DOCKETED	
Docket Number:	22-SPPE-02
Project Title:	San Jose Data Center 04
TN #:	249014
Document Title:	Microsoft Responses to CEC Data Request Set 1 - SJ04 - Part
Description:	N/A
Filer:	Scott Galati
Organization:	DayZenLLC
Submitter Role:	Applicant Representative
Submission Date:	3/1/2023 9:23:08 AM
Docketed Date:	3/1/2023

ATTACHMENT LU DR-43

Special Use Permit Application

2515 Orchard Parkway San Jose Special Use Permit - Document Index

Name of Uploaded PDF	Drawing Number	Drawing Name
000 -IDX		Document Index
001 -APP		Special Use Permit Application
002 -APP		Ownership Affidavit
003 -EEA		Environmental Letter of Intent
004 -LED		Legal Description
005 -PTR		Title Report
006 -C3S		Stormwater Evaluation Form
007 -C3S		Stormwater Checklist
008 -MSC		Arborist Report
009 -MSC		Water Supply Assessment
010 -MSC		Traffic Impact Study
011 -APP		Address Request Form



Planning, Building and Code Enforcement

DEVELOPMENT/USE PERMIT APPLICATION

ATTENTION: Projects that entail new construction or acquisition of real property involving a change of use will require an <u>environmental assessment/review</u> per the California Environmental Quality Act (CEQA), and you will need to obtain the services of a qualified environmental consultant.

For questions: Speak with a City Planner at 408-535-3555; see phone service hours at <u>www.sanjoseca.gov/Planning.</u>

Para información en español, comuníquese con un Planificador de la ciudad al 408-793-4100

Để được hỗ trợ, nói chuyện với Người lập kế hoạch thành phố tại 408-793-4305.

INSTRUCTIONS

As directed by a City Planner, use this form to apply for a:

- Site Development or Planned Development Permit
- Conditional Use Permit or Special Use Permit
- Exception or Variance, including Fence Variance
- Reasonable Accommodation
- Permit Amendment

FEES

Fees are outlined in the <u>Planning Application Fee Schedule</u>. For initial fees and methods of payment, please visit <u>www.</u> <u>sanjoseca.gov/PlanningApplications</u>. Review of your submittal will not begin until initial fees are paid. Full fees must be paid within 14 days.

APPLICATION PACKAGE

HOW TO SUBMIT:

- Schedule your required appointment at <u>www.sanjoseca.gov/PlanningAppointments</u>.
- All documents will be uploaded to SJePlans; please see SJePlans login and user instructions.
- Please ensure that you save all forms and documents as PDF files.

WHAT TO SUBMIT. Please include the following in your application package:

DEVELOPMENT/USE PERMIT APPLICATION (this form, completed and signed)

- Complete SECTION 3 OF THIS FORM or provide a LETTER OF INTENT from an environmental consultant that states you have contracted their services to prepare a document pursuant to CEQA for your project.
- LEGAL DESCRIPTION of the property.
- □ PRELIMINARY TITLE REPORT, only if the project is new construction. Must be dated within six months from date of application. Provide electronic copies of any documents referenced by a hyperlink.
- **REPLACEMENT UNIT DETERMINATION FORM**
- **STORMWATER EVALUATION FORM**
- STORMWATER SUBMITTAL CHECKLIST and all items on the checklist.
- OPERATIONS PLAN Include only if applying for a Use Permit; see Operations Plan example.
- □ PLAN SET Follow the <u>Contents of Plan Sheets</u> instructions.

DocuSign Envelope ID: C3D66A89-774A-4500-A007-25AF6A346133

DEVELOPMENT/USE PERMIT APPLICATION

This is a computer-fillable PDF form and signatures, if required, must be a Digital ID Signature. Follow instructions for <u>Digital Forms & Signatures</u>.

Staff will assign FILE #

1. PROPERTY INFORMATION

FIND APN: WWW.SCCASSESSOR.ORG. FIND COUNCIL DISTRICT AND PERMIT INFO: WWW.SJPERMITS.ORG

USE A COMMA BETWEEN MULTIPLE NUMBERS ASSESSOR'S PARCEL NUMBER/S: 101-02-020

PROJECT ADDRESS/ES: TBD (2515 Orchard Parkway, San Jose, California 95131 is the anticipated address)

COUNCIL DISTRICT: 4

USE A COMMA BETWEEN MULTIPLE NUMBERS PREVIOUS PLANNING PERMITS IF ANY: PD00-08-063, PD94-05-016

2. PROJECT DESCRIPTION

2.a. BRIEFLY DESCRIBE THE PROJECT. USE THE TABLE BELOW TO PROVIDE UNITS AND SQ. FT. :

The project will include two 4-story data center buildings, a guardhouse at the Orchard Parkway entry, three water storage tanks along the northwest side of the site and two small 1-story buildings with mechanical and electrical equipment associated with the operation and maintenance of the tanks. The majority of the data center building will be dedicated to computer equipment cabinets, with a small amount of the space along northeast side of the building (towards Orchard Parkway) for offices, toilet rooms, loading dock and storage. A customer-owned power substation (high-to-medium voltage transformers) and PG&E-owned high voltage switching station will be located on the north side of the site.

The site will have two vehicle access points. The primary access will be off of Orchard Parkway and will be used for passenger vehicles and delivery trucks. The secondary access will be limited to emergency access or uncommon situations where access is blocked from entering through the primary access. Each access point will be gated and electronically security. Vehicles will be screened prior to entering the site.

RESIDENTIAL USES IF ANY:	^{# UNITS:} 0	^{# UNITS:} 0	^{# UNITS:} 0
NONRESIDENTIAL USES IF ANY:	^{SQ. FT. :} 0	^{SQ. FT. :} 0	^{SQ. FT. :} 631,542

2.b. CHECK ALL THAT APPLY TO YOUR PROJECT: :

Alcohol, Off-Sale (Retail)	Mobilehome Conversion to Another Use
Alcohol, On-Site (Drinking Establishment)	Mobilehome Conversion to Ownership
Child Care Center or School	Noise Exceeding Ordinance Standards
Determination of Public Convenience/Necessity	□ Outdoor Uses
Development within 100 ft. of Streambed	Parking Off-Site or Alternate Arrangement
Drive-Through	Temporary Outdoor Uses
Electrical Power Generator	Variance or Exception
□ Hotel Supportive Housing	Wireless Communication Facility
□ Late-Night Use (Midnight-6:00 a.m.)	□ Other

3.a. Site development. Enter the indicated data; leave blank if not applicable to the project

GROSS ACREAGE: 22.29	# PROPOSED NEW BUILDINGS: 2	HEIGHT OF TALLEST BUILDING: 140
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3.b. Questions. For items checked yes, explain the items in more detail on an attached sheet of paper.

 YES
 NO
 Does the project ...

 x
 1. Involve or anticipate the use of federal funding? Note: Compliance with the National Environmental Policy Act (NEPA) is required for projects using federal funding.

 x
 2. Remove any trees? If yes, how many? <u>19</u> How many trees to be removed are ordinance-size trees? <u>11</u>

	How many trees to be removed are non-ordinance-size trees? 8
	A single-trunk ordinance-size tree is 38 inches or more in circumference, measured at 54 inches above ground. A multi-trunk ordinance-size tree is where the circumference of each trunk, measured at 54 inches above ground, adds up to 38 inches or more. Learn more at <u>www.sanjoseca.gov/treepermit.</u>

x 3. Involve demolition or alteration of any existing structures on the project site?

3.c. Project Schedule. Enter month/year (mm/yyyy). Leave blank if not applicable.

START OF DEMOLITION: N/A	START OF GRADING: 04/2024
START OF CONSTRUCTION: 07/2024	ESTIMATED END OF CONSTRUCTION: 06/2028
HOW MANY PHASES OF CONSTRUCTION (#): 2	ESTIMATED START OF NEW USE: 12/2025 (First Building)
TOTAL CONSTRUCTION PERIOD (# OF MONTHS): 50	OTHER KEY STAGE/S IF ANY:

4. CONTACT INFORMATION

APPLICANT NAME: Chad Mendell

NAME OF FIRM IF APPLICABLE: Environmental Systems Design

APPLICANT MAILING ADDRESS: 233 S Wacker Drive, Suite 5300, Chicago, Illinois 60606

APPLICANT PHONE: 312-456-2387	EMAIL:	cmendell@esdglobal.com

APPLICANT'S REPRESENTATIVE IF ANY:

REPRESENTATIVE MAILING ADDRESS:

REPRESENTATIVE PHONE:	EMAIL:
ENVIRONMENTAL CONSULTANT NAME IF ANY: Michael Lisenbee, David J. Powers & Associates	
ENVIRONMENTAL CONSULTANT PHONE: 408-454-3401	EMAIL: mlisenbee@davidjpowers.com

DEVELOPMENT/USE PERMIT APPLICATION

5. AFFIDAVIT OF OWNERSHIP

THE UNDERSIGNED HEREBY DECLARE THAT THE FOLLOWING IS TRUE AND CORRECT, AND THAT THEY UNDERSTAND THA	١T
THE FOLLOWING APPLIES TO THEIR PROJECT:	

1. **Owners.** The undersigned are all the owners of all the property described in this application.

2. *Easements.* The development plans as part of this application show the exact location, size, and use of all easements on the subject site and all easements on surrounding properties benefiting the subject property.

3. *Deactivated Water Wells.* Any existing or deactivated water wells on your property must be shown on your plans. The property which is the subject of this application: **CHECK ONE**

□ does contain existing active or deactivated water wells and they are shown on the plans accompanying this application. ☑ does not contain existing active or deactivated water wells.

□ is on said list. The listed item reads as follows:

. . ..

5. *Wastewater Treatment Capacity.* San José Municipal Code, Chapter 15.12, Part 2.75 requires that an applicant acknowledge the effect of land development approvals on wastewater treatment capacity at the time of application. I hereby acknowledge the requirements of the Municipal Code, as stated herewith, and understand that these requirements will apply to the development permit for which I am applying:

No vested right to a building permit shall accrue as the result of the granting of any land development approvals and applications when and if the City Manager makes a determination that the cumulative sewage treatment demand on San José-Santa Clara Regional Wastewater Facility (RWF) represented by approved land uses in the RWF service area will cause the total sewage treatment demand to meet or exceed the capacity of the RWF to treat such sewage adequately and within the discharge standards imposed on the City by the Regional Water Quality Control Board for the San Francisco Bay Region.

Sien ahan	08/08/2022	
SIGNATURE of Property Owner	DATE: [MM/DD/YYYY]	
PRINT NAME: Sieu Quan		
TITLE IF APPLICABLE: Principal Design Manager		
FIRM NAME IF APPLICABLE: Microsoft (Owner)		
EMAIL: sieuquan@microsoft.com	PHONE: 425-538-6254	
MAILING ADDRESS: 1 Microsoft Way, Redmond, Washington 98	052	

A <u>Digital ID Signature</u> is required of the property owner or legally authorized agent of the property owner. By signing this application, you acknowledge that you are the property owner or the legally authorized agent of the property owner.

For signatures by multiple property owners, use the Affidavit Of Ownership-Multiple Owners Form.

DEVELOPMENT/USE PERMIT APPLICATION

6. INDEMNIFICATION AGREEMENT FOR DEVELOPMENT APPLICATIONS

Applicant submitted an application to the City of San José Planning Division on (enter date): <u>08/18/2022</u> for the following development approval/s: <u>Two new 4-Story Data Center Building in the West corner of Orchard Parkway</u> and Component Drive, plus miscellaneous smaller structures to support the primary buildings. (the "Project").

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Applicant hereby expressly agrees in connection with the processing of Applicant's Project application(s) to each and every one of the following terms and conditions:

- Applicant agrees, as part of and in connection with each and any of the application(s), to defend, indemnify, and hold harmless the City of San José ("City") and its officers, contractors, consultants, attorneys, employees and agents from any and all claim(s), action(s), or proceeding(s) (collectively referred to as "proceeding") brought against City or its officers, contractors, consultants, attorneys, employees, or agents to challenge, attack, set aside, void, or annul:
 - a. Any approvals issued in connection with any of the above described applications by City; and/or
 - b. Any action taken to provide related environmental clearance under the California Environmental Quality Act of 1970, as amended by City's advisory agencies, boards or commissions; appeals boards or commissions; Planning Commission, or City Council.

Applicant's indemnification includes, but is not limited to, damages, fees and/or costs awarded against or incurred by City, and costs of suit, claim or litigation, including without limitation attorneys' fees and other costs, liabilities and expenses incurred in connection with such proceeding, whether incurred by Applicant, City, and/or parties initiating or involved in such proceeding.

- 2. Applicant agrees to indemnify City for all of City's costs, fees, and damages incurred in enforcing the indemnification provisions of this Agreement.
- Applicant agrees to defend, indemnify and hold harmless City, its officers, contractors, consultants, attorneys, employees and agents from and for all costs and fees incurred in additional

investigation or study of, or for supplementing, redrafting, revising, or amending, any document (such as an environmental impact report, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding, and if Applicant desires to pursue such City approvals and/ or clearances, after initiation of the proceeding and that are conditioned on the approval of these documents.

- 4. In the event that Applicant is required to defend City in connection with such proceeding, City shall have and retain the right to approve:
 - a. The counsel to so defend City; and
 - b. All significant decisions concerning the manner in which the defense is conducted; and
 - c. Any and all settlements, which approval shall not be unreasonably withheld.
- 5. City shall also have and retain the right to not participate in the defense, except that City agrees to reasonably cooperate with Applicant in the defense of the proceeding. If City chooses to have counsel of its own defend any proceeding where Applicant has already retained counsel to defend City in such matters, the fees and expenses of the additional counsel selected by City shall be paid by City. Notwithstanding the immediately preceding sentence, if City's Attorney's Office participates in the defense, all City Attorney fees and costs shall be paid by Applicant.
- 6. Applicant's defense and indemnification of City set forth herein shall remain in full force and effect throughout all stages of litigation including any and all appeals of any lower court judgments rendered in the proceeding.

After review and consideration of all of the foregoing terms and conditions, Applicant, by signature below, hereby agrees to be bound by and to fully and timely comply with all of the foregoing terms and conditions.

Clust Murfull	08/08/2022
APPLICANT'S SIGNATURE	DATE [MM/DD/YYYY]
Chad Mendell, Environmental Systems Design	Studio Leader
PRINT NAME	TITLE, IF ANY

<u>A Digital ID Signature</u> is required of the property owner or legally authorized agent of the property owner. By signing this application, you acknowledge that you are the property owner or the legally authorized agent of the property owner.

For multiple property owners, use the AFFIDAVIT OF OWNERSHIP FORM found at <u>www.sanjoseca.gov/PlanningApplications</u>

OFFICE USE ONLY			
INTAKE DATE:	BY:	PAID: \$	
COMMENTS:			



PLANNING DIVISION 06/02/2021 SUBJECT TO CHANGE

AFFIDAVIT OF OWNERSHIP-MULTIPLE OWNERS FORM

Planning, Building and Code Enforcement

SIGNATURE of Property Owner

STAFF WILL ASSIGN FILE #

This is a computer-fillable PDF form and signatures, if required, must be a Digital ID Signature. Follow instructions for Digital Forms <u>& Signatures</u>. All Planning forms may be downloaded from www.sanjoseca.gov/PlanningApplications.

This form may be attached as needed to a permit application that requires the signature of all property owners and where the application form does not provide enough space for multiple owners. The signatures pertain to the application to which it is attached.

THE UNDERSIGNED HEREBY DECLARE THAT THEY HAVE READ AND UNDERSTAND THE PERMIT APPLICATION TO WHICH THIS IS ATTACHED, AND THAT THE FOLLOWING IS TRUE AND CORRECT.

PROPERTY OWNER NAME: LBA RVI-COMPANY I LP	EMAIL: Pbelling@lbarealty.com				
FIRM NAME if applicable: LBA	PHONE:				
TITLE OR OFFICIAL CAPACITY (partner, president, etc.):					
ADDRESS: 370 W Trimble Road, San Jose, California 95131					
• SIGNATURE of Property Owner Phil Belling Phil Belling Phil Belling	DATE Nov 9, 2022				
PROPERTY OWNER NAME:	EMAIL:				
FIRM NAME if applicable:	PHONE:				
TITLE OR OFFICIAL CAPACITY (partner, president, etc.):					
ADDRESS:					
 SIGNATURE of Property Owner 	D <mark>ATE</mark>				
PROPERTY OWNER NAME:	EMAIL:				
FIRM NAME if applicable:	PHONE:				
TITLE OR OFFICIAL CAPACITY (partner, president, etc.):					
ADDRESS					

<u>A Digital ID Signature</u> is required of the property owner or legally authorized agent of the property owner. By signing this application, you acknowledge that you are the property owner or the legally authorized agent of the property owner.

DATE



August 4, 2022

City of San José Planning, Building & Code Enforcement 200 E. Santa Clara Street, 3rd Floor San Jose, CA 95113

RE: SJC04 DATA CENTER PROJECT ENVIRONMENTAL REVIEW

Dear Planning Staff,

This letter is to inform you that David J. Powers & Associates (DJP&A) is under contract to prepare a Small Power Plant Exemption (SPPE) Application as part of the California Energy Commission's (CEC's) Environmental Impact Report (EIR) process for the SJC04 Data Center project located at 2515 Orchard Parkway.

As part of the SPPE process, the CEC will prepare the EIR for the project as the lead agency. DJP&A will prepare the necessary environmental documentation submitted to the CEC for use in the EIR, meeting the requirements of the California Environmental Quality Act (CEQA) and in accordance with the requirements of the City of San José. This documentation is submitted in the form of a SPPE Application.

Once the CEC certifies the EIR and issues a SPPE for the project, the project will no longer be under the CEC's jurisdiction, and the City can use the certified EIR for project-related approvals.

Please contact me at (408) 454-3401 or mlisenbee@davidjpowers.com if you have any questions.

Sincerely,

Michael Lisenbee Senior Project Manager

LEGAL DESCRIPTION

Real property in the City of San Jose, County of Santa Clara, State of California, described as follows:

PARCEL ONE:

ALL OF PARCEL 2, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "PARCEL MAP", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON APRIL 20, 2021 IN BOOK 937 OF MAPS, AT PAGE(S) 43-44.

PARCEL TWO:

A NON-EXCLUSIVE EASEMENT FOR PRIVATE UTILITY PURPOSES, AS GRANTED IN THAT CERTAIN "EASEMENT AGREEMENT (TELECOMMUNICATIONS)" RECORDED FEBRUARY 13, 2001 AS INSTRUMENT NO. <u>15558029</u>, SANTA CLARA COUNTY OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF THAT 39.939 ACRE PARCEL, AS SAID PARCEL IS SHOWN ON THAT CERTAIN RECORD OF SURVEY MAP FILED FOR RECORD ON OCTOBER 6, 1976, IN <u>BOOK 381 OF MAPS, AT PAGES</u> <u>19 THROUGH 23</u>, SANTA CLARA COUNTY RECORDS, SAID PORTION BEING A 20.00 FEET WIDE STRIP OF LAND FOR PRIVATE UTILITY EASEMENT PURPOSES, THE CENTERLINE OF WHICH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE CENTERLINE OF NORTH FIRST STREET WITH THE NORTHEASTERLY PROLONGATION OF THE NORTHERLY LINE OF SAID 39.939 ACRE PARCEL, SAID NORTHERLY LINE ALSO BEING THE SOUTHERLY LINE OF PARCEL "D", AS SAID PARCEL IS SHOWN ON THAT CERTAIN PARCEL MAP FILED FOR RECORD ON MARCH 28, 1978, IN <u>BOOK 415 OF</u> <u>MAPS, AT PAGES 40 AND 41</u>, SANTA CLARA COUNTY RECORDS; SAID POINT OF INTERSECTION BEARING NORTH 43° 13' 51" EAST AND 80.11 FEET DISTANT ALONG SAID PROLONGATION LINE FROM THE MOST EASTERLY CORNER OF SAID PARCEL "D", AS DELINEATED ON SAID PARCEL MAP; THENCE SOUTHERLY ALONG SAID CENTERLINE SOUTH 30° 45' 42" EAST, 99.01 FEET; THENCE LEAVING SAID CENTERLINE SOUTH 59° 14' 18" WEST 71.61 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF NORTH FIRST STREET, SAID POINT BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID TRUE POINT OF BEGINNING, SOUTH 48° 52' 01" WEST, 269.79 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT;

THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 915.50 FEET, THROUGH A CENTRAL ANGLE OF 5° 38' 10", FOR A DISTANCE OF 90.06 FEET TO A TANGENT LINE;

THENCE ALONG SAID TANGENT LINE SOUTH 43° 13' 51" WEST, 1351.98 FEET TO THE POINT OF TERMINATION, SAID POINT OF TERMINATION BEING ON THE NORTHEASTERLY RIGHT OF WAY OF THE FUTURE EXTENSION OF ORCHARD PARKWAY.

THE SIDELINES OF THE HEREIN DESCRIBED 20 FEET WIDE STRIP TO BE LENGTHENED OR SHORTENED TO INTERSECT WITH THE AFORESAID WESTERLY RIGHT OF WAY LINE AT THE BEGINNING, AND WITH SAID FUTURE NORTHEASTERLY RIGHT OF WAY LINE AT THE TERMINATION.

PARCEL THREE:

A NON-EXCLUSIVE 15-FOOT WIDE EASEMENT FOR PRIVATE UTILITY PURPOSES, AS GRANTED IN THAT CERTAIN "EASEMENT AGREEMENT (SUBSTATION)" RECORDED FEBRUARY 13, 2001 AS INSTRUMENT

NO. <u>15558030</u>, SANTA CLARA COUNTY OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF PARCEL "D", AS SAID PARCEL IS SHOWN ON THAT CERTAIN PARCEL MAP FILED FOR RECORD ON MARCH 28, 1978, IN <u>BOOK 415 OF MAPS, AT PAGES 40 AND 41</u>, SANTA CLARA COUNTY RECORDS, SAID PORTION BEING A 15.00 FEET WIDE STRIP OF LAND FOR PRIVATE UTILITY EASEMENT PURPOSES, THE CENTERLINE OF WHICH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN ANGLE POINT IN THE BOUNDARY COMMON TO PARCELS "A" AND "D" AS SHOWN ON SAID PARCEL MAP, SAID ANGLE POINT BEING AT THE NORTHWESTERLY TERMINUS OF A COURSE IN SAID COMMON BOUNDARY HAVING A BEARING OF NORTH 46° 46' 09" WEST AND A DISTANCE OF 233.00 FEET AS SHOWN ON SAID PARCEL MAP; THENCE PROCEEDING SOUTHEASTERLY ALONG SAID COURSE, SOUTH 46° 46' 09" EAST 52.91 FEET; THENCE LEAVING SAID COMMON BOUNDARY ALONG A LINE PERPENDICULAR TO SAID COURSE, SOUTH 43° 13' 51" WEST 7.50 FEET TO THE TRUE POINT OF BEGINNING.

THENCE FROM SAID TRUE POINT OF BEGINNING, ALONG A LINE PARALLEL WITH, AND 7.50 FEET DISTANT BY RIGHT ANGLE MEASUREMENT, FROM SAID COMMON BOUNDARY COURSE, NORTH 46° 46' 09" WEST 36.76 FEET;

THENCE ALONG THE FOLLOWING SIX (6) COURSES:

NORTH 89° 01' 08" WEST, 183.91 FEET;

SOUTH 87° 11' 13" WEST, 201.42 FEET;

NORTH 84° 34' 12" WEST, 72.48 FEET;

NORTH 59° 35' 26" WEST, 59.47 FEET;

NORTH 30° 46' 57" WEST, 210.43 FEET;

SOUTH 73° 59' 24" WEST, 184.49 FEET;

THENCE SOUTH 82° 12' 14" WEST, 108.46 FEET TO THE POINT OF TERMINATION ON THE SOUTHERLY PROLONGATION OF THE EAST RIGHT OF WAY LINE OF ORCHARD PARKWAY (100 FEET WIDE) AS SAID RIGHT OF WAY IS DESCRIBED IN THAT DOCUMENT RECORDED OCTOBER 18, 1999 AS INSTRUMENT NO. 15021133, OFFICIAL RECORDS, SANTA CLARA COUNTY.

THE SIDELINES OF THE HEREIN DESCRIBED 15 FEET WIDE STRIP TO BE LENGTHENED OR SHORTENED TO INTERSECT WITH THE AFORESAID PERPENDICULAR LINE AT THE BEGINNING, AND WITH SAID PROLONGED RIGHT OF WAY LINE AT THE TERMINATION.

PARCEL FOUR:

A NON-EXCLUSIVE EASEMENT FOR VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS, AS GRANTED IN THAT CERTAIN "EASEMENT AGREEMENT" RECORDED SEPTEMBER 21, 2007 AS INSTRUMENT NO. <u>19592964</u>, SANTA CLARA COUNTY OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, BEING A PORTION OF PARCEL 2 AS SHOWN ON THE PARCEL MAP FILED FOR RECORD IN <u>BOOK 818 OF MAPS, AT PAGES 19, 20 AND 21</u>, SANTA CLARA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF SAID PARCEL 2 AND AT THE INTERSECTION OF THE SOUTHWESTERLY LINE OF ORCHARD PARKWAY WITH THE NORTHWESTERLY LINE OF 80' PG&E EASEMENT, RECORDED MARCH 31, 1978 IN <u>BOOK D564, PAGE 507</u>, OFFICIAL RECORDS, AS SHOWN ON SAID PARCEL MAP, SAID POINT BEING DISTANT S76°24'37"W, 81.31 FEET FROM THE MONUMENT AT THE INTERSECTION OF THE ORCHARD PARKWAY MONUMENT LINE AND THE MONUMENT LINE OF COMPONENT DRIVE, AS SHOWN ON SAID MAP;

THENCE FROM SAID POINT OF BEGINNING ALONG SAID NORTHWESTERLY LINE OF SAID PARCEL 2 AND SAID 80' PG&E EASEMENT SOUTH 43°13'51" WEST, 522.95 FEET;

THENCE LEAVING SAID NORTHWESTERLY LINE SOUTH 46°46'09" EAST, 54.00 FEET;

THENCE ALONG A LINE PARALLEL WITH AND DISTANT 54.00 FEET SOUTHEASTERLY FROM SAID NORTHWESTERLY LINE OF SAID PARCEL 2 AND THE 80' PG&E EASEMENT NORTH 43°13'51" EAST, 325.77 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°54'31" HAVING A RADIUS OF 184.00 FEET AND ALONG AN ARC DISTANCE OF 63.93 FEET TO THE BEGINNING OF A REVERSE CURVE;

THENCE ALONG SAID REVERSE CURVE THROUGH A CENTRAL ANGLE OF 15°47'33" HAVING A RADIUS OF 349.00 FEET AND AN ARC DISTANCE OF 96.20 FEET;

THENCE ALONG A NON-TANGENT LINE NORTH 44°05'03" EAST, 67.04 FEET TO SAID SOUTHWESTERLY LINE OF ORCHARD PARKWAY AND TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT FROM WHICH POINT A RADIAL LINE BEARS NORTH 23°22'08" EAST;

THENCE NORTHWESTERLY ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF 5°42'20" HAVING A RADIUS OF 903.00 FEET AND ARC DISTANCE OF 89.92 TO THE POINT OF BEGINNING.

APN: 101-02-013 (Affects Portion of Property and other Property) APN: 101-02-014 (Affects Portion of Property and other Property)



First American Title Insurance Company National Commercial Services 920 Fifth Avenue, Suite 1200 Seattle, WA 98104

Logan Craig Microsoft Corporation 1 Microsoft Way Redmond, WA 98052-6399

Customer Reference:	370 West Trimble Road, San Jose CA 95131
Escrow Officer: Phone: Email:	Crystal Flood (206)448-6286 CFlood@firstam.com
Title Officer: Phone: Email:	Sakae Sakai (206)615-3047 SSakai@firstam.com
Buyer:	TBD
Owner:	Microsoft Corporation
Property:	370 West Trimble Road, San Jose, CA

PRELIMINARY REPORT

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. *The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.* Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title

First American Title Insurance Company

Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated as of July 27, 2022 at 7:30 A.M.

The form of Policy of title insurance contemplated by this report is:

ALTA Standard Owner Policy

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

Microsoft Corporation, a Washington Corporation

The estate or interest in the land hereinafter described or referred to covered by this Report is:

Fee as to Parcel One; an Easement as to Parcels Two, Three and Four

The Land referred to herein is described as follows:

(See attached Legal Description)

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

- 1. General and special taxes and assessments for the fiscal year 2022-2023, a lien not yet due or payable.
- 2. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.
- An easement for public utilities and incidental purposes, recorded March 16, 1960 as <u>Book 4730,</u> <u>Page 297</u> of Official Records.
 In Favor of: Affects:
 Pacific Gas and Electric Company, a California corporation as described therein

Document(s) declaring modifications thereof recorded December 06, 1999 as Document No. <u>15079839</u> of Official Records.

- 4. An easement for public utilities and incidental purposes, recorded July 12, 1961 as <u>Book 5227, Page</u> <u>370</u>, Re-Recorded August 15, 1961 in <u>Book 5264, Page 553</u>, and September 12, 1961 in <u>Book 5294</u>, <u>Page 227</u>, all of Official Records.
 - In Favor of:Pacific Gas and Electric Company, a California corporationAffects:as described therein

5. An easement for public utilities and incidental purposes, recorded June 18, 1975 as <u>Book B469, Page</u> <u>648</u> of Official Records.

In Favor of:	Pacific Gas and Electric Company, a California corporation
Affects:	as described therein

- 6. The fact that the land lies within the boundaries of the Rincon De Los Esteros Redevelopment Project Area, as disclosed by the document recorded July 11, 1975 as <u>Book B502, Page 711</u> of Official Records. Only the nondescrimination and nonsegregation provisions are still in affect, the rest of the terms expired in July of 2004.
- 7. A perpetual avigation easement and a right-of-way for the free and unrestricted passage of aircraft of any and all kinds now or hereafter known and incidental purposes, recorded November 25, 1977 as Book D298, Page 630 of Official Records.

