will experience differential settlement. A common assumption as suggested by *Robert W. Day 2002 and The California Department of Conservation Division of Mines and Geology GUIDELINES* is that the maximum differential settlement of the foundation will be equal to 50 to 75 percent of the maximum total settlement.

The maximum total settlement is estimated to be 1.0 inch. Accordingly, the differential settlement is estimated to be 0.75 inch. The total and differential settlements are considered minimal.

J. LIQUEFACTION-INDUCED GROUND DAMAGE

In addition to the ground surface settlements, there could be also liquefaction-induced ground damage that causes settlement of structures. The ground damage may include sand boils and/or surface fissures. To evaluate liquefaction-induced ground damage, we use Figure 12. These figures were reproduced from *Kramer 1996, which was originally developed by Ishihara 1985*. In plotting the coordinates of the suspected liquefiable soil layer of Boring B-1 in Figure 12, the thickness of surface non-liquefiable (H_1){13 feet in thickness} soil layers and the thickness of the liquefiable (H_2){5 feet in thickness} layer in Boring B-1 were entered with a maximum peak acceleration of $a_{max} = 0.61g$. The following is the determination of H_1 and H_2 in Boring B-1.

Boring~~s~~ B-1: H_1 = 4.33 meters; H_2 = 1.67 meters ??

Based on the plotted coordinates of the suspected liquefiable soil layer of Boring B-1 using the above data, we concluded that there is a marginally minimal potential for liquefaction-induced ground damage to occur at the site.

K. LATERAL SPREADING

In addition to liquefaction-induced ground damage, the liquefaction may also cause lateral movement of the ground surface. The liquefaction-induced lateral spreading may damage the building foundation and underground utility lines. Due to the close proximity to the existing Coyote Creek located easterly of the site, a lateral spreading study was performed for the site. A revised empirical method developed by *Youd, Hansen and Barlett (2002)* was used in this study to estimate the amount of lateral movement of the ground surface. The following revised multi-linear regression equation was used for the gently sloping ground condition:

$$\text{Log DH} = -16.213 + 1.532M - 1.406 \log R^* - 0.012R + 0.338 \log S + 0.540 \log T15 + 3.413 \log (100 - F15) - 0.795\log(D5015 + 0.1 \text{ mm})$$

Where:

D_H = Horizontal ground displacement in meters

M = Earthquake magnitude

R = Distance to the nearest fault rupture in kilometers

T_{15} = Cumulative thickness of saturated granular layers with corrected blow counts, $(N_1)_{60}$, less than 15, in meters

F_{15} = Percent finer than No. 200 sieve for granular materials included within T_{15}

$D50_{15}$ = Average mean grain size for granular materials within T_{15} in millimeters

S = Slope gradient of the ground surface

$R^* = R + R_0$

$R_0 = 10^{(0.89M-5.64)}$

For this study:

M = 8.5, R = 28 kilometer from San Andreas Fault, R_0 = 84.14, R^* = 111

T_{15} = 1.67 meter, F_{15} = 98%, $D50_{15}$ = 0.5 millimeter, S = 2%

The lateral movement of the ground surface soil is calculated to be approximately 0.1 meters (0.3 feet or 2.9 inches) with respect to the San Andreas Fault. Based on the insignificant magnitude of the lateral movement, we concluded that the liquefaction-induced lateral spreading is very minimal.

L. CONCLUSIONS

The followings are the conclusions of this study.

- The liquefaction-induced total maximum settlements at the site is 1.0 inches
- The liquefaction-induced differential settlements at the site is 0.75 inch
- The potential of liquefaction-induced ground surface damage at the site is marginally minimal
- The liquefaction-induced lateral spreading is very minimal

INUNDATION POTENTIAL

The subject site is located on the southern corner of S. King Road and Story Road in San Jose, California. According to the Limerinos and others, 1973 report, the site is not located in an area that has potential for inundation as the result of a 100-year flood (Limerinos; 1973).

CONCLUSIONS

1. The site covered by this investigation is suitable for the proposed development provided the recommendations set forth in this report are carefully followed.

2. Based on the laboratory testing results, the native surface soil at the project site has been found to have a high expansion potential when subjected to fluctuations in moisture. Therefore, we recommend the building pad be underlain by a minimum of 12 inches non-expansive fill layer or 12 inches of lime-treated native soil material. During the construction of the building pad, any highly expansive native soil should not be used as non-expansive engineered fill material.

3. Due to excessive moisture of the native soil at the depth of 3 feet below existing pavement surface, we recommend the footing excavation for the four-story office building should be underlain by 12 inches of non-expansive fill, Class II Baserock or cement slurry if deemed necessary in the field by our representative from our office.

4. The existing asphalt concrete pavement can be crushed and mixed with the existing baserock and re-used as fill material. The existing concrete buildings can be crushed according to a Class II Baserock specification and re-used on the building pad and parking area rock section. The crushed baserock material for the building pad should be free of crushed asphalt concrete. The baserock material should be inspected and tested prior to final approval and use.

5. The imported non-expansive fill soils should be free of organic material and hazardous substances. All imported fill material to be used for engineered fill should be environmentally tested prior to be used at the site.

6. The lime-treated subgrade soil, if any, should not be exposed to the element for an extended period. If no improvements are planned for the immediate future, the lime-treated subgrade soil should be protected.

7. We recommend the building pad be elevated above the adjacent ground surface to promote proper drainage and diversion of water away from the building foundations.

8. We recommended a reference to our report should be stated in the grading and foundation plans (this includes the Geotechnical Investigation File No. and date).

9. On the basis of the engineering reconnaissance and exploratory borings, it is our opinion that trenches that will be excavated to depths less than 5 feet below the existing ground surface will not need shoring. However, for trenches that will be excavated greater than 5 feet in depth, shoring will be required.

10. Specific recommendations are presented in the remainder of this report.

11. All earthwork and grading shall be observed and inspected by a representative from Silicon Valley Soil Engineering (SVSE). These operations are not limited to testing and inspection during grading.

RECOMMENDATIONS

GRADING

1. The placement of fill and control of any grading operations at the site should be performed in accordance with the recommendations of this report. These recommendations set forth the minimum standards to satisfy other requirements of this report.

2. All existing surface and subsurface structures that will not be incorporated in the final development shall be removed from the project site prior to any grading operations. These objects should be accurately located on the grading plans to assist the field engineer in establishing proper control over their removal. All utility lines must be removed prior to any grading at the site.

3. The depressions left by the removal of subsurface structures should be cleaned of all debris, backfilled and compacted with clean, native soil. This backfill must be engineered fill and should be conducted under the supervision of a SVSE representative.

4. All organic surface material and debris, including grass and weeds shall be stripped prior to any other grading operations, and transported away from all areas that are to receive structures or structural fills. Soil containing organic material may be stockpiled for later use in landscaping areas only.

5. After removing all the subsurface structures, existing pavement section and after stripping the organic material from the soil, the building pad area should be scarified by machine to a depth of 12 inches below existing subgrade elevation and thoroughly cleaned of vegetation and other deleterious matter.

6. After stripping, scarifying and cleaning operations, native soil should be moisture conditioned to 3% over optimum moisture and re-compacted to 87% to 92% relative maximum density using ASTM D1557-12 procedure over the entire building pad and 5 feet beyond the perimeter of the pad.

7. All native engineered fill soil should be placed in uniform horizontal lifts of not more than 6 to 8 inches in un-compacted thickness, and compacted to 87% to 92% relative maximum density using ASTM D1557-12 procedure. The import soil should be compacted to not less than 90%. The baserock, however, should be compacted to not less than 95% relative maximum density. Before compaction begins, the fill shall be brought to a water content that will permit proper compaction by either; 1) aerating the material if it is too wet, or 2) spraying the material with water if it is too dry. Each lift shall be thoroughly mixed before compaction to assure a uniform distribution of water content.

8. When fill material includes rocks, nesting of rocks will not be allowed and all voids must be carefully filled by proper compaction. Rocks larger than 4 inches in diameter should not be used for the final 2 feet of building pad.

9. Unstable (yielding) subgrade should be aerated or moisture conditioned as necessary. Yielding isolated area in the subgrade can be stabilized with an excavation of the subgrade to the depth of 12 to 18 inches, lined with stabilization fabric membrane (Mirafi 500X or equivalent) and backfilled with aggregate base.

10. Silicon Valley Soil Engineering (SVSE), should be notified at least two days prior to commencement of any grading operations so that our office may coordinate the work in the field with the contractor. All imported borrow must be approved by SVSE before being brought to the site. Import soil

must have a plasticity index no greater than 15 and an R-Value greater than 25.

11. All grading work shall be observed and approved by a representative from SVSE. The geotechnical engineer shall prepare a final report upon completion of the grading operations.

WATER WELLS

12. Any water wells and/or monitoring wells on the site which are to be abandoned, shall be capped according to the requirements of the Santa Clara Valley Water District. The final elevation of the top of the well casing must be a minimum of 3 feet below the adjacent grade prior to any grading operation.

FOUNDATION DESIGN CRITERIA

13. We recommend the proposed retail building be supported on continuous perimeter foundation and isolated interior spread footings. Recommendations are presented in the following paragraphs.

14. Conventional foundation should be founded at a minimum depth of 24 inches below finished subgrade elevation. Under these conditions, the recommended allowable bearing capacity is 2,800 p.s.f. for both continuous perimeter and isolated and interior spread footings.

15. Because of the high expansion potential of the near surface native soil, we recommend the footing excavation should be saturated with water (not overly saturated) and periodically after footing excavation and prior to concrete placement, if deemed necessary. If the footing bottoms are disturbed, a jumping jack should be used to compact the footing bottoms.

16. The above bearing values are for dead plus live loads, and may be increased by one-third for short term seismic and wind loads. The design

of the structures and the foundations shall meet local building code requirements.

17. The project structural engineer responsible for the foundation design shall determine the final design of the foundations and reinforcing required. We recommend that the foundation plans be reviewed by our office prior to submitting to the appropriate local agency and/or to construction.

2013 CBC SEISMIC VALUES

18. The site categorization and site coefficients are shown in the following table.

Classification/Coefficient	Design Value
Site Class (Table 20.3-1 CBC 2013)	D
Risk Category	I,II,III
Site Latitude	37.338911° N.
Site Longitude	121.842553° W.
0.2-second Mapped Spectra Acceleration[1], S_S	1.500g*
1-second Mapped Spectra Acceleration[1], S_1	0.600g*
Short-Period Site Coefficient, F_a (Table 11.4-1 CBC 2013)	1.0
Long-Period Site Coefficient, F_V (Table 11.4-2 CBC 2013)	1.5
0.2-second Period, Maximum considered Earthquake Spectral Response Acceleration S_{MS} ($S_{MS} = F_a S_S$ - Equation 11.4-1 CBC 2013)	1.500g*
1-second Period, Maximum Considered Earthquake Spectral Response Acceleration S_{M1} ($S_{M1} = F_V S_1$ - Equation 11.4-2 CBC 2013)	0.900g*
0.2-second Period, Designed Spectra Acceleration, S_{DS} ($S_{DS} = 2/3 S_{MS}$ - Equation 11.4-3 CBC 2013)	1.000g*
1-second Period, Designed Spectra Acceleration, S_{D1} ($S_{D1} = 2/3 S_{M1}$ - Equation 11.4-4 CBC 2013)	0.600g*

[1] For Site Class B, 5 percent damped.
* USGS Seismic Design Maps for 2013 CBC analysis.

RETAINING WALLS

19. Any facilities that will retain a soil mass such as loading dock walls shall be designed for a lateral earth pressure (active) equivalent to 50 pounds equivalent fluid pressure, plus surcharge loads. If the retaining walls are restrained from free movement at both ends, they shall be designed for the earth pressure resulting from 60 pounds equivalent fluid pressure, to which shall be added surcharge loads.

20. In designing for allowable resistive lateral earth pressure (passive), a value of 250 pounds equivalent fluid pressure may be used with the resultant acting at the third point. The top foot of native soil shall be neglected for computation of passive resistance.

21. A friction coefficient of 0.3 shall be used for retaining wall design. This value may be increased by 1/3 for short-term seismic loads.

22. The above values assume a drained condition, and a moisture content compatible with those encountered during our investigation.

23. Drainage should be provided behind the retaining wall. The drainage system should consist of perforated (subdrain) pipe placed at the base of the retaining wall and surrounded by ¾ inch drain rock wrapped in a filter fabric. The drain rock wrapped in fabric should be at least 12 inches wide and extend from the base of the wall to within 1.5 feet of the ground surface. The upper 1.5 feet of backfill should consist of compacted native soil. The retaining wall drainage system should be sloped to outfall to a discharge facility.

24. As an alternative to the drain rock and fabric, Miradrain 2000 or approved drain mat equivalent may be used behind the retaining wall. The drain mat should extend from the base of the wall to within two feet of the ground surface. A perforated pipe (subdrain system) should be placed at the base

of the wall in direct contact with the drain mat. The pipe should be sloped to outfall to an appropriate discharge facility.

25. Any retaining walls associated with the building should be waterproofed such as elevator pit walls and slab bottom.

26. We recommend a thorough review by our office of all designs pertaining to facilities retaining a soil mass.

CONCRETE SLAB-ON-GRADE CONSTRUCTION

27. Based on the laboratory testing results of the near-surface soil, the native surface soil at the project site has been found to have a high expansion potential when subjected to fluctuations in moisture. Therefore, we recommend the concrete slab be underlain by a minimum of 12 inches non-expansive fill layer. This layer should be compacted to at least 90% relative maximum density. The non-expansive fill or lime-treated native soil is not included in the rock section.

28. A minimum of 5 inches of ¾ inch crushed rock or Class II Baserock (recycled crushed asphalt concrete is not acceptable) and vapor barrier membrane (STEGO 15 mil) should be placed between the finished grade and the concrete slab. The vapor barrier should be taped at the seams and/or mastic sealed at the protrusions. The native subgrade and/or native engineered fill should be moisture conditioned to 3% over optimum moisture and compacted to 87% to 92% relative maximum density. The Class II Baserock should be compacted to not at least 95%.

29. Use of a vapor barrier membrane under the concrete slab is required if a floor covering would be applied. The membrane should be placed between the rock and the concrete slab. If the slab would not receive a floor covering, the vapor barrier membrane can be eliminated.