In Favor of:	City of San Jose, a municipal corporation of the State of
	California
Affects:	as described therein

 An easement for roadways, walkways, ingress and egress for vehicular and pedestrians, along with the right to enter and maintain and incidental purposes, recorded May 05, 1978 as <u>Book D646, Page</u> <u>548</u> of Official Records.

In Favor of:	Watkins-Johnson Company, a California corporation
Affects:	as described therein

- 9. The terms, provisions and easement(s) contained in the document entitled "Ingress/Egress Easement Agreement" recorded September 11, 1980 as Book F574, Page 67 of Official Records.
- An easement shown or dedicated on the map of "Parcel Map" recorded January 30, 2001 and on file in <u>Book 736, Pages 30, 31 and 32</u>, of Maps.
 For: Private Utility, Riparian Setback, Public Service and incidental purposes.
- 11. The terms and provisions contained in the document entitled "Agreement Containing Covenants Running with the Land" recorded February 13, 2001 as Document No. <u>15558028</u> of Official Records.

The terms and provisions contained in the document entitled "Agreement Containing Covenants Running with the Land" recorded September 21, 2007 as Document No. <u>19592963</u> of Official Records.

- 12. The terms, provisions and easement(s) contained in the document entitled "Easement Agreement (Telecommunications)" recorded February 13, 2001 as Document No. <u>15558029</u> of Official Records.
- 13. The terms, provisions and easement(s) contained in the document entitled "Easement Agreement (Substation)" recorded February 13, 2001 as Document No. <u>15558030</u> of Official Records.
- 14. The terms and provisions contained in the document entitled "Agreement Containing Covenants Running with the Land" recorded September 21, 2007 as Document No. <u>19592963</u> of Official Records.
- 15. The terms, provisions and easement(s) contained in the document entitled "Easement Agreement" recorded September 21, 2007 as Document No. <u>19592964</u> of Official Records.

16. The terms, provisions and easement(s) contained in the document entitled "Grant of Pipeline Easement" recorded July 08, 2010 as Document No. <u>20767181</u> of Official Records.

Document(s) declaring modifications thereof recorded February 17, 2011 as Document No. <u>21086359</u> of Official Records.

- 17. Survey prepared by HMH, dated October 20, 2020, last revised November 30, 2020, under Job No. 5154.10.260, shows the following:
 - (A) Chain link fence extends over southwest border onto adjoining property by as much 2.4'.
 - (B) Sanitary sewer lines and manholes extend outside of beneficial easement onto subject property.
 - (C) Telephone line extends over north border onto subject property outside of a beneficial easement.
 - (D) Subsurface utility vaults throughout subject property lack benefit of an easement.
 - (E) Gas line extends over northwest border onto subject property without benefit of an easement.
 - (F) Wall extends over west border onto adjoining property by as much as 1.5'.
- 18. We find no outstanding voluntary liens of record affecting subject property. An inquiry should be made concerning the existence of any unrecorded lien or other indebtedness which could give rise to any security interest in the subject property.
- 19. Water rights, claims or title to water, whether or not shown by the public records.
- 20. Additional matters, if any, following review by the Company's Waterways and Boundaries Underwriters.
- 21. Rights of parties in possession.

INFORMATIONAL NOTES

ALERT - CA Senate Bill 2 imposes an additional fee of \$75 up to \$225 at the time of recording on certain transactions effective January 1, 2018. Please contact your First American Title representative for more information on how this may affect your closing.

1.Taxes for proration purposes only for the fiscal year 2021-2022.First Installment:\$557,480.03, PAIDSecond Installment:\$557,480.03, PAIDTax Rate Area:017-113APN:101-02-013

(Affects Portion of Property and other Property)

Taxes for proration purposes only for the fiscal year 2021-2022.
 First Installment: \$351,981.18, PAID
 Second Installment: \$351,981.18, PAID
 Tax Rate Area: 017-065
 APN: 101-02-014

(Affects Portion of Property and other Property)

- 3. According to the latest available equalized assessment roll in the office of the county tax assessor, there is located on the land a(n) Commercial Structure known as 350 and 370 West Trimble Road, San Jose, California.
- 4. According to the public records, there has been no conveyance of the land within a period of twenty four months prior to the date of this report, except as follows:

A document recorded May 04, 2021 as Document No. <u>24946865</u> of Official Records. From: LBA RVI-Company I, LP, a Delaware limited partnership To: Microsoft Corporation, a Washington Corporation

- 5. This preliminary report/commitment was prepared based upon an application for a policy of title insurance that identified land by street address or assessor's parcel number only. It is the responsibility of the applicant to determine whether the land referred to herein is in fact the land that is to be described in the policy or policies to be issued.
- 6. Should this report be used to facilitate your transaction, we must be provided with the following prior to the issuance of the policy:
 - A. WITH RESPECT TO A CORPORATION:
 - 1. A certificate of good standing of recent date issued by the Secretary of State of the corporation's state of domicile.
 - 2. A certificate copy of a resolution of the Board of Directors authorizing the contemplated transaction and designating which corporate officers shall have the power to execute on behalf of the corporation.

- 3. A certificate of revivor and a certificate of relief from contract voidability issued by the Franchise Tax Board of the State of California.
- 4. Requirements which the Company may impose following its review of the above material and other information which the Company may require.
- B. WITH RESPECT TO A CALIFORNIA LIMITED PARTNERSHIP:
 - 1. A certified copy of the certificate of limited partnership (form LP-1) and any amendments thereto (form LP-2) to be recorded in the public records;
 - 2. A full copy of the partnership agreement and any amendments;
 - 3. Satisfactory evidence of the consent of a majority in interest of the limited partners to the contemplated transaction;
 - 4. A certificate of revivor and a certificate of relief from contract voidability issued by the Franchise Tax Board of the State of California.
 - 5. Requirements which the Company may impose following its review of the above material and other information which the Company may require.
- C. WITH RESPECT TO A FOREIGN LIMITED PARTNERSHIP:
 - 1. A certified copy of the application for registration, foreign limited partnership (form LP-5) and any amendments thereto (form LP-6) to be recorded in the public records;
 - 2. A full copy of the partnership agreement and any amendment;
 - 3. Satisfactory evidence of the consent of a majority in interest of the limited partners to the contemplated transaction;
 - 4. A certificate of revivor and a certificate of relief from contract voidability issued by the Franchise Tax Board of the State of California.
 - 5. Requirements which the Company may impose following its review of the above material and other information which the Company may require.
- D. WITH RESPECT TO A GENERAL PARTNERSHIP:
 - 1. A certified copy of a statement of partnership authority pursuant to Section 16303 of the California Corporation Code (form GP-I), executed by at least two partners, and a certified copy of any amendments to such statement (form GP-7), to be recorded in the public records;
 - 2. A full copy of the partnership agreement and any amendments;
 - 3. Requirements which the Company may impose following its review of the above material required herein and other information which the Company may require.
- E. WITH RESPECT TO A LIMITED LIABILITY COMPANY:
 - 1. A copy of its operating agreement and any amendments thereto;
 - 2. If it is a California limited liability company, a certified copy of its articles of organization (LLC-1) and any certificate of correction (LLC-11), certificate of amendment (LLC-2), or restatement of articles of organization (LLC-10) to be recorded in the public records;
 - 3. If it is a foreign limited liability company, a certified copy of its application for registration (LLC-5) to be recorded in the public records;
 - 4. With respect to any deed, deed of trust, lease, subordination agreement or other document or instrument executed by such limited liability company and presented for recordation by the Company or upon which the Company is asked to rely, such document or instrument must be executed in accordance with one of the following, as appropriate:
 - (i) If the limited liability company properly operates through officers appointed or elected pursuant to the terms of a written operating agreement, such documents must be executed by at least two duly elected or appointed officers, as follows: the chairman of the board, the president or any vice president, and any secretary, assistant secretary, the chief financial officer or any assistant treasurer;
 - (ii) If the limited liability company properly operates through a manager or managers identified in the articles of organization and/or duly elected pursuant to the terms of a written operating agreement, such document must be executed by at least two such managers or by one manager if the limited liability company properly operates with the existence of only one manager.

- 5. A certificate of revivor and a certificate of relief from contract voidability issued by the Franchise Tax Board of the State of California.
- 6. Requirements which the Company may impose following its review of the above material and other information which the Company may require.
- F. WITH RESPECT TO A TRUST:
 - 1. A certification pursuant to Section 18100.5 of the California Probate Code in a form satisfactory to the Company.
 - 2. Copies of those excerpts from the original trust documents and amendments thereto which designate the trustee and confer upon the trustee the power to act in the pending transaction.
 - 3. Other requirements which the Company may impose following its review of the material require herein and other information which the Company may require.
- G. WITH RESPECT TO INDIVIDUALS:
 - 1. A statement of information.

The map attached, if any, may or may not be a survey of the land depicted hereon. First American Title Insurance Company expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

LEGAL DESCRIPTION

Real property in the City of San Jose, County of Santa Clara, State of California, described as follows:

PARCEL ONE:

ALL OF PARCEL 2, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "PARCEL MAP", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON APRIL 20, 2021 IN BOOK 937 OF MAPS, AT PAGE(S) 43-44.

PARCEL TWO:

A NON-EXCLUSIVE EASEMENT FOR PRIVATE UTILITY PURPOSES, AS GRANTED IN THAT CERTAIN "EASEMENT AGREEMENT (TELECOMMUNICATIONS)" RECORDED FEBRUARY 13, 2001 AS INSTRUMENT NO. <u>15558029</u>, SANTA CLARA COUNTY OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF THAT 39.939 ACRE PARCEL, AS SAID PARCEL IS SHOWN ON THAT CERTAIN RECORD OF SURVEY MAP FILED FOR RECORD ON OCTOBER 6, 1976, IN <u>BOOK 381 OF MAPS, AT PAGES</u> <u>19 THROUGH 23</u>, SANTA CLARA COUNTY RECORDS, SAID PORTION BEING A 20.00 FEET WIDE STRIP OF LAND FOR PRIVATE UTILITY EASEMENT PURPOSES, THE CENTERLINE OF WHICH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE CENTERLINE OF NORTH FIRST STREET WITH THE NORTHEASTERLY PROLONGATION OF THE NORTHERLY LINE OF SAID 39.939 ACRE PARCEL, SAID NORTHERLY LINE ALSO BEING THE SOUTHERLY LINE OF PARCEL "D", AS SAID PARCEL IS SHOWN ON THAT CERTAIN PARCEL MAP FILED FOR RECORD ON MARCH 28, 1978, IN <u>BOOK 415 OF</u> <u>MAPS, AT PAGES 40 AND 41</u>, SANTA CLARA COUNTY RECORDS; SAID POINT OF INTERSECTION BEARING NORTH 43° 13' 51" EAST AND 80.11 FEET DISTANT ALONG SAID PROLONGATION LINE FROM THE MOST EASTERLY CORNER OF SAID PARCEL "D", AS DELINEATED ON SAID PARCEL MAP; THENCE SOUTHERLY ALONG SAID CENTERLINE SOUTH 30° 45' 42" EAST, 99.01 FEET; THENCE LEAVING SAID CENTERLINE SOUTH 59° 14' 18" WEST 71.61 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF NORTH FIRST STREET, SAID POINT BEING THE TRUE POINT OF BEGINNING.

THENCE FROM SAID TRUE POINT OF BEGINNING, SOUTH 48° 52' 01" WEST, 269.79 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT;

THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 915.50 FEET, THROUGH A CENTRAL ANGLE OF 5° 38' 10", FOR A DISTANCE OF 90.06 FEET TO A TANGENT LINE;

THENCE ALONG SAID TANGENT LINE SOUTH 43° 13' 51" WEST, 1351.98 FEET TO THE POINT OF TERMINATION, SAID POINT OF TERMINATION BEING ON THE NORTHEASTERLY RIGHT OF WAY OF THE FUTURE EXTENSION OF ORCHARD PARKWAY.

THE SIDELINES OF THE HEREIN DESCRIBED 20 FEET WIDE STRIP TO BE LENGTHENED OR SHORTENED TO INTERSECT WITH THE AFORESAID WESTERLY RIGHT OF WAY LINE AT THE BEGINNING, AND WITH SAID FUTURE NORTHEASTERLY RIGHT OF WAY LINE AT THE TERMINATION.

PARCEL THREE:

A NON-EXCLUSIVE 15-FOOT WIDE EASEMENT FOR PRIVATE UTILITY PURPOSES, AS GRANTED IN THAT CERTAIN "EASEMENT AGREEMENT (SUBSTATION)" RECORDED FEBRUARY 13, 2001 AS INSTRUMENT

NO. <u>15558030</u>, SANTA CLARA COUNTY OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF PARCEL "D", AS SAID PARCEL IS SHOWN ON THAT CERTAIN PARCEL MAP FILED FOR RECORD ON MARCH 28, 1978, IN <u>BOOK 415 OF MAPS, AT PAGES 40 AND 41</u>, SANTA CLARA COUNTY RECORDS, SAID PORTION BEING A 15.00 FEET WIDE STRIP OF LAND FOR PRIVATE UTILITY EASEMENT PURPOSES, THE CENTERLINE OF WHICH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN ANGLE POINT IN THE BOUNDARY COMMON TO PARCELS "A" AND "D" AS SHOWN ON SAID PARCEL MAP, SAID ANGLE POINT BEING AT THE NORTHWESTERLY TERMINUS OF A COURSE IN SAID COMMON BOUNDARY HAVING A BEARING OF NORTH 46° 46' 09" WEST AND A DISTANCE OF 233.00 FEET AS SHOWN ON SAID PARCEL MAP; THENCE PROCEEDING SOUTHEASTERLY ALONG SAID COURSE, SOUTH 46° 46' 09" EAST 52.91 FEET; THENCE LEAVING SAID COMMON BOUNDARY ALONG A LINE PERPENDICULAR TO SAID COURSE, SOUTH 43° 13' 51" WEST 7.50 FEET TO THE TRUE POINT OF BEGINNING.

THENCE FROM SAID TRUE POINT OF BEGINNING, ALONG A LINE PARALLEL WITH, AND 7.50 FEET DISTANT BY RIGHT ANGLE MEASUREMENT, FROM SAID COMMON BOUNDARY COURSE, NORTH 46° 46' 09" WEST 36.76 FEET;

THENCE ALONG THE FOLLOWING SIX (6) COURSES:

NORTH 89° 01' 08" WEST, 183.91 FEET;

SOUTH 87° 11' 13" WEST, 201.42 FEET;

NORTH 84° 34' 12" WEST, 72.48 FEET;

NORTH 59° 35' 26" WEST, 59.47 FEET;

NORTH 30° 46' 57" WEST, 210.43 FEET;

SOUTH 73° 59' 24" WEST, 184.49 FEET;

THENCE SOUTH 82° 12' 14" WEST, 108.46 FEET TO THE POINT OF TERMINATION ON THE SOUTHERLY PROLONGATION OF THE EAST RIGHT OF WAY LINE OF ORCHARD PARKWAY (100 FEET WIDE) AS SAID RIGHT OF WAY IS DESCRIBED IN THAT DOCUMENT RECORDED OCTOBER 18, 1999 AS INSTRUMENT NO. 15021133, OFFICIAL RECORDS, SANTA CLARA COUNTY.

THE SIDELINES OF THE HEREIN DESCRIBED 15 FEET WIDE STRIP TO BE LENGTHENED OR SHORTENED TO INTERSECT WITH THE AFORESAID PERPENDICULAR LINE AT THE BEGINNING, AND WITH SAID PROLONGED RIGHT OF WAY LINE AT THE TERMINATION.

PARCEL FOUR:

A NON-EXCLUSIVE EASEMENT FOR VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS, AS GRANTED IN THAT CERTAIN "EASEMENT AGREEMENT" RECORDED SEPTEMBER 21, 2007 AS INSTRUMENT NO. <u>19592964</u>, SANTA CLARA COUNTY OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, BEING A PORTION OF PARCEL 2 AS SHOWN ON THE PARCEL MAP FILED FOR RECORD IN <u>BOOK 818 OF MAPS, AT PAGES 19, 20 AND 21</u>, SANTA CLARA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF SAID PARCEL 2 AND AT THE INTERSECTION OF THE SOUTHWESTERLY LINE OF ORCHARD PARKWAY WITH THE NORTHWESTERLY LINE OF 80' PG&E EASEMENT, RECORDED MARCH 31, 1978 IN <u>BOOK D564, PAGE 507</u>, OFFICIAL RECORDS, AS SHOWN ON SAID PARCEL MAP, SAID POINT BEING DISTANT S76°24'37"W, 81.31 FEET FROM THE MONUMENT AT THE INTERSECTION OF THE ORCHARD PARKWAY MONUMENT LINE AND THE MONUMENT LINE OF COMPONENT DRIVE, AS SHOWN ON SAID MAP;

THENCE FROM SAID POINT OF BEGINNING ALONG SAID NORTHWESTERLY LINE OF SAID PARCEL 2 AND SAID 80' PG&E EASEMENT SOUTH 43°13'51" WEST, 522.95 FEET;

THENCE LEAVING SAID NORTHWESTERLY LINE SOUTH 46°46'09" EAST, 54.00 FEET;

THENCE ALONG A LINE PARALLEL WITH AND DISTANT 54.00 FEET SOUTHEASTERLY FROM SAID NORTHWESTERLY LINE OF SAID PARCEL 2 AND THE 80' PG&E EASEMENT NORTH 43°13'51" EAST, 325.77 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°54'31" HAVING A RADIUS OF 184.00 FEET AND ALONG AN ARC DISTANCE OF 63.93 FEET TO THE BEGINNING OF A REVERSE CURVE;

THENCE ALONG SAID REVERSE CURVE THROUGH A CENTRAL ANGLE OF 15°47'33" HAVING A RADIUS OF 349.00 FEET AND AN ARC DISTANCE OF 96.20 FEET;

THENCE ALONG A NON-TANGENT LINE NORTH 44°05'03" EAST, 67.04 FEET TO SAID SOUTHWESTERLY LINE OF ORCHARD PARKWAY AND TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT FROM WHICH POINT A RADIAL LINE BEARS NORTH 23°22'08" EAST;

THENCE NORTHWESTERLY ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF 5°42'20" HAVING A RADIUS OF 903.00 FEET AND ARC DISTANCE OF 89.92 TO THE POINT OF BEGINNING.

APN: 101-02-013 (Affects Portion of Property and other Property) APN: 101-02-014 (Affects Portion of Property and other Property)

NOTICE

Section 12413.1 of the California Insurance Code, effective January 1, 1990, requires that any title insurance company, underwritten title company, or controlled escrow company handling funds in an escrow or sub-escrow capacity, wait a specified number of days after depositing funds, before recording any documents in connection with the transaction or disbursing funds. This statute allows for funds deposited by wire transfer to be disbursed the same day as deposit. In the case of cashier's checks or certified checks, funds may be disbursed the next day after deposit. In order to avoid unnecessary delays of three to seven days, or more, please use wire transfer, cashier's checks, or certified checks whenever possible.

If you have any questions about the effect of this new law, please contact your local First American Office for more details.

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

CLTA/ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (02-03-10) EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

- 1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
 - (a) building;
 - (d) improvements on the Land; (e) land division; and
 - (b) zoning; (c) land use; (f) environmental protection.
 - This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
- The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This 2. Exclusion does not limit the coverage described in Covered Risk 14 or 15.
- The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17. 3
- Risks: 4
 - (a) that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;

(b) that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date; (c) that result in no loss to You; or

(d) that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.

- 5. Failure to pay value for Your Title.
- Lack of a right: 6

(a) to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and (b) in streets, alleys, or waterways that touch the Land.

This Exclusion does not limit the coverage described in Covered Risk 11 or 21.

7 The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows: For Covered Risk 16, 18, 19, and 21 Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

Your Deductible Amount	<u>Our Maximum Dollar</u> Limit of Liability
Covered Risk 16: 1% of Policy Amount or \$2,500.00 (whichever is less)	\$10,000.00
Covered Risk 18: 1% of Policy Amount or \$5,000.00 (whichever is less)	\$25,000.00
Covered Risk 19: 1% of Policy Amount or \$5,000.00 (whichever is less)	\$25,000.00
Covered Risk 21: 1% of Policy Amount or \$2,500.00 (whichever is less)	\$5,000.00

ALTA RESIDENTIAL TITLE INSURANCE POLICY (6-1-87) **EXCLUSIONS**

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

- Governmental police power, and the existence or violation of any law or government regulation. This includes building and 1 zoning ordinances and also laws and regulations concerning:
 - (a) and use
 - (b) improvements on the land
 - (c) and division
 - (d) environmental protection

This exclusion does not apply to violations or the enforcement of these matters which appear in the public records at Policy Date. This exclusion does not limit the zoning coverage described in Items 12 and 13 of Covered Title Risks.

- The right to take the land by condemning it, unless:
 - (a) a notice of exercising the right appears in the public records on the Policy Date
- (b) the taking happened prior to the Policy Date and is binding on you if you bought the land without knowing of the taking
- Title Risks: 3

(a) that are created, allowed, or agreed to by you

(b) that are known to you, but not to us, on the Policy Date -- unless they appeared in the public records

(c) that result in no loss to you

(d) that first affect your title after the Policy Date -- this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks

- 4. Failure to pay value for your title.
- 5. Lack of a right:

(a) to any land outside the area specifically described and referred to in Item 3 of Schedule A OR

(b) in streets, alleys, or waterways that touch your land

This exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

2006 ALTA LOAN POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to

i. the occupancy, use, or enjoyment of the Land;

- ii. the character, dimensions, or location of any improvement erected on the Land;
- iii. the subdivision of land; or
- iv. environmental protection;

or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.

- b. Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
- 2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- 3. Defects, liens, encumbrances, adverse claims, or other matters
 - a. created, suffered, assumed, or agreed to by the Insured Claimant;

b. not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

c. resulting in no loss or damage to the Insured Claimant;

d. attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or

e. resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable

- doing-business laws of the state where the Land is situated.5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
- 6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - a. a fraudulent conveyance or fraudulent transfer, or
 - b. a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
- 7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

- (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
- 3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
- 4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an

accurate and complete land survey of the Land and not shown by the Public Records.

- (a) Unpatented mining claims: (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof: (c) water rights. 5. claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records. 6.
 - Any lien or right to a lien for services, labor or material not shown by the public records.

2006 ALTA OWNER'S POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

- a. Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, 1 prohibiting, or relating to
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions, or location of any improvement erected on the Land;
 - iii. the subdivision of land; or
 - iv. environmental protection:

or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.

b.Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.

Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8. 2.

- Defects, liens, encumbrances, adverse claims, or other matters 3.
 - a. created, suffered, assumed, or agreed to by the Insured Claimant;

b. not Known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

c. resulting in no loss or damage to the Insured Claimant;

d. attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or

e. resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.

Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is

- a. a fraudulent conveyance or fraudulent transfer; or
- b. a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
- Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between 5 Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of.

- (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or 1. assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the 2. Land or that may be asserted by persons in possession of the Land.
- Easements, liens or encumbrances, or claims thereof, not shown by the Public Records. 3
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an 4. accurate and complete land survey of the Land and not shown by the Public Records.
- (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, 5 claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
- Any lien or right to a lien for services, labor or material not shown by the public records. 6.

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (07-26-10) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

- 1. a. Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions, or location of any improvement erected on the Land;
 - iii. the subdivision of land; or
 - iv. environmental protection;

or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.

b. Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.

- 2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- 3. Defects, liens, encumbrances, adverse claims, or other matters

a. created, suffered, assumed, or agreed to by the Insured Claimant;

b. not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

c. resulting in no loss or damage to the Insured Claimant;

d. attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or

- e. resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
 Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
- 5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
- 6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
- 7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
- The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
- 9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - a. a fraudulent conveyance or fraudulent transfer, or
 - b. a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.



Planning, Building and Code Enforcement FORM #138 02/13/2020 SUBJECT TO CHANGE

Stormwater Evaluation Form

INSTRUCTIONS: At minimum, complete Sections 1.a and 2.d of this form and submit it with all Planning Permit applications.

If you answer "yes" to one or both questions below, you must complete the entire form, as required by Provision C.3 of the Municipal Regional Stormwater Permit (MRP):

- Does your project create or replace 10,000 sq. ft. or more of impervious surface on the project site?
- Does your project involve a restaurant, auto service facility, retail gasoline outlet, uncovered parking lot, or top uncovered portion of a parking structure that creates or replaces 5,000 sq. ft. or more of impervious surface on a project site?

What is an impervious surface? An impervious surface is pavement or other surface covering that prevents land from absorbing and infiltrating rainfall and stormwater. Impervious surfaces include driveways, walkways, parking lots, rooftops and any other continuous watertight covering. Pervious pavement underlain with pervious soil or material, e.g., drain rock, that infiltrates rainfall at a rate equal to or greater than surrounding unpaved areas OR that stores and infiltrates the water quality design volume specified in Provision C.3.d of the MRP, is not considered an impervious surface.

For more information and definitions, see the **Stormwater Management** webpage at <u>www.sanjoseca.gov/planning</u>.

1. PROJECT LOCATION AND USES

1.a Project File #:
1.b Project Address:
 1.c Are any of these uses included in your project? Check all that apply. Restaurant Retail Fuel Outlet Uncovered Parking
□ Auto Service, as categorized by the Standard Industrial Classification (SIC) Codes 5013-5014, 5541, 7532-7534, 7536-7539. Determine your SIC Codes at www.osha.gov. List the applicable SIC Code/s:
 1.d Check the watershed in which your project is located. See the <u>Watershed Maps</u> webpage at <u>www.sanjoseca.gov/your-government/environment/our-creeks-rivers-bay/watershed-maps</u> Baylands Calabazas Coyote (including Lower Penitencia) Guadalupe San Tomas
1.e Special Project Status Use the online <u>Special Project Worksheet</u> at <u>www.sanjoseca.gov/?navid=2847</u> to determine if your project qualifies as a Special Project. Does your project qualify?
 Yes Attach the Special Project Worksheet and Narrative to this application. No
Note: See the Special Projects Worksheet for requirements.

continued>

2. AREA DATA

2.a Enter the Project Phase Number (1, 2, 3, etc. or N/A if Not Applicable):		
2.b Total area of site: acres		
2.c Total area of site that will be disturbed:	acres	

COMPARISON OF IMPERVIOUS AND PERVIOUS AREAS AT PROJECT SITE:					
2.d IMPERVIOUS AREAS - IA	Pre-Project Existing IA sq. ft.	Existing IA Retained As-Is ¹ sq. ft.	Existing IA Replaced with IA ² sq. ft.	New IA Created ² sq. ft.	Total Post Project IA sq. ft.
Site Totals					
Total IA	d.1	d.2	d.3	d.4	d.5 (d.2+d.3+d.4)
Total New and Replaced IA			d.6 (d.3+d.4)		
Public Street Totals					
Total Public Streets IA ³	d.8	d.9	d.10	d.11	d.12 (d.9+d.10+d.11)
Total New and Replaced Public Streets IA			d.13 (d.10+d.11)		
Total Site and Public Streets IA	d.14 (d.1.+d.8)				d.15 (d.5+d.12)
Percent Replacement of IA in Redevelopment Projects (d.3÷d.1) x 100:					d.16 %
2.e PERVIOUS AREAS - PA	Pre-Project Existing PA sq. ft.				Total Post Project PA sq. ft.
Total PA ⁴	e.1				e.2
2.f Total Area (IA + PA)	f.1 (d.14 + e.1)				f.2 (d.15 + e.2)

FOOTNOTES

- 1. "Retained" in box 2.d.2 means to leave existing IA in place. An IA that goes through maintenance (e.g., pavement resurfacing/slurry seal/grind), but no change in grade is considered "retained."
- 2. The "replaced" and "new" IA in boxes 2.d.3. and 2.d. 4 are based on the total area of the site and not specific locations on site. For example, impervious parking created over a pervious area is not "new" IA if an equal amount of pervious area replaces IA somewhere else on the site. Constructed IA on a site that does not exceed the Total Pre-Project IA in box 2.d.1. will be considered "replaced" IA. A site will have "new" IA only if the Total Post-Project IA in box 2.d.5. exceeds the Total Pre-Project IA (2.d.5 2.d.1 = 2.d.4).
- 3. These areas are locations of the public street that are being dedicated (sidewalk or street easement) to the City of San José.
- 4. Include bioretention areas, infiltration areas, green roofs, and pervious pavement in PA calculations.

3. APPLICABILITY OF PROVISION C.3

3. a	 Is 2.c. equal to 1 acre or more? □ Yes. Applicant must obtain coverage under the <u>State Construction General Permit</u>. □ No. Applicant does not need coverage under the State Construction General Permit.
3.b	Is box 2.d.6 equal to 10,000 sq. ft. or more for any type of project, or 5,000 sq. ft. or more for restaurants, auto service facilities, retail gas outlets, and uncovered parking?
	 Yes. Site Design, Source Control, and Treatment System requirements will all apply to the project area. No. Site Design and Source Control requirements may apply; check with local agency.
3.c	Is box 2.d.16 equal to or greater than 50%? □ Yes. Site Design, Source Control, and Treatment System requirements all apply to the entire site.

□ No. Site Design, Source Control, and Treatment System requirements only apply to the area of site that is disturbed.

3.d Indicate which of the following Provision C.3 measures will be applied to your project. Check all that apply.

SITE DESIGN MEASURES

PROTECTION MEASURES

- Protect existing trees, vegetation, and soil.
- Protect riparian and wetland areas/ buffers (Riparian setback _____ ft.)¹
- Preserve open space and natural drainage patterns: <u>169,724</u> sq. ft.
- Rainwater harvesting and use (e.g., rain barrel, cistern connected to roof drains)²

LANDSCAPE DESIGN MEASURES

- Direct runoff from roofs, sidewalks, patios to landscaped areas.
- Plant trees adjacent to and in parking areas and adjacent to other impervious areas.