30. Prior to placing the vapor membrane and/or pouring concrete, the slab subgrade shall be moistened with water to reduce the swell potential, if deemed necessary, by the field engineer at the time of construction.

EXCAVATION

31. No difficulties due to soil conditions are anticipated in excavating the on-site material. Conventional earth moving equipment will be adequate for this project.

32. Any vertical cuts deeper than 5 feet must be properly shored. The minimum cut slope for excavation to the desired elevation is one horizontal to one vertical (1:1). The cut slope should be increased to 2:1 if the excavation is conducted during the rainy season or when the soil is highly saturated with water.

DRAINAGE

33. It is considered essential that positive drainage be provided during construction and be maintained throughout the life of the proposed structure.

34. The final exterior grade adjacent to the proposed structure should be such that the surface drainage will flow away from the structure. Rainwater discharge at downspouts should be directed onto pavement sections, splash blocks, or other acceptable facilities, which will prevent water from collecting in the soil adjacent to the foundations.

35. Utility lines that cross under or through perimeter footings should be completely sealed to prevent moisture intrusion into the areas under the slab and/or footings. The utility trench backfill should be of impervious

material and this material should be placed at least 4 feet on either side of the exterior footings.

36. Consideration should be given to collection and diversion of roof runoff and the elimination of planted areas or other surfaces, which could retain water in areas adjoining the building. In unpaved areas, it is recommended that protective slopes be stabilized adjoining perimeter building walls. These slopes should be extended to a minimum of 5 feet horizontally from building walls. They must have a minimum outfall of 2 percent.

37. If the subgrade in the landscaping area is moderately to highly expansive, proper drainage should be provided in the landscaping area adjacent to the building foundation. A drip irrigation system is preferable. If the sprinkler system is located adjacent to the building foundation or concrete walkway, a moisture cut-off barrier should be provided.

ABANDONMENT OF THE EXISTING UTILITY LINES

38. All existing and abandoned utility lines located within the new building pad must be removed.

39. All abandoned utility lines within 2 feet from existing ground surface should be removed.

40. Removing the utility lines would require proper backfill and re-compaction of the excavation. Abandoning utility lines in-place would require to cap the abandoned portion of the pipe and all exposed pipe ends with concrete and the removal of any surface clean-outs, manhole or drain inlet structures.

ON-SITE UTILITY TRENCHING

41. All on-site utility trenches must be backfilled with native on-site material or import fill and compacted to at least 90% relative maximum density in accordance with ASTM D1557-12 procedure. Backfill should be placed in 6 to 8 inch lifts and compacted. Jetting of trench backfill is not recommended. An engineer from our firm should be notified at least 48 hours before the start of any utility trench backfilling operations.

42. The utility trenches running parallel to the building foundation should not be located in an influence zone that will undermine the stability of the foundation. The influence zone is defined as the imaginary line extending at the outer edge of the footing at a downward slope of 1:1 (one unit horizontal distance to one unit vertical distance). If the utility trenches were encroaching the influence zone, the encroached area should be stabilized with cement sand slurry.

43. If utility trench excavation is to encounter groundwater, our office should be notified for dewatering recommendations.

PAVEMENT DESIGN

44. Due to the uniformity of the near-surface soil at the site, one R-Value Test was performed on a representative bulk sample. The result of the R-Value test is enclosed in this report. The following alternate sections are based on our laboratory resistance R-Value test of near-surface soil samples and traffic indices (T.I.) of 4.5 for parking stalls and 5.5 for parking area and driveway (travel way). Alternate pavement section designs, which satisfy the State of California Standard Design Criteria, and above traffic indices, are presented in Table II. Rigid and paver pavement section designs are presented in Table III and IV. Because of the high expansion potential of the surface native soil at the site, we provided alternative pavement section

(asphalt and baserock) recommendations for the parking area to be underlain by a minimum of 12 inches of non-expansive fill or lime-treated native material. The non-expansive fill soil and lime-treated native material should be compacted to at least 90% relative maximum density. These alternate pavement sections are presented in Table IIA, IIB and III. Due to the high expansion potential of the surface native soil, minor cracks in the pavement should be expected.

LIME TREATMENT ALTERNATIVES

47. Lime treatment of the subgrade soil can be considered as an option in order to reduce the high expansion potential of near-surface native soil and/or to weather proof (winterize) the subgrade soil during the winter construction of the building pad or parking and driveway areas. The lime treatment process should extend a minimum of 3 feet beyond the building pad, curb and gutter, and/or any other improvements. The top 12 inches of the subgrade can be treated with a mixture of 5% of quick lime (High Calcium) and native soil by volume. If the lime treatment is used, minor cracks on the concrete slab and separation of the curb/gutter and pavement should be expected. In the building pad area, if lime treatment would be implemented, the rock section could be reduced by one inch. In the parking area, if lime treatment would be implemented, the baserock section could be reduced as shown in Table IIB.

48. The lime-treated subgrade soil should not be exposed to the element for an extended period. If no improvements are planed for the immediate future, the lime-treated subgrade soil should be protected.

LIMITATIONS AND UNIFORMITY OF CONDITIONS

1. The recommendations presented herein are based on the soil conditions revealed by our test borings and evaluated for the proposed construction planned at the present time. If any unusual soil conditions are encountered during the construction, or if the proposed construction will differ from that planned at the present time, Silicon Valley Soil Engineering (SVSE) should be notified for supplemental recommendations.

2. This report is issued with the understanding that it is the responsibility of the owner, or his representative, to ensure that the necessary steps are taken to see that the contractor carries out the recommendations of this report in the field.

3. The findings of this report are valid, as of the present time. However, the passing of time will change the conditions of the existing property due to natural processes, works of man, from legislation or the broadening of knowledge. Therefore, this report is subjected to review and should not be relied upon after a period of three years.

4. The conclusions and recommendations presented in this report are professional opinions derived from current standards of geotechnical practice and no warranty is intended, expressed, or implied, is made or should be inferred.

5. The area of the borings is very small compared to the site area. As a result, buried structures such as septic tanks, storage tanks, abandoned utilities, or etc. may not be revealed in the borings during our field investigation. Therefore, if buried structures are encountered during grading or construction, our office should be notified immediately for proper disposal recommendations.

6. Standard maintenance should be expected after the initial construction has been completed. Should ownership of this property change hands, the prospective owner should be informed of this report and recommendations so as not to change the grading or block drainage facilities of this subject site.

7. This report has been prepared solely for the purpose of geotechnical investigation and does not include investigations for toxic contamination studies of soil or groundwater of any type. If there are any environmental concerns, our firm can provide additional studies.

8. Any work related to grading and/or foundation operations during construction performed without direct observation from SVSE personnel will invalidate the recommendations of this report and, furthermore, if we are not retained for observation services during construction, SVSE will cease to be the Geotechnical Engineer of Record for this subject site.

REFERENCES

Borcherdt R.D., Gibbs J. F., Lajoie K.R., 1977 - Maps showing maximum earthquake intensity predicted in the southern San Francisco Bay Region, California, for large earthquakes on the San Andreas and Hayward faults. U.S.G.S. MF-709.

Helley E.J., Brabb, E.E., 1971 - Geologic map of Late Cenozoic deposits, Santa Clara County, California, U.S.G.S. MFS No. 335, Basic Data Contribution No. 27.

Limerinos J.T., Lee K.W., Lugo P.E., 1973 - Flood Prone Areas in the San Francisco Bay Region, California U.S.G.S. Open file report.

Rogers T.H., and Williams J.W., 1974 - Potential seismic hazards in Santa Clara County, California Special Report, No. 107, California Division of Mines and Geology.

USGS (1997). *Guidelines for Evaluating and Mitigating Seismic Hazards in California*. Special Publication 117. Department Of Conservation. Division of Mines and Geology.

USGS (2000). CGS Seismic Hazard Zone Report 044 [*Seismic Hazard Evaluation of the San Jose East 7.5-Minute Quadrangle, Santa Clara County, California. 2000 (Revised 01/17/2006)*. Department Of Conservation. Division of Mines and Geology],

2013 (CBC) California Building Code, Title 24, Part 2.

TABLES

TABLE I - SUMMARY OF MOISTURE/DENSITY, DIRECT SHEAR, PLASTICITY INDEX, & LIQUID LIMIT TESTS

TABLE II - PROPOSED ALTERNATE PAVEMENT SECTIONS

TABLE IIA - PROPOSED NON-EXPANSIVE PAVEMENT SECTIONS

TABLE IIB - PROPOSED LIME TREATMENT PAVEMENT SECTIONS

TABLE III - PROPOSED RIGID PAVEMENT SECTIONS

TABLE IV - PROPOSED PAVER PAVEMENT SECTIONS

TABLE V - LIQUEFACTION ANALYSIS

TABLE I

SUMMARY OF MOISTURE/DENSITY, DIRECT SHEAR, PLASTICITY INDEX, & LIQUID LIMIT TESTS

Sample No.	Depth Ft.	In-Place Conditions		Direct Shear Testing			
		Moisture Content % Dry Wt.	Dry Density p.c.f.	Unit Cohesion k.s.f.	Angle of Internal Friction Degrees	Liquid Limit L.L.	Plasticity Index P.I.
1-1	3	35.8	81.2	0.8	11		
1-2	5	16.2	119.3			44	21
1-3	10	21.3	98.5			37	17
1-4	15	27.0	98.1				<12
1-5	20	24.6	104.6			47	23
1-6	25	26.5	99.4			48	22
1-7	30	19.7	105.8				<12
1-8	35	25.5	87.0			44	19
1-9	40	21.6	105.9			45	23
1-10	45	27.1	95.1			43	20
1-11	50	29.9	96.2			45	22
2-1	3	24.5	85.0				
2-2	5	17.5	79.3				
2-3	10	21.5	109.8				

TABLE II

PROPOSED ALTERNATE PAVEMENT SECTIONS

Location: Proposed 3-Story Retail and Office Building
Southern Corner of
S. King Road and Story Road
San Jose, California

	PARKING STALLS			DRIVEWAY		
Design R-Value	6.0			6.0		
Traffic Index	4.5			5.5		
Gravel Equivalent	17.0			20.0		
Recommended Alternate Pavement Sections:	1A	1B	1C	2A	2B	2C
Asphalt Concrete	3.0"	3.5"	4.0"	3.0"	3.5"	4.0"
Class II Baserock (R=78 min.) compacted to at least 95% relative maximum density	9.0"	8.0"	7.0"	11.0"	10.0"	9.0"
Native soil scarified & compacted to at least 87% relative maximum density	12.0"	12.0"	12.0"	12.0"	12.0"	12.0"

TABLE IIA

PROPOSED NON-EXPANSIVE PAVEMENT SECTIONS

Location: Proposed 3-Story Retail and Office Building
Southern Corner of
S. King Road and Story Road
San Jose, California

	PARKING STALLS			DRIVEWAY		
Design R-Value	24.0			24.0		
Traffic Index	4.5			5.5		
Gravel Equivalent	14.0			16.0		
Recommended Alternate Pavement Sections:	1A	1B	1C	2A	2B	2C
Asphalt Concrete	3.0"	3.5"	4.0"	3.0"	3.5"	4.0"
Class II Baserock (R=78 min.) compacted to at least 95% relative maximum density	6.0"	5.0"	4.0"	9.0"	8.0"	7.0"
Non-expansive soil fill material compacted to at least 90% relative maximum density	12.0"	12.0"	12.0"	12.0"	12.0"	12.0"
Native soil scarified & compacted to at least 87% relative maximum density	12.0"	12.0"	12.0"	12.0"	12.0"	12.0"

TABLE IIB

PROPOSED LIME TREATMENT PAVEMENT SECTIONS

Location: Proposed 3-Story Retail and Office Building
Southern Corner of
S. King Road and Story Road
San Jose, California

	PARKING STALLS	DRIVEWAY		
Design R-Value	24.0	24.0		
Traffic Index	4.5	5.5		
Gravel Equivalent	14.0	16.0		
Recommended Alternate Pavement Sections:	1	2A	2B	2C
Asphalt Concrete	3.0"	3.0"	3.5"	4.0"
Class II Baserock (R=78 min.) compacted to at least 95% relative maximum density	4.0"	7.0"	6.0"	5.0"
Lime-treated native soil material compacted to at least 90% relative maximum density	12.0"	12.0"	12.0"	12.0"

TABLE III

PROPOSED RIGID PAVEMENT SECTIONS

Location: Proposed 3-Story Retail and Office Building
Southern Corner of
S. King Road and Story Road
San Jose, California

	DRIVEWAY*			CURB & GUTTER			SIDEWALK		
Recommended Rigid Pavement Sections:	1A	1B	1C	2A	2B	2C	3A	3B	3C
P.C. Concrete*	6.0"	6.0"	6.0"	6.0"	6.0"	6.0"	4.0"	4.0"	4.0"
Class II Baserock (R=78 min.) compacted to at least 95% relative max. density	12.0"	6.0"	6.0"	8.0"	6.0"	6.0"	6.0"	4.0"	4.0"
Non-expansive soil fill material compacted to at least 90% relative max. density	---	12.0"	---	---	8.0"	---	---	8.0"	---
Lime-treated native soil material compacted to at least 90% relative max. density	---	---	12.0"	---	---	12.0"	---	---	12.0"
Native soil subgrade scarified & compacted to at least 87% relative max. density	12.0"	12.0"	---	12.0"	12.0"	---	12.0"	12.0"	---

* Including trash enclosures, stress pads, and valley gutters. Reinforcement provided by Structural Engineer. Maximum control joints at 5' by 5' or as recommended by Structural Engineer. Vertical curbs should be keyed at least 3 inches into pavement subgrade.

TABLE IV

PROPOSED PAVER PAVEMENT SECTIONS

Location: Proposed 3-Story Retail and Office Building
Southern Corner of
S. King Road and Story Road
San Jose, California

	DRIVEWAY/PARKING AREA*			
Recommended Paver Pavement Sections:	1A*	1B*	2A	2B
Vehicular Rated Pavers	Min. 3.25" ± Permeable Paver Parking Stalls	Min. 3.25" ± Permeable Paver Driveway	Min. 3.25" ± Non-Permeable Paver Parking Stalls	Min. 3.25" ± Non-Permeable Paver Driveway
ASTM No. 8 Bedding Course & Paver Filler	2.0"	2.0"	2.0"	2.0"
3/4" Clean Crushed Rock or ASTM No. 57 Drain Stone	8.0"	12.0"	---	---
Class II Baserock (R=78 min.) compacted to at least 95% relative maximum density	---	---	10.0"	14.0"
Non-expansive soil fill material compacted to at least 90% relative max. density, if any	---	---	---	---
Native soil scarified & compacted to at least 87% relative max. density	12.0"	12.0"	12.0"	12.0"

* (see next page)

* The subgrade should be lined with a geotextile membrane Mirafi 500X or equivalent. The liner should be place and overlapped properly for drainage. The subgrade should be sloped at a minimum of 2% towards the subdrain system.

* The subdrain system should consist of a 4-inch diameter perforated pipe surrounded by ¾ inch drain rock wrapped in a filter fabric. The drain rock wrapped in fabric should be at least 12 inches wide and 12 inches below the finished subgrade elevation. The drainage system should be sloped to outfall to a discharge facility. The Mirafi 500X membrane should not be placed over the subdrain system.

  The pavers should be bordered with a concrete curb/band. Typically, minor maintenance would be required during the life of the pavers.

TABLE V
LIQUEFACTION ANALYSIS

Boring	Liquefiable Soil Layer		N	N_{60}	$(N_1)_{60}$	σ_{ov} (k.s.f)	U (k.s.f.)	σ'_{ov} (k.s.f)	CSR	CRR	F.S.	Liquefaction -induced Settlements (Inch)
	Depth (Feet)	Thickness (Feet)										
B-1	13-18	5	16	14	17	2.19	0.62	1.57	0.54	0.19	0.35	1.0

NOTES:

N = measured standard penetration test N value

N_{60} = standard penetration test N value corrected for field testing procedures

$(N_1)_{60}$ = standard penetration test N value corrected for both field testing procedures and overburden pressure

σ_{ov} = total vertical stress in kip per square foot (k.s.f.) at a particular depth where the liquefaction analysis is performed

u = pore pressure in kip per square foot (k.s.f.) at a particular depth where the liquefaction analysis is performed

σ'_{ov} = vertical effective stress in kip per square foot (k.s.f.); $\sigma'_{ov} = \sigma_{ov} - u$, also called the effective overburden pressure

CSR = cyclic stress ratio, also called seismic stress ratio

CRR = cyclic resistance ratio obtained from Figure 7

F.S. = CRR/ CSR = Factor of Safety against liquefaction

FIGURES

FIGURE 1 - VICINITY MAP

FIGURE 2 - SITE PLAN

FIGURE 3 - FAULT LOCATION MAP

FIGURE 4 - PLASTICITY INDEX CHART

FIGURE 5 - COMPACTION TEST A

FIGURE 6 - R-VALUE TEST

FIGURE 7 - CORRECTION FACTOR C_N FOR EFFECTIVE OVERBURDEN PRESSURE

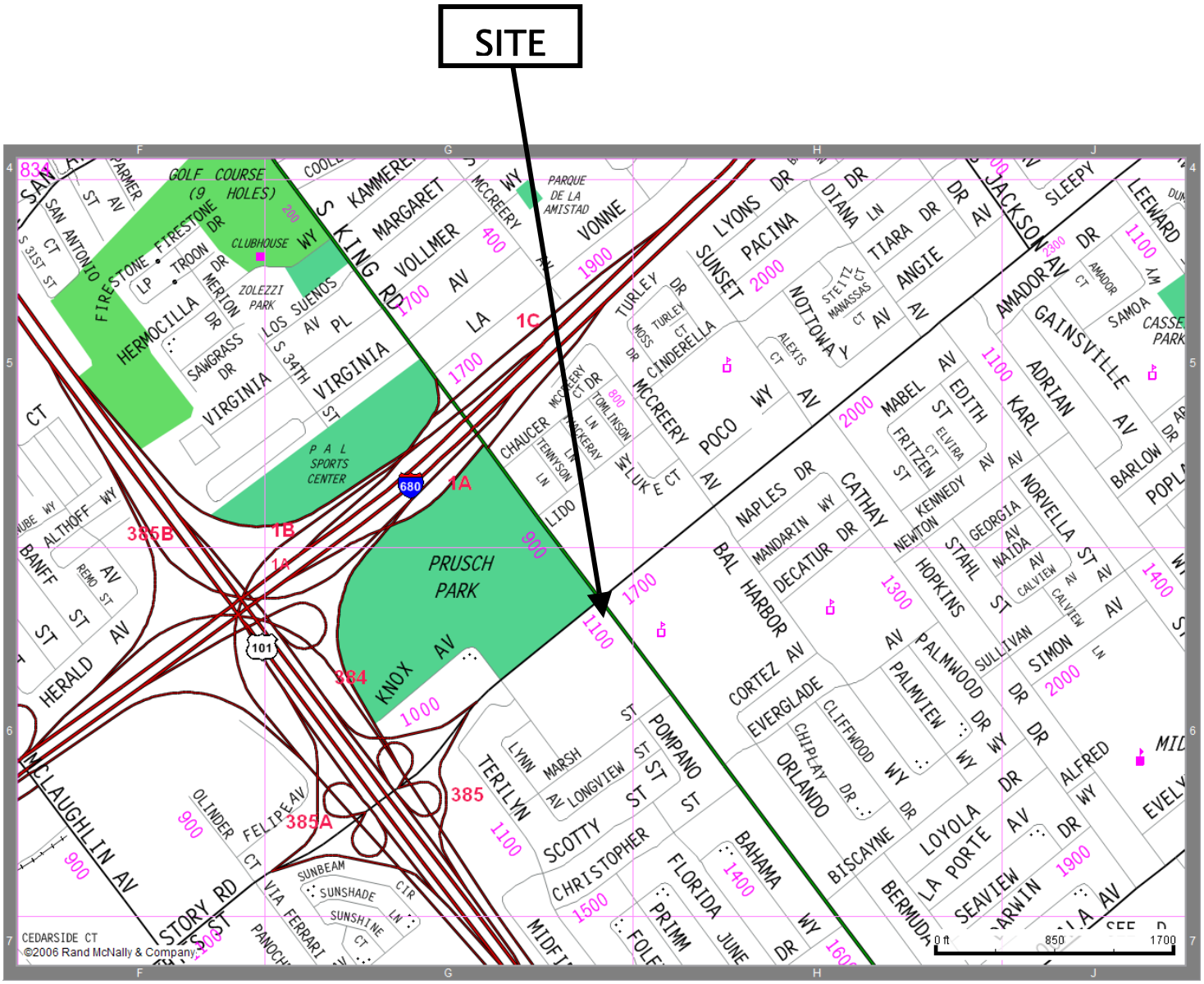
FIGURE 8 - REDUCTION FACTOR (r_d)

FIGURE 9 - CYCLIC RESISTANCE RATIO (CRR)

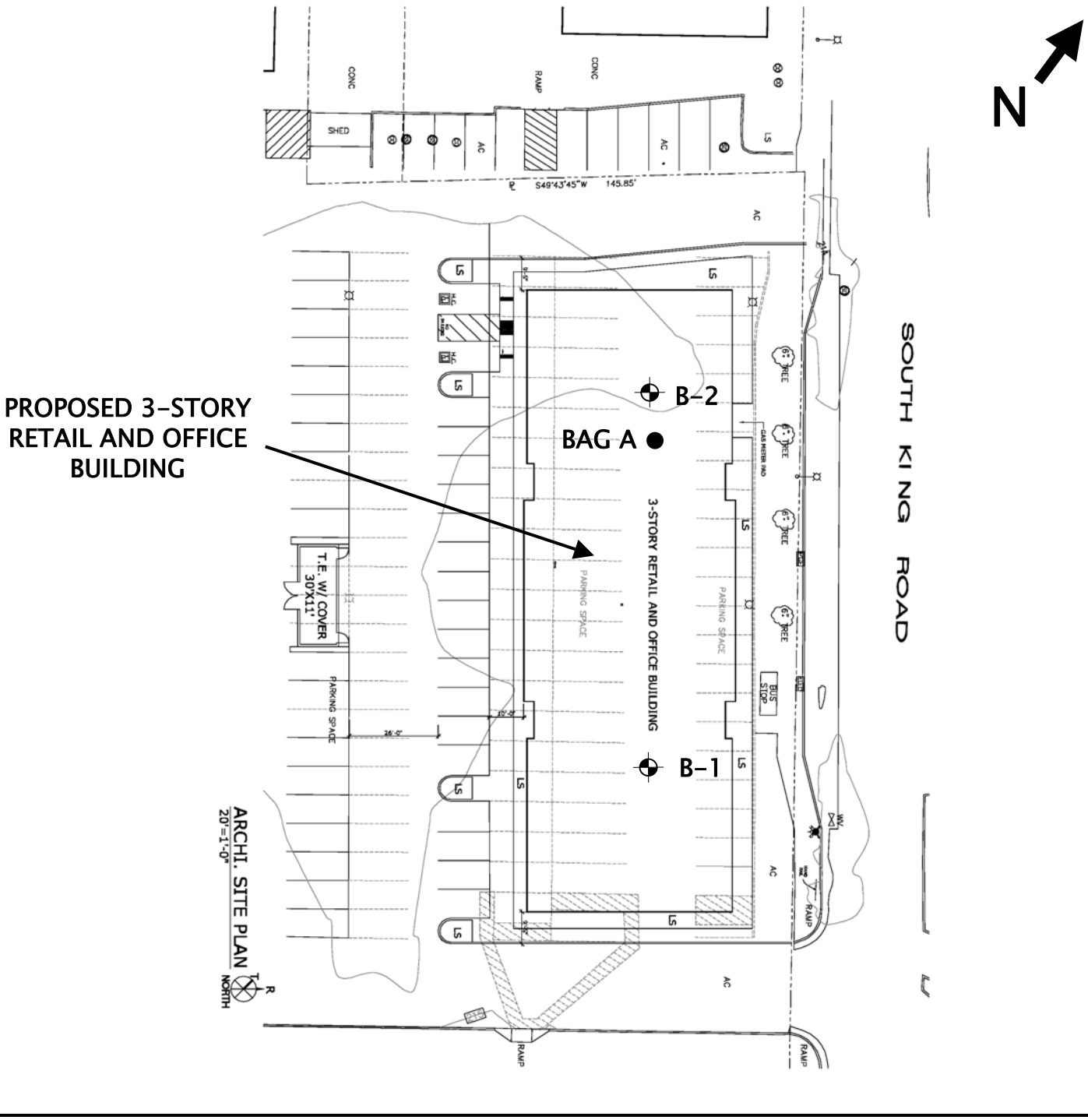
FIGURE 10 - MAGNITUDE SCALING FACTORS

FIGURE 11 - LIQUEFACTION-INDUCED GROUND SURFACE SETTLEMENT

FIGURE 12 - LIQUEFACTION-INDUCED GROUND DAMAGE



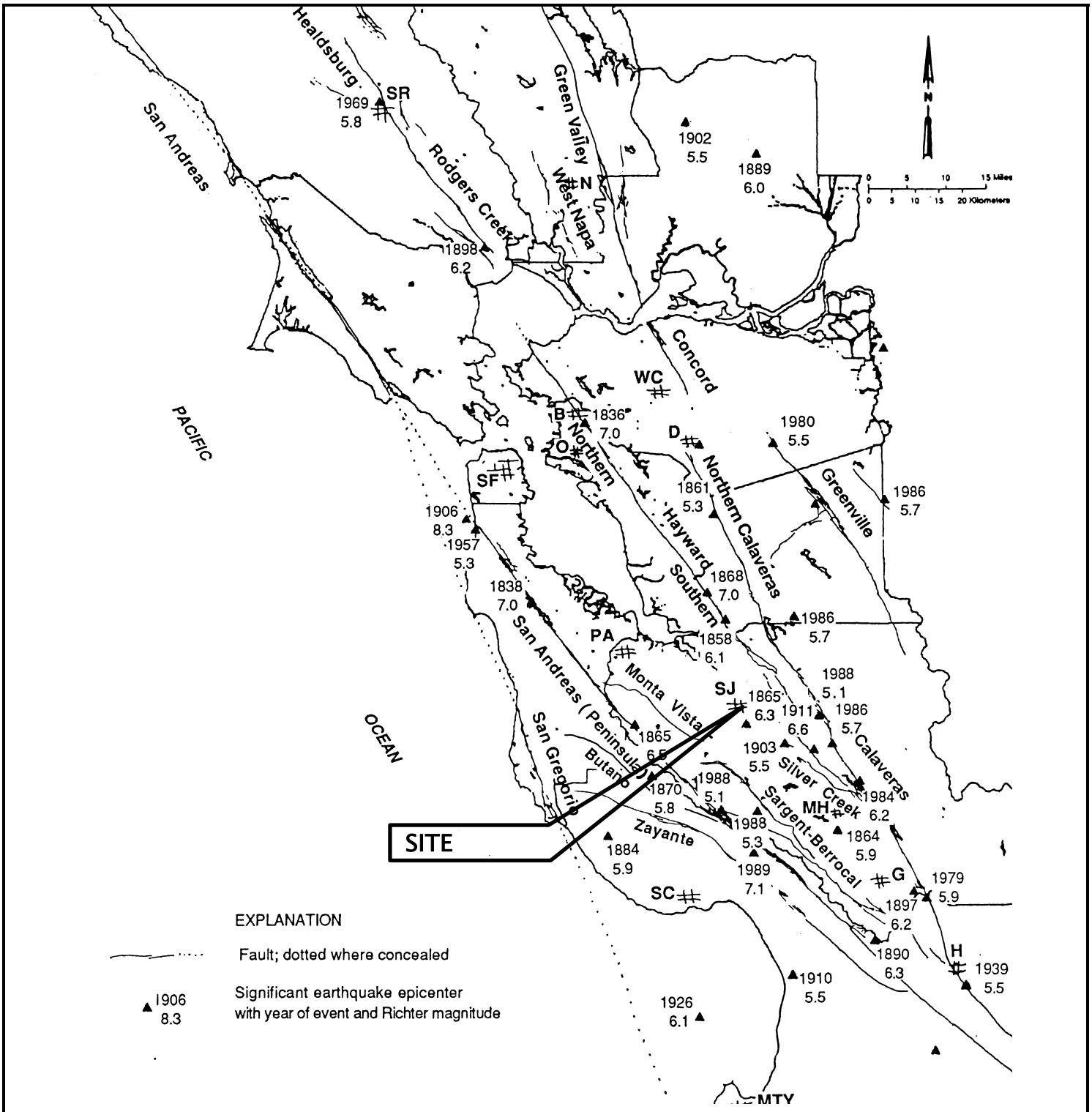
Silicon Valley Soil Engineering 2391 Zanker Road, #350 San Jose, CA 95131 (408) 324-1400	**VICINITY MAP** Proposed 3-Story Retail and Office Building Southern Corner of S. King Street & Story Road San Jose, California	File No.: SV1267 Drawn by: V.V. Scale: NOT TO SCALE	FIGURE 1 June 2014