DESIGN MEASURES TO MINIMIZE IMPERVIOUS SURFACE AREA

- □ Reduce existing impervious surfaces.
- □ Cluster structures/pavement.
- □ Create new pervious areas:
 - **O** Landscaping
 - **O** Parking stalls
 - $\mathbf O$ Walkways and patios
 - O Emergency vehicle access
 - **O** Private streets and sidewalks
- Install a Green Roof on all or a portion of the roof.
- Derking:
 - **O** On top of or under buildings
 - **O** Not provided in excess of Code

Other:

- SOURCE CONTROL MEASURES
- Beneficial landscaping ³
- □ Use water efficient irrigation systems.
- Good housekeeping, e.g., sweep pavement and clean catch basin.
- Label storm drains.
- Connect to the sanitary sewer: ⁴
 - Covered trash/recycling enclosures
 - **O** Interior parking structures
 - **O** Wash area/racks
 - ${\bf O}\,$ Pools, spas, fountains
 - Covered loading docks and maintenance bays
 - **O** Pumped groundwater
- □ Fueling areas must (all required):
 - Be graded to prevent ponding.
 - Use a concrete surface.
 - Be separated from the site by a grade break to prevent run-on.
 - Have a canopy cover extending at least 10 feet from each pump.
- Industrial, outdoor material storage, and recycling facilities must (all required):
 - Stockpile material on an impervious surface or under a permanent roof or covering.
 - Direct ponded water to the sanitary sewer,⁴ an on-site treatment system, or off-site disposal.
 - Install berms or curbs to prevent runoff from the storage/processing areas.
 - Segregate pollutant-generating activities into a distinct drainage management area and provide treatment.

Other:

TREATMENT SYSTEMS

NONE

Impervious surfaces drain to one or more self-retaining areas that are sized per the design criteria listed in the C.3 Stormwater Handbook.

LID TREATMENT

- Rainwater harvest and use (e.g., cistern or rain barrel sized for C.3.d treatment)
- □ Infiltration well/dry well
- Infiltration trench
- Subsurface Infiltration System (e.g., vault or large diameter pipe over drain rock)

BIOTREATMENT

- Bioretention area
- Flow-through planter
- □ Tree well filter or trench with bioretention soils ⁵
- Other:

OTHER TREATMENT METHODS

SPECIAL PROJECTS ONLY 6

- Proprietary tree box filter
- Media filter (sand, compost, or proprietary media)

MULTI-STEP PROCESS ONLY 7

- Vegetated filter strip
- Extended Detention Basin
- Vegetated Swale

FOOTNOTES

- 1. Per Council Policy 6-34, setback is measured from the outside dripline of the Riparian Corridor vegetation or top-of-bank, whichever is greater (verify by Biological Report).
- 2. As a site design measure, it does not have to be sized to comply with Provision C.3.d treatment requirements.
- 3. Landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, and minimizes the use of pesticides and fertilizers.
- 4. Subject to the requirements of the sanitary sewer authority.
- 5. Bioretention soils shall infiltrate runoff at a minimum of 5 inches per hour during the life of the facility and sustain healthy, vigorous plant growth.
- 6. These treatment measures are only allowed if the project qualifies as a Special Project.
- 7. These treatment measures are only allowed as part of a multi-step treatment process (i.e., pretreatment).

4. TREATMENT SYSTEM SIZING FOR PROJECTS WITH TREATMENT REQUIREMENTS

For each treatment system component, indicate the hydraulic sizing criteria using the codes in the far right column, and provide the calculated design flow or volume to be treated:

Treatment System Component	Hydraulic Sizing Criteria Enter Code	Design Flow or Volume cfs or cu.ft.	Codes For Hydraulic Sizing Criteria
			CODE 1a - Volume-WEF Method
			1b - Volume–CASQA BMP Handbook Method 2a - Flow–Factored Flood Flow Method 2b - Flow–CASQA BMP Handbook Method
			 2c - Flow–Uniform Intensity Method 3 - Combination Flow/Volume Design Basis

5. HYDROMODIFICATION MANAGEMENT (HM) APPLICABILITY

5.a Does the project create and/or replace one acre or more of impervious surface AND create an increase in total impervious surface from the pre-project condition (from page 2, is 2d.5 > 2d.1 AND 2d.6 is > one acre)?

 \Box Yes. Continue to Question 5.b.

□ No. Project is exempt from Hydromodification Management.

5.b Is the project located in the green "Subwatersheds less than 65% Impervious" area on the HM Applicability Map?

□ Yes. Project must implement HM requirements. Continue to Question 5.c.

□ No. Project is exempt from Hydromodification Management.

5.c If Yes to 5.b, select the specific flow duration controls for Hydromodification Management.

Check all that apply:

Extended Detention Basin

□ Underground tank or vault

□ Bioretention with outlet control

Other: _____

6. OPERATION & MAINTENANCE (O&M) CONTACT INFORMATION

Please enter the contact information of the Responsible Party for Stormwater Treatment/Hydromodification Control O&M:

NAME	MAILING ADDRESS	EMAIL/PHONE				
RESPONSIBLE PARTY IN CHARGE OF O&M	STREET:	EMAIL:				
NAME:	CITY: ZIP:	PHONE:				
FIRM NAME IF ANY:						

7. FORM COMPLETED BY

PRINT NAME

DATE



Planning, Building and Code Enforcement



STORMWATER SUBMITTAL CHECKLIST

This is a computer-fillable PDF form and signatures, if required, must be a Digital ID Signature. Follow instructions for <u>Digital Forms & Signatures</u>.

INSTRUCTIONS

As directed by a City Planner, complete this checklist and submit it with your development application. For questions, speak with a City Planner at 408-535-3555; find our phone hours at <u>www.sanjoseca.gov/Planning.</u>

ITEMS WITH ASTERISK (*) ARE REQUIRED AT TIME OF APPLICATION SUBMITTAL.

PROJECT ID / DESCRIPTION:

	YES	NO	N/A			
	FORMS & REPORTS					
1				* Completed STORMWATER EVALUATION FORM		
2				* Completed SPECIAL PROJECT WORKSHEET and narrative, if applicable		
3				* HYDROMODIFICATION REPORT and BAHM model, if project located in HM zone		
	STORMWATER CONTROL PLAN					
4				* PERVIOUS AND IMPERVIOUS SURFACE COMPARISON TABLE		
5				* DRAINAGE MANAGEMENT AREAS (DMA) based on Design Development Plan		
6				* PROPOSED TREATMENT CONTROL MEASURE LOCATION for each DMA		
7				* NUMERIC SIZING CALCULATIONS sample for each treatment type		
8				* TREATMENT CONTROL MEASURE SUMMARY TABLE		
9				* HYDROMODIFICATION PLAN if project located in HM zone		
10				LANDSCAPE PLAN showing appropriate biotreatment planting		
11				CRITICAL STORM DRAIN LOCATIONS, RIMS, AND INVERTS (farthest downstream point, middle		
12				SITE INFORMATION/CONDITIONS TABLE (soil type, ground water depth, receiving water body, flood zone and elevation)		
13				TREATMENT CONTROL MEASURE and curb opening details		
14				SITE DESIGN MEASURE NOTES		
15				SOURCE CONTROL MEASURE NOTES		
16				STANDARD STORMWATER CONTROL NOTES		
17				BIOTREATMENT SOIL REQUIREMENT NOTES		
18				BIORETENTION & FLOW-THROUGH PLANTER NOTES		
19				ROUTINE MAINTENANCE ACTIVITIES NOTES		
20				OPERATION AND MAINTENANCE INFORMATION TABLE		

OFFICE USE ONLY

INTAKE DATE:

ARBORIST REPORT

8/2/2022 5154.20 Revision 1

PROJECT

2500 Orchard Parkway San Jose, CA

PREPARED FOR

Environmental Systems Design, Inc.

PREPARED BY

HMH 1570 Oakland Road San Jose, CA 95131 William Sowa ISA Certified Arborist #WE-12270A


TABLE OF CONTENTS

	<u>Page</u>
Table of Contents	1
Introduction and Overview	2
Methodology	2
Summary of Findings	2
General Observations and Recommendations	3
Recommendations for Tree Protection During Construction	4
Maintenance Recommendations for Trees to Remain	6
Terms and Conditions	8
Exhibit A – Existing Tree Map	9
Table 1 - Tree Quantity Summary	10
Table 2 - Tree Evaluation Summary	11
Tree Photographs	16

INTRODUCTION AND OVERVIEW

HMH was contracted to complete a tree survey, assessment and arborist report for trees located within the limit of work illustrated on Exhibit A. The project site is part of an undeveloped lot approximately 22.3 acres. There are currently large tech campuses located adjacent to this area as well as a few undeveloped lots. The southwestern portion of the site is border by the Guadalupe River Trail and subsequent Guadalupe River. There are also high voltage transmission lines running along this same southwestern edge. Orchard Parkway is the main point of access for this lot. Our scope of services includes locating, measuring DBH, assessing, and photographing the condition of all trees within the limit of work. Disposition and health recommendations are based on current site conditions. Site development/design may affect the preservation suitability.

METHODOLOGY

Our tree survey work is a deliberate and systematic methodology for cataloging trees on site:

- 1. Identify each tree species.
- 2. Note each tree's location on a site map.
- 3. Measure each trunk circumference at 4.5' above grade per ISA standards.
- 4. Evaluate the health and structure of each tree using the following numerical standard:
 5 A healthy, vigorous tree, reasonably free of disease, with good structure and form typical of the species.
 4 A tree with slight decline in vigor, small amount of twig dieback, minor structural defects that could be corrected.

3 - A tree with moderate vigor, moderate twig and small branch dieback, thinning of crown, poor leaf color, moderate structural defects that may that might be mitigated with care.

2 - A tree in decline, epicormic growth, extensive dieback of medium to large branches, significant structural defects that cannot be abated.

1 - A tree in severe decline, dieback of scaffold branches and or trunk, mostly epicormic growth; extensive structural defects that cannot be abated.

0 - Tree is dead.

SUMMARY OF FINDINGS

HMH conducted a tree inventory of 38 trees located within the limit of work outlined in Exhibit A and B. 14 of the trees inventoried are classified as ordinance-sized trees under the City of San Jose Tree Removal permit.

An ordinance-size tree is:

Single Trunk - 38 inches or more in circumference at 4 ½ feet above ground; or Multi-trunk - The combined measurements of each trunk circumference (at 4 ½ feet above ground) add up to 38 inches or more.

Table 1 - Tree Quantity Summary summarizes tree quantities by both species and size. Each species that was inventoried as part of this scope is included. This is a useful tool for analyzing the mixture of trees as part of the project. The size table is useful when calculating mitigation requirements in the case of tree removal as well as aiding in determining tree maturity.

Table 2 - Tree Evaluation Summary lists each tree number, botanical name, common name, DBH, circumference, ordinance trees, health rating, preservation suitability, general notes and observations and recommendations.

See Exhibit A & B for Existing Tree Locations

See Table 1 for Tree Quantity Summary by species and size. See Table 2 for Tree Evaluation Summary for sizes, notes and recommendations regarding each tree.

GENERAL OBSERVATIONS AND RECOMMENDATIONS

Species: Acacia melanoxylon (Blackwood Acacia)

Quantity: 1

Observations: Tree #21 is the only blackwood acacia observed on site. It is quite clearly a self seeded tree since it is growing in the undeveloped portion of the site amongst a stand of arroyo willows. This is an extremely drought adapted tree native to Australia and classified as an invasive species by the California Invasive Plant Council. They can grow to considerable size with a height and width exceeding 50 feet, while producing copious amounts of seed that self sow regularly. Removal is highly suggested.

Species: Acer rubrum 'Armstrong' (Armstrong Maple) **Quantity:** 6

Observations: 6 young Armstrong Maples were planted along the existing property line to the North as part of 350 Trimble Rd. site improvements. They are small enough to be move/replanted if necessary. Tree #43 appears to be dead.

Species: Juglans hindsii (California Walnut)

Quantity: 14

Observations: This was the most numerous species located on site. California Walnut is a large native tree that is common around riparian areas and drought adapted. Trees on site varied from large established individuals to young seedlings. This is an important species for native habitats.

Species: *Pinus radiata* (Monterey Pine)

Quantity: 1

Observations: One Monterey Pine with minor structural defects was located on the Northwestern edge of the site on the adjacent 350 Trimble property.

Species: *Platanus x acerifolia* (London Plane) **Quantity: 8**

Observations: These were among the street trees planted within the landscape strip along Orchard Parkway. London Plane Trees are commonly grown as street trees because of their adaptability and tolerance of regular pruning. These trees appear to be in moderate condition with only slight dieback on the outermost tips of the canopy. None of these trees were ordinance size.

Species: *Populus fremontii* (Fremont Cottonwood) **Quantity: 3**

Observations: There is one very large Fremont Cottonwood (tree #23) on site and two smaller seedlings growing along the periphery of its canopy. This is another native riparian species that is drought adapted as well. These trees are fast growing to a very large size as evident in the example of tree #23. Similar to the California Walnut this is a very important habitat species as well.

Species: *Pyrus calleryana* (Callery Pear) **Quantity: 5**

Observations: The Callery Pears on site were all planted along Orchard Parkway in the landscape strip amongst the London Plane Trees. These trees are grown for their large display of flowers in the early spring. This is also a deciduous species that loses its leaves in the winter. Somewhat drought adapted, however they do better with regular watering.

Species: Quercus agrifolia (Coast Live Oak)

Quantity: 15

Observations: There are two Coast Live Oaks growing along the outer edge of the site adjacent to the Guadalupe River Trail. Both of these trees are growing within the chainlink fence that runs along the perimeter of the site. Tree #1 is a large ordinance size tree. Tree #3 is much smaller and shows evidence that it has been pruned down to the ground at one point in time. Thirteen more Coast Live Oaks are growing along the North edge of the site. All of which are large ordinance sized trees. Coast live oak is one of the most important trees to the native wildlife. Trees of this species are long lived and extremely drought tolerant once established. A mature Coast Live Oak can reach massive sizes and live in excess of 400 years.

Species: Quercus suber (Cork Bark Oak)

Quantity: 2

Observations: Two Cork Bark Oaks are located on the Northern edge of the site. They are of similar size to the Coast Live Oaks planted around that area. Both are in fairly good shape and significant size.

Species: *Ulmus parvifolia* (Chinese Elm)

Quantity: 2

Observations: Two Chinese Elms are planted on the Northeastern corner on the 350 Trimble property. They are medium-sized trees in good condition. These are hardy trees and drought adapted.

Species: Salix lasiolepis (Arroyo Willow)

Quantity: 8

Observations: There are a few Arroyo Willows growing on site, all of which are dense growths with multiple trunks. This is another native species of tree that spreads readily in riparian areas. Although they prefer moist conditions, trees that are self seeded are very drought tolerant. Trees #16, #17, and #18 are all growing together as a single growth, which is common for the species. This is another important habit plant for many species of native wildlife.

RECOMMENDATIONS FOR TREE PROTECTION DURING CONSTRUCTION

Site preparation: All existing trees shall be fenced within or at the drip line (foliar spread) of the tree. Depending on the location of the tree the fencing may not be able to be at the dripline. Examples of this would be public right of way, near property lines or around existing structures to remain. Where complete drip line fencing is not possible, the addition of straw waddles and orange snow fencing wrapping the trunk shall be installed per the tree protection detail. The fence should be a minimum of six feet high, made of galvanized 11-gauge wire mesh with galvanized posts or any material superior in quality. A tree protection zone (TPZ) sign shall be affixed to fencing at appropriate intervals as determined by the arborist on site. See tree protection detail for additional

information, including tree protection zone sign. If the fence is within the drip line of the trees, the foliar fringe shall be raised to offset the chance of limb damage from active construction.

Active Construction: All contractors, subcontractors and other personnel shall be warned that encroachment within the fenced area and dripline is prohibited without the consent of the certified arborist on the job. This includes, but is not limited to, storage of lumber and other materials, disposal of paints, solvents or other noxious materials, parked cars, grading equipment or other heavy equipment. If construction activity needs to happen in the TPZ the fence can be moved temporarily for delivery of construction materials. The contractor should make accommodations to off load items such as trusses, timber, plasterboard, wallboard, concrete, gypsum board, flooring, roofing or any other heavy construction material outside the foliar spread of the tree so there is no heavy equipment needed that could cause damage to the canopy of the tree or compact the root zone. The tree protection fencing should be reestablished per the plans and details immediately after any activity through the TPZ. Penalties, based on the cost of remedial repairs and the evaluation guide published by the international society of arboriculture, shall be assessed for damages to the trees.

Grading/excavating: All grading plans that specify grading within the drip line of any tree, or within the distance from the trunk as outlined in the site preparation section above when said distance is outside the drip line, shall first be reviewed by a certified arborist. Provisions for aeration, drainage, pruning, tunneling beneath roots, root pruning or other necessary actions to protect the trees shall be outlined by an arborist. If trenching is necessary within the area as described above, said trenching shall be undertaken by hand labor and dug directly beneath the trunk of the tree. All roots 2 inches or larger shall be tunneled under and other roots shall be cut smoothly to the trunk side of the trench. The trunk side should be draped immediately with two layers of untreated burlap to a depth of 3 feet from the surface. The burlap shall be soaked nightly and left in place until the trench is back filled to the original level. An arborist shall examine the trench prior to back filling to ascertain the number and size of roots cut, so as to suggest the necessary remedial repairs.

Remedial repairs: An arborist shall have the responsibility of observing all ongoing activities that may affect the trees and prescribing necessary remedial work to ensure the health and stability of the trees. This includes, but is not limited to, all arborist activities brought out in the previous sections. In addition, pruning, as outlined in International Society of Arboriculture Best Management Practices: Pruning and ANSI A300 Part 1 Standard Practices: Pruning, shall be prescribed as necessary. Fertilizing, aeration, irrigation, pest control and other activities shall be prescribed according to the tree needs, local site requirements, and state agricultural pest control laws. All specifications shall be in writing. For pest control operations, consult the local county agricultural commissioner's office for individuals licensed as pest control advisors or pest control operators.

Final inspection: Upon completion of the project, the arborist shall review all work undertaken that may impact the existing trees. Special attention shall be given to cuts and fills, compacting, drainage, pruning and future remedial work. An arborist should submit a final report in writing outlining the ongoing remedial care following the final inspection.

MAINTENANCE RECOMMENDATIONS FOR TREES TO REMAIN

Regular maintenance, designed to promote plant health and vigor, ensures longevity of existing trees. Regular inspections and the necessary follow-up care of mulching, fertilizing, and pruning, can detect problems and correct them before they become damaging or fatal.

Tree Inspection: Regular inspections of mature trees at least once a year can prevent or reduce the severity of future disease, insect, and environmental problems. During tree inspection, four characteristics of tree vigor should be examined: new leaves or buds, leaf size, twig growth, and absence of crown dieback (gradual death of the upper part of the tree). A reduction in the extension of shoots (new growing parts), such as buds or new leaves, is a fairly reliable cue that the tree's health has recently changed. Growth of the shoots over the past three years may be compared to determine whether there is a reduction in the tree's typical growth pattern. Further signs of poor tree health are trunk decay, crown dieback, or both. These symptoms often indicate problems that began several years before. Loose bark or deformed growths, such as trunk conks (mushrooms), are common signs of stem decay. Any abnormalities found during these inspections, including insect activity and spotted, deformed, discolored, or dead leaves and twigs, should be noted and observed closely.

Mulching: Mulch, or decomposed organic material, placed over the root zone of a tree reduces environmental stress by providing a root environment that is cooler and contains more moisture than the surrounding soil. Mulch can also prevent mechanical damage by keeping machines such as lawn mowers and string trimmers away from the tree's base. Furthermore, mulch reduces competition from surrounding weeds and turf. To be most effective, mulch should be placed 2 to 4 inches deep and cover the entire root system, which may be as far as 2 or 3 times the diameter of the branch spread of the tree. If the area and activities happening around the tree do not permit the entire area to be mulched, it is recommended that as much of the area under the drip line of the tree is mulched as possible. When placing mulch, care should be taken not to cover the actual trunk of the tree. This mulch-free area, 1 to 2 inches wide at the base, is sufficient to avoid moist bark conditions and prevent trunk decay. An organic mulch layer 2 to 4 inches deep of loosely packed shredded leaves, pine straw, peat moss, or composted wood chips is adequate. Plastic should not be used as it interferes with the exchange of gases between soil and air, which inhibits root growth. Thicker mulch layers, 5 to 6 inches deep or greater, may also inhibit gas exchange.

Fertilization: Trees require certain nutrients (essential elements) to function and grow. Urban landscape trees may be growing in soils that do not contain sufficient available nutrients for satisfactory growth and development. In certain situations, it may be necessary to fertilize to improve plant vigor. Fertilizing a tree can improve growth; however, if fertilizer is not applied wisely, it may not benefit the tree at all and may even adversely affect the tree. Mature trees making satisfactory growth may not require fertilization. When considering supplemental fertilizer, it is important to consider nutrients deficiencies and how and when to amend the deficiencies. Soil conditions, especially pH and organic matter content, vary greatly, making the proper selection and use of fertilizer a somewhat complex process. To that end, it is recommended that the soil be tested for nutrient content. A soil testing laboratory and can give advice on application rates, timing, and the best blend of fertilizer for each tree and other landscape plants on site. Mature trees have expansive root systems that extend from 2 to 3 times the size of the leaf canopy. A major portion of actively growing roots is located outside the tree's drip line. Understanding the actual size and extent of a tree's root system before applying fertilizer is paramount to determine quantity, type and rate at which to best apply fertilizer. Always follow manufacturer recommendations for use and application.

Pruning: Pruning is often desirable or necessary to remove dead, diseased, or insect-infested branches and to improve tree structure, enhance vigor, or maintain safety. Because each cut has the potential to change the growth of (or cause damage to) a tree, no branch should be removed without reason. Removing foliage from a tree has two distinct effects on growth: (1) it reduces photosynthesis and, (2) it may reduce overall growth. Pruning should always be performed sparingly. Caution must be taken not to over-prune as a tree may not be able to gather and process enough sunlight to survive. Pruning mature trees may require special equipment, training, and experience. Arborists are equipped to provide a variety of services to assist in performing the job safely and reducing risk of personal injury and property damage (See also Addendum A - ANSI A300 Part 1 Pruning Standards).

Removal: There are circumstances when removal is necessary. An arborist can help decide whether or not a tree should be removed. Professionally trained arborists have the skills and equipment to safely and efficiently remove trees. Removal is recommended when a tree: (1) is dead, dying, or considered irreparably hazardous; (2) is causing an obstruction or is crowding and causing harm to other trees and the situation is impossible to correct through pruning; (3) is to be replaced by a more suitable specimen, and; (4) should be removed to allow for construction. Pruning or removing trees, especially large trees, can be dangerous work. It should be performed only by those trained and equipped to work safely in trees.

TERMS AND CONDITIONS

The following terms and conditions apply to all oral and written reports and correspondence pertaining to consultations, inspections and activities of HMH.

- The scope of any report or other correspondence is limited to the trees and conditions specifically mentioned in those reports and correspondence. HMH assumes no liability for the failure of trees or parts of trees, either inspected or otherwise. HMH assumes no responsibility to report on the condition of any tree or landscape feature not specifically requested by the named client.
- 2. No tree described in this report was climbed, unless otherwise stated. HMH does not take responsibility for any defects, which could have only been discovered by climbing. A full root collar inspection, consisting of excavating the soil around the tree to uncover the root collar and major buttress roots was not performed unless otherwise stated. HMH does not take responsibility for any root defects, which could only have been discovered by such an inspection.
- HMH shall not be required to provide further documentation, give testimony, be deposed, or attend court by reason of this appraisal or report unless subsequent contractual arrangements are made, including payment of additional fees for such services as described by HMH or in the schedule of fees or contract.
- 4. HMH guarantees no warrantee, either expressed or implied, as to the suitability of the information contained in the reports for any reason. It is the responsibility of the client to determine applicability to his/her case.
- 5. Any report and the values, observations and recommendations expressed therein represent the professional opinion of HMH, and the fee for services is in no manner contingent upon the reporting of a specified value nor upon any particular finding to be reported.
- 6. Any photographs, diagrams, graphs, sketches or other graphic material included in any report, being intended solely as visual aids, are not necessarily to scale and should not be construed as engineering reports or surveys, unless otherwise noted in the report. Any reproductions of graphic material or the work produced by other persons, is intended solely for clarification and ease of reference. Inclusion of said information does not constitute a representation by HMH as to the sufficiency or accuracy of that information.
- 7. Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees.

Existing Tree Map Exhibit A



TABLE 1 - TREE QUANTITY SUMMARY

Tree Quantity by Species							
Species	Quantity	% of Site					
Acacia melanoxylon	1	2%					
Acer rubrum 'Armstrong'	6	9%					
Juglans hindsii	14	22%					
Pinus radiata	1	2%					
Platanus acerifolia	8	12%					
Populus fremontii	3	5%					
Pyrus calleryana	5	8%					
Quercus agrifolia	15	23%					
Quercus suber	2	3%					
Ulmus parvifolia	2	3%					
Salix lasiolepis	8	12%					
Total Trees	65	100%					

TABLE 2 - TREE EVALUATION SUMMARY

Prepared By: William Sowa ISA Certified Arborist WE-12270A

DBH MEASUREMENT HEIGHT: 54"

Date of Evaluation: 5/17/2022

Suitabilit	ty for Preservation i	is based on the following								
Good - Tree	es with good health and s	structural stability that have the potential for longevity at the site.								
Moderate - Trees in somewhat declining health and/or exhibits structural defects that cannot be abated with treatment. Trees will require more intense management and will have a shorter lifespan than those in the 'Good' category.										
Poor - Tree	Poor - Trees in poor health or with significant structural defects that cannot be mitigated. Tree is expected to decline, regardless of treatment.									
Health R	ating									
5	A healthy, vigorous tree,	reasonably free of disease, with good structure and form typical of the species.								
4	4 A tree with slight decline in vigor, small amount of twig dieback, minor structural defects that could be corrected.									
3	A tree with moderate vig	or, moderate twig and small branch dieback, thinning of crown, poor leaf color, moderate structural defects that may that might be mitigated with care.								
2	A tree in decline, epicorr	nic growth, extensive dieback of medium to large branches, significant structural defects that cannot be abated.								
1	A tree in severe decline,	dieback of scaffold branches and or trunk, mostly epicormic growth; extensive structural defects that cannot be abated.								
0	Tree is dead.									
Abbrevia	tions and Definition	ns								
CD	Codominant branches	Forked branches nearly the same size in diameter, arising from a common junction an lacking a normal branch union.								
CDB	Dieback in Crown	Condition where branches in the tree crown die from the tips toward the center.								
CR	CR	Tree is bounded closely by one or more of the following: structure, tree, Etc.								
D	Decline	Tree shows obvious signs of decline, which may be indicative of the presence of multiple biotic and abiotic disorders.								
DBH	Diameter at Breast Height	neter at Breast tht Measurement of tree diameter in inches. Measurement height varies by City and is noted above.								
EG	Epicormic Growth	Watersprouting on trunk and main leaders. Typically indicative of tree stress.								
EH	Exposed Heartwood	d Heartwood Exposure of the tree's heartwood is typically seen as an open wound that leaves a tree more susceptible to pathogens, disease or infection.								
Н	Hazardous	A tree that in it's current condition, presents a hazard.								
HD	Headed	Poor pruning practice of cutting back branches. Often practiced under utility lines to limit tree height.								
IB	Included Bark	Structural defect where bark is included between the branch attachment so the wood can't join. Such defect can have a higher probability of failure.								
LC	Low crotch	Multiple central leaders originating below the DBH measurement site.								
LN	Leaning Tree	Tree leaning, see notes for severity.								
ML	Multiple Leaders	More than one upright primary stem								
PT	Phototropism	Tree exhibits phototropic growth habits. Reduced trunk taper, misshapen trunk and canopy growth are examples of this growth habit.								
S	Suckers	Shoot arising from the roots.								
SD	Structural Defects Naturally or secondary conditions including cavities, poor branch attachments, cracks, or decayed wood in any part of the tree that may contribute to structural failure.									
SE	Severe	Indicates the severity of the following term.								
SL	Slight	Indicates the mildness of the following term.								
SR	Surface Roots	e Roots visible at finished grade.								
ST	Stress	Environmental factor inhibiting regular tree growth. Includes drought, salty soils, nitrogen and other nutrient deficiencies in the soil.								
WU	Weak Union	Weak union or fork in tree branching structure.								
	Ordinance Tree	Ordinance-Size Trees.An ordinance-size tree is: Single Trunk - 38 inches or more in circum-ference at 4 ½ feet above ground; or Multi-trunk - The combined measurements of each trunk circumference (at 4 ½ feet above ground) add up to 38 inches or more.								