DENOTES APPROXIMATE CURRENT EXPLORATORY BORING LOCATION (BY SVSE)

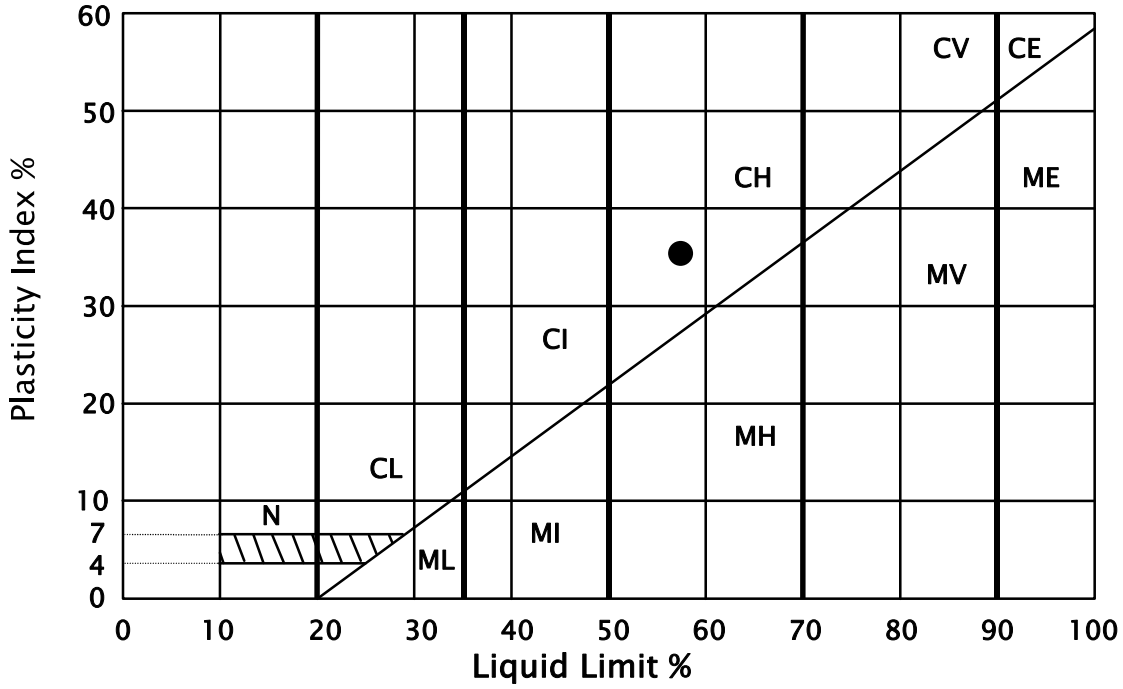
DENOTES APPROXIMATE EXPLORATORY BAG SAMPLE LOCATION

Silicon Valley Soil Engineering 2391 Zanker Road, #350 San Jose, CA 95131 (408) 324-1400	**SITE PLAN** Proposed 3-Story Retail and Office Building Southern Corner of S. King Street & Story Road San Jose, California	File No.: SV1267 Drawn by: V.V. Scale: NOT TO SCALE	FIGURE 2 June 2014



Silicon Valley Soil Engineering 2391 Zanker Road, #350 San Jose, CA 95131 (408) 324-1400	**FAULT LOCATION MAP** Proposed 3-Story Retail and Office Building Southern Corner of S. King Street & Story Road San Jose, California	File No.: SV1267 Drawn by: V.V. Scale: NOT TO SCALE	FIGURE 3 June 2014

PLASTICITY CHART

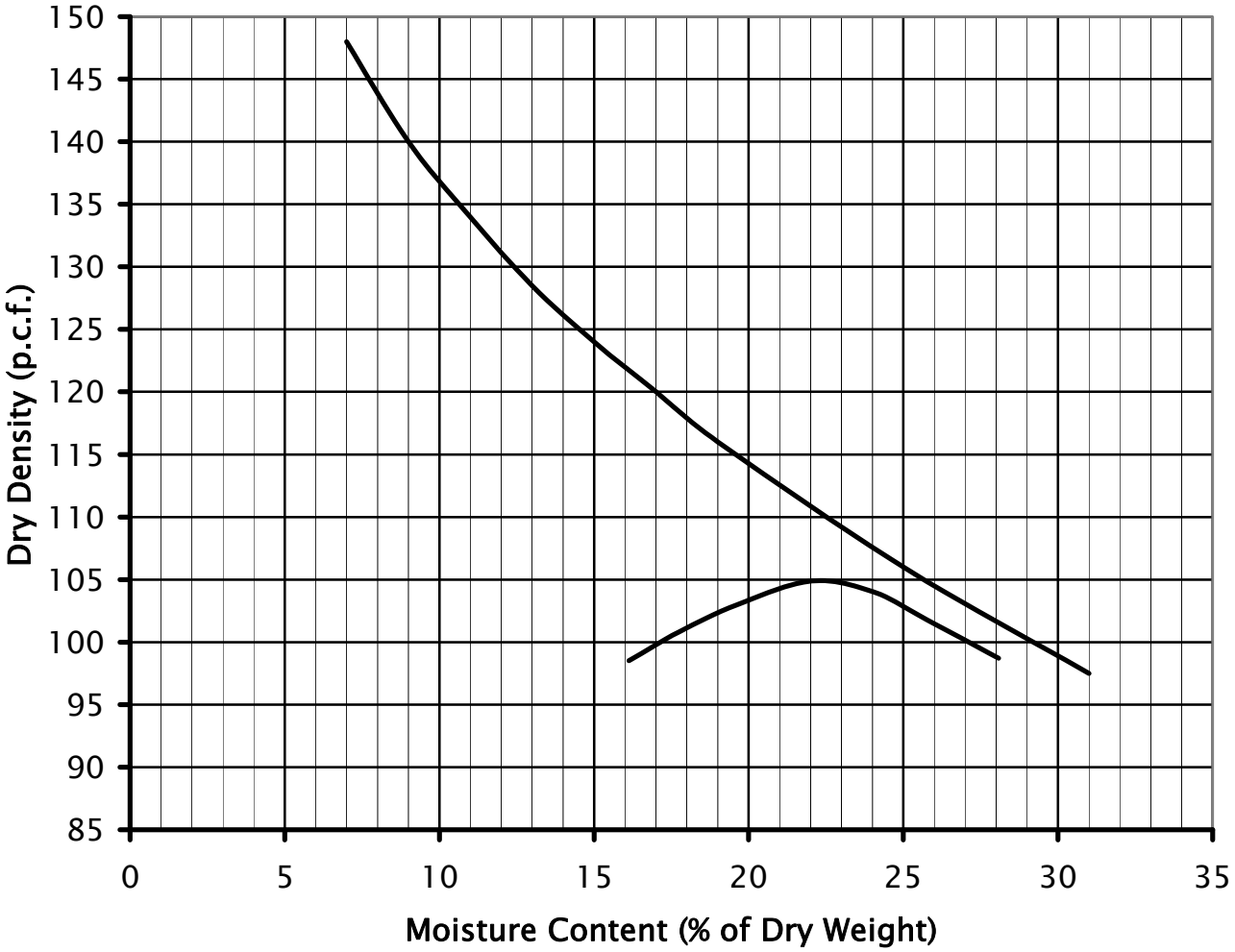


PLASTICITY DATA

Key Symbol	Hole No.	Depth ft.	Liquid Limit %	Plasticity Index %	Unified Soil Classification Symbol *
●	BAG A	0-1	35	57	CH

*Soil type classification Based on British suggested revisions to Unified Soil Classification System

Silicon Valley Soil Engineering 2391 Zanker Road, #350 San Jose, CA 95131 (408) 324-1400	**PLASTICITY INDEX** Proposed 3-Story Retail and Office Building Southern Corner of S. King Street & Story Road San Jose, California	File No.: SV1267 Drawn by: V.V. Scale: NOT TO SCALE	FIGURE 4 June 2014



SAMPLE: A

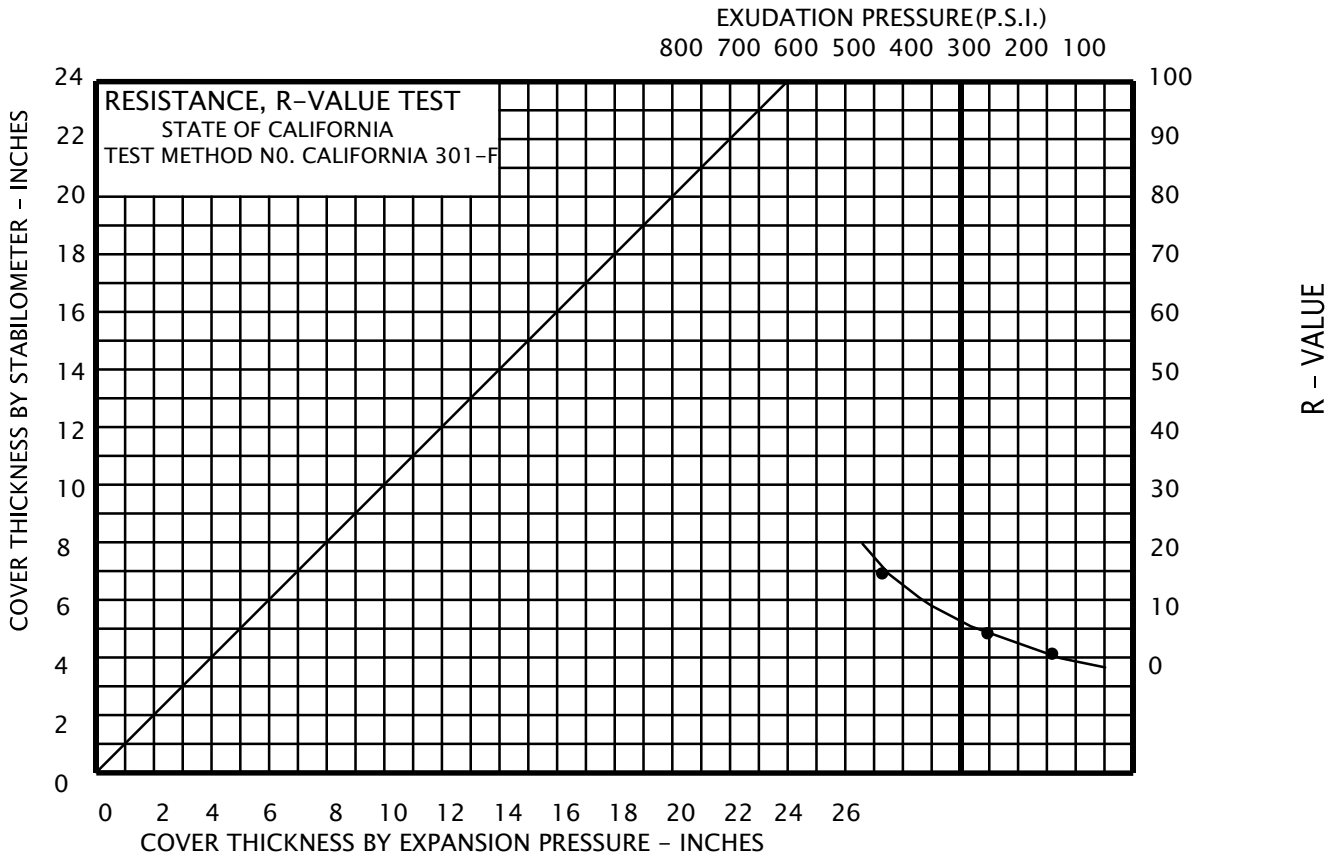
DESCRIPTION: Black Silty CLAY

LABORATORY TEST PROCEDURE: ASTM D1557-12

MAXIMUM DRY DENSITY: 105.0 p.c.f.

OPTIMUM MOISTURE CONTENT: 22.0 %

Silicon Valley Soil Engineering 2391 Zanker Road, #350 San Jose, CA 95131 (408) 324-1400	COMPACTION TEST A Proposed 3-Story Retail and Office Building Southern Corner of S. King Street & Story Road San Jose, California	File No. SV1267 Drawn by: V.V. Scale: NOT TO SCALE	FIGURE 5 June 2014



SAMPLE: A
DESCRIPTION: Black Silty CLAY

SPECIMEN	A	B	C
EXUDATION PRESSURE (P.S.I.)	149.0	251.0	449.0
EXPANSION DIAL (.0001")	9.0	14.0	20.0
EXPANSION PRESSURE (P.S.F.)	45.0	76.0	94.0
RESISTANCE VALUE, "R"	1.0	4.0	15.0
% MOISTURE AT TEST	20.7	18.0	17.6
DRY DENSITY AT TEST (P.C.F.)	106.7	108.5	111.2
R-VALUE AT 300 P.S.I. EXUDATION PRESSURE	= (6)		

Silicon Valley Soil Engineering 2391 Zanker Road, #350 San Jose, CA 95054 (408) 988-2990	**R-VALUE TEST** Proposed 3-Story Retail and Office Building Southern Corner of S. King Street & Story Road San Jose, California	File No. SV1267 Drawn by: V.V. Scale: NOT TO SCALE	FIGURE 6 June 2014

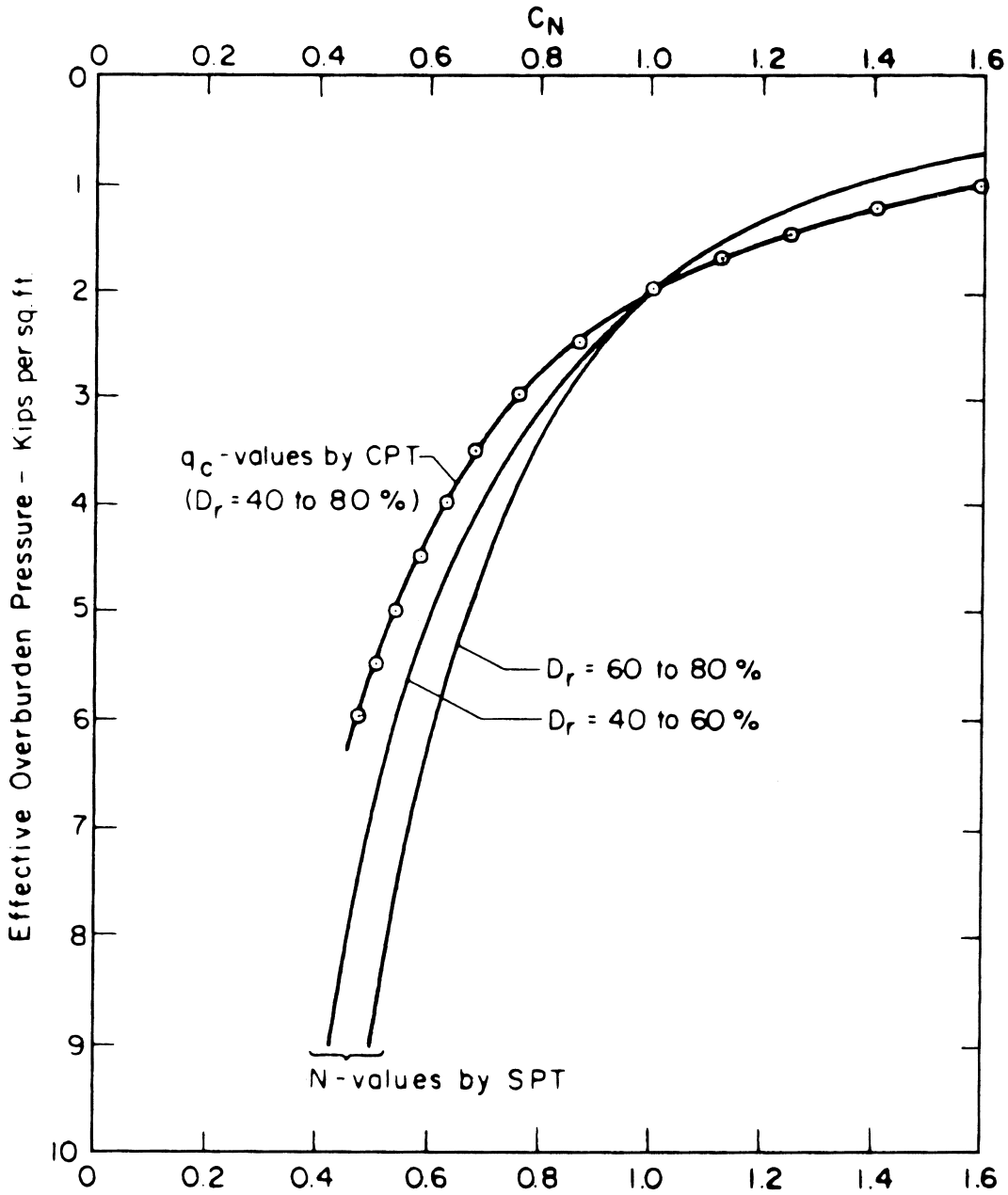


FIGURE 5.11 Correction factor C_N used to adjust the standard penetration test N value and cone penetration test q_c value for the effective overburden pressure. The symbol D_r refers to the relative density of the sand. (*Reproduced from Seed et al. 1983, with permission from the American Society of Civil Engineers.*)

Silicon Valley Soil Engineering 2391 Zanker Road, #350 San Jose, CA 95131 (408) 324-1400	**CORRECTION FACTOR C_N FOR EFFECTIVE OVERBURDEN PRESSURE** Proposed 3-Story Retail and Office Building Southern Corner of S. King Street & Story Road San Jose, California	File No. SV1267 Drawn by: V.V. Scale: NOT TO SCALE	FIGURE 7 June 2014

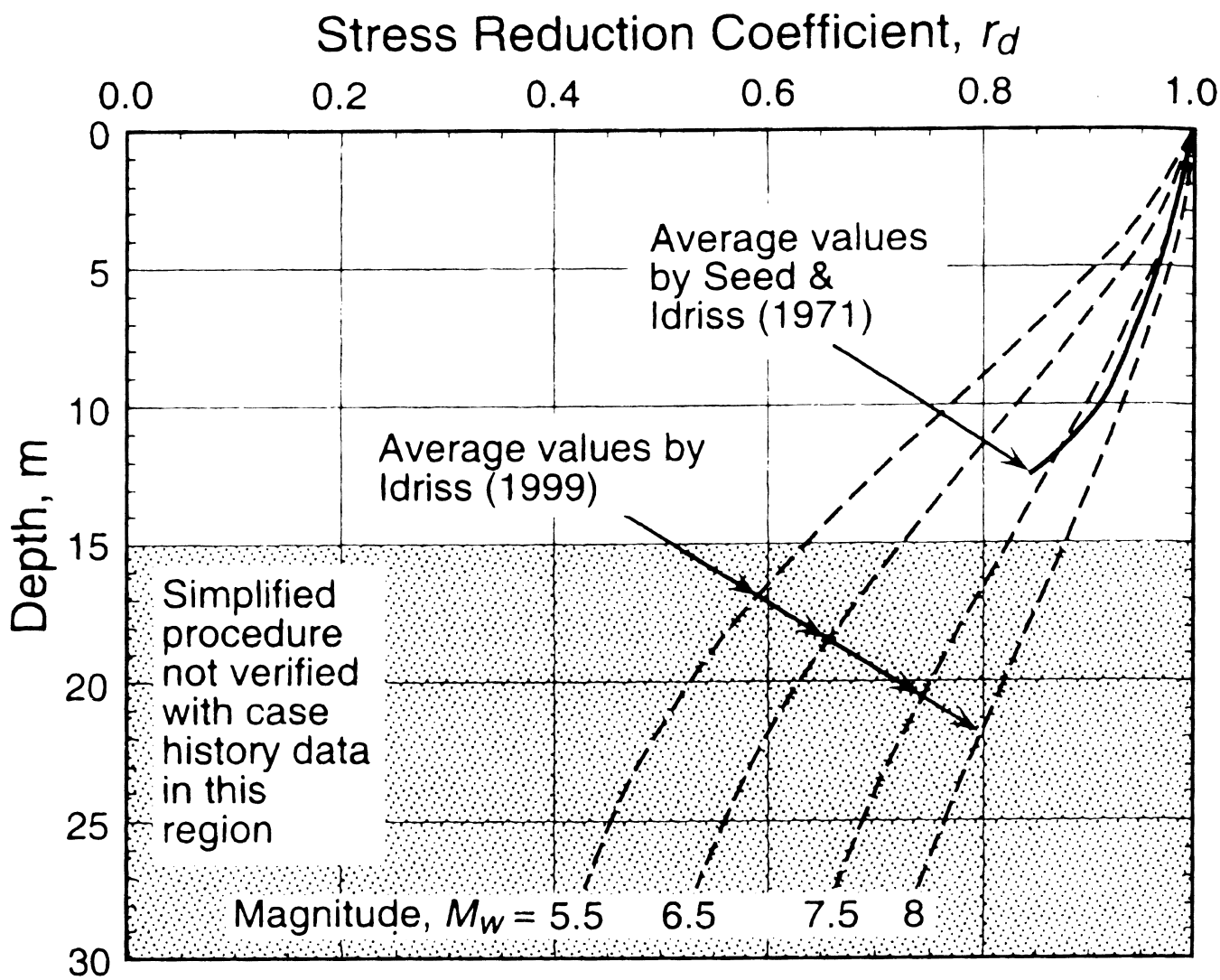


FIGURE 6.5 Reduction factor r_d versus depth below level or gently sloping ground surfaces. (*From Andrus and Stokoe 2000, reproduced with permission from the American Society of Civil Engineers.*)

Silicon Valley Soil Engineering 2391 Zanker Road, #350 San Jose, CA 95131 (408) 324-1400	**REDUCTION FACTOR *(R_D)*** Proposed Retail Building Office Building Southern Corner of S. King Street & Story Road San Jose, California	File No. SV1267 Drawn by: V.V. Scale: NOT TO SCALE	FIGURE 8 June 2014

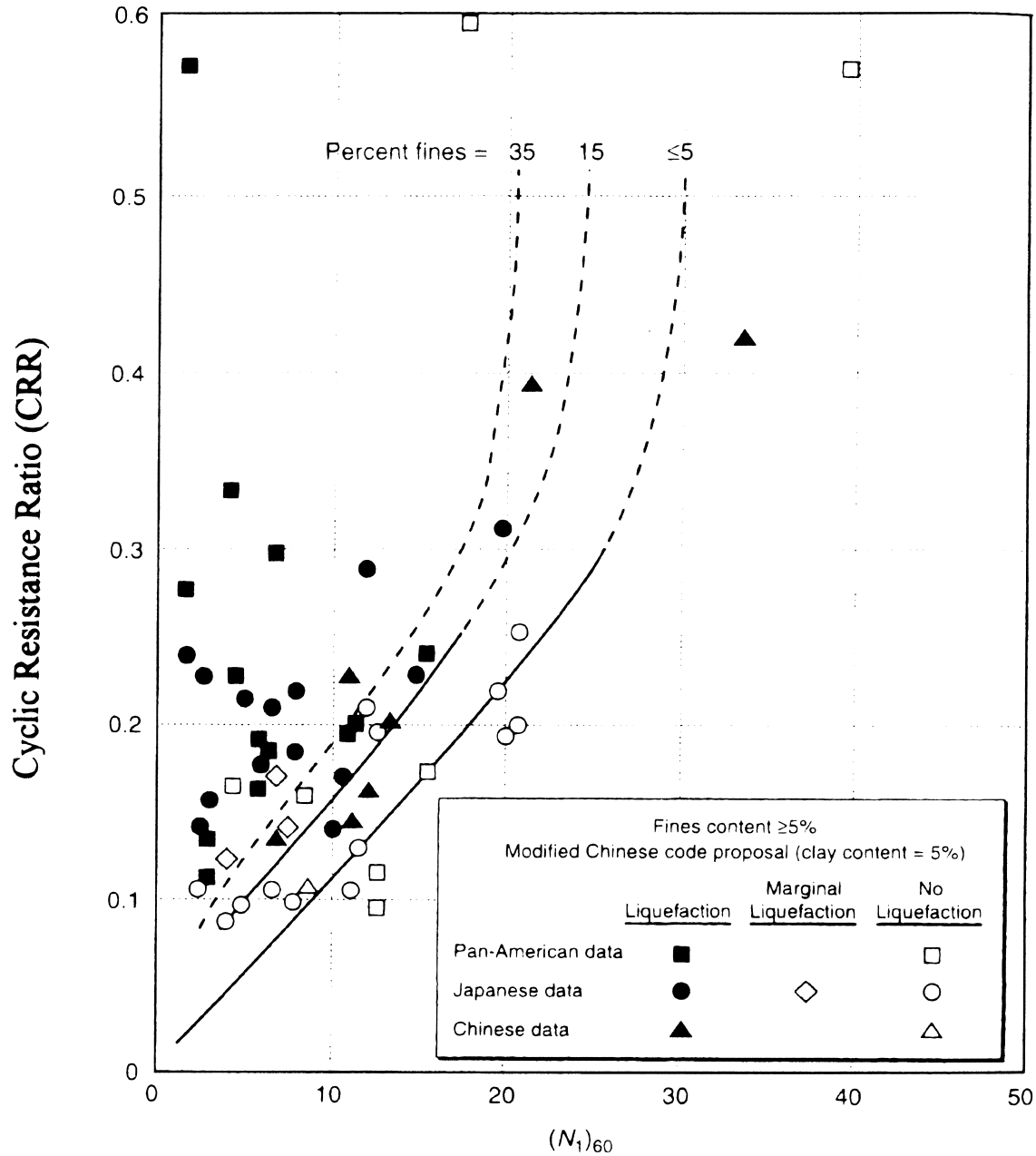


FIGURE 6.6 Plot used to determine the cyclic resistance ratio for clean and silty sands for $M = 7.5$ earthquakes. (*After Seed et al. 1985, reprinted with permission of the American Society of Civil Engineers.*)

Silicon Valley Soil Engineering 2391 Zanker Road, #350 San Jose, CA 95131 (408) 324-1400	**CYCLIC RESISTANCE RATIO (CRR)** Proposed 3-Story Retail and Office Building Southern Corner of S. King Street & Story Road San Jose, California	File No. SV1267 Drawn by: V.V. Scale: NOT TO SCALE	FIGURE 9 June 2014