TREE #	BOTANICAL NAME	COMMON NAME	DBH (INCHES)	CIRCUMF- ERENCE (INCHES)	ORDINANCE TREE	HEALTH	PRESERVATION SUITABILITY	NOTES
1	Quercus agrifolia	Coast Live Oak	24,10,11	141	YES	3	Moderate	crowded with chainlink fence
2	Juglans hindsii	California Black Walnut	36.0	113	YES	4	Good	
3	Quercus agrifolia	Coast Live Oak	11.0	35	NO	2	Poor	crowded with chainlink fence, SD
4	Juglans hindsii	California Black Walnut	24,18,20	195	YES	4	Good	
5	Juglans hindsii	California Black Walnut	18,18,20,16	226	YES	4	Good	
6	Juglans hindsii	California Black Walnut	12,12,16	126	YES	3	Good	
7	Juglans hindsii	California Black Walnut	24.0	75	YES	4	Good	
8	Juglans hindsii	California Black Walnut	6.0	19	NO	2	Moderate	crowded with chainlink fence
9	Juglans hindsii	California Black Walnut	3,3,2,2,1	35	NO	2	Moderate	crowded with chainlink fence
10	Juglans hindsii	California Black Walnut	3,2,2,2,1,1	35	NO	2	Moderate	
11	Juglans hindsii	California Black Walnut	2,2,2,1,1	25	NO	2	Poor	
12	Juglans hindsii	California Black Walnut	3,3,3,3,3,2,2,2, 2,1,1,1	79	YES	2	Moderate	
13	Juglans hindsii	California Black Walnut	3,1,1,1,1	22	NO	2	Poor	
14	Juglans hindsii	California Black Walnut	2,2,2,2,1,1,1	35	NO	2	Moderate	
15	Juglans hindsii	California Black Walnut	2,2,2,1	22	NO	2	Poor	
16	Salix lasiolepis	Arroyo Willow	3,3,3,3,3,3,3,3,3, 3,3,3	94	YES	3	Moderate	
17	Salix lasiolepis	Arroyo Willow	3,3,3,3,3,3,3,3,3, 3,3,3	94	YES	3	Moderate	
18	Salix lasiolepis	Arroyo Willow	3,3,3,3,3,3,3,3,3, 3,3,3	94	YES	3	Moderate	
19	Salix lasiolepis	Arroyo Willow	3,3,3,3,3,3,3,3,3	66	YES	3	Moderate	
20	Salix lasiolepis	Arroyo Willow	3,3,3,3,3,3,3,3,3	66	YES	3	Moderate	
21	Acacia melanoxylon	Blackwood Acacia	4,2,1	22	NO	2	Poor	invasive

TREE #	BOTANICAL NAME	COMMON NAME	DBH (INCHES)	CIRCUMF- ERENCE (INCHES)	ORDINANCE TREE	HEALTH	PRESERVATION SUITABILITY	NOTES
22	Salix lasiolepis	Arroyo Willow	3,3,3,3,3,3,3,3,3, 3	75	YES	2	Moderate	
23	Populus fremontii	Fremont Cottonwood	10,8,8,8,6,6,5,5 ,4,4	201	YES	4	Good	
24	Populus fremontii	Fremont Cottonwood	1,2	9	NO	2	Poor	
25	Populus fremontii	Fremont Cottonwood	3.0	9	NO	2	Poor	
26	Pyrus calleryana	Callery Pear	10.0	31	NO	3	Moderate	
27	Pyrus calleryana	Callery Pear	10.0	31	NO	3	Moderate	
28	Pyrus calleryana	Callery Pear	9.0	28	NO	3	Moderate	
29	Pyrus calleryana	Callery Pear	10.0	31	NO	3	Moderate	
30	Pyrus calleryana	Callery Pear	9.0	28	NO	3	Moderate	
31	Platanus acerifolia	London Planetree	8.0	25	NO	3	Moderate	
32	Platanus acerifolia	London Planetree	9.0	28	NO	3	Moderate	
33	Platanus acerifolia	London Planetree	8.0	25	NO	3	Moderate	
34	Platanus acerifolia	London Planetree	8.0	25	NO	3	Moderate	
35	Platanus acerifolia	London Planetree	8.0	25	NO	3	Moderate	
36	Platanus acerifolia	London Planetree	8.0	25	NO	2	Moderate	
37	Platanus acerifolia	London Planetree	8.0	25	NO	3	Moderate	
38	Platanus acerifolia	London Planetree	7.0	22	NO	3	Moderate	
39	Ulmus parvifolia	Chinese Elm	4.0	13	NO	3	Moderate	
40	Ulmus parvifolia	Chinese Elm	4.0	13	NO	3	Moderate	
41	Acer rubrum 'Armstrong'	Armstrong' Maple	2.0	6	NO	2	Moderate	recently planted
42	Acer rubrum 'Armstrong'	Armstrong' Maple	2.0	6	NO	2	Moderate	recently planted

TREE #	BOTANICAL NAME	COMMON NAME	DBH (INCHES)	CIRCUMF- ERENCE (INCHES)	ORDINANCE TREE	HEALTH	PRESERVATION SUITABILITY	NOTES
43	Acer rubrum 'Armstrong'	Armstrong' Maple	1.0	3	NO	0	Poor	dead
44	Acer rubrum 'Armstrong'	Armstrong' Maple	2.0	6	NO	2	Moderate	recently planted
45	Acer rubrum 'Armstrong'	Armstrong' Maple	2.0	6	NO	2	Moderate	recently planted
46	Acer rubrum 'Armstrong'	Armstrong' Maple	2.0	6	NO	2	Moderate	recently planted
47	Salix lasiolepis	Arroyo Willow	4,4,4,6,6,5	91	YES	3	Moderate	
48	Salix lasiolepis	Arroyo Willow	4,4,6,6,7,7,8,8	157	YES	3	Moderate	
49	Quercus agrifolia	Coast Live Oak	24.0	75	YES	4	Good	
50	Quercus agrifolia	Coast Live Oak	28.0	88	YES	4	Good	
51	Quercus agrifolia	Coast Live Oak	24.0	75	YES	4	Good	
52	Quercus suber	Cork Bark Oak	19.0	60	YES	4	Good	
53	Quercus suber	Cork Bark Oak	15.0	47	YES	4	Good	
54	Quercus agrifolia	Coast Live Oak	29.0	91	YES	4	Good	
55	Quercus agrifolia	Coast Live Oak	29.0	91	YES	4	Good	
56	Quercus agrifolia	Coast Live Oak	40.0	126	YES	5	Good	
57	Quercus agrifolia	Coast Live Oak	25.0	79	YES	4	Good	
58	Quercus agrifolia	Coast Live Oak	33.0	104	YES	4	Good	
59	Quercus agrifolia	Coast Live Oak	51.0	160	YES	5	Good	
60	Quercus agrifolia	Coast Live Oak	31.0	97	YES	4	Good	
61	Quercus agrifolia	Coast Live Oak	33.0	104	YES	4	Good	
62	Quercus agrifolia	Coast Live Oak	29.0	91	YES	4	Good	
63	Quercus agrifolia	Coast Live Oak	31.0	97	YES	4	Good	

TREE #	BOTANICAL NAME	COMMON NAME	DBH (INCHES)	CIRCUMF- ERENCE (INCHES)	ORDINANCE TREE	HEALTH	PRESERVATION SUITABILITY	NOTES
64	Pinus radiata	Monterey Pine	24.0	75	YES	3	Moderate	SD
65	Juglans hindsii	California Black Walnut	12,12,13,11	151	YES	5	Good	


























































































































REVISED DRAFT WATER SUPPLY ASSESSMENT

ORCHARD PARKWAY DATA CENTER

September 2022



2490 Mariner Square Loop, Suite 215 Alameda, CA 94501 510.747.6920 <u>www.toddgroundwater.com</u>

Table of Contents

1.	INTRODUCTION	1
2.	PROJECT WATER DEMAND AND SUPPLY	3
3.	SAN JOSE MUNICIPAL WATER SYSTEM DEMAND	4
4.	SAN JOSE MUNICIPAL WATER SYSTEM WATER SUPPLY	7
5.	COMPARISON OF SUPPLY AND DEMAND	12
6.	CONCLUSIONS	12
7.	REFERENCES	13

List of Tables

Table 1. Estimation of Future Potable Water Demand, Project
Table 2. Estimation of Future Recycled Water Demand, Project
Table 3. Local Climate Data
Table 4. Current and Projected Population and Employment in SJMWS Service Area
Table 5. Historical Water Demand by Water Use Sectors (AFY)
Table 6. Projected Water Demand by Water Use Sectors (AFY)
Table 7. Current Water Supply (AFY)
Table 8. Projected Water Supply (AFY)
Table 9. Normal Year Supply and Demand Comparison, Potable (AFY)
Table 10. Single Dry Year Supply and Demand Comparison, Potable (AFY)
Table 11. Multiple Dry Years Supply and Demand Comparison, Potable (AFY)

List of Figures

Figure 1. Project Location and Service Area Boundaries

1. INTRODUCTION

1.1. PROJECT DESCRIPTION

Environmental Systems Design Inc. (ESD) is working on behalf of a client to develop two new data center buildings near the San José Airport. San José Municipal Water System (SJMWS) is providing a Water Supply Assessment (WSA) in advance of ESD's request for a Special Use Permit from California Energy Commission in August. An Environmental Impact Report (EIR) and related environmental documentation are also being developed to comply with CEQA.

The Orchard Parkway Data Center will consist of two buildings, designated SJC04 and SJC06 at the west corner of the intersection at Orchard Parkway and Component Drive in San José, California. Both buildings are four stories and 315,639 square feet each with up to 42 full-time staff and about seven visitors per day. SJC04 and SJC06 buildings will each house four data centers, called Colos (ESD, 2022b).

Domestic water demand is expected to be small and met by an estimated 1.35 acre-feet per year (AFY) of potable water. An estimated water demand of 680 AFY would be for mechanical cooling and for irrigation water, which can be served by recycled water. The SJMWS would be the retailer to the Project. **Figure 1** shows the general location of the data center located within the service area of SJMWS.

1.2. BACKGROUND

The California Water Code section 10910 (also termed Senate Bill 610 or SB610) requires that a water supply assessment (WSA) be provided to cities and counties for projects (of a specified type and size) that are subject to the California Environmental Quality Act (CEQA). Under the California Water Code Section 10912, a residential or commercial "project" is any of the following:

- A proposed residential development of more than 500 dwelling units
- A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 units square feet of floor space
- A mixed-use project that includes one or more of the projects specified in Section 10912
- A project that would demand an amount of water equal to, or greater than, the amount of water required by a 500-dwelling unit project.

The Orchard Parkway Data Center Project includes an approximate water use of 682 AFY. The total water demand will exceed the threshold for the amount of water required by a 500-dwelling unit project. For comparison, water demand for dwelling units in San José is on the order of 0.2 AFY per unit, or about 100 AFY for 500 units. It is noted that only about 1.35 AFY will be potable water. The City of San José recognizes the Orchard Parkway Data Center as subject to CEQA and SB610. Cities and counties are mandated to identify the public water system that might provide the Project's water supply and then to request a WSA, which includes a discussion regarding whether the public water system's total projected water supplies (available in normal, single dry, and multiple dry years during a 20-year projection) will meet the projected water demand associated with the proposed Project in addition to the public water system's existing and planned future uses. The SJMWS is the public water provider for the Orchard Parkway Data Center and the water supply and demand information for the SJWMS is presented herein.

A foundational document for preparation of the WSA is the City of San José Urban Water Management Plan (UWMP). The 2020 UWMP, which was adopted in June 2021, is available and relevant data have been updated by the City where applicable. WSAs and UWMPs both require water supply reliability information to be provided for the water service area in fiveyear increments over a 20-year planning horizon.

1.3. PURPOSE

The purpose of this WSA is to document the City's existing and future water supplies for its SJMWS service area and compare them to the area's future water demand including that of the proposed Project. This comparison, conducted for both normal and drought conditions, is the basis for an assessment of water supply sufficiency in accordance with the requirements of California Water Code section 10910 (Senate Bill 610).

This section addresses water demands for the proposed land uses. Both potable and recycled water will meet water demands for this project. The primary water uses for this project will be for domestic usage, the cooling system, and irrigation. Domestic water will be supplied by potable water, while demands from the other water uses will be met with recycled water.

2.1. EXISTING WATER USE

The proposed Orchard Parkway Data Center site is largely vacant and has been for some time. While existing water use of the Development Area may include minor irrigation, water use over the past five years has been minimal and for this WSA, it is assumed to be 0 AFY.

2.2. ESTIMATED FUTURE WATER DEMAND

Estimation of the future water demand for the proposed Project involves application of water demand factors. Commercial water usage can by calculated using demand factors by square footage of the facility or by number of employees at the facility.

The only demand for potable water will be domestic use by the facility employees. There is no water demand factor specific to data centers, so the water demand factor of 29 gpd/employee for "office or industrial jobs" in North San José (Envision San José, 2010) was used to calculate the total domestic demand.

This water demand factor assumes one shift per day, with employees working only on weekdays. The Domestic Water Technical Memorandum (ESD, 2022a) for this project estimates that there will be 42 employees present during a typical Monday-Friday shift, as well as five employees present during the second and third shifts on weekdays and five employees present for three daily shifts on weekends. Consequently, the total annual demand was calculated to account for employees on both weekdays and weekends.

Table 1 documents the domestic water use calculations. Total demand assumes that 52 employees would be onsite daily during weekdays and 15 employees onsite daily during weekends, amounting to a demand of 1,508 gpd on weekdays and 435 gpd on weekends. This results in a weighted average of 1,201 gpd over the course of a week. The total annual domestic water usage would be 438,828 gallons per year, or 1.35 AFY. Water losses, which include firefighting water and leaks also are addressed, assumed to occur at a rate of 5.7% in San José in 2020 (City of San José, 2021). The total domestic demand of the Project is estimated at 1.44 AFY.

2.3. ESTIMATED FUTURE RECYCLED WATER USE

Most of the water used by the Orchard Parkway Development will be recycled water. Recycled water will be used for the facility's cooling system and outdoor irrigation. It is understood that this facility will only use recycled water for its cooling facility. The data center operations produce heat that must be cooled. Recycled cooling water will be pumped from fluid coolers into indoor air handling units with cooling coils. Several innovations allow this project to consume less water than similar data centers. First, this site eliminates mechanical refrigerating, reducing the total water requirement for the evaporative project. The project design provides temperature and humidity conditions to reduce water requirements, and it will utilize innovative heat rejection equipment designed to conserve water.

The annual recycled water demand for cooling was calculated based on the total energy demand (for 76.8-megawatt IT load) and the local ambient temperatures variations, factoring in the water conservation techniques. The facility is expected to operate 24 hours a day and 7 days a week throughout the year. The annual recycled water consumption for cooling is estimated to be 221.5 million gallons per year, or 679.8 AFY, as shown in **Table 2**.

An estimate of the total water demand for irrigation was calculated by ESD based on the proposed landscape palette for the site. Outdoor landscape is expected to cover 300,000 square feet, about 6.9 acres. The estimated volume of water needed to support the landscaping is 3,300,000 gallons or 10.2 AFY. Total water supply for irrigation is expected to be satisfied by recycled water (ESD, 2022c).

In summary, this project is estimated to utilize 679.8 AFY of recycled water for cooling operations and 10.20 AFY for irrigation (**Table 2**). In total, it is anticipated to use 690.0 AFY of recycled water. With water losses (estimated 5.7%), this would be about 719 AFY.

2.4. FUTURE WATER CONSERVATION

The sole use for potable water is indoor domestic use. The plumbing fixtures will be LEED certificated including ultra-low flow toilets. No additional water conservation is expected for this indoor use. Recycled water will be used to satisfy the cooling and irrigation demand. As recycled water is a drought resilient water supply, it is not anticipated that the project will reduce water use during drought conditions.

2.5. PROJECT WATER SUPPLY

The project plans to use potable water for domestic uses only and recycled water for the cooling and irrigation. The project proponent has plans to buildout the recycled water infrastructure and is responsible for connecting the Data Center to the existing SJWMS infrastructure. There will not be a potable supply back up for the cooling at the project site.

3. SAN JOSÉ MUNICIPAL WATER SYSTEM DEMAND

This section summarizes water demands for the SJMWS service area, the proposed retailer for the Project. The first part describes the factors affecting total water demand, including climate, population, and employment, plus the mix of customer types, such as residential, commercial, agricultural, and industrial. The second part documents water demands, not only under normal climatic conditions, but also during drought.

Figure 2 shows the SJMWS service area and the project location in the North San José portion of the SJMWS service area.

3.1. CLIMATE

Climate has a considerable influence on water demand on a seasonal and annual basis. This influence increases with the portion of water demand for outside uses, specifically landscape irrigation.

Table 3 summarizes representative climate data for the City, including average monthly and annual rainfall and evapotranspiration (ETO) from the California Irrigation Management Information System, Union City (CIMIS) station (CIMIS, 2022). The City has a semi-arid, Mediterranean climate, characterized by dry summers and wet winters with year-round moderate-to-warm temperatures. Reflecting this pattern, water demand in the City is greater in the summer than in the winter.

As it would for the entire region, climate change may affect future water supply availability for the City by reducing water availability, changing local precipitation patterns, and increasing water demands. As discussed in greater detail below, the City largely relies on groundwater but is increasing its recycled water supply source to help offset potable demand.

3.2. POPULATION

City population, a key factor in water demand, is analyzed in the 2020 UWMP. **Table 4** reproduces the UWMP population and employment values for the City's water service area with projections to 2045.

3.3. CURRENT WATER USE SECTORS AND WATER DEMAND

Table 5 documents the historical water demand for the City's service area by water use sectors for 2020 from the most recent UWMP. The water use sectors (customer types) are listed on the left. Recycled water demand is currently 4,097 AFY and is used for non-potable demands for irrigation and industrial uses (such as Metcalf Energy Center).

3.4. PROJECTED WATER DEMAND

Table 6 summarizes the projected water demands for the City's service area from 2025 to 2045. This table is from the SJMWS 2020 UWMP. The 21,643 AFY used in 2020 (**Table 5**) is expected to almost double to 40,965 AFY by 2045.

The projected water demand is primarily based on population growth and land use projections, as indicated in the San José Envision General Plan (2010). It was assumed in the 2010 General Plan that the water demand would increase in proportion to population and employment. The 2020 UMWP has incorporated per capita water demand reduction due to

conservation, particularly for residential customers. The potable demand for this project is within the increase projected by the General Plan and UWMP.

Recycled water demand is expected to increase by 80 percent from 2020 to 2045 (City of San José, 2021) and the recycled water demand for this project can be accommodated within that expected growth

4.1. WATER SUPPLY

The water supply for the North San José/Alviso area currently is provided primarily by the City of San Francisco Public Utilities Commission (SFPUC) Hetch Hetchy water system, with local groundwater serving as a backup water supply. Recycled water has been used in the area since 1999. Proposed sources of water supply include additional imported water from the Hetch Hetchy water system, groundwater from the Santa Clara Valley groundwater basin (which is managed by Valley Water in collaboration with local water agencies), and additional recycled water. In addition, water conservation is anticipated to reduce water demand from current projected amounts.

The main source of water supply in the North San José/Alviso service area is imported water from SFPUC. Given that the Project mostly involves recycled water, it is noted that annual deliveries in 2020 for the entire SJWMS service area was over 4,000 AFY, and 1,136 AF was delivered to the north San José area (Harvie, 2022).

4.2. WHOLESALE WATER SUPPLY

4.2.1. SFPUC

North San José/Alviso is provided water from the SFPUC Hetch Hetchy aqueduct by means of two turnouts. In 2009, SJMWS accepted both a master Water Supply Agreement (the agreement common to all Bay Area Water Supply and Conservation Agency (BAWSCA) agencies), and a Water Sales Contract (specific to SJMWS). The City of San José currently has a contract for up to 5,041 AFY (4.5 million gallons per day or mgd); this contract is both temporary and interruptible. The Water Supply Agreement with SFPUC was amended and restated in 2018 and now will remain in place until June 30, 2034. In addition, a 2021 Amended and Restated Water Supply Agreement is being circulated among the parties for signature. However, that amendment does not substantively alter the City's rights as described in this WSA.

The supply for the City of San José is interruptible but the supply cannot be interrupted until ten years after San José has received notice of SFPUC's intention to reduce or interrupt deliveries. BAWSCA continues to work on long-term reliable water supply strategies to ensure future supply to the member agencies.

As part of the Water Supply Agreement, SJMWS may purchase excess water, providing that the combined purchases of SJMWS and the City of Santa Clara do not exceed 9 mgd. SJMWS is committed to purchasing the maximum amount of water available and reducing its reliance on other sources due to the uncertainties regarding the availability and sustainability of the groundwater basin. Links to the most recent Water Supply Agreement and Water Sales Contract are included in the references.

4.3. GROUNDWATER SUPPLY (VALLEY WATER)

Groundwater has long been a source of supply for SJMWS. Groundwater is available from the Santa Clara Valley groundwater basin, which is managed by SCVWD in collaboration with other agencies. SJMWS currently operates groundwater production wells in the Coyote and Santa Clara subbasins, which together comprise the larger Santa Clara Valley Groundwater Basin (designated by the DWR as groundwater basin number 2-9.02). The locations of the subbasin boundaries are provided on **Figure 1**. The City of San José currently has four wells in the project's North San José service area, two of which are permitted for active use; additional City wells located in other service areas are not able to provide water supply to the project's service area.

4.3.1. Santa Clara Valley Groundwater Basin

The Santa Clara Valley Groundwater Basin is divided into three main subareas, Santa Clara subbasin, Coyote subbasin, and Llagas subbasin, shown on **Figure 1**.

Most SJMWS service areas, including North San José, Evergreen, and Edenvale, overlie the Santa Clara subbasin, part of the larger Santa Clara Valley Groundwater Basin, designated by the Department of Water Resources (DWR) with groundwater basin number 2-9.02 (DWR, 2004). The Santa Clara subbasin occupies a structural trough between the Diablo Range on the east and the Santa Cruz Mountains on the west. It extends from the northern border of Santa Clara County to Coyote Narrows. The Santa Clara valley is drained to the north by tributaries to San Francisco Bay including Coyote Creek and the Guadalupe River.

The principal water bearing formations of the Santa Clara subbasin are alluvial deposits of unconsolidated to semi-consolidated gravel, sand, silt, and clay (DWR, 2004). The permeability of the valley alluvium is generally high and most large production wells derive their water from it (DWR, 1975). The southern portion and margins of the subbasin are unconfined areas, characterized by permeable alluvial fan deposits. A confined zone is created by an extensive clay aquitard in the northern portion of the subbasin (SCVWD, 2001). This aquitard divides the water-bearing units into an upper zone and a lower zone; the latter is tapped by most of the local wells.

Groundwater in the Santa Clara subbasin is recharged through natural infiltration along stream channels and by direct percolation of precipitation. In addition, SCVWD maintains an active artificial recharge program. Groundwater flow generally is from the margins of the basin toward San Francisco Bay.

4.3.2. Water Resources Management

Valley Water is the groundwater management agency in Santa Clara County (as authorized by the California legislature under the Santa Clara Valley Water District Act) and has the primary responsibility for managing the Santa Clara Valley groundwater basin. Valley Water has worked for decades to minimize subsidence and protect groundwater resources through artificial recharge of the groundwater basin, water conservation, acquisition of surface water and imported water supplies, and prevention of water waste. The Sustainable Groundwater Management Act (SGMA), passed in 2014, required medium and high priory basins to establish Groundwater Sustainability Agencies (GSA) and to prepare Groundwater Sustainability Plans (GSPs) or Alternatives to GSPs (Alternative Plan). Santa Clara subbasin is a high priority basin that is not critically overdrafted. SGMA listed Valley Water as one of 18 exclusive agencies to comply with SGMA and officially began the GSA for the Santa Clara subbasin. Valley Water submitted their 2016 Groundwater Management Plan (GWMP) as their first Alternative Plan to DWR in 2016. In 2021, Valley Water submitted an updated GWMP to fulfill the periodic evaluation of the Alternative Plan under SGMA. The 2021 GWMP contains detailed information about groundwater management, hydrogeological conceptual model of the basin, an update of basin conditions (including groundwater levels and water quality, conjunctive water management plans, basin management programs (including minimum thresholds), and detailed descriptions of their monitoring networks (Valley Water, 2021).

Valley Water is dedicated to providing a reliable water supply to the people and businesses of Santa Clara County. In order to meet these water needs in the future and manage potential risk; Valley Water maintains a flexible management of the water resources. The groundwater supply management program is intended to replenish the groundwater basin, sustain the basin's water supplies, help mitigate groundwater overdraft, and sustain storage reserves for use during dry periods. Valley Water operates artificial recharge systems to augment groundwater supply. Valley Water also conserves local surface water, provides imported water, operates water treatment plants, maintains water conveyance systems, supports water recycling, and encourages water conservation. Valley Water works to maintain each subbasin at "full" capacity, banking water locally to protect against drought or emergency water supply interruptions. This strategy allows Valley Water to carry over surplus water in the subbasins from wet to dry periods.

4.3.3. Available Groundwater

The total available groundwater in a normal year, or sustainable yield, of the Santa Clara Subbasin is determined by Valley Water. While Valley Water is the Groundwater Sustainability Agency and responsible for overseeing the sustainable operation of the basin, they do not directly provide groundwater to retailers like SJMWS. Valley Water maintains local sources, recharge ponds, and imported water contracts as potential tools in the operation of the basin (Valley Water, 2021).

SJMWS - North San José

The City of San José currently has four wells in North San José (the area of the proposed project). The wells, installed in 1981 and 1983, are 600 to 615 feet in depth with screens generally between 200 and 615 feet in depth. The combined capacity of the four wells is reported at 6,500 gpm (Harvie, 2022). However only two of the wells are active wells in routine use, while the other two are maintained and permitted as a backup, emergency supply source. No additional wells would be needed to meet the small potable demand for the proposed project.

No entitlement or water rights to groundwater are indicated because the Santa Clara Valley groundwater basin has not been adjudicated and groundwater entitlements or rights have not otherwise been defined.

4.4. RECYCLED WATER

The City of San José operates the South Bay Water Recycling (SBWR) system and distributes recycled water produced at the San José-Santa Clara Water Regional Wastewater Facility located in Alviso. The SBWR program delivers disinfected tertiary treated wastewater from the RWF through an extensive recycled water distribution system consisting of over 150 miles of pipeline. The recycled water is used for non-potable purposes such as agriculture; industrial cooling and processing; and irrigation of golf courses, parks, and schools. During the peak summer season, SBWR diverts between 15 and 20 MGD of recycled water for irrigation and industrial uses to over 900 customers throughout San José, Santa Clara, and Milpitas (City of San José, 2021).

Recycled water can provide for landscape irrigation, ornamental features (fountains), toilet flushing, and specific industrial uses. In 2020, total recycled water use in SJMWS service areas amounted to 4,097 AF.

SJMWS currently has programs in place to encourage the use of more recycled water, including:

- Lower cost of recycled water than potable water.
- Regulatory approval for recycled water usage.
- Ordinances requiring the use of recycled water for irrigation where available.
- Prohibition against the use of potable water for uses appropriate to recycled water.
- Support for developers' expansion of system to areas where recycled water is unavailable.

By 2045, recycled water use in SJMWS is expected to be 7,413 AFY, an 81 percent increase to the current volumes (City of San José, 2021). This WSA only looks at the long-term water system capacity. The ability of the recycled water to meet the peak demand of the project will be determined by the infrastructure designed and implemented by the project proponent.

4.5. WATER SUPPLY IN NORMAL AND DROUGHT PERIODS

Table 7 summarizes current water supply sources by volume in 2020 and **Table 8** shows projected water supply reported in five-year increments in order to provide a long-term overview. The additional recycled water supply for the project is added to the projected system wide recycled water supply as documented in the UWMP. While the recycled water supply is available to serve the increased demand, the UWMP did not include this specific project in the growth assumptions. As indicated, SJMWS relies on multiple sources for water supply, in the project service areas, which include imported water from the San Francisco Public Utility Commission (SFPUC), groundwater from the Santa Clara Valley groundwater basin (which is managed by Valley Water in collaboration with local water agencies), and

additional recycled water. In addition, water conservation is anticipated to reduce water demand from current projected amounts.

While **Tables 7 and 8** document past, current and future water supply under normal conditions, **Tables 9, 10 and 11** quantify the amount of potable water supply during normal and drought conditions, for current conditions and for projected conditions within the SJMWS service area. These tables were presented in the SJWMS 2020 UWMP to document the expected changes in potable supplies. Recycled water supplies are not included in these tables as no change is expected from normal conditions.

Water supplies in a single dry year are shown in **Table 10**. During dry periods, a reduction of imported water volume from SFOUC is expected, based on their supply reliability analysis. The difference between water supply and demand during a single dry year is expected to be met through conservation measures. These measures are identified and discussed in SJMWS' Water Shortage Contingency Plan.

Table 11 shows the available potable water supplies for multiple dry years, similar to those that occurred from 1987 through 1992 and 2012 through 2015. As with the single dry year, SFPUC supplies would be reduced in line with the reliability analysis, 46 to 64 percent. Valley Water supplies, both imported water and groundwater, would also be reduced. However, Valley Water plans to manage the reductions through short term water conservation, use of reserves, and supplemental water sources.

In the first year of drought, Valley Water would rely on available reserves. In subsequent years, as reserves are depleted, Valley Water would need to rely on short-term water use reductions and supplemental supplies. SJMWS would coordinate regularly with Valley Water during any dry period to utilize supplies which are most readily available (City of San José, 2021).

5. COMPARISON OF SUPPLY AND DEMAND

The WSA must compare supply and demand for the groundwater basin where the Project is located. **Tables 9, 10, and 11** show water supply projections for the SJMWS Service Area in five-year increments to 2045 for normal, single-dry, and multiple-dry years, respectively. The tables exclude recycled water, which is drought resilient and 100 percent available in all years. **Tables 9, 10, and 11** are based on the assumptions outlined in the UWMP and summarized in Section 4.5. While the demand is expected to be higher than the project supply, the small shortfalls will be met through water conservation and programs detailed in the Water Shortage Contingency Plan (WSCP).

Potable water supply is sufficient to meet the projected domestic use (1.35 AFY). Recycled water supply is sufficient to meet the project cooling uses and irrigation demand (679.8 AFY).

6. CONCLUSIONS

Findings of this WSA are summarized below.

- The Orchard Parkway Data Center is located in the North San José portion of the SJMWS service area.
- A WSA as per SB610 is required because the project is anticipated to use more than the equivalent demand of 500 residences.
- SJMWS, the Project water supply retailer, has a water supply portfolio including local groundwater, imported water from SFPUC and/or Valley Water, and recycled water.
- Sufficient water supplies are available to serve the Project's demands including the small potable use and the non-potable demand to be served by recycled water.

Contingent upon the development of the appropriate infrastructure for recycled water, the project has sufficient water supply.