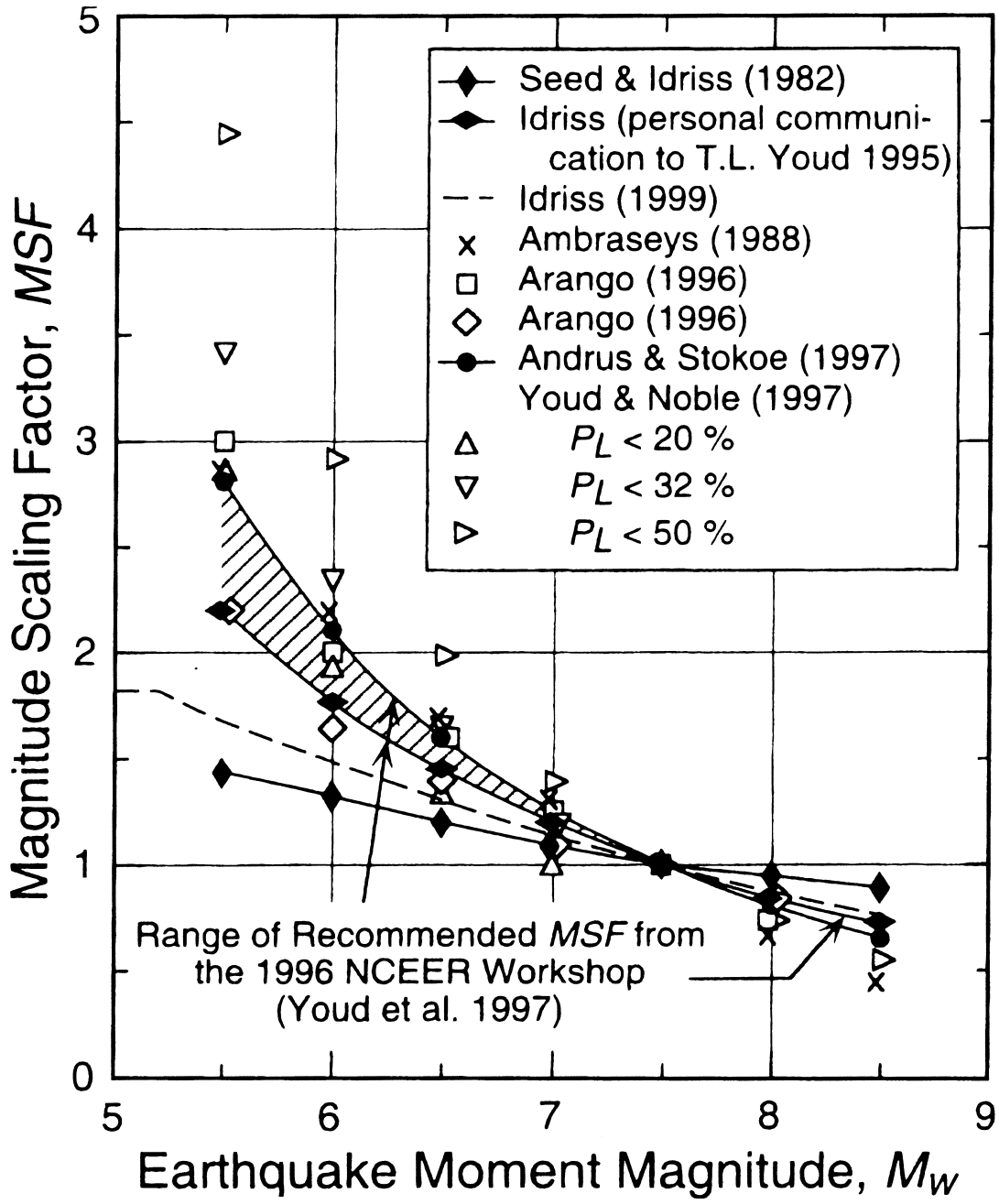


FIGURE 6.7 Magnitude scaling factors derived by various investigators. (*From Andrus and Stokoe 2000, reprinted with permission of the American Society of Civil Engineers.*)

Silicon Valley Soil Engineering 2391 Zanker Road, #350 San Jose, CA 95131 (408) 324-1400	**MAGNITUDE SCALING FACTORS** Proposed 3-Story Retail and Office Building Southern Corner of S. King Street & Story Road San Jose, California	File No. SV1267 Drawn by: V.V. Scale: NOT TO SCALE	FIGURE 10 June 2014

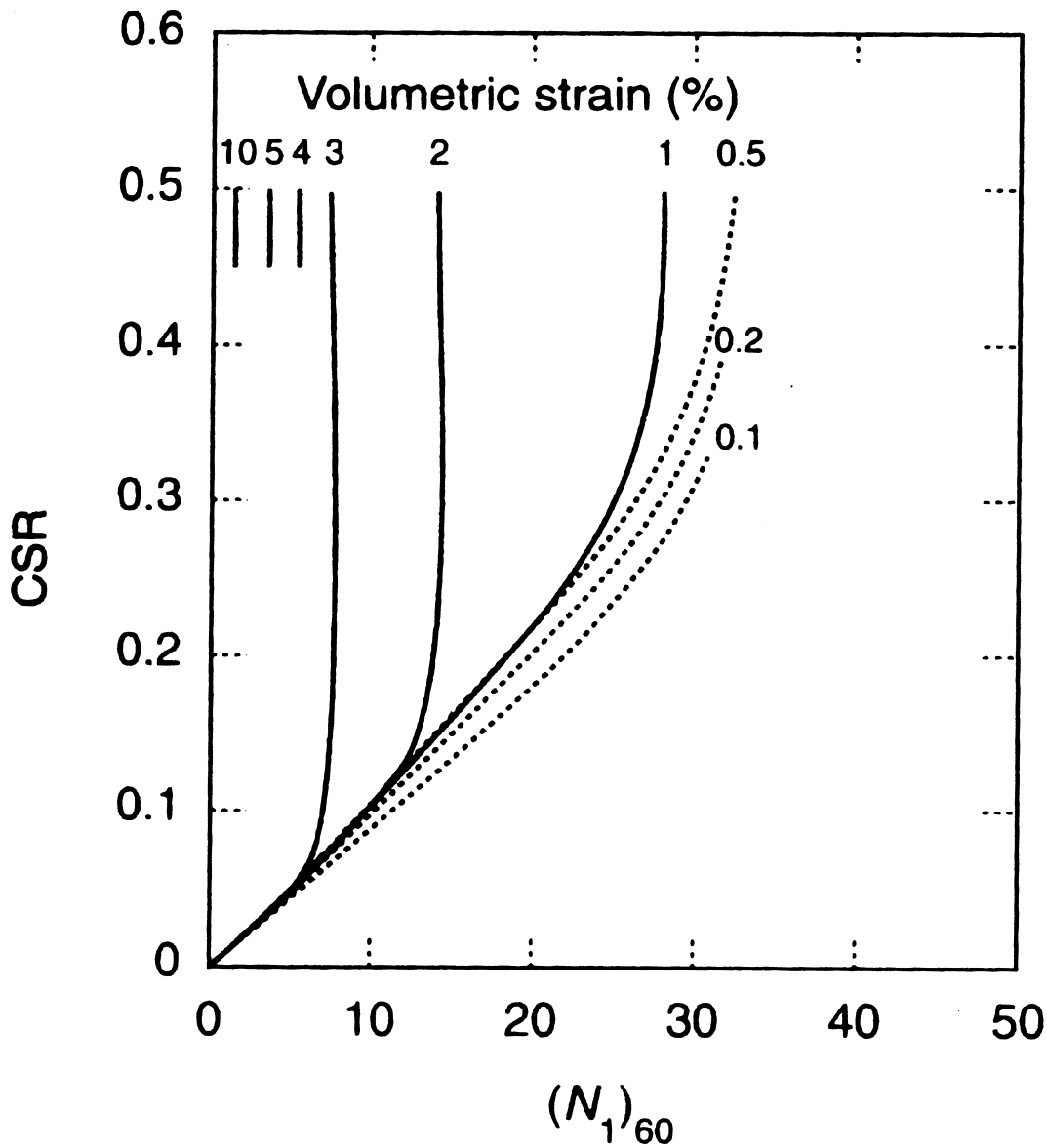
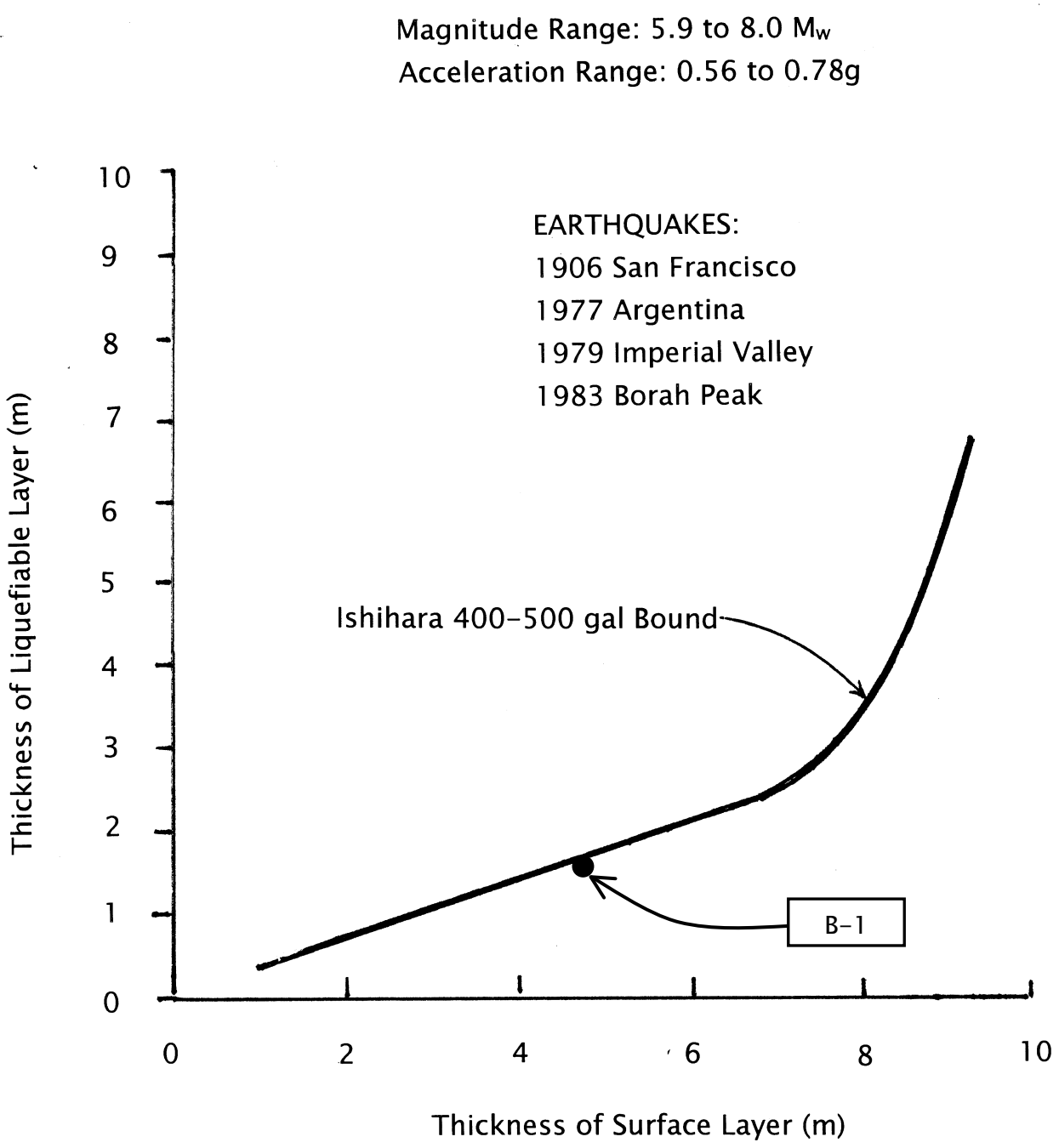


FIGURE 7.2 Chart for estimating the ground surface settlement of clean sand for factor of safety against liquefaction less than or equal to 1.0 (solid lines) and greater than 1.0 (dashed lines). To use this figure, the cyclic stress ratio from Eq. (6.6) and the $(N_1)_{60}$ value from Eq. (5.2) must be determined. (*Reproduced from Kramer 1996, originally developed by Tokimatsu and Seed 1984.*)

Silicon Valley Soil Engineering 2391 Zanker Road, #350 San Jose, CA 95131 (408) 324-1400	**LIQUEFACTION-INDUCED GROUND SURFACE SETTLEMENT** Proposed 3-Story Retail and Office Building Southern Corner of S. King Street & Story Road San Jose, California	File No. SV1267 Drawn by: V.V. Scale: NOT TO SCALE	FIGURE 11 June 2014



Silicon Valley Soil Engineering 2391 Zanker Road, #350 San Jose, CA 95131 (408) 324-1400	**LIQUEFACTION-INDUCED GROUND DAMAGE** Proposed 3-Story Retail and Office Building Southern Corner of S. King Street & Story Road San Jose, California	File No. SV1267 Drawn by: V.V. Scale: NOT TO SCALE	FIGURE 12 June 2014

APPENDICES

MODIFIED MERCALLI SCALE

METHOD OF SOIL CLASSIFICATION

KEY TO LOG OF BORING

EXPLORATORY BORING LOGS (B-1 & B-2)

GENERAL COMPARISON BETWEEN EARTHQUAKE MAGNITUDE AND THE EARTHQUAKE EFFECTS DUE TO GROUND SHAKING

Earthquake Category	Richter Magnitude	Modified Mercalli Intensity Scale* (After Housner, 1970)		Damage to Structure
		I –	Detected only by sensitive instruments.	
	2.0	II –	Felt by few persons at rest, especially on upper floors; delicate suspended objects may swing.	
	3.0	III –	Felt noticeably indoors, but not always recognized as an earthquake; standing cars rock slightly, vibration like passing truck.	No Damage
Minor		IV –	Felt indoors by many, outdoors by a few; at night some awaken; dishes, windows, doors disturbed; cars rock noticeably.	
	4.0	V –	Felt by most people; some breakage of dishes, windows, and plaster; disturbance of tall objects.	Architec-tural Damage
		VI –	Felt by all; many are frightened and run outdoors; falling plaster and chimneys; damage small.	
5.3	5.0	VII –	Everybody runs outdoors. Damage to building varies, depending on quality of construction; noticed by drivers of cars.	
Moderate	6.0	VIII –	Panel walls thrown out of frames; fall of walls, monuments, chimneys; sand and mud ejected; drivers of cars disturbed.	
6.9		IX –	Buildings shifted off foundations, cracked, thrown out of plumb; ground cracked, underground pipes broken; serious damage to reservoirs and embankments.	Structural Damage
Major	7.0	X –	Most masonry and frame structures destroyed; ground cracked; rail bent slightly; landslides.	
7.7		XI –	Few structures remain standing; bridges destroyed; fissures in ground; pipes broken; landslides; rails bent.	
Great	8.0	XII –	Damage total; waves seen on ground surface; lines of sight and level distorted; objects thrown into the air; large rock masses displaced.	Near Total Destruction

*Intensity is a subject measure of the effect of the ground shaking, and is not engineering measure of the ground acceleration.

File No. SV1267

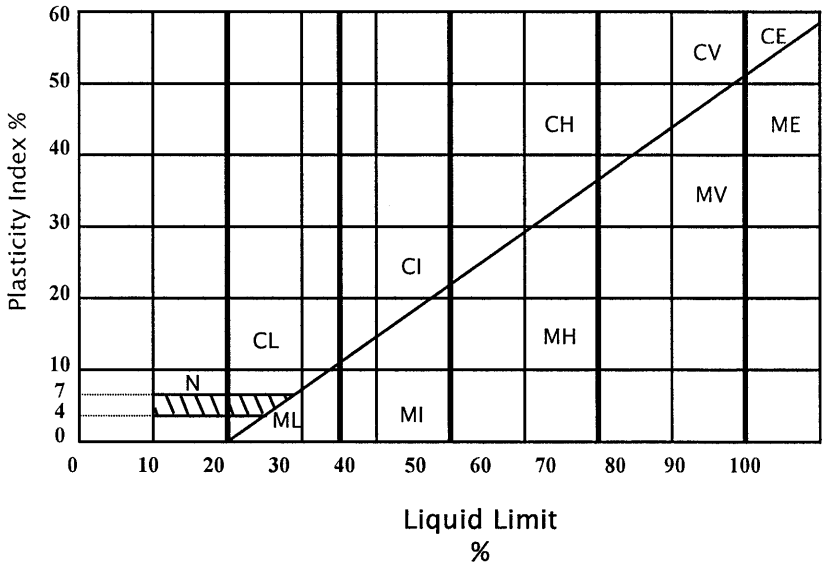
METHOD OF SOIL CLASSIFICATION CHART

MAJOR DIVISIONS		SYMBOL		TYPICAL NAMES
COARSE GRAINED SOILS (More than 1/2 of soil > no. 200 sieve size)	GRAVELS (More than 1/2 of coarse fraction > no. 4 sieve size)	GW		Well graded gravel or gravel-sand mixtures, little or no fines
		GP		Poorly graded gravel or gravel-sand moistures, little or no fines
		GM		Silty gravels, gravel-sand-silt mixtures
		GC		Clayey Gravels, gravel-sand-clay mixtures
	SANDS (More than 1/2 of coarse fraction < no. 4 sieve size	SW		Well graded sands or gravelly sands, no fines
		SP		Poorly graded sands or gravelly sands, no fines
		SM		Silty sands, sand-silt mixtures
		SC		Clayey sands, sand-clay mixtures
FINE GRAINED SOILS (More than 1/2 of soil < no. 200 sieve size)	SILTS & CLAYS LL < 50	ML		Inorganic silts and very fine sand, rock, flour, silty or clayey fine sand or clayey silt/slight plasticity
		CL		Inorganic clay of low to medium plasticity, gravelly clayes, sandy clay, silty clay, lean clays
		OL		Organic siltys and organic silty clay of low plasticity
	SILTS & CLAYS LL > 50	MH		Inorganic silts, micaceous or diatocaceous fine sandy, or silty soils, elastic silt
		CH		Inorganic clays of high plasticity, fat clays
		OH		Organic clays of medium to high plasticity, organic silty clays, organic silts
HIGHLY ORGANIC SOIL		PT		Peat and other highly organic soils

CLASSIFICATION CHART - UNIFIED SOIL CLASSIFICATION SYSTEM

CLASSIFICATION	RANGE OF GRAIN SIZES	
	U.S. Standard Sieve Size	Grain Size In Millimeters
BOULDERS	Above 12"	Above 305
COBBLES	12" to 3"	305 to 76.2
GRAVELS Coarse Fine	3" to No. 4 3" to 3/4" 3/4" to No. 4	76.2 to 4.76 76.2 to 19.1 19.1 to 4.76
SAND Coarse Medium Fine	No. 4 to No. 200 No. 4 to No. 10 No.10 to No. 40 No.40 to No. 200	4.76 to 0.074 4.76 to 2.00 2.00 to 0.420 0.420 to 0.074
SILT AND CLAY	Below No. 200	Below 0.074

PLASTICITY INDEX CHART



Project: Proposed 3-Story Retail and Office Building **Project Location:** Southwest Coner of King Road & Story Road - San Jose, California **Project Number:** SV1267	**Silicon Valley Soil Engineering** **2391 Zanker Road, Suite 350** **San Jose, CA 95131** **(408) 324-1400**	Key to Log of Boring **Sheet 1 of 1**

Depth (feet)	Sample Type	Sample Number	Sampling Resistance, blows/ft	Material Type	Graphic Log	MATERIAL DESCRIPTION	Water Content, %	Dry Unit Weight, pcf	Direct Shear Test - Cohesion in ksf	Direct Shear Test - Internal Friction Angle in degrees	Liquid Limit - LL, %	Plasticity Index - PI, %
1	2	3	4	5	6	7	8	9	10	11	12	13

COLUMN DESCRIPTIONS

1 Depth (feet): Depth in feet below the ground surface.
2 Sample Type: Type of soil sample collected at the depth interval shown.
3 Sample Number: Sample identification number.
4 Sampling Resistance, blows/ft: Number of blows to advance driven sampler one foot (or distance shown) beyond seating interval using the hammer identified on the boring log.
5 Material Type: Type of material encountered.
6 Graphic Log: Graphic depiction of the subsurface material encountered.
7 MATERIAL DESCRIPTION: Description of material encountered. May include consistency, moisture, color, and other descriptive text.
8 Water Content, %: Water content of the soil sample, expressed as percentage of dry weight of sample.
9 Dry Unit Weight, pcf: Dry weight per unit volume of soil sample measured in laboratory, in pounds per cubic foot.
10 Direct Shear Test - Cohesion in ksf: Cohesion is the y-axis intercept of the failure envelope tangent to the Mohr circles.
11 Direct Shear Test - Internal Friction Angle in degrees: The internal friction angle (Phi) is the angle inclination of the failure envelope.
12 Liquid Limit - LL, %: Liquid Limit, expressed as a water content.
13 Plasticity Index - PI, %: Plasticity Index, expressed as a water content.

FIELD AND LABORATORY TEST ABBREVIATIONS

CHEM: Chemical tests to assess corrosivity
COMP: Compaction test
CONS: One-dimensional consolidation test
LL: Liquid Limit, percent
PI: Plasticity Index, percent
SA: Sieve analysis (percent passing No. 200 Sieve)
UC: Unconfined compressive strength test, Qu, in ksf
WA: Wash sieve (percent passing No. 200 Sieve)

MATERIAL GRAPHIC SYMBOLS

Asphaltic Concrete (AC)
Fat CLAY, CLAY w/SAND, SANDY CLAY (CH)
Aggregate Base (AB)
Clayey SAND to Sandy CLAY (SC-CL)

TYPICAL SAMPLER GRAPHIC SYMBOLS

Auger sampler
Bulk Sample
3-inch-OD California w/ brass rings
CME Sampler
Grab Sample
2.5-inch-OD Modified California w/ brass liners
Pitcher Sample
2-inch-OD unlined split spoon (SPT)
Shelby Tube (Thin-walled, fixed head)

OTHER GRAPHIC SYMBOLS

Water level (at time of drilling, ATD)
Water level (after waiting)
Minor change in material properties within a stratum
Inferred/gradational contact between strata
Queried contact between strata

GENERAL NOTES

1: Soil classifications are based on the Unified Soil Classification System. Descriptions and stratum lines are interpretive, and actual lithologic changes may be gradual. Field descriptions may have been modified to reflect results of lab tests.
2: Descriptions on these logs apply only at the specific boring locations and at the time the borings were advanced. They are not warranted to be representative of subsurface conditions at other locations or times.

Project: Proposed 3-Story Retail and Office Building **Project Location:** Southwest Coner of King Road & Story Road - San Jose, California **Project Number:** SV1267	**Silicon Valley Soil Engineering** **2391 Zanker Road, Suite 350** **San Jose, CA 95131** **(408) 324-1400**	Log of Boring B-1 **Sheet 1 of 2**

Date(s) Drilled **05/28/14**	Logged By **V.V.**	Checked By
Drilling Method **Hollow Stem Auger**	Drill Bit Size/Type **8-inch**	Total Depth of Borehole **51.5 feet**
		Approximate Surface Elevation **100 feet**
Groundwater Level and Date Measured **13 feet (05/28/14)**	Sampling Method(s) **SPT**	Hammer Data **140 lbs**
Borehole Backfill **Grout**	Location	

Depth (feet)	Sample Type	Sample Number	Sampling Resistance, blows/ft	Material Type	Graphic Log	MATERIAL DESCRIPTION	Water Content, %	Dry Unit Weight, pcf	Direct Shear Test - Cohesion in ksf	Direct Shear Test - Internal Friction Angle in degrees	Liquid Limit - LL, %	Plasticity Index - PI, %
0				Asphalt		3.0 inches of Asphalt Concrete (AC)						
0.25				CH		6.0 inches of Aggregate Base (AB)						
0.75						Black Silty CLAY Moist, very stiff						
		1-1	29				35.8	81.2	0.8	11		
5						Color changed to brown						
		1-2	29				16.2	119.3			44	21
8				SC-CL		Olive Brown Sandy CLAY/Clayey SAND Moist, very stiff						
10		1-3	14				21.3	98.5			37	17
						Stabilized after drilling completion						
13				SP		Olive Brown Silty Clayey SAND Moist, medium dense SAND: Medium grained, poorly graded						
						First encountered						
15		1-4	16				27.0	98.1				<12
18				CL		Bluish Gray Silty CLAY Moist, very stiff						
20		1-5	36				24.6	104.6			47	23
						Drilling became very stiff						
25		1-6	27				26.5	99.4			48	22
30												

Project: Proposed 3-Story Retail and Office Building **Project Location:** Southwest Coner of King Road & Story Road - San Jose, California **Project Number:** SV1267	**Silicon Valley Soil Engineering** **2391 Zanker Road, Suite 350** **San Jose, CA 95131** **(408) 324-1400**	Log of Boring B-1 **Sheet 2 of 2**

Depth (feet)	Sample Type	Sample Number	Sampling Resistance, blows/ft	Material Type	Graphic Log	MATERIAL DESCRIPTION	Water Content, %	Dry Unit Weight, pcf	Direct Shear Test - Cohesion in ksf	Direct Shear Test - Internal Friction Angle in degrees	Liquid Limit - LL, %	Plasticity Index - PI, %
30		1-7	40	SP		Olive Brown Silty SAND Moist, dense SAND: Medium grained, poorly graded	19.7	105.8				<12
35		1-8	22	CL		Greenish Gray Silty CLAY Moist, very stiff	25.5	87.0			44	19
40		1-9	15				21.6	105.9			45	23
45		1-10	20				27.1	95.1			43	20
50		1-11	18				29.9	96.2			45	22
51.5						Boring terminated at 51.5 feet						
55												
60												
65												

Project: Proposed 3-Story Retail and Office Building **Project Location:** Southwest Coner of King Road & Story Road - San Jose, California **Project Number:** SV1267	**Silicon Valley Soil Engineering** **2391 Zanker Road, Suite 350** **San Jose, CA 95131** **(408) 324-1400**	Log of Boring B-2 **Sheet 1 of 1**

Date(s) Drilled **05/28/14**	Logged By **V.V.**	Checked By
Drilling Method **Hollow Stem Auger**	Drill Bit Size/Type **8-inch**	Total Depth of Borehole **11.5 feet**
		Approximate Surface Elevation **100 feet**
Groundwater Level and Date Measured	Sampling Method(s) **SPT**	Hammer Data **140 lbs**
Borehole Backfill **Grout**	Location	

Depth (feet)	Sample Type	Sample Number	Sampling Resistance, blows/ft	Material Type	Graphic Log	MATERIAL DESCRIPTION	Water Content, %	Dry Unit Weight, pcf	Direct Shear Test - Cohesion in ksf	Direct Shear Test - Internal Friction Angle in degrees	Liquid Limit - LL, %	Plasticity Index - PI, %
0												
0.25				Asphalt		3.0 inches of Asphalt Concrete (AC)						
0.75				CH		6.0 inches of Aggregate Base (AB)						
						Black Silty CLAY Moist, very stiff						
		2-1	27				24.5	85.0				
						Color changed to brown						
5		2-2	30				17.5	79.3				
8				SC-CL		Olive Brown Sandy CLAY/Clayey SAND Moist, very stiff						
10		2-3	15				21.5	109.8				
11.5						Boring terminated at 11.5 feet						
15												
20												
25												
30												

APPENDIX B

AEI Consultants
Phase I Environmental Site Assessment:
La Placita Center, San José

October 21, 2014

AEI Consultants
Environmental & Engineering Services

October 21, 2014

PHASE I
ENVIRONMENTAL SITE ASSESSMENT

Property Identification:
La Placita Center, San Jose
1632-1646, 1664-1678 and 1690-1692 Story
Road and 1199 South King Road
San Jose, Santa Clara County, California 95122

AEI Project No. 335449
RETECHS No. WF-SF-14-025301-03-1

Prepared for:
Wells Fargo Bank RETECHS
123 South Broad Street
MAC-Y1379-096
9th Floor
Philadelphia, Pennsylvania 19109

Prepared by:
AEI Consultants
30 Montgomery Street, Suite 220
Jersey City, New Jersey 07302
(201) 332-1844

This Report may be relied upon by Wells Fargo, N.A. (together with its subsidiaries, affiliates, successors and assigns) in determining whether to make a mortgage loan and/or a mezzanine loan (collectively, the "Loan") secured by or relating to the property which is the subject of this Report (the "Property"),

i. the Report may be relied upon by any actual or prospective purchaser, participant, transferee, assignee or servicer (and each of their respective successors and assigns) of all or any portion of the Loan,
ii. the Report may be relied upon by any actual or prospective investor (including agent or advisor) in any securities evidencing a beneficial interest in or backed by all or any portion of the Loan; any rating agency actually or prospectively rating any such securities, any indenture trustee; any fellow underwriter; and any institutional provider(s) from time to time of any liquidity facility or credit support for such financings,
iii. the Report or a reference to the Report may be included, summarized or quoted in any offering circular, registration statement, prospectus or any other document, and in any medium (including, without limitation, in CD-ROM form) and distributed in connection with a securitization or transaction involving any portion of the Loan and/or such securities,
iv. persons who acquire the Loan or an interest in the Loan may rely on the Report,
v. AEI Consultants agrees to cooperate in answering questions of any of the foregoing parties, and
vi. the Report speaks only as of its date in the absence of a specific written update of the Report signed and delivered by AEI Consultants.