7. **REFERENCES**

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Figure 1 Project Location with Municipal Water System Service Areas

Table 1. Estimation of Future Potable Water Demand, Project

Water Demand	Water Demand Factor ¹	Weekday Demand	Weekend Demand	Weighted Avg Daily Demand (gpd)	Avg Demand (AFY)	
Domestic Use for Employees	29 gpd/person	1,508	435	1,201	1.35	
Total				1,201	1.35	

Notes:

1 North San Jose factor from San Jose Envision WSA, 2010

2 Estimated a 2.5 factor to estimate peak water demand from average demand

3 Water losses (including firefighting water and leaks) is calculated at a rate of 5.7%, derived from the San Jose UWMP 2020 water losses

Table 2. Estimation of Future Recycled Water Demand, Project

Water Demand	Avg Daily Demand (gpd)	Avg Demand (AFY)
Cooling System ¹	606,886	679.80
Irrigation ²	9,106	10.20
Total	615,992	690.00

Notes:

1 Source: ESD 2022b

2 Source: ESD 2022c

Table 3. Local Climate Data

Month	Average Total Monthly Evapotranspiration (2010-2021)	Average Total Monthly Precipitation (in) (2010- 2021)	Average Temperature (F) (2010-2021)	Average Minimum Temperature (F) (2010- 2021)	Average Maximum Temperature (F) (2010- 2021)
January	1.4	2.6	48.4	39.0	59.4
February	2.0	2.1	50.9	40.8	62.1
March	3.2	2.7	53.8	43.8	64.5
April	4.5	1.4	56.8	47.4	67.6
May	5.4	0.5	58.8	50.5	69.5
June	6.1	0.1	62.9	53.9	74.8
July	6.3	0.0	64.5	56.2	75.9
August	5.6	0.0	64.7	56.6	76.4
September	4.4	0.1	64.3	54.4	77.1
October	3.2	1.0	60.8	49.4	74.2
November	1.7	1.6	53.0	42.7	65.0
December	1.3	3.3	48.3	39.0	59.0
Annual	45.1	15.6	57.3	47.8	68.8

Source: California Irrigation Management Information Systems (https://cimis.water.ca.gov/) from Station 171, Union City

Table 4. Current and Projected Population and Employment in SJMWS Service Area

Year	2020	2025	2030	2035	2040	2045
Population	132,644	150,368	168,092	194,985	217,685	222,661
Jobs	90,001	94,006	95,626	100,473	111,355	118,367

Source: UWMP 2020 Tables 3-2, 3-3

Table 5. Historical Water Demand b	y Water Use Sectors (AFY)
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Water Use Sector	Actual 2020 Water Demand (AF				
Water Use Sector	Level of Treatment when delivered	Volume (AFY)			
Single-Family Residential	Drinking Water	7,920			
Multi-Family Residential	Drinking Water	2,694			
Commercial	Drinking Water	1,040			
Industrial	Drinking Water	1,837			
Institutional/Government	Drinking Water	176			
Landscape Irrigation	Drinking Water	2,873			
System Losses/Fire Service		1,006			
Recycled Water	Non Potable Water	4,097			
TOTAL		21,643			

Source: UWMP 2020 Tables 4-1 and 4-3

Customer Tune	Projected Water Demand (AFY)						
Customer Type	2025	2030	2035	2040	2045		
Potable Demand							
Single-Family Residential	9,107	10,293	10,917	12,338	12,621		
Multi-Family Residential	2,932	3,171	3,463	3,763	3,849		
Commercial/Institutional	1,642	1,920	2,436	3,376	3,446		
Industrial	2,562	3,197	4,086	5,546	5,665		
Institutional/Governmental	208	239	286	356	365		
Landscape Irrigation	3,401	3,930	4,586	5,584	5,712		
Losses	1,228	1,406	1,569	1,852	1,894		
Non-Potable Demand							
Recycled Water	4,776	5,456	6,279	7,368	7,413		
TOTAL	25,856	29,612	33,622	40,183	40,965		

Table 6. Projected Water Demand by Water Use Sectors (AFY)

Source: 2020 UWMP Table 4-2 (with recycled water)

Table 7. Current Water Supply (AFY)

Supply Type	Existing Water Supply (AFY) 2020
Groundwater	885
Imported - Valley Water	11,930
Imported SFPUC	4,731
Recycled Water	4,097
TOTAL	21,643

Source: 2020 UWMP Table 6-9

Table 8. Projected Water Supply (AFY)

Supply Type		Projected V	Vater Suppl	y (AFY)	
Supply Type	2025	2030	2035	2040	2045
Potable Supply (Valley Water, Groundwater, SFPUC)*	21,080	24,156	27,343	32,815	33,552
Recycled Water Supply - System wide*	4,776	5,456	6,279	7,368	7,413
Recycled Water Supply - Project	690	690	690	690	690
TOTAL	26,546	30,302	34,312	40,873	41,655

*Source: 2020 UWMP Table 6-10

Table 9. Normal Year Supply and Demand Comparison, Potable (AFY)

		2025	2030	2035	2040	2045
	Supply totals	21,080	24,156	27,343	32,815	33,552
Normal Year	Demand totals	21,080	24,156	27,343	32,815	33,552
	Difference	0	0	0	0	0

Note: Table excludes recycled water which is 100% available in all years Source: UWMP 2020 Table 7-5

Table 10. Single Dry Year Supply and Demand Comparison, Potable (AFY)

		2025	2030	2035	2040	2045
Single Dry Year	Supply totals	19,265	22,330	25,505	30,977	31,257
	Demand totals	21,080	24,156	27,342	32,814	33,553
	Difference	(1,815)	(1,826)	(1,837)	(1,837)	(2,296)

Note: Table excludes recycled water which is 100% available in all years

Source: UWMP 2020 Table 7-6

Difference is expected to be made up through the Water Shortage Contingency Plan (WSCP)

Table 11. Multiple Dry Years Supply and Demand Comparison, Potable (AFY)

		2025	2030	2035	2040
First Year	Supply Totals	19,265	22,330	25,505	30,977
	Demand Totals	21,080	24,156	27,342	32,814
	Difference	(1,815)	(1,826)	(1,837)	(1,837)
Second Year	Supply Totals	19,421	22,508	26,140	30,666
	Demand Totals	21,695	24,793	28,437	32,962
	Difference	(2,274)	(2,285)	(2,297)	(2,296)
Third Year	Supply Totals	20,036	23,145	27,235	30,813
	Demand Totals	22,310	25,431	29,531	33,110
	Difference	(2,274)	(2,286)	(2,296)	(2,297)
	Supply Totals	20,652	23,783	28,329	30,636
Fourth Year	Demand totals	22,926	26,068	30,626	33,258
	Difference	(2,274)	(2,285)	(2,297)	(2,622)
	Supply Totals	21,267	24,420	29,200	30,784
Fifth Year	Demand Totals	23,541	26,705	31,720	33,405
	Difference	(2,274)	(2,285)	(2,520)	(2,621)

Note: Table excludes recycled water which is 100% available in all years

Source: UWMP 2020 Table 7-7

Difference is expected to be made up through the Water Shortage Contingency Plan (WSCP)





HEXAGON TRANSPORTATION CONSULTANTS, INC.

San Jose Data Center (SJC04)

Transportation Analysis

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Prepared for:

FirstCarbon Solutions

November 8, 2022

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Table of Contents

Execi	utive Summary	iii
1.	Introduction	1
2.	Existing Conditions	13
3.	CEQA Analysis	19
4.	Local Transportation Analysis	24
5.	Conclusions	40

Appendices

Appendix A	Intersection	Traffic	Volumes
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- Appendix B City of San Jose Approved Trips Inventory (ATI)
- Appendix C Intersection Level of Service Calculations
- Appendix D Truck Turning Templates
- Appendix E Data Center Parking Demand Study

List of Tables

Table 1	VMT Thresholds of Significance for Development Projects	9
Table 2	Signalized Intersection Level of Service Definitions Based on Average Control Delay	11
Table 3	Daily Trip Conversion from Data Center Trips to General Light Industrial Trips	19
Table 4	Summary of VMT Mitigation and VMT per Worker	20
Table 5	Project Trip Generation Estimates	25
Table 6	Intersection Levels of Service	27
Table 7	Intersection Vehicle Queuing Analysis	31
Table 8	City of San Jose Vehicle Parking Requirements	37
Table 9	Summary of Parking Demand Counts for Data Centers	38
Table 10	City of San Jose Bicycle Parking Requirements	38

List of Figures

Site Location and Study Intersections	2
Site Plan	3
VMT Per Industrial Job Heat Map in San Jose	7
Existing Lane Configurations	15
Existing Bicycle Facilities	
Existing Transit Services	
San Jose VMT Evaluation Tool Summary Report – No Mitigation	21
San Jose VMT Evaluation Tool Summary Report – With Mitigation	22
Project Trip Distribution Pattern and Trip Assignment	
Existing Traffic Volumes	
Background Traffic Volumes	
Background Plus Project Traffic Volumes	30
Conceptual Plan for Guadalupe River Trail Extension (Class I Bikeway)	
	Site Location and Study Intersections. Site Plan



Executive Summary

This report presents the results of the transportation analysis conducted for a proposed 631,278 square-foot (s.f.) data center located on the northwest corner of Orchard Parkway and Component Drive in North San Jose, California. The approximately 22.29-acre vacant project site is generally bordered by existing industrial development on the north, Orchard Parkway on the east, existing industrial development on the Guadalupe River and multi-use trail on the west. The project would have access via a right-turn-only driveway on Orchard Parkway, located approximately 100 feet north of Component Drive (a private street). Additional emergency vehicle access would be provided between the project site and the existing industrial uses to the north.

The transportation impacts of the project were evaluated following the standards and methodologies established in the City of San Jose's Transportation Analysis Handbook, adopted in April 2020. Based on the City of San Jose's Transportation Analysis Policy (Policy 5-1) and the Transportation Analysis Handbook and in accordance with applicable provisions of the California Environmental Quality Act (CEQA), the Transportation Analysis report for the project includes a CEQA transportation analysis and a non-CEQA Local Transportation Analysis (LTA).

CEQA Transportation Impacts

Project Vehicle Miles Traveled (VMT) Analysis

Per the City's VMT Evaluation Tool, the existing Area VMT for employment uses is 15.49 VMT per employee, which is above the existing regional average threshold of 14.37 VMT per employee. The project VMT estimated by the Evaluation Tool is 15.48 VMT per employee, which also exceeds the industrial threshold of 14.37 VMT per employee. Since the VMT generated by the project would exceed the threshold of significance for industrial employment uses in the area, the project would result in a significant transportation impact on VMT, and mitigation is required to reduce the VMT impact to a less-than-significant level.

Project Mitigation

The project proposes to limit the on-site parking supply (a Tier 3 VMT reduction measure) to mitigate the significant VMT impact. The project would provide a total of 148 vehicle parking spaces, which is 25 fewer spaces than what the City of San Jose Municipal Code requires. Parking data collected at two existing data centers operating in the City of Santa Clara support the proposed parking reduction. The project plans to request a parking exception from the City of San Jose Planning Department in order to qualify for the parking reduction. These types of parking reductions that are supported by evidence of reduced parking demand are typically approved as they support the City's overall strategy to reduce VMT (e.g., see General Plan Policies TR-8.3, TR-8.4, and TR-8.6 described in Chapter 1). Decreasing



a project's parking supply encourages employees to choose an alternative transportation mode for their commutes, thereby reducing VMT.

Based on the City's VMT Evaluation Tool, limiting the amount of parking provided to serve the Data Center project would lower the project VMT to 14.36 per employee (a reduction of about 7.3%), which would reduce the project impact to a less-than-significant level (below the threshold of 14.37 VMT per employee).

Cumulative VMT Impact Analysis

The proposed project would be consistent with the development type and intensity provided in the *Envision San Jose 2040 General Plan*, the cumulative effects of which were previously evaluated in the *Envision San Jose 2040 General Plan Environmental Impact Report* and *Supplemental Program Environmental Impact Report*. The project is consistent with the applicable General Plan goals and policies for the following reasons:

- With the issuance of a Site Development Permit/Special Use Permit, the proposed project would be consistent with the current zoning designation: *Combined Industrial Commercial* (CIC).
- The project would increase the employment density in the project area, and the proposed density would be consistent with the current General Plan Land Use Designation that applies to the project site.
- The project would be consistent with adopted plans and policies for planned pedestrian and bicycle facilities. The project would provide improvements to pedestrian and bicycle connectivity and safety in the vicinity of the project site by constructing a Class I Bikeway trail extension between the Guadalupe River Trail and Orchard Parkway. The trail connection is identified in the City of San Jose Better Bike Plan 2025.

Based on the project description, the proposed project would be consistent with the *Envision San Jose 2040 General Plan* and would not require a General Plan Amendment (GPA). The project including its proposed improvements would be considered part of the cumulative solution to meet the General Plan's long-range transportation goals and would result in a less-than-significant cumulative impact.

Local Transportation Effects

Project Trip Generation

After applying the ITE trip rates to the proposed project and applying the appropriate trip adjustments and reductions, it is estimated that the project would generate 533 new daily vehicle trips, with 59 new trips (32 inbound and 27 outbound) occurring during the AM peak hour and 49 new trips (15 inbound and 34 outbound) occurring the PM peak hour.

Intersection Traffic Operations

The results of the intersection level of service analysis show that the signalized study intersections are currently operating at acceptable levels of service (LOS D or better) during the AM and PM peak hours of traffic and would continue to operate acceptably under background and background plus project conditions.

Other Transportation Items

The proposed site plan shows adequate site access and on-site circulation for automobiles, trucks, bicycles and pedestrians. The project would not remove any bicycle facilities, nor would it conflict with any adopted plans or policies for new bicycle facilities. Note, however, that the City of San Jose Better Bike Plan 2025 identifies Orchard Parkway as having a Class IV separated bikeway. Accordingly, City



staff will require that the project make a fair-share monetary contribution toward the planned Class IV bikeway improvements along the project frontage on Orchard Parkway. Based on a cost of \$144 per linear foot (source: City of San Jose Department of Public Works), the project's total fair-share contribution would equate to approximately \$50,400 (\$144 x 350 feet of frontage = \$50,400).

The project would construct a Class I Bikeway trail extension along the southern boundary of the site. The trail connection is identified in the City of San Jose Better Bike Plan 2025 and would create a paved link between the Guadalupe River Trail and the intersection of Orchard Parkway and Component Drive. The Class I Bikeway trail will be predominantly on land owned by the project applicant. However, in order for the trail to interconnect to the Guadalupe River Trail, the trail must cross the land owned and managed by the Santa Clara Valley Water District (Valley Water). While the project applicant will fund and construct the portion of the trail over which it controls, the funding, permitting, authorization and construction of the portion on Valley Water land will need to be performed by Valley Water pursuant to authorization from those agencies with the appropriate permit jurisdiction.

1. Introduction

This report presents the results of the transportation analysis conducted for a proposed 631,278 square-foot (s.f.) data center located on the northwest corner of Orchard Parkway and Component Drive in North San Jose, California (see Figure 1). The approximately 22.29-acre vacant project site is generally bordered by existing industrial development on the north, Orchard Parkway on the east, existing industrial development on the South, and the Guadalupe River and multi-use trail on the west. The project would have access via a right-turn-only driveway on Orchard Parkway, located approximately 100 feet north of Component Drive (a private street). Additional emergency vehicle access would be provided between the project site and the existing industrial uses to the north. The site plan is shown on Figure 2.

The transportation impacts of the project were evaluated following the standards and methodologies established in the City of San Jose's Transportation Analysis Handbook, adopted in April 2020. Based on the City of San Jose's Transportation Analysis Policy (Policy 5-1) and the Transportation Analysis Handbook and in accordance with applicable provisions of the California Environmental Quality Act (CEQA), the Transportation Analysis report for the project includes a CEQA transportation analysis and a non-CEQA Local Transportation Analysis (LTA).

Transportation Policies

To align the City of San Jose's transportation analysis guidelines with State of California Senate Bill 743 (SB 743), as reflected in the updated CEQA Guidelines, and the City's goals as set forth in the Envision San Jose 2040 General Plan, the City of San Jose adopted Transportation Analysis Policy 5-1. The Policy establishes the thresholds for transportation impacts under CEQA based on vehiclemiles-traveled (VMT) instead of intersection level of service (LOS).

The Transportation Analysis Policy aligns with the Envision San Jose 2040 General Plan which seeks to focus new development growth within Planned Growth Areas, bringing together office, residential, and service land uses to internalize trips and reduce VMT. VMT-based policies support dense, mixed-use, infill projects as established in the General Plan's Planned Growth Areas. The Envision San Jose 2040 General Plan contains the following policies to encourage the use of non-automobile transportation modes to minimize vehicle trip generation and reduce VMT:

- Accommodate and encourage the use of non-automobile transportation modes to achieve San Jose's mobility goals and reduce vehicle trip generation and VMT (TR-1.1);
- Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects (TR-1.2);
- Increase substantially the proportion of commute travel using modes other than the singleoccupant vehicle in order to meet the City's mode split targets for San Jose residents and workers (TR-1.3);





Figure 1 Site Location and Study Intersections











- Through the entitlement process for new development, projects shall be required to fund or construct needed transportation improvements for all transportation modes, giving first consideration to improvement of bicycling, walking and transit facilities and services that encourage reduced vehicle travel demand (TR-1.4);
- Actively coordinate with regional transportation, land use planning, and transit agencies to develop a transportation network with complementary land uses that encourage travel by bicycling, walking and transit, and ensure that regional greenhouse gas emissions standards are met (TR-1.8);
- Coordinate the planning and implementation of citywide bicycle and pedestrian facilities and supporting infrastructure. Give priority to bicycle and pedestrian safety and access improvements at street crossings and near areas with higher pedestrian concentrations (school, transit, shopping, hospital, and mixed-use areas) (TR-2.1);
- Provide a continuous pedestrian and bicycle system to enhance connectivity throughout the City by completing missing segments. Eliminate or minimize physical obstacles and barriers that impede pedestrian and bicycle movement on City streets. Include consideration of gradeseparated crossings at railroad tracks and freeways. Provide safe bicycle and pedestrian connections to all facilities regularly accessed by the public, including the Mineta San Jose International Airport (TR-2.2);
- Integrate the financing, design and construction of pedestrian and bicycle facilities with street projects. Build pedestrian and bicycle improvements at the same time as improvements for vehicular circulation (TR-2.5);
- 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-2.8);
- 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 towards transit ridership, and require that new development is designed to accommodate and provide direct access to transit facilities (TR-3.3);
- Support the development of amenities and land use and development types and intensities that increase daily ridership on the VTA, BART, Caltrain, ACE and Amtrak California systems and provide positive fiscal, economic, and environmental benefits to the community (TR-4.1);
- Promote transit-oriented development with reduced parking requirements and promote amenities around appropriate transit hubs and stations to facilitate the use of available transit services (TR-8.1);
- Support using parking supply limitations and pricing as strategies to encourage the use of nonautomobile modes (TR-8.3);
- Discourage, as part of the entitlement process, the provision of parking spaces significantly above the number of spaces required by code for a given use (TR-8.4);
- Allow reduced parking requirements for mixed-use developments and for developments providing shared parking or a comprehensive transportation demand management (TDM) program, or developments located near major transit hubs or within Urban Villages and other Growth Areas (TR-8.6);



 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-3.3);

CEQA Transportation Analysis Scope

The CEQA Transportation Analysis includes an evaluation of VMT.

VMT Analysis

The City of San Jose's Transportation Analysis Policy (Policy 5-1) establishes procedures for determining project impacts on VMT based on project description, characteristics, and/or location. The City of San Jose defines VMT as the total miles of travel by personal motorized vehicles a project is expected to generate in a day. VMT is calculated for residential, office, and industrial projects using the Origin-Destination VMT method, which measures the full distance of personal motorized vehicle-trips with one end within the project.

A project's VMT is compared to the appropriate thresholds of significance based on the project location and type of development. When assessing a residential project, the project's VMT is divided by the number of residents expected to occupy the project to determine the VMT per capita. When assessing an office or industrial project, the project's VMT is divided by the number of employees to determine VMT per worker. The thresholds of significance for development projects, as established in the Transportation Analysis Policy, are based on the existing citywide average VMT level for residential uses and the existing regional average VMT level for employment uses.

To determine whether a project would result in CEQA transportation impacts related to VMT, the City has developed the San Jose VMT Evaluation Tool to streamline the analysis for residential, office, and industrial projects with local traffic. The tool estimates a project's VMT and compares it to the appropriate thresholds of significance based on the project location (i.e., assessor's parcel number) and type of development.

The San Jose VMT Evaluation Tool does not provide specific guidance for evaluating VMT for the data center land use. As noted above, the Evaluation Tool only includes three broad categories of uses: residential, office, and industrial. For the purpose of the VMT evaluation, it has been determined that the proposed data center should be treated as industrial. The basis for this determination is due to the fact that the employment associated with a data center is significantly less than that of office space because much of the data center space is used to house computer equipment. Data centers are essentially warehouses that store customer data and associated ancillary operations and have a small number of employees and visitors. Although the proposed data center would incorporate some office space (19,606 s.f.), the vast majority of the data center square footage (611,672 s.f. of the 631,278 s.f. total, or approximately 97%) would operate more like industrial warehouse space and, therefore, industrial is the most accurate land use category to select for the San Jose VMT Evaluation Tool. Based on this approach, the data center trips were converted to an equivalent amount of industrial space and analyzed for VMT impacts using the evaluation tool (see Chapter 3).

Screening Criteria for VMT Analysis Exemption

The City of San Jose's *Transportation Analysis Handbook, 2020* includes screening criteria for projects that are expected to result in a less-than-significant VMT impact based on the project description, characteristics and/or location. The screening criterion set forth in the *Transportation Analysis Handbook* for small infill industrial projects is described below.



Screening Criterion for Small Infill Industrial Projects

• 30,000 square feet of total gross floor area or less

The project is proposing to construct a 631,278 s.f. data center, which is equivalent to 128,337 s.f. of industrial space in terms of trip generation (see Table 3 in Chapter 3 for the land use conversion). Therefore, the project does not meet the screening criterion for small infill industrial projects.

Figure 3 shows the current VMT levels estimated by the City for workers based on the locations of industrial jobs. Developments in the green-colored areas are estimated to have VMT levels that are below the thresholds of significance, developments in the yellow-colored areas have typical City average VMT, while the orange- and pink-colored areas are estimated to have VMT levels that are above the thresholds of significance. Orange areas are deemed to be capable of being mitigated, whereas pink areas are considered incapable of being mitigated to a less than significant level. The project site is identified as being located in an orange area.

Local Transportation Analysis Scope

The non-CEQA Local Transportation Analysis (LTA) supplements the VMT analysis by identifying potential adverse operational effects that may arise due to a new development, as well as evaluating the effects of a new development on site access, circulation, and other safety-related elements in the proximate area of the project. As part of the LTA, a project is generally required to conduct an intersection operations analysis if the project is expected to add 10 or more vehicle trips per hour per lane to any signalized intersection that is located within a half-mile of the project site, or is located within one mile of the project site and is currently operating at LOS D or worse. Based on these criteria, as outlined in the City's *Transportation Analysis Handbook*, a list of study intersections is then developed for the LTA. Note, however, that signalized intersections that do not meet all the criteria may still be added to the list of study intersections at the City's discretion. Unsignalized intersections may also be added; though, unlike signalized intersections, unsignalized intersections typically are not evaluated for level of service (San Jose has not established a level of service standard for unsignalized intersections). The City of San Jose Department of Public Works ultimately determines the list of study intersections.

For purposes of the project's LTA, it comprises an analysis of AM and PM peak hour traffic conditions for the following four intersections:

- 1. US 101 Northbound Off-Ramp and Trimble Road
- 2. Orchard Parkway and Trimble Road
- 3. Orchard Parkway and Component Drive
- 4. Orchard Parkway and Charcot Avenue

The list of study intersections was approved by City of San Jose staff. Traffic conditions at the study intersections were analyzed for both the weekday AM and PM peak hours of adjacent street traffic. The AM peak hour typically occurs between 7:00 AM and 9:00 AM and the PM peak hour typically occurs between 4:00 PM and 6:00 PM on a regular weekday. These are the peak commute hours during which most traffic congestion occurs on the roadways.



Microsoft Data Center (SJC04)

HEXAGON



VMT Heat Map for Industrial Workers in San Jose




Traffic conditions for the project's LTA were evaluated for the following scenarios: existing conditions, background conditions, and background plus project conditions. Traffic volumes for all scenarios are tabulated in Appendix A. The traffic scenarios are described in detail below.

- **Existing Conditions.** Existing AM and PM peak hour traffic volumes for the study intersections were obtained from historical count data (2016 and 2017 counts) provided by the City of San Jose. Note that although new 2022 traffic counts were collected, the current traffic volumes in the study area have not yet returned to pre-pandemic levels, so the new counts were not used.
- Background Conditions. Background traffic volumes reflect traffic added by nearby approved
 projects that are not yet completed or occupied. The added traffic from approved but not yet
 completed or occupied developments was provided by the City of San Jose in the form of the
 Approved Trips Inventory (ATI). Background conditions represent the baseline conditions to
 which project conditions are compared for the purpose of determining potential adverse
 operational effects of the project. The ATI sheets are contained in Appendix B.
- **Background Plus Project Conditions.** Background plus project conditions reflect projected traffic volumes on the planned roadway network with completion of the project and approved developments that are not yet completed or occupied. Background plus project traffic volumes were estimated by adding to background traffic volumes the additional traffic generated by the project.

The LTA also includes a vehicle queuing analysis, an evaluation of potential adverse effects on bicycle, pedestrian, and transit facilities, and a review of site access, on-site circulation, and parking.

VMT Analysis Methodology

Methodology

To determine whether a project would result in CEQA transportation impacts related to VMT, the City has developed the San Jose VMT Evaluation Tool to streamline the analysis for residential, office, and industrial projects with local traffic. Accordingly, the City's VMT Evaluation Tool was used for this VMT analysis; it calculates VMT and compares it to the appropriate thresholds of significance based on the project location and type of development.

Based on the assessor's parcel number (APN) of a project, the VMT Evaluation Tool identifies the existing average VMT per capita and VMT per employee for the area. Based on the project location, type of development, project description, and proposed trip reduction measures, the evaluation tool calculates the project VMT. Projects located in areas where the existing VMT is above the established threshold are referred to as being in "high-VMT areas". Projects in high-VMT areas are required to include a set of VMT reduction measures that would reduce the project VMT to the extent possible.

The VMT Evaluation Tool evaluates a list of selected VMT reduction measures that can be applied to a project to reduce the project VMT. There are four strategy tiers whose effects on VMT can be calculated with the Evaluation Tool:

- 1. Project characteristics (e.g., density, diversity of uses, design, and affordability of housing) that encourage walking, biking and transit uses;
- 2. Multimodal network improvements that increase accessibility for transit users, bicyclists, and pedestrians;
- 3. Parking measures that discourage personal motorized vehicle-trips; and
- 4. Transportation Demand Management (TDM) measures that provide incentives and services to encourage alternatives to personal motorized vehicle-trips.



The first three strategies – land use characteristics, multimodal network improvements, and parking – are physical design strategies that can be incorporated into the project design. TDM includes programmatic measures that aim to reduce VMT by decreasing personal motorized vehicle mode share and by encouraging more walking, biking, and riding transit. TDM measures are typically enforced through annual trip monitoring to assess the project's status in meeting the VMT reduction goals.

Thresholds of Significance

Table 1 shows the VMT thresholds of significance for development projects, as established in the City's Transportation Analysis Policy. The VMT impact threshold is the regional average for industrial employment uses. Thus, projects that include industrial employment uses (such as the proposed project) are said to create a significant adverse impact when the estimated project-generated VMT exceeds the existing regional average VMT, which is 14.37 VMT per employee (significant impact threshold). Projects that trigger a significant VMT impact can assess a variety of the four strategies described above to reduce the impact. A significant impact is said to be satisfactorily mitigated when the strategies and VMT reductions implemented render the VMT impact less than significant.

Project Types	Significance Criteria	Current Level	Threshold
	Project VMT per capita exceeds existing citywide	11.91	10.12
Residential Uses	regional average VMT per capita minus 15 percent, or existing regional average VMT per capita minus 15 percent, whichever is lower.	VMT per capita (Citywide Average)	VMT per capita
General Employment	Project VMT per employee exceeds existing regional	14.37	12.21
Uses	average VMT per employee minus 15 percent.	VMT per employee (Regional Average)	VMT per employee
Industrial Employment	Project V/MT per employee exceeds existing regional	14.37	14.37
Uses	average VMT per employee.	VMT per employee (Regional Average)	VMT per employee
Retail / Hotel / School Uses	Net increase in existing regional total VMT.	Regional Total VMT	Net Increase
Public / Quasi-Public Uses	In accordance with most appropriate type(s) as determined by Public Works Director.	Appropriate levels listed above	Appropriate thresholds listed above
Mixed-Uses	Evaluate each land use component of a mixed-use project independently, and apply the threshold of significance for each land use type included.	Appropriate levels listed above	Appropriate thresholds listed above
Change of Use / Additions to Existing Development	Evaluate the full site with the change of use or additions to existing development, and apply the threshold of significance for each project type included.	Appropriate levels listed above	Appropriate thresholds listed above
Area Plans	Evaluate each land use component of the Area Plan independently, and apply the threshold of significance for each land use type included.	Appropriate levels listed above	Appropriate thresholds listed above
Source: City of San Jose, 2018 7	Fransportation Analysis Handbook , Table 2.		

Table 1VMT Thresholds of Significance for Development Projects



Intersection Operations Analysis Methodology

This section presents the methods used to determine the traffic conditions at the study intersections and the potential adverse operational effects due to the project. It includes descriptions of the data requirements, the analysis methodologies, the applicable intersection level of service standards, and the criteria used to determine adverse effects on intersection operations. The study intersections are located within the City of San Jose and were evaluated according to the City of San Jose level of service (LOS) standards.

Data Requirements

The data required for the analysis were obtained from the City of San Jose and field observations. The following data were collected from these sources:

- existing traffic volumes (2016 and 2017 intersection counts)
- trips from approved projects
- existing lane configurations
- signal timing and phasing

Level of Service Standards and Analysis Methodologies

Traffic conditions at the study intersections were evaluated using level of service (LOS). *Level of Service* is a qualitative description of operating conditions ranging from LOS A, or free-flow conditions with little or no delay, to LOS F, or jammed conditions with excessive delays. The various analysis methods are described below.

City of San Jose Signalized Intersections

The City of San Jose level of service methodology for signalized intersections is the 2000 *Highway Capacity Manual* (HCM) method. This method is applied using the TRAFFIX software. The 2000 HCM operations method evaluates signalized intersection operations on the basis of average control delay time for all vehicles at the intersection. The City of San Jose level of service standard for the City's signalized intersections and CMP intersections is LOS D or better. The correlation between average control delay and level of service is shown in Table 2.

Adverse Intersection Operations Effects

According to the City of San Jose's *Transportation Analysis Handbook, 2020*, an adverse effect on signalized intersection operations would occur if for either peak hour:

- The level of service at the intersection degrades from an acceptable level (LOS D or better) under background conditions to an unacceptable level under background plus project conditions, <u>or</u>
- The level of service at the intersection is an unacceptable level (LOS E or F) under background conditions and the addition of project trips cause both the critical-movement delay at the intersection to increase by four (4) or more seconds *and* the volume-to-capacity ratio (V/C) to increase by one percent (.01) or more.