San Francisco HQ
Atlanta
Chicago
Costa Mesa
Dallas
Denver
Los Angeles
Miami
New York
Phoenix
Portland
San Jose

National Presence
Regional Focus
Local Solutions

www.aeiconsultants.com

CERTIFICATION, LIMITATIONS & STATEMENT OF INDEPENDENCE

Subject Property Address:	1632-1646, 1664-1678 and 1690-1692 Story Road and 1199 South King Road, San Jose, California 95122
Wells Fargo Bank Project Number:	RETECHS # WF-SF-14-025301-03-1
Consultant Name/Project Number:	AEI Consultants/335449
Report Submittal Date:	October 21, 2014

AEI Consultants (AEI) has prepared and submitted this report, Project No. 335449, for documentation of the methods and findings of the Phase I Environmental Site Assessment performed for Wells Fargo Bank for the property located at 1632-1646, 1664-1678 and 1690-1692 Story Road and 1199 South King Road in San Jose, California, dated October 21, 2014.

Property conditions, as well as local, state and federal regulations can change significantly over time. Therefore, the recommendations and conclusions presented as a result of this study apply strictly to the environmental regulations and property conditions existing at the time the study was performed. Available information has been analyzed using currently accepted assessment techniques and it is believed that the inferences made are reasonably representative of the property. AEI Consultants makes no warranty, expressed or implied, except that the services have been performed in accordance with generally accepted environmental property assessment practices applicable at the time and location of the study.

STATEMENT OF INDEPENDENCE

This report has been prepared by the staff of AEI Consultants for Wells Fargo Bank under the professional supervision of the principal and/or senior staff whose signatures appear hereon. Neither AEI Consultants, nor any staff member assigned to this investigation has any interest or contemplated interest, financial or otherwise, in the subject or surrounding properties, or in any entity which owns, leases, or occupies the subject or surrounding properties or which may be responsible for environmental issues identified during the course of this investigation, and has no personal bias with respect to the parties involved.

The information contained in this report has received appropriate technical review and approval. The conclusions represent professional judgments and are founded upon the findings of the investigations identified in the report and the interpretation of such data based on our experience and expertise according to the existing standard. No other warranty of limitation exists, either expressed or implied.

This report was prepared for the sole use and benefit of Wells Fargo Bank, N.A. ("Wells Fargo") and its subsidiaries, affiliates, successors and assigns. Neither this report nor anything contained in this report shall be used or relied upon by anyone else without the express written consent of Wells Fargo. Wells Fargo makes no express or implied representation or warranty of any kind to anyone regarding this report and Wells Fargo expressly disclaims any liability of any kind to anyone with respect to this report. Any opinions, assumptions or conclusions contained in this report are solely those of the consultant which prepared this report and not Wells Fargo.

Anyone seeking defenses to CERCLA liability must take independent action to perfect their position.

Regarding the property seller and/or purchaser (choose one):

__X_Our firm does not now have, nor has it ever had, any affiliation, nor have we ever done any work for the buyer or seller of the property to the best of our knowledge.

____Our firm has had either an affiliation or done work for the buyer or seller as is described in the attached sheet.

This is certified as true and correct to the best of our knowledge. The above information (and attachments) is subject to penalty for false statements under 18 U.S.C. Section 1001.

PREPARED BY:

John Ormerod, REA, CAC	John F. Copman
Associate Consultant	Senior Author
Date: October 21, 2014	Date: October 21, 2014

PROJECT SUMMARY

La Placita Center, San Jose
1632-1646, 1664-1678 and 1690-1692 Story Road and 1199 South King Road,
San Jose, Santa Clara County, California 95122

Report Section		No Further Action	REC	CREC	HREC	Environmental Issues	Non-ASTM Considerations	Recommended Action
2.1	Current use of subject property	**X**						
2.2	Adjoining property information	**X**						
3.1	Historical Summary	**X**						
4.0	Regulatory Agency Records Review	**X**						
5.0	Regulatory Database Records Review	**X**						
5.2	Vapor Encroachment	**X**						
6.3	Previous Reports	**X**						
7.0	Site Inspection and Reconnaissance	**X**						
7.2.1	Asbestos-Containing Materials	**X**						
7.2.2	Lead-Based Paint	**X**						
7.2.3	Radon	**X**						
7.2.4	Lead in Drinking Water	**X**						
7.2.5	Mold	**X**						

EXECUTIVE SUMMARY

AEI Consultants (AEI) was retained by Wells Fargo Bank to conduct a Phase I Environmental Site Assessment (ESA), in conformance with the scope and limitations of ASTM Standard Practice E1527-13, the Environmental Protection Agency Standards and Practices for All Appropriate Inquiries (40 CFR Part 312) and the January 15, 2014 Wells Fargo Bank Phase I ESA Scope of Work - RECM (Real Estate Capital Markets) for the property located at 1632-1646, 1664-1678 and 1690-1692 Story Road and 1199 South King Road in the City of San Jose, Santa Clara County, California. Any exceptions to, or deletions from, this practice are described in Section 1.3 of this report.

PROPERTY DESCRIPTION

The subject property, which consists of retail buildings and a parking lot within a shopping center, is located on the south side of Story Road and on the west side of South King Road in a mixed commercial and residential area of San Jose, California. The property totals approximately 5.136 acres and is improved with a two single-story buildings and one two-story building totaling approximately 55,827 square feet. The buildings are constructed with slab on grade type foundations. The subject property is currently occupied by La Placita Center, which contains 79 retail tenant spaces. On-site operations consist of retail sales of clothing and merchandise, restaurant activities, office activities and property maintenance. In addition to the subject property buildings, the property is improved with asphalt-paved parking areas and associated landscaping.

During the site reconnaissance, hazardous materials consisting of paint and cleaning products were observed in connection with tenant operations. No environmental concerns associated with the storage and/or use of these materials were noted during the site reconnaissance or during the review of regulatory records. Please refer to Section 7.1 for additional information.

According to historical sources, the current subject property buildings were constructed in 1957-1960 and in 2000 for use as a retail shopping center. Prior to the construction of the building, the property was used for agricultural purposes from at least 1939 until at least 1956.

The subject property was identified in the regulatory database as a CUPA Listings site, an EDR US Hist Cleaners, an EDR US Hist Auto Stat site, as further discussed in Section 5.1.

The immediately surrounding properties consist of the following:

Direction from Site	Tenant/Use (Address)
North	South King Road, followed by Bank of America (1107 South King Road) and Metro PCS and Las Micheladas (1698 Story Road)
Northwest	Story Road followed by Shell gas station (1699 Story Road) and Emma Prusch Farm Park (647 South King Road)
West	Parking, then Valero gas station and Calderon Tires (1620 Story Road)
Southwest	Parking, then Tropicana Foods Market (1630 Story Road) and several retail spaces (1109 – 1179 South King Road)
South	Houses (1675 – 1697 Marsh Street)
East	South King Road, followed by Western Dental, Gamestop and Starbucks (1110 South King Road), Verizon (1150 South King Road) and Smart N Final (1180 South King Road)

The adjacent site to the east beyond the roadway at 1136-1138 South King Road was identified in the regulatory database as a SLIC site, a RCRA-SQG site, and an EDR US Hist Cleaners site. The adjacent site to the east diagonally across the roadway at 1110 South King Road was identified in the regulatory database as a CUPA Listings site and a San Jose HAZMAT site. The adjacent site to the north at 1696 Story Road was identified in the regulatory database as a HIST CORTESE site, a LUST site, a HIST LUST site, a SWEEPS UST site, a HIST UST site, and an EDR US Hist Auto Stat site. The adjacent site to the north at 1105 South King Road was identified in the regulatory database as an EDR US Hist Cleaners site. The adjacent site to the southwest beyond the parking lot at 1109 South King Road was identified in the regulatory database as an EDR US Hist Cleaners site. The adjacent site to the southwest beyond the parking lot at 1119 South King Road was identified in the regulatory database as a RCRA-SQG site, a FINDS site and a HAZNET site. The adjacent site to the northwest diagonally across the roadway at 1699 Story Road was identified in the regulatory database as a RCRA-SQG site, a FINDS site, a HAZNET site, a HIST CORTESE site, a LUST site, a HIST LUST site, a CUPA Listings site, a San Jose HAZMAT site, a SWEEPS UST site, a HIST UST site, and an EDR Hist Auto Stat site. The adjacent site to the west beyond the parking lot at 1620 Story Road was identified in the regulatory database as a HIST CORTESE site, a LUST site, a HIST LUST site, a CUPA Listings site, a San Jose HAZMAT site, a HAULERS site, and an EDR US Hist Auto Stat site. Please refer to Section 5.1 for further information regarding these listings.

Based upon groundwater monitoring reports for sites in the vicinity of the subject property, provided on the Regional Water Quality Control Board's (RWQCB's) GeoTracker website, the direction of groundwater flow beneath the subject property is inferred to be to the northwest and groundwater is presumed to be present at an estimated depth of 10 feet below ground surface (bgs).

FINDINGS

Recognized Environmental Conditions (RECs) are defined by the ASTM Standard Practice E1527-13 as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. AEI's assessment has revealed the following RECs associated with the subject property or nearby properties:

- No on-site RECs were identified during the course of this assessment.

Controlled Recognized Environmental Conditions (CRECs) are defined by the ASTM Standard Practice E1527-13 as a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls. AEI's assessment has revealed the following CRECs associated with the subject property or nearby properties:

- No on-site CRECs were identified during the course of this assessment.

Historical Recognized Environmental Condition (HREC) is defined by the ASTM Standard Practice E1527-13 as a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls. AEI's assessment has revealed the following HRECs associated with the subject property or nearby properties:

- No on-site HRECs were identified during the course of this assessment.

Environmental Issues include environmental concerns identified by AEI that warrant discussion, but do not qualify as recognized environmental conditions, as defined by the ASTM Standard Practice E1527-13. These can include, but are not limited to risks which can have a material environmental or environmentally-driven impact on the business associated with the current or planned use of the subject property. AEI's investigation has revealed the following environmental issues associated with the subject property or nearby properties :

- No on-site environmental issues were identified during the course of this assessment.

Non-ASTM Considerations may include the presence of environmental conditions such as asbestos containing materials, lead-based paint, radon, mold, lead in drinking water, etc. which can affect the liabilities and financial obligations of the client, the health & safety of site occupants, and the value and marketability of the subject property. AEI's assessment has revealed the following Non-ASTM considerations associated with the subject property or nearby properties:

- No non-ASTM considerations were identified during the course of this assessment.

CONCLUSIONS, OPINIONS AND RECOMMENDATIONS

We have performed a Phase I Environmental Site Assessment for the property located at 1632-1646, 1664-1678 and 1690-1692 Story Road and 1199 South King Road in the City of San Jose, Santa Clara County, California, in conformance with the scope and limitations of ASTM Standard Practice E1527-13, the Environmental Protection Agency Standards and Practices for All Appropriate Inquiries (40 CFR Part 312) and the January 15, 2014 Wells Fargo Bank Phase I ESA Scope of Work - RECM. Any exceptions to, or deletions from, this practice are described in Section 1.3 of this report.

This assessment has revealed no evidence of RECs in connection with the property. AEI recommends no further investigations for the subject property at this time.

TABLE OF CONTENTS

1.0 INTRODUCTION 1

1.1 SCOPE OF WORK 1
1.2 SIGNIFICANT ASSUMPTIONS 1
1.3 LIMITATIONS 2
1.4 LIMITING CONDITIONS/DEVIATIONS 2
1.5 DATA GAPS AND DATA FAILURE 3

2.0 SITE AND VICINITY DESCRIPTION 4

2.1 SITE LOCATION AND DESCRIPTION 4
2.2 SITE AND VICINITY CHARACTERISTICS 4
2.3 PHYSICAL SETTING 5

3.0 HISTORICAL REVIEW OF SITE AND VICINITY 6

3.1 HISTORICAL SUMMARY 6
3.2 AERIAL PHOTOGRAPH REVIEW 6
3.3 SANBORN FIRE INSURANCE MAPS 7
3.4 CITY DIRECTORIES 7
3.5 HISTORICAL TOPOGRAPHIC MAPS 8
3.6 CHAIN OF TITLE 9

4.0 REGULATORY AGENCY RECORDS REVIEW 10

4.1 REGULATORY AGENCIES 10

5.0 REGULATORY DATABASE RECORDS REVIEW 12

5.1 RECORDS SUMMARY 12
5.2 VAPOR ENCROACHMENT 17

6.0 INTERVIEWS AND USER PROVIDED INFORMATION 18

6.1 INTERVIEWS 18
6.2 USER PROVIDED INFORMATION 19
6.3 PREVIOUS REPORTS AND OTHER PROVIDED DOCUMENTATION 19

7.0 SITE INSPECTION AND RECONNAISSANCE 20

7.1 SUBJECT PROPERTY RECONNAISSANCE FINDINGS 20
7.2 NON-ASTM SERVICES 22
7.3 ADJACENT PROPERTY RECONNAISSANCE FINDINGS 25

8.0 SIGNATURE OF ENVIRONMENTAL PROFESSIONALS 26

9.0 CONSULTANT INTERNAL AUDIT DOCUMENTATION FORM AND REVIEWER'S CERTIFICATION 27

10.0 REFERENCES 28

FIGURES

1 SITE LOCATION MAP
2 SITE MAP

APPENDICES

A PROPERTY PHOTOGRAPHS
B REGULATORY DATABASE
C HISTORICAL SOURCES
D REGULATORY AGENCY RECORDS
E CLIENT REQUIRED INFORMATION
F OTHER SUPPORTING DOCUMENTATION
G QUALIFICATIONS