The exception to this threshold is when the addition of project traffic reduces the amount of average control delay for critical movements, i.e., the change in average control delay for critical movements is negative. In this case, the threshold is when the project increases the critical v/c value by 0.01 or more.



Adverse effects at signalized intersections can be addressed by one of the following approaches:

- Construct improvements to the subject intersection or other roadway segments of the citywide transportation system to increase overall capacity, <u>or</u>
- Reduce project-generated vehicle trips (e.g., implement a "trip cap") to eliminate the adverse operational effects and restore intersection operations to background conditions. The extent of trip reduction should be set at a level that is realistically attainable through proven methods of reducing trips.

Table 2

Signalized Intersection Level of Service Definitions Based on Average Control Delay

Level of Service	Description	Average Control Delay Per Vehicle (sec.)
А	Operations with very low delay occurring with favorable progression and/or short cycle lengths.	up to 10.0
В	Operations with low delay occurring with good progression and/or short cycle lengths.	10.1 to 20.0
С	Operations with average delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures begin to appear.	20.1 to 35.0
D	Operations with longer delays due to a combination of unfavorable progression, long cycle lengths, or high V/C ratios. Many vehicles stop and individual cycle failures are noticeable.	35.1 to 55.0
E	Operations with high delay values indicating poor progression, long cycle lengths, and high V/C ratios. Individual cycle failures are frequent occurrences. This is considered to be the limit of acceptable delay.	55.1 to 80.0
F	Operation with delays unacceptable to most drivers occurring due to oversaturation, poor progression, or very long cycle lengths.	Greater than 80.0
Source: Transp	ortation Research Board, 2010 Highway Capacity Manual, (Washington, D.C., 2	2010).

Intersection Vehicle Queuing Analysis

The analysis of intersection operations was supplemented with a vehicle queuing analysis at study intersections where the project would add a noteworthy number of trips to the left-turn movements. The queuing analysis is presented for informational purposes only, since the City of San Jose has not defined a policy related to queuing. Vehicle queues were estimated using a Poisson probability distribution, which estimates the probability of "n" vehicles for a vehicle movement using the following formula:

$$P(x = n) = \frac{\lambda^n e^{-(\lambda)}}{n!}$$

Where:

P(x = n) = probability of "n" vehicles in queue per lane

n = number of vehicles in the queue per lane

 λ = average # of vehicles in the queue per lane (vehicles per hr. per lane/signal cycles per hr.)



The basis of the analysis is as follows: (1) the Poisson probability distribution is used to estimate the 95th percentile maximum number of queued vehicles per signal cycle for a particular movement; (2) the estimated maximum number of vehicles in the queue is translated into a queue length, assuming 25 feet per vehicle; and (3) the estimated maximum queue length is compared to the existing or planned available storage capacity for the movement.

For signalized intersections, the 95th percentile queue length value indicates that during the peak hour, a queue of this length or less would occur on 95 percent of the signal cycles. Or, a queue length larger than the 95th percentile queue would only occur on 5 percent of the signal cycles (about 3 cycles during the peak hour for a signal with a 60-second cycle length). Therefore, left-turn pocket storage designs based on the 95th percentile queue length would ensure that storage space would be exceeded only 5 percent of the time for a signalized movement.

Report Organization

This report has a total of five chapters. Chapter 2 describes the existing roadway network, transit service, bicycle, and pedestrian facilities. Chapter 3 describes the VMT analysis. Chapter 4 describes the local transportation analysis (LTA) including the method by which project traffic is estimated, intersection operations analysis for background plus project conditions, any adverse intersection operations effects caused by the project, intersection vehicle queuing analysis, site access and on-site circulation review, effects on bicycle, pedestrian, and transit facilities, and parking. Chapter 5 presents the conclusions of the transportation analysis.

2. Existing Conditions

This chapter describes the existing conditions of the transportation system within the study area of the project. It presents the VMT of the existing land uses in the proximity of the project and describes transportation facilities in the vicinity of the project site, including the roadway network, transit service, and pedestrian and bicycle facilities. The analysis of existing intersection operations is included as part of the LTA (see Chapter 4).

VMT of Existing Land Uses

To determine whether a project would result in CEQA transportation impacts related to VMT, the City has developed the San Jose VMT Evaluation Tool to streamline the analysis for residential, office, and industrial projects. Based on the Evaluation Tool and the project's APN, the existing area VMT for employment uses in the project vicinity is 15.49 VMT per worker. The current regional average VMT for employment uses is 14.37 VMT per worker (see Table 1 in Chapter 1). Thus, the VMT levels of existing employment uses in the project area are higher than the regional average VMT levels. The VMT Evaluation Tool summary report for the project is included in Chapter 3.

Existing Roadway Network

Regional access to the project site is provided via US 101 and SR 87. Local access to the project site is provided via N. First Street, Trimble Road, Orchard Parkway, Component Drive, and Charcot Avenue.

US 101 is a north/south freeway with six mixed-flow lanes and two high-occupancy-vehicle (HOV) lanes through most of Santa Clara and San Jose. US 101 extends northward through San Francisco and southward through Gilroy. Access to and from the site is provided via interchanges at Trimble Road and North First Street.

SR 87 is a north-south freeway providing regional access to the project site via its connections to SR 85 and US 101 in the south, and I-280 and US 101 in the north. These facilities allow for regional access from East Bay and Peninsula cities, as well as Gilroy and Morgan Hill to San Jose. SR 87 is six to eight lanes wide, including two HOV lanes (one in each direction). SR 87 provides access to and from the project site where it terminates at Orchard Parkway and becomes Charcot Avenue.

North First Street is a two- to four-lane divided local connector street with a raised center median, upon which the Light Rail Transit line operates. South First Street begins at Alma Avenue as a transition from Monterey Road and extends northward where it turns into North First Street at Santa Clara Street. North First Street extends into North San Jose where it terminates at Gold Street north of



SR 237. North First Street has sidewalks and striped bike lanes on both sides of the street and has a posted speed limit of 45 mph. North First Street provides access to US 101 and intersects Charcot Avenue, Component Drive, and Trimble Road near the project site.

Trimble Road is a six-lane arterial extending southwestward from Montague Expressway to US 101. West of US 101, Trimble Road transitions to De La Cruz Boulevard into the City of Santa Clara. Access to the project site is provided via its intersection with Orchard Parkway. Trimble Road has sidewalks and striped bike lanes on both sides of the street and has a posted speed limit of 45 mph.

Orchard Parkway is two-lane north-south roadway that begins at North First Street just south of Tasman Drive and extends south to Charcot Avenue, where it transitions to O'Nel Drive. Direct access to the project site is provided via a right-in/right-out driveway on Orchard Parkway just north of Component Drive. Orchard Parkway has sidewalks and striped bike lanes on both sides of the street and has a posted speed limit of 35 mph.

Component Drive is a short two- to four-lane private street that extends from Orchard Parkway to Zanker Road. Component Drive has sidewalks on both sides of the street; however, the sidewalk along the north side of the street is sporadic.

Charcot Avenue is a two- to four-lane roadway that begins at Orchard Parkway where SR 87 terminates/begins. Charcot Avenue runs eastward to O'Toole Avenue, just west of I-880, where it terminates. West of North First Street, Charcot Avenue is a four-lane roadway that provides access to the project site via its intersection with Orchard Parkway. Charcot Avenue has sidewalks and striped bike lanes on both sides of the street and has a posted speed limit of 35 mph.

Existing Intersection Lane Configurations

The existing lane configurations at the study intersections are shown on Figure 4.

Existing Pedestrian and Bicycle Facilities

There are bike paths and several roadways with striped bike lanes in the vicinity of the project site (see Figure 5). Bicycle facilities are divided into four classes of relative significance. Class I bikeways are bike paths that are physically separated from motor vehicles and offer two-way bicycle travel on a separate path. Class II bikeways are striped bike lanes on roadways that are marked by signage and pavement markings. Class III bikeways are bike routes and only have signs and/or Sharrows (shared lane markings) to help guide bicyclists on recommended routes to certain locations. Class IV bikeways are on-street bicycle facilities that incorporate physical barriers (e.g., raised curbs, flexible bollards, vehicle parking, grade separation, etc.) to separate bicycles from the flow of vehicular traffic. There are no Class IV bikeways in the project vicinity. Class II striped bike lanes are provided on the following roadways:

- North First Street Between Brokaw Road and Alviso
- Trimble Road Between Seaboard Avenue (just east of US 101) and Montague Expressway
- Orchard Parkway Along its entirety between Charcot Avenue and North First Street
- Charcot Avenue Between Orchard Parkway and Zanker Road

The Guadalupe River/Los Alamitos Creek multi-use trail system (Class I bikeway) runs through the City of San Jose along the Guadalupe River and separates bicyclists from motor vehicle traffic. The Guadalupe River trail is continuous from W. Virginia Street in the south to Alviso Marina County Park. There is another section of the trail a few blocks south of W. Virginia Street from Willow Street to Curtner Avenue, which provides access to trails that lead to Almaden Valley in southern San Jose. This shared trail system runs adjacent to SR 87 near the project vicinity, with trail access provided via Trimble Road. The trail system is available for use by pedestrians and bicyclists year round.





Figure 4 Existing Lane Configurations







Figure 5 Existing Bicycle Facilities





All the roadways in the study area have sidewalks on both sides of the street; however, there are a few short segments along the north side of Component Drive that are missing sidewalks. Overall, the existing network of sidewalks provides adequate connectivity for pedestrians between the project site and other surrounding land uses and transit stops. Crosswalks with pedestrian signal heads and push buttons are located at all the signalized intersections in the study area. Curb ramps are provided at all signalized intersections in the study area, although some do not meet current ADA design standards. The curb ramps at the following intersections near the project site (within approximately ½ mile of the site) do not meet current ADA standards:

- Orchard Parkway and Charcot Avenue SW and SE corners of the intersection;
- North First Street and Component Drive all 4 corners of the intersection; and
- North First Street and Charcot Avenue all 4 corners of the intersection.

Existing Transit Service

Existing transit service to the study area is provided by the Valley Transportation Authority (VTA). The VTA currently operates the 42.2-mile light rail line system extending from south San Jose through downtown to the northern areas of San Jose, Santa Clara, Milpitas, Mountain View and Sunnyvale. The service operates nearly 24 hours a day with 15-minute headways during much of the day. The Component LRT station is located at the North First Street and Component Drive intersection, just under ½ mile walk from the project site. The Component station is served by the Santa Teresa-Baypointe LRT Line (Blue Line) and the Winchester-Old Ironsides Line (Green Line).

The project site is not well-served by VTA buses. The nearest bus route (Route 60) operates along Brokaw Road, approximately one mile southeast of the project site. Route 60 provides service between the Milpitas BART station and the Winchester Station, with 15-minute headways during the weekday peak commute hours.

The VTA transit services in the project area are shown on Figure 6.

Observed Existing Traffic Conditions

Due the current COVID-19 pandemic situation, traffic volumes are generally lower than during "normal" conditions. However, it is still valuable to observe traffic conditions in the field to identify any existing operational deficiencies. Accordingly, traffic conditions in the study area were observed during the weekday AM (7:00-9:00 AM) and PM (4:00-6:00 PM) peak traffic periods.

Based on the field observations, the study intersections operated adequately during both the weekday AM and PM peak hours of traffic, and no noteworthy operational issues were observed.

HEXAGON



Figure 6 Existing Transit Services



3. CEQA Transportation Analysis

This chapter describes the CEQA transportation analysis, including the VMT threshold of significance, the project-level VMT impact analysis results, mitigation to reduce a VMT impact, and the cumulative transportation impact analysis used to determine consistency with the City's General Plan.

Project Level VMT Analysis

An evaluation of VMT per the City of San Jose's guidelines for transportation impact analysis was completed using the City's VMT Evaluation Tool. Based on the project location, type of development, project description, and proposed trip reduction measures, the VMT tool calculates VMT. However, the City's VMT Evaluation Tool is limited to the evaluation of the general land use categories of residential, office, and industrial. Therefore, the use of the VMT tool for land uses that are not reflective of one of the three land use types, such as the data center, requires the conversion of the proposed land use to an equivalent number of residential units, office space, or industrial space.

For the purpose of the VMT evaluation, it has been determined that the proposed data center should be treated as industrial. The basis for this determination is due to the fact that the employment associated with a data center is significantly less than that of office space since much of the data center space is used to house computer equipment. Data centers are essentially warehouses that store customer data and associated ancillary operations and have a small number of employees and visitors. Although the proposed data center would incorporate some office space (19,606 s.f.), the vast majority of the data center square footage (611,672 s.f. of the 631,278 s.f. total, or approximately 97%) would operate more like industrial warehouse space and, therefore, industrial is the most accurate land use category to select for the San Jose VMT Evaluation Tool. Based on this approach, the data center trips were converted to an equivalent amount of industrial space (see Table 3), and the project was analyzed for VMT impacts using the evaluation tool.

Table 3 Daily Trip Conversion from Data Center Trips to General Light Industrial Trips

	ITE Land			Da	ily
Land Use	Use Code		Size	Rate	Trip
Data Center	160		631,278 Square Feet	0.99	625
General Light Industrial	110	Equivalent Industrial Space ¹ =	128,337 Square Feet	4.87	625

Source: ITE Trip Generation Manual, 11th Edition 2021

¹The VMT Evalution Tool does not provide for the evaluation of VMT for a Data Center use. Therefore, the proposed project trips were converted to equivalent General Light Industrial space and evaluated as an Industrial land use in the tool.



As shown in Table 3, the equivalent industrial square footage for the proposed data center is 128,337 square feet. Based on the City's CEQA VMT Analysis screening criteria for development projects, the project would not meet the screening criteria for VMT analysis exemption because it is not equivalent to 30,000 gross square feet or less and, thus, does not qualify as a small infill industrial project.

Project VMT Impact Analysis Results

Per the City's VMT Evaluation Tool, the existing Area VMT for employment uses is 15.49 VMT per employee, which is above the existing regional average threshold of 14.37 VMT per employee. The project VMT estimated by the Evaluation Tool is 15.48 VMT per employee, which also exceeds the industrial threshold of 14.37 VMT per employee.

Project Impact

Since the VMT generated by the project would exceed the threshold of significance for industrial employment uses in the area, the project would result in a significant transportation impact on VMT, and mitigation is required to reduce the VMT impact to a less-than-significant level.

Project Mitigation

The project proposes to limit the on-site parking supply (a Tier 3 VMT reduction measure) to mitigate the significant VMT impact. The project would provide a total of 148 vehicle parking spaces, which is 25 fewer spaces than what the City of San Jose Municipal Code requires. The project plans to request a parking exception from the City of San Jose Planning Department in order to qualify for the parking reduction. Decreasing a project's parking supply encourages employees to choose an alternative transportation mode for their commutes, thereby reducing VMT.

Parking data collected at two existing data centers operating in the City of Santa Clara show that the actual parking demand for data centers is less than the City of San Jose's parking requirement. The parking demand study shows that data centers require 0.23 parking spaces per 1,000 s.f. of building area. Based on this parking rate, the proposed 631,278 s.f. Data Center project requires a minimum of 146 parking spaces. Therefore, the parking demand study, which is detailed in Chapter 4, supports the proposed parking reduction. These types of parking reductions that are supported by evidence of reduced parking demand are typically approved as they support the City's overall strategy to reduce VMT (e.g., see General Plan Policies TR-8.3, TR-8.4, and TR-8.6 described in Chapter 1).

Based on the City's VMT Evaluation Tool, limiting the amount of parking provided to serve the Data Center project would lower the project VMT to 14.36 per employee (a reduction of about 7.3%), which would reduce the project impact to a less-than-significant level (below the threshold of 14.37 VMT per employee). A description of the proposed mitigation and the resulting reduction in VMT per worker are summarized in Table 4.

Table 4

Summary of VMT Mitigation and Resulting VMT per Worker

		Vehicle Miles Traveled (VMT)						
Mitigation Measure	Mitigation Description	VMT Per Worker with Single VMT Reduction Measure	Industrial Threshold (VMT / Worker)	Significant VMT Impact?				
Limit Parking Supply (Tier 3)	Provide 148 vehicle parking spaces, which is 25 fewer spaces than what the City of San Jose Municipal Code requires. The project would request a parking exception in order to qualify for the parking reduction. Decreasing a project's parking supply encourages employees to choose an alternative transportation mode for their commutes, thereby reducing VMT.	14.36	14.37	NO				

Figures 7A and 7B show the VMT summary reports generated by the City of San Jose's VMT Evaluation Tool without and with the proposed reduced parking, respectively.



Figure 7A San Jose VMT Evaluation Tool Summary Report – No Mitigation

PROJECT:					
Name: SJC0	4 Data Center (No Mi	tigation)	Maar	Tool Version:	2/29/2019
Parcel: 1010	2014 Parcel Ty	pe: Suburb v	with Multifamily Housing	Date.	3/8/2022
Proposed Parking	Spaces Vehic	les: 148	Bicycles: 16		
LAND USE:	ALC: No. of Concession, Name				
Residential:		Percent	of All Residential Units		
Single Family	0 DU	Extre	emely Low Income (<u><</u> 30%	6 MFI)	0 % Affordable
Multi Family	0 DU	Very	Low Income (> 30% MFI,	. <u><</u> 50% MFI)	0 % Affordable
Subtotal	0.00	LOW	Income (> 50% MH, ≤ 81	% MEI)	U % Attordable
Office:	0 KSF				
Retail:	0 KSF				
Industrial:	128.3 KSF				
VMT REDUCTION S	TRATEGIES				_
Tier 1 - Project C	naracteristics				
Increase Resi	Density (D) //Pasidant	ial Acres in h	alf-mile buffer		ġ
With Pro	iect Density (DU/Resident	idential Acres	in half-mile buffer)	· · · · · · · · · · · · · · · · · · ·	g
Increase Dev	elopment Diversity				
Existing	Activity Mix Index				0.83
With Pro	ject Activity Mix Inde:	8			0.83
Integrate Aff	ordable and Below M	arket Rate			
Extremel	y Low Income BMR u	nits			0 %
Very Low	/ Income BMR units .			*****	0 %
Low Inco	me BMR units		******	***********	0 %
Increase Emp	loyment Density	and at A succe to	half will have have		10
With Pro	Jensity (Jobs/Comme liect Density (Jobs/Co	mmercial Acres In	res in half-mile buffer)		17
Tier 2 - Multimo	dal infrastructure	ann an			
Tier 3 - Parking					
Tier 4 - TDM Pro	grams				
	- and -		California California		
and the second second		EMPLOY	MENT ONLY		States and
The tool es	timates that the pro	ject would	generate per non-indust	rial worker VMT	and per
	industrial	worker VM	above the City's thresh	old.	
20					
20 18	0				
20 18 16			14.37		
20 18 16 <u>14</u> 14	12.39		14,37		
20 18 16 ₩ 14 X 12 0 10	12.39	_	14.37		
20 18 16 14 20 12 20 10 10 10 10	12.39		14.37		
20 18 16 83 14 12 00 10 10 8 8 6	12.39		14.37		
20 18 16 14 12 00 V/ LW 10 8 6 4	12.39		14.37		
20 18 16 14 20 10 20 20 20 20 20 20 20 20 20 20 20 20 20	12.39		14.37	£1)	
20 18 16 14 12 12 10 10 10 4 2 0	12.39		14.37		
20 18 16 14 14 12 10 10 10 10 10 4 2 0	12.39 15.49 Area VMT	Pre	14.37 15.48 ject VMT Project +	TDM VMT	
20 18 16 8314 12 0 0 10 10 8 4 2 0	12.39 15.49 Area VMT	Pro	14.37 15.48 15 ject VMT Project + Possible	TDM VMT 2.39	
20 18 16 14 12 00 7 0 10 8 4 2 0	12.39 15.49 Area VMT	Pro	14.37 15.48 ject VMT Project + ² ossible 1	2.39	



Figure 7B San Jose VMT Evaluation Tool Summary Report – With Mitigation

PROJECT.					2/20/2012
Name: SJC04	Data Center (Mitigatio	n: Reduced Parking)		Tool Version:	2/29/2019
Parcel: 10102	2014 Parcel Type:	Suburb with Multifa	mily Housing	D'ate,	5,6,2022
Proposed Parking	Spaces Vehicles:	148 Bicycles:	16		
LAND USE		And the second	1.000		
Residential:		Percent of All Resid	ential Units		
Single Family	0 DU	Extremely Low	Income (≤ 30% M	FI)	0 % Affordable
Multi Family	0 DU	Very Low Incor	ne (> 30% MFI, <	50% MFI) MED	0 % Affordable
Office:	0 KSE	Low medine (>	3076 With 2 0078	wir ij	o 20 Milliondable
Retail	0 KSF				
Industrial:	128.3 KSF				
VINT REDUCTION ST	RATEGIES				
Tier 1 - Project C	haracteristics				
Increase Resid	lential Density				
Existing D	ensity (DU/Residential	Acres in half mile bu	ffer)		9
With Proj	ect Density (DU/Reside	ntial Acres in half-mi	le buffer)		9
Increase Deve Evicting A	lopment Diversity				0.92
With Proj	ect Activity Mix Index				0.83
Integrate Affo	rdable and Below Mark	et Rate			
Extremely	Low Income BMR unit	·····			0 %
Very Low	Income BMR units	**************			0%
Low Incol	ne Bivik units		*****		U 70
Existing D	ensity (Jobs/Commerci	al Acres in half-mile	buffer)		16
With Proj	ect Density (Jobs/Comr	nercial Acres in half-	mile buffer)		17
Tier 2 - Multimod	al Infrastructure				
Tier 3 - Parking					
Limit Parking	Supply	and the second se			1440 N. 17 Mar
Minimum Total Parl	Parking Required by M	Iunicipal Code			173 spaces
Does the	surrounding street parl	king have RPP, meter	rs, or time limits? .		Yes
The A TOM Deal	grams				
Her 4 - I Divi Pro		and a standard and			
Tier 4 - I Divi Pro		A A DI OVA AFAIT (NILY		
The tool estin	E	MPLOYMENT C	or non-industrial	worker WAT H	alow the
The tool estir	E mates that the project	WPLOYMENT C would generate p City's threshold	er non-industrial d.	worker VMT b	elow the
The tool estir	E nates that the project	Would generate p City's threshold	er non-industrial d.	worker VMT b	elow the
The tool estir	E nates that the project	WPLOYMENT C would generate p City's threshold	er non-industrial d.	worker VMT b	elow the
The tool estir 20	Enates that the project	MPLOYMENT C would generate p City's threshold	er non-industrial d.	worker VMT b	elow the
The tool estir 20 18	E nates that the project	MPLOYMENT C would generate p City's threshold	er non-industrial d.	worker VMT b	elow the
The tool estin 20 18 16 21	Enates that the project	MPLOYMENT C would generate p City's threshold	er non-industrial d.	worker VMT b	elow the
The tool estir 20 18 16 14 20 18	Enates that the project	MPLOYMENT C would generate p City's threshold	er non-industrial d.	worker VMT b	elow the
The tool estin 20 18 16 월 14 20 18 16 20 18 16 20 18 16 20 18 16 20 18 16 20 18 14 20 10 20 18 14 20 20 18 16 20 18 18 16 20 18 18 18 18 18 18 18 18 18 18 18 18 18	Enates that the project	MPLOYMENT C would generate p City's threshold	er non-industrial d.	worker VMT b	elow the
The tool estin 20 18 16 표 14 20 18 16 10 10 10 10 10 10 10 10 10 10 10 10 10	Enates that the project	MPLOYMENT C would generate p City's threshold	er non-industrial d.	worker VMT b	elow the
The tool estin 20 18 16 21 14 20 18 16 20 18 16 20 18 16 20 18 16 20 18 16 20 18 16 20 18 16 20 18 16 20 18 16 20 18 16 20 18 20 18 20 18 20 18 20 18 20 20 18 20 20 18 20 20 20 20 20 20 20 20 20 20 20 20 20	Enates that the project	MPLOYMENT C would generate p City's threshold	er non-industrial d.	worker VMT b	elow the
The tool estin 20 18 16 ₩ 12 № 10 ₩ 8 20 18 16 ₩ 12 № 10 ₩ 12 № 10 ₩ 4 2 0 ₩ 12 ₩ 12 ₩ 12 ₩ 12 ₩ 12 ₩ 12 ₩ 12 ₩ 12	Enates that the project	MPLOYMENT C would generate p City's threshold	er non-industrial d.	worker VMT b	elow the



The column chart at the bottom of each figure shows the Area VMT (red column), Project VMT (blue and green columns), and the Impact Threshold for industrial employment uses (faint grey line at the top of the chart).

Cumulative VMT Impact Analysis

Projects must demonstrate consistency with the *Envision San Jose 2040 General Plan* to address cumulative impacts. Consistency with the City's General Plan is based on a consideration of all of its aspects, including the project's density, design, and ability to further the General Plan goals and policies and not obstruct their attainment. If a project is determined to be inconsistent with the General Plan, a cumulative impact analysis is required as part of the City's *Transportation Analysis Handbook*.

The proposed project would be consistent with the development type and intensity provided in the *Envision San Jose 2040 General Plan*, the cumulative effects of which were previously evaluated in the *Envision San Jose 2040 General Plan Environmental Impact Report* and *Supplemental Program Environmental Impact Report*.

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

- With the issuance of a Site Development Permit/Special Use Permit, the proposed project would be consistent with the current zoning designation: *Combined Industrial Commercial* (CIC).
- The project would increase the employment density in the project area, and the proposed density would be consistent with the current General Plan Land Use Designation that applies to the project site.
- The project would be consistent with adopted plans and policies for planned pedestrian and bicycle facilities. The project would provide improvements to pedestrian and bicycle connectivity and safety in the vicinity of the project site by constructing a Class I Bikeway trail extension between the Guadalupe River Trail and Orchard Parkway. The trail connection is identified in the City of San Jose Better Bike Plan 2025.

Based on the project description, the proposed project would be consistent with the *Envision San Jose 2040 General Plan* and would not require a General Plan Amendment (GPA). The project including its proposed improvements would be considered part of the cumulative solution to meet the General Plan's long-range transportation goals and would result in a less-than-significant cumulative impact.

4. Local Transportation Analysis

This chapter describes the non-CEQA local transportation analysis (LTA) including existing traffic conditions, the method by which project traffic is estimated, intersection operations analysis for existing, background and background plus project scenarios, any adverse effects to intersection level of service caused by the project, intersection queuing analysis, site access and on-site circulation review, effects on bicycle, pedestrian and transit facilities, and parking supply.

Intersection Operations Analysis

The intersection operations analysis is intended to quantify the operations of relevant San Jose intersections and to identify potential negative effects due to the addition of project traffic. Information required for the intersection operations analysis related to project trip generation, trip distribution, and trip assignment are presented in this section. The study intersections are located in the City of San Jose and have been identified and are evaluated based on the City of San Jose's intersection analysis methodology and standards in determining potential adverse operational effects due to the project, as described in Chapter 1.

Project Trip Estimates

The magnitude of traffic produced by a new development and the locations where that traffic would appear are estimated using a three-step process: (1) trip generation, (2) trip distribution, and (3) trip assignment. In determining project trip generation, the magnitude of traffic entering and exiting the site is estimated for the AM and PM peak hours. As part of the project trip distribution, the directions to and from which the project trips would travel are estimated. In the project trip assignment, the project trips are assigned to specific streets and intersections. These procedures are described below.

Trip Generation

Through empirical research, data have been collected that quantify the amount of traffic produced by many types of land uses. This research is compiled in the *Trip Generation Manual, 11th Edition* (2021) published by the Institute of Transportation Engineers (ITE). The magnitude of traffic added to the roadway system by a particular development is estimated by multiplying the applicable trip generation rate(s) by the size of the development. Trips that would be generated by the proposed project were estimated using the ITE trip rates for Data Center (ITE Land Use 160) located in a general urban/suburban setting. As defined by the ITE, a "data center" is a free-standing warehouse type of facility that is primarily used for off-site storage of computer systems and associated components and may include maintenance areas and a small office.



Trip Adjustments and Reductions

In accordance with San Jose's *Transportation Analysis Handbook* (April 2020, Section 4.8, "Intersection Operations Analysis"), the project is eligible for adjustments and reductions from the baseline trip generation. Based on the 2020 San Jose guidelines, the project qualifies for a location-based adjustment. The location-based adjustment reflects the project's vehicle mode share based on the "place type" in which the project is located per the San Jose Travel Demand Model. The project's place type was obtained from the San Jose VMT Evaluation Tool. Based on the Evaluation Tool, the project site is located within a *Suburban with Multifamily Housing* place type. Therefore, the baseline project trips were adjusted to reflect the mode share associated with this place type.

Industrial developments located within areas designated *Suburban with Multifamily Housing* have a vehicle mode share of 92 percent (according to Table 6 of the City's *Transportation Analysis Handbook*). Thus, an 8 percent reduction was applied to the project trip generation estimates based on the location-based vehicle mode share outputs produced from the San Jose Travel Demand Model.

In addition, to address the significant VMT impact as described in Chapter 3, the project would limit the amount of parking provided to lower the project VMT and reduce the project impact to a less-thansignificant level. Accordingly, a 7.3 percent reduction was applied based on the corresponding external trip adjustment obtained from the VMT Evaluation Tool. The reduction was applied to the adjusted project trips (with location-based adjustment).

Net Project Trips

After applying the ITE trip rates to the proposed project and applying the appropriate trip adjustments and reductions, it is estimated that the project would generate 533 new daily vehicle trips, with 59 new trips (32 inbound and 27 outbound) occurring during the AM peak hour and 49 new trips (15 inbound and 34 outbound) occurring the PM peak hour (See Table 5).

Table 5

Project Trip Generation Estimates

	% of				AN		AM Peak Hour		PM Peak Hour				
	Vehicle	Reduction		Da	aily	Pk-Hr		Trips	3	Pk-Hr		Trip	s
ITE Land Use	Mode Share	%	Size	Rate	Trips	Rate	In	Out	Total	Rate	In	Out	Total
Data Center ¹			631,278 SF	0.99	625	0.11	38	31	69	0.09	17	40	57
Location-Based Vehicle Mode Share Reduction ²	92%	8.0%			(50)		(3)	(2)	(5)		(1)	(3)	(4)
Project-Specific Trip Reduction ³		7.3%			(42)		(3)	(2)	(5)		(1)	(3)	(4)
Net Project Trips:					533		32	27	59		15	34	49

Notes:

¹ The project trip generation estimates are based on average rates contained in the *ITE Trip Generation Manual*, 11th Edition, for Data Center (Land Use 160) located in a General Urban/Suburban setting. Rates are expressed in trips per 1,000 SF.

² The project site is located within the place type Suburban with Multifamily Housing based on the City of San Jose VMT Evaluation Tool (February 29, 2019). The locationbased vehicle mode share percentage outputs are obtained from Table 6 of the City of San Jose Transportation Analysis Handbook (April 2020). The 8% trip reduction (for industrial uses) is based on the percent of mode share for other modes of travel besides motor vehicles.

³ A 7.3% trip reduction was applied based on the external trip adjustments obtained from the City's VMT Evaluation Tool. This trip reduction reflects the limited parking supply proposed by the project as mitigation to reduce the project VMT impact to a less-than-significant level. It is assumed that every percent reduction in VMT per worker is equivalent to one percent reduction in peak-hour vehicle trips.

Trip Distribution and Assignment

The trip distribution pattern for the project was estimated based on existing travel patterns on the surrounding roadway system and the locations of complementary land uses. The peak hour vehicle trips associated with the project were added to the roadway network in accordance with the trip distribution pattern, the roadway network connections, and the location of the project driveway. The project trip distribution pattern and trip assignment are shown on Figure 8.





Figure 8 Project Trip Distribution and Assignment





Traffic Volumes Under All Scenarios

Existing Traffic Volumes

Existing AM and PM peak hour traffic volumes for the study intersections were obtained from historical count data (2016 and 2017 counts) provided by the City of San Jose. Although new 2022 counts were conducted, the new counts are lower than counts conducted prior to the COVID-19 pandemic. For this reason, City of San Jose staff have requested that the older "pre-pandemic" counts be used in this transportation study. This approach allows transportation studies such as this to move forward without waiting for traffic conditions to return to "normal". The existing AM and PM peak hour intersection volumes are shown graphically on Figure 9.

Background Traffic Volumes

Background AM and PM peak hour traffic volumes were estimated by adding to existing traffic volumes the trips generated by nearby approved but not yet completed or occupied projects (see Figure 10). The vehicular trips associated with the approved projects in the area are listed in the City of San Jose's Approved Trips Inventory (ATI) contained in Appendix B. The transportation network under background conditions would be the same as the existing transportation network.

Background Plus Project Traffic Volumes

Project trips were added to background traffic volumes to obtain background plus project traffic volumes (see Figure 11).

Intersection Traffic Operations

Intersection levels of service were evaluated against the standards of the City of San Jose. The results of the analysis show that the signalized study intersections are currently operating at acceptable levels of service (LOS D or better) during the AM and PM peak hours of traffic and would continue to operate acceptably under background and background plus project conditions (see Table 6).

The detailed signalized intersection level of service calculations are contained in Appendix C.

Table 6

Intersection Levels of Service

				Exis	ting	Background		E	Background + Project		
#	Signalized Intersection	Peak Hour	Count Date	Avg. Delay (sec)	LOS	Avg. Delay (sec)	LOS	Avg. Delay (sec)	LOS	Incr. In Crit. Delay (sec)	Incr. In Crit. V/C
1	1 US 101 NB Off-Ramp & Trimble Rd	AM	3/14/2017	20.1	С	20.4	С	20.5	С	0.1	0.003
		PM	3/14/2017	12.1	В	12.2	В	12.2	В	0.0	0.001
2	Orchard Pkwy & Trimble Pd	AM	3/17/2016	39.9	D	40.4	D	40.3	D	0.0	0.001
2	Orchard P kwy & Thinble Ru	РМ	3/17/2016	39.1	D	41.8	D	42.1	D	0.3	0.005
2	Orchard Plank & Component Dr	AM	6/1/2017	8.4	А	8.7	А	9.2	А	0.8	0.015
5	Orchard Pkwy & Component Dr	PM	6/1/2017	12.0	В	10.3	В	11.7	В	-3.7	0.170
1	Orchard Plank & Charaot Av	AM	6/1/2017	20.9	С	21.5	С	21.5	С	0.1	0.001
4	Orchard Prwy & Charcot Av	РМ	6/1/2017	26.2	С	27.0	С	27.0	С	0.1	0.003





Figure 9 Existing Traffic Volumes







HEXAGON

Figure 10 Background Traffic Volumes





Figure 11 Background Plus Project Traffic Volumes





Vehicle Queuing Analysis

The analysis of intersection levels of service was supplemented with a vehicle queuing analysis for left turn movements where the project would add a noteworthy number of trips to the left-turn movements of signalized intersections. This analysis provides a basis for estimating future storage requirements at the intersections under background plus project conditions. Vehicle queues were estimated using Poisson probability distribution, as described in Chapter 1. Vehicle queuing was analyzed for the northbound left-turn pocket at Orchard Parkway/Trimble Road and the southbound left-turn pocket at Orchard Parkway/Component Drive. As shown in Table 7, both intersections would provide adequate left-turn pocket vehicle storage under background plus project conditions.

Table 7

Intersection Vehicle Queuing Analysis Results

	Orchard Trimb	Pkwy & le Rd	Orchard Compoi	Pkwy & nent Dr		
	NBL (2	lanes)	SBL (1	lane)		
Measurement	AM	РМ	AM	PM		
Existing						
Cycle/Delay ¹ (sec)	140	140	68	68		
Volume (vphpl)	159	137	64	23		
95th %. Queue (veh/ln.)	11	9	3	2		
95th %. Queue (ft./ln) ²	275	225	75	50		
Storage (ft./ ln.) ³	350	350	150	150		
Adequate (Y/N)	Y	Y	Y	Y		
Background						
Cycle/Delay ¹ (sec)	140	140	68	68		
Volume (vphpl)	187	184	70	36		
95th %. Queue (veh/ln.)	12	12	3	2		
95th %. Queue (ft./ln)	300	300	75	50		
Storage (ft./ ln.) ³	350	350	150	150		
Adequate (Y/N)	Y	Y	Y	Y		
Background Plus Project						
Cycle/Delay ¹ (sec)	140	140	68	68		
Volume (vphpl)	193	191	88	58		
95th %. Queue (veh/ln.)	12	12	4	3		
95th %. Queue (ft./ln) ²	300	300	100	75		
Storage (ft./ ln.) ³	350	350	150	150		
Adequate (Y/N)	Y	Y	Y	Y		

Notes:

¹ Vehicle queue calculations based on cycle length.

² Assumes 25 Feet Per Vehicle Queued.

³ Storage Length represents the length of striped turn pocket + approx. 1/2 of taper.

Vehicular Access and Circulation

The site access and circulation evaluation is based on the July 22, 2022 site plan prepared by Sheehan Nagle Hartray Architects. Site access and on-site vehicular circulation were reviewed in accordance with generally accepted traffic engineering standards and City design standards.

Site Access and Circulation

Access to and from the project site would be provided via a right-turn-only driveway on Orchard Parkway. The inbound and outbound movements would be separated by a median. According to the site plan the inbound and outbound driveways measure 28 feet wide and 22 feet wide, respectively (measured at the throat), and are spaced 15 feet apart. An additional 8 feet of mountable curb would be provided on the north end of the inbound driveway to better accommodate large trucks turning right into the driveway from southbound Orchard Parkway. The outbound driveway would be situated approximately 100 feet north of Component Drive.

The main security gate would be situated adjacent to the guardhouse approximately 150 feet from Orchard Parkway. This would provide ample on-site vehicle storage and prevent inbound vehicle queues from extending into the public right-of-way. The inbound 21-foot-wide drive aisle would widen to two lanes just past the guardhouse approximately 200 feet on-site. The widened two-lane portion of the driveway would have barrier arms and kiosks. One 20-foot-wide inbound lane would allow for free passage for employees with badges. The other 20-foot-wide inbound lane would be for visitors and deliveries requiring permission to enter the project site. Between Orchard Parkway and the main entry gate, there would be a short gravel turn-around area to enable vehicles without proper security clearance (i.e., rejected vehicles) to exit the site without having to pass through the main security gate. It is anticipated that the exit only gravel driveway would be very rarely used. The exit only driveway is shown to be 28 feet wide with an additional 8 feet of mountable curb on the north side and an additional 15 feet of mountable curb on the south side of the driveway. As shown on the site plan (see Figure 2), the project plans to install a security gate (swinging gate) within the gravel area adjacent to Orchard Parkway. The on-site security guard would manually open the gate when needed.

As shown on Figure 2 in Chapter 1, the triangular-shaped project site would consist of two 315,639 s.f. buildings, each with a loading dock and associated parking lots. Access to the loading docks would be provided via a 42-foot-wide drive aisle that bisects the two buildings (the loading docks would face each other). Two generators, three water tanks, a water pump station, a fire pump station, and a weather station would be located at the northern corner of the project site, and a substation would be located between the project driveway and the property to the north. The internal roadway network would provide access to all portions of the site. The main loop road measures 30 feet wide, and the parking lot drive aisles measure 26 feet wide. On-site circulation would be efficient with only one dead-end drive aisle located at the end of the parking lot serving the southern building, with adequate turn-around space provided.

Project Driveway Volumes and Operations

The total AM and PM peak hour project-generated trips that are estimated to occur at the project driveway are 32 inbound trips and 27 outbound trips during the AM peak hour, and 15 inbound trips and 34 outbound trips during the PM peak hour (see Figure 8). Approximately 70 percent of inbound trips would approach from the north and 30 percent would approach from the south. Trips approaching the site from the south would be required to perform a U-Turn at the driveway serving the property to the north. It is estimated that 10 AM peak hour vehicles and 5 PM peak hour vehicles would need to make a U-turn to enter the site. Based on the relatively low traffic volumes along Orchard Parkway, vehicle delays for the U-Turn movement are expected to be very low. In addition, based on the low project trip generation, no operational issues are expected to occur at the project driveway.



Sight Distance at Project Driveway

The project driveway should be free and clear of any obstructions to optimize sight distance, thereby ensuring that exiting vehicles can see pedestrians on the sidewalk and other vehicles traveling along Orchard Parkway. Any landscaping and signage should be located in such a way as to ensure an unobstructed view for drivers entering and exiting the site. Adequate sight distance reduces the likelihood of a collision at a driveway or intersection and provides drivers with the ability to locate sufficient gaps in traffic to exit a driveway.

According to the site plan, the project proposes no tall vegetation or objects that could affect sight distance at the project driveway, and parking is not allowed on Orchard Parkway. Also, the horizontal curvature of Orchard Parkway would be beneficial to sight distance. Thus, adequate sight distance would be provided at the project driveway.

Surface Parking Circulation Review

The project proposes three main parking lots with 26-foot-wide drive aisles and two additional parking areas along the main loop road with 90-degree parking spaces provided throughout the site. The City's standard minimum width for two-way drive aisles is 26 feet wide where 90-degree parking is provided. This allows sufficient room for vehicles to back out of the parking spaces. According to the site plan, the drive aisles throughout the site all measure at least 26 feet wide. Thus, adequate access to all parking stalls would be provided throughout the site.

Parking Stall Dimensions

The City of San Jose Off-Street Parking Design Standards require that standard 90-degree parking stalls be a minimum of 8.5 feet wide by 17 feet long and full-size parking stalls be 9 feet wide by 18 feet long. The site plan shows all the parking stalls would be 9 feet wide by 18 feet long and the ADA and van accessible parking spaces would be between 9 feet and 12 feet wide by 18 feet long, which would meet the City of San Jose's and ADA requirements for parking stall dimensions.

Truck Access and Circulation

The project site plan was reviewed for truck access using truck turning-movement templates for the CA Legal truck type (WB-67 truck), which is the largest semi-trailer truck that would access the site. The project site would be adequate to serve these semi-trailer trucks. The on-site security gate and 20-foot-wide drive aisles with barrier arms and kiosks would also be adequate to serve these trucks. The truck turning templates are contained in Appendix D.

General Loading Operations

Both buildings would have an associated loading zone with three loading docks each and a trash compactor, which would be accessed via a 42-foot-wide drive aisle that would bisect the two buildings. The loading zones are shown to be approximately 50 feet wide by 75 feet long and would provide adequate vertical clearance to accommodate WB-67 semi-trailer trucks.

The truck turning templates (see Appendix D) show that semi-trailer trucks could access the site and circulate throughout the site adequately. However, WB-67 trucks would have difficulty accessing the middle loading dock position at each building if trucks are parked at the outside loading dock positions.

Emergency Vehicle Access

The project driveway width and drive aisle widths shown on the site plan would be adequate to accommodate emergency vehicles. The site plan also shows emergency vehicle access (EVA) from the adjacent property to the north via a 75-foot PG&E easement. This secondary access would be used for EVA only.



The City of San Jose Fire Department requires that all portions of the buildings be within 150 feet of a fire access road and requires a minimum of 6 feet clearance from the property line along all sides of the buildings. Adequate clearance would be provided around the perimeters of the buildings and all areas of the proposed buildings would be within 150 feet of a fire access road.

Garbage Collection

The site plan shows a 15-foot-wide refuse area adjacent to the loading docks at each building. Garbage trucks (SU-30 type trucks) could easily access these areas on garbage collection days. Adequate vertical clearance would be provided for garbage trucks.

Construction Activities

Typical activities related to the construction of any development could include lane narrowing and/or lane closures, sidewalk and pedestrian crosswalk closures, and bike lane closures. In the event of any type of closure, clear signage (e.g., closure and detour signs) must be provided to ensure vehicles, pedestrians and bicyclists are able to adequately reach their intended destinations safely.

Construction worker parking and staging areas would be off-site at an existing commercial property parking lot located at 2825 Lafayette Street, approximately 1.9 miles from the site. Bus transportation between the data center project site and the off-site parking area would be provided by the project. Per City standard practice, the project would be required to submit a construction management plan for City approval that includes this construction worker parker and staging information, as well as addresses the construction schedule, street closures and/or detours, and the planned truck routes.

Pedestrian, Bicycle and Transit Facilities

All new development projects in San Jose should encourage multi-modal travel, consistent with the goals of the City's General Plan. It is the goal of the General Plan that all development projects accommodate and encourage the use of non-automobile transportation modes to achieve San Jose's mobility goals and reduce vehicle trip generation and vehicle miles traveled. In addition, the adopted City Bike Master Plan establishes goals, policies, and actions to make bicycling a daily part of life in San Jose. The Master Plan includes designated bike lanes along all City streets, as well as on designated bike corridors. In order to further the goals of the City, pedestrian and bicycle facilities should be encouraged with new development projects.

Pedestrian and Bicycle Facilities

Overall, the existing network of pedestrian and bicycle facilities provides adequate connectivity between the project site and other surrounding land uses and transit stops. Crosswalks with pedestrian signal heads and push buttons are located at all the signalized intersections in the study area. Curb ramps are provided at all the signalized intersections in the study area. There are bike paths and several roadways with striped bike lanes in the vicinity of the project site. Class II striped bike lanes are provided on Trimble Road, Orchard Parkway, North First Street, and Charcot Avenue.

The project would not remove any bicycle facilities, nor would it conflict with any adopted plans or policies for new bicycle facilities. Note, however, that the City of San Jose Better Bike Plan 2025 identifies Orchard Parkway as having a Class IV separated bikeway. Accordingly, City staff will require that the project make a fair-share monetary contribution toward the planned Class IV bikeway improvements along the project frontage on Orchard Parkway. Based on a cost of \$144 per linear foot (source: City of San Jose Department of Public Works), the project's total fair-share contribution would equate to \$50,400 (\$144 x 350 feet of frontage = \$50,400).



The project proposes to make bicycle and pedestrian improvements along the southern boundary of the project site, as well as internally on the project site. These improvements include the following:

- A multi-use trail extension (Class I bike path) along the southern boundary of the project site (see Figure 12). The Class I Bikeway trail connection is identified in the City of San Jose Better Bike Plan 2025 and would create a link between the Guadalupe River Trail and Orchard Parkway at its intersection with Component Drive. The paved trail would include pavement markings and signage to indicate that bikes are allowed. Some minor intersection improvements, including signal phasing modifications, may be necessary to connect the trail to the Orchard Parkway/Component Drive signalized intersection. The trail connection will be predominantly on land owned by the project applicant. However, in order for the trail to interconnect to the Guadalupe River Trail, the trail must cross the land owned and managed by the Santa Clara Valley Water District (Valley Water). While the project applicant will fund and construct the portion of the trail over which it controls, the funding, permitting, authorization and construction of the portion on Valley Water land will need to be performed by Valley Water pursuant to authorization from those agencies with the appropriate permit jurisdiction.
- Bicycle racks on the project site near the administrative buildings.
- An internal network of sidewalks and crosswalks connecting the buildings, substation, storage tank area, and parking lots.

Transit Service

Due to the general nature of the industrial project, the project is expected to generate few new transit riders. Regardless, it is reasonable to assume that some employees would utilize the nearby transit services provided on a daily basis. Although there are no bus stops in the immediate vicinity of the project site, the Component LRT station is conveniently located at the North First Street and Component Drive intersection, less than ½ mile walk/bike ride from the project site. It is estimated that the increased transit demand generated by the proposed project could be accommodated by the current available ridership capacity of the VTA LRT service.

Parking

Vehicular Parking

According to the City of San Jose's off-street parking requirements (Chapter 20.90, Table 20-190 of the City's Zoning Code), the vehicle parking requirements for the 631,278 s.f. Data Center are as follows:

- Office/Meeting/Technician Space: 1 space per 250 s.f. of floor area,
- Computer Equipment Space: 1 space per 5,000 s.f. of floor area, and
- Guardhouse (commercial support): 1 space per 350 s.f. of floor area.

The project proposes 19,606 s.f. of office/meeting/technician space, 611,672 s.f. of computer equipment space, and a 264 s.f. guardhouse. Based on the City's municipal code, the project would require 173 vehicle parking spaces as shown in Table 8 below.

According to the site plan, the project proposes to provide 148 vehicle parking spaces, or 25 fewer parking spaces than what the City's Municipal Code requires (173 spaces). The project would require a parking exception from the City of San Jose Planning Department to allow for a reduction in parking supply. Accordingly, previous parking data collected at two existing Data Centers operating in the City of Santa Clara were used to demonstrate that the actual parking demand for Data Centers is less than the City of San Jose's standard parking requirement. The details of the data center parking demand analysis are described below.





Figure 12 Conceptual Plan for Guadalupe River Extension (Class I Bikeway)





Table 8

Vohiclo Darkir	na Roquiromonte	Based on Cit	v of San Joso	Municipal Code
	iy itequilements	Dased on on	y 01 Jan 3036	municipal coue

				City of San Jos Vehicle Parking Requi	e rements
Building	Use Category	Gross Square Feet (GSF)	Net Square Feet (85% of GSF)	Parking Ratio	Vehicle Spaces Required
Bldg 1 (SJC04)	Office/Meeting/Technician Space	9,803	8,333	1 space per 250 sq.ft.	34
Bldg 1 (SJC04)	Computer Equipment Space	305,836	259,961	1 space per 5,000 sq.ft.	52
Bldg 2 (SJC06)	Office/Meeting/Technician Space	9,803	8,333	1 space per 250 sq.ft.	34
Bldg 2 (SJC06)	Computer Equipment Space	305,836	259,961	1 space per 5,000 sq.ft.	52
Guardhouse	Commercial Support	264	224	1 space per 350 sq.ft.	1
	Totals ¹ :	631,542	536,812		173
0	Amisia al Os da Obantan 00.00 Tabla 00	400			

Source: San Jose Municipal Code Chapter 20.90, Table 20-190.

¹ Total GSF and NSF include guardhouse SF. Total GSF and NSF without guardhouse SF are 631,278 SF and 536,588 SF, respectively.

Parking Demand for Data Centers

Parking demand data at five Data Centers in the City of Santa Clara were collected in 2017. Of the five Data Centers, three are significantly smaller and two are closer in size to the proposed project buildings. For this reason, only the parking counts for the two larger Data Centers were used. Parking demand counts were conducted on three weekdays in August of 2017 at both locations.

The two comparable Data Centers that were counted are located at 2045 Lafayette Street in Santa Clara (323,122 gross s.f.) and 2220 De La Cruz Boulevard in Santa Clara (365,489 gross s.f.). Parking demand was counted every hour between 8:00 AM and 6:00 PM on August 8, 2017 (Tuesday), August 9, 2017 (Wednesday), and August 10, 2017 (Thursday). The parking demand study is contained in Appendix E.

The total number of cars parked every hour were counted at each site. The peak parking demand occurs when the maximum number of cars are present at the site. The peak parking demand for both Data Center locations occurred at 1:00 PM with 75 total cars parked on site at 2045 Lafayette Street (Wednesday 8/9/2017) and 84 cars parked on site at 2220 De La Cruz Boulevard (Thursday 8/10/2017). The results of the Data Center parking study are presented below in Table 9.

The peak parking demand per 1,000 s.f. was calculated by dividing the number of parked cars by the size of each Data Center. As shown in the table, both Data Centers had a peak demand of 0.23 parking spaces per 1,000 s.f. Based on this observed peak parking demand rate, the proposed 631,278 gross s.f. Data Center project would need to provide 146 parking spaces as follows:

(631,278 s.f. / 1,000 s.f.) x 0.23 spaces = 145.19 = 146 spaces (rounded up)

The project proposes to provide 148 parking spaces, which would exceed the calculated peak parking demand for data centers by two vehicle spaces. Therefore, based on the Data Center parking demand analysis, 148 vehicle parking spaces would be adequate to serve the project. However, a parking exception would be required to allow the proposed reduction in parking supply based on the City's Municipal Code requirements. It is our understanding that the City approved this lower parking ratio for the SJC02 Data Center project located at 1657 Alviso Milpitas Road in North San Jose. Thus, it is reasonable to assume that the City would adopt the alternative Data Center parking demand rate for



this Data Center project as well. These types of parking reductions that are supported by evidence of reduced parking demand are typically approved as they support the City's overall strategy to reduce VMT (e.g., see General Plan Policies TR-8.3, TR-8.4, and TR-8.6 described in Chapter 1).

Table 9 Summary of Parking Demand Counts for Data Centers

				Parke	ed Cars			
		2045 Lafaye	tte Street		2220 De La Cruz Boulevard			
	8/8/2017	8/9/2017	8/10/2017	Daily	8/8/2017	8/9/2017	8/10/2017	Daily
Time	Tuesday	Wednesday	Thursday	Average	Tuesday	Wednesday	Thursday	Average
8:00 AM	58	54	56	56	67	69	70	69
9:00 AM	60	55	58	58	71	71	73	72
10:00 AM	58	56	62	59	83	74	81	79
11:00 AM	59	51	56	55	81	76	81	79
12:00 PM	56	51	54	54	75	69	71	72
1:00 PM	63	75	74	71	70	68	84	74
2:00 PM	65	71	68	68	71	68	76	72
3:00 PM	53	65	67	62	72	60	63	65
4:00 PM	50	52	61	54	51	53	57	54
5:00 PM	32	35	41	36	41	49	52	47
6:00 PM	24	32	36	31	27	30	34	30
Size (s.f)		323,1	122			365,4	189	
Max. Parking Demand (veh/ ksf)	sf) 0.232 0.230				80			

Bicycle Parking

The project is required to provide 1 bicycle parking space per 5,000 s.f. of office/meeting/technician workspace, plus 1 bicycle parking space for each 50,000 s.f. of floor area devoted to computer equipment space according to the City of San Jose Municipal Code (Chapter 20.90, Table 20-190). This equates to a total parking requirement of 16 bicycle spaces as shown in Table 10 below.

Table 10

Bicycle Parking Requirements Based on City of San Jose Municipal Code

				City of San Jose Bicycle Parking Requirements	
Building	Use Category	Gross Square Feet (GSF)	Net Square Feet (85% of GSF)	Parking Ratio	Bicycle Spaces Required
Bldg 1 (SJC04)	Office/Meeting/Technician Space	9,803	8,333	1 space per 5,000 sq.ft.	2
Bldg 1 (SJC04)	Computer Equipment Space	305,836	259,961	1 space per 50,000 sq.ft.	6
Bldg 2 (SJC06)	Office/Meeting/Technician Space	9,803	8,333	1 space per 5,000 sq.ft.	2
Bldg 2 (SJC06)	Computer Equipment Space	305,836	259,961	1 space per 50,000 sq.ft.	6
Guardhouse	Commercial Support	264	224		0
	Totals ¹ :	631,542	536,812		16

Source: San Jose Municipal Code Chapter 20.90, Table 20-190.

¹ Total GSF and NSF include guardhouse SF. Total GSF and NSF without guardhouse SF are 631,278 SF and 536,588 SF, respectively.



The project would provide a total of 16 bicycle parking spaces consisting of 8 bicycle spaces per building: 7 short-term spaces plus 1 long-term space per building. Therefore, the project would meet the City's bicycle parking requirement.

Motorcycle Parking

General industrial land uses are required to provide one motorcycle space per 50 code required auto parking spaces according to the City of San Jose parking standards (San Jose Municipal Code Chapter 20.90, Table 20-250). As described in the previous chapter, a data center has similar characteristics to industrial land uses. Accordingly, the project would be required to provide 4 motorcycle parking spaces as follows:

173 Code-required auto spaces / 50 = 3.46 = 4 motorcycle spaces (rounded up)

The project proposes to provide 4 motorcycle parking spaces (2 spaces per building), which meets the City's motorcycle parking requirement.

5. Conclusions

This report presents the results of the transportation analysis conducted for a proposed 631,278 square-foot (s.f.) data center located at 370 W. Trimble Road in North San Jose, California. The transportation impacts of the project were evaluated following the standards and methodologies established in the City of San Jose's Transportation Analysis Handbook, adopted in April 2020. Based on the City of San Jose's Transportation Analysis Policy (Policy 5-1) and the Transportation Analysis Handbook and in accordance with applicable provisions of the California Environmental Quality Act (CEQA), the Transportation Analysis report for the project includes a CEQA transportation analysis and a non-CEQA Local Transportation Analysis (LTA).

CEQA Transportation Impacts

Project Vehicle Miles Traveled (VMT) Analysis

Per the City's VMT Evaluation Tool, the existing Area VMT for employment uses is 15.49 VMT per employee, which is above the existing regional average threshold of 14.37 VMT per employee. The project VMT estimated by the Evaluation Tool is 15.48 VMT per employee, which also exceeds the industrial threshold of 14.37 VMT per employee. Since the VMT generated by the project would exceed the threshold of significance for industrial employment uses in the area, the project would result in a significant transportation impact on VMT, and mitigation is required to reduce the VMT impact to a less-than-significant level.

Project Mitigation

The project proposes to limit the on-site parking supply (a Tier 3 VMT reduction measure) to mitigate the significant VMT impact. The project would provide a total of 148 vehicle parking spaces, which is 25 fewer spaces than what the City of San Jose Municipal Code requires. Parking data collected at two existing data centers operating in the City of Santa Clara support the proposed parking reduction. The project plans to request a parking exception from the City of San Jose Planning Department in order to qualify for the parking reduction. These types of parking reductions that are supported by evidence of reduced parking demand are typically approved as they support the City's overall strategy to reduce VMT (e.g., see General Plan Policies TR-8.3, TR-8.4, and TR-8.6 described in Chapter 1). Decreasing a project's parking supply encourages employees to choose an alternative transportation mode for their commutes, thereby reducing VMT.

Based on the City's VMT Evaluation Tool, limiting the amount of parking provided to serve the Data Center project would lower the project VMT to 14.36 per employee (a reduction of about 7.3%), which



would reduce the project impact to a less-than-significant level (below the threshold of 14.37 VMT per employee).

Cumulative VMT Impact Analysis

The proposed project would be consistent with the development type and intensity provided in the *Envision San Jose 2040 General Plan*, the cumulative effects of which were previously evaluated in the *Envision San Jose 2040 General Plan Environmental Impact Report* and *Supplemental Program Environmental Impact Report*. The project is consistent with the applicable General Plan goals and policies for the following reasons:

- With the issuance of a Site Development Permit/Special Use Permit, the proposed project would be consistent with the current zoning designation: *Combined Industrial Commercial* (CIC).
- The project would increase the employment density in the project area, and the proposed density would be consistent with the current General Plan Land Use Designation that applies to the project site.
- The project would be consistent with adopted plans and policies for planned pedestrian and bicycle facilities. The project would provide improvements to pedestrian and bicycle connectivity and safety in the vicinity of the project site by constructing a Class I Bikeway trail extension between the Guadalupe River Trail and Orchard Parkway. The trail connection is identified in the City of San Jose Better Bike Plan 2025.

Based on the project description, the proposed project would be consistent with the *Envision San Jose 2040 General Plan* and would not require a General Plan Amendment (GPA). The project including its proposed improvements would be considered part of the cumulative solution to meet the General Plan's long-range transportation goals and would result in a less-than-significant cumulative impact.

Local Transportation Effects

Project Trip Generation

After applying the ITE trip rates to the proposed project and applying the appropriate trip adjustments and reductions, it is estimated that the project would generate 533 new daily vehicle trips, with 59 new trips (32 inbound and 27 outbound) occurring during the AM peak hour and 49 new trips (15 inbound and 34 outbound) occurring the PM peak hour.

Intersection Traffic Operations

The results of the intersection level of service analysis show that the signalized study intersections are currently operating at acceptable levels of service (LOS D or better) during the AM and PM peak hours of traffic and would continue to operate acceptably under background and background plus project conditions.

Other Transportation Items

The proposed site plan shows adequate site access and on-site circulation for automobiles, trucks, bicycles and pedestrians. The project would not remove any bicycle facilities, nor would it conflict with any adopted plans or policies for new bicycle facilities. Note, however, that the City of San Jose Better Bike Plan 2025 identifies Orchard Parkway as having a Class IV separated bikeway. Accordingly, City staff will require that the project make a fair-share monetary contribution toward the planned Class IV bikeway improvements along the project frontage on Orchard Parkway. Based on a cost of \$144 per linear foot (source: City of San Jose Department of Public Works), the project's total fair-share contribution would equate to approximately \$50,400 (\$144 x 350 feet of frontage = \$50,400).



The project would construct a Class I Bikeway trail extension along the southern boundary of the site. The trail connection is identified in the City of San Jose Better Bike Plan 2025 and would create a paved link between the Guadalupe River Trail and the intersection of Orchard Parkway and Component Drive. The Class I Bikeway trail will be predominantly on land owned by the project applicant. However, in order for the trail to interconnect to the Guadalupe River Trail, the trail must cross the land owned and managed by the Santa Clara Valley Water District (Valley Water). While the project applicant will fund and construct the portion of the trail over which it controls, the funding, permitting, authorization and construction of the portion on Valley Water land will need to be performed by Valley Water pursuant to authorization from those agencies with the appropriate permit jurisdiction.

San Jose Data Center (SJC04) TA Technical Appendices


Appendix A Intersection Volumes



Intersection Number:	1	М	licrosoft	Data Cente	er SJC0)4							
Traffix Node Number:	4069		-	0 -	_								
Intersection Name:		1 NB Off-I	Ramp	& I rimbl	e Road				r	Data of Ar	a alveie:	07/22	122
Count Date:	03/14/	17							L		iaiysis.	01/22/	22
Scenario:	631,2	78 SF Data	a Cente	r									
								SJ Gro	wth Fact	or (% Per	Year):	0.01	
·						Movem	ents		N	umper of	rears:	0.00	
	N	orth Appro	bach	Eas	st Appro	bach	Sou	th Appr	oach	We	st Appro	bach	
Scenario:	RT	TH	LT	RT	TH	LT	RT	TH	LT	RT	TH	LT	Total
Existing Count	0	0	0	453	1029	0	743	0	1283	0	1368	0	4876
1% Annual Growth (SJ Count Adjustment)	0	0	0	0	0	0	0	0	0	0	0	0	0
Existing Conditions	0	0	0	453	1029	0	743	0	1283	0	1368	0	4876
Approved Project Trips													i
San Jose ATI	0	0	0	5	15	0	20	0	0	0	36	0	76
Approved 2 Approved 3	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Approved Trips	0	0	0	5	15	0	20	0	0	0	36	0	76
Declarge and One differen	0	0	0	450	4044	0	700	0	4000	0	4404	0	4050
Background Conditions Bkgrd check	0	0	0	458	1044	0	763	0	1283	0	1404	0	4952
Brojact Trips													
Project Trips	0	0	0	7	4	0	6	0	0	0	10	0	27
Project Trips 2	0	0	0	0	0	0	0	0	0	0	0	0	0
Project Trips 3	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Project Trips	0	0	0	7	4	0	6	0	0	0	10	0	27
	0			405	40.40		700		1000	-	4 4 4 4		4070
Background + Project Conditions Bkgrd+Proi check	0	0	0	465	1048	0	769	0	1283	0	1414	0	4979
Intersection Name: Peak Hour: Count Date:	Orcha AM 03/17/	rd Parkwa ′16	у	& Trimbl	e Road				I	Date of Ar	nalysis:	07/22/	/22
Scenario:	631,2	78 SF Data	a Cente	r				SJ Gro	wth Fact	or (% Per	Year):	0.01	
						Movom	onto		N	umber of	Years:	0.00)
	N	orth Appro	bach	Eas	st Appro	bach	Sou	th Appr	oach	We	st Appro	bach	-
Scenario:	RT	TH	LT	RT	ŤĤ	LT	RT	TH	LT	RT	ΤH	LT	Total
Existing Count	77	149	9	54	900	42	25	510	317	333	584	333	3333
1% Annual Growth (SJ Count Adjustment)	0	0	0	0	0	0	0	0	0	0	0	0	0
Existing Conditions	77	149	9	54	900	42	25	510	317	333	584	333	3333
Approved Project Trips													
San Jose ATI (interpolated)	15	23	7	0	21	69	28	24	57	21	198	43	506
Approved 2	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Approved Trips	15	23	7	0	21	69	28	24	57	21	198	43	506
Paskaround Conditions	00	170	16	EA	001	111	50	524	274	254	700	276	2020
Background Conditions Bkgrd check	92	172	16	54 54	921	111	53 53	534 534	374	354	782	376	3039
Drain of Tring													
Project Trips	0	2	0	0	0	5	1	1	11	16	0	0	36
Project Trips 2	0	0	0	0	0	0	0	0	0	0	0	0	0
Project Trips 3	0	0	0	0	0	0	0	0	0	0	0	0	0
I RAFFIX Rounding Adjustment Total Project Trips					0	0	~	~ ~		~	0	~	
	0	0 2	0	0	0	0 5	0	0	0 11	0 16	0	0	0 36
Deskarsund - Designt Constitutions	0	0 2	0	0	0	0 5 110	0	0	11	0 16	0 0 700	0	0 36
Background + Project Conditions Bkard+Proi check	0 0 92 92	0 2 174 174	0 0 16 16	0 0 54 54	0 0 921 921	0 5 116 116	0 1 54 54	0 1 535 535	0 11 385 385	0 16 <u>370</u> 370	0 0 782 782	0 0 376 376	0 36 3875

Intersection Number:	3	М	licrosoft	Data Cente	er SJC0	4							
Traffix Node Number:	3843												
Intersection Name:	Orchar	d Parkwa	у	& Comp	onent D	rive							
Peak Hour:	AM	_								Date of Ar	nalysis:	07/22/	/22
Count Date:	06/01/1	7 9 SE Date	a Contor										
	031,270							SJ Grov	wth Fac	ctor (% Per	Year):	0.01	
										Number of	Years:	0.00)
	No	rth Appro	bach	Fas	t Appro	Movem bach	ients Sou	th Appr	oach	Wes	st Appro	bach	-
Scenario:	RT	TH	LT	RT	TH	LT	RT	TH	LT	RT	TH	LT	Total
Existing Count	0	285	64	32	0	14	63	867	0	0	0	0	1325
1% Annual Growth (SJ Count Adjustment)	0	0	0	0	0	0	0	0	0	0	0	0	0
Existing Conditions	0	285	64	32	0	14	63	867	0	0	0	0	1325
Approved Project Trips													
San Jose ATI	0	21	6	12	0	0	0	40	0	0	0	0	79
Approved 2 Approved 3	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Approved Trips	0	21	6	12	0	0	0	40	0	0	0	0	79
Background Conditions	0	306	70	11	0	1/	63	007	0	0	0	0	1404
Bkgrd check	: 0	306	70	44	0	14	63	907	0	0	0	0	1404
Project Trips													
Project Trips	0	9	18	2	0	0	0	8	0	0	0	0	37
Project Trips 2	0	0	0	0	0	0	0	0	0	0	0	0	0
Project Trips 3	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Project Trips	0	9	18	2	0	0	0	8	0	0	0	0	37
Paskaraund - Project Conditions	0	245	00	46	0	11	60	015	0	0	0	0	1444
Background + Project Conditions Bkgrd+Proj check	0	315	88	46	0	14	<u>63</u>	915 915	0	0	0	0	1441
Peak Hour: Count Date:	Orchar AM 06/01/1	d Parkwa 7	ч	& Charco	ot Aven	ue				Date of Ar	nalysis:	07/22/	/22
Scenario:	631,278	8 SF Data	a Center	•				S.I.Grov	wth Fa	ctor (% Per	Year)	0.01	
										Number of	Years:	0.00)
	No	rth Appro	ach	For	t Appre	Movem	ients	th Appr	oach	Mo	ot Appre	ach	-
Scenario:	RT	TH	LT	RT	TH	LT	RT	TH	LT	RT	TH	LT	Total
Evisting Count	145	07	E 4	95	440	47	4		10	160	050	040	2020
1% Annual Growth (SJ Count Adjustment)	145	0	0	0	410	47	4	24	0	0	959	042	2030 0
Existing Conditions	145	87	51	85	418	47	4	24	13	163	959	842	2838
Approved Project Trips													
San Jose ATI	18	42	69	76	102	7	0	9	0	11	191	16	541
Approved 2	0	0	0	0	0	0	0	0	0	0	0	0	0
Approved 3 Total Approved Trips	18	0 42	0 69	0	0	0 7	0	0	0	0	0	0	0 541
	10	72		10	102		0	0	0		101	10	041
Background Conditions Bkgrd check	163	129	120	161 161	520 520	54 54	4	33	13	174	1150	858	3379
		120	120	101	020	01		00				000	
Project Trips	Л	Ο	5	3	Δ	Λ	٥	Δ	0	0	Ω	5	17
Project Trips 2	0	0	0	0	0	0	0	0	0	0	0	0	0
Project Trips 3	0	0	0	0	0	0	0	0	0	0	0	0	0
TRAFFIX Rounding Adjustment	0	0	0	0	0	0	0	0	0	0	0	0	0
i otai Project Trips	4	U	5	3	U	U	U	U	U	U	U	э	17
Background + Project Conditions													
Rkard±Droi obook	167	129	125	164	520	54	4	33	13	174	1150	863	3396

Intersection Number:	1	М	licrosoft	Data Cent	er SJC0	4							
Traffix Node Number:	4069		_	• • • •									
Intersection Name:	US 101	I NB Off-I	Ramp	& Irimb	le Road							07/00	122
Count Date:	F IVI 03/14/1	7								Date of A	laiysis.	011221	22
Scenario:	631.27	8 SF Data	a Cente	r									
	,	-	-					SJ Gro	wth Fac	ctor (% Per	Year):	0.01	
										Number of	Years:	0.00)
					1.0	Mover	nents			14/	1. 4		
Scenario:	RT	TH	LT	_ <u>_ Ea</u> 	TH	LT	Sou RT	TH	LT	RT	TH	LT	- Total
Existing Count	0	0	0	707	1961	0	319	0	509	0	1208	0	4704
1% Annual Growth (SJ Count Adjustment)	0	0	0	0	0	0	210	0	0	0	0	0	0
	0	0	U	101	1901	0	319	0	509	U	1200	0	4704
Approved Project Trips													
San Jose ATI	0	0	0	10	51	0	14	0	0	0	27	0	102
Approved 2	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Approved Trips	0	0	0	10	51	0	14	0	0	0	27	0	102
	Ũ	Ũ	Ũ		•••	Ũ		Ũ	Ũ	Ū.		Ũ	
Background Conditions	0	0	0	717	2012	0	333	0	509	0	1235	0	4806
Bkgrd check	0	0	0	717	2012	0	333	0	509	0	1235	0	
Project Trips													
Project Trips	0	0	0	9	5	0	3	0	0	0	5	0	22
Project Trips 2	0	0	0	0	0	0	0	0	0	0	0	0	0
Project Trips 3	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Project Trips	0	0	0	9	5	0	3	0	0	0	5	0	22
		-	-	-	-	-	-	-	-			-	
Background + Project Conditions	0	0	0	726	2017	0	336	0	509	0	1240	0	4828
Bkgrd+Proj check	0	0	0	726	2017	0	336	0	509	0	1240	0	
Intersection Name: Peak Hour: Count Date:	Orchar PM 03/17/1	d Parkwa	у	& Trimb	le Road					Date of A	nalysis:	07/22/	/22
Scenario:	631,27	8 SF Data	a Cente	r				SJ Gro	wth Fac	ctor (% Pei	Year):	0.01	
										Number of	Years:	0.00)
	No	orth Appro	ach	Fa	et Appro	Mover	ients Sout	th Anni	oach	We	et Annre	hach	-
Scenario:	RT	TH	LT	_ <u>_ La</u> RT	TH	LT	RT	TH	LT	- <u> </u>	TH	LT	- Total
Existing Count	380	379	67	13	1042	77	42	95	274	209	836	49	3463
1% Annual Growth (SJ Count Adjustment)	380	379	67	<u> </u>	0	77	<u> </u>	95	274	209	0 836	0 19	0
	500	515	07	15	1042		42	30	214	209	000	43	5405
Approved Project Trips													
San Jose ATI (interpolated)	31	33	14	0	100	99	65	14	93	56	148	35	688
Approved 2 Approved 3	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Approved Trips	31	33	14	0	100	99	65	14	93	56	148	35	688
Background Conditions	411	412	81	13	1142	176	107	109	367	265	984	84	4151
Вкупаснеск	411	412	01	15	1142	170	107	109	307	205	904	04	
Project Trips													
Project Trips	0	1	0	0	0	2	2	2	14	8	0	0	29
Project Trips Project Trips 2 Project Trips 2	0 0	1 0	0 0	0	0 0	2 0	2 0	2 0	14 0	8 0	0 0	0 0	29 0
Project Trips Project Trips 2 Project Trips 3 TRAFFIX Rounding Adjustment	0 0 0	1 0 0	0 0 0	0 0 0	0 0 0	2 0 0 0	2 0 0 0	2 0 0 0	14 0 0 0	8 0 0 0	0 0 0	0 0 0	29 0 0 0
Project Trips Project Trips 2 Project Trips 3 TRAFFIX Rounding Adjustment <i>Total Project Trips</i>	0 0 0 0	1 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	2 0 0 0 2	2 0 0 0 2	2 0 0 2	14 0 0 0 14	8 0 0 0 8	0 0 0 0	0 0 0 0	29 0 0 0 29
Project Trips Project Trips 2 Project Trips 3 TRAFFIX Rounding Adjustment Total Project Trips	0 0 0 0	1 0 0 1	0 0 0 0	0 0 0 0	0 0 0 0	2 0 0 2	2 0 0 2	2 0 0 2	14 0 0 14	8 0 0 8	0 0 0 0	0 0 0 0	29 0 0 29
Project Trips Project Trips 2 Project Trips 3 TRAFFIX Rounding Adjustment Total Project Trips Background + Project Conditions Bkard+Proj check	0 0 0 0 411 411	1 0 0 1 413 413	0 0 0 0 81 81	0 0 0 13 13	0 0 0 0 1142 1142	2 0 0 2 178 178	2 0 0 2 109	2 0 0 2 111 111	14 0 0 14 <u>381</u> 381	8 0 0 8 273 273	0 0 0 0 984 984	0 0 0 0 84 84	29 0 0 29 4180

Intersection Number:	3	М	licrosoft	Data Cente	er SJC0)4							
Traffix Node Number:	3843												
Intersection Name:	Orchard	d Parkwa	у	& Comp	onent D	Drive							
Peak Hour:	PM									Date of A	nalysis:	07/22	/22
Count Date:	06/01/1	7		_									
	631,278	SF Data	a Center	ſ				S.I.Grov	wth Fa	ctor (% Per	r Year).	0.01	
									narr a	Number of	Years:	0.00)
	N				4	Movem	ients	41- A		14/-	-1		-
Scenario:	RT	TH TH	LT	RT	TH	LT	RT	TH	LT	RT	TH	LT	_ Total
Existing Count	0	874	23	77	0	113	20	231	0	0	0	0	1338
1% Annual Growth (SJ Count Adjustment)	0	0	23	0	0	0	20	0	0	0	0	0	0
Existing Conditions	0	874	23	77	0	113	20	231	0	0	0	0	1338
Approved Project Trips													
San Jose ATI	7	53	13	16	0	0	0	134	17	5	0	11	256
Approved 2	0	0	0	0	0	0	0	0	0	0	0	0	0
Approved 3	0	0	0	0	0	0	0	0	0	0	0	0	0
	1	55	15	10	0	0	0	134	17	5	0		200
Background Conditions	7	927	36	93	0	113	20	365	17	5	0	11	1594
Drgru check	1	921	50	90	0	115	20	303	17	5	0		
Project Trips	0	10	22	1	0	0	0	Л	0	0	0	0	20
Project Trips 2	0	0	22	0	0	0	0	4	0	0	0	0	39
Project Trips 3	0	0	0	0	0	0	0	0	0	0	0	0	0
TRAFFIX Rounding Adjustment	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Project Trips	0	12	22	1	0	0	0	4	0	0	0	0	39
Background + Project Conditions	7	939	58	94	0	113	20	369	17	5	0	11	1633
Bkgrd+Proj check	7	939	58	94	0	113	20	369	17	5	0	11	
Intersection Name: Peak Hour: Count Date:	Orchard PM 06/01/1	d Parkwa 7	у	& Charce	ot Aven	iue				Date of A	nalysis:	07/22/	/22
Scenario:	631,278	8 SF Data	a Center	ſ				SJ Grov	wth Fa	ctor (% Per	r Year):	0.01	
										Number of	Years:	0.00)
	No	rth Appro	hach	Fas	t Annro	Movem	ients Sou	th Annr	oach	We	st Annro	ach	-
Scenario:	RT	TH	LT	RT	TH	LT	RT	TH	LT	RT	TH	LT	Total
Eviating Count	515	225	210	65	650	20	102	100	146	20	245	01	2520
1% Annual Growth (SJ Count Adjustment)	0	235	0	03	000	0	0	0	0	20	0	04	2320
Existing Conditions	515	235	219	65	650	38	102	109	146	20	345	84	2528
Approved Project Trips													
San Jose ATI	32	86	113	56	175	3	0	34	0	25	94	11	629
Approved 2	0	0	0	0	0	0	0	0	0	0	0	0	0
Approved 3 Total Approved Trips	32	0	0	0	0	0	0	0	0	0	0	0	0 629
	52	00	110	50	175	5	0	54	0	25	54		025
Background Conditions	547	321	332	121	825	41	102	143	146	45	439	95	3157
Вкуга спеск	547	321	332	121	020	41	102	143	140	40	439	95	
Project Trips	_	-	_	-	-	<i>.</i>	-	-	-	-	-	-	
Project Trips	5	0	7	2	0	0	0	0	0	0	0	2	16
Project Trips 3	0	0	0	0	0	0	0	0	0	0	0	0	0
TRAFFIX Rounding Adjustment	0	0	0	0	0	0	Ő	0	0	0	0	0	Õ
Total Project Trips	5	0	7	2	0	0	0	0	0	0	0	2	16
Background + Project Conditions													
	552	321	339	123	825	41	102	143	146	45	439	97	3173
Bkgrd+Proj check	552 552	321 321	339 339	123 123	825 825	41 41	102 102	143 143	146 146	45 45	439 439	97 <mark>97</mark>	3173

Appendix B Approved Trips Inventory (ATI)



AM PROJECT TRIPS

04/12/20	122
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M04

WBR

0

M05

WBT

3

Intersection of : Charcot Av & O Nel Dr /	Orchard H	°V			
Traffix Node Number : 3564					
Permit No./Proposed Land Use/Description/Location	M09 NBL	M08 NBT	M07 NBR	M03 SBL	M02 SBT
C15-054 (3-14457) Office/Industrial 1657 ALVISO-MILPITAS ROAD 237 INDUSTRIAL CENTER/ CILKER	0	0	0	0	0

H83-01-001 (3-12093) Office/Industrial JUNCTION AV, N/O PLUMERIA ULTRATECH STEPPER - ORIGINAL APPROVED TRIPS	0	0	0	0	0	0	0	1	0	0	1	0
NSJ LEGACY	0	0	0	52	37	18	16	172	11	7	98	45
NORTH SAN JOSE												
PDC17-026 (3-03628) LEGACY 350/370 W. TRIMBLE ROAD	0	9	0	17	5	0	0	0	0	0	0	31

M01

SBR

0

M12

EBL

0

16

191

11

M11

EBT

18

M10

EBR

0

M06

WBL

7

102

76

0

	LEFT	THRU	RIGHT
NORTH	69	42	18
EAST	7	102	76
SOUTH	0	9	0
WEST	16	191	11

9

0

69

42

18

0

TOTAL:

PM PROJECT TRIPS

04/12/2	022	2
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Intersection of : Charcot Av & O Net	L Dr / Ord	chard P	V										
Traffix Node Number : 3564													
Permit No./Proposed Land Use/Description/Location		M09 NBL	M08 NBT	M07 NBF	MO3 R SBL	M02 SBT	M01 SBR	M12 EBL	M11 EBT	M10 EBR	M06 WBL	M05 WBT	M04 WBR
C15-054 (3-14457) Office/Industrial 1657 ALVISO-MILPITAS ROAD 237 INDUSTRIAL CENTER/ CILKER		0	0	0	0	0	0	0	3	0	0	20	0
H83-01-001 (3-12093) Office/Industrial JUNCTION AV, N/O PLUMERIA ULTRATECH STEPPER - ORIGINAL APPROVED T	RIPS	0	22	0	0	3	0	0	0	0	0	0	0
NSJ LEGACY		0	0	0	79	73	32	11	91	25	3	155	15
NORTH SAN JOSE													
PDC17-026 (3-03628) LEGACY 350/370 W. TRIMBLE ROAD		0	12	0	34	10	0	0	0	0	0	0	41
	TOTAL:	0	34	0	113	86	32	11	94	25	3	175	56
		LEFT	тн	RU	RIGHT								
	NORTH	113	8	6	32								
	EAST	3	17	75	56								
	SOUTH	0	3	4	0								

11

WEST

25

94

AM PROJECT TRIPS

Intersection of : Orchard Py & W Trimble Rd												
Traffix Node Number : 3728												
Permit No./Proposed Land Use/Description/Location	M09 NBL	M08 NBT	M07 NBR	M03 SBL	M02 SBT	M01 SBR	M12 EBL	M11 EBT	M10 EBR	M06 WBL	M05 WBT	M04 WBR
C15-054 (3-14457) Office/Industrial 1657 ALVISO-MILPITAS ROAD 237 INDUSTRIAL CENTER/ CILKER	0	0	0	0	0	0	0	29	0	0	5	0
H14-011 (3-18810) Retail/Commercial NW CORNER OF SR 237 AND N. FIRST STREET HOMEWOOD SUITES HOTEL	0	0	0	0	0	0	0	0	0	0	0	0
H83-01-001 (3-12093) Office/Industrial JUNCTION AV, N/O PLUMERIA ULTRATECH STEPPER - ORIGINAL APPROVED TRIPS	0	0	0	0	0	0	0	5	0	0	1	0
H89-01-008 (3-08288) LEGACY TASMAN & ZANKER (SW/C) OFC 88,433;IND 88433, WHSE	0	0	0	0	0	0	0	4	0	0	1	0
NSJ LEGACY NORTH SAN JOSE	43	14	14	7	1	15	29	92	4	0	0	0
PD13-012 (3-09684) Office/Industrial NW CORNER OF SR237 AND N. FIRST STREET SOUTH BAY	0	0	0	0	0	0	0	42	0	0	11	0
PD13-039 (3-18698) Office/Industrial NW CORNER OF NORTHECH PKWY AND DISK DR TRAMMEL CROW (R&D)												

AM PROJECT TRIPS												04/12	/2022
Intersection of : Orchard Py & W Trimk	ole Rd												
Traffix Node Number : 3728													
Permit No./Proposed Land Use/Description/Location		M09 NBL	M08 NBT	M07 NBR	M03 SBL	M02 SBT	M01 SBR	M12 EBL	M11 EBT	M10 EBR	M06 WBL	M05 WBT	M04 WBR
PD14-007 (3-18698) Office/Industrial NW CORNER OF NORTECH PKWY AND DISK DR TRAMMEL CROW (MFG.)		3	7	0	0	0	0	0	1	0	0	3	0
PDC17-026 (3-03628) LEGACY 350/370 W. TRIMBLE ROAD		11	3	14	0	22	0	14	25	17	69	0	0
Т	OTAL:	57	24	28	7	23	15	43	198	21	69	21	0
		LEFT	TH	RU F	IGHT								
	NORTH	7	2	3	15								
	EAST	69	2	1	0								
	SOUTH	57	2	4	28								
	WEST	43	19	98	21								

PM PROJECT TRIPS

04/	12	/2022
· · · /		

Intersection of : Orchard Py & W Trimble Rd												
Traffix Node Number : 3728												
Permit No./Proposed Land Use/Description/Location	M09 NBL	M08 NBT	M07 NBR	M03 SBL	M02 SBT	M01 SBR	M12 EBL	M11 EBT	M10 EBR	M06 WBL	M05 WBT	M04 WBR
C15-054 (3-14457) Office/Industrial 1657 ALVISO-MILPITAS ROAD 237 INDUSTRIAL CENTER/ CILKER	0	0	0	0	0	0	0	5	0	0	31	0
H14-011 (3-18810) Retail/Commercial NW CORNER OF SR 237 AND N. FIRST STREET HOMEWOOD SUITES HOTEL	0	0	0	0	0	0	0	0	0	0	0	0
H83-01-001 (3-12093) Office/Industrial JUNCTION AV, N/O PLUMERIA ULTRATECH STEPPER - ORIGINAL APPROVED TRIPS	0	0	0	0	0	0	0	1	0	0	5	0
H89-01-008 (3-08288) LEGACY TASMAN & ZANKER (SW/C) OFC 88,433;IND 88433, WHSE	0	0	0	0	0	0	0	1	0	0	4	0
NSJ LEGACY	63	5	30	14	0	31	7	83	2	0	0	0
PD13-012 (3-09684) Office/Industrial NW CORNER OF SR237 AND N. FIRST STREET SOUTH BAY	0	0	0	0	0	0	0	5	0	0	42	0
PD13-039 (3-18698) Office/Industrial NW CORNER OF NORTHECH PKWY AND DISK DR TRAMMEL CROW (R&D)												

PM PRO	JECT	TRIPS
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PM PROJECT TRIPS												04/12	:/2022
Intersection of : Orchard Py & W Tra	imble Rd												
Traffix Node Number : 3728													
Permit No./Proposed Land Use/Description/Location		M09 NBL	M08 NBT	M07 NBR	M03 SBL	M02 SBT	M01 SBR	M12 EBL	M11 EBT	M10 EBR	M06 WBL	M05 WBT	M04 WBR
PD14-007 (3-18698) Office/Industrial NW CORNER OF NORTECH PKWY AND DISK DR TRAMMEL CROW (MFG.)		0	0	0	0	0	0	0	3	0	0	18	0
PDC17-026 (3-03628) LEGACY 350/370 W. TRIMBLE ROAD		30	9	35	0	33	0	28	50	54	99	0	0
	TOTAL:	93	14	65	14	33	31	35	148	56	99	100	0
		LEFT	тн	RU I	RIGHT								
	NORTH	14	3	3	31								
	EAST	99	10	00	0								

SOUTH 93 14 65 WEST 35 148 56

AM PROJECT	TRIPS
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AM PROJECT TRIPS												04/12	2022
Intersection of : Orchard Py & (Component Dr												
Traffix Node Number : 3843													
Permit No./Proposed Land Use/Description/Location		M09 NBL	M08 NBT	M07 NBR	M03 SBL	M02 SBT	M01 SBR	M12 EBL	M11 EBT	M10 EBR	M06 WBL	M05 WBT	M04 WBR
NSJ LEGACY		0	0	0	0	0	0	0	0	0	0	0	0
NORTH SAN JOSE													
PDC17-026 (3-03628) LEGACY 350/370 W. TRIMBLE ROAD		0	40	0	6	21	0	0	0	0	0	0	12
	TOTAL:	0	40	0	6	21	0	0	0	0	0	0	12
		LEFT	тн	RU R	IGHT								
	NORTH	6	2	1	0								
	EAST	0	()	12								
	SOUTH	0	4	0	0								
	WEST	0	()	0								

PM PROJECT TRIPS												04/12	2022
Intersection of : Orchard Py & C	Component Dr												
Traffix Node Number : 3843													
Permit No./Proposed Land Use/Description/Location		M09 NBL	M08 NBT	M07 NBR	M03 SBL	M02 SBT	M01 SBR	M12 EBL	M11 EBT	M10 EBR	M06 WBL	M05 WBT	M04 WBR
NSJ LEGACY		17	81	0	0	9	7	11	0	5	0	0	0
NORTH SAN JOSE													
PDC17-026 (3-03628) LEGACY 350/370 W. TRIMBLE ROAD		0	53	0	13	44	0	0	0	0	0	0	16
	TOTAL:	17	134	0	13	53	7	11	0	5	0	0	16
		LEFT	тн	IRU R	IGHT								
	NORTH	13	5	3	7								
	EAST	0		0	16								
	SOUTH	17	1	34	0								
	WEST	11		0	5								

AM PROJECT TRIPS

AM PROJECT TRIPS												04/12	/2022
Intersection of : W Trimble Rd &	NB 101 To T	rimble	Ramp										
Traffix Node Number : 4069													
Permit No./Proposed Land Use/Description/Location		M09 NBL	M08 NBT	M07 NBR	M03 SBL	M02 SBT	M01 SBR	M12 EBL	M11 EBT	M10 EBR	M06 WBL	M05 WBT	M04 WBR
C15-054 (3-14457) Office/Industrial 1657 ALVISO-MILPITAS ROAD 237 INDUSTRIAL CENTER/ CILKER		0	0	11	0	0	0	0	18	0	0	5	0
PDC17-026 (3-03628) LEGACY 350/370 W. TRIMBLE ROAD		0	0	9	0	0	0	0	18	0	0	10	5
	TOTAL:	0	0	20	0	0	0	0	36	0	0	15	5
		LEF:	т тн	IRU R	IGHT								
	NORTH	0	(0	0								
	EAST	0	1	.5	5								

0 0 20 0 36 0

SOUTH

WEST

PM PROJECT TRIPS

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- -

PM PROJECT TRIPS												04/12	/2022
Intersection of : W Trimble Rd &	NB 101 To Ti	cimble F	Ramp										
Traffix Node Number : 4069													
Permit No./Proposed Land Use/Description/Location		M09 NBL	M08 NBT	M07 NBR	M03 SBL	M02 SBT	M01 SBR	M12 EBL	M11 EBT	M10 EBR	M06 WBL	M05 WBT	M04 WBR
C15-054 (3-14457) Office/Industrial 1657 ALVISO-MILPITAS ROAD 237 INDUSTRIAL CENTER/ CILKER		0	0	2	0	0	0	0	3	0	0	31	0
PDC17-026 (3-03628) LEGACY 350/370 W. TRIMBLE ROAD		0	0	12	0	0	0	0	24	0	0	20	10
	TOTAL:	0	0	14	0	0	0	0	27	0	0	51	10
		LEFT	тн	RU R	IGHT								
	NORTH	0	(C	0								
	EAST	0	5	1	10								
	SOUTH	0	(C	14								

0 27

0

WEST

Appendix C Intersection Level of Service Calculations







